PUBLIC NOTICE - ST. BERNARD PARISH COUNCIL MEETING - AGENDA

Tuesday, February 19, 2019  3:00 p.m.  Council Chambers  Page 1 of 5

Email: radams@sbpg.net   (504) 278-4228   (504) 278-4209 (fax)  Posted 2/14/19

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 Carol T. Brown with JCITA Ministries
E. Pledge of Allegiance by Councilmember Alcon
F. Recognize Elected Officials

APPROVAL OF MINUTES

1. Motion to approve the minutes of the February 5, 2019 Regular Council Meeting as published in the official journal, the St. Bernard Voice on Friday, February 15, 2019. (Council Chair)

RECOGNITION

2. Motion to proclaim February 21, 2019 as “Realtor Appreciation Day” in St. Bernard Parish. (Council)
3. Motion to recognize to Boh Bros. Construction for an update on Pakenham/Jackson. (Councilmember Gorbaty)
4. Motion to recognize Donnie Bourgeois with Capital Projects Department for an update on Bluebird Park, Heights/Alexander Park, and Pakenham/Jackson project. (Council)
5. Councilmember’s for a District Update
6. Guy McInnis, President's Report
7. Recognize the Public

PUBLIC HEARINGS

8. 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.

9. 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.

10. 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.

11. 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.

12. 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.

RESOLUTIONS

13. Adopt Resolution SBPC #1914-02-19, approving permits as recommended by the Alcohol Beverage and Bingo Department:

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

   1. Dubear, LLC DBA Day & Night Discount #3 5840 East Judge Perez Dr., Violet, La 70092 Owner: Hai Le & Van Trinh (Renewal) (Beer & Liquor)

   2. Lamar Enterprises, LLC dba Barker’s Dozen 8001-A W. St Bernard Highway, Violet, La 70092 Owners: Rolfe A. Barker (Renewal) (Beer Only)

   3. Par 3 Restaurant, LLC dba Par 3 Restaurant 1530 E. Judge Perez Dr., Chalmette La 70043 Member: Dorothy Z. Labrosse (Renewal) (Beer & Liquor)

   4. M&A Cheema, LLC dba AAA Shell 2601 Paris Road, Chalmette, La 70043 Owner: Muhammed Cheema & Asia Cheema (Renewal) (Beer & Liquor)

   5. 6601 W. Judge Perez Dr., LLC dba Daq Shaq 6601 W. Judge Perez Dr., Arabi, La 70032 Owner: Joseph A. Licciardi (New) (Beer & Liquor)
PUBLIC NOTICE - ST. BERNARD PARISH COUNCIL MEETING - AGENDA

Tuesday, February 19, 2019  3:00 p.m.  Council Chambers

Email: radams@sbpg.net  (504) 278-4228  (504) 278-4209 (fax)  Posted 2/14/19

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.

Special Event

1. Name of Organization: Casa New Orleans
   Address: 1340 Poydras St. Ste. 2120, New Orleans, La 70112
   Event: Rock the Casa
   Location: Docville Farm, 5128 E. St. Bernard Hwy, Violet, La 70092
   Date: March 30, 2019
   Time: 11AM-6PM
   Contact: Heather Michael

2. Name of Organization: Guy McInnis Campaign Fund
   Address: 130 West St. Avide Chalmette La, 70043
   Event: Family Fest (Gumbo Cook-Off)
   Location: 2501 Archbishop Hannan Blvd., Meraux, La, 70075
   Date: May 18, 2019
   Time: 11AM-5PM
   Contact: Guy McInnis

14. Adopt Resolution SBPC #1915-02-19, a resolution appointing a member to the St. Bernard Parish Planning Commission, District B.  (Administration)

ADOPTION

15. Summary No. 3680
   Planning Commission recommended APPROVAL on 1/22/19
   Introduced by: Administration on 2/5/19
   Public Hearing held on 2/19/19

   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.

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

   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.
17. **Summary No. 3682**
   Introduced by: Councilmember Luna on 2/5/19
   Public Hearing held on 2/19/19

   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.

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

   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
   Public Hearing held on 2/19/19

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

**INTRODUCTION**

20. **Summary No. 3686**
   Introduced by: Administration on 2/19/19

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

21. **Summary No. 3687**
   Introduced by: Councilmember Luna on 2/19/19

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

22. **Summary No. 3688**
   Introduced by: Administration on 2/19/19

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

Email: radams@sbpg.net  (504) 278-4228    (504) 278-4209 (fax)    Posted 2/14/19
Tuesday, February 19, 2019    3:00 p.m.    Council Chambers    Page 5 of 5

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.

OTHER MATTERS

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 Angelicare, LLC et al v. St. Bernard Parish, et al, USDC E.D., LA #17-7360 and potential litigation between The United States Government and St. Bernard Parish Government related to HUD Complaint No. 06-17-8597-8 and all related matters.

Next Regular scheduled Council Meeting will be held Wednesday, March 6, 2019 @ 7:00 p.m.

Approved by: __Richard “Richie” Lewis__    Time: 2:30 p.m.    Date: 2/14/2019
On motion of XXXX, seconded by XXXX, it was moved to approve the
minutes of the February 5, 2019 Regular Council Meeting as published in the official
journal, the St. Bernard Voice on Friday, February 15, 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 19th 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 19, 2019.

Witness my hand and the seal
of the Parish of St. Bernard on
this 19th day of February, 2019.

________________________
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, FEBRUARY 5, 2019 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, February 5, 2019 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 7:03 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.

Pastor Trevor Truitt with Celebration Church delivered the invocation and Councilmember Luna led the Pledge of Allegiance.

#1 On motion of Ms. Callais, seconded by Mr. McCloskey, 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: 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 5th day of February, 2019.

State Representative Ray Garofalo is now present.

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

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

#4 Recognize the Public
Ken Dufour- Violet, LA
Kammie and Marie- Chalmette, LA

#5 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.

A COPY OF THIS PUBLIC HEARING IS ON FILE AT THE CLERK OF COUNCIL’S OFFICE
On motion of Mrs. Alcon, seconded by Mr. Montelongo, 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)


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

**NAYS:** None

**ABSENT:** None

The Council Chair, Mr. Lewis, cast his vote as ABSTAIN.
And the motion was declared adopted on the 5th day of February, 2019.

#7 On motion of Mr. Luna, seconded by Mr. McCloskey, 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.

Discussion ensued.

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 5th day of February, 2019.

#8 On motion of Mr. Montelongo, seconded by Mrs. Alcon, 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 SUPERCEDING 2013 GRANT) IN THE MAXIMUM AMOUNT OF $180,000.00

Discussion ensued.

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 5th day of February, 2019.

#9 On motion of Ms. Callais, seconded by Mr. Montelongo, 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.

Discussion ensued.

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 5th day of February, 2019.

#10 On motion of Mr. Lewis, seconded by Mr. McCloskey, 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.

Discussion ensued.

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 5th day of February, 2019.

#11 On motion of Mr. Gorbaty, seconded by Ms. Callais, 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.

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 5th day of February, 2019.

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

ORDINANCE SBPC #2133-02-19

Summary No. 3672
Introduced by: Councilmember Lewis on 12/4/18
Public Hearing held on 12/18/18
Planning Commission recommended APPROVAL on 1/22/19
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.

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 5th day of February, 2019.

#13 On motion of Mr. McCloskey, seconded by Ms. Callais, it was moved to adopt the following ordinance:

ORDINANCE SBPC #2134-02-19

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.

Discussion ensued.

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

YEAS: McCloskey, Luna, Alcon, Montelongo, Callais

NAYS: Gorbaty

ABSENT: None

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

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

#14 On motion of Mr. Montelongo, seconded by Ms. Callais, 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.

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 5th day of February, 2019.

#15 On motion of Mr. Montelongo, seconded by Mr. McCloskey, 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.

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 5th day of February, 2019.

#16 On motion of Mr. Luna, seconded by Mr. Gorbaty, 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.

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 5th day of February, 2019.

#17 On motion of Mr. Gorbaty, seconded by Mrs. Alcon, 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.

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 5th day of February, 2019.

On motion of Mr. Gorbaty, seconded by Mr. McCloskey, 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.

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 5th day of February, 2019.

On motion of Mr. Gorbaty, seconded by Ms. Callais, 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.

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 5th day of February, 2019.
Council Chair, Mr. Lewis, took a Chairman Privilege to recognize Jerry Forstell from Chalmette Refinery and Robert Baumann from Baton Rouge regarding items #20 and #21.

#20 On motion of the Chair, without objection and by unanimous consent, it was moved to take action regarding the Industrial Tax Exemption Application #20170154.

Discussion ensued;

On motion of Mrs. Alcon, seconded by Mr. McCloskey, it was moved to DENY the Industrial Tax Exemption Application #20170154.

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

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

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

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

#21 On motion of the Chair, without objection and by unanimous consent, it was moved to take action regarding the Industrial Tax Exemption Application #20170155.

Discussion ensued;

On motion of Mr. Luna, seconded by Mr. McCloskey, it was moved to DENY the Industrial Tax Exemption Application #20170155.

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 5th day of February, 2019.

#22 On the motion of the 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 December 2018.

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 5th day of February, 2019.

#23 Coastal Zone Advisory Committee

No action taken.

On motion of the Chair, without objection and by unanimous consent, it was moved to address items #24 and #25 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 5th day of February, 2019.

#24

On the motion of the Mr. Lewis, seconded by Ms. Callais, it was moved to enter into Executive Session to discuss Fucich Contracting, Inc. v. Shread-Kuyrkendall and Assoc. Inc. & St. Bernard, USDC, E.D., LA 18-02885.

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 5th day of February, 2019.

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

#24

On motion of Mr. Gorbaty, seconded by Mr. McCloskey, it was moved to accept the advice of legal counsel in the matter of Fucich Contracting, Inc. v. Shread-Kuyrkendall and Assoc. Inc. & St. Bernard, USDC, E.D., LA 18-02885.

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 5th day of February, 2019.

#25

On motion of Mr. Gorbaty, seconded by Mr. McCloskey, it was moved to accept the advice of legal counsel in the matter of CDM Smith v. SBPG, EDLA No. 18-05392.

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 5th day of February, 2019.

#25

On motion of Mr. Gorbaty, seconded by Mr. McCloskey, it was moved to accept the advice of legal counsel in the matter of CDM Smith v. SBPG, EDLA No. 18-05392.
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 5th day of February, 2019.

There being no further business for discussion, the Council Chair declared the meeting adjourned at 8:55 p.m. on the 5th day of February, 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_  
ROXANNE ADAMS  
CLERK OF COUNCIL

_Richard “Richie” Lewis_  
RICHARD “RICHIE” LEWIS  
COUNCIL CHAIR
PUBLIC HEARING NOTICE

THE ST. BERNARD PARISH COUNCIL WILL HOLD A PUBLIC HEARING ON TUESDAY, FEBRUARY 19, 2019 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 FEBRUARY 5, 2019 COUNCIL MEETING:

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.

BY DIRECTION OF

Richard “Richie” Lewis
RICHARD “RICHIE” LEWIS
COUNCIL CHAIR
THE ST. BERNARD PARISH COUNCIL WILL HOLD A PUBLIC HEARING ON TUESDAY, FEBRUARY 19, 2019 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 FEBRUARY 5, 2019 COUNCIL MEETING:

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.

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, FEBRUARY 19, 2019 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 FEBRUARY 5, 2019 COUNCIL MEETING:

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.

BY DIRECTION OF

Richard “Richie” Lewis
RICHARD “RICHIE” LEWIS
COUNCIL CHAIR
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 permit 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.
Summary No. 3682
Exhibit “A”
Ordinance SBPC #XXXX-XX-XX

(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 ****
PUBLIC HEARING NOTICE

THE ST. BERNARD PARISH COUNCIL WILL HOLD A PUBLIC HEARING ON TUESDAY, FEBRUARY 19, 2019 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 FEBRUARY 5, 2019 COUNCIL MEETING:

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

BY DIRECTION OF

Richard “Richie” Lewis
RICHARD “RICHIE” LEWIS
COUNCIL CHAIR
St. Bernard Parish Government
Proposed 2019 Budget Amendment 2-19-2019
Summary No. 3684
Ordinance SBPC #XXXX-XX-XX

<table>
<thead>
<tr>
<th>Account Code</th>
<th>Account Title</th>
<th>Account Type</th>
<th>Org</th>
<th>Project</th>
<th>Increase</th>
<th>Decrease</th>
</tr>
</thead>
<tbody>
<tr>
<td>1002010</td>
<td>Construction in Progress</td>
<td>Expenditure</td>
<td>571001</td>
<td>0000</td>
<td>$10,000</td>
<td>0</td>
</tr>
</tbody>
</table>

**Net Effect on Fund Balance**

<table>
<thead>
<tr>
<th>Account Code</th>
<th>Account Title</th>
<th>Account Type</th>
<th>Org</th>
<th>Project</th>
<th>Increase</th>
<th>Decrease</th>
</tr>
</thead>
<tbody>
<tr>
<td>1002010</td>
<td>Budget Contingency Fund</td>
<td>Expenditure</td>
<td>589999</td>
<td>0000</td>
<td>$105,000</td>
<td>0</td>
</tr>
<tr>
<td>1002010</td>
<td>Transfer to Capital Projects</td>
<td>Expenditure</td>
<td>599262</td>
<td>0000</td>
<td>0</td>
<td>$105,000</td>
</tr>
<tr>
<td>2623495</td>
<td>Transfer from GF Revenue</td>
<td>Revenue</td>
<td>499100</td>
<td>0000</td>
<td>0</td>
<td>105,000</td>
</tr>
<tr>
<td>2623495</td>
<td>P.S. - Legal FEMA Arbitration</td>
<td>Expenditure</td>
<td>520012</td>
<td>0000</td>
<td>0</td>
<td>105,000</td>
</tr>
</tbody>
</table>

**Net Effect on Fund Balance**

<table>
<thead>
<tr>
<th>Account Code</th>
<th>Account Title</th>
<th>Account Type</th>
<th>Org</th>
<th>Project</th>
<th>Increase</th>
<th>Decrease</th>
</tr>
</thead>
<tbody>
<tr>
<td>2616200</td>
<td>Donations Revenue</td>
<td>Revenue</td>
<td>483001</td>
<td>0049</td>
<td>$80,000</td>
<td>0</td>
</tr>
<tr>
<td>2616200</td>
<td>Advertising Expenditure</td>
<td>Expenditure</td>
<td>580017</td>
<td>0049</td>
<td>0</td>
<td>$80,000</td>
</tr>
</tbody>
</table>

**Net Effect on Fund Balance**

<table>
<thead>
<tr>
<th>Account Code</th>
<th>Account Title</th>
<th>Account Type</th>
<th>Org</th>
<th>Project</th>
<th>Increase</th>
<th>Decrease</th>
</tr>
</thead>
<tbody>
<tr>
<td>2666600</td>
<td>Reimbursement Revenues</td>
<td>Revenues</td>
<td>480071</td>
<td>0000</td>
<td>$70,161</td>
<td>0</td>
</tr>
<tr>
<td>2666600</td>
<td>Professional Services</td>
<td>Expenditure</td>
<td>520002</td>
<td>0000</td>
<td>0</td>
<td>$75,000</td>
</tr>
</tbody>
</table>

**Net Effect on Fund Balance**

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

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

**This Budget Amendment is to carryover the Go Coast Project into 2019.**

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.
# St. Bernard Parish Government
## Proposed 2019 Budget Amendment 2-19-2019
### Summary No. 3684
#### Ordinance SBPC #XXXX-XX-XX

<table>
<thead>
<tr>
<th>Account Code</th>
<th>Account Title</th>
<th>Account Type</th>
<th>Entry Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1607805</td>
<td>Construction in Progress</td>
<td>Expenditure</td>
<td>$103,000</td>
</tr>
</tbody>
</table>

**Net Effect on Fund Balance**

<table>
<thead>
<tr>
<th>Increase</th>
<th>Decrease</th>
</tr>
</thead>
<tbody>
<tr>
<td>$0.00</td>
<td>$0.00</td>
</tr>
</tbody>
</table>

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

<table>
<thead>
<tr>
<th>Account Code</th>
<th>Account Title</th>
<th>Account Type</th>
<th>Entry Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>4573425</td>
<td>Federal Revenue</td>
<td>Revenue</td>
<td>$180,000</td>
</tr>
<tr>
<td>4573425</td>
<td>Construction in Progress</td>
<td>Expenditure</td>
<td>$180,000</td>
</tr>
</tbody>
</table>

**Net Effect on Fund Balance**

<table>
<thead>
<tr>
<th>Increase</th>
<th>Decrease</th>
</tr>
</thead>
<tbody>
<tr>
<td>$0.00</td>
<td>$0.00</td>
</tr>
</tbody>
</table>

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

THE ST. BERNARD PARISH COUNCIL WILL HOLD A PUBLIC HEARING ON TUESDAY, FEBRUARY 19, 2019 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 FEBRUARY 5, 2019 COUNCIL MEETING:

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

BY DIRECTION OF

Richard “Richie” Lewis
RICHARD "RICHIE" LEWIS
COUNCIL CHAIR
St. Bernard Parish Government  
Proposed 2019 Budget Amendment 2-19-2019  
Summary No. 3685  
Ordinance SBPC #XXXX-XX-XX

<table>
<thead>
<tr>
<th>Account Code</th>
<th>Entry Amount</th>
<th>Account Title</th>
<th>Account Type</th>
<th>Increase</th>
<th>Decrease</th>
</tr>
</thead>
<tbody>
<tr>
<td>5004310</td>
<td></td>
<td>Insurance Proceeds</td>
<td>Revenues</td>
<td>$1,438,708</td>
<td></td>
</tr>
<tr>
<td>5004310</td>
<td></td>
<td>Construction in Progress</td>
<td>Expenditure</td>
<td>1,463,708</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.*
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 19, 2019 AT THREE O'CLOCK P.M.

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

RESOLUTION SBPC #1914-02-19

BE IT RESOLVED, th at 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. Dubear, LLC DBA Day & Night Discount #3 5840 East Judge Perez Dr., Violet, La 70092 Owner: Hai Le & Van Trinh (Renewal) (Beer & Liquor)

2. Lamar Enterprises, LLC dba Barker’s Dozen 8001-A W. St Bernard Highway, Violet, La 70092 Owners: Rolfe A. Barker (Renewal) (Beer Only)

3. Par 3 Restaurant, LLC dba Par 3 Restaurant 1530 E. Judge Perez Dr., Chalmette La 70043 Member: Dorothy Z. Labrosse (Renewal) (Beer & Liquor)

4. M&A Cheema, LLC dba AAA Shell 2601 Paris Road, Chalmette, La 70043 Owner: Muhammed Cheema & Asia Cheema (Renewal) (Beer & Liquor)

5. 6601 W. Judge Perez Dr., LLC dba Daq Shaq 6601 W. Judge Perez Dr., Arabi, La 70032 Owner: Joseph A. Licciardi (New) (Beer & Liquor)

Special Event

1. Name of Organization: Casa New Orleans
   Address: 1340 Poydras St. Ste. 2120, New Orleans, La 70112
   Event: Rock the Casa
   Location: Docville Farm, 5128 E. St. Bernard Hwy, Violet, La 70092
   Date: March 30, 2019
   Time: 11AM-6PM
   Contact: Heather Michael
February 19, 2019

2. Name of Organization: Guy McInnis Campaign Fund
   Address: 130 West St. Avide Chalmette La, 70043
   Event: Family Fest (Gumbo Cook-Off)
   Location: 2501 Archbishop Hannan Blvd., Meraux, La, 70075
   Date: May 18, 2019
   Time: 11AM-5PM
   Contact: Guy McInnis

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 19th 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 19, 2019.

Witness my hand and the seal of the Parish of St. Bernard on this 19th 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 #1915-02-19**

A RESOLUTION APPOINTING A MEMBER TO THE ST. BERNARD PARISH PLANNING COMMISSION, DISTRICT B.

**WHEREAS,** this Council is desirous to fill this position due to the resignation of Earl Dauterive and fill the unexpired term;

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

<table>
<thead>
<tr>
<th>MEMBER</th>
<th>EXPIRATION DATE</th>
<th>DISTRICT</th>
</tr>
</thead>
<tbody>
<tr>
<td>XXXXX</td>
<td>December 1, 2020</td>
<td>B</td>
</tr>
</tbody>
</table>

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

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

**YEAS:**

**NAYS:**

**ABSENT:**

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

And the motion was declared **adopted** on the 19th 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 19, 2019.

Witness my hand and the seal of the Parish of St. Bernard on this 19th 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. 3680
Planning Commission recommended APPROVAL on 1/22/19
Introduced by: Administration on 2/5/19
Public Hearing held on 2/19/19

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 19th 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 __________________________
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 19, 2019 AT THREE O'CLOCK P.M.

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

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

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.
February 19, 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 19th 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 ____________________________________________
On motion of XXXX, seconded by XXXX, it was moved to adopt the following ordinance:

**Summary No. 3682**  
 Introduced by: Councilmember Luna on 2/5/19  
 Public Hearing held on 2/19/19

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.
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 19th 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 ________________________________
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 permit 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.
Summary No. 3682
Exhibit “A”
Ordinance SBPC #XXXX-XX-XX

(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 XXXX, seconded by XXXX, it was moved to **adopt** the following ordinance:

**Summary No. 3684**  
Introduced by: Administration on 2/5/19  
Public Hearing held on 2/19/19

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 19th 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 ________________________________
### Account Title

<table>
<thead>
<tr>
<th>Account Code</th>
<th>Org</th>
<th>Project</th>
<th>Account Type</th>
<th>Entry Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1002010</td>
<td>571001</td>
<td>0000</td>
<td>Construction in Progress</td>
<td>Expenditure</td>
</tr>
<tr>
<td>1002010</td>
<td>589999</td>
<td>0000</td>
<td>Budget Contingency Fund</td>
<td>Expenditure</td>
</tr>
<tr>
<td>1002010</td>
<td>59262</td>
<td>0000</td>
<td>Transfer to Capital Projects</td>
<td>Expenditure</td>
</tr>
<tr>
<td>2623495</td>
<td>499100</td>
<td>0000</td>
<td>Transfer from GF</td>
<td>Revenue</td>
</tr>
<tr>
<td>2623495</td>
<td>520012</td>
<td>0000</td>
<td>P.S. - Legal FEMA Arbitration</td>
<td>Expenditure</td>
</tr>
<tr>
<td>2616200</td>
<td>483001</td>
<td>0049</td>
<td>Donations</td>
<td>Revenue</td>
</tr>
<tr>
<td>2616200</td>
<td>580017</td>
<td>0049</td>
<td>Advertising</td>
<td>Expenditure</td>
</tr>
<tr>
<td>2666600</td>
<td>480071</td>
<td>0000</td>
<td>Reimbursement</td>
<td>Revenues</td>
</tr>
<tr>
<td>2666600</td>
<td>520002</td>
<td>0000</td>
<td>Professional Services</td>
<td>Expenditure</td>
</tr>
</tbody>
</table>

**Net Effect on Fund Balance**

<table>
<thead>
<tr>
<th>Entry Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>$ - 10,000.00</td>
</tr>
</tbody>
</table>

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

### Account Title

<table>
<thead>
<tr>
<th>Account Code</th>
<th>Org</th>
<th>Project</th>
<th>Account Type</th>
<th>Entry Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1002010</td>
<td>589999</td>
<td>0000</td>
<td>Budget Contingency Fund</td>
<td>Expenditure</td>
</tr>
</tbody>
</table>

**Net Effect on Fund Balance**

<table>
<thead>
<tr>
<th>Entry Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>$ - 105,000</td>
</tr>
</tbody>
</table>

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

### Account Title

<table>
<thead>
<tr>
<th>Account Code</th>
<th>Org</th>
<th>Project</th>
<th>Account Type</th>
<th>Entry Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2616200</td>
<td>483001</td>
<td>0049</td>
<td>Donations</td>
<td>Revenue</td>
</tr>
</tbody>
</table>

**Net Effect on Fund Balance**

<table>
<thead>
<tr>
<th>Entry Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>$ - 80,000</td>
</tr>
</tbody>
</table>

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

### Account Title

<table>
<thead>
<tr>
<th>Account Code</th>
<th>Org</th>
<th>Project</th>
<th>Account Type</th>
<th>Entry Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2666600</td>
<td>480071</td>
<td>0000</td>
<td>Reimbursement</td>
<td>Revenues</td>
</tr>
<tr>
<td>2666600</td>
<td>520002</td>
<td>0000</td>
<td>Professional Services</td>
<td>Expenditure</td>
</tr>
</tbody>
</table>

**Net Effect on Fund Balance**

<table>
<thead>
<tr>
<th>Entry Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>$ - 4,838.92</td>
</tr>
</tbody>
</table>

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.
### Account Code  Entry Amount

<table>
<thead>
<tr>
<th>Object</th>
<th>Account Code</th>
<th>Account Title</th>
<th>Account Type</th>
<th>Entry Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1607805</td>
<td>571001</td>
<td>Construction in Progress</td>
<td>Expenditure</td>
<td>$103,000</td>
</tr>
</tbody>
</table>

Net Effect on Fund Balance: $0.00 $0.00

---

<table>
<thead>
<tr>
<th>Account Code</th>
<th>Entry Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>4573425</td>
<td>$180,000</td>
</tr>
<tr>
<td>571001</td>
<td>$180,000</td>
</tr>
</tbody>
</table>

Net Effect on Fund Balance: $0.00 $0.00

---

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

**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 adopt the following ordinance:

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

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 19, 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 19th day of February, 2019.
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 XXXX, seconded by XXXX, it was moved to introduce the following ordinance:

**Summary No. 3686**
Introduced by: Administration on 2/19/19

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 19th 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 19, 2019.

Witness my hand and the seal of the Parish of St. Bernard on this 19th day of February, 2019.

________________________
ROXANNE ADAMS
CLERK OF COUNCIL
## St. Bernard Parish Government
### Proposed 2019 Budget Amendment 3-5-2019

**Summary No. 3686**

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

<table>
<thead>
<tr>
<th>Account Code</th>
<th>Entry Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1002320</td>
<td>385,000</td>
</tr>
<tr>
<td>2905255</td>
<td>385,000</td>
</tr>
<tr>
<td>4646530</td>
<td>358,000</td>
</tr>
<tr>
<td>5004310</td>
<td>981,500</td>
</tr>
</tbody>
</table>

This Budget Amendment is to budget for the Budmat project.

<table>
<thead>
<tr>
<th>Account Code</th>
<th>Entry Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2905255</td>
<td>385,000</td>
</tr>
<tr>
<td>4646530</td>
<td>385,000</td>
</tr>
</tbody>
</table>

This Budget Amendment is to budget for the new grant received from CY Pres Committee for Paul Park.

<table>
<thead>
<tr>
<th>Account Code</th>
<th>Entry Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>5004310</td>
<td>981,500</td>
</tr>
</tbody>
</table>

This Budget Amendment is to budget for sewerage improvement in the Farmsite residential area.
On motion of XXXX, seconded by XXXX, it was moved to introduce the following ordinance:

Summary No. 3687
Introduced by: Councilmember Luna on 2/19/19

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 19th 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 19, 2019.

Witness my hand and the seal of the Parish of St. Bernard on this 19th day of February, 2019.

________________________
ROXANNE ADAMS
CLERK OF COUNCIL
This Budget Amendment is to budget for a donation from RPC to purchase a vehicle.
On motion of XXXX, seconded by XXXX, it was moved to introduce the following ordinance:

**Summary No. 3688**
Introduced by: Administration on 2/19/19

**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 19th 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 19, 2019.

Witness my hand and the seal of the Parish of St. Bernard on this 19th day of February, 2019.

ROXANNE ADAMS
CLERK OF COUNCIL
<table>
<thead>
<tr>
<th>Account Code</th>
<th>Org</th>
<th>Project</th>
<th>Account Title</th>
<th>Account Type</th>
<th>Entry Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>5004310</td>
<td>599262</td>
<td>0000</td>
<td>Transfer out to Public Works</td>
<td>Expenditure</td>
<td>$ 30,045</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td><strong>Net Effect on Fund Balance</strong></td>
<td></td>
<td><strong>$ -</strong></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td><strong>$ 30,045</strong></td>
</tr>
<tr>
<td>2624010</td>
<td>499262</td>
<td>0000</td>
<td>Transfer from Water &amp; Sewer</td>
<td>Revenues</td>
<td>$ 30,045</td>
</tr>
<tr>
<td>2624010</td>
<td>501000</td>
<td>0000</td>
<td>Salaries</td>
<td>Expenditure</td>
<td>53,200</td>
</tr>
<tr>
<td>2624010</td>
<td>501002</td>
<td>0000</td>
<td>Taxes</td>
<td>Expenditure</td>
<td>6,118</td>
</tr>
<tr>
<td>2624010</td>
<td>501004</td>
<td>0000</td>
<td>Pension</td>
<td>Expenditure</td>
<td>771</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td><strong>Net Effect on Fund Balance</strong></td>
<td></td>
<td><strong>$ -</strong></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td><strong>$ 30,045</strong></td>
</tr>
</tbody>
</table>

_This Budget Amendment is to budget to increase the salary of the Public Works Director._