A. Meeting Called to Order and Roll Call
B. Remind Public that no food or drink is allowed in the Council Chambers
C. Remind Public of Cell Phone Ordinance SBPC #815-02-08
D. Invocation by Pastor Trevor Truitt with Celebration Church
E. Pledge of Allegiance by Councilmember McCloskey
F. Recognize Elected Officials

APPROVAL OF MINUTES

1. Motion to approve the minutes of the March 12, 2019 Special Council Meeting and the March 19, 2019 Regular Council Meeting as published in the official journal, the St. Bernard Voice on Friday, March 29, 2019. (Council Chair)

RECOGNITION

2. Motion to recognize Donnie Bourgeois with Capital Projects Department for an update on current projects. (Council)
3. Councilmember’s for a District Update
4. Guy McInnis, President’s Report
5. Recognize the Public

PUBLIC HEARINGS

6. Summary No. 3694
   Introduced by: Council on 3/19/19

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

7. Summary No. 3695
   Introduced by: Council on 3/19/19

   AN ORDINANCE LEVYING AND IMPOSING CERTAIN TAXES FOR 2019 ON ALL THE PROPERTY SUBJECT TO TAXATION IN THE PARISH OF ST. BERNARD, ROAD LIGHTING DISTRICT NO. 1, ROAD DISTRICT NO. 1, GARBAGE DISTRICT NO. 1, FIRE PROTECTION DISTRICT NO. 1 AND FIRE PROTECTION DISTRICT NO. 2.

8. Summary No. 3696
   Introduced by: Administration on 3/19/19

   AN ORDINANCE GRANTING LAKE BORGNE BASIN LEVEE DISTRICT A TEMPORARY ROAD SERVITUDE, AS DESCRIBED IN EXHIBIT “A”, FOR FLOOD PROTECTION IMPROVEMENTS.
9. Summary No. 3697
   Introduced by: Administration on 3/19/19

   AN ORDINANCE TO AUTHORIZE THE RESCISSION OF THE SALE OF 2109 ESTEBAN STREET
   TO PAUL E. HERKES, III AND THE RESCISSION OF THE ACT OF RESUBDIVISION WHICH
   CREATED LOT 3-A AND TO AUTHORIZE THE PARISH PRESIDENT, THE ST. BERNARD
   HOUSING, REDEVELOPMENT AND QUALITY OF LIFE COMMISSION, AND THE ROAD HOME
   CORPORATION TO EXECUTE ANY NECESSARY DOCUMENTS FOR THE RESCISSIONS.

RESOLUTIONS

10. Adopt Resolution SBPC #1924-04-19, approving permits as recommended by the Alcohol
    Beverage and Bingo Department:

    Beer and/or Liquor Permit(s)

    1. Rick’s Veteran’s, LLC dba Magnolia Discount 7600 W. Judge Perez Dr., Arabi, La 70043
       Owner: Zahran Bazzar (New) (Beer & Liquor)

    2. Tag’s Meat Market, Inc. dba Tag’s Deli 1207 E. Judge Perez Dr., Chalmette, La 70043
       Owners: Deborah and Michael E. Michalik, Jr (Renewal) (Beer Only)

    3. QC Discount, LLC dba Meraux Food Store 2004 Paris Rd., Chalmette, La 70043 Owner:
       Abdallah A. Jaber (Renewal) (Beer & Liquor)

    4. QC Discount, LLC dba QC Discount #4725 E. Judge Perez Dr., Violet, La 70092 Owner:
       Abdallah A. Jaber (Renewal) (Beer & Liquor)

    5. QC Discount, LLC dba Quick Check #4 617 Bayou Rd., St. Bernard, La 70085 Owner:
       Abdallah A. Jaber (Renewal) (Beer & Liquor)

    6. QC Pit Lane, LLC dba QC Pit Lane 3225 E. Judge Perez Dr., Meraux, La 70075
       Members: Abdallah A. Jaber & Ahmed Jaber (Renewal) (Beer & Liquor)

    7. RaceTrac Petroleum, Inc. dba RaceTrac #2350 2713 Paris Rd., Chalmette, La 70043
       Manager: Belinda Anthony (Renewal) (Beer & Liquor)

    8. Sadi, Inc., dba Village Food and Beverage Discount 601 E. Judge Perez Dr., Chalmette,
       La 70043 Member: Abdelrahim Sadi (Renewal) (Beer & Liquor)

    9. RaceTrac Petroleum., dba RaceTrac #2368 8130 W. Judge Perez Dr., Chalmette, La
       70043 Manager: Crystal Stebbins (Renewal) (Beer & Liquor)
Special Event

1. Name of Organization: Tomato Festival Committee
   Address: 2320 Paris Road, Chalmette, La 70043
   Event: OLPS Crawfish Cook Off
   Location: 2320 Paris Road, Chalmette, La 70043
   Date: April 13, 2019 (alternate date April 14, 2019)
   Time: 12PM-4PM
   Contact: FR. Marlon Mangubat

11. Adopt Resolution SBPC #1925-04-19, a resolution to re-appoint Ruth Bertucci as the Governing Authority's Board Member of the St. Bernard Fire Protection Districts No. 1 -2, Fire Civil Service Board. (Administration)

12. Adopt Resolution SBPC #1926-04-19, a resolution to re-appoint Lisa Borne to the St. Bernard Parish Library Board. (Council)

13. Adopt Resolution SBPC #1927-04-19, a resolution authorizing the Parish to apply for a grant from the Louisiana Department of Environmental Quality (LDEQ) to install Two Level 2 Electric-Vehicle Charging Stations in strategic sites within the St. Bernard Parish. (Councilmember Luna)

ADOPTION

14. Summary No. 3698

AN EMERGENCY ORDINANCE TO AMEND CHAPTER 22, ZONING; SECTION 22-5, RESIDENTIAL ZONING DISTRICTS, SECTION 22-6, COMMERCIAL AND INDUSTRIAL ZONING DISTRICTS AND SECTION 22-7, SITE DEVELOPMENT STANDARDS OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

15. Summary No. 3699

AN EMERGENCY ORDINANCE TO AMEND APPENDIX F, REASONABLE ACCOMMODATION UNDER THE FAIR HOUSING ACT OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

16. Summary No. 3694

Introduced by: Council on 3/19/19
Public Hearing held on 4/2/19

AN ORDINANCE TO AMEND ORDINANCE SBPC #2119-12-18, AN ORDINANCE TO ADOPT THE 2019 ST. BERNARD PARISH ANNUAL OPERATING AND CAPITAL BUDGET.
17. **Summary No. 3695**  
Introduced by: Council on 3/19/19  
Public Hearing held on 4/2/19  

AN ORDINANCE LEVYING AND IMPOSING CERTAIN TAXES FOR 2019 ON ALL THE PROPERTY SUBJECT TO TAXATION IN THE PARISH OF ST. BERNARD, ROAD LIGHTING DISTRICT NO. 1, ROAD DISTRICT NO. 1, GARBAGE DISTRICT NO. 1, FIRE PROTECTION DISTRICT NO. 1 AND FIRE PROTECTION DISTRICT NO. 2.

18. **Summary No. 3696**  
Introduced by: Administration on 3/19/19  
Public Hearing held on 4/2/19  

AN ORDINANCE GRANTING LAKE BORGNE BASIN LEVEE DISTRICT A TEMPORARY ROAD SERVITUDE, AS DESCRIBED IN EXHIBIT “A”, FOR FLOOD PROTECTION IMPROVEMENTS.

19. **Summary No. 3697**  
Introduced by: Administration on 3/19/19  
Public Hearing held on 4/2/19  


**INTRODUCTION**

20. **Summary No. 3700**  
Introduced by: Councilmember Luna on 4/2/19  

AN ORDINANCE TO AMEND CHAPTER 22, ZONING; SECTION 22-7, SITE DEVELOPMENT STANDARDS; SUBSECTION 22-7-4, SIGN REGUALTIONS; SUBSUBSECTION 22-7-4.8; ENFORCEMENT, VIOLATIONS AND PENALTIES OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

21. **Summary No. 3701**  
Planning Commission recommended **NO RECOMMENDATION** on 3/26/19  
Introduced by: Administration on 4/2/19  

AN ORDINANCE TO APPROVE DOCKET Z-2019-007, PETITION OF JEFFREY LANE FOR A ZONING CHANGE FROM R-1(SINGLE FAMILY RESIDENTIAL) TO C-1(NEIGHBORHOOD COMMERCIAL) TO OPERATE A LAW OFFICE. PROPERTY LOCATION: 2320 PAKENHAM DR. CHALMETTE, LA 70043.
22. **Summary No. 3702**  
   Introduced by: Administration 4/2/19

   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**

23. Motion to accept the Monthly Financial Summary Statement of Revenues and Expenditures and Change in Fund Balance for February 2019.

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

**EXECUTIVE SESSION**

25. Motion to enter into Executive Session to discuss St. Bernard Parish Government v. Southern Solutions Land Management, LLC, 34th JDC #118-830 E.

26. Motion to enter into Executive Session to discuss potential litigation against C & C Marine and Marquette Transportation.

   Next Regular scheduled Council Meeting will be held Tuesday, April 16, 2019 @ 3:00 p.m.

Approved by: _Richard “Richie” Lewis_  
Time: 9:37 a.m.  
Date: 3/29/19
EXTRACT OF THE OFFICIAL PROCEEDINGS OF THE COUNCIL OF THE
PARISH OF ST. BERNARD, STATE OF LOUISIANA, TAKEN AT A REGULAR
MEETING HELD IN THE COUNCIL CHAMBERS OF THE ST. BERNARD PARISH
GOVERNMENT COMPLEX, 8201 WEST JUDGE PEREZ DRIVE, CHALMETTE,
LOUISIANA ON TUESDAY, APRIL 2, 2019 AT SEVEN O’CLOCK P.M.

On motion of XXXX, seconded by XXXXX, it was moved to approve the
minutes of the March 12, 2019 Special Council Meeting and the March 19, 2019
Regular Council Meeting as published in the official journal, the St. Bernard Voice
on Friday, March 29, 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 2nd day of April, 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, April 2, 2019.

Witness my hand and the seal
of the Parish of St. Bernard on
this 2nd day of April, 2019.

ROXANNE ADAMS
CLERK OF COUNCIL
OFFICIAL PROCEEDINGS OF THE COUNCIL OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, TAKEN AT A SPECIAL MEETING HELD ON TUESDAY, MARCH 12, 2019 AT 3:30 P.M. IN THE COUNCIL CHAMBERS OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, LOCATED AT 8201 WEST JUDGE PEREZ DRIVE, CHALMETTE, LOUISIANA.

The St. Bernard Parish Council, the Governing Authority, met in Special Session in the Council Chambers of the St. Bernard Parish Government Complex, Chalmette, Louisiana on March 12, 2019 at three thirty p.m. pursuant to notice given to each member and posted in the manner required by law.

The meeting convened at 3:30 p.m. Councilmembers present: Council Chair, Richard “Richie” Lewis, Councilmembers Nathan Gorbaty, Wanda Alcon and Manuel “Monty” Montelongo.

Members absent: Gillis McCloskey, Howard Luna, Kerri Callais

Also present were Roxanne Adams, Clerk of Council, serving as official secretary of the Council.

Councilmember Gorbaty delivered the invocation and Councilmember Alcon led Pledge of Allegiance.

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

EMERGENCY ORDINANCE SBPC #2144-03-19

SUMMARY NO. 3693

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

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

YEAS: Gorbaty, Alcon, Montelongo

NAYS: None

ABSENT: McCloskey, Luna, Callais

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

And the motion was declared adopted on the 12th day of March, 2019.

There being no further business for discussion, the Council Chair declared the meeting adjourned at 3:31 p.m. on the 12th day of March, 2019.

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

Roxanne Adams
ROXANNE ADAMS
CLERK OF COUNCIL

Richard Lewis
RICHARD LEWIS
COUNCIL CHAIR
The St. Bernard Parish Council, the Governing Authority, met in Regular Session on Tuesday, March 19, 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, and Manuel “Monty” Montelongo.

Member Absent: Wanda Alcon 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.

Minister Jerry Troxclair with Peace and Prayer Ministries delivered the invocation and Councilmember McCloskey led the Pledge of Allegiance.

#1 On motion of Mr. Gorbaty, seconded by Mr. McCloskey, it was moved to approve the minutes of the March 6, 2019 Regular Council Meeting as published in the official journal, the St. Bernard Voice on Friday, March 15, 2019.

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

YEAS: McCloskey, Gorbaty, Luna, Montelongo

NAYS: None

ABSENT: Alcon, Callais

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

And the motion was declared adopted on the 19th day of March, 2019.

#2 On motion of the Chair, without objection and by unanimous consent, it was moved remove this item from the agenda.

Councilmember McCloskey offered an objection to removing this item.

On the motion of Mr. McCloskey, seconded by Mr. Gorbaty, it was moved to recognize Donnie Bourgeois with Capital Projects Department for an update on Bluebird Park, Heights/Alexander Park, and Pakenham/Jackson project.

Council Chair recognized Constable Billy Cure.

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

#4 President’s Report
A copy of this report is on file with the minutes of this meeting.

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

On motion of the Chair, without objection and by unanimous consent, it was moved to address item #21.

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

**Summary No. 3696**
Introduced by: Administration on 3/19/19

AN ORDINANCE GRANTING LAKE BORGNE BASIN LEVEE DISTRICT A TEMPORARY ROAD SERVITUDE, AS DESCRIBED IN EXHIBIT “A”, FOR FLOOD PROTECTION IMPROVEMENTS.

The above and foregoing having been submitted to a vote, the vote thereupon resulted as follows:
Minutes of the St. Bernard Parish Council Meeting of March 19, 2019
Page -2-

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

The Council Chair, Mr. Lewis, cast his vote as YEA.
And the motion was declared adopted on the 19th day of March, 2019.

On motion of the Chair, without objection and by unanimous consent, it was moved to address item #12 & #13.

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

RESOLUTION SBPC #1921-03-19

A RESOLUTION DECLARING THE INTENTION OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, TO ISSUE TAXABLE UTILITIES REVENUE BONDS, IN ONE OR MORE SERIES, IN AN AMOUNT NOT TO EXCEED SIX MILLION DOLLARS ($6,000,000) FOR THE PURPOSE OF PAYING THE COST OF CONSTRUCTING, ACQUIRING, EXTENDING AND IMPROVING THE SEWER PORTION OF THE COMBINED WATER AND SEWER SYSTEM OF SAID PARISH; AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH.

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

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

The Council Chair, Mr. Lewis, cast his vote as YEA.
And the motion was declared adopted on the 19th day of March, 2019.

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

RESOLUTION SBPC #1922-03-19

A RESOLUTION MAKING APPLICATION TO THE STATE BOND COMMISSION FOR CONSENT AND AUTHORITY TO ISSUE NOT EXCEEDING TEN MILLION DOLLARS ($10,000,000) OF TAXABLE SALES TAX BONDS, IN ONE OR MORE SERIES, OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA; AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH.

Discussion ensued;

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

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

The Council Chair, Mr. Lewis, cast his vote as YEA.
And the motion was declared adopted on the 19th day of March, 2019.

#6 Summary No. 3689
Introduced by: Administration on 3/6/19
AN ORDINANCE TO AMEND CHAPTER 17; PERSONNEL, ARTICLE V; DISCIPLINARY ACTIONS, SECTION 17-121; DISCIPLINARY PROCEDURE IN THE ST. BERNARD PARISH CODE OF ORDINANCES.

NO ONE APPEARED TO SPEAK FOR OR AGAINST THE PROPOSED ORDINANCE

#7 Summary No. 3690
Planning Commission recommended **APPROVAL** on 2/26/19
Introduced by: Administration on 3/6/19

AN ORDINANCE TO APPROVE **DOCKET Z-2019-004**, PETITION OF MICHAEL CHIANELLI FOR A ZONING CHANGE FROM R-2 (TWO FAMILY RESIDENTIAL) AND C-1 (NEIGHBORHOOD COMMERCIAL) TO C-2 TO OPERATE A USED CAR LOT. PROPERTY LOCATION: 3737 PARIS RD. CHALMETTE, LA 70043.

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

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**Summary No. 3691**
Planning Commission recommended **Vote for Approval w/conditions failed 3-3 vote. No Recommendation** on 2/26/19
Introduced by: Administration on 3/6/19

AN ORDINANCE TO APPROVE **DOCKET Z-2019-005**, PETITION OF THE DANCE CONNECTION FOR A ZONING CHANGE FROM C-1 (NEIGHBORHOOD COMMERCIAL) TO A C-1 (NEIGHBORHOOD COMMERCIAL) WITH A CONDITIONAL USE PERMIT TO ALLOW LIGHT MANUFACTURING. PROPERTY LOCATION: 1009 E. JUDGE PEREZ DR. CHALMETTE, LA 70043.

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

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**Summary No. 3692**
Planning Commission recommended **APPROVAL** on 2/26/19
Introduced by: Administration on 3/6/19

AN ORDINANCE TO APPROVE **DOCKET Z-2019-006**, PETITION OF JOHN KAMLADE JR. FOR A ZONING CHANGE FROM R-3 (MULTI-FAMILY RESIDENTIAL AND C-1 (NEIGHBORHOOD COMMERCIAL) TO C-2 (GENERAL COMMERCIAL) AND A CONDITIONAL USE PERMIT TO ALLOW VEHICLE STORAGE LOT. PROPERTY LOCATION: 2025 LICCIARDI LANE VIOLET, LA 70092.

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

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

**RESOLUTION SBPC #1919-03-19**

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. Kimberly, Inc. dba Brewster’s 8751 W. Judge Perez Dr., Chalmette, La 70043 Owners: Theodore and Kimberly Reab (Renewal) (Beer & Liquor)

   **Special Event**

   1. Name of Organization: S.O.A.R. Strengthening Outcomes with Autism Resources
      Address: 39041 Old Sawmill Rd., Ponchatoula, La 70454
      Event: SOARS Autism Crawfish Cookoff
      Location: 3809 Paris Rd., Chalmette, La 70043
      Date: May 11 2019
      Time: 10AM-10PM
      Contact: Sherri Houin/Desi Romano

   2. Name of Organization: Old Arabi Neighborhood Association
      Address: PO Box 112 Arabi, La 70032
      Event: Sippin Into Sunset
      Location: 409 Aycock St., Arabi, La 70032
      Date: March 28, 2019
      Time: 6PM-9PM
      Contact: Barry Lemoine
3. Name of Organization: Tomato Festival Committee  
   Address: 2320 Paris Rd., Chalmette, La 70043  
   Event: Tomato Festival  
   Location: 2320 Paris Rd., Chalmette, La 70043  
   Date: May 3, 4, & 5, 2019  
   Time: (5/3) 5pm-11pm (5/4) 11am-11pm (5/5) 11am-10pm  
   Contact: Fr. Marlon Mangubat

4. Name of Organization: Carolyn Park Boosters Inc.  
   Address: 9 Brittany Pl., Arabi, La 70032  
   Event: 4th Annual Community Kickball Tournament  
   Location: 405 Lynx Dr., Arabi, La 70032  
   Date: Saturday, March 31, 2019  
   Time: 8AM-10PM  
   Contact: Duane Deblonde

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

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

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

And the motion was declared adopted on the 19th day of March, 2019.

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

RESOLUTION SBPC #1920-03-19

A RESOLUTION AUTHORIZING ACCEPTANCE OF A GRANT FROM ATMOS ENERGY IN THE AMOUNT OF $4,500.00 FOR THE WIND DOWN WEDNESDAYS CONCERT SERIES IN TORRES PARK.

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

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

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

And the motion was declared adopted on the 19th day of March, 2019.

#14 On motion of Mr. Luna, seconded by Mr. Montelongo, it was moved to adopt the following resolution:

RESOLUTION SBPC #1923-03-19

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, Montelongo  
NAYS: None  
ABSENT: Alcon, Callais
The Council Chair, Mr. Lewis, cast his vote as YEA.
And the motion was declared adopted on the 19th day of March, 2019.

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

ORDINANCE SBPC #2145-03-19

Summary No. 3689
Introduced by: Administration on 3/6/19
Public Hearing held on 3/19/19

AN ORDINANCE TO AMEND CHAPTER 17; PERSONNEL, ARTICLE V; DISCIPLINARY ACTIONS, SECTION 17-121; DISCIPLINARY PROCEDURE IN 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, Montelongo
NAYS: None
ABSENT: Alcon, Callais

The Council Chair, Mr. Lewis, cast his vote as YEA.
And the motion was declared adopted on the 19th day of March, 2019.

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

ORDINANCE SBPC #2146-03-19

Summary No. 3690
Planning Commission recommended APPROVAL on 2/26/19
Introduced by: Administration on 3/6/19
Public Hearing held on 3/19/19

AN ORDINANCE TO APPROVE DOCKET Z-2019-004, PETITION OF MICHAEL CHIANELLI FOR A ZONING CHANGE FROM R-2(TWO FAMILY RESIDENTIAL) AND C-1(NEIGHBORHOOD COMMERCIAL) TO C-2 TO OPERATE A USED CAR LOT. PROPERTY LOCATION: 3737 PARIS RD. CHALMETTE, LA 70043.

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

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

The Council Chair, Mr. Lewis, cast his vote as YEA.
And the motion was declared adopted on the 19th day of March, 2019.

On motion of the Chair, without objection and by unanimous consent, it was moved recognize Councilmember McCloskey.

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

Summary No. 3691
Planning Commission recommended Vote for Approval w/conditions failed 3-3 vote. No Recommendation on 2/26/19
Introduced by: Administration on 3/6/19
Public Hearing held on 3/19/19
AN ORDINANCE TO APPROVE DOCKET Z-2019-005, PETITION OF THE DANCE CONNECTION FOR A ZONING CHANGE FROM C-1 (NEIGHBORHOOD COMMERCIAL) TO A C-1 (NEIGHBORHOOD COMMERCIAL) WITH A CONDITIONAL USE PERMIT TO ALLOW LIGHT MANUFACTURING. PROPERTY LOCATION: 1009 E. JUDGE PEREZ DR. CHALMETTE, LA 70043.

On the motion of Mr. Lewis, seconded by Mr. McCloskey, it was moved to add an amendment into section to read as follows:

SECTION 1. The St. Bernard Parish Council does hereby approve Docket Z-2019-005, petition of The Dance Connection for a zoning change from C-1 (Neighborhood Commercial) to a C-1 (Neighborhood Commercial) with a Conditional Use Permit to allow Atlas Rigging, LLC to operate as Light Manufacturing.

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

YEAS: McCloskey, Gorbaty, Luna, Montelongo

NAYS: None

ABSENT: Alcon, Callais

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

And the motion was declared adopted on the 19th day of March, 2019.

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

ORDINANCE SBPC #2147-03-19

Summary No. 3691
Planning Commission recommended Vote for Approval w/conditions failed 3-3 vote. No Recommendation on 2/26/19
Introduced by: Administration on 3/6/19
Public Hearing held on 3/19/19

AN ORDINANCE TO APPROVE DOCKET Z-2019-005, PETITION OF THE DANCE CONNECTION FOR A ZONING CHANGE FROM C-1 (NEIGHBORHOOD COMMERCIAL) TO A C-1 (NEIGHBORHOOD COMMERCIAL) WITH A CONDITIONAL USE PERMIT TO ALLOW LIGHT MANUFACTURING. PROPERTY LOCATION: 1009 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, Montelongo

NAYS: None

ABSENT: Alcon, Callais

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

And the motion was declared adopted on the 19th day of March, 2019.

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

ORDINANCE SBPC #2148-03-19

Summary No. 3692
Planning Commission recommended APPROVAL on 2/26/19
Introduced by: Administration on 3/6/19
Public Hearing held on 3/19/19
AN ORDINANCE TO APPROVE DOCKET Z-2019-006, PETITION OF JOHN KAMLADE JR. FOR A ZONING CHANGE FROM R-3(MULTI-FAMILY RESIDENTIAL AND C-1(NEIGHBORHOOD COMMERCIAL) TO C-2(GENERAL COMMERCIAL) AND A CONDITIONAL USE PERMIT TO ALLOW VEHICLE STORAGE LOT. PROPERTY LOCATION: 2025 LICCIARDI LANE VIOLET, LA 70092

Discussion ensued;

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

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

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

And the motion was declared adopted on the 19th day of March, 2019.

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

Summary No. 3694
Introduced by: Council on 3/19/19

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

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

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

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

And the motion was declared adopted on the 19th day of March, 2019.

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

Summary No. 3695
Introduced by: Council on 3/19/19

AN ORDINANCE LEVYING AND IMPOSING CERTAIN TAXES FOR 2019 ON ALL THE PROPERTY SUBJECT TO TAXATION IN THE PARISH OF ST. BERNARD, ROAD LIGHTING DISTRICT NO. 1, ROAD DISTRICT NO. 1, GARBAGE DISTRICT NO. 1, FIRE PROTECTION DISTRICT NO. 1 AND FIRE PROTECTION DISTRICT NO. 2.

Discussion ensued;

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

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

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

And the motion was declared adopted on the 19th day of March, 2019.

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

Summary No. 3697

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

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

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

And the motion was declared adopted on the 19th day of March, 2019.

Coastal Zone Advisory Committee
No action taken.

On motion of Mr. Gorbaty, seconded by Mr. Montelongo, it was moved to enter into Executive Session to discuss St. Bernard Parish Government v. Southern Solutions Land Management, LLC, 34th JDC #118-830 E.

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

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

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

And the motion was declared adopted on the 19th day of March, 2019.

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

No action taken was taken on Item #24.

There being no further business for discussion, the Council Chair declared the meeting adjourned at 3:45 p.m. on the 19th day of March, 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, APRIL 2, 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 MARCH 19, 2019 COUNCIL MEETING:

Summary No. 3694
Introduced by: Council on 3/19/19

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.

BY DIRECTION OF

Richard “Richie” Lewis
RICHARD “RICHIE” LEWIS
COUNCIL CHAIR
### St. Bernard Parish Government
### Proposed 2019 Budget Amendment 4-2-2019
### Summary No. 3694
### Ordinance SBPC #XXXX-XX-XX

<table>
<thead>
<tr>
<th>Object</th>
<th>Account Code</th>
<th>Account Title</th>
<th>Account Type</th>
<th>Entry Amount</th>
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<tr>
<td>2626540</td>
<td>571001</td>
<td>Construction in Progress</td>
<td>Expenditure</td>
<td>$ 685,000</td>
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</table>

**Net Effect on Fund Balance**

<table>
<thead>
<tr>
<th>Increase</th>
<th>Decrease</th>
</tr>
</thead>
<tbody>
<tr>
<td>$ -</td>
<td>$ 685,000</td>
</tr>
</tbody>
</table>

*This Budget Amendment is to budget additional funding needed to complete the Jackson/Pokenham project.*
**Repayment Schedule**

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
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<tbody>
<tr>
<td>2020</td>
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</tr>
<tr>
<td>2021</td>
<td>50,000</td>
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<td>2022</td>
<td>50,000</td>
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<tr>
<td>2023</td>
<td>50,000</td>
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<tr>
<td>2024</td>
<td>50,000</td>
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<tr>
<td>2025</td>
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<tr>
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<td>2027</td>
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<td>2028</td>
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<tr>
<td>2029</td>
<td>50,000</td>
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<td>2030</td>
<td>50,000</td>
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<tr>
<td>2031</td>
<td>50,000</td>
</tr>
<tr>
<td>2032</td>
<td>85,000</td>
</tr>
</tbody>
</table>

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**Balance Sheet Transaction:**

<table>
<thead>
<tr>
<th>Debit</th>
<th>Credit</th>
</tr>
</thead>
<tbody>
<tr>
<td>500</td>
<td>100000</td>
</tr>
<tr>
<td>500</td>
<td>140100</td>
</tr>
<tr>
<td>462</td>
<td>270500</td>
</tr>
<tr>
<td>462</td>
<td>109000</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th></th>
<th>685,000</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Debit</td>
<td>Credit</td>
</tr>
<tr>
<td></td>
<td>500</td>
<td>100000</td>
</tr>
<tr>
<td></td>
<td>500</td>
<td>140100</td>
</tr>
<tr>
<td></td>
<td>462</td>
<td>270500</td>
</tr>
<tr>
<td></td>
<td>462</td>
<td>109000</td>
</tr>
</tbody>
</table>

Total: 685,000
PUBLIC HEARING NOTICE

THE ST. BERNARD PARISH COUNCIL WILL HOLD A PUBLIC HEARING ON TUESDAY, APRIL 2, 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 MARCH 19, 2019 COUNCIL MEETING:

Summary No. 3695
Introduced by: Council on 3/19/19

AN ORDINANCE LEVYING AND IMPOSING CERTAIN TAXES FOR 2019 ON ALL THE PROPERTY SUBJECT TO TAXATION IN THE PARISH OF ST. BERNARD, ROAD LIGHTING DISTRICT NO. 1, ROAD DISTRICT NO. 1, GARBAGE DISTRICT NO. 1, FIRE PROTECTION DISTRICT NO. 1 AND FIRE PROTECTION DISTRICT NO. 2.

WHEREAS, it is necessary for the Parish Council of the Parish of St. Bernard, State of Louisiana, acting as the governing authority of said Parish and the hereinafter described districts, to levy all the maintenance and operating taxes for the year 2019; and,

WHEREAS, it is also necessary for the said Parish Council, acting as the Governing Authority of said Parish, to levy taxes for the year 2019 for the payment of general obligation bonds thereof.

NOW, THEREFORE, BE IT ORDAINED by the St. Bernard Parish Council, acting as the Governing Authority of the following political subdivisions,

1. Parish of St. Bernard, State of Louisiana
2. Road Lighting District No. 1 of the Parish of St. Bernard, State of Louisiana
3. Road District No. 1 of the Parish of St. Bernard, State of Louisiana
4. Garbage District No. 1 of the Parish of St. Bernard, State of Louisiana
5. Fire Protection District No. 1 of the Parish of St. Bernard, State of Louisiana
6. Fire Protection District No. 2 of the Parish of St. Bernard, State of Louisiana

SECTION 1. Parish Taxes. Under the authority of the Constitution and Laws of the State of Louisiana, the following special taxes are hereby levied, assessed and imposed on all the property in said Parish for the year 2019, for the respective purposes described below:
<table>
<thead>
<tr>
<th>2019 Millage Rate</th>
<th>Election Date</th>
<th>Years Authorized</th>
<th>Purpose</th>
</tr>
</thead>
<tbody>
<tr>
<td>2.810</td>
<td>N/A</td>
<td>N/A</td>
<td>Parish Constitutional Tax</td>
</tr>
<tr>
<td>1.230</td>
<td>April 9, 2016</td>
<td>2017-2026</td>
<td>Constructing, maintaining, improving and operating public libraries in the Parish.</td>
</tr>
<tr>
<td>2.520</td>
<td>Nov. 7, 2006</td>
<td>2010-2019</td>
<td>Constructing, maintaining, improving and operating public libraries in the Parish and purchasing books and other library materials.</td>
</tr>
<tr>
<td>2.170</td>
<td>April 9, 2016</td>
<td>2017-2026</td>
<td>Acquiring or improving lands, buildings and equipment for recreation purposes, title to which shall be in the public, and maintaining and operating such recreation facilities in the Parish.</td>
</tr>
<tr>
<td>0.620</td>
<td>April 9, 2016</td>
<td>2017-2026</td>
<td>Constructing, maintaining, improving and operating public health units in the Parish.</td>
</tr>
<tr>
<td>0.940</td>
<td>Nov. 21, 2015</td>
<td>2017-2026</td>
<td>Providing funding for Senior Citizens programs, activities and services operated by the St. Bernard Parish Council on Aging.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>2019 Millage Rate</th>
<th>Election Date</th>
<th>Years Authorized</th>
<th>Purpose</th>
</tr>
</thead>
<tbody>
<tr>
<td>20.410</td>
<td>Dec. 8, 2012</td>
<td>2012-2022</td>
<td>Acquiring, constructing, maintaining, improving and operating fire protection facilities and purchasing fire trucks and other firefighting equipment.</td>
</tr>
</tbody>
</table>

**SECTION 2.** Parishwide District Taxes. Under the authority of the Constitution and Laws of the State of Louisiana, the following special taxes are hereby levied, assessed and imposed on all the property in said Parish for the year 2019, for the respective parish wide districts and purposes described below:
### Parishwide District and Purpose

- **Rate**: 3.050
- **Date**: April 9, 2016
- **Years Authorized**: 2017-2026
- **Purpose**: Garbage District No. 1 - providing and maintaining garbage collection and disposal services in Garbage District No. 1.

- **Rate**: 3.050
- **Date**: April 9, 2016
- **Years Authorized**: 2017-2026
- **Purpose**: Road District No. 1 - constructing, improving and maintaining public roads and highways in Road District No. 1.

- **Rate**: 1.220
- **Date**: April 9, 2016
- **Years Authorized**: 2017-2026
- **Purpose**: Road Lighting District No. 1 - providing and maintaining electric lights on the streets, roads, highways, alleys and public places in Road Lighting District No. 1.

### Non-parishwide District Taxes

**SECTION 3.** Non-parishwide District Taxes. Under the authority of the Constitution and Laws of the State of Louisiana, the following special taxes are hereby levied, assessed and imposed on all the property in the respective non-parishwide districts described below for the year 2019, for the respective districts and purposes described below:

- **Rate**: 2.730
- **Date**: April 9, 2016
- **Years Authorized**: 2017-2026
- **Purpose**: Fire Protection District No. 1 - maintaining and operating said Fire Protection District’s fire protection facilities and paying the cost of obtaining water for fire protection purposes, including charges for fire hydrant rentals and services in Fire Protection District No. 1.

- **Rate**: 4.690
- **Date**: Apr. 28, 2018
- **Years Authorized**: 2019-2028
- **Purpose**: Fire Protection District No. 1 - acquiring, constructing, maintaining, improving and operating fire protection facilities and purchasing fire trucks and other fire fighting equipment in Fire District No. 1.
SECTION 4. Collection of Taxes. The proper administrative officials of the Parish of St. Bernard, State of Louisiana, are hereby empowered, authorized and directed to spread said taxes, as hereinabove set forth, upon the assessment roll of said Parish for the year 2019, and to make the collection of the taxes imposed for and on behalf of said Parish and said respective districts, according to law, and the taxes herein levied shall become a permanent lien and privilege on all the property subject to taxation as herein set forth, and the collection thereof shall be enforceable in the manner provided by law.

Specifically, the Assessor of the Parish of St. Bernard shall extend said taxes and assessment on said assessment roll as required by law, and the Sheriff and ex officio tax collector of the Parish of St. Bernard shall collect said taxes.

Certified copies of this ordinance shall be forwarded to the St. Bernard Parish Assessor and to the St. Bernard Parish Sheriff and ex officio tax collector as complete authority to levy and collect the taxes herein provided.

SECTION 5. Publication. This ordinance shall be published one time in the official journal of this Parish Council in the manner provided by law.

SECTION 6. 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 7. Severability. If any section, clause, paragraph, provision or portion of this ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, paragraph, provision or portion of this ordinance, the St. Bernard Parish Council hereby expresses and declares that it would have adopted the remaining portion of this Ordinance with the invalid portions omitted.

BY DIRECTION OF

Richard “Richie” Lewis
RICHARD “RICHIE” LEWIS
COUNCIL CHAIR
PUBLIC HEARING NOTICE

THE ST. BERNARD PARISH COUNCIL WILL HOLD A PUBLIC HEARING ON TUESDAY, APRIL 2, 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 ORDNANCE INTRODUCED AT THE MARCH 19, 2019 COUNCIL MEETING:

Summary No. 3696
Introduced by: Administration on 3/19/19

AN ORDINANCE GRANTING LAKE BORGNE BASIN LEVEE DISTRICT A TEMPORARY ROAD SERVITUDE, AS DESCRIBED IN EXHIBIT “A”, FOR FLOOD PROTECTION IMPROVEMENTS.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

WHEREAS, The Parish Council believes it to be in the best interest of the citizens of St. Bernard Parish and St. Bernard Parish Government to grant a temporary road servitude to Lake Borgne Basin Levee District for flood protection improvements.

SECTION 1. The St. Bernard Parish Council hereby grants Lake Borgne Basin Levee District a temporary road servitude as described in attachment “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
TEMPORARY ROAD SERVITUDE

STATE OF LOUISIANA

Mississippi River Levees and Tributaries,
Mississippi River Levees,
East Bank Levee,
Lake Borgne Basin Levee District,
Lake Borgne Seepage Control,
B/L Station 437+00 to B/L Station 448+00
Parcel 3 – St. Bernard Parish Government

PARISH OF ST. BERNARD

BE IT KNOWN that on the dates hereinafter shown, but effective as of the date of execution hereof by Grantor, before the undersigned Notaries Public and the undersigned competent witnesses, personally came and appeared:

ST. BERNARD PARISH GOVERNMENT, a political subdivision of the State of Louisiana, represented herein by and appearing through Guy S. McInnis, its duly authorized Parish President, pursuant to the St. Bernard Parish Council Ordinance attached hereto as Exhibit B, and with a mailing address of 8201 W. Judge Perez Dr., Chalmette, LA 70043 (hereinafter referred to as “Grantor”);

who declared and acknowledged that, for and in consideration of the flood protection improvements to be constructed by Grantee pursuant to the Mississippi River Levees and Tributaries, Mississippi River Levees, East Bank Levee, Lake Borgne Basin Levee District, Lake Borgne Seepage Control, B/L Station 437+00 to B/L Station 448+00, St. Bernard Parish, Louisiana project (the “Project”), and the resultant benefits accruing to Grantor and the public at large, the full receipt and adequacy of which are hereby acknowledged by Grantor, who hereby grants full acquittance and discharge therefor, Grantor does hereby grant, transfer, assign, set over, and deliver unto:

LAKE BORGNE BASIN LEVEE DISTRICT, a political subdivision of the State of Louisiana, represented herein by and appearing through Derek Boese, its duly authorized Chief Administrative Officer of the Southeast Louisiana Flood Protection Authority – East, with offices located at New Orleans Lakefront Airport, Terminal Building, Suite 225, 6001 Stars & Stripes Blvd., New Orleans, LA 70126 (hereinafter referred to as “Grantee”);

here present, accepting, and acquiring for Grantee and Grantee’s heirs, successors, and assigns and acknowledging due delivery and possession thereof, all and singular, the below-described servitude over the following described property, to the extent of Grantor’s right, title, and interest therein:

Parcel 3: The land depicted on the map attached hereto as Exhibit “A” and made a part hereof as “Temporary Access Road – C” approximately as shown on Exhibit “A,” from Highway 46 at point
AR-9, through points AR-10, AR-2, AR-3, AR-4, and AR-5, to the existing levee toe at points TR-3 and TR-1, to the extent of Grantor’s ownership thereof.

The servitude granted hereby as to Parcel 3 is a Temporary Road Servitude, which is a temporary and assignable servitude, easement, and right of way in, on, over, and across Parcel 3 until completion of construction of the Project, for use by Grantee and its representatives, agents, contractors, and assignees for access for the location and construction of the Project and for the location, construction, operation, maintenance, alteration, and replacement of a road and appurtenances thereto, together with the right to trim, cut, fell, and remove therefrom all trees, underbrush, obstructions, and other vegetation, structures, or obstacles within Parcel 3; reserving, however, to the landowners, their heirs and assigns, all such rights and privileges as may be used without interfering with or abridging the rights and easement hereby acquired; subject, however, to existing easements for public roads and highways, public utilities, railroads, and pipelines except as otherwise provided herein. Said servitude is not to exceed two (2) years from the start of construction of the Project.

At completion of construction of the Project, Grantee shall return Parcel 3, based on its use thereof, to its condition immediately prior to initiation of the Project, free of any waste, spoil, or hazardous material or any other condition inconsistent with its original and continued use.

If any action of Grantee’s employees or agents in the exercise of this servitude results in damage to the real property, Grantee will, at its option, either repair such damage or make an appropriate settlement with the Grantor. In no event shall such repair or settlement exceed the fair market value of the fee interest of the real property at the time immediately preceding such damage. The provisions of this paragraph are without prejudice to any rights Grantor may have to make a claim under applicable laws for any other damages than provided herein.

To the extent permitted by Louisiana law, Grantee shall indemnify and hold harmless Grantor and its members, officers, directors, employees, and agents against and from all costs, expenses, claims, demands, penalties, suits, fines, and actions of any kind and nature arising from use of this servitude by Grantee or its agents, employees, contractors, successors, assigns, or transferees and caused by the actions and fault of Grantee or its agents, employees, contractors, successors, assigns, or transferees, including any court costs and reasonable and actual litigation expenses and attorneys’ fees. However, nothing herein shall be construed as indemnifying or holding Grantor or any third person not a party hereto harmless against the fault or negligence of any of them or their agents, employees, contractors, successors, assigns, and transferees. Grantee’s indemnification obligations in this regard, including its obligations regarding attorney’s fees, shall survive the expiration or termination of this servitude. In the event that Grantee assigns this servitude to the United States Army Corps of Engineers (“USACE”), the provisions of this paragraph shall not apply to USACE or its agents, employees, and contractors. However, Grantee shall remain liable for all terms, requirements, conditions, and representations herein, including but not limited to this paragraph.
This Temporary Road Servitude is subject to any right, title, interest, or claim of the State of Louisiana in relation to any of the real property affected hereby, including but not limited to any water bottoms within the boundaries of such real property. Nothing herein affects or is intended to affect any such right, title, interest, or claim of the State of Louisiana.

This Temporary Road Servitude may be executed in one or more counterparts, and by different parties in separate counterparts, with the same effect as if all parties hereto had signed the same documents. All counterparts so executed and delivered shall be deemed to be a single original, shall be construed together, and shall constitute one agreement.

THUS DONE, READ, AND SIGNED by Grantor, before me, the undersigned Notary Public, duly commissioned and qualified in and for the Parish of St. Bernard, State of Louisiana, for the uses, benefits, purposes, and considerations expressed herein, in the presence of the undersigned competent witnesses, who have hereunto signed their names with the parties and me, Notary, on this _____ day of ________________ 20__, after a due reading of the whole document.

WITNESSES:  

GRANTOR:  
ST. BERNARD PARISH GOVERNMENT

_________________________ (sign)  
_________________________ (print)

_________________________ (sign)  
_________________________ (print)  
By:  ____________________________
GUY McINNIS
PARISH PRESIDENT

_________________________  
NOTARY PUBLIC

Print Name: ____________________________
Notary ID/Bar Roll No.: __________
THUS DONE, READ, AND SIGNED by Grantee, before me, the undersigned Notary Public, duly commissioned and qualified in and for the Parish of Orleans, State of Louisiana, for the uses, benefits, purposes, and considerations expressed herein, in the presence of the undersigned competent witnesses, who have hereunto signed their names with the parties and me, Notary, on this _____ day of ________________, 20__, after a due reading of the whole document.

WITNESSES:

GRANTEE:
LAKE BORGNE BASIN
LEVEE DISTRICT,
By its Board of Commissioners of the
Southeast Louisiana Flood Protection Authority – East

___________________________ (sign)
___________________________ (print)

___________________________ (sign)
___________________________ (print)

___________________________
Derek Boese
Chief Administrative Officer

___________________________
NOTARY PUBLIC
Print Name: _______________________________
Notary ID/Bar Roll No.: 
PUBLIC HEARING NOTICE

THE ST. BERNARD PARISH COUNCIL WILL HOLD A PUBLIC HEARING ON TUESDAY, APRIL 2, 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 MARCH 19, 2019 COUNCIL MEETING:

Summary No. 3697
Introduced by: Administration on 3/19/19


ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

WHEREAS, Paul E. Herkes, III purchased 2109 Esteban Street, a “rear” lot located in Arabi, Louisiana, from the Road Home Corporation, as part of the Lot Next Door Program.

WHEREAS, Paul E. Herkes, III desires to rescind the sale and the Act of Resubdivision, which created Lot 3-A in exchange for a refund of the purchase price, so that ownership of 2109 Esteban can revert to the Road Home Corporation and/or ultimately be transferred to St. Bernard Parish Government and returned to commerce.

WHEREAS, it is in the best interest of St. Bernard Parish and the redevelopment of 2109 Esteban for these rescissions to occur.

SECTION 1. The rescission of the act of sale of 2019 Esteban to Paul E. Herkes, III and the rescission of the Act of Resubdivision, which created Lot 3-A are hereby authorized in exchange for the return of the purchase price to Paul E. Herkes, III.

SECTION 2. The Parish President, the St. Bernard Housing, Redevelopment and Quality of Life Commission, and/or The Road Home Corporation are authorized to execute any necessary documents for the rescissions.
SECTION 3. Effective Date. This Ordinance shall become effective immediately upon authorizing signature by the Parish President. In the event of a presidential veto, this Ordinance shall become effective upon a two-thirds favorable vote of the total membership of the Council pursuant to Sections 2-11 and 2-13 of the St. Bernard Parish Home Rule Charter.

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

BY DIRECTION OF

Richard “Richie” Lewis
RICHARD “RICHIE” LEWIS
COUNCIL CHAIR
ACT OF RESCISSION OF
NON-WARRANTY CASH SALE

STATE OF LOUISIANA
PARISH OF ST. BERNARD

BY: PAUL E. HERKES, III

TO: ST. BERNARD PARISH GOVERNMENT

ST. BERNARD HOUSING, REDEVELOPMENT AND QUALITY OF LIFE COMMISSION

ROAD HOME CORPORATION D/B/A LOUISIANA LAND TRUST

PROPERTY: 2109 ESTEBAN STREET, ARABI, LOUISIANA 70032

BE IT KNOWN, on the date(s) written below before the undersigned Notary(ies) Public, duly commissioned and qualified in the Parish of St. Bernard, personally came and appeared:

ST. BERNARD PARISH GOVERNMENT, a political subdivision of the State of Louisiana, represented herein by Parish President, Guy McInnis, undersigned representative of St. Bernard Parish, authorized pursuant to Section 3-01 of the Home Rule Charter of St. Bernard Parish, referred to as “Seller”; and

ST. BERNARD HOUSING, REDEVELOPMENT AND QUALITY OF LIFE COMMISSION, a political subdivision of the State of Louisiana, whose mailing address is 8201 W. Judge Perez Drive, Chalmette, Louisiana, acting herein by its duly authorized agent and authorized representative (sometimes referred to herein as “HRQLC”); and

ROAD HOME CORPORATION D/B/A LOUISIANA LAND TRUST, a Louisiana non-profit corporation, created under and pursuant to the provisions of La. R.S. 40:660.01 through 40:660.08, inclusive, domiciled in the Parish of East Baton Rouge Parish, whose mailing address is 11601 Southfork Avenue, Suite D, Baton Rouge, Louisiana 70816, acting herein by its duly authorized agent and authorized representative, duly authorized by resolution adopted on February 26, 2010 and recorded at Instrument Number 540235 or by resolution adopted on June 25, 2009 and recorded at Instrument Number 557672 in St. Bernard Parish, Louisiana (sometimes referred to herein as “LLT”); and

PAUL E. HERKES, III (SSN: XXX-XX-7388), person of the full age of majority and resident of the State of Louisiana, who declared unto me, Notary, that he is a single person, whose mailing address is 2108 Esteban Street, Arabi, Louisiana 70032, referred to as “Herkes”;
Herkes, LLT, HRQLC and SBPG declare herein that on November 29, 2011, LLT, Herkes did execute as Seller and Purchaser, and HRQLC did execute as Intervenor an Act of Cash (hereinafter, the “Sale”) wherein Seller intended to convey all ownership, rights, title and interest in and to the real property described below in exchange for Purchaser’s payment to Seller of good funds in the amount of TWO THOUSAND SIX HUNDRED SIXTY AND 00/100 ($2,660.00) DOLLARS cash (hereinafter, the “Payment”):

THAT CERTAIN LOT OF GROUND, together with all the rights, ways, privileges, servitudes, advantages and appurtenances thereunto belonging, or in anywise appertaining, situated in the Parish of St. Bernard, State of Louisiana, in that portion thereof known as ARABI PARK SUBDIVISION, and in accordance with a plan of subdivision by H.E. Sutch, Surveyor, dated October 17, 1952, attached to act of dedication of streets passed before James P. O’Connor, N.P., dated November 5, 1952, said property is designated by the No. 26, situated in SQUARE E of said ARABI PARK SUBDIVISION, which square E bounded by Esteban, Rocheblave, Aycock and Patricia Streets. Lot 26 commences 105.74 feet from the corner of Esteban and Patricia Streets, and measures thence, in the direction of Rocheblave Street, 50 feet front on Esteban Street, same width in the rear, by a depth between equal and parallel lines of 112 feet; all in accordance with white print of survey made by Adloe Orr, Jr. & Associates, C.E., dated January 14, 1955.

Said property having a municipal address of: 2109 Esteban St., Arabi, Louisiana 70032 (hereinafter referred to as the “Property”),

However, subsequent to the above recordation of the Sale, LLT, Herkes, HRQLC and SBPG agreed to rescind the sale.

Considering the foregoing, the Sale must be rescinded. Accordingly, LLT, Herkes, HRQLC and SBPG hereby declare that this Act of Rescission of Act of Cash Sale be executed by both, filed and recorded in the Conveyance Records of St. Bernard Parish, Louisiana, and that all rights, title and interest to the Property be restored to the same situation that existed prior to the Sale and as if the Sale had never taken place.

THUS, DONE AND PASSED by Purchaser, before me, Notary, and the undersigned competent witnesses, on this _____ day of March, 2019, in the Parish of St. Bernard, Louisiana.

WITNESSES:  PURCHASER:

Print Name:  By: PAUL E. HERKES, III
THUS, DONE AND PASSED by Road Home Corporation d/b/a Louisiana Land Trust, through its agent____________________, before me, Notary, and the undersigned competent witnesses, on this _____ day of March, 2019, in the Parish of ______________, Louisiana.

WITNESSES:

ROAD HOME CORPORATION D/B/A LOUISIANA LAND TRUST

THUS, DONE AND PASSED by St. Bernard Housing, Redevelopment and Quality of Life Commission, through its agent____________________, before me, Notary, and the undersigned competent witnesses, on this _____ day of March, 2019, in the Parish of St. Bernard, Louisiana.

WITNESSES:

ST. BERNARD HOUSING, REDEVELOPMENT AND QUALITY OF LIFE COMMISSION
THUS, DONE AND PASSED by Seller, before me, Notary, and the undersigned competent witnesses, on this _____ day of March, 2019, in the Parish of St. Bernard, Louisiana.

WITNESSES:

SELLER:

ST. BERNARD PARISH GOVERNMENT

_____________________________
Print Name:

____________________________________
By: Guy McInnis, Parish President

_____________________________
Print Name:

_____________________________

NOTARY PUBLIC

Print: _______________________________
Bar/Notary No.: _____________________
On motion of XXXX, seconded by XXXX, it was moved to adopt the following resolution:

RESOLUTION SBPC #1924-04-19

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. Rick's Veteran's, LLC dba Magnolia Discount 7600 W. Judge Perez Dr., Arabi, La 70043 Owner: Zahran Bazzar (New) (Beer & Liquor)
2. Tag's Meat Market, Inc. dba Tag's Deli 1207 E. Judge Perez Dr., Chalmette, La 70043 Owners: Deborah and Michael E. Michalik, Jr. (Renewal) (Beer Only)
3. QC Discount, LLC dba Meraux Food Store 2004 Paris Rd., Chalmette, La 70043 Owner: Abdallah A. Jaber (Renewal) (Beer & Liquor)
4. QC Discount, LLC dba QC Discount 4725 E. Judge Perez Dr., Violet, La 70092 Owner: Abdallah A. Jaber (Renewal) (Beer & Liquor)
5. QC Discount, LLC dba Quick Check 4 617 Bayou Rd., St. Bernard, La 70085 Owner: Abdallah A. Jaber (Renewal) (Beer & Liquor)
6. QC Pit Lane, LLC dba QC Pit Lane 3225 E. Judge Perez Dr., Meraux, La 70075 Members: Abdallah A. Jaber & Ahmed Jaber (Renewal) (Beer & Liquor)
8. Sadi, Inc., dba Village Food and Beverage Discount 601 E. Judge Perez Dr., Chalmette, La 70043 Member: Abdelrahim Sadi (Renewal) (Beer & Liquor)
9. RaceTrac Petroleum., dba RaceTrac #2368 8130 W. Judge Perez Dr., Chalmette, La 70043 Manager: Crystal Stebbins (Renewal) (Beer & Liquor)

Special Event

1. Name of Organization: Tomato Festival Committee
   Address: 2320 Paris Road, Chalmette, La 70043
   Event: OLPS Crawfish Cook Off
   Location: 2320 Paris Road, Chalmette, La 70043
   Date: April 13, 2019 (alternate date April 14, 2019)
   Time: 12PM-4PM
   Contact: FR. Marlon Mangubat

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 2nd day of April, 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, April 2, 2019.

Witness my hand and the seal of the Parish of St. Bernard on this 2nd day of April, 2019.

_____________________
ROXANNE ADAMS
CLERK OF COUNCIL

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

RESOLUTION SBPC #1925-04-19

A RESOLUTION TO RE-APPOINT RUTH BERTUCCI AS THE GOVERNING AUTHORITY’S BOARD MEMBER OF THE ST. BERNARD FIRE PROTECTION DISTRICTS NO. 1-2, FIRE CIVIL SERVICE BOARD.

WHEREAS, a vacancy exists on the St. Bernard Fire Protection Districts No. 1-2, Fire Civil Service Board due to the expiring term of Ruth Bertucci; and

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

WHEREAS, that this appointment shall be effective as of April 2, 2019 and shall terminate on April 2, 2022.

NOW THEREFORE, BE IT RESOLVED, that the St. Bernard Parish Council, the governing authority, does hereby re-appoint Ruth Bertucci as the Governing Authority’s Board Member of the St. Bernard Fire Protection Districts No. 1-2, Fire Civil Service Board; and

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 2nd day of April, 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 St. Bernard, Louisiana, on Tuesday, April 2, 2019.

Witness my hand and the seal of the Parish of St. Bernard on this 2nd day of April, 2019.

________________________
ROXANNE ADAMS
CLERK OF COUNCIL

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

RESOLUTION SBPC #1926-04-19

A RESOLUTION TO RE-APPOINT LISA BORNE TO THE ST. BERNARD PARISH LIBRARY BOARD.

WHEREAS, a vacancy exists on the St. Bernard Library Board due to the expiring term of Lisa Borne; and

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

WHEREAS, that this appointment shall be effective as of April 2, 2019 and shall terminate on April 2, 2023.

NOW THEREFORE, BE IT RESOLVED, that the St. Bernard Parish Council, the Governing Authority, does hereby re-appoint Lisa Borne to the St. Bernard Parish Library Board of Control.

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 2nd day of April, 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, April 2, 2019.

Witness my hand and the seal of the Parish of St. Bernard on this 2nd day of April, 2019.

________________________
ROXANNE ADAMS
CLERK OF COUNCIL

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

RESOLUTION SBPC #1927-04-19

A RESOLUTION AUTHORIZING THE PARISH TO APPLY FOR A GRANT FROM THE LOUISIANA DEPARTMENT OF ENVIRONMENTAL QUALITY (LDEQ) TO INSTALL TWO LEVEL 2 ELECTRIC-VEHICLE CHARGING STATIONS IN STRATEGIC SITES WITHIN THE ST. BERNARD PARISH.

WHEREAS, LDEQ has received funding through the Volkswagen Clean Air Act Civil Settlement as the state beneficiary for Louisiana, and;

WHEREAS, this project would receive 100% funding with no match from the Parish, and;

WHEREAS, LDEQ has established the Volkswagen Eligible Mitigation Action Project in order to award funding from the Volkswagen Clean Air Act Civil Settlement to both government and non-government entities within the state of Louisiana serving to reduce emissions, and;

WHEREAS, the installation of two electric-vehicle charging stations would further encourage residents to move towards actions that promote the reduction of vehicle emissions.

NOW, THEREFORE, the Parish will submit a Volkswagen Eligible Mitigation Action Project in order to receive funding from LDEQ,

BE IT FURTHER RESOLVED, the St. Bernard Parish Council, does hereby authorize the President of St. Bernard Parish Government to sign and execute all required applications and agreements and any amendments thereof, and all of the necessary reports, assurances, contracts and any other documents required in connection with this application for funding from LDEQ.
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 2\textsuperscript{nd} day of April, 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, April 2, 2019.

Witness my hand and the seal of the Parish of St. Bernard on this 2\textsuperscript{nd} day of April, 2019.

_____________________

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

EMERGENCY ORDINANCE SBPC #2149-04-19

Summary No. 3698

AN EMERGENCY ORDINANCE TO AMEND CHAPTER 22, ZONING; SECTION 22-5, RESIDENTIAL ZONING DISTRICTS, SECTION 22-6, COMMERCIAL AND INDUSTRIAL ZONING DISTRICTS AND SECTION 22-7, SITE DEVELOPMENT STANDARDS 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 22-5 Residential Zoning Districts, Section 22-6 Commercial and Industrial Zoning Districts and Section 22-7 Site Development Standards as attached in Exhibit “A”.

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

SECTION 3. Severability. If any section, clause, paragraph, provision or portion of this ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, paragraph, provision or portion of this Ordinance, the St. Bernard Parish Council hereby expresses and declares that it would have adopted the remaining portion 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 2nd day of April, 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 ______________________________
Sec. 22-5. - Residential zoning districts.

22-5-4. *Permitted uses in residential districts.* The following table identifies those uses that are permitted as of right and those permitted by conditional use permit in agricultural and residential zoning districts:

<table>
<thead>
<tr>
<th>USE</th>
<th>R-1</th>
<th>R-2</th>
<th>R-3</th>
<th>R-1(M)</th>
<th>R-4</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single-family dwellings</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td>Two-family (two units)</td>
<td>P</td>
<td>P</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Multi-family (more than three units) (1)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>P</td>
</tr>
<tr>
<td>Single-family mobile home dwellings</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>P</td>
</tr>
<tr>
<td>Mobile home trailer parks</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>P</td>
</tr>
<tr>
<td>Short-term rentals (STR)</td>
<td>P(8)</td>
<td>P(8)</td>
<td>P(8)</td>
<td></td>
<td>P(8)</td>
</tr>
<tr>
<td>Boarding houses and lodging house</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>P</td>
</tr>
<tr>
<td>Convalescent and nursing homes</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>P</td>
</tr>
<tr>
<td>Apartment hotel</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>P</td>
</tr>
<tr>
<td>Home occupation</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td>Parks and playgrounds (4)</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>Police and fire stations</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
</tbody>
</table>
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Summary No. 3698
Emergency Ordinance SBPC #2149-04-19

<table>
<thead>
<tr>
<th>Permit Type</th>
<th>P</th>
<th>P</th>
<th>P</th>
<th>P</th>
<th>P</th>
</tr>
</thead>
<tbody>
<tr>
<td>Libraries and museums</td>
<td>CU</td>
<td>CU</td>
<td>CU</td>
<td>CU</td>
<td>CU</td>
</tr>
<tr>
<td>Cemeteries, crematories, and mausoleums</td>
<td>CU</td>
<td>CU</td>
<td>CU</td>
<td>CU</td>
<td>CU</td>
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<tr>
<td>Outdoor commercial recreation (2)</td>
<td>CU</td>
<td>CU</td>
<td>CU</td>
<td>CU</td>
<td>CU</td>
</tr>
<tr>
<td>Bed and breakfast (for not more than ten (10) guests)</td>
<td>CU</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Kindergartens and nursery schools</td>
<td>CU</td>
<td>CU</td>
<td>CU</td>
<td>CU</td>
<td>CU</td>
</tr>
<tr>
<td>Child care centers (3)</td>
<td>CU</td>
<td>CU</td>
<td>CU</td>
<td>CU</td>
<td>CU</td>
</tr>
<tr>
<td>Community centers</td>
<td>CU</td>
<td>CU</td>
<td>CU</td>
<td>CU</td>
<td>CU</td>
</tr>
<tr>
<td>Churches, temples, Sunday schools, parish house</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>Public and private schools, academic institutions</td>
<td>CU</td>
<td>CU</td>
<td>CU</td>
<td>CU</td>
<td>CU</td>
</tr>
<tr>
<td>Gardens, community or private (4)</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>Day care home, adult or child (5)</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>Day care center, adult or child - small (6)</td>
<td>P</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Day care center, adult or child - large (6)</td>
<td>P</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Group home, small (7)</td>
<td>P</td>
<td>P</td>
<td>CU</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td>Group home, large (7)</td>
<td></td>
<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Group home, congregate (7)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>P</td>
</tr>
</tbody>
</table>

P = Permitted Use and CU = Conditional Use

22-5-4.1. Notes to permitted uses in residential districts.

(7) Group home:
    (a) Group homes shall be licensed by the State of Louisiana.
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(b) Group homes are subject to all local and federal regulations and the regulations of the Louisiana Administrative Code.

(c) A group home shall encompass the entire structure.

(d) The location, design, and operation of the group home shall not alter the residential character of the neighborhood. The facility shall retain a residential character, which shall be compatible with the surrounding neighborhood. Group homes (small) shall meet the provisions of the zoning code related to single-family dwellings. Group homes (large) shall meet the provisions of the zoning code related to two-family dwellings. Group homes (congregate) shall meet the provisions of the zoning code related to multi-family dwellings. All Group homes shall meet the provisions of Section 22-7-3.2 – Off-street parking and loading requirements (number of parking spaces).

Sec. 22-6. - Commercial and industrial zoning districts

22-6-4. Permitted uses in business and industrial districts. The following table identifies those uses permitted by zoning district. All business and industrial uses, developments, and new construction, except for minor changes in use, require site plan approval by the commission, subject to the site development standards of section 22-6-7. Any use not expressly permitted by the commission shall be prohibited unless the commission determines that a use fits into the established use groups. In addition, the commission has the right to determine if any use meets the intent of the regulations.

<table>
<thead>
<tr>
<th>Retail and Service Uses</th>
<th>RO</th>
<th>A-1</th>
<th>C-1</th>
<th>C-2</th>
<th>C-3</th>
<th>I-1</th>
<th>I-2</th>
<th>SA</th>
<th>SBV</th>
</tr>
</thead>
<tbody>
<tr>
<td>Retail establishments</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td></td>
<td>P(1)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Service establishments, personal/professional</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td></td>
<td>P(1)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Retail/service establishments - Over 30,000 sq. ft.</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td></td>
<td>P</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Nursery schools</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Day care home, adult or child (14)</td>
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<td></td>
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<td></td>
<td></td>
<td>P</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Day care home, adult or child - small (15)</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td></td>
<td></td>
<td></td>
<td>CU</td>
<td>CU</td>
<td></td>
</tr>
<tr>
<td>Day care home, adult or child - large (15)</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td></td>
<td></td>
<td></td>
<td>CU</td>
<td>CU</td>
<td></td>
</tr>
<tr>
<td>Day care center, adult or child - commercial (15)</td>
<td>P</td>
<td>CU</td>
<td>P</td>
<td></td>
<td></td>
<td></td>
<td>CU</td>
<td>CU</td>
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</tr>
</tbody>
</table>
### Exhibit A
Summary No. 3698
Emergency Ordinance SBPC #2149-04-19

<table>
<thead>
<tr>
<th>Use Description</th>
<th>P</th>
<th>P</th>
<th>P</th>
<th>P</th>
<th>CU</th>
</tr>
</thead>
<tbody>
<tr>
<td>Group home, small (16)</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>Group home, large (16)</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>CU</td>
</tr>
<tr>
<td>Group home, congregate (16)</td>
<td>P CU</td>
<td>P CU</td>
<td>P CU</td>
<td>P</td>
<td>CU</td>
</tr>
<tr>
<td>Grocery stores (Under 18,000 sq. ft.)</td>
<td>P</td>
<td>CU</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>Dry cleaning and laundromat establishments</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>Restaurants (4)</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>Hotel</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td>Funeral home, mortuaries, morgues</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Parking lots</td>
<td>P</td>
<td>CU</td>
<td>P</td>
<td></td>
<td>CU</td>
</tr>
<tr>
<td>Truck stops (3)</td>
<td>CU</td>
<td>CU</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Financial institutions and banks</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td>Bed and breakfast (≤10 guests)</td>
<td>CU</td>
<td></td>
<td>CU</td>
<td>CU</td>
<td></td>
</tr>
<tr>
<td>Reception facility</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td>Sno-ball stand (20)</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
</tbody>
</table>

P = Permitted Use - CU = Conditional Use

Notes to business and industrial district uses:

16. **Group home:**
   a. Group homes shall be licensed by the State of Louisiana.
   b. Group homes are subject to all local and federal regulations and the regulations of the Louisiana Administrative Code.
   c. A group home shall encompass the entire structure.
   d. **The location, design, and operation of the group home shall not alter the residential character of the neighborhood.** The facility shall retain a residential character, which
shall be compatible with the surrounding neighborhood. Group homes (small) shall meet the provisions of the zoning code related to single-family dwellings. Group homes (large) shall meet the provisions of the zoning code related to two-family dwellings. Group homes (congregate) shall meet the provisions of the zoning code related to multi-family dwellings. All Group homes shall meet the provisions of Section 22-7-3.2 – Off-street parking and loading requirements (number of parking spaces).

Sec. 22-7. Site development standards

22-7-3. Off-street parking and loading requirements.

22-7-3.1. Purpose. This section is intended to provide sufficient off-street parking spaces to serve all existing and proposed uses.

22-7-3.2. Number of parking spaces. Off-street automobile parking space or area shall be provided on any lot on which any of the following listed uses are hereafter established, and in accordance with the schedule shown. When a use is increased in capacity by the addition of dwelling rooms, guest rooms, floor area or seats, the minimum off-street parking shall be provided for such increase. Parking space or area may be located on any portion of a lot except in the required front yard or as herein provided.

<table>
<thead>
<tr>
<th>Type of Use</th>
<th>Minimum Number of Parking Spaces</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential Uses:</td>
<td></td>
</tr>
<tr>
<td>Single-family dwelling</td>
<td>2.0 per dwelling unit</td>
</tr>
<tr>
<td>Multiple-family dwelling</td>
<td>2.0 per dwelling unit</td>
</tr>
<tr>
<td>Boarding house or lodging house</td>
<td>1.0 per guest room</td>
</tr>
<tr>
<td>Nursing home or convalescent home</td>
<td>1.0 per three beds plus and 1.0 per employee/shift</td>
</tr>
<tr>
<td>Manufactured home</td>
<td>1.0 per dwelling unit</td>
</tr>
<tr>
<td>Business and Industrial Uses:</td>
<td></td>
</tr>
<tr>
<td>Retail stores, personal service shops, shopping centers and other similar uses</td>
<td>6.0 per 1,000 square feet for 1 to 10,000 square feet, 5.0 per 1,000 square feet above 10,000 square feet</td>
</tr>
</tbody>
</table>
### Exhibit A
**Summary No. 3698**
**Emergency Ordinance SBPC #2149-04-19**

<table>
<thead>
<tr>
<th>Type of Use</th>
<th>Minimum Parking Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>Banks, professional or business office</td>
<td>4.0 per 1,000 square feet</td>
</tr>
<tr>
<td>Healthcare facilities</td>
<td>1.0 per 200 square feet and 4.0 per licensed healthcare provider</td>
</tr>
<tr>
<td>Industrial and manufacturing</td>
<td>2.0 per 1,000 square feet</td>
</tr>
<tr>
<td>Warehouse and storage</td>
<td>0.5 per 1,000 square feet</td>
</tr>
<tr>
<td>Contractor's workshops or vehicle storage facilities</td>
<td>As determined by the commission</td>
</tr>
<tr>
<td>Hotel or motel</td>
<td>1.0 per guest room plus and 1.0 per employee/shift</td>
</tr>
<tr>
<td>Restaurants, clubs, and bars</td>
<td>10.0 per 1,000 square feet</td>
</tr>
<tr>
<td>Places of public assembly and conference space</td>
<td>1.0 per 3 seats</td>
</tr>
<tr>
<td>Roadside stand</td>
<td>5.0 per each stand</td>
</tr>
<tr>
<td>Scrap or salvage yard</td>
<td>1 per 300 square feet of GFA of office space</td>
</tr>
<tr>
<td>Motor vehicle service and repair</td>
<td>6 spaces plus one space per service bay</td>
</tr>
<tr>
<td>Truck repair</td>
<td>3 truck spaces per service bay plus 2 vehicle spaces per bay</td>
</tr>
<tr>
<td>Car wash</td>
<td>1 per car wash bay plus 3 spaces per bay for queuing purposes</td>
</tr>
<tr>
<td>Motor vehicle dealerships</td>
<td>1.0 per 500 square feet of gross lot area</td>
</tr>
<tr>
<td>Gas station</td>
<td>2 per pump plus 1 per 500 square feet of retail area plus 2 per service bay of accessory motor vehicle service and repair plus 4 stacking spaces for car wash bay</td>
</tr>
<tr>
<td>Vehicle impound lot</td>
<td>1 per 300 square feet of GFA of office space</td>
</tr>
<tr>
<td>Vehicle storage lot</td>
<td>1 per 300 square feet of GFA of office space</td>
</tr>
</tbody>
</table>
### Exhibit A
**Summary No. 3698**
**Emergency Ordinance SBPC #2149-04-19**

<table>
<thead>
<tr>
<th>Activity</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Vehicle operations facility</td>
<td>1 per 300 square feet of GFA of office space</td>
</tr>
<tr>
<td>Bowling alley</td>
<td>4.0 per lane</td>
</tr>
<tr>
<td>Riverboat gaming establishments</td>
<td>1.0 per each passenger and crewmember based on maximum capacity plus 1.0 space for each landside employee</td>
</tr>
<tr>
<td>Sound stage/movie studio</td>
<td>1.0 per 1,000 square feet of gross floor area (applied to all structures on the campus)</td>
</tr>
<tr>
<td>Day care center, adult or child</td>
<td>3.0 per 1,000 square feet</td>
</tr>
<tr>
<td>Group home (small)</td>
<td>2.0 per home 3.0 per 1,000 square feet</td>
</tr>
<tr>
<td>Group home (large)</td>
<td>4.0 per home</td>
</tr>
<tr>
<td>Group home (congregate)</td>
<td>8.0 per home</td>
</tr>
</tbody>
</table>

**Institutional Uses:**

<table>
<thead>
<tr>
<th>Activity</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clubs and fraternities</td>
<td>1.0 per 3 members</td>
</tr>
<tr>
<td>Libraries and museums</td>
<td>2.5 per 1,000 square feet</td>
</tr>
<tr>
<td>Elementary and junior high schools</td>
<td>1.0 per classroom</td>
</tr>
<tr>
<td>Senior high schools</td>
<td>4.0 per classroom</td>
</tr>
<tr>
<td>College and universities</td>
<td>5.0 per classroom</td>
</tr>
<tr>
<td>Auditoriums and theaters, places of public assembly</td>
<td>1.0 per 4.0 seats</td>
</tr>
<tr>
<td>Hospitals</td>
<td>1.0 per 5.0 beds, 1.0 per each staff doctor, and 1.0 per each employee including nurses</td>
</tr>
<tr>
<td>Cemeteries</td>
<td>15.0 per every 5 acres</td>
</tr>
</tbody>
</table>
### Exhibit A
Summary No. 3698
Emergency Ordinance SBPC #2149-04-19

<table>
<thead>
<tr>
<th>Location</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Churches</td>
<td>1.0 per 4 seats</td>
</tr>
<tr>
<td>Bingo halls</td>
<td>5.0 per 1,000 square feet</td>
</tr>
<tr>
<td>Athletic playing fields</td>
<td>1.0 per 5,000 square feet of gross area</td>
</tr>
<tr>
<td>Parks</td>
<td>One percent of total are designed as parking</td>
</tr>
</tbody>
</table>

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

**EMERGENCY ORDINANCE SBPC #2150-04-19**

Summary No. 3699

AN EMERGENCY ORDINANCE TO AMEND APPENDIX F, REASONABLE ACCOMMODATION UNDER THE FAIR HOUSING ACT OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. The Parish Council hereby amends Appendix F, Reasonable Accommodation under the Fair Housing Act as attached in Exhibit “A”.

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

SECTION 3. Severability. If any section, clause, paragraph, provision or portion of this ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, paragraph, provision or portion of this Ordinance, the St. Bernard Parish Council hereby expresses and declares that it would have adopted the remaining portion this Ordinance with the invalid portions omitted.
April 2, 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 2nd day of April, 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  ______________________________
APPENDIX F—REASONABLE ACCOMMODATION UNDER THE 
U.S. FAIR HOUSING ACT

Sec. 1. — Purpose

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

Nothing in this Ordinance shall require persons with disabilities or operators of homes for persons with disabilities acting or operating in accordance with applicable zoning or land use laws or practices to seek a reasonable accommodation under this Ordinance.

Sec. 2. Definitions


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

CODE. The St. Bernard Parish zoning code or ordinance which sets forth the Parish’s land use and zoning regulations.

The DEPARTMENT. Department of Community Development.

DIRECTOR. The Director of Community Development.

DISABILITY. Any person who has a physical or mental impairment that substantially limits one (1) or more major life activities; anyone who is regarded as having such impairment; or anyone who has a record of such impairment; or any disability that qualifies as a disability under the Act. Persons recovering from alcohol or drug addiction are considered to have a disability if the addiction impairs a major life activity. People who are currently using illegal substances are not covered under the Act, unless they have a separate disability. A person need not have a diagnosis from a medical professional to have a disability.
Sec. 3. Notice to the Public of Availability of Accommodation Process

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

Sec. 4. Requesting Reasonable Accommodation

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

a. If an individual needs assistance in making the request for reasonable accommodation, the DEPARTMENT shall provide the assistance necessary to ensure that the process is accessible to the applicant, including by transcribing a verbal request into a written request.

b. A request for reasonable accommodation in ordinances, rules, policies, practices and/or procedures may be filed at any time that the accommodation may be necessary to ensure equal access to housing; at the outset or during the approval process.

c. A request for a reasonable accommodation shall stay all proceedings in furtherance of the enforcement of any requirement that is the subject of the request.

Sec. 5. Review of Requests for Reasonable Accommodation

a. When a request for reasonable accommodation is filed with the DEPARTMENT, it is referred to the DIRECTOR for review and consideration. The DIRECTOR shall issue a written decision within thirty (30) days of the date of the application request and may grant the reasonable accommodation request with or without modification or deny the request. The written decision of the DIRECTOR shall be provided in the form of the Notice of Decision on Fair Housing Accommodation Request for (Exhibit C) for DIRECTOR’S use.

b. If necessary to reach a decision on the request for reasonable accommodation, the DIRECTOR may request further information from the Applicant consistent with the Act, specifying in detail what
information is required. **In most cases, an individual’s medical records or detailed information about the nature of a person’s disability will not be necessary.**

c. Not more than thirty (30) days after receiving a written request for reasonable accommodation, the DIRECTOR shall issue a written decision on the request; provided that, in the event that the DIRECTOR requests further information pursuant to the above paragraph, the running of this period shall be tolled (stopped) until the Applicant responds to the request.

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

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

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

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

a. The DIRECTOR’S written decision on the request for reasonable accommodation shall explain in detail the basis of the decision, including the DIRECTOR’S findings on the factors criteria set forth in Sec. 6, above. All written decisions shall give notice of the right to appeal and to request reasonable accommodation in the appeals process as set forth below. The DIRECTOR shall send a notice of decision to the applicant by certified mail. include with his written decision the Appeal of Decision of Fair Housing Accommodation Request form (Exhibit D). The DIRECTOR’S Notice of Decision shall be sent to the Applicant by certified mail.

b. If the DIRECTOR fails to render a written decision on the request for reasonable accommodation within the 30-day time period allotted by Sec. 5 above, the Applicant may submit a letter to the DEPARTMENT requesting a response from the DIRECTOR within 15 days. If the DIRECTOR fails to render a written decision on the request for a reasonable accommodation within 15 days of the date of this letter, the accommodation request shall be deemed granted.
Sec. 8. Appeals

a. Within thirty (30) days of the date of the DIRECTOR’S written decision, the applicant may appeal the adverse decision by filing an appeal of Denial Decision of Fair Housing accommodation request Fair Housing Accommodation Request form (Exhibit D), which shall be supplied by the department, with the board of zoning adjustments. Delivery of the appeal to the department shall constitute filing of the appeal with the DEPARTMENT.

b. If the director fails to render a written decision on the request for reasonable accommodation within the time period allotted by section 5, above, the applicant shall be entitled to file an appeal to the board of zoning adjustments within ninety (90) days of the date the applicant filed the request for reasonable accommodation with the director. An Applicant may request reasonable accommodation to the procedure by which an appeal will be processed. If an Applicant needs assistance in filing an appeal, the Parish shall provide the assistance that is necessary to ensure that the appeal process is accessible to the applicant, including by transcribing a verbal request for an appeal into a written request.

c. An applicant may request reasonable accommodation in the procedure by which an appeal will be conducted. If an applicant needs assistance in filing an appeal, the parish shall provide the assistance that is necessary to ensure that the appeal process is accessible to the applicant. An Applicant shall state the grounds for the appeal by completing the Fair Housing Accommodation Request Form (Exhibit D).

d. All appeals shall contain a statement of the grounds for the appeal. When an Appeal of Decision of Fair Housing Accommodation Request form is filed with the DEPARTMENT, it is referred to the Parish’s Chief Administrative Officer for review and consideration. The Chief Administrative Officer shall issue a decision on the appeal within 30 days of the date the Applicant filed the appeal.

e. Upon receipt of an appeal, the department shall refer the appeal to the board of zoning adjustments within seven (7) days. The board of zoning adjustments shall hear the appeal at its next available meeting that allows sufficient time to fulfill any public notice requirements. In reaching a decision on the appeal, the Chief Administrative Officer shall determine whether the DIRECTOR’S decision was consistent with applicable fair housing laws and the applicable factors in evaluating a reasonable accommodation request as set forth in Sec. 6. The Chief Administrative Officer shall consider: (i) the Applicant’s Fair Housing Accommodation Request; (ii) the decision of the DIRECTOR; and (iii) the Applicant’s Appeal of Decision of Fair Housing Accommodation Request form. The Chief Administrative Officer’s decision shall include the basis for his/her decision.

f. Nothing in these provisions shall preclude an aggrieved individual from seeking any other state or federal remedy available. The decision on the appeal shall be issued to the Applicant in writing.
g. If a written decision on the appeal is not rendered within 30 days from the date the appeal is filed, the Applicant may submit a letter to the DEPARTMENT to request a decision. If the Chief Administrative Officer fails to render a written decision on the appeal within 15 days of the date of this letter, the accommodation request shall be deemed granted.

h. Nothing in these Regulations shall preclude an Applicant from seeking any other state or federal remedy available.

Sec. 9. Force and Effect of a Reasonable Accommodation

a. The written decision of the DIRECTOR on the request for a reasonable accommodation and the written decision of the Chief Administrative Officer of a decision on appeal will have full effect at the time they are issued.

Sec. 10. Record Keeping

a. The Parish shall retain, for the duration of the accommodation and at least three (3) years thereafter, written records of each request and all related records, including the Parish’s responses and decisions.
EXHIBIT A

NOTICE OF FAIR HOUSING ACCOMMODATION PROCEDURES FOR PEOPLE WITH DISABILITIES

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

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

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

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

*The Fair Housing act defines “disability” as any of the following: a physical or mental impairment that substantially limits one or more major life activities; a record of having such an impairment or; being regarding has having such an impairment. The Fair Housing Act does not protect individuals currently using illegal substances, unless they have a separate disability.
FAIR HOUSING ACCOMMODATION REQUEST
EXPLANATION OF RIGHTS UNDER THE FAIR HOUSING AMENDMENTS ACT

Before completing the request for a reasonable accommodation, below, please read the following information about who is protected by the Fair Housing Amendments Act and what accommodation may be available under the law. This is not a comprehensive explanation of your rights under the Fair Housing Amendments Act. More information on the Fair Housing Act is available from the United States Department of Housing and Urban Development, which can be contacted at 1-800-669-9777 or reached through its website at https://www.hud.gov/program_offices/fair_housing_equal_opp.

Do the protections of the Fair Housing Amendments Act apply to me?
You are protected by the Fair Housing Amendments Act if you have a disability or the housing is for people with disabilities. “Disability” means any one of the following: a physical or mental impairment that substantially limits one or more major life activities or a record of having such an impairment or being regarded by others as having such an impairment. The Fair Housing Amendments Act does not protect an individual currently using illegal substances, unless that person has a separate disability.

What kind of accommodation may I request under the Fair Housing Amendments Act?
If you have a disability or the housing is for people with disabilities, the Fair Housing Amendments Act requires that the Parish provide you with reasonable accommodation in rules, policies, practices and procedures that may be necessary for people with disabilities to have equal opportunity to use and enjoy a dwelling. More specifically, the Parish must provide you with reasonable accommodation in decisions and procedures regulating the siting, funding, development or use of housing, including housing related services or facilities.

How do I request reasonable accommodation from the Parish?
To make a request for reasonable accommodation, answer the questions on the attached one-page request form, sign and date the form, and return it to the Department of Community Development. If you need help in answering the questions on the request form, you may ask for assistance from the Department of Community Development. Your accommodation request will be reviewed by the Director of Community Development, who will issue a written decision on your request within thirty (30) days of the date of the request.

What if my request for reasonable accommodation is denied or not answered?
If your request for accommodation is denied, in whole or in part, you may appeal the decision by filing a Notice of Appeal with the Parish’s Chief Administrative Officer within thirty (30) days of the decision. You may request reasonable accommodation to the procedure by which an appeal may be conducted. You may also contact your local fair housing or disability rights organization or legal services office for further assistance. If the Director fails to render a written decision on your request within thirty (30) days of the date of the request for a reasonable accommodation, you may send a letter to the Department of Community Development requesting a written decision within fifteen (15) days. If no written decision is issued within fifteen (15) days of this letter, your request will be deemed granted. Nothing in this accommodation request procedure limits your right to any other available state or federal remedy.
EXHIBIT B

FAIR HOUSING ACCOMMODATION REQUEST

NOTE: If you need help in completing this request form, the Department of Community Development will assist you. Please contact the person at the counter where you received this request form for assistance.

1. Name of Applicant ______________________________ Telephone Number ______________________________

2. Address ______________________________________________________________________________________

3. Address of Housing at which Accommodation is requested ______________________________________________________________________________________

4. Describe the accommodation you are requesting and the specific regulation(s) and/or procedure(s) from which accommodation is sought.

______________________________________________________________________________________________

______________________________________________________________________________________________

5. Give the reason that the reasonable accommodation may be necessary for you or, the individuals with disabilities seeking the specific housing, to use and enjoy the housing. You do not need to tell us the name or extent of your disability or the disabilities of the individuals seeking the housing.

______________________________________________________________________________________________

______________________________________________________________________________________________

6. If we have questions about your request for reasonable accommodation and you would like us to contact someone assisting you with this request, instead of you, please give us that person’s name, address and telephone number.

______________________________________________________________________________________________

7. Signature of Applicant ______________________________ Date: __________________

PLEASE ATTACH ANY DOCUMENTS OR ADDITIONAL INFORMATION THAT YOU THINK SUPPORTS YOUR REQUEST FOR REASONABLE ACCOMMODATION AND WOULD ASSIST US IN CONSIDERING YOUR REQUEST.
EXHIBIT C
NOTICE OF DECISION ON FAIR HOUSING
ACCOMMODATION REQUEST

1. Date of Application: ____________________________

2. Date of Decision: ______________________________

3. The request for a Fair Housing Accommodation is:

   _______ Granted   _______ Denied (See Notice below re right to appeal decision)

Description of Accommodation granted or denied:

___________________________________________________________________________
___________________________________________________________________________
___________________________________________________________________________

4. The reasons for this decision are as follows:

__________________________________________________________________________________
__________________________________________________________________________________
__________________________________________________________________________________
__________________________________________________________________________________
__________________________________________________________________________________

5. The facts relied on in making this decision:

__________________________________________________________________________________
__________________________________________________________________________________
__________________________________________________________________________________
__________________________________________________________________________________
__________________________________________________________________________________

Signature of DIRECTOR__________________________ Date __________________

NOTICE: If your request for accommodation was denied or you disagree with the accommodation granted, you may appeal this decision to the Parish’s Chief Administrative Officer within thirty (30) days of the date of this decision. To file an appeal, complete and file an Appeal of Decision of Fair Housing Accommodation Request form with the Department of Community Development. You may request reasonable accommodation in the procedure by which an appeal will be processed.
EXHIBIT D

APPEAL OF DECISION ON FAIR HOUSING
ACCOMMODATION REQUEST

NOTE: If you need help in completing this request form, the Department of Community Development will assist you. Please contact the person at the counter where you received this request form for assistance.

NOTICE: PLEASE ATTACH TO THIS APPEAL FORM: (1) A COPY OF YOUR FAIR HOUSING ACCOMMODATION REQUEST ALONG WITH ANY ATTACHMENTS SUBMITTED WITH THE REQUEST AND (2) THE NOTICE OF THE DECISION ON YOUR ACCOMMODATION REQUEST.

1. Name of Applicant:______________________________________________________
2. Address:_______________________________________________________________
3. Phone Number of Applicant: _________________
4. Date Initial Request Filed:_______________________________________________
5. Date of Adverse Decision: _____________________________________________
6. State why you think the decision on your Request for accommodation was wrongly decided:
   ______________________________________________________________________
   ______________________________________________________________________
   ______________________________________________________________________
   ______________________________________________________________________
   ______________________________________________________________________
   ______________________________________________________________________
7. Provide any additional information, facts or documents that support your Request for accommodation:
   ______________________________________________________________________
   ______________________________________________________________________
   ______________________________________________________________________
   ______________________________________________________________________
   ______________________________________________________________________
   ______________________________________________________________________
8. Signature_____________________________ Date ____________________________

Attach additional sheets if necessary
On motion of XXXX, seconded by XXXX, it was moved to adopt the following ordinance:

Summary No. 3694
Introduced by: Council on 3/19/19
Public Hearing held on 4/2/19

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 2nd day of April, 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   ______________________________
St. Bernard Parish Government  
Proposed 2019 Budget Amendment 4-2-2019  
Summary No. 3694  
Ordinance SBPC #XXXX-XX-XX

<table>
<thead>
<tr>
<th>Object</th>
<th>Account Code</th>
<th>Account Title</th>
<th>Account Type</th>
<th>Entry Amount</th>
<th>Increase</th>
<th>Decrease</th>
</tr>
</thead>
<tbody>
<tr>
<td>2626540</td>
<td>571001</td>
<td>Construction in Progress</td>
<td>Expenditure</td>
<td>$685,000</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

*Net Effect on Fund Balance*

| $ | - | $685,000 |

*This Budget Amendment is to budget additional funding needed to complete the Jackson/Pakenham project.*
## St. Bernard Parish
### Repayment Schedule

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2020</td>
<td>50,000</td>
</tr>
<tr>
<td>2021</td>
<td>50,000</td>
</tr>
<tr>
<td>2022</td>
<td>50,000</td>
</tr>
<tr>
<td>2023</td>
<td>50,000</td>
</tr>
<tr>
<td>2024</td>
<td>50,000</td>
</tr>
<tr>
<td>2025</td>
<td>50,000</td>
</tr>
<tr>
<td>2026</td>
<td>50,000</td>
</tr>
<tr>
<td>2027</td>
<td>50,000</td>
</tr>
<tr>
<td>2028</td>
<td>50,000</td>
</tr>
<tr>
<td>2029</td>
<td>50,000</td>
</tr>
<tr>
<td>2030</td>
<td>50,000</td>
</tr>
<tr>
<td>2031</td>
<td>50,000</td>
</tr>
<tr>
<td>2032</td>
<td>85,000</td>
</tr>
</tbody>
</table>

| Total | 685,000 |

### Balance Sheet Transaction:

<table>
<thead>
<tr>
<th>Transaction</th>
<th>Debit</th>
<th>Credit</th>
</tr>
</thead>
<tbody>
<tr>
<td>500 100000  Cash</td>
<td></td>
<td>685,000</td>
</tr>
<tr>
<td>500 140100  Due from GF</td>
<td></td>
<td>685,000</td>
</tr>
<tr>
<td>462 270500  Due to W&amp;S</td>
<td></td>
<td>685,000</td>
</tr>
<tr>
<td>462 109000  Cash</td>
<td></td>
<td>685,000</td>
</tr>
</tbody>
</table>
On motion of XXXX, seconded by XXXX, it was moved to adopt the following ordinance:

**Summary No. 3695**
Introduced by: Council on 3/19/19
Public Hearing held on 4/2/19

AN ORDINANCE LEVYING AND IMPOSING CERTAIN TAXES FOR 2019 ON ALL THE PROPERTY SUBJECT TO TAXATION IN THE PARISH OF ST. BERNARD, ROAD LIGHTING DISTRICT NO. 1, ROAD DISTRICT NO. 1, GARBAGE DISTRICT NO. 1, FIRE PROTECTION DISTRICT NO. 1 AND FIRE PROTECTION DISTRICT NO. 2.

WHEREAS, it is necessary for the Parish Council of the Parish of St. Bernard, State of Louisiana, acting as the governing authority of said Parish and the hereinafter described districts, to levy all the maintenance and operating taxes for the year 2019; and,

WHEREAS, it is also necessary for the said Parish Council, acting as the Governing Authority of said Parish, to levy taxes for the year 2019 for the payment of general obligation bonds thereof.

NOW, THEREFORE, BE IT ORDAINED by the St. Bernard Parish Council, acting as the Governing Authority of the following political subdivisions,

1. Parish of St. Bernard, State of Louisiana
2. Road Lighting District No. 1 of the Parish of St. Bernard, State of Louisiana
3. Road District No. 1 of the Parish of St. Bernard, State of Louisiana
4. Garbage District No. 1 of the Parish of St. Bernard, State of Louisiana
5. Fire Protection District No. 1 of the Parish of St. Bernard, State of Louisiana
6. Fire Protection District No. 2 of the Parish of St. Bernard, State of Louisiana

SECTION 1. **Parish Taxes.** Under the authority of the Constitution and Laws of the State of Louisiana, the following special taxes are hereby levied, assessed and imposed on all the property in said Parish for the year 2019, for the respective purposes described below:
<table>
<thead>
<tr>
<th>Year</th>
<th>Rate</th>
<th>Election Date</th>
<th>Years Authorized</th>
<th>Purpose</th>
</tr>
</thead>
<tbody>
<tr>
<td>2019</td>
<td>2.810</td>
<td>N/A</td>
<td>N/A</td>
<td>Parish Constitutional Tax</td>
</tr>
<tr>
<td></td>
<td>1.230</td>
<td>April 9, 2016</td>
<td>2017-2026</td>
<td>Constructing, maintaining, improving and operating public libraries in the Parish.</td>
</tr>
<tr>
<td></td>
<td>2.520</td>
<td>Nov. 7, 2006</td>
<td>2010-2019</td>
<td>Constructing, maintaining, improving and operating public libraries in the Parish and purchasing books and other library materials.</td>
</tr>
<tr>
<td></td>
<td>2.170</td>
<td>April 9, 2016</td>
<td>2017-2026</td>
<td>Acquiring or improving lands, buildings and equipment for recreation purposes, title to which shall be in the public, and maintaining and operating such recreation facilities in the Parish.</td>
</tr>
<tr>
<td></td>
<td>0.620</td>
<td>April 9, 2016</td>
<td>2017-2026</td>
<td>Constructing, maintaining, improving and operating public health units in the Parish.</td>
</tr>
<tr>
<td></td>
<td>0.940</td>
<td>Nov. 21, 2015</td>
<td>2017-2026</td>
<td>Providing funding for Senior Citizens programs, activities and services operated by the St. Bernard Parish Council on Aging.</td>
</tr>
<tr>
<td></td>
<td>20.410</td>
<td>Dec. 8, 2012</td>
<td>2012-2022</td>
<td>Acquiring, constructing, maintaining, improving and operating fire protection facilities and purchasing fire trucks and other firefighting equipment.</td>
</tr>
</tbody>
</table>
SECTION 2. Parishwide District Taxes. Under the authority of the Constitution and Laws of the State of Louisiana, the following special taxes are hereby levied, assessed and imposed on all the property in said Parish for the year 2019, for the respective parish wide districts and purposes described below:

<table>
<thead>
<tr>
<th>2019 Millage</th>
<th>Election Date</th>
<th>Years Authorized</th>
<th>Parishwide District and Purpose</th>
</tr>
</thead>
<tbody>
<tr>
<td>3.050</td>
<td>April 9, 2016</td>
<td>2017-2026</td>
<td>Garbage District No. 1 - providing and maintaining garbage collection and disposal services in Garbage District No. 1.</td>
</tr>
<tr>
<td>3.050</td>
<td>April 9, 2016</td>
<td>2017-2026</td>
<td>Road District No. 1 - constructing, improving and maintaining public roads and highways in Road District No. 1</td>
</tr>
<tr>
<td>1.220</td>
<td>April 9, 2016</td>
<td>2017-2026</td>
<td>Road Lighting District No. 1 - providing and maintaining electric lights on the streets, roads, highways, alleys and public places in Road Lighting District No. 1</td>
</tr>
</tbody>
</table>

SECTION 3. Non-parishwide District Taxes. Under the authority of the Constitution and Laws of the State of Louisiana, the following special taxes are hereby levied, assessed and imposed on all the property in the respective non-parishwide districts described below for the year 2019, for the respective districts and purposes described below:

<table>
<thead>
<tr>
<th>2019 Millage</th>
<th>Election Date</th>
<th>Years Authorized</th>
<th>Non-parishwide District and Purpose</th>
</tr>
</thead>
<tbody>
<tr>
<td>2.730</td>
<td>April 9, 2016</td>
<td>2017-2026</td>
<td>Fire Protection District No. 1 maintaining and operating said Fire Protection District's fire protection facilities and paying the cost of obtaining water for fire protection purposes, including charges for fire hydrant rentals and services in Fire Protection District No. 1.</td>
</tr>
</tbody>
</table>
SECTION 4. Collection of Taxes. The proper administrative officials of the Parish of St. Bernard, State of Louisiana, are hereby empowered, authorized and directed to spread said taxes, as hereinabove set forth, upon the assessment roll of said Parish for the year 2019, and to make the collection of the taxes imposed for and on behalf of said Parish and said respective districts, according to law, and the taxes herein levied shall become a permanent lien and privilege on all the property subject to taxation as herein set forth, and the collection thereof shall be enforceable in the manner provided by law.

Specifically, the Assessor of the Parish of St. Bernard shall extend said taxes and assessment on said assessment roll as required by law, and the Sheriff and ex officio tax collector of the Parish of St. Bernard shall collect said taxes.

Certified copies of this ordinance shall be forwarded to the St. Bernard Parish Assessor and to the St. Bernard Parish Sheriff and ex officio tax collector as complete authority to levy and collect the taxes herein provided.

SECTION 5. Publication. This ordinance shall be published one time in the official journal of this Parish Council in the manner provided by law.

SECTION 6. 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 7. Severability. If any section, clause, paragraph, provision or portion of this ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, paragraph, provision or portion of this ordinance, the St. Bernard Parish Council hereby expresses and declares that it would have adopted the remaining portion of this Ordinance with the invalid portions omitted.

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

YEAS:

NAYS:

ABSENT:

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

And the motion was declared adopted on the 2nd day of April, 2019.

__________________________  __________________________
ROXANNE ADAMS  RICHARD "RICHLIE" 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. 3696
Introduced by: Administration on 3/19/19
Public Hearing held on 4/2/19

AN ORDINANCE GRANTING LAKE BORGNE BASIN LEVEE DISTRICT A TEMPORARY ROAD SERVITUDE, AS DESCRIBED IN EXHIBIT “A”, FOR FLOOD PROTECTION IMPROVEMENTS.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

WHEREAS, The Parish Council believes it to be in the best interest of the citizens of St. Bernard Parish and St. Bernard Parish Government to grant a temporary road servitude to Lake Borgne Basin Levee District for flood protection improvements.

SECTION 1. The St. Bernard Parish Council hereby grants Lake Borgne Basin Levee District a temporary road servitude as described in attachment “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 of this Ordinance with the invalid portions omitted.
The above and foregoing having been submitted to a vote, the vote thereupon resulted as follows:

**YEAS:**

**NAYS:**

**ABSENT:**

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

And the motion was declared **adopted** on the 2\textsuperscript{th} day of April, 2019.

__________________________  ____________________________  
ROXANNE ADAMS  
CLERK OF COUNCIL  

RICHARD "RICHIE" LEWIS  
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  
TEMPORARY ROAD SERVITUDE

STATE OF LOUISIANA

MISSISSIPPI RIVER LEVEES AND TRIBUTARIES,
MISSISSIPPI RIVER LEVEES,
EAST BANK LEVEE,
LAKE BORNE BASIN LEVEE DISTRICT,
LAKE BORNE SEEPAGE CONTROL,
B/L STATION 437+00 TO B/L STATION 448+00

PARISH OF ST. BERNARD

PARCEL 3 – ST. BERNARD PARISH GOVERNMENT

BE IT KNOWN that on the dates hereinafter shown, but effective as of the date of execution hereof by Grantor, before the undersigned Notaries Public and the undersigned competent witnesses, personally came and appeared:

ST. BERNARD PARISH GOVERNMENT, a political subdivision of the State of Louisiana, represented herein by and appearing through Guy S. McInnis, its duly authorized Parish President, pursuant to the St. Bernard Parish Council Ordinance attached hereto as Exhibit B, and with a mailing address of 8201 W. Judge Perez Dr., Chalmette, LA 70043 (hereinafter referred to as “Grantor”);

who declared and acknowledged that, for and in consideration of the flood protection improvements to be constructed by Grantee pursuant to the Mississippi River Levees and Tributaries, Mississippi River Levees, East Bank Levee, Lake Borgne Basin Levee District, Lake Borgne Seepage Control, B/L Station 437+00 to B/L Station 448+00, St. Bernard Parish, Louisiana project (the “Project”), and the resultant benefits accruing to Grantor and the public at large, the full receipt and adequacy of which are hereby acknowledged by Grantor, who hereby grants full acquittance and discharge therefor, Grantor does hereby grant, transfer, assign, set over, and deliver unto:

LAKE BORNE BASIN LEVEE DISTRICT, a political subdivision of the State of Louisiana, represented herein by and appearing through Derek Boese, its duly authorized Chief Administrative Officer of the Southeast Louisiana Flood Protection Authority – East, with offices located at New Orleans Lakefront Airport, Terminal Building, Suite 225, 6001 Stars & Stripes Blvd., New Orleans, LA 70126 (hereinafter referred to as “Grantee”);

here present, accepting, and acquiring for Grantee and Grantee’s heirs, successors, and assigns and acknowledging due delivery and possession thereof, all and singular, the below-described servitude over the following described property, to the extent of Grantor’s right, title, and interest therein:

Parcel 3: The land depicted on the map attached hereto as Exhibit “A” and made a part hereof as “Temporary Access Road – C” approximately as shown on Exhibit “A,” from Highway 46 at point
AR-9, through points AR-10, AR-2, AR-3, AR-4, and AR-5, to the existing levee toe at points TR-3 and TR-1, to the extent of Grantor’s ownership thereof.

The servitude granted hereby as to Parcel 3 is a Temporary Road Servitude, which is a temporary and assignable servitude, easement, and right of way in, on, over, and across Parcel 3 until completion of construction of the Project, for use by Grantee and its representatives, agents, contractors, and assignees for access for the location and construction of the Project and for the location, construction, operation, maintenance, alteration, and replacement of a road and appurtenances thereto, together with the right to trim, cut, fell, and remove therefrom all trees, underbrush, obstructions, and other vegetation, structures, or obstacles within Parcel 3; reserving, however, to the landowners, their heirs and assigns, all such rights and privileges as may be used without interfering with or abridging the rights and easement hereby acquired; subject, however, to existing easements for public roads and highways, public utilities, railroads, and pipelines except as otherwise provided herein. Said servitude is not to exceed two (2) years from the start of construction of the Project.

At completion of construction of the Project, Grantee shall return Parcel 3, based on its use thereof, to its condition immediately prior to initiation of the Project, free of any waste, spoil, or hazardous material or any other condition inconsistent with its original and continued use.

If any action of Grantee’s employees or agents in the exercise of this servitude results in damage to the real property, Grantee will, at its option, either repair such damage or make an appropriate settlement with the Grantor. In no event shall such repair or settlement exceed the fair market value of the fee interest of the real property at the time immediately preceding such damage. The provisions of this paragraph are without prejudice to any rights Grantor may have to make a claim under applicable laws for any other damages than provided herein.

To the extent permitted by Louisiana law, Grantee shall indemnify and hold harmless Grantor and its members, officers, directors, employees, and agents against and from all costs, expenses, claims, demands, penalties, suits, fines, and actions of any kind and nature arising from use of this servitude by Grantee or its agents, employees, contractors, successors, assigns, or transferees and caused by the actions and fault of Grantee or its agents, employees, contractors, successors, assigns, or transferees, including any court costs and reasonable and actual litigation expenses and attorneys’ fees. However, nothing herein shall be construed as indemnifying or holding Grantor or any third person not a party hereto harmless against the fault or negligence of any of them or their agents, employees, contractors, successors, assigns, and transferees. Grantee’s indemnification obligations in this regard, including its obligations regarding attorney’s fees, shall survive the expiration or termination of this servitude. In the event that Grantee assigns this servitude to the United States Army Corps of Engineers (“USACE”), the provisions of this paragraph shall not apply to USACE or its agents, employees, and contractors. However, Grantee shall remain liable for all terms, requirements, conditions, and representations herein, including but not limited to this paragraph.
This Temporary Road Servitude is subject to any right, title, interest, or claim of the State of Louisiana in relation to any of the real property affected hereby, including but not limited to any water bottoms within the boundaries of such real property. Nothing herein affects or is intended to affect any such right, title, interest, or claim of the State of Louisiana.

This Temporary Road Servitude may be executed in one or more counterparts, and by different parties in separate counterparts, with the same effect as if all parties hereto had signed the same documents. All counterparts so executed and delivered shall be deemed to be a single original, shall be construed together, and shall constitute one agreement.

THUS DONE, READ, AND SIGNED by Grantor, before me, the undersigned Notary Public, duly commissioned and qualified in and for the Parish of St. Bernard, State of Louisiana, for the uses, benefits, purposes, and considerations expressed herein, in the presence of the undersigned competent witnesses, who have hereunto signed their names with the parties and me, Notary, on this _____ day of ______________, 20__, after a due reading of the whole document.

WITNESSES:

GRANTOR: ST. BERNARD PARISH GOVERNMENT

___________________________ (sign)
___________________________ (print)

___________________________ (sign) By: _____________________________
___________________________ (print) GUY McINNIS
PARISH PRESIDENT

___________________________
NOTARY PUBLIC
Print Name: _____________________________
Notary ID/Bar Roll No.: __________
THUS DONE, READ, AND SIGNED by Grantee, before me, the undersigned Notary Public, duly commissioned and qualified in and for the Parish of Orleans, State of Louisiana, for the uses, benefits, purposes, and considerations expressed herein, in the presence of the undersigned competent witnesses, who have hereunto signed their names with the parties and me, Notary, on this _____ day of __________________, 20__, after a due reading of the whole document.

WITNESSES:

___________________________ (sign)  GRANTEE:
LAKE BORGNE BASIN
LEVEE DISTRICT,
By its Board of Commissioners of the
Southeast Louisiana Flood Protection
Authority – East

___________________________ (print)

___________________________ (sign)  Derek Boese
___________________________ (print)  Chief Administrative Officer

________________________________________
NOTARY PUBLIC
Print Name: _______________________________
Notary ID/Bar Roll No.:
On motion of XXXX, seconded by XXXX, it was moved to adopt the following ordinance:

Summary No. 3697  
Introduced by: Administration on 3/19/19  
Public Hearing held on 4/2/19


ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

WHEREAS, Paul E. Herkes, III purchased 2109 Esteban Street, a “rear” lot located in Arabi, Louisiana, from the Road Home Corporation, as part of the Lot Next Door Program.

WHEREAS, Paul E. Herkes, III desires to rescind the sale and the Act of Resubdivision, which created Lot 3-A in exchange for a refund of the purchase price, so that ownership of 2109 Esteban can revert to the Road Home Corporation and/or ultimately be transferred to St. Bernard Parish Government and returned to commerce.

WHEREAS, it is in the best interest of St. Bernard Parish and the redevelopment of 2109 Esteban for these rescissions to occur.

SECTION 1. The rescission of the act of sale of 2019 Esteban to Paul E. Herkes, III and the rescission of the Act of Resubdivision, which created Lot 3-A are hereby authorized in exchange for the return of the purchase price to Paul E. Herkes, III.

SECTION 2. The Parish President, the St. Bernard Housing, Redevelopment and Quality of Life Commission, and/or The Road Home Corporation are authorized to execute any necessary documents for the rescissions.
SECTION 3. Effective Date. This Ordinance shall become effective immediately upon authorizing signature by the Parish President. In the event of a presidential veto, this Ordinance shall become effective upon a two-thirds favorable vote of the total membership of the Council pursuant to Sections 2-11 and 2-13 of the St. Bernard Parish Home Rule Charter.

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

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

YEAS:

NAYS:

ABSENT:

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

And the motion was declared adopted on the 2th day of April, 2019.

__________________________  ___________________________
ROXANNE ADAMS             RICHARD “RICHIE” LEWIS
CLERK OF COUNCIL           COUNCIL CHAIR

Delivered to the Parish President ____________________________
Date and Time

Received by ___________________________

Approved ____________________________ Vetoed ____________________________
Page -3-
Extract #19 continued
April 2, 2019

Parish President

__________________________
Guy McInnis

Returned to Clerk of the Council

__________________________
Date and Time

Received by

____________________________
ACT OF RESCISSION OF NON-WARRANTY CASH SALE

STATE OF LOUISIANA

PARISH OF ST. BERNARD

BY: PAUL E. HERKES, III

TO: ST. BERNARD PARISH GOVERNMENT

ST. BERNARD HOUSING, REDEVELOPMENT AND QUALITY OF LIFE COMMISSION

ROAD HOME CORPORATION D/B/A LOUISIANA LAND TRUST

PROPERTY: 2109 ESTEBAN STREET, ARABI, LOUISIANA 70032

BE IT KNOWN, on the date(s) written below before the undersigned Notary(ies) Public, duly commissioned and qualified in the Parish of St. Bernard, personally came and appeared:

ST. BERNARD PARISH GOVERNMENT, a political subdivision of the State of Louisiana, represented herein by Parish President, Guy McInnis, undersigned representative of St. Bernard Parish, authorized pursuant to Section 3-01 of the Home Rule Charter of St. Bernard Parish, referred to as “Seller”; and

ST. BERNARD HOUSING, REDEVELOPMENT AND QUALITY OF LIFE COMMISSION, a political subdivision of the State of Louisiana, whose mailing address is 8201 W. Judge Perez Drive, Chalmette, Louisiana, acting herein by its duly authorized agent and authorized representative (sometimes referred to herein as “HRQLC”); and

ROAD HOME CORPORATION D/B/A LOUISIANA LAND TRUST, a Louisiana non-profit corporation, created under and pursuant to the provisions of La. R.S. 40:660.01 through 40:660.08, inclusive, domiciled in the Parish of East Baton Rouge Parish, whose mailing address is 11601 Southfork Avenue, Suite D, Baton Rouge, Louisiana 70816, acting herein by its duly authorized agent and authorized representative, duly authorized by resolution adopted on February 26, 2010 and recorded at Instrument Number 540235 or by resolution adopted on June 25, 2009 and recorded at Instrument Number 557672 in St. Bernard Parish, Louisiana (sometimes referred to herein as “LLT”); and

PAUL E. HERKES, III (SSN: XXX-XX-7388), person of the full age of majority and resident of the State of Louisiana, who declared unto me, Notary, that he is a single person, whose mailing address is 2108 Esteban Street, Arabi, Louisiana 70032, referred to as “Herkes”;
Herkes, LLT, HRQLC and SBPG declare herein that on November 29, 2011, LLT, Herkes did execute as Seller and Purchaser, and HRQLC did execute as Intervenor an Act of Cash (hereinafter, the “Sale”) wherein Seller intended to convey all ownership, rights, title and interest in and to the real property described below in exchange for Purchaser’s payment to Seller of good funds in the amount of TWO THOUSAND SIX HUNDRED SIXTY AND 00/100 ($2,660.00) DOLLARS cash (hereinafter, the “Payment”):

THAT CERTAIN LOT OF GROUND, together with all the rights, ways, privileges, servitudes, advantages and appurtenances thereunto belonging, or in anywise appertaining, situated in the Parish of St. Bernard, State of Louisiana, in that portion thereof known as ARABI PARK SUBDIVISION, and in accordance with a plan of subdivision by H.E. Sutch, Surveyor, dated October 17, 1952, attached to act of dedication of streets passed before James P. O’Connor, N.P., dated November 5, 1952, said property is designated by the No. 26, situated in SQUARE E of said ARABI PARK SUBDIVISION, which square E bounded by Esteban, Rocheblave, Aycock and Patricia Streets. Lot 26 commences 105.74 feet from the corner of Esteban and Patricia Streets, and measures thence, in the direction of Rocheblave Street, 50 feet front on Esteban Street, same width in the rear, by a depth between equal and parallel lines of 112 feet; all in accordance with white print of survey made by Adloe Orr, Jr. & Associates, C.E., dated January 14, 1955.

Said property having a municipal address of: 2109 Esteban St., Arabi, Louisiana 70032 (hereinafter referred to as the “Property”),

However, subsequent to the above recordation of the Sale, LLT, Herkes, HRQLC and SBPG agreed to rescind the sale.

Considering the foregoing, the Sale must be rescinded. Accordingly, LLT, Herkes, HRQLC and SBPG hereby declare that this Act of Rescission of Act of Cash Sale be executed by both, filed and recorded in the Conveyance Records of St. Bernard Parish, Louisiana, and that all rights, title and interest to the Property be restored to the same situation that existed prior to the Sale and as if the Sale had never taken place.

THUS, DONE AND PASSED by Purchaser, before me, Notary, and the undersigned competent witnesses, on this _____ day of March, 2019, in the Parish of St. Bernard, Louisiana.

WITNESSES:  

____________________________

Print Name:  

PURCHASER:  

____________________________

By: PAUL E. HERKES, III
THUS, DONE AND PASSED by Road Home Corporation d/b/a Louisiana Land Trust, through its agent__________________, before me, Notary, and the undersigned competent witnesses, on this _____ day of March, 2019, in the Parish of ______________, Louisiana.

WITNESSES: ROAD HOME CORPORATION D/B/A LOUISIANA LAND TRUST

THUS, DONE AND PASSED by St. Bernard Housing, Redevelopment and Quality of Life Commission, through its agent__________________, before me, Notary, and the undersigned competent witnesses, on this _____ day of March, 2019, in the Parish of St. Bernard, Louisiana.

WITNESSES: ST. BERNARD HOUSING, REDEVELOPMENT AND QUALITY OF LIFE COMMISSION
THUS, DONE AND PASSED by Seller, before me, Notary, and the undersigned competent witnesses, on this _____ day of March, 2019, in the Parish of St. Bernard, Louisiana.

WITNESSES:

______________________________
Print Name:

______________________________
Print Name:

SELLER:
ST. BERNARD PARISH GOVERNMENT

______________________________
Print Name:

By: Guy McInnis, Parish President

______________________________
Print Name:

NOTARY PUBLIC

______________________________
Print:

Bar/Notary No.: _____________________
On motion of XXXX, seconded by XXXX, it was moved to introduce the following ordinance:

**Summary No. 3700**
Introduced by: Councilmember Luna

AN ORDINANCE TO AMEND CHAPTER 22, ZONING; SECTION 22-7, SITE DEVELOPMENT STANDARDS; SUBSECTION 22-7-4, SIGN REGULATIONS; SUBSUBSECTION 22-7-4.8; ENFORCEMENT, VIOLATIONS AND PENALTIES 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 22-7 Site Development Standards, SubSection 22-7-4 Sign Regulations; SubSubSection 22-7-4.8 Enforcement, Violations, and Penalties 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 2nd day of April, 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, April 2, 2019.

Witness my hand and the seal of the Parish of St. Bernard on this 2nd day of April, 2019.

________________________
ROXANNE ADAMS
CLERK OF COUNCIL
Exhibit A
Summary No. 3700
Ordinance SBPC #XXXX-XX-XX

Ch. 22 – Zoning
Section 22-7 – Site Development Standards
Subsection 22-7-4 – Sign Regulations
SubSubSection 22-7-4.8 – Enforcement, Violations, and Penalties

22-7-4.8. Enforcement, violations and penalties.

(a) **Enforcement.** The provisions of this section shall be administered and enforced by the director of the department of community development, a parish planner, or, in the absence of these, the building inspector. All such officers shall have the authority and power to make inspections of any signs, sign structures, murals, or premises necessary to carry out their duties in the enforcement of the provisions of this section.

(b) **Violation and notice.**

(1) If any sign or sign structure is erected, structurally altered, or maintained or used in violation of any of the provisions of this article, any proper parish official or his or her duly authorized deputies or representatives shall begin any appropriate actions or proceedings to prevent such unlawful or illegal act, conduct, or use in or about or concerning any such sign, sign structure, or premises. Each day that any such violation continues shall constitute a separate violation of this section. The director of the department of community development, the parish planner, or the building inspector may call upon the sheriff of St. Bernard Parish to furnish necessary personnel to carry out his/her orders.

(2) All notices of violations will be mailed to the offender by United States Postal Service certified mail to one (1) owner of the property as declared on the tax rolls of the assessor. Notice to one (1) owner shall constitute notice to any co-owner.

(3) If the certified notice should be returned by the United States Postal Service, notice will be accomplished by posting said notice in a conspicuous location on the sign and to the building directly associated with the sign in violation in addition to publishing a public notice once in the official journal of St. Bernard Parish.

(4) The notice shall contain the following:

a. The location of the sign;

b. Type of sign violation;

c. The penalties and enforcement proceedings that the owner may be liable for if the sign in violation is not voluntarily abated.

d. A copy of Municipal Ordinance 22-7-4.9. The due process procedure which sets forth the administrative procedures to appeal said violation.

(c) **Penalties.** Signs in violation that are not abated or appealed within thirty (30) days of notification, the parish, through the engineering department the Department of Public Works – Road Yard or designee is hereby authorized to destroy and remove the sign in violation and the property owner as shown on the latest property assessment rolls, shall be assessed a charge for the removal of the sign in accordance with the following schedule:

(1) A charge for the labor and equipment used to remove the sign.
(2) An additional charge shall be assessed for the cost of any preparatory work. Included in this charge will be a charge to cover inspection and administrative costs. In connection with any work performed pursuant to this section, the department of engineering may proceed to have the necessary work done either by its own employees or by an independent contractor.

(3) Upon failure of any such property owner to pay the charges assessed in performing said removal of the sign, a lien and privilege in favor of St. Bernard Parish for the cost, shall be against the property on which the sign was removed.

(4) Political Signage: All political signs found in violation of district regulations (Sec. 22-7-4.5(n) Dimensions, conditions, and restrictions for sign types (Political signs) shall be removed within 72 hours of notice by property owner or the Department of Public Works – Road Yard or designee thereafter subject to above penalties and administrative costs.
On motion of XXXX, seconded by XXXX, it was moved to introduce the following ordinance:

**Summary No. 3701**  
Planning Commission recommended NO RECOMMENDATION on 3/26/19  
Introduced by: Administration on 4/2/19

AN ORDINANCE TO APPROVE DOCKET Z-2019-007, PETITION OF JEFFREY LANE FOR A ZONING CHANGE FROM R-1(SINGLE FAMILY RESIDENTIAL) TO C-1(NEIGHBORHOOD COMMERCIAL) TO OPERATE A LAW OFFICE. PROPERTY LOCATION: 2320 PAKENHAM DR. CHALMETTE, LA 70043.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

**SECTION 1.** The St. Bernard Parish Council does hereby approve Docket Z-2019-007, petition of Jeffrey Lane for a zoning change from R-1(Single Family Residential) to C-1(Neighborhhood Commercial) to operate a Law Office.

PROPERTY LOCATION: 2320 PAKENHAM DR. CHALMETTE, LA 70043.

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

**SECTION 3.** Severability. If any section, clause, paragraph, provision or portion of this ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, paragraph, provision or portion of this Ordinance, the St. Bernard Parish Council hereby expresses and declares that it would have adopted the remaining portion this Ordinance with the invalid portions omitted.
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 2nd day of April, 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, April 2, 2019.

Witness my hand and the seal of the Parish of St. Bernard on this 2nd day of April, 2019.

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

**Summary No. 3702**  
Introduced by: Administration on 4/2/19

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 2\textsuperscript{nd} day of April, 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, April 2, 2019.

Witness my hand and the seal of the Parish of St. Bernard on this 2\textsuperscript{nd} day of April, 2019.

________________________
ROXANNE ADAMS
CLERK OF COUNCIL
### Summary No. 3702
### Ordinance SBPC #XXXX-XX-XX

**St. Bernard Parish Government**

**Proposed 2019 Budget Amendment 4-16-2019**

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**Net Effect on Fund Balance**

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*This Budget Amendment is to budget a grant received from the Petco Foundation.*