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 Luna

APPROVAL OF MINUTES

1. Motion to approve the minutes of the April 16, 2019 Regular Council Meeting and the April 18, 2019 Special Council Meeting as published in the official journal, the St. Bernard Voice on Friday, April 26, 2019. (Council Chair)

RECOGNITION

2. Motion to proclaim May 6 - May 10, 2019 as National Travel and Tourism Week. (Councilmember Alcon)
3. Councilmember’s for a District Update
4. Guy McInnis, President’s Report
5. Recognize the Public

PUBLIC HEARINGS

6. 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.

7. Summary No. 3703
   Introduced by: Council 4/16/19
   AN ORDINANCE TO AMEND ORDINANCE SBPC #2119-12-18, AN ORDINANCE TO ADOPT THE 2019 ST. BERNARD PARISH ANNUAL OPERATING AND CAPITAL BUDGET.

8. Summary No. 3704
   Introduced by: Administration on 4/16/19
   AN ORDINANCE GRANTING LAKE BORGNE BASIN LEVEE DISTRICT A TEMPORARY WORK AREA SERVITUDE, AS DESCRIBED IN EXHIBIT “A”, FOR FLOOD PROTECTION IMPROVEMENTS.
9. **Summary No. 3706**  
Introduced by: Administration on 4/16/19

A SUPPLEMENTAL BOND ORDINANCE AUTHORIZING THE ISSUANCE OF NOT EXCEEDING SIX MILLION DOLLARS ($6,000,000) OF TAXABLE UTILITIES REVENUE BONDS, SERIES 2019, OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, IN ACCORDANCE WITH THE TERMS OF A GENERAL BOND ORDINANCE ADOPTED ON APRIL 21, 2015; PRESCRIBING THE FORM, AND CERTAIN TERMS AND CONDITIONS OF SAID BONDS; AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH.

10. **Summary No. 3707**  
Introduced by: Administration on 4/16/19

A GENERAL BOND ORDINANCE AUTHORIZING THE ISSUANCE FROM TIME TO TIME OF SALES TAX BONDS OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA; PRESCRIBING THE FORM, AND CERTAIN TERMS AND CONDITIONS OF SAID BONDS; PROVIDING FOR THE PAYMENT THEREOF IN PRINCIPAL AND INTEREST; AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH.

11. **Summary No. 3708**  
Introduced by: Administration on 4/16/19

A SUPPLEMENTAL BOND ORDINANCE AUTHORIZING THE ISSUANCE IN ONE OR MORE SERIES OF NOT EXCEEDING $10,000,000 OF TAXABLE SALES TAX BONDS, SERIES 2019, OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, IN ACCORDANCE WITH THE TERMS OF GENERAL BOND ORDINANCE NO. _*_; PRESCRIBING THE FORM, AND CERTAIN TERMS AND CONDITIONS OF SAID BONDS; AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH.

**RESOLUTIONS**

12. Adopt **Resolution SBPC #1938-05-19**, approving permits as recommended by the Alcohol Beverage and Bingo Department:  

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


   2. RD & RS, Inc. dba Smokes for Less #3 2400 Paris Road, Chalmette, La 70043 Owners: Jatin Desat **(Renewal) (Beer Only)**

PUBLIC NOTICE - ST. BERNARD PARISH COUNCIL MEETING - AGENDA

Email: radams@sbpg.net          (504) 278-4228          (504) 278-4209 (fax)          Posted 5/3/19
Tuesday, May 7, 2019          7:00 p.m.          Council Chambers          Page 3 of 7

Sign Interpreter will be provided if requested 48 working hours in advance. Should an interpreter be needed, it is advised that the interested person contact the Clerk of Council at 278-4228. All accessible formats are available upon request.

4. Liza K. Inc. dba Yogi’s Katz Lounge 3004 Paris Road, Chalmette, La 70043 Owner: Lisa Kelly-Levis (Renewal) (Beer & Liquor)

5. Mazinh, LLC dba St. Roch Kitchen 5840-A E. St. Judge Perez Dr., Violet, La 70092 Owner: Tuang Xua Nguyen & Gina Tran (New) (Beer Only)

6. Walgreens Louisiana Co., Inc., dba Walgreens #07415 100 W. Judge Perez Dr., Chalmette, La 70043 Manager: Dustin Mares (Renewal) (Beer & Liquor)

7. Walgreens Louisiana Co., Inc., dba Walgreens #13586 4141 E. Judge Perez Dr., Meraux, La 70075 Manager: Dustin Mares (Renewal) (Beer & Liquor)

8. 6940, LLC dba Pirogue’s Whiskey Bayou 6940 St. Claude Avenue, Arabi La 70032 Members: Muriel- Anna Altikriti, Lisa McCracken, Kelly Sheeran & Gregory Strategier (Renewal) (Beer & Liquor)

9. St. Bernard Parish Government Civic Center 8245 W. Judge Perez Dr., Chalmette, La 70043 Manager: Maurine Liuzza (Renewal) (Beer & Liquor)

10. St. Bernard Parish Government Recreation 1101 Magistrate St., Chalmette, La 70043 Director: Loni Banks Thomas (Renewal) (Beer & Liquor)

11. Tripe A Quick Stop, Inc., Triple A Quick Stop 1901 E. Judge Perez Dr., Chalmette, La 70043 Owner: Aiban Ahmed Mised Ayash (Renewal) (Beer & Liquor)

12. 5303 Paris, LLC dba Paris Casino 5301 Paris Road, Chalmette, La 70043 Members: John Goerges, Gabriel Corchiani, Adam Ackel, George Ackel, III, Alan Tallo, & Alexander Ackel (Renewal) (Beer & Liquor)

13. Adopt Resolution SBPC #1939-05-19, a resolution to appoint members to the St. Bernard Parish Tourist Commission. (Administration)

14. Adopt Resolution SBPC #1940-05-19, a resolution to appoint members to the Americans with Disabilities Act (ADA) Board. (Administration)

15. Adopt Resolution SBPC #1941-05-19, a resolution to appoint members to the Home Mortgage Authority Board. (Administration)

16. Adopt Resolution SBPC #1942-05-19, a resolution to retain the consulting services of Robin and Associates for St. Bernard Parish Government for a period of one (1) year. (Councilmember Luna)

PUBLIC NOTICE - ST. BERNARD PARISH COUNCIL MEETING - AGENDA

Email: radams@sbpg.net  (504) 278-4228  (504) 278-4209 (fax)  Posted 5/3/19
Tuesday, May 7, 2019  7:00 p.m.  Council Chambers  Page 4 of 7

Sign Interpreter will be provided if requested 48 working hours in advance. Should an interpreter be needed, it is advised that the interested person contact the Clerk of Council at 278-4228. All accessible formats are available upon request.

ADOPTION

18. Summary No. 3709

AN EMERGENCY ORDINANCE TO AUTHORIZE THE RETENTION OF WAITZ & DOWNER TO PROVIDE LEGAL REPRESENTATION FOR ST. BERNARD PARISH GOVERNMENT AGAINST C & C MARINE AND REPAIR, L.L.C., MARQUETTE TRANSPORTATION COMPANY, L.L.C., THEIR INSURERS AND ANY OTHER RESPONSIBLE PARTIES IN CONNECTION WITH CLAIMS FOR DAMAGES ARISING FROM AN INCIDENT ON MAY 14, 2018 WHICH CAUSED DAMAGE TO THE CEMENT DOLPHIN STRUCTURE IN ST. BERNARD PARISH IN THE LOWER MISSISSIPPI RIVER AND ANY MATTERS RELATED THERETO.

19. Summary No. 3700

Introduced by: Councilmember Luna on 4/2/19
Planning Commission recommended APPROVAL on 4/23/19
Public Hearing held on 5/7/19

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.

20. Summary No. 3703

Introduced by: Council 4/16/19
Public Hearing held on 5/7/19

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

21. Summary No. 3704

Introduced by: Administration on 4/16/19
Public Hearing held on 5/7/19

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

22. Summary No. 3706

Introduced by: Administration on 4/16/19
Public Hearing held on 5/7/19

A SUPPLEMENTAL BOND ORDINANCE AUTHORIZING THE ISSUANCE OF NOT EXCEEDING SIX MILLION DOLLARS ($6,000,000) OF TAXABLE UTILITIES REVENUE BONDS, SERIES 2019, OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, IN ACCORDANCE WITH THE TERMS OF A GENERAL BOND ORDINANCE ADOPTED ON APRIL 21, 2015; PRESCRIBING THE FORM, AND CERTAIN TERMS AND CONDITIONS OF SAID BONDS; AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH.
23. **Summary No. 3707**
   Introduced by: Administration on 4/16/19
   Public Hearing held on 5/7/19

   A GENERAL BOND ORDINANCE AUTHORIZING THE ISSUANCE FROM TIME TO TIME OF SALES TAX BONDS OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA; PRESCRIBING THE FORM, AND CERTAIN TERMS AND CONDITIONS OF SAID BONDS; PROVIDING FOR THE PAYMENT THEREOF IN PRINCIPAL AND INTEREST; AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH.

24. **Summary No. 3708**
   Introduced by: Administration on 4/16/19
   Public Hearing held on 5/7/19

   A SUPPLEMENTAL BOND ORDINANCE AUTHORIZING THE ISSUANCE IN ONE OR MORE SERIES OF NOT EXCEEDING $10,000,000 OF TAXABLE SALES TAX BONDS, SERIES 2019, OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, IN ACCORDANCE WITH THE TERMS OF GENERAL BOND ORDINANCE NO. _*_; PRESCRIBING THE FORM, AND CERTAIN TERMS AND CONDITIONS OF SAID BONDS; AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH.

### INTRODUCTION

25. **Summary No. 3710**
   Introduced by: Councilmember McCloskey & Alcon on 5/7/19

   AN ORDINANCE TO AMEND ORDINANCE SBPC #2033-02-18, AN ORDINANCE DECLARING CERTAIN FORMER LOUISIANA LAND TRUST PROPERTIES TO BE HELD FOR PUBLIC USE AND DECLARING THE REMAINDER OF THE FORMER LOUISIANA LAND TRUST PROPERTIES AS SURPLUS.

26. **Summary No. 3711**
   Introduced by: Councilmember McCloskey on 5/7/19

   AN ORDINANCE TO AMEND ORDINANCE SBPC #2043-03-18, AN ORDINANCE AUTHORIZING CONVEYANCE OF FORMER LOUISIANA LAND TRUST PROPERTIES UNDER THE BUY AND BUILD PROGRAM WITH BUILDER BUNDLE III DESIGN STANDARDS.

27. **Summary No. 3712**
   Introduced by: Councilmember Alcon on 5/7/19

   AN ORDINANCE TO AMEND ORDINANCE SBPC #1856-03-17, AN ORDINANCE AUTHORIZING CONVEYANCE OF FORMER LOUISIANA LAND TRUST PROPERTIES UNDER THE BUY AND BUILD PROGRAM.
28. **Summary No. 3713**  
Introduced by: Councilmember Luna on 5/7/19

AN ORDINANCE TO AMEND CHAPTER 20, TRAFFIC; ARTICLE IV, PARKING, STOPPING, STANDING; SECTION 20-144.1, PARKING OF CERTAIN VEHICLES IN RESIDENTIAL AREAS OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

29. **Summary No. 3714**  
Introduced by: Councilmember Gorbaty on 5/7/19

AN ORDINANCE TO REVOKE AND SET ASIDE THE DEDICATION OF A CERTAIN PORTION OF TOURNEFORT STREET BETWEEN E. SOLIDELLE ST. AND E. PROSPER ST.

30. **Summary No. 3715**  
Introduced by: Administration on 5/7/19

AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE BY THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, OF NOT EXCEEDING ONE MILLION FOUR HUNDRED THOUSAND DOLLARS ($1,400,000) OF TAXABLE CERTIFICATES OF INDEBTEDNESS, SERIES 2019; PROVIDING FOR THE PAYMENT THEREOF; ESTABLISHING THE RATE OF INTEREST THEREON; PROVIDING FOR A PLEDGE OF REVENUES OF SAID PARISH FOR THE SECURITY AND PAYMENT THEREOF IN PRINCIPAL AND INTEREST; AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH.

31. **Summary No. 3716**  
Introduced by: Administration on 5/7/19

AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE BY THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, OF NOT EXCEEDING FOUR MILLION FOUR HUNDRED THOUSAND DOLLARS ($4,400,000) OF TAXABLE LIMITED TAX CERTIFICATES OF INDEBTEDNESS, SERIES 2019; AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH.

32. **Summary No. 3717**  
Introduced by: Administration on 5/7/19

AN ORDINANCE TO AMEND ORDINANCE SBPC #2019-12-17, AN ORDINANCE TO ADOPT THE 2018 ST. BERNARD PARISH ANNUAL OPERATING AND CAPITAL BUDGET.

**OTHER MATTERS**

33. Motion to accept the Monthly Financial Summary Statement of Revenues and Expenditures and Change in Fund Balance for March 2019.
34. Motion to discuss and take any action as it relates to information received from the Coastal Zone Advisory Committee.

EXECUTIVE SESSION

35. Motion to enter into Executive Session to discuss St. Bernard Parish Government v. Lake Borgne Basin Levee District and Southeast Louisiana Flood Protection Authority - East, No. 18-0865 “E”, Lambert "Joe" Hassinger - No. 18-1065 "C" and Lambert "Joe" Hassinger - No. 18-1066 "A".

Next Regular scheduled Council Meeting will be held Tuesday, May 21, 2019 @ 3:00 p.m.

Approved by: Richard “Richie” Lewis

Time: 1:20 p.m.  Date:  5/3/19
On motion of XXXX, seconded by XXXX, it was moved to approve the minutes of the April 16, 2019 Regular Council Meeting and the April 18, 2019 Special Council Meeting as published in the official journal, the St. Bernard Voice on Friday, April 26, 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 7th day of May, 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, May 7, 2019.

Witness my hand and the seal of the Parish of St. Bernard on this 7th day of May 2019.

________________________
ROXANNE ADAMS
CLERK OF COUNCIL
The St. Bernard Parish Council, the Governing Authority, met in Regular Session on Tuesday, April 16, 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, Nathan Gorbaty, Howard Luna, Manuel ”Monty” Montelongo, and Kerri Callais.

Member Absent: Gillis McCloskey and Wanda Alcon

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 Gorbaty led the Pledge of Allegiance.

#1 On motion of Mr. Gorbaty, seconded by Ms. Callais, it was moved to approve the minutes of the April 2, 2019 Regular Council Meeting as published in the official journal, the St. Bernard Voice on Friday, April 12, 2019.

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

YEAS: Gorbaty, Luna, Montelongo, Callais

NAYS: None

ABSENT: McCloskey, Alcon

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

And the motion was declared adopted on the 16th day of April, 2019.

#2 Councilmember’s District Update

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

Council Chair took a Chairman’s Privilege to recognize Michelle Walsh.

#3 President’s Report

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

#4 Recognize the Public

- Glenn Chiappetta- Chalmette

On motion of the Chair, without objection and by unanimous consent, it was moved to enter Petition into the official record.

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

YEAS: Gorbaty, Luna, Montelongo, Callais

NAYS: None

ABSENT: McCloskey, Alcon

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

And the motion was declared adopted on the 16th day of April, 2019.

#5 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 RO (RESIDENTIAL OFFICE) TO OPERATE A LAW OFFICE. PROPERTY LOCATION: 2320 PAKENHAM DR. CHALMETTE, LA 70043.

A COPY OF THIS PUBLIC HEARING IS ON FILE AT THE CLERK OF COUNCIL’S OFFICE

#6 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.

NO ONE APPEARED TO SPEAK FOR OR AGAINST THE PROPOSED ORDINANCE

#7 TO CONSIDER AND TAKE ACTION WITH RESPECT TO HOLDING A PUBLIC HEARING IN CONNECTION WITH THE ISSUANCE OF NOT EXCEEDING $6,000,000 OF TAXABLE UTILITIES REVENUE BONDS OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, AND PROVIDING FOR OTHER MATTERS IN CONNECTION THERewith.

NO ONE APPEARED TO SPEAK FOR OR AGAINST THE PUBLIC HEARING

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

RESOLUTION SBPC #1928-04-19

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. V.J.’s Hollywood Bar, LLC dba V.J.’s Hollywood Bar 2400 Goodwill Dr., Violet, La 70092
   Owner: Vernon B. Williams, Sr. (Renewal) (Beer & Liquor)

2. Vucinovich’s La Bella Vita, LLC Vucinovich’s La Bella Vita 3850 E. Judge Perez Dr., Meraux, La 70075
   Owners: Russell L. Vucinovich, Jr. (Renewal) (Beer Only)

3. Today’s Ketch Seafood, Inc. dba Today’s Ketch 2110 E. Judge Perez Dr., Chalmette, La 70043
   Owners: Jeffrey & Teri Pohlmann (Renewal) (Beer & Liquor)

4. Sully’s Tavern, LLC dba Sully’s 800 E. Judge Perez Dr., Chalmette, La 70043
   Owners: Jason & Jessica Meyers (Renewal) (Beer & Liquor)

5. Fuelstar, LLC dba Fuelstar Paris Station 5303 Paris Road, Chalmette, La 70043
   Owner: George J. Ackel, III (New) (Beer & Liquor)

   Owners: Sanh Phung & Phuong Xuan Phun (Renewal) (Beer & Liquor)

7. Vaughan Bar, Inc. dba Barracuda’s Lounge 7907 E. St. Bernard Highway, Suite A., St. Bernard, La 70085
   Owner: Rickey “Tony” Melerine (Renewal) (Beer & Liquor)

8. SL & CR, LLC MeMe’s Bar & Grille 712 W. Judge Perez Dr., Chalmette, La 70043
   Owners: Charles E. Williams, Jr. & Rae Ann Williams (Renewal) (Beer & Liquor)

9. Trade Taylors, LLC dba Trade Taylors 7543 W. Judge Perez Dr., Ste. B, Arabi, La 70032
   Owner: Mayra Taylor (Renewal) (Beer & Liquor)

Special Event

1. Name of Organization: St. Bernard Catholic Church Boat Blessing
   Address: 2805 St. Bernard Highway, St. Bernard, La 70085
   Event: Delacroix Blessing of the Fleet
   Location: 5565 Delacroix Highway, Delacroix, La 70085
   Date: August 3, 2019
2. Name of Organization: St. Bernard Catholic Church
Address: 2805 ST. Bernard Highway, St. Bernard, La 70085
Event: Yscloskey/Hopedale Blessing of the Fleet
Location: 2324 Florissant Highway, St. Bernard, La 70085
Date: August 10, 2019
Time: 11AM-5PM
Contact: Nicole LeFebvre

3. Name of Organization: Herpetorama, Inc. dba Repticon
Address: 1814 5th St. SE WinterHaven, Fl 33888
Event: Show & Sale of Reptiles and Small Exotics
Location: 8245 W. Judge Perez Dr., Chalmette, La 70043 (Frederick J. Sigur Civic Center)
Date: August 2-4, 2019
Time: Saturday, August 3, 2019 (10AM-5PM) – Sunday, August 4, 2019 (10AM-4PM)
Contact: Darlyne Mello

On the motion of Mr. Luna, seconded by Ms. Callais it was moved to amend this item to include #4.

Address: 5665 Hwy. 39 Braithwaite, La 70040
Event: Derby at Docville Fundraiser
Location: 5124 E. St. Bernard Highway, Violet, La 70092
Date: May 4, 2019
Time: 2PM-6PM
Contact: Robert Lay

On the motion of Mr. Luna, seconded by Ms. Callais it was moved to amend this item to include #4.

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

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

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

And the motion was declared adopted on the 16th day of April, 2019.

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

RESOLUTION SBPC #1928-04-19

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

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

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

And the motion was declared adopted on the 16th day of April, 2019.

#9 On motion of Mr. Gorbaty seconded by Mr. Montelongo, it was moved to adopt the following resolution:
RESOLUTION SBPC #1929-04-19
A RESOLUTION RATIFYING THE FOLLOWING SALARY OF THE DIRECTOR OF PUBLIC WORKS AS APPOINTED BY PARISH PRESIDENT, GUY McINNIS IN ACCORDANCE WITH ARTICLE IV SECTION 4-01(B) OF THE ST. BERNARD PARISH HOME RULE CHARTER.

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

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

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

And the motion was declared adopted on the 16th day of April, 2019.

#10 On motion of Mr. Montelongo, seconded by Ms. Callais, it was moved to adopt the following resolution:

RESOLUTION SBPC #1930-04-19
A RESOLUTION APPROVING AMENDMENT 2 TO THE ST BERNARD PARISH RESTORE ACT MULTI-YEAR PLAN.

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

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

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

And the motion was declared adopted on the 16th day of April, 2019.

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

RESOLUTION SBPC #1931-04-19
A RESOLUTION ADOPTING THE LOUISIANA LEGISLATIVE AUDITOR’S QUESTIONNAIRE.

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

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

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

And the motion was declared adopted on the 16th day of April, 2019.

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

RESOLUTION SBPC #1932-04-19
A RESOLUTION IN OPPOSITION OF ALL PROPOSED LEGISLATION THAT TRANSFERS THE ADMINISTRATION AND COLLECTION OF LOCAL SALES & USE TAXES TO THE LOUISIANA DEPARTMENT OF REVENUE.

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

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

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

And the motion was declared adopted on the 16th day of April, 2019.

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

RESOLUTION SBPC #1933-04-19

A RESOLUTION FINDING AND DETERMINING THAT NO PETITION HAS BEEN FILED OBJECTING TO THE PROPOSED ISSUANCE OF TAXABLE UTILITIES REVENUE BONDS OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA (THE "PARISH"), IN AN AMOUNT NOT TO EXCEED SIX MILLION DOLLARS ($6,000,000) (THE "BONDS"), AUTHORIZING THE OFFICIALS OF THE PARISH TO PROCEED WITH THE PREPARATION OF THE DOCUMENTS REQUIRED FOR THE ISSUANCE OF THE BONDS, 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: Gorbaty, Luna, Montelongo, Callais

NAYS: None

ABSENT: McCloskey, Alcon

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

And the motion was declared adopted on the 16th day of April, 2019.

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

RESOLUTION SBPC #1934-04-19

A RESOLUTION GIVING PRELIMINARY APPROVAL TO THE ISSUANCE OF NOT EXCEEDING ONE MILLION FOUR HUNDRED THOUSAND DOLLARS ($1,400,000) OF TAXABLE CERTIFICATES OF INDEBTEDNESS, OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA; PROVIDING CERTAIN TERMS OF SAID CERTIFICATES; MAKING APPLICATION TO THE STATE BOND COMMISSION FOR APPROVAL OF SAID CERTIFICATES; 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: Gorbaty, Luna, Montelongo, Callais

NAYS: None

ABSENT: McCloskey, Alcon

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

And the motion was declared adopted on the 16th day of April, 2019.

#15 On motion of Mr. Gorbaty, seconded by Ms. Callais, it was moved to adopt the following resolution:

RESOLUTION SBPC #1935-04-19

A RESOLUTION GIVING PRELIMINARY APPROVAL TO THE ISSUANCE OF NOT EXCEEDING FOUR MILLION FOUR HUNDRED THOUSAND DOLLARS ($4,400,000) OF TAXABLE LIMITED TAX CERTIFICATES OF INDEBTEDNESS OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA; PROVIDING CERTAIN TERMS OF SAID CERTIFICATES; MAKING APPLICATION TO THE STATE BOND COMMISSION FOR APPROVAL OF SAID CERTIFICATES; 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: Gorbaty, Luna, Montelongo, Callais

NAYS: None

ABSENT: McCloskey, Alcon

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

And the motion was declared adopted on the 16th day of April, 2019.

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

**ORDINANCE SBPC #2153-04-19**

Summary No. 3701
Planning Commission recommended **NO RECOMMENDATION** on 3/26/19
Introduced by: Administration on 4/2/19
Public Hearing held on 4/16/19

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

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

YEAS: Luna, Montelongo, Callais

NAYS: None

ABSENT: McCloskey, Alcon

ABSTAIN: Gorbaty

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

And the motion was declared adopted on the 16th day of April, 2019.

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

**ORDINANCE SBPC #2154-04-19**

Summary No. 3702
Introduced by: Administration on 4/2/19
Public Hearing held on 4/16/19

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

Discussion ensued;

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

YEAS: Gorbaty, Luna, Montelongo, Callais

NAYS: None

ABSENT: McCloskey, Alcon

The Council Chair, Mr. Lewis, cast his vote as YEA.
And the motion was declared adopted on the 16th day of April, 2019.

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

**Summary No. 3703**
Introduced by: Council on 4/16/19

**AN ORDINANCE TO AMEND ORDNANCE 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:** Gorbaty, Luna, Montelongo, Callais

**NAYS:** None

**ABSENT:** McCloskey, Alcon

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

And the motion was declared adopted on the 16th day of April, 2019.

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

**Summary No. 3704**
Introduced by: Administration on 4/16/19

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

Discussion ensued;

Larry Marino a Representative from Lake Borgne spoke on this item.

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

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

**NAYS:** None

**ABSENT:** McCloskey, Alcon

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

And the motion was declared adopted on the 16th day of April, 2019.

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

**Summary No. 3705**
Introduced by: Administration on 4/16/19

**AN ORDINANCE TO AMEND CHAPTER 4; ANIMALS AND FOWL, ARTICLE II; ANIMAL CONTROL REGUALTIONS, DIVISION 3; TREATMENT AND CARE OF ANIMALS; NUISANCES, SECTION 4-56; WILD OR EXOTIC ANIMALS; INFANT WILD ANIMALS OF THE ST. BERNARD PARISH CODE OF ORDINANCES.**

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

**YEAS:** Callais

**NAYS:** Gorbaty, Luna, Montelongo

**ABSENT:** McCloskey, Alcon

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

And the motion was declared **failed** on the 16th day of August, 2019.

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

**Summary No. 3706**

Introduced by: Administration on 4/16/19

A SUPPLEMENTAL BOND ORDINANCE AUTHORIZING THE ISSUANCE OF NOT EXCEEDING SIX MILLION DOLLARS ($6,000,000) OF TAXABLE UTILITIES REVENUE BONDS, SERIES 2019, OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, IN ACCORDANCE WITH THE TERMS OF A GENERAL BOND ORDINANCE ADOPTED ON APRIL 21, 2015; PRESCRIBING THE FORM, AND CERTAIN TERMS AND CONDITIONS OF SAID BONDS; 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:** Gorbaty, Luna, Montelongo, Callais

**NAYS:** None

**ABSENT:** McCloskey, Alcon

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

And the motion was declared **adopted** on the 16th day of April, 2019.

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

**Summary No. 3707**

Introduced by: Administration on 4/16/19

A GENERAL BOND ORDINANCE AUTHORIZING THE ISSUANCE FROM TIME TO TIME OF SALES TAX BONDS OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA; PRESCRIBING THE FORM, AND CERTAIN TERMS AND CONDITIONS OF SAID BONDS; PROVIDING FOR THE PAYMENT THEREOF IN PRINCIPAL AND INTEREST; 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:** Gorbaty, Luna, Montelongo, Callais

**NAYS:** None

**ABSENT:** McCloskey, Alcon

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

And the motion was declared **adopted** on the 16th day of April, 2019.
On motion of Mr. Montelongo, seconded by Mr. Gorbaty, it was moved to **introduce** the following ordinance:

**Summary No. 3708**  
Introduced by: Administration on 4/16/19

A SUPPLEMENTAL BOND ORDINANCE AUTHORIZING THE ISSUANCE IN ONE OR MORE SERIES OF NOT EXCEEDING $10,000,000 OF TAXABLE SALES TAX BONDS, SERIES 2019, OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, IN ACCORDANCE WITH THE TERMS OF GENERAL BOND ORDINANCE NO. _*_; PRESCRIBING THE FORM, AND CERTAIN TERMS AND CONDITIONS OF SAID BONDS; 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:** Gorbaty, Luna, Montelongo, Callais  
**NAYS:** None  
**ABSENT:** McCloskey, Alcon

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

And the motion was declared **adopted** on the 16th day of April, 2019.

**Coastal Zone Advisory Committee**  
No action taken.

On the motion of Mr. Lewis, seconded by Ms. Callais, it was moved to amend the agenda to include items #26 and #27.

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

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

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

And the motion was declared **adopted** on the 16th day of April, 2019.

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

**RESOLUTION SBPC #1936-04-19**

A RESOLUTION TO APPROVE THE CHENIER NATURE TRAIL PROJECT AND TO OBLIGATE MATCHING FUNDS TO LAND AND WATER CONSERVATION FUND PROJECT.

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

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

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

And the motion was declared **adopted** on the 16th day of April, 2019.
On motion of Mr. Montelongo, seconded by Mr. Luna, it was moved to adopt the following resolution.

RESOLUTION SBPC #1937-04-19

A RESOLUTION TO MAKE AN INTERIM APPOINTMENT TO FILL THE VACANCY IN THE OFFICE OF CONSTABLE WARD C FOR ST. BERNARD PARISH.

On the motion of Mr. Gorbaty, seconded by Ms. Callais, it was moved to nominate Tina Micheu as Interim Constable Ward C.

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

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

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

And the motion was declared adopted on the 16th day of April, 2019.

On the motion of Ms. Callais, seconded by Mr. Luna, it was moved to enter into Executive Session to discuss potential litigation against C & C Marine and Marquette Transportation.

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

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

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

And the motion was declared adopted on the 16th day of April, 2019.

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

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

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

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

And the motion was declared adopted on the 16th day of April, 2019.

On motion of Ms. Callais, seconded by Mr. Gorbaty, it was moved to accept the advice of legal counsel in the matter of C & C Marine and Marquette Transportation.

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

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

The Council Chair, Mr. Lewis, cast his vote as YEA.
And the motion was declared adopted on the 16th day of April, 2019.

There being no further business for discussion, the Council Chair declared the meeting adjourned at 4:39 p.m. on the 16th day of April, 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, MAY 7, 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 APRIL 2, 2019 COUNCIL MEETING:

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 REGUALTIONS; 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.

BY DIRECTION OF
Richard “Richie” Lewis
RICHARD “RICHIE” LEWIS
COUNCIL CHAIR
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.
PUBLIC HEARING NOTICE

THE ST. BERNARD PARISH COUNCIL WILL HOLD A PUBLIC HEARING ON TUESDAY, MAY 7, 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 APRIL 16, 2019 COUNCIL MEETING:

Summary No. 3703
Introduced by: Council on 4/16/19

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 5-7-2019
#### Summary No. 3703
Ordinance SBPC #XXXX-XX-XX

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**Net Effect on Fund Balance**

$ - $6,372

*This Budget Amendment is to budget increase the Clerk of Council salary to comply with Ordinance SBPG #1285-02-12.*
PUBLIC HEARING NOTICE

THE ST. BERNARD PARISH COUNCIL WILL HOLD A PUBLIC HEARING ON TUESDAY, MAY 7, 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 APRIL 16, 2019 COUNCIL MEETING:

Summary No. 3704
Introduced by: Administration on 4/16/19

AN ORDINANCE GRANTING LAKE BORGNE BASIN LEVEE DISTRICT A TEMPORARY WORK AREA 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 work area 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 work area 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 WORK AREA 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 8 – 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 8: The land depicted on the map attached hereto as Exhibit “A” and made a part hereof as “Parcel 8,” being a parcel of land on the
flood side of the Mississippi River Levee, to the extent of 
Grantor’s ownership thereof.

The servitude granted hereby as to Parcel 8 is a Temporary Work Area Servitude, which 
is a temporary and assignable servitude, easement, and right of way in, on, over, and across 
Parcel 8 for two years beginning on May 1, 2019, for use by Grantee and its representatives, 
agents, contractors, and assignees as a work area, including the right to deposit fill, spoil, and 
waste material thereon, to move, store, and remove equipment and supplies, to erect and remove 
temporary structures on the land, and to perform any other work necessary and incident to the 
construction of the Project, together with the right to trim, cut, fell, and remove therefrom all 
trees, underbrush, obstructions, and any other vegetation, structures, or obstacles within the 
limits of the right of way; 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.

At completion of construction of the Project, Grantee shall return Parcel 8, 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 Work Area 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 Work Area 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:

___________________________ (sign)
___________________________ (print)

___________________________ (sign)
___________________________ (print)

___________________________ (sign) By: ________________________________
___________________________ (print) ________________________________ (print name)
___________________________ (title)

___________________________
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)

__________________________________

___________________________ (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, MAY 7, 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 APRIL
16, 2019 COUNCIL MEETING:

Summary No. 3706
Introduced by: Administration on 4/16/19

A SUPPLEMENTAL BOND ORDINANCE AUTHORIZING THE ISSUANCE OF NOT
EXCEEDING SIX MILLION DOLLARS ($6,000,000) OF TAXABLE UTILITIES
REVENUE BONDS, SERIES 2019, OF THE PARISH OF ST. BERNARD, STATE
OF LOUISIANA, IN ACCORDANCE WITH THE TERMS OF A GENERAL BOND
ORDINANCE ADOPTED ON APRIL 21, 2015; PRESCRIBING THE FORM, AND
CERTAIN TERMS AND CONDITIONS OF SAID BONDS; AND PROVIDING FOR
OTHER MATTERS IN CONNECTION THERewith.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

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

WHEREAS, on April 21, 2015, this Parish Council of the Parish of St.
Bernard, State of Louisiana, acting as the governing authority of the Parish (the
"Governing Authority"), adopted a General Bond Ordinance entitled: "A General
Bond Ordinance authorizing the issuance from time to time of Utilities Revenue
Bonds of the Parish of St. Bernard, State of Louisiana; prescribing the form, and
certain terms and conditions of said Bonds; establishing funds and accounts relating
to said Bonds; providing for the payment thereof in principal and interest including a
rate covenant relating thereto; and providing for other matters in connection therewith" (the "General Bond Ordinance"), which authorizes the issuance of bonds
from time to time for the purpose of paying the cost of acquiring, constructing,
extending and improving the System; and

WHEREAS, on April 21, 2015, this Governing Authority adopted a First
Supplemental Bond Ordinance (the "First Supplemental Bond Ordinance")
authorizing the issuance of not exceeding $11,000,000 of Taxable Utilities Revenue
Bonds, Series 2015 (the "Series 2015 Bonds"), for the purpose of financing the
acquisition and construction of improvements to the drinking water portion of the
System, which bonds were sold to the Drinking Water State Revolving Loan Fund
and delivered on June 25, 2015; and
WHEREAS, on October 6, 2015, this Governing Authority adopted a Second Supplemental Bond Ordinance (the "Second Supplemental Bond Ordinance") authorizing the issuance of not exceeding $10,000,000 of Taxable Utilities Revenue Bonds, Series 2015A (the "Series 2015A Bonds"), for the purpose of financing the acquisition and construction of improvements to the sewer portion of the System, which bonds were sold to the Clean Water State Revolving Fund and delivered on December 1, 2015; and

WHEREAS, on January 17, 2017, this Governing Authority adopted a Third Supplemental Bond Ordinance (the "Third Supplemental Bond Ordinance") authorizing the issuance of not exceeding $13,000,000 of Taxable Utilities Revenue Bonds, Series 2017 (the "Series 2017 Bonds" and together with the Series 2015 Bonds and Series 2015A Bonds, the "Outstanding Parity Bonds"), for the purpose of financing the acquisition and construction of improvements to the drinking water portion of the System, which bonds were sold to the Drinking Water State Revolving Loan Fund and delivered on May 18, 2017; and

WHEREAS, pursuant to Part II of Chapter 4 of Subtitle II of Title 39 of the Louisiana Revised Statutes of 1950, as amended (La. R.S. 39:501, et seq.), and other constitutional and statutory authority (the "Act"), it is the desire of this Governing Authority to provide for the issuance of additional revenue bonds of the Parish, for the purpose of paying the cost of constructing, acquiring, extending and improving the sewer portion of the System and paying the costs of issuance of such bonds; and

WHEREAS, the Parish now wishes to issue not exceeding Six Million Dollars ($6,000,000) of Taxable Utilities Revenue Bonds, Series 2019, with an equal lien on and dedication of the income and revenues of the System with Outstanding Parity Bonds; and

WHEREAS, the United States of America, pursuant to the Clean Water Act of 1972, as amended by the Water Quality Act of 1987, specifically Subchapter VI, Chapter 26 of Title 33 of the United States Code (the "Federal Act"), is authorized to make capitalization grants to states to be used for the purpose of establishing a water pollution control revolving fund for providing assistance (i) for construction of treatment works (as defined in Section 1292 of the Federal Act) which are publicly owned, (ii) for implementing a management program under Section 1329 of the Federal Act and (iii) for developing and implementing a conservation and management plan under Section 1330 of the Federal Act; and

WHEREAS, the State of Louisiana (the "State"), pursuant to Subtitle II, Chapter 14 of Title 30 of the Louisiana Revised Statutes of 1950, as amended, specifically La. R.S. 30:2301, et seq.) (the "State Act"), has established a Clean Water State Revolving Fund (the "State Revolving Fund") in the custody of the Department of Environmental Quality (the "Department") to be used for the purpose of providing financial assistance for the improvement of wastewater treatment facilities in the State, as more fully described in Section 2302 of the State Act, and has authorized the Department to administer the State Revolving Fund in accordance with applicable federal and state law; and
WHEREAS, the Parish has made application to the Department for a loan from the State Revolving Fund to finance a portion of the costs of the Project and the Department has approved the Parish's application for such loan; and

WHEREAS, the Bonds will be issued to represent the Parish's obligation to repay the loan from the State Revolving Fund; and

WHEREAS, the Parish desires to fix the details necessary with respect to the issuance, sale and delivery of the Bonds, and to provide for the authorization and issuance thereof, as hereinafter provided;

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

SECTION 1. Definitions. In addition to words and terms elsewhere defined in the General Bond Ordinance and this Fourth Supplemental Bond Ordinance, the following words and terms as used in this Fourth Supplemental Bond Ordinance shall have the following meanings, unless some other meaning is plainly intended:

"Act" means Part II of Chapter 4 of Subtitle II of Title 39 of the Louisiana Revised Statutes of 1950, as amended (La. R.S. 39:501, et seq.), and other constitutional and statutory authority supplemental thereto.

"Administrative Fee" means, with respect to the 2019 Bonds and any other Bonds purchased by the Department from the Clean Water State Revolving Fund, the annual fee equal to one-half of one percent (0.5%) per annum of the outstanding principal amount of such bonds, or such lesser amount as the Department may approve from time to time, which shall be payable each year in two equal semi-annual installments on each Interest Payment Date.

"Authorized Officers" means collectively the Parish President and Clerk of the Council of the Parish, or such other person or persons authorized pursuant to a resolution or ordinance of the Governing Authority to act as an authorized officer of the Parish to perform any act or execute any document relating to the Loan, the Bonds or the Loan Agreement.

"Completion Date" means, the earlier of (i) the date of the final disbursement of the purchase price of the 2019 Bonds to the Parish or (ii) the date that operation of the Project is initiated or capable of being initiated, as certified in accordance with the Loan Agreement.

"Consulting Engineer" means a regionally known consulting engineer or firm of consulting engineers with skill and experience in the construction and operation of publicly owned drinking water and wastewater disposal systems.

"Department" means the Louisiana Department of Environmental Quality, an executive department and agency of the State, and any successor to the duties and functions thereof.
"Fourth Supplemental Ordinance" means this ordinance authorizing the issuance of the 2019 Bonds.

"General Bond Ordinance" means the General Bond Ordinance described in the preambles hereof.

"Loan" means the loan made by the Department from the Clean Water State Revolving Fund to the Parish pursuant to the Loan Agreement, the obligation to repay which Loan is evidenced by the Bonds.

"Loan Agreement" means the Loan and Pledge Agreement to be entered into by and between the Department and the Parish prior to the delivery of the Bonds, in substantially the form attached hereto as Exhibit B, which will contain certain additional agreements relating to the Bonds and the Project, as it may be supplemented or amended from time to time in accordance with the provisions thereof.


"Paying Agent" with respect to the 2019 Bonds means the Director of Finance of the Parish, unless and until a successor Paying Agent shall have assumed such responsibilities pursuant to the General Bond Ordinance.

"Principal Payment Date" means each June 1 (or such other annual payment date as may be approved by the Authorized Officers in the manner set forth in Section 2), commencing not later than one year after the completion of the Project and the final payment date to fall not exceeding nineteen years from the first principal payment date thereafter for a total of twenty (20) consecutive annual payment dates, providing that in no event shall the final maturity of the 2019 Bonds be more than twenty-two (22) years from the date of the 2019 Bonds.

"Purchaser" means the Department, being the original purchaser of the Bonds.

"Project" means the acquisition, construction, extensions and improvement to the System which shall constitute a work of public improvement for the Parish, as further described in the Loan Agreement.

"Reserve Fund Requirement" means as of any date of calculation, a sum equal to one-half of the maximum principal and interest requirements for any succeeding Bond Year on the 2019 Bonds. The Reserve Fund Requirement for any issue(s) of Parity Obligations shall be defined in the ordinance(s) authorizing the issuance of such Parity Obligations.

"2019 Bonds" means the Parish's Taxable Utilities Revenue Bonds, Series 2019, authorized to be issued by this Fourth Supplemental Ordinance and particularly by Section 2 hereof in the total aggregate principal amount of not
exceeding Six Million Dollars ($6,000,000), and any bond of said issue, whether
initially delivered or issued in exchange for, upon transfer of, or in lieu of any
previously issued.

SECTION 2. Authorization of Series 2019 Bonds. (a) In compliance with
and under the authority of the Act and other constitutional and statutory authority
supplemental thereto, there is hereby authorized the incurring of an indebtedness of
not exceeding Six Million Dollars ($6,000,000) for, on behalf of and in the name of
the Parish, for the purpose of financing the project and paying the costs of issuance
of the 2019 Bonds, and to represent the indebtedness, this Governing Authority
does hereby authorize the issuance of not exceeding Six Million Dollars
($6,000,000) of Taxable Utilities Revenue Bonds, Series 2019, of the Parish. The
2019 Bonds shall be initially issued in the form of a single fully registered Bond
numbered R-1, shall be dated the date of delivery thereof and shall be in
substantially the form attached hereto as Exhibit A. The Authorized Officers may
approve a different series designation if the 2019 Bonds are delivered after the end
of 2019 or if it is in their sole judgment preferable to do so. The Authorized Officers
may also approve different semi-annual interest payment dates (e.g. January 1 &
July 1, February 1 & August 1, etc.) as well as a different annual principal payment
date if it is their sole judgment preferable to do so when the actual delivery date of
the 2019 Bonds is known, provided that the final maturity date of the 2019 Bonds is
no later than twenty-two years from the date of delivery.

(b) The 2019 Bonds shall be Fixed Rate Bonds and the Interest Payment
Dates shall be June 1 and December 1 of each year in which interest on the 2019
Bonds is payable, the first of which shall occur after the delivery of the 2019 Bonds
to the Department and which shall occur semi-annually thereafter until the 2019
Bonds are paid in full. The unpaid principal of the 2019 Bonds shall bear interest
from the date thereof, or the most recent Interest Payment Date to which interest
has been paid or duly provided for, at the rate of forty-five hundredths of one
percent (0.45%) per annum, said interest to be calculated on the basis of a 360-day
year consisting of twelve 30-day months and payable on each Interest Payment
Date. Interest on the 2019 Bonds on any Interest Payment Date shall be payable
only on the aggregate amount of the purchase price which shall have been paid
theretofore to the Parish and is outstanding and shall accrue with respect to each
purchase price installment only from the date of payment of such installment. In
addition to interest at the rate set forth above, at any time that the Department owns
the 2019 Bonds the Parish will pay the Administrative Fee to the Department on
each Interest Payment Date. In the event (i) the Department owns any 2019 Bonds
or the Department has pledged or assigned any 2019 Bonds in connection with its
Clean Water State Revolving Fund and (ii) the Administrative Fee payable by the
Parish to the Department under the terms of the Loan Agreement is declared illegal
or unenforceable by a court or an administrative body of competent jurisdiction, the
interest rate borne by the 2019 Bonds shall be increased by one-half of one percent
(0.50%) per annum, effective as of the date declared to be the date from which the
Administrative Fee is no longer owed because of such illegality or unenforceability.
The Administrative Fee shall be calculated in the same manner as interest on the
2019 Bonds.
(c) The 2019 Bonds shall mature in twenty (20) installments of principal, payable annually on each June 1 and each annual installment shall be the applicable percentage shown in the following table, rounded to the nearest One Thousand Dollars ($1,000), of the outstanding principal amount of the 2019 Bonds on the day before the applicable Principal Payment Date:

<table>
<thead>
<tr>
<th>Date (December 1)</th>
<th>Percentage of Principal</th>
<th>Date (December 1)</th>
<th>Percentage of Principal</th>
</tr>
</thead>
<tbody>
<tr>
<td>2021</td>
<td>4.564%</td>
<td>2031</td>
<td>9.580%</td>
</tr>
<tr>
<td>2022</td>
<td>4.827%</td>
<td>2032</td>
<td>10.696%</td>
</tr>
<tr>
<td>2023</td>
<td>5.120%</td>
<td>2033</td>
<td>12.090%</td>
</tr>
<tr>
<td>2024</td>
<td>5.448%</td>
<td>2034</td>
<td>13.884%</td>
</tr>
<tr>
<td>2025</td>
<td>5.817%</td>
<td>2035</td>
<td>16.275%</td>
</tr>
<tr>
<td>2026</td>
<td>6.235%</td>
<td>2036</td>
<td>19.624%</td>
</tr>
<tr>
<td>2027</td>
<td>6.712%</td>
<td>2037</td>
<td>24.647%</td>
</tr>
<tr>
<td>2028</td>
<td>7.264%</td>
<td>2038</td>
<td>33.019%</td>
</tr>
<tr>
<td>2029</td>
<td>7.907%</td>
<td>2039</td>
<td>49.764%</td>
</tr>
<tr>
<td>2030</td>
<td>8.667%</td>
<td>2040</td>
<td>100.000%</td>
</tr>
</tbody>
</table>

(d) The principal and interest on the 2019 Bonds shall be payable by check mailed to the registered owner of the 2019 Bonds (determined as of the Interest Payment Date) at the address shown on the registration books kept by the Paying Agent for such purpose, provided that payment of the final installment of principal on the 2019 Bonds shall be made only upon presentation and surrender of the 2019 Bonds to the Paying Agent.

(e) The principal installments of the 2019 Bonds are subject to prepayment at the option of the Parish at any time, in whole or in part, at a prepayment price of par plus accrued interest and accrued Administrative Fee, if any, to the prepayment date and in such case the remaining principal of the 2019 Bonds shall continue to mature in installments calculated using the percentages shown in Section 2(c) above. Official notice of such call for prepayment shall be given in the manner provided in the General Bond Ordinance.

(f) The 2019 Bonds shall be issued in the form of a single fully registered bond, initially numbered R-1, and shall be in substantially the form attached hereto as Exhibit A.

(g) The Director of Finance of the Governing Authority shall be the initial Paying Agent for the 2019 Bonds.

(h) The 2019 Bonds are hereby awarded to and sold to the Department at a price of par plus accrued interest, if any, under the terms and conditions set forth in the Loan Agreement, and after their execution, the 2019 Bonds shall be delivered to the Department or its agents or assigns, upon receipt by the Parish of the agreed first advance of the purchase price. Pursuant to R.S. 39:505(B), the
District has determined to sell the Bonds at a private sale without necessity of publication of a notice of sale. It is understood that the purchase price of the Bonds will be paid by the Department to the District in installments, in the manner and under the terms and conditions set forth in the Loan Agreement.

(i) No proceeds of the 2019 Bonds shall be deposited into the Reserve Fund, however upon the delivery of the 2019 Bonds the Parish shall establish the "Series 2019 Account" in the Reserve Fund which shall be funded monthly in advance on or before the 20th day of each month of each year, commencing with the month following the delivery of the 2019 Bonds, with a sum at least equal to at least twenty five percent (25%) of the amount to be paid into the Debt Service Fund with respect to the 2019 Bonds, the payments into the Series 2019 Account to continue until such time as there has been accumulated in the Series 2019 Account a sum equal to the Reserve Fund Requirement, as defined above. Moneys in the Series 2019 Account shall be used to secure and make payments solely on the 2019 Bonds (and not on any other issues) as to which there would otherwise be default. No changes are required at this time with respect to the Contingencies Fund established in the General Bond Ordinance.

(j) No proceeds of the 2019 Bonds will be used to refund any outstanding obligations.

(k) This Governing Authority finds and determines that the parity requirements of Section 6.01 of the General Bond Ordinance will have been met with respect to the 2019 Bonds, and at the time of payment of the initial installments of the purchase price of the 2019 Bonds the Parish will deliver a parity certification, or the Governing Authority at that time will have received a waiver of the parity requirements from the owners of the Outstanding Parity Bonds.

(l) The Authorized Officers are each hereby empowered, authorized and directed to do any and all things necessary and incidental to carry out all of the provisions of the General Bond Ordinance and this Fourth Supplemental Ordinance, to execute and deliver the Loan Agreement, and to cause the 2019 Bonds to be prepared and/or printed, to issue, execute and seal the 2019 Bonds and to effect delivery thereof as hereinafter provided. In connection with the issuance and sale of the 2019 Bonds, the Authorized Officers and the Director of Finance of the Governing Authority are each authorized, empowered and directed to execute on behalf of the Parish such additional documents, certificates and instruments as they may deem necessary, upon the advice of bond counsel, to effect the transactions contemplated by this Fourth Supplemental Ordinance. The signatures of said officers on such documents, certificates and instruments shall be conclusive evidence of the due exercise of the authority granted hereunder.

(m) The Bonds are not being designated as "qualified tax-exempt obligations" within the meaning of Section 265(b)(3) of the Code.

(n) The Bonds are not being designated as "Build America Bonds" or any similar type of tax-advantaged bonds requiring a designation at this time.
(o) It is recognized that the Parish will not be required to comply with the continuing disclosure requirements described in the Rule 15c2-12(b) of the Securities and Exchange Commission [17 CFR §240.15c2-12(b)], because (i) the 2019 Bonds are not being purchased by a broker, dealer or municipal securities dealer acting as an underwriter in a primary offering of municipal securities, and (ii) the 2019 Bonds are being sold to only one financial institution (i.e., no more than thirty-five persons), which has such knowledge and experience in financial and business matters that it is capable of evaluating the merits and risks of the prospective investment in the 2019 Bonds and is not purchasing the 2019 Bonds for more than one account or with a view to distributing the Bonds.

(p) Inasmuch as the Bonds are not being issued as tax-exempt or tax-advantaged bonds, no post-issuance tax compliance procedures are needed.

(q) Application to the State Bond Commission has previously been authorized.

(r) There will be no Credit Enhancement with respect to the 2019 Bonds.

(s) The Loan Agreement, in substantially the form attached hereto as Exhibit B, is hereby approved, and the Authorized Officers are authorized to execute and deliver the aforesaid documents on behalf of the Parish, with such changes as may be deemed necessary, upon the advice of counsel, in connection with the 2019 Bonds. The Authorized Officers are further authorized to execute and deliver any supplemental loan agreement or cooperative endeavor agreement as may be necessary in connection with any additional subsidization offered by the Department.

With the advice of Bond Counsel, the Authorized Officers are further authorized and directed to execute on behalf of the Issuer a Commitment Agreement by and between the Department and the Issuer which the Department may require as a prerequisite to the execution of the Loan Agreement, said Commitment Agreement to be substantially in the form of the Commitment Agreement on file with the Clerk of the Governing Authority.

SECTION 3.  Davis-Bacon Wage Rate Requirements.  The Parish agrees that all laborers and mechanics employed by contractors and subcontractors on the portion of the project that is funded in whole or in part with the 2019 Bonds purchased by the Department shall be paid wages at rates not less than those prevailing on projects of a character similar in the locality of the Parish as determined by the Clerk of the United States Department of Labor ("DOL") in accordance with Subchapter IV of Chapter 31 of Title 40, United States Code. DOL provides all pertinent information related to compliance with the foregoing requirements, including prevailing wage rates and instructions for reporting. The Parish will ensure that all construction contracts relating to the portion of the Project that is funded in whole or in part with 2019 Bonds purchased by the Department will require that the contractor comply with the aforesaid wage and reporting requirements. This section shall not apply to situations where the Parish may
perform construction work using its own employees rather than any contractor or subcontractor.

SECTION 4. Parties Interested Herein. Nothing in this Fourth Supplemental Ordinance expressed or implied is intended or shall be construed to confer upon, or to give to, any person or corporation, other than the Parish, the Paying Agent and the Owners of the Series 2019 Bonds any right, remedy or claim under or by reason of this Fourth Supplemental Ordinance or any covenant, condition or stipulation thereof; and all the covenants, stipulations, promises and agreements in this Fourth Supplemental Ordinance contained by and on behalf of the Parish shall be for the sole and exclusive benefit of the Parish, the Paying Agent and the Owners of the 2019 Bonds.

SECTION 5. No Recourse on the 2019 Bonds. No recourse shall be had for the payment of the principal of or interest on the 2019 Bonds or for any claim based thereon or on this Fourth Supplemental Ordinance against any member of the Governing Authority or officer of the Parish or any person executing the 2019 Bonds.

SECTION 6. Successors and Assigns. Whenever in this Fourth Supplemental Ordinance the Parish is named or referred to, it shall be deemed to include its successors and assigns and all the covenants and agreements in this Fourth Supplemental Ordinance contained by or on behalf of the Parish shall bind and enure to the benefit of its successors and assigns whether so expressed or not.

SECTION 7. Severability. In case any one or more of the provisions of this Fourth Supplemental Ordinance or of the 2019 Bonds issued hereunder shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provision of this Fourth Supplemental Ordinance or of the 2019 Bonds, but this Fourth Supplemental Ordinance and the 2019 Bonds shall be construed and enforced as if such illegal or invalid provisions had not been contained therein. Any constitutional or statutory provision enacted after the date of this Fourth Supplemental Ordinance which validates or makes legal any provision of this Fourth Supplemental Ordinance or the 2019 Bonds which would not otherwise be valid or legal shall be deemed to apply to this Fourth Supplemental Ordinance and to the 2019 Bonds.

SECTION 8. Publication; Peremption. This Fourth Supplemental Ordinance shall be published one time in the official journal of the Parish, or if there is none, in a newspaper having general circulation in the Parish. It shall not be necessary to publish the exhibits to this Fourth Supplemental Ordinance but such exhibits shall be made available for public inspection at the offices of the Governing Authority at reasonable times and such fact must be stated in the publication within the official journal. For a period of thirty (30) days after the date of such publication any persons in interest may contest the legality of this Fourth Supplemental Ordinance and any provisions herein made for the security and payment of the 2019 Bonds. After such thirty day period no one shall have any cause or right of action to contest the regularity, formality, legality, or effectiveness of this Fourth Supplemental Ordinance and the provisions hereof or of the 2019 Bonds authorized
hereby for any cause whatsoever. If no suit, action, or proceeding is begun contesting the validity of the 2019 Bonds authorized pursuant to this Fourth Supplemental Ordinance within the thirty days herein prescribed, the authority to issue the 2019 Bonds or to provide for the payment thereof, and the legality thereof, and all of the provisions of this Fourth Supplemental Ordinance and such 2019 Bonds shall be conclusively presumed, and no court shall have authority or jurisdiction to inquire into any such matter.

SECTION 9. Effective Date. This Fourth Supplemental Ordinance shall become effective immediately.

BY DIRECTION OF

Richard “Richie” Lewis
RICHARD “RICHIE” LEWIS
COUNCIL CHAIR
INTEREST ON THIS BOND WILL BE INCLUDED IN GROSS INCOME
FOR FEDERAL INCOME TAX PURPOSES AND IS NOT
EXEMPT FROM FEDERAL INCOME TAXATION.

UNITED STATES OF AMERICA
STATE OF LOUISIANA
PARISH OF ST. BERNARD

TAXABLE UTILITIES REVENUE BOND, SERIES 2019
OF THE
PARISH OF ST. BERNARD, STATE OF LOUISIANA

<table>
<thead>
<tr>
<th>Bond Number</th>
<th>Bond Date</th>
<th>Interest Rate</th>
<th>Principal Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>R-1</td>
<td>__________, 2019</td>
<td>0.45%</td>
<td>$6,000,000</td>
</tr>
</tbody>
</table>

FOR VALUE RECEIVED, the Parish of St. Bernard, State of Louisiana (the "Parish"), hereby promises to pay (but only from the sources hereinafter described) to:

REGISTERED OWNER: LOUISIANA DEPARTMENT OF ENVIRONMENTAL QUALITY
ATTN: Financial Services Division,
Accounts Receivable
P. O. Box 4311
Baton Rouge, LA 70821-4311 (the "Department")
or registered assigns noted on the registration record attached hereto, but solely from the revenues hereinafter specified, the Principal Amount set forth above (unless a lower Principal Amount applies, as set forth below), together with interest thereon from the Bond Date set forth above or the most recent interest payment date to which interest has been paid or duly provided for, unless this Bond shall have been previously called for prepayment and payment shall have been duly made or provided for.

This Bond shall bear interest, payable semi-annually on June 1 and December 1 of each year, commencing December 1, 2019 (each, an "Interest Payment Date"), at the Interest Rate shown above, said interest to be calculated on the basis of a 360-day year consisting of twelve 30-day months. Interest on this Bond on any Interest Payment Date shall be payable only on the aggregate outstanding amount of the purchase price which shall have been paid theretofore, as noted on Schedule A hereto, and shall accrue with
respect to each purchase price installment only from the date of payment of such installment.

If the Department is the registered owner of this Bond, the Parish will additionally pay an Administrative Fee to the Department at the annual rate of one-half of one percent (0.50%) on the outstanding principal amount of the Bond, payable on each Interest Payment Date. In the event (i) the Department owns this Bond or the Department has pledged or assigned this Bond in connection with its Clean Water State Revolving Fund Program and (ii) the Administrative Fee payable to the Department is declared illegal or unenforceable by a court or an administrative body of competent jurisdiction, then the "Interest Rate" shown in the foregoing table and borne by this Bond shall be increased by one-half of one percent (0.5%) per annum, effective as of the date declared to be the date from which the Administrative Fee is no longer owed because of such illegality or unenforceability.

This Bond shall mature in twenty (20) installments of principal, payable annually on each June 1, and each annual installment shall be the applicable percentage shown in the following table, rounded to the nearest One Thousand Dollars ($1,000), of the outstanding principal amount of this Bond on the day before the applicable Principal Payment Date:

<table>
<thead>
<tr>
<th>Date (June 1)</th>
<th>Percentage of Principal</th>
<th>Date (June 1)</th>
<th>Percentage of Principal</th>
</tr>
</thead>
<tbody>
<tr>
<td>2021</td>
<td>4.564%</td>
<td>2031</td>
<td>9.580%</td>
</tr>
<tr>
<td>2022</td>
<td>4.827</td>
<td>2032</td>
<td>10.696</td>
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<td>2023</td>
<td>5.120</td>
<td>2033</td>
<td>12.090</td>
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<td>2024</td>
<td>5.448</td>
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<tr>
<td>2025</td>
<td>5.817</td>
<td>2035</td>
<td>16.275</td>
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<tr>
<td>2026</td>
<td>6.235</td>
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<td>19.624</td>
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<tr>
<td>2027</td>
<td>6.712</td>
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<tr>
<td>2029</td>
<td>7.907</td>
<td>2039</td>
<td>49.764</td>
</tr>
<tr>
<td>2030</td>
<td>8.667</td>
<td>2040</td>
<td>100.000</td>
</tr>
</tbody>
</table>

In the event that the Completion Date of the Project being financed with this Bond is on or after June 1, 2021, the principal payment schedule set forth above may be adjusted so that each payment shall be due on the June 1 that is one year later than shown above, provided that in no event shall the final principal payment be more than twenty-two (22) years from the Delivery Date. To exercise the option to defer the principal repayment schedule, the District must so notify the Department in writing prior to December 1, 2020, and certify that the Completion Date will not have occurred prior to June 1, 2021.
The principal and interest on this Bond shall be payable by check mailed to the registered owner of this Bond (determined as of the Interest Payment Date) at the address shown on the registration books kept by the Paying Agent (hereinafter defined) for such purpose, provided that payment of the final installment of principal on this Bond shall be made only upon presentation and surrender of this Bond to the Paying Agent.

The principal installments of this Bond are subject to prepayment at the option of the Parish at any time, in whole or in part, at a prepayment price of par plus accrued interest and accrued Administrative Fee, if any, to the prepayment date. In such case, the remaining principal shall continue to mature in annual installments calculated using the percentages shown above.

In the event a portion of this Bond is to be prepaid, this Bond shall be surrendered to the Director of Finance of the Parish, as initial Paying Agent for the Bonds (the "Paying Agent"), who shall note the amount of such prepayment in the space provided therefor on the schedule attached to this Bond. Official notice of such call of this Bond for prepayment shall be given by means of first class mail, postage prepaid by notice deposited in the United States Mail not less than thirty (30) days prior to the prepayment date addressed to the registered owner of this Bond to be prepaid at his address as shown on the registration books of the Paying Agent, which notice may be waived by any registered owner. The Parish shall cause to be kept at the office of the Paying Agent a register in which registration of this Bond and of transfers of this Bond shall be made as provided herein and in the Ordinance (as hereinafter defined). This Bond may be transferred, registered and assigned only on such registration records of the Paying Agent, and such registration shall be at the expense of the Parish.

This Bond represents the entire issue of bonds of the Parish designated "Taxable Utilities Revenue Bonds, Series 2019" aggregating in principal the sum of Six Million Dollars ($6,000,000) (the "Bonds"), the Bonds having been issued by the Parish pursuant to a General Bond Ordinance adopted by Parish Council of the Parish of St. Bernard, State of Louisiana, acting as the governing authority of the Parish, on April 21, 2015, as supplemented by a Fourth Supplemental Bond Ordinance adopted by said governing authority on May 7, 2019 (collectively, the "Ordinance"), for the purpose of paying costs of the Project, as defined in the Ordinance, consisting generally of improvements to the sewerage portion of the System (hereinafter defined), and paying costs of issuance, under the authority conferred by Part II of Chapter 4 of Subtitle II of Title 39 of the Louisiana Revised Statutes of 1950, as amended (La. R.S. 39:501, et seq.), and other constitutional and statutory authority, pursuant to all requirements therein specified.

This Bond is secured by and payable as to principal and interest solely from the income and revenues of the Parish's combined water and sewer system, as more fully described in the Ordinance (the "System"), after the payment of all reasonable and necessary expenses of operating and maintaining the System (the "Net Revenues"), and are issued on a complete parity with the Parish’s (i) Taxable Utilities Revenue Bonds,
Series 2015, dated June 25, 2015, (ii) Taxable Utilities Revenue Bonds, Series 2015A, dated December 1, 2015 and (iii) Taxable Utilities Revenue Bonds, Series 2017, dated May 1, 2017 (collectively, the "Outstanding Parity Bonds"). Neither this Bond nor the debt it represents constitutes an indebtedness or pledge of the general credit of the Parish within the meaning of any constitutional or statutory limitation of indebtedness.

The Parish has obligated itself pursuant to the Bond Ordinance and by this Bond declares that all of the income and revenues to be derived from the operation of the System shall be deposited promptly as the same may be collected in a separate and special bank account known and designated as the "Utility System Fund." The Parish has duly covenanted and obligated itself pursuant to the Bond Ordinance and by this Bond declares that it will fix and maintain rates and collect charges for all services and facilities to be rendered by the System sufficient to provide for the payment of the reasonable and necessary expenses of operating and maintaining the System, to provide for the payment of principal and interest falling due on this Bond and all other obligations or indebtedness payable out of the revenues of the System, to provide a reserve for the payment of principal and interest on this Bond and to provide a reasonable depreciation and contingency fund to care for depreciation, extensions, additions, improvements and replacements necessary to properly operate the System.

For a complete statement of the manner in which said fund shall be maintained and administered, the provisions for payment of this Bond and the general covenants and provisions governing the issuance of this Bond, reference is hereby made to the Bond Ordinance.

This Bond shall not be valid or become obligatory for any purpose or be entitled to any security or benefit under the Ordinance until the certificate of registration hereon shall have been signed by the Paying Agent.

It is certified that this Bond is authorized by and is issued in conformity with the requirements of the Constitution and statutes of the State of Louisiana. It is further certified, recited and declared that all acts, conditions and things required to exist, to happen and to be performed precedent to and in the issuance of this Bond necessary to constitute the same a legal, binding and valid obligation of the Parish have existed, have happened and have been performed in due time, form and manner as required by law, and that the indebtedness of the Parish, including this Bond, does not exceed any limitation prescribed by the Constitution and statutes of the State of Louisiana, and that this Bond shall not be invalid for any irregularity or defect in the proceedings for the issuance and sale thereof.
IN WITNESS WHEREOF, the Parish Council of the Parish of St. Bernard, State of Louisiana, acting as the governing authority of the Parish, has caused this Bond to be signed in the name of the Parish by the Parish President and attested by its Clerk of the Council, the corporate seal of the Parish to be hereon impressed, and this Bond to be dated as of the Dated Date set forth above.

PARISH OF ST. BERNARD, STATE OF LOUISIANA

ATTEST:

By: _______________ (manual) __________________
    Parish President

By: _______________ (manual) __________________ (SEAL)
    Clerk of the Council

* * * * *

REGISTRATION RECORD

TAXABLE UTILITIES REVENUE BOND, SERIES 2019
OF THE
PARISH OF ST. BERNARD, STATE OF LOUISIANA

<table>
<thead>
<tr>
<th>Name and Address Of Registered Owner</th>
<th>Date of Registration</th>
<th>Signature of Director of Finance as Paying Agent</th>
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<td>Department of Environmental Quality Clean Water State Revolving Fund P. O. Box 4311 Baton Rouge, LA 70821-4311</td>
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EXHIBIT B

to Fourth Supplemental Bond Ordinance

[FORM OF LOAN & PLEDGE AGREEMENT]
STATE OF LOUISIANA
PARISH OF ST. BERNARD

I, the undersigned Clerk of Council of the Parish of St. Bernard, State of Louisiana, do hereby certify that the foregoing pages constitute a true and correct copy of a Fourth Supplemental Bond Ordinance authorizing the issuance of not exceeding Six Million Dollars ($6,000,000) of Taxable Utilities Revenue Bonds, Series 2019, of the Parish of St. Bernard, State of Louisiana, in accordance with the terms of a General Bond Ordinance adopted on April 21, 2015; prescribing the form, and certain terms and conditions of said Bonds; and providing for other matters in connection therewith.

IN FAITH WHEREOF, witness my official signature on this, the 7th day of May, 2019.

________________________________________
Clerk of the Council
PUBLIC HEARING NOTICE

THE ST. BERNARD PARISH COUNCIL WILL HOLD A PUBLIC HEARING ON TUESDAY, MAY 7, 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 APRIL 16, 2019 COUNCIL MEETING:

Summary No. 3707
Introduced by: Administration on 4/16/19

A GENERAL BOND ORDINANCE AUTHORIZING THE ISSUANCE FROM TIME TO TIME OF SALES TAX BONDS OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA; PRESCRIBING THE FORM, AND CERTAIN TERMS AND CONDITIONS OF SAID BONDS; PROVIDING FOR THE PAYMENT THEREOF IN PRINCIPAL AND INTEREST; AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH.

WHEREAS, Parish of St. Bernard, State of Louisiana (the "Parish"), is now levying and collecting a one-half of one percent (1/2%) sales and use tax by virtue of an ordinance, adopted by this Parish Council on December 1, 1998 (the "Tax"), under the authority of an election held by the Parish on November 3, 1998, at which the following proposition was approved by a majority of the qualified electors voting in such election, viz:

1/2% SALES TAX PROPOSITION

AUTHORITY FOR ST. BERNARD PARISH TO LEVY A 1/2% SALES TAX, FOR IMPROVEMENTS TO THE SEWER AND WATER SYSTEM IN SAID PARISH, INCLUDING AUTHORITY TO FUND THE TAX INTO BONDS, PROVIDED THAT AT LEAST 25% OF THE ANNUAL REVENUES OF THE TAX MUST BE EXPENDED TO CORRECT INFLOW AND INFILTRATION IN SEWAGE COLLECTION LINES, OR TO REPAIR DAMAGE CAUSED THEREBY, UNLESS REQUIRED FOR DEBT SERVICE ON BONDS OR OTHERWISE APPROVED BY AT LEAST TWO-THIRDS OF THE TOTAL MEMBERSHIP OF THE PARISH COUNCIL.

Shall the Parish of St. Bernard, State of Louisiana (the “Parish”), under the provisions of Article VI, Section 29(B) of the Constitution of the State of Louisiana of 1974, Act No. 66 of 1998, and other
constitutional and statutory authority, be authorized to levy and collect a tax of one-half of one per cent (1/2%) (the “Tax”), commencing January 1, 1999, upon the sale at retail, the use, the lease or rental, the consumption, and the storage for use or consumption of tangible personal property and on sales of services in the Parish, all as defined in Chapter 2 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, as amended, with the proceeds of the Tax (after paying the reasonable and necessary costs and expenses of collecting and administering the Tax), to be dedicated and used for improvements to the sewer and water system in the Parish, title to which shall be in the public, and shall the Parish be further authorized to fund the proceeds of the Tax into bonds to be issued from time to time for the purpose of improvements to the sewer and water system in the Parish, specifically acquiring and constructing additions, extensions and improvements to the water treatment and distribution system and sewage collection, treatment and disposal system, title to which shall be in the public, to the extent and in the manner permitted by the laws of Louisiana, including Sub-Part F, Part III, Chapter 4, Title 39 of the Louisiana Revised Statutes of 1950, and other authority provided further that at least 25% of the annual revenues of the Tax must be expended to correct inflow and infiltration in sewage collection lines, or to repair damage caused thereby, unless required for debt service on bonds or otherwise approved by at least two-thirds of the total membership of the Parish Council?

WHEREAS, pursuant to the authority of the aforesaid election and ordinance, the Issuer is now levying and collecting the Tax; and

WHEREAS, in accordance with said ordinance, the net avails or proceeds of the Tax, after the reasonable and necessary expenses of collection and administration thereof have been paid therefrom (the "Revenues of the Tax"), shall be available for appropriation and expenditure by the Issuer solely for the purposes designated in the proposition authorizing the levy of the Tax, which includes the payment of bonds authorized to be issued in accordance with Louisiana law; and

WHEREAS, pursuant to Part II of Chapter 4 of Subtitle II of Title 39 of the Louisiana Revised Statutes of 1950, as amended (La. R.S. 39:501, et seq.), and other constitutional and statutory authority (collectively, the "Act"), it is now the desire of this Parish Council to adopt this General Bond Ordinance in order to provide for the issuance from time to time of sales tax bonds of the Parish (the "Bonds"), in one or more series, for the purposes set forth above, for refunding bonds and/or for providing for a reserve and paying the costs of issuance thereof;

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

DEFINITIONS AND INTERPRETATION

SECTION 1.01. Definitions. The following terms used in this Ordinance shall have the following meanings, unless the context clearly requires otherwise:

"Act" means Part II of Chapter 4 of Subtitle II of Title 39 of the Louisiana Revised Statutes of 1950, as amended (La. R.S. 39:501, et seq.) and other constitutional and statutory authority supplemental thereto, or such other legal authority for the issuance of sales tax bonds as may exist from time to time.

"Bonds" means any bonds authorized by this General Bond Ordinance and by a Series Ordinance.

"Bond Register" means the records kept by the Paying Agent in which registration of the Bonds and transfers of the Bonds shall be made as provided herein.

"Bond Year" means the one-year period ending on each Principal Payment Date.

"Capital Appreciation Bonds" shall mean Bonds which pay interest only at maturity or redemption.

"Code" means the Internal Revenue Code of 1986, as the same may be amended and supplemented from time to time, including any regulations promulgated thereunder or any administrative or judicial interpretations thereof.

"Cost of Issuance" means all items of expense, directly or indirectly payable or reimbursable and related to the authorization, sale and issuance of the Bonds, including but not limited to printing costs, costs of preparation and reproduction of documents, official statements, filing and recording fees, initial fees and charges of any fiduciary, legal fees and charges, fees and disbursements of consultants and professionals, costs of credit ratings, fees and charges for preparation, execution, transportation and safekeeping of the Bonds, costs and expenses of refunding, premiums for the insurance of the payment of the Bonds, if any, and any other cost, charge or fee in connection with the original issuance of Bonds.

"Costs of the Project" means, with reference to any Project, all capital costs incurred or to be incurred for such Project, including but not limited to (a) engineering, financing, legal and other fees and expenses related to the issuance of such series of the Bonds, (b) acquisition and construction costs of the Project, (c) interest on the Bonds during construction, and (d) a reasonable allowance for contingencies, all to the extent permitted by the Act and any rules or regulations promulgated thereunder.
“Credit Enhancement” shall mean any letter of credit, insurance policy, surety bond, standby bond purchase agreement or similar facility as used in connection with a series of the Bonds.

"Defeasance Obligations" means cash and/or Government Securities.

"Delivery Date" means the date on which any series of the Bonds are delivered to the purchaser thereof.

"Department" means the Louisiana Department of Health, with respect to Bonds purchased by the Drinking Water Revolving Loan Fund, or the Louisiana Department of Environmental Quality, with respect to Bonds purchased by the Clean Water State Revolving Fund, as the case may be, which are both executive departments and agencies of the State, and any successor to the duties and functions thereof.

"Executive Officers" means, collectively, the Parish President of the Parish and the Clerk of this Governing Authority.

"Fiscal Year" means the one-year accounting period beginning on January 1 of each year, or such other fiscal year period as may be determined from time to time by the Governing Authority as the fiscal year of the Parish.

"Fixed Rate Bonds" means any series of Bonds issued with a fixed rate or rates or interest for the entire term thereof.

"General Bond Ordinance" means this General Bond Ordinance.

"General Bond Ordinance" means this General Bond Ordinance authorizing the issuance of the Bonds, as hereafter amended or supplemented by a Series Ordinance or in accordance with Article 0 hereof.

"Governing Authority" means the Parish Council of the Parish of St. Bernard, State of Louisiana, or its successor in function.

"Government Securities" means direct obligations of, or obligations the principal of and interest on which are unconditionally guaranteed by, the United States of America, which are non-callable prior to their maturity, may be United States Treasury Obligations such as the State and Local Government Series and may be in book-entry form.

"Interest Payment Date" means the dates on which interest on any series of the Bonds is payable, as shall be set forth in the applicable Series Ordinance.

"Loan Agreement" means the Loan and Pledge Agreement to be entered into by and between the Department and the Parish, prior to the delivery of any Bonds that are purchased by the Department, which will contain certain additional agreements relating to such Bonds and any other series of Bonds purchased by the Department, and with respect to the Project as it may be supplemented, modified or amended from time to time in accordance with the terms thereof. In the event that
any provisions of this General Bond Ordinance conflict with any provision of the Loan Agreement, then with respect to any series of the Bonds which are owned by the Department the provisions of the Loan Agreement with respect to such series shall control.

"Net Revenues of the Tax" means, for any specified period, the net income of the Tax derived by the Parish from the levy and collection of the Tax, after the payment of reasonable and necessary costs and expenses of collecting and administering the Tax, determined in accordance with then generally accepted accounting principles.

"Outstanding" when used with respect to the Bonds, as of the date of determination, means all Bonds theretofore issued and delivered under this General Bond Ordinance and any Series Ordinance except:

(a) Bonds that have been cancelled or delivered to the Paying Agent for cancellation;

(b) Bonds that have been defeased in accordance with Section 0 hereof;

(c) Bonds in exchange for or in lieu of which other Bonds have been registered and delivered pursuant to this General Bond Ordinance; or

(d) Bonds alleged to have been mutilated, destroyed, lost or stolen which have been paid as provided in this General Bond Ordinance or by law.

"Owner" or "Owners" when used with respect to any Bond, means the Person in whose name such Bond is registered in the Bond Register.

"Parish" means the Parish of St. Bernard, State of Louisiana.

"Parity Obligations" means any additional pari passu indebtedness issued by the Parish and payable from the Net Revenues of the tax in accordance with Section 0 hereof.

"Paying Agent" means the person or organization designated as such in a Series Ordinance.

"Person" means any individual, corporation, partnership, joint venture, association, joint-stock company, trust, unincorporated organization, or government or any agency or political subdivision thereof.

"Principal Payment Date" means each date on which principal on any series of the Bonds is payable, as shall be set forth in the applicable Series Ordinance, which dates shall occur annually unless otherwise required by the purchaser of any series of the Bonds.
"Project" means the capital purposes to be financed with a series of the Bonds specified in a Series Ordinance.

"Reserve Fund Credit Facility" means a letter of credit, insurance policy, surety bond or similar credit facility deposited in an account of the Reserve Fund in lieu of or in addition to other funds on deposit in such account, or any substitute therefore; provided, however, that a Reserve Fund Credit Facility for any Series of Bonds shall meet the requirements set forth in the applicable Series Ordinance.

"Reserve Fund Requirement" with respect to any series of the Bonds means a sum set forth in the applicable Series Ordinance.

"Revenues" means all income and revenues to be derived by the Parish from the levy and collection of the Tax.

"Sales Tax Collector" means the Parish School Board of the Parish of St. Martin, State of Louisiana, or its successor as collector of local sales taxes in St. Martin Parish.

"Series Ordinance" means an ordinance adopted by the Governing Authority in accordance with Section 0 authorizing the issuance and sale of any series of Bonds.

"State" means the State of Louisiana.

"Tax" means, the one-half of one percent (1/2%) sales and use tax of the Parish authorized at an election held in the Parish on November 3, 1998, as further described in the preamble hereto.

"Variable Rate Bonds" means any series of Bonds issued with a variable, adjustable, convertible or other similar rate or rates which are not fixed for the entire term thereof.

SECTION 1.02 Rules of Interpretation. Unless the context clearly indicates to the contrary, the following rules shall apply to the interpretation and construction of this General Bond Ordinance:

words importing the singular number shall include the plural number and vice versa;

(b) all references to particular articles or sections herein are references to articles or sections of this General Bond Ordinance;

(c) the captions and headings herein are solely for convenience of reference and shall not constitute a part of this General Bond Ordinance, nor shall they affect its meaning, construction or effect;

(d) the terms "hereby," "hereof," "hereto," "herein," "hereunder" and any similar terms as used in this General Bond Ordinance refer to this General Bond Ordinance in its entirety and not the particular
(e) article or section of this General Bond Ordinance in which they appear; and

(f) the term "hereafter" means after the date of execution of this General Bond Ordinance and the term "heretofore" means before the date of the execution of this General Bond Ordinance.

ARTICLE II

AUTHORIZATION, ISSUANCE AND SALE OF BONDS

SECTION 2.01 Authorization and Issuance of Bonds. This General Bond Ordinance authorizes the issuance of indebtedness of the Parish to be designated "Sales Tax Bonds" (or "Sales Tax Refunding Bonds," as the case may be) of the Parish of St. Bernard, State of Louisiana," and provides for the full and final payment of the principal or prepayment price of and interest thereof with such supplemental designation as may be determined by the Parish to be descriptive of the indebtedness. All of the Bonds shall be issued under the authority of the Act. The Bonds shall be issued for the purpose or purposes set forth in a Series Ordinance. Proceeds of Bonds may also be used to pay Costs of Issuance, costs of Credit Enhancement, capitalized interest and any initial deposit to the Reserve Fund established in Section 5.04.

SECTION 2.02 Ordinance to Constitute Contract. In consideration of the purchase and acceptance of the Bonds by those who shall own the same from time to time, the provisions of this General Bond Ordinance shall be a part of the contract of the Parish with the Owners and shall be deemed to be and shall constitute a contract between the Parish and the Owners from time to time of the Bonds.

SECTION 2.03 Obligation of Bonds. All of the Bonds, regardless of the date of issue, shall enjoy complete parity of lien on the Net Revenues of the Tax despite the fact that any of the Bonds may be delivered at an earlier date than any other of the Bonds. Subject to the foregoing, the Net Revenues of the Tax are irrevocably and irrepealably pledged in an amount sufficient for the payment of the Bonds in principal and interest as they shall respectively become due and payable, and for the other purposes hereinafter set forth. The Revenues shall be set aside in the funds and accounts described in Section 0 and shall be and remain so pledged for the security and payment of the Bonds in principal and interest, and for all other payments provided in this General Bond Ordinance, until all of the Bonds shall be fully paid and discharged.

SECTION 2.04 Series Ordinances. The details of each series of the Bonds shall be set forth in a Series Ordinance to be adopted by the Governing Authority. Each Series Ordinance shall provide the following with respect to the applicable series of the Bonds:

(a) the purposes, dated date, series designation and principal amount, and the authority pursuant to which such series is issued;
(b) whether such series will be Capital Appreciation Bonds, Fixed Rate Bonds or Variable Rate Bonds, and a description of the applicable interest rate or rates and the first Interest Payment Date;

(c) the schedule of principal maturities or installments, or a formula for establishing same, and if such series will be Capital Appreciation Bonds a table of accreted values;

(d) the manner of payment of principal and interest;

(e) the optional and/or mandatory redemption provisions;

(f) the form or forms of bonds;

(g) the designation of the Paying Agent;

(h) the terms of sale to the purchaser thereof;

(i) the Reserve Fund Requirement and the amount, if any, of proceeds to be deposited into the Series account in the Reserve Fund;

(j) if the series is issued to refund any outstanding obligations, a description of the plan of refunding and approval of any matters necessary or convenient to effect such refunding including the designation of an escrow agent and approval of an escrow deposit agreement, if necessary;

(k) a finding by this Governing Authority that the parity requirements of Section 0 will have been met with respect to such series and that parity certifications will be delivered on the Delivery Date of the series;

(l) authorization of the Executive Officers and/or such other persons as may be so designated to execute documents in connection with such series;

(m) the designation of such series as "qualified tax-exempt obligations" under Section 265(b)(3) of the Code, if applicable;

(n) provisions for any continuing disclosure agreement as may be required by Rule 15c2-12(b) of the Securities and Exchange Commission [17 CFR §240.15c2-12(b)];

(o) provisions for any post-issuance federal tax compliance procedures as may be necessary in connection with the issuance of the series;

(p) provisions for obtaining the approval of the State Bond Commission for the issuance of such bonds and covenants with respect to compliance with applicable rules and regulations of the State Bond Commission;

(q) if such series is being sold to the Department and is subject to a Loan Agreement, the designation of the "Completion Date" and/or "Scheduled Completion Date" for such series, as applicable, and any required approval of the Loan Agreement and any other loan documents;
designation of such series as "Build America Bonds" or any similar type of tax-advantaged bonds requiring a designation at this time;

(s) provisions with respect to any Credit Enhancement; and

(t) any other additional provisions as may be necessary in connection with the issuance and sale of such series.

SECTION 2.05 Paying Agent. The Parish will at all times maintain a Paying Agent meeting the qualifications hereinafter described for the performance of the duties hereunder for the Bonds and as provided in Section 0 above will designate the Paying Agent for each series in the applicable Series Ordinance.

The Parish reserves the right to appoint a successor Paying Agent by (a) filing with the person then performing such function a certified copy of appropriate proceedings appointing a successor and (b) causing notice to be given to each Owner. Every successor Paying Agent appointed hereunder shall at all times be a bank or trust company organized and doing business under the laws of the United States of America or of any State, authorized under such laws to exercise trust powers, and subject to supervision or examination by Federal or State authority.

SECTION 2.06 Execution. The Bonds shall be executed in the name and on behalf of the Parish by the manual or facsimile signatures of the Parish President and the Clerk of the Governing Authority, and the corporate seal of the Parish (or a facsimile thereof) shall be thereunto affixed, imprinted, engraved or otherwise reproduced thereon. If facsimile signatures are used, then such signatures shall have been registered with the Louisiana Secretary of State in the manner required by La. R.S. 39:244.

SECTION 2.07 Regularity of Proceedings. The Parish, having investigated the regularity of the proceedings had in connection with the issuance of the Bonds, and having determined the same to be regular, each of the Bonds shall contain the following recital, to-wit:

"It is certified that this indebtedness is authorized by and is issued in conformity with the requirements of the Constitution and statutes of Louisiana."

ARTICLE III

PREPAYMENT OF BONDS

SECTION 3.01 Optional Prepayment of Bonds. The principal installments of the Bonds shall be subject to prepayment by the Parish in the manner set forth in the applicable Series Ordinance, pursuant to Section 0 above.

SECTION 3.02 Notice of Prepayment. Official notice of such call of any of the Bonds for prepayment shall be given via accepted means of electronic communication or by means of first class mail, postage prepaid by notice deposited
in the United States Mail not less than thirty (30) days prior to the prepayment date addressed to the Owner of each Bond to be prepaid at his address as shown on the registration records of the Paying Agent, which notice may be waived by any Owner. In the event a portion of the Bonds is to be prepaid, such Bonds shall be surrendered to the Paying Agent, who shall note the date and amount of such prepayment in the space provided therefor on the Bonds.

ARTICLE IV

APPLICATION OF BOND PROCEEDS

SECTION 4.01 Issuance of Bonds; Application of Proceeds. All of the proceeds derived from the sale of each series of the Bonds, except for any proceeds as may be designated in a Series Ordinance for deposit into the Reserve Fund or as accrued interest into the Debt Service Fund or as may be required in connection with the refunding of any indebtedness, shall be deposited by the Parish in a construction fund to be established for such series of the Bonds (the "Construction Fund"). The funds in the Construction Fund shall be used solely for the purpose of paying Costs of the Project and Costs of Issuance.

However, in the case of refunding bonds, the proceeds to be used for refunding shall be applied to the immediate prepayment of the refunded obligations, or deposited into an escrow fund, as may be set forth in a Series Ordinance.

Any accrued interest and premium received upon the sale of the Bonds shall be deposited in the Debt Service Fund described in Section 0 hereof.

SECTION 4.02 Investment of Construction Fund. Moneys in the Construction Fund may be temporarily invested in the manner provided by Louisiana law. Said moneys shall be sacred funds and the Owners shall have a lien thereon until said funds are paid out as provided in the Loan Agreement and this General Bond Ordinance. Any investment earnings on moneys in the Construction Fund may be retained in the Construction Fund and applied for the purposes described in this Section, or may be transferred to the Debt Service Fund described in Section 0 hereof and applied to the payment of interest accruing on the Bonds during the period of construction of Project.

All moneys in the Construction Fund shall at all times be secured to the full extent thereof by the banks or trust companies holding such funds by direct obligations of the United States of America or the State of Louisiana having a market value not less than the amount of moneys then on deposit in said funds.

ARTICLE V

SECURITY; PAYMENT OF BONDS; DISPOSITION OF FUNDS

SECTION 5.01 Obligation of the Bonds. The Bonds shall be secured and payable in principal and interest solely from and secured by an irrevocable pledge and dedication of the Revenues of the Tax, pursuant to the Constitution and
laws of the State, after there have first been paid from the gross avails or proceeds of the Tax the reasonable and necessary costs and expenses of collecting and administering the Tax. The Net Revenues of the Tax are hereby irrevocably and irrepealably pledged and dedicated in an amount sufficient for the payment of the Bonds in principal and interest (and for the payment of any Administrative Fee for Bonds purchased by the Department) as they shall respectively become due and payable, and for the other purposes hereinafter set forth in this General Bond Ordinance. All of the Net Revenues of the Tax shall be set aside in a separate fund, as hereinafter provided, and shall be, and remain pledged for the security and payment of the Bonds in principal and interest and for all other payments provided for in this General Bond Ordinance until the Bonds shall have been fully paid and discharged.

SECTION 5.02 Parish Obligated to Collect Tax. The Parish is obligated and is bound under the terms and provisions of law to levy, impose, enforce and collect the Tax for the full period of its authorization and to provide for all reasonable and necessary rules, regulations, procedures and penalties in connection therewith, including the proper application of the proceeds of the Tax. The Parish has a legal right to issue the Bonds and to pledge the Net Revenues of the Tax as herein provided and the Bonds issued hereunder will have a lien and privilege on the Net Revenues of the Tax until all of such Bonds have been retired as to both principal and interest. Nothing herein contained shall be construed to prevent the Parish from altering, amending or repealing from time to time as may be necessary any ordinance or resolution that provides with respect to the Tax, said alterations, amendments or repeals to be conditioned upon the continued preservation of the rights of the Owners with respect to the Net Revenues of the Tax. The ordinances imposing the Tax and pursuant to which the Tax is being levied, collected and allocated, and the obligations to continue to levy, collect and allocate the Tax and to apply the revenues therefrom in accordance with the provisions of the propositions authorizing the levy, collection and rededication of the Tax, shall be irrevocable for the full period of its authorization until the Bonds have been paid in full as to principal, premium, if any, and interest, and shall not be subject to amendment in any manner which would impair the rights of the Owners from time to time of the Bonds or which would in any way jeopardize the prompt payment of principal thereof and interest thereon. More specifically, neither the Legislature of Louisiana nor the Parish may discontinue or decrease the Tax or permit to be discontinued or decreased the Tax in anticipation of the collection of which the Bonds are being issued, or in any way make any change which would diminish the amount of the Net Revenues of the Tax pledged to the payment of the Bonds received by the Parish, until all of such Bonds shall have been retired as to both principal and interest and all amounts payable under this General Bond Ordinance and any Series Ordinance have been paid in full.

SECTION 5.03 Enforcement of Rights. The Owners of any of the Bonds may, either at law or in equity, by suit, action, mandamus or other proceeding, enforce and compel performance of all duties required to be performed as a result of issuing the Bonds and may similarly enforce the provisions of any ordinance imposing the Tax and any proceedings authorizing the issuance of the Bonds.
SECTION 5.04  Funds and Accounts.  In order that the principal of and the interest on the Bonds will be paid in accordance with their terms and for the other objects and purposes hereinafter provided, the Parish further covenants as follows:

All of the avails or proceeds of the Tax shall be deposited daily as the same may be collected to the credit of the Parish, in a separate and special bank account previously established and maintained with the regularly designated fiscal agent of the Parish to be known and designated as the "Parish of St. Bernard, State of Louisiana, Water and Sewer 1999 Sales Tax Fund" (hereinafter referred to as the "Sales Tax Fund"). Out of the funds on deposit in the Sales Tax Fund, the Parish shall first pay all reasonable and necessary expenses of collection and administration of the Tax which have not been previously withheld by the Sales Tax Collector. After payment of such expenses, the remaining balance of the proceeds of the Tax shall constitute a dedicated fund of the Parish, from which appropriations and expenditures by the Parish shall be made solely for the purposes designated in the propositions authorizing the levy of the Tax, including the payment of the Bonds, which fund shall be administered and used in the following order of priority and for the following express purposes:

(a) The establishment and maintenance of a "Sales Tax Bond Debt Service Fund" (the "Debt Service Fund"), to be held by the regularly designated fiscal agent of the Parish, sufficient in amount to pay promptly and fully the principal of and the interest and any Administrative Fee on the Bonds and any Parity Obligations as they severally become due and payable, by transferring from the Sales Tax Fund to the regularly designated fiscal agent of the Parish, monthly in advance on or before the 20th day of each month of each year any Bonds are outstanding an amount equal to the principal and/or interest accruing on the Bonds for such month, together with such additional proportionate sum as may be required to pay said principal and interest and Administrative Fee as the same respectively become due.

(b) The establishment and maintenance of a "Sales Tax Bond Reserve Fund" (the "Reserve Fund"), to be held by the regularly designated fiscal agent of the Parish, the money in the accounts of the Reserve Fund to be retained solely for the purpose of paying the principal of and interest on the respective series of the Bonds payable from the Debt Service Fund as to which there would otherwise be default. The Reserve Fund shall contain a separate account for each series of the Bonds, each such account to be designated as the "Series ________ Account" and to be funded by transferring from the proceeds of such series or from the Sales Tax Fund (after making all required payments from said fund as hereinabove described), monthly or annually, such amounts as will increase the total amount on deposit in each account in the Reserve Fund within a period not exceeding five (5) years from the Delivery Date to a sum equal to the Reserve Fund Requirement for the applicable series of the Bonds.

SECTION 5.05  Reserve Fund Surety Bond or Policy Allowed.  In lieu of or in addition to the required transfers or deposits to any account in the Reserve Fund, the Parish may cause to be deposited into such account in the Reserve Fund
a Reserve Fund Credit Facility for the benefit of the holders of the applicable series of Bonds. The Reserve Fund Credit Facility shall be payable (upon the giving of notice as required thereunder) on any due date on which monies will be required to be withdrawn from the account in the Reserve Fund and applied to the payment of principal, premium, if any, or interest on the related series of Bonds and such withdrawal cannot be met by amounts on deposit in such account in the Reserve Fund. If a disbursement is made pursuant to a Reserve Fund Credit Facility provided pursuant to this section and the Parish is, as a result, obligated either (i) to reinstate the maximum limits of such Reserve Fund Credit Facility or (ii) to deposit into the applicable account in the Reserve Fund, funds in the amount of the disbursement made under such Reserve Fund Credit Facility, or a combination of such alternatives, such obligation of the Parish shall be paid in order of priority as set forth in Section 5.04 hereof.

SECTION 5.06  Surplus Funds. All moneys remaining in the Sales Tax Fund on the 20th day of each month in excess of all reasonable and necessary expenses of collection and administration of the Tax and after making the required payments into the Debt Service Fund and the Reserve Fund for the current month and for prior months during which the required payments may not have been made, shall be considered as surplus. Such surplus may be used by the Parish for any of the purposes for which the imposition of the Tax is authorized or for the purpose of retiring any Bonds in advance of their maturities.

SECTION 5.07  Replenishment of Funds. If at any time it shall be necessary to use moneys in the Reserve Fund for the purpose of paying principal or interest on Bonds as to which there would otherwise be default, then the moneys so used shall be replaced from the revenues first thereafter received by the Sales Tax Fund, not hereinabove required to pay the expenses of collecting and administering the Tax or to pay current principal and interest requirements, it being the intention hereof that there shall be as nearly as possible at all times (after the payments contemplated by (b) above have been made) in the Reserve Fund an amount of money equal to the Reserve Fund Requirement.

SECTION 5.08  Deposit of Funds with Paying Agent. The Parish covenants that in the event the Paying Agent is an entity other than the Director of Finance, it will deposit or cause to be deposited with the Paying Agent from the moneys derived from the collection of the Tax or other funds available for such purpose, one (1) day in advance of the date on which payment of principal, premium, if any, and/or interest falls due on the Bond, funds fully sufficient to pay promptly the principal, premium, if any, and interest so falling due on such date.

SECTION 5.09  Notification of Deficiencies. As required by La. R.S. 39:1410.62, the Parish will notify the State Bond Commission, in writing, whenever (i) transfers to any fund required to be established by this Ordinance or any ordinance authorizing the issuance of indebtedness of the Parish have not been made timely or (ii) principal, interest, premiums, or other payments due on the Bonds or any other outstanding indebtedness of the Parish have not been made timely.
SECTION 5.10  Investment of Funds. All or any part of the moneys in the Sales Tax Fund, the Debt Service Fund or the Reserve Fund shall, at the written request of the Parish, be invested in investments permitted by Louisiana law maturing in five (5) years or less, and all income derived from such investment shall, to the extent at any time necessary, be liquidated and the proceeds thereof applied to the purposes for which the Sales Tax Fund is created, except that income on investments of the Reserve Fund shall be added to the Sales Tax Fund only to the extent that the amount then on deposit in said Reserve Fund equals or exceeds the Reserve Fund Requirement.

SECTION 5.11  Deposit of Funds and Security Therefor. All of the income and revenues derived or to be derived from the levy and collection of the Tax shall be deposited daily as received from the Sales Tax Collector in the Sales Tax Fund, which Fund shall be maintained separate and apart from all other funds of the Parish. The Debt Service Fund and the Reserve Fund shall be held by the depository banks as special trust funds for the purposes provided in this General Bond Ordinance, and all other funds shall be held by the designated banks as special deposits for the purposes set forth in this General Bond Ordinance, and subject to such reasonable instructions as the Governing Authority may give in writing to the banks holding such funds. The Owners are hereby granted a lien on all funds established pursuant to the requirements of this General Bond Ordinance until applied in the manner herein provided. The moneys on deposit in all of the funds herein required shall at all times be secured to the full extent thereof by the banks or trust companies holding such funds by direct obligations of the United States of America or the State of Louisiana having a market value not less than the amount of moneys then on deposit in said funds.

ARTICLE VI

ISSUANCE OF PARITY OBLIGATIONS

SECTION 6.01  Issuance of Parity Obligations; Parity Requirements. The Parish hereby covenants that it shall issue no other bonds hereunder or otherwise, or obligations of any kind or nature payable from or enjoying a lien on any part of the Net Revenues of the Tax having priority over or parity with any Outstanding Bonds, except that Parity Obligations may be issued hereunder and hereafter if the following conditions are met:

(a) If any Outstanding Bonds of the Parish are proposed to be refunded with reduced annual debt service in each Bond Year and no extension of the final maturity date, then the Parish may issue refunding bonds to effect such refunding, and such refunding bonds shall enjoy complete equality of lien with any portion of the Bonds that is still outstanding; or

(b) Parity Obligations may also be issued if all of the following conditions are met:

(i) The average Net Revenues of the Tax for the two (2) completed calendar years immediately preceding the issuance of the Parity Obligations must have been not less than one and one-third (1-1/3)
times the highest combined principal and interest requirements for any succeeding Bond Year on all Bonds then outstanding and payable from the Debt Service Fund, including the Parity Obligations theretofore issued and then outstanding and any other bonds or obligations whatsoever then outstanding which are payable from the Net Revenues of the Tax (but not including Bonds which have been refunded or provisions otherwise made for their full and complete payment and prepayment), and the Parity Obligations so proposed to be issued; provided, however, that if Parity Obligations are being issued as Variable Rate Bonds, this calculation shall be made assuming interest on said bonds at historical levels of the applicable variable rate during the previous three (3) years as determined by a nationally recognized underwriter experienced in handling bonds with similar variable rates; and provided further that this limitation may be waived or modified by the written consent of the owners of any bonds then outstanding.

(ii) The payments required to be made into the various funds provided in Section 0 hereof must be current.

(iii) The existence of the facts required by sub paragraphs (i) and (ii) above must be determined by the chief financial officer of the Parish, or by an independent firm of certified public accountants.

(iv) The proceeds of the Parity Obligations must be used solely for capital purposes for which the Net Revenues of the Tax are authorized to be expended, or to refund any Outstanding Bonds payable from a pledge of the Net Revenue of the Tax issued for such purposes.

(v) The Executive Officers of the Parish must certify that all conditions prescribed in this paragraph (b) have been met.

Any requirements set forth herein for the issuance of Parity Obligations may be waived by the Owner or Owners of the Outstanding Bonds payable from a pledge of the Net Revenues of the Tax.

ARTICLE VII

FINANCIAL RECORDS, AUDITS

SECTION 7.01 Records and Accounts; Audit Reports. The Parish will establish and maintain adequate financial records as required by the laws of the State governing financial record-keeping by political subdivisions and in accordance with generally accepted accounting principles ("GAAP") and will make these and the following records and reports available to the Owners or their authorized representatives upon request.
The Parish will cause an audit of its financial statements to be made by an independent firm of certified public accountants in accordance with the requirements of Chapter 8 of Title 24 of the Louisiana Revised Statutes of 1950, as amended. If the Department owns any of the Bonds, such audit will also be made in accordance with the requirements of (i) Circular A-133 of the U.S. Office of Management and Budget, (ii) Section 66.458 of the Catalog of Federal Domestic Assistance (CFDA Publication #66.458 - Capitalization Grants for State Revolving Funds), and/or (iii) Section 66.468 of the Catalog of Federal Domestic Assistance (CFDA #66.468 - Capitalization Grants for Drinking Water State Revolving Funds), if applicable. Upon completion, but in no event later than six (6) months after the close of the applicable Fiscal Year, the Parish shall file a copy of such audited financial statements with any Owner requesting same.

The Parish further agrees that if the Department owns any of the Bonds, the Department shall have the right to ask for and discuss with the accountant making the review and the contents of the review and such additional information as it may reasonably require.

ARTICLE VIII

FEDERAL TAX MATTERS; CONTINUING DISCLOSURE

SECTION 8.01 General Tax Covenants. In the event that any of the Bonds are issued as tax-exempt bonds for federal income tax purposes, the Parish covenants and agrees that, to the extent permitted by the laws of the State of Louisiana, it will comply with the requirements of the Code in order to establish, maintain and preserve the exclusion from "gross income" of interest on the Bonds under the Code.

If the Bonds are issued as tax exempt bonds, the Parish further covenants and agrees that it will not take any action, fail to take any action, or permit any action within its control to be taken, or permit at any time or times any of the proceeds of the Bonds or any other funds of the Parish to be used directly or indirectly in any manner, the effect of which would be to cause the Bonds to be "arbitrage bonds" or would result in the inclusion of the interest on any of the Bonds in gross income under the Code, including, without limitation, (i) the failure to comply with the limitation on investment of Bond proceeds or (ii) the failure to pay any required rebate of arbitrage earnings to the United States of America or (iii) the use of the proceeds of the Bonds in a manner which would cause the Bonds to be "private activity bonds."

ARTICLE IX

SUPPLEMENTAL BOND RESOLUTIONS

SECTION 9.01 Supplemental Ordinances Effective Without Consent of Owners. For any one or more of the following purposes, in addition to the adoption of Series Ordinances pursuant to Section 0 with respect to the issuance of additional series of the Bonds, and at any time from time to time, an ordinance supplemental hereto may be adopted, which, upon the filing with the Paying Agent
and any rating agency which is then rating the Bonds, of a notice thereof at least
fifteen (15) days prior to the adoption thereof, and thereafter with a certified copy
thereof, but without any consent of the Owners, shall be fully effective in accordance
with its terms:

(a) to add to the covenants and agreements of the Parish in this General
Bond Ordinance other covenants and agreements to be observed by the Parish
which are not contrary to or inconsistent with this General Bond Ordinance as
theretofore in effect;

(b) to add to the limitations and restrictions in this General Bond Ordinance
other limitations and restrictions to be observed by the Parish which are not contrary
to or inconsistent with this General Bond Ordinance as theretofore in effect;

(c) to surrender any right, power or privilege reserved to or conferred upon
the Parish by the terms of this General Bond Ordinance, but only if the surrender of
such right, power or privilege is not contrary to or inconsistent with the covenants
and agreements of the Parish contained in this General Bond Ordinance;

(d) to cure any ambiguity, supply any omission, or cure or correct any
defect or inconsistent provision of this General Bond Ordinance; or

(e) to insert such provisions clarifying matters or questions arising under
this General Bond Ordinance as are necessary or desirable and are not contrary to
or inconsistent with the General Bond Ordinance as theretofore in effect.

SECTION 9.02 Supplemental Ordinances Effective With Consent of
Owners. Except as provided in Sections 0 and 0, any modification or amendment of
this General Bond Ordinance or of the rights and obligations of the Parish and of the
Owners hereunder, in any particular, may be made by a supplemental ordinance,
with the written consent of the Owners of a majority of the Outstanding principal
amount of the Bonds at the time such consent is given. The Parish shall give a
notice thereof to the Paying Agent and any rating agency which is then rating any of
the Bonds, at least fifteen (15) days prior to the adoption thereof, and thereafter
shall furnish to said persons a certified copy thereof. No such modification or
amendment shall permit a change in the terms of prepayment or maturity of the
principal of any Outstanding Bonds or of any installment of interest thereon or a
reduction in the principal amount or the prepayment price thereof or in the rate of
interest thereon without the consent of the Owner of such Bonds, or shall reduce the
percentages of Bonds the consent of the Owner of which is required to effect any
such modification or amendment, or change the obligation of the Parish to levy and
collect the Tax as provided herein, without the consent of the Owners of all of the
Bonds then outstanding.

ARTICLE IX

EVENTS OF DEFAULT; REMEDIES

SECTION 10.01 Events of Default. If one or more of the following
events (in this General Bond Ordinance called "Events of Default") shall happen,
that is to say, (a) if default shall be made in the due and punctual payment of the principal of any Bond when and as the same shall become due and payable, whether at maturity or otherwise; or (b) if default shall be made in the due and punctual payment of any installment of interest on any Bond when and as such interest installment shall become due and payable; or (c) if default shall be made by the Parish in the performance or observance of any other of the covenants, agreements or conditions on its part in the General Bond Ordinance, any supplemental ordinance or in the Bonds contained and such default shall continue for a period of forty-five (45) days after written notice thereof to the Parish by the Owners of not less than 25% of the Outstanding principal amount of the Bonds; or (d) if the Parish shall file a petition or otherwise seek relief under any Federal or State bankruptcy law or similar law; then, upon the happening and continuance of any Event of Default, the Owners shall be entitled to exercise all rights and powers for which provision is made under Louisiana law.

ARTICLE IX

MISCELLANEOUS

SECTION 11.01 Defeasance. (a) If the Parish shall pay or cause to be paid to the Owners of all Bonds then Outstanding, the principal and interest and prepayment premium, if any, to become due thereon, at the times and in the manner stipulated therein and in this General Bond Ordinance, then the covenants, agreements and other obligations of the Parish to the Owners shall be discharged and satisfied. In such event, the Paying Agent shall, upon the request of the Parish, execute and deliver to the Parish all such instruments as may be desirable to evidence such discharge and satisfaction and the Paying Agent shall pay over or deliver to the Parish all moneys, securities and funds held by them pursuant to this General Bond Ordinance which are not required for the payment or prepayment of Bonds not theretofore surrendered for such payment or prepayment.

(b) Bonds or interest installments for the payment of which money shall have been set aside and shall be held in trust (through deposit by the Parish of funds for such payment or otherwise) at the maturity date thereof shall be deemed to have been paid within the meaning and with the effect expressed above in this Section if they have been defeased using Defeasance Obligations pursuant to Chapter 14 of Title 39 of the Louisiana Revised Statutes of 1950, as amended, or any successor provisions thereto.

SECTION 11.02 Parties Interested Herein. Nothing in this General Bond Ordinance expressed or implied is intended or shall be construed to confer upon, or to give to, any person or corporation, other than the Parish, the Paying Agent and the Owners any right, remedy or claim under or by reason of this General Bond Ordinance or any covenant, condition or stipulation thereof; and all the covenants, stipulations, promises and agreements in this General Bond Ordinance contained by and on behalf of the Parish shall be for the sole and exclusive benefit of the Parish, the Paying Agent and the Owners.
SECTION 11.03   No Recourse on the Bonds.  No recourse shall be had for the payment of the principal of or interest on the Bonds or for any claim based thereon or on this General Bond Ordinance against any member of the Governing Authority or officer of the Parish or any person executing the Bonds.

SECTION 11.04   Successors and Assigns.  Whenever in this General Bond Ordinance the Parish is named or referred to, it shall be deemed to include its successors and assigns and all the covenants and agreements in this General Bond Ordinance contained by or on behalf of the Parish shall bind and inure to the benefit of its successors and assigns whether so expressed or not.

SECTION 11.05   Severability.  In case any one or more of the provisions of this General Bond Ordinance or of the Bonds issued hereunder shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provision of this General Bond Ordinance or of the Bonds, but this General Bond Ordinance and the Bonds shall be construed and enforced as if such illegal or invalid provisions had not been contained therein.  Any constitutional or statutory provision enacted after the date of this General Bond Ordinance which validates or makes legal any provision of this General Bond Ordinance or the Bonds which would not otherwise be valid or legal shall be deemed to apply to this General Bond Ordinance and to the Bonds.

SECTION 11.06   Publication of Ordinance; Peremption.  This General Bond Ordinance shall be published one time in the official journal of the Parish.  For a period of thirty (30) days from the date of such publication, any person in interest shall have the right to contest the legality of this General Bond Ordinance and of the Bonds to be issued pursuant hereto and the provisions hereof securing the Bonds.  After the expiration of said thirty (30) days, no one shall have any cause of right of action to contest the legality, formality or regularity of this General Bond Ordinance or bond authorization, for any cause whatsoever.  If the question of the validity of this General Bond Ordinance or bond authorization is not raised within the thirty days, the authority to issue the Bonds and the regularity thereof, including all things pertaining to the election at which the Bonds were authorized, shall be conclusively presumed, and no court may inquire into such matters.

SECTION 11.07   Effective Date.  This General Bond Ordinance shall become effective immediately upon its adoption.
PUBLIC HEARING NOTICE

THE ST. BERNARD PARISH COUNCIL WILL HOLD A PUBLIC HEARING ON TUESDAY, MAY 7, 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 APRIL 16, 2019 COUNCIL MEETING:

Summary No. 3708
Introduced by: Administration on 4/16/19

A SUPPLEMENTAL BOND ORDINANCE AUTHORIZING THE ISSUANCE IN ONE OR MORE SERIES OF NOT EXCEEDING $10,000,000 OF TAXABLE SALES TAX BONDS, SERIES 2019, OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, IN ACCORDANCE WITH THE TERMS OF GENERAL BOND ORDINANCE No. _*_; PRESCRIBING THE FORM, AND CERTAIN TERMS AND CONDITIONS OF SAID BONDS; AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

WHEREAS, Parish of St. Bernard, State of Louisiana (the "Parish"), is now levying and collecting a one-half of one percent (1/2%) sales and use tax by virtue of an ordinance, adopted by this Parish Council of the Parish of St. Bernard, State of Louisiana (the "Governing Authority") on December 1, 1998 (the "Tax"), under the authority of an election held by the Issuer on November 3, 1998, at which the following proposition was approved by a majority of the qualified electors voting in such election, viz:

1/2% SALES TAX PROPOSITION

AUTHORITY FOR ST. BERNARD PARISH TO LEVY A 1/2% SALES TAX, FOR IMPROVEMENTS TO THE SEWER AND WATER SYSTEM IN SAID PARISH, INCLUDING AUTHORITY TO FUND THE TAX INTO BONDS, PROVIDED THAT AT LEAST 25% OF THE ANNUAL REVENUES OF THE TAX MUST BE EXPENDED TO CORRECT INFLOW AND INFILTRATION IN SEWAGE COLLECTION LINES, OR TO REPAIR DAMAGE CAUSED THEREBY, UNLESS REQUIRED FOR DEBT SERVICE ON BONDS OR OTHERWISE APPROVED BY AT LEAST TWO-THIRDS OF THE TOTAL MEMBERSHIP OF THE PARISH COUNCIL.

Shall the Parish of St. Bernard, State of Louisiana (the “Parish”), under the provisions of Article VI, Section 29(B) of the Constitution...
of the State of Louisiana of 1974, Act No. 66 of 1998, and other constitutional and statutory authority, be authorized to levy and collect a tax of one-half of one per cent (1/2%) (the "Tax"), commencing January 1, 1999, upon the sale at retail, the use, the lease or rental, the consumption, and the storage for use or consumption of tangible personal property and on sales of services in the Parish, all as defined in Chapter 2 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, as amended, with the proceeds of the Tax (after paying the reasonable and necessary costs and expenses of collecting and administering the Tax), to be dedicated and used for improvements to the sewer and water system in the Parish, title to which shall be in the public, and shall the Parish be further authorized to fund the proceeds of the Tax into bonds to be issued from time to time for the purpose of improvements to the sewer and water system in the Parish, specifically acquiring and constructing additions, extensions and improvements to the water treatment and distribution system and sewage collection, treatment and disposal system, title to which shall be in the public, to the extent and in the manner permitted by the laws of Louisiana, including Sub-Part F, Part III, Chapter 4, Title 39 of the Louisiana Revised Statutes of 1950, and other authority provided further that at least 25% of the annual revenues of the Tax must be expended to correct inflow and infiltration in sewage collection lines, or to repair damage caused thereby, unless required for debt service on bonds or otherwise approved by at least two-thirds of the total membership of the Parish Council?

WHEREAS, pursuant to the authority of the aforesaid elections, the Parish adopted an ordinance on December 1, 1998, providing for the levy and collection of the Tax (the "Tax Ordinance"); and

WHEREAS, the Parish now owns and operates a combined water and sewer system (the "System") and desires to construct, acquire, extend and improve the drinking water portion of the System (the "Project") and to finance the costs thereof through the issuance of Taxable Sales Tax Bonds (the "Bonds") payable from the net revenues of the Tax pursuant to the provisions of Part II of Chapter 4 of Subtitle II of Title 39 of the Louisiana Revised Statutes of 1950, as amended (the "Act"); and

WHEREAS, the Parish currently has no outstanding notes, bonds or other obligations payable from a pledge and dedication of the income and revenues of the Tax, EXCEPT its outstanding Sales Tax Refunding Bonds, Series 2018 which will be prepaid prior to the delivery of the Series 2019 Bonds (hereinafter defined); and

WHEREAS, on this date, this Governing Authority adopted a General Bond Ordinance entitled: "A General Bond Ordinance authorizing the issuance from time to time of Sales Tax Bonds of the Parish of St. Bernard, State of Louisiana; prescribing the form, and certain terms and conditions of said Bonds; providing for
the payment thereof in principal and interest; and providing for other matters in
connection therewith" (the "General Bond Ordinance"), which authorizes the
issuance of sales tax bonds from time to time for the purposes described therein;
and

WHEREAS, the United States of America, pursuant to the Safe Drinking
Water Act Amendments of 1996, specifically Section 300j-12 of Title 42 of the
United States Code (the "Federal Act"), is authorized to make capitalization grants
to states to be used for the purpose of providing loans or loan guarantees, or as a
source of reserve and security for leveraged loans, the proceeds of which are
deposited in a state revolving fund, or to provide other financial assistance
authorized under the Federal Act to community water systems and nonprofit non-
community water systems, other than systems owned by Federal agencies; and

WHEREAS, the State of Louisiana (the "State"), pursuant to Chapter 32 of
Title 40 of the Louisiana Revised Statutes of 1950, as amended (La. R.S. 40:2821,
et seq.) (the "State Act"), has established a Drinking Water Revolving Loan Fund
(the "State Revolving Fund") in the custody of the Louisiana Department of Health
(the "Department") to be used for the purpose of providing financial assistance for
the improvement of public drinking water systems in the State, as more fully
described in Section 2825(A)(2) of the State Act, and has authorized the
Department's Office of Public Health to establish assistance priorities and perform
oversight and other related activities with respect to the State Revolving Fund; and

WHEREAS, the Parish has made application to the Department for a loan
from the State Revolving Fund to finance a portion of the costs of the Project and
the Department has approved the Parish's application for such loan; and

WHEREAS, to represent the loan from the State Revolving Fund in a
principal amount not to exceed Ten Million Dollars ($10,000,000), it is now the
desire of this Governing Authority to fix the details necessary with respect to the
issuance of the Bonds and provide for the authorization and issuance thereof;

WHEREAS, as required by the Act, the maturities of the Bonds will be so
arranged that the total amount of principal and interest falling due in any fiscal year
shall never exceed seventy-five percent of the net revenues of the Tax in the fiscal
year in which the Bonds are issued; and

WHEREAS, the Parish desires to fix the details necessary with respect to
the issuance, sale and delivery of the Bonds, and to provide for the authorization
and issuance thereof, as hereinafter provided;

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

SECTION 1. Definitions. In addition to words and terms elsewhere defined
in the General Bond Ordinance and this First Supplemental Bond Ordinance, the
following words and terms as used in this First Supplemental Bond Ordinance shall
have the following meanings, unless some other meaning is plainly intended:
"Administrative Fee" means, with respect to the Series 2019 Bonds and any other Bonds purchased by the Department from the State Revolving Fund, the fee due by the Issuer to the Department of one-half of one percent (0.5%) per annum of the outstanding principal amount of such bonds, or such lesser amount, if any, as the Department may approve from time to time, which shall be payable in installments on each Interest Payment Date.

"Completion Date" means the date on which the operation of the completed Project financed with the proceeds of the Series 2019 Bonds is initiated or capable of being initiated, whichever is earlier, as that date is certified by the Authorized Officer (as defined in the Loan Agreement) of the Issuer, and as more fully described in the Loan Agreement.

"Department" means the Louisiana Department of Health, an executive department and agency of the State of Louisiana, and any successor to the duties and functions thereof.

"Final Loan Installment" means the final disbursement of loan proceeds (Bond proceeds) by the Department to the Issuer under the terms of the Loan Agreement, which installment may be paid no later than 180 days after the Completion Date.

"First Supplemental Ordinance" means this supplemental ordinance authorizing the issuance of the Series 2019 Bonds pursuant to the General Bond Ordinance.

"General Bond Ordinance" means the General Bond Ordinance, as described in the preambles hereof.

"Interest Payment Date" means June 1 and December 1 of each year, commencing on the first December 1 falling due after the Delivery Date (or such other semiannual dates which may be agreed upon by the Department and the Executive Officers at the delivery of the Series 2019 Bonds).

"Loan Agreement" means the Loan and Pledge Agreement to be entered into by and between the Issuer and the Department prior to the delivery of the Series 2019 Bonds, in substantially the form attached hereto as Exhibit B, and which will contain certain additional provisions relating to the Series 2019 Bonds and the Project as it may be supplemented or amended from time to time in accordance with the provisions thereof.

"Paying Agent" with respect to the Series 2019 Bonds means the Director of Finance of the Parish, unless and until a successor Paying Agent shall have assumed such responsibilities pursuant to the General Bond Ordinance.

"Principal Payment Date" means February 1 of each year on which an installment of principal falls due, as designated by the Bonds (or such other annual date as may be agreed upon by the Department and the Executive Officers at the time of delivery).
"Project" means constructing, acquiring, extending and improving the
drinking water portion of the System as described more specifically in the Loan
Agreement.

"Registrar" means the Clerk of the Issuer, unless and until a successor
Registrar shall have become such pursuant to the applicable provisions of this
Ordinance and thereafter "Registrar" shall mean such successor Registrar.

"Scheduled Completion Date" means the date designated as such in
accordance with the provisions of the Loan Agreement, regardless of whether or not
such date precedes or follows the Completion Date.

"Series 2019 Bonds" means the Taxable Sales Tax Bonds, Series 2019
authorized to be issued pursuant to this First Supplemental Ordinance and
particularly by Section 2 hereof.

Rules of Interpretation.  (A) In this First Supplemental Ordinance, unless the
context otherwise requires, (i) words importing the singular include the plural and
vice versa, (ii) words of the masculine gender shall be deemed and construed
to include correlative words of the feminine and neuter genders, and (iii) the title of
the offices used in this First Supplemental Ordinance shall be deemed to include
any other title by which such office shall be known under any subsequently adopted
charter.

(B)  In the event that any provisions of this First Supplemental
Ordinance conflict with any provisions of the Loan Agreement during the period the
Department owns any of the Series 2019 Bonds, the provisions of the Loan
Agreement shall control.

SECTION 2.  Authorization of Series 2019 Bonds.  (a) In compliance with
and under the authority of the Act, there is hereby authorized the incurring of an
indebtedness of not exceeding Ten Million Dollars ($10,000,000) for, on behalf of
and in the name of the Parish, for the purpose of paying Costs of the Project and
paying Costs of Issuance, and to represent the indebtedness, this Governing
Authority does hereby authorize the issuance of not exceeding Ten Million Dollars
($10,000,000) of Taxable Sales Tax Bonds, Series 2019, of the Parish.  The
Executive Officers may approve a different series designation if the Series 2019
Bonds are delivered after the end of 2019 or if it is in their sole judgment preferable
to do so.  The Series 2019 Bonds shall be issued in the form of a fully registered
bond, number R-1, shall be dated the Delivery Date, and shall be substantially in the
form attached hereto as Exhibit A.

(b)  The Series 2019 Bonds shall be Fixed Rate Bonds and the Interest
Payment Dates shall be December 1 and June 1 of each year, commencing
December 1, 2019.  Except as hereinafter provided, the unpaid principal of the
Bonds shall bear interest from the Delivery Date, or the most recent Interest
Payment Date to which interest has been paid or duly provided for, at a rate of one
and ninety-five hundredths percent (1.95%) per annum, said interest to be
calculated on the basis of a 360-day year, consisting of twelve (12) 30-day months
and payable on each Interest Payment Date. Interest on the Bonds on any Interest Payment Date prior to the Final Loan Installment shall be payable only on the aggregate amount of the purchase price which shall have been paid theretofore and is outstanding and shall accrue with respect to each purchase price installment only from the date of payment of such installment.

In addition to interest at the rate set forth above, at any time that the Department owns the Bonds, the Issuer will pay the Administrative Fee to the Department on each Interest Payment Date. In the event that (i) the Department owns any Bonds or the Department has pledged or assigned any Bonds in connection with its Drinking Water Revolving Loan Fund; and (ii) the Administrative Fee payable by the Issuer to the Department under the terms of the Loan Agreement is declared illegal or unenforceable by a court or an administrative body of competent jurisdiction, the interest rate borne by the Bonds shall be increased by one-half of one percent (0.50%) per annum, effective as of the date declared to be the date from which the Administrative Fee is no longer owed because of such illegality or unenforceability.

(c) The Series 2019 Bonds shall mature in twenty (20) installments of principal, payable annually on a Principal Payment Date and beginning not more than one (1) year after the Completion Date in compliance with the requirements of the Federal Act and the State Act that the first repayment of principal be not more than (1) year after the Completion Date. In no event shall the final maturity of the Bonds be more than twenty-two (22) years from the Delivery Date, and each annual installment shall be the applicable percentage shown on the following table, rounded to the nearest One Thousand Dollars ($1,000), of the outstanding principal amount of the Series 2019 Bonds (taking into account any principal forgiveness) on the day before the applicable Principal Payment Date:

<table>
<thead>
<tr>
<th>Date (December 1)</th>
<th>Percentage of Principal</th>
<th>Date (December 1)</th>
<th>Percentage of Principal</th>
</tr>
</thead>
<tbody>
<tr>
<td>2021</td>
<td>3.934%</td>
<td>2031</td>
<td>8.946%</td>
</tr>
<tr>
<td>2022</td>
<td>4.196</td>
<td>2032</td>
<td>10.066</td>
</tr>
<tr>
<td>2023</td>
<td>4.487</td>
<td>2033</td>
<td>11.467</td>
</tr>
<tr>
<td>2024</td>
<td>4.813</td>
<td>2034</td>
<td>13.270</td>
</tr>
<tr>
<td>2025</td>
<td>5.180</td>
<td>2035</td>
<td>15.675</td>
</tr>
<tr>
<td>2026</td>
<td>5.597</td>
<td>2036</td>
<td>19.044</td>
</tr>
<tr>
<td>2027</td>
<td>6.074</td>
<td>2037</td>
<td>24.100</td>
</tr>
<tr>
<td>2028</td>
<td>6.625</td>
<td>2038</td>
<td>32.530</td>
</tr>
<tr>
<td>2029</td>
<td>7.269</td>
<td>2039</td>
<td>49.395</td>
</tr>
<tr>
<td>2030</td>
<td>8.031</td>
<td>2040</td>
<td>100.00</td>
</tr>
</tbody>
</table>

In the event that the Completion Date of the Project is on or after the first Principal Payment Date stated in the Series 2019 Bonds, the principal payment schedule set forth above may be adjusted so that each payment shall be due on the December 1 that is one year later than shown above, provided that in no event shall the final principal payment be later than twenty-two (22) years from the Delivery Date. To exercise the option to defer the principal repayment schedule, the Issuer must so notify the Department in writing prior to June 1, 2021, and certify that the Completion Date will not have occurred prior to December 1, 2021.
If it is determined by the Department as of the Delivery Date that the Series 2019 Bonds are eligible for forgiveness and if the Department has sufficient authority and funding therefor, then twenty percent (20%) of the principal amount of each draw on the Series 2019 Bonds shall be forgiven by the Department, up to maximum amount of principal forgiveness of $500,000, and no interest or Administrative Fee shall accrue on the principal amount that is so forgiven; however, such forgiveness is not a condition to the issuance of the Series 2019 Bonds that such principal forgiveness be actually granted.

(d) The principal and interest on the Series 2019 Bonds shall be payable by check mailed to the registered owner of the Series 2019 Bonds (determined as of the Interest Payment Date) at the address shown on the registration books kept by the Paying Agent for such purpose, provided that payment of the final installment of principal on the Series 2019 Bonds shall be made only upon presentation and surrender of the Series 2019 Bonds to the Paying Agent.

(e) The principal installments of the Series 2019 Bonds are subject to prepayment at the option of the Parish at any time, in whole or in part, at a prepayment price of par plus accrued interest and accrued Administrative Fee, if any, to the prepayment date and in such case the remaining principal of the Series 2019 Bonds shall continue to mature in installments calculated using the percentages shown in Section 2(c) above. Notice of any such call for prepayment shall be given in the manner provided in the General Bond Ordinance.

(f) The Series 2019 Bonds shall be issued in the form of a single fully registered bond, initially numbered R-1 and shall be in substantially the form attached hereto as Exhibit A.

(g) The Director of Finance of the Parish shall be the initial Paying Agent for the Series 2019 Bonds.

(h) The Series 2019 Bonds are awarded to and sold to the Department at a price of par plus accrued interest, if any, under the terms and conditions set forth in the Loan Agreement, and after their execution and authentication by the Registrar, the Series 2019 Bonds shall be delivered to the Department or its agents or assigns, upon receipt by the Issuer of the agreed purchase price.

(i) The "Reserve Fund Requirement" for the Series 2019 Bonds shall mean one-half of the highest amount of principal, interest and Administrative Fee on the Series 2019 Bonds due in any future Bond Year (taking into consideration any principal forgiveness given by the Department), which shall be deposited by the Parish in an account in the Reserve Fund to be designated the "Series 2019 Account," to be retained solely for the purpose of paying the principal of and interest on the Series 2019 Bonds as to which there would otherwise be default, by
transferring on the 20th day of each month of each year, a sum equal to 25% of the sum being paid monthly into the Debt Service Fund until a sum equal to the Reserve Fund Requirement is on deposit therein (such amount to be accumulated therein) within a period not exceeding five (5) years from the Delivery Date. Moneys in the Series 2019 Account shall be used only to secure and make payments solely on the Series 2019 Bonds (and not on any other issues) as to which there would otherwise be default.

(j) No proceeds of the Series 2019 Bonds will be used to refund any outstanding obligations.

(k) The Series 2019 Bonds are the first series of bonds being issued under the General Bond Ordinance, therefore the parity bond requirements of Section 6.01 thereof are not applicable.

(l) The Executive Officers are each hereby empowered, authorized and directed to do any and all things necessary and incidental to carry out all of the provisions of the General Bond Ordinance and this First Supplemental Ordinance, to execute and deliver the Loan Agreement, and to cause the Series 2019 Bonds to be prepared and/or printed, to issue, execute and seal the Series 2019 Bonds and to effect delivery thereof as hereinafter provided. In connection with the issuance and sale of the Series 2019 Bonds, the Executive Officers and the Director of Finance of the Parish are each authorized, empowered and directed to execute on behalf of the Parish such additional documents, certificates and instruments as they may deem necessary, upon the advice of bond counsel, to effect the transactions contemplated by this First Supplemental Ordinance, including a Commitment Agreement. The signatures of said officers on such documents, certificates and instruments shall be conclusive evidence of the due exercise of the authority granted hereunder.

(m) The Series 2019 Bonds are not being designated as "qualified tax-exempt obligations" within the meaning of Section 265(b)(3) of the Code.

(n) It is recognized that the Parish will not be required to comply with the continuing disclosure requirements described in Rule 15c2-12(b) of the Securities and Exchange Commission [17 CFR §240.15c2-12(b)].

(o) Inasmuch as the Series 2019 Bonds are not being issued as tax-exempt or tax-advantaged bonds, no post-issuance tax compliance procedures are needed.

(p) Application to the State Bond Commission has previously been authorized.

(q) The "Completion Date" and "Scheduled Completion Date" shall have the meanings ascribed in Section 1.

(r) The Series 2019 Bonds are not being designated as "Build America Bonds" or any similar type of tax-advantaged bonds requiring a designation at this time.

(s) There will be no Credit Enhancement arrangements with respect to the Series 2019 Bonds.
This Governing Authority recognizes that the Series 2019 Bonds will be sold to the Department pursuant to its Drinking Water Revolving Loan Fund Program. In connection with this sale, the Issuer and the Department will enter into a Loan and Pledge Agreement presented by the Department to the Issuer pertaining to the Series 2019 Bonds and the Project, which Loan Agreement will be in substantially the form attached as Exhibit B hereto. The Executive Officers are hereby authorized to execute such Loan Agreement on behalf of and under the seal of the Issuer, in substantially the form attached as Exhibit B hereto, with such changes, additions and deletions as shall in the sole opinion of the Executive Officers, upon advice of counsel, be deemed appropriate under the circumstances. So long as the Department owns any portion of the Series 2019 Bonds, then to the extent that any provision of this First Supplemental Ordinance is inconsistent with or contrary to the Loan Agreement, the applicable provision of the Loan Agreement shall control. As shall be provided in the Loan Agreement, the Issuer shall comply with certain provisions of the Loan Agreement, as specified therein, regardless of whether or not the Department is the Owner and regardless of any prepayment of defeasance of the Series 2019 Bonds prior to their final stated maturity. With the advice of bond counsel, the Executive Officers are further authorized and directed to execute on behalf of the Issuer a Commitment Agreement by and between the Department and the Issuer which the Department may require as a prerequisite to the execution of the Loan Agreement, which Commitment Agreement shall be substantially in the form on file with the Clerk of the Governing Authority.

SECTION 3. Parties Interested Herein. Nothing in this First Supplemental Ordinance expressed or implied is intended or shall be construed to confer upon, or to give to, any person or corporation, other than the Parish, the Paying Agent and the Owners of the Series 2019 Bonds any right, remedy or claim under or by reason of this First Supplemental Ordinance or any covenant, condition or stipulation thereof; and all the covenants, stipulations, promises and agreements in this First Supplemental Ordinance contained by and on behalf of the Parish shall be for the sole and exclusive benefit of the Parish, the Paying Agent and the Owners of the Series 2019 Bonds.

SECTION 4. No Recourse on the Series 2019 Bonds. No recourse shall be had for the payment of the principal of or interest on the Series 2019 Bonds or for any claim based thereon or on this First Supplemental Ordinance against any member of the Governing Authority or officer of the Parish or any person executing the Series 2019 Bonds.

SECTION 5. Successors and Assigns. Whenever in this First Supplemental Ordinance the Parish is named or referred to, it shall be deemed to include its successors and assigns and all the covenants and agreements in this First Supplemental Ordinance contained by or on behalf of the Parish shall bind and inure to the benefit of its successors and assigns whether so expressed or not.

SECTION 6. Severability. In case any one or more of the provisions of this First Supplemental Ordinance or of the Series 2019 Bonds issued hereunder shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provision of this First Supplemental Ordinance or of the Series 2019 Bonds, but this First Supplemental Ordinance and the Series 2019 Bonds shall
be construed and enforced as if such illegal or invalid provisions had not been contained therein. Any constitutional or statutory provision enacted after the date of this First Supplemental Ordinance which validates or makes legal any provision of this First Supplemental Ordinance or the Series 2019 Bonds which would not otherwise be valid or legal shall be deemed to apply to this First Supplemental Ordinance and to the Series 2019 Bonds.

SECTION 7. Publication; Peremption. This First Supplemental Ordinance shall be published one time in the official journal of the Parish, or if there is none, in a newspaper having general circulation in the Parish. It shall not be necessary to publish the exhibits to this First Supplemental Ordinance but such exhibits shall be made available for public inspection at the offices of the Governing Authority at reasonable times and such fact must be stated in the publication within the official journal. For a period of thirty days after the date of such publication any persons in interest may contest the legality of this First Supplemental Ordinance and any provisions herein made for the security and payment of the Series 2019 Bonds. After such thirty day period no one shall have any cause or right of action to contest the regularity, formality, legality, or effectiveness of this First Supplemental Ordinance and the provisions hereof or of the Series 2019 Bonds authorized hereby for any cause whatsoever. If no suit, action, or proceeding is begun contesting the validity of the Series 2019 Bonds authorized pursuant to this First Supplemental Ordinance within the thirty days herein prescribed, the authority to issue the Series 2019 Bonds or to provide for the payment thereof, and the legality thereof, and all of the provisions of this First Supplemental Ordinance and such Series 2019 Bonds shall be conclusively presumed, and no court shall have authority or jurisdiction to inquire into any such matter.

SECTION 8. Effective Date. This First Supplemental Bond Ordinance shall become effective immediately upon its adoption.

BY DIRECTION OF

Richard “Richie” Lewis
RICHARD “RICHIE” LEWIS
COUNCIL CHAIR
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, MAY 7 2019 AT SEVEN O'CLOCK P.M.

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

RESOLUTION SBPC #1938-05-19

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. Singh South End Zone, LLC dba South End Zone 8241 W. St. Bernard Highway, Chalmette, La 70043 Owners: Harmanjit Singh & Ranjiy Kuar (New) (Beer & Liquor)

2. RD & RS, Inc. dba Smokes for Less #3 2400 Paris Road, Chalmette, La 70043 Owners: Jatin Desat (Renewal) (Beer Only)

3. Singh Star, LLC dba Star Gas Station 8245 W. St Bernard Highway, Chalmette, La 70043 (New) (Beer & Liquor)

4. Liza K. Inc. dba Yogi's Katz Lounge 3004 Paris Road, Chalmette, La 70043 Owner: Lisa Kelly-Levis (Renewal) (Beer & Liquor)

5. Mazinh, LLC dba St. Roch Kitchen 5840-A E. St. Judge Perez Dr., Violet, La 70092 Owner: Tuang Xua Nguyen & Gina Tran (New) (Beer Only)

6. Walgreens Louisiana Co., Inc., dba Walgreens #07415 100 W. Judge Perez Dr., Chalmette, La 70043 Manager: Dustin Mares (Renewal) (Beer & Liquor)

7. Walgreens Louisiana Co., Inc., dba Walgreens #13586 4141 E. Judge Perez Dr., Meraux, La 70075 Manager: Dustin Mares (Renewal) (Beer & Liquor)

8. 6940, LLC dba Pirogue's Whiskey Bayou 6940 St. Claude Avenue, Arabi La 70032 Members: Muriel- Anna Altikriti, Lisa McCracken, Kelly Sheeran & Gregory Strategier (Renewal) (Beer & Liquor)
9. St. Bernard Parish Government Civic Center 8245 W. Judge Perez Dr., Chalmette, La 70043 Manager: Maurine Liuzza (Renewal) (Beer & Liquor)

10. St. Bernard Parish Government Recreation 1101 Magistrate St., Chalmette, La 70043 Director: Loni Banks Thomas (Renewal) (Beer & Liquor)

11. Tripe A Quick Stop, Inc., Triple A Quick Stop 1901 E. Judge Perez Dr., Chalmette, La 70043 Owner: Aiban Ahmed Mised Ayash (Renewal) (Beer & Liquor)

12. 5303 Paris, LLC dba Paris Casino 5301 Paris Road, Chalmette, La 70043 Members: John Goerges, Gabriel Corchiani, Adam Ackel, George Ackel, III, Alan Tallo, & Alexander Ackel (Renewal) (Beer & Liquor)

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 7th day of May, 2019.
C E R T I F I C A T E

I HEREBY CERTIFY that the above and foregoing is a true and correct copy of a motion adopted at a Regular Meeting of the Council of the Parish of St. Bernard, held at Chalmette, Louisiana, on Tuesday, May 7, 2019.

Witness my hand and the seal of the Parish of St. Bernard on this 7th day of May, 2019.

ROXANNE ADAMS
CLERK OF COUNCIL

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

RESOLUTION SBPC #1939-05-19

A RESOLUTION TO REAPPOINT MEMBERS TO THE ST. BERNARD PARISH TOURIST COMMISSION.

WHEREAS, there are expired terms on the St. Bernard Parish Tourist Commission causing vacancies on said board, and;

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

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

<table>
<thead>
<tr>
<th>Member</th>
<th>Expiration Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dorothy Hill</td>
<td>May 2022</td>
</tr>
<tr>
<td>Gary Huetmann</td>
<td>May 2022</td>
</tr>
<tr>
<td>Phyllis Diecidue</td>
<td>May 2022</td>
</tr>
</tbody>
</table>

BE IT FURTHER RESOLVED, that these appointments are effective immediately with the passage of this Resolution.

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

YEAS:

NAYS:

ABSENT:

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

And the motion was declared adopted on the 7th day of May, 2019.
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, May 7, 2019.

Witness my hand and the seal of the Parish of St. Bernard on this 7th day of May, 2019.

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

RESOLUTION SBPC #1940-05-19

A RESOLUTION TO APPOINT MEMBERS TO THE AMERICANS WITH DISABILITIES ACT (ADA) BOARD.

WHEREAS, there are expired terms on the Americans with Disabilities Act (ADA) Board causing vacancies on said board, and;

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

NOW THEREFORE, BE IT RESOLVED, that the St. Bernard Parish Council, the Governing Authority, does hereby appoint the following to the Americans with Disabilities Act (ADA) Board.

<table>
<thead>
<tr>
<th>Member</th>
<th>Expiration Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Allan Molero</td>
<td>May 2021</td>
</tr>
<tr>
<td>William Deano</td>
<td>May 2022</td>
</tr>
<tr>
<td>Mary Badinger</td>
<td>May 2022</td>
</tr>
<tr>
<td>Carol Perkins</td>
<td>May 2022</td>
</tr>
<tr>
<td>Janet Hood</td>
<td>May 2023</td>
</tr>
<tr>
<td>Adrienne Lay</td>
<td>May 2023</td>
</tr>
</tbody>
</table>

BE IT FURTHER RESOLVED, that these appointments are effective immediately with the passage of this Resolution.

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

YEAS:

NAYS:

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

And the motion was declared **adopted** on the 7th day of May, 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, May 7, 2019.

Witness my hand and the seal of the Parish of St. Bernard on this 7th day of May, 2019.

________________________

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

RESOLUTION SBPC #1941-05-19

A RESOLUTION TO APPOINT MEMBERS TO THE HOME MORTGAGE AUTHORITY BOARD.

WHEREAS, there are expired terms on the Home Mortgage Authority Board causing vacancies on said board, and;

WHEREAS, there is an unexpired term on the Home Mortgage Authority Board due to the resignation of Robbie Showalter expiring April 2020, and;

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

NOW THEREFORE, BE IT RESOLVED, that the St. Bernard Parish Council, the Governing Authority, does hereby appoint the following to the Home Mortgage Authority Board.

<table>
<thead>
<tr>
<th>Member</th>
<th>Expiration Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Howard Luna</td>
<td>May 2022</td>
</tr>
<tr>
<td>Cliff Reuther</td>
<td>May 2022</td>
</tr>
<tr>
<td>Henri Dazet</td>
<td>May 2022</td>
</tr>
<tr>
<td>Mitch Perkins</td>
<td>April 2020</td>
</tr>
</tbody>
</table>

BE IT FURTHER RESOLVED, that these appointments are effective immediately with the passage of this Resolution.

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

YEAS:

NAYS:

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

And the motion was declared **adopted** on the 7th day of May, 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, May 7, 2019.

Witness my hand and the seal of the Parish of St. Bernard on this 7th day of May, 2019.

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

RESOLUTION SBPC #1942-05-19

A RESOLUTION TO RETAIN THE CONSULTING SERVICES OF ROBIN AND ASSOCIATES FOR ST. BERNARD PARISH GOVERNMENT FOR A PERIOD OF ONE (1) YEAR.

WHEREAS, the St. Bernard Parish Council, the Governing Authority of St. Bernard Parish is desirous to enter into a contract with Robin and Associates to provide consulting services on Federal and State legislative, administrative and regulatory issues, representation and information on behalf of the Parish, its people and its facilities and other matters described in the attached Exhibit “A”; and,

WHEREAS, the Council is desirous to retain the services of Robin and Associates to represent St. Bernard Parish Government for a period of one (1) year; and,

WHEREAS, this contract is effective as of April 1, 2019; and,

WHEREAS, the execution of the said contractual obligation is contingent upon the approval of the Council Chair.

NOW THEREFORE BE IT RESOLVED that the St. Bernard Parish Council is hereby retaining the services of Robin and Associates, upon execution of contractual obligation for a term of one (1) year contingent upon the approval of the Council Chair.

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 7th day of May, 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 May 7, 2019.

Witness my hand and the seal of the Parish of St. Bernard on this 7th day of May, 2019.

________________________
Roxanne Adams
Clerk of Council
CONSULTANT’S AGREEMENT

THIS AGREEMENT is executed by and between The Parish of St. Bernard, a political subdivision of the State of Louisiana, (herein called the “Company”), and represented herein by Guy McInnis its President, and Robin and Associates, (herein called the “Consultant”), represented herein by Dan A Robin, Sr.

In consideration of the mutual promises and covenants set forth herein, the Company and the Consultants agree to the following terms:

I. The Consultant’s Duties and Responsibilities

(1) The Company does hereby retain the consulting services of Consultants and Consultants hereby agrees to provide these services to the Company all according to the terms set out in this Agreement. The principal duties of Consultants shall be to provide consulting services on Federal legislative, administrative and regulatory issues, representation and information dealing with Parish Authorities, and facilities of interest to the Company.

(2) In providing the services described herein, the Consultants shall be available to the Company at times mutually agreeable to both parties during the period this Agreement is in effect.

II. Terms of the Agreement

(1) This Agreement shall be effective for a period of twelve (12) months beginning April 1, 2019.

(2) This agreement further contemplates that Consultants shall, from time to time, be called upon to provide services for the Company over and above those specified herein, but yet undefined by the Company, which services and additional compensation therefor, shall be referred to as “special projects,” the details of which shall be set forth in a separate written supplement to this Agreement at the time any “special project” is assigned by the Company to the Consultants.
III. **Compensation**

(1) Beginning April 1, 2019, the Company agrees to pay Consultants a fee of Ten Thousand Dollars ($10,000.00) per month for the period this contract is in effect, plus all necessary expenses required to carry out the terms and conditions of this Agreement, but the stated monthly fee shall not include any compensation for “special project” that may be assigned to Consultants by the Company for performance at any time subsequent to the date of this agreement.

(2) Consultants are independent contractors and, therefore, shall not be entitled to any employee benefits of the Company.

(3) Payment to the Consultants shall be by check to Robin & Associates. Consultant’s Tax I.D. Number is 72-1161374. Such payment shall discharge the Company of any further obligation with regard to the services performed for which payment has been made.

IV. **Restrictive Covenant**

So long as this Agreement remains in effect, the Consultants agrees not to provide services for others, without express consent of the Company, whether or not for compensation, for any matter that involves a conflict of interest with the Company. Potential conflicts of interest shall be brought to the attention of the Consultants or the Company, as appropriate, and resolved to the mutual satisfaction of the Consultants and the Company.

V. **Confidentiality**

Consultants acknowledge that in the course of performing assignments for the Company, Consultants will be exposed to confidential and trade secret information of the Company. Any confidential information acquired by the Consultants shall not be disclosed by Consultants to others or used for Consultant’s own benefit without the prior written consent of the Company. The
obligations of Consultants under this paragraph shall survive termination of the Agreement provided, that Consultant’s obligation to keep information which (a) was known to Consultants, as evidenced by his written records, prior to the receipt of the disclosures; or (b) hereinafter becomes generally known to the public through no fault of the Consultants.

This Agreement shall be effective on and after April 1, 2019.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement in duplicate.

Robin & Associates
81125 Hwy 1129
Covington, Louisiana 70435

BY ________________________
DAN A. ROBIN, SR.
CHIEF CONSULTANT

DATED ________________

THE PARISH OF ST. BERNARD

BY ______________________________
GUY MCINNIS
PARISH PRESIDENT

DATED ________________

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

RESOLUTION SBPC #1943-05-19

A RESOLUTION ADOPTING THE LANGUAGE ACCESS PLAN FOR ST. BERNARD PARISH GOVERNMENT.

WHEREAS, the Civil Rights Act of 1964 (Title VI, 42 U.S.C. 2000(d), Executive Order 13166 (August, 2000), and other federal and state agencies, including the Louisiana Office of Community Development, and the U.S. Department of Health and Human Services Guidance Memorandum, “Policy Guidance on the Prohibition Against National Origin Discrimination As It Affects Persons with Limited English Proficiency”, require local agencies to provide meaningful access to local government programs and services; and

WHEREAS, Louisiana Office of Community Development requires compliance with specific guidelines under this program for the receipt of funding through their agency including Community Development Block Grants, Disaster Recovery Funds, Local Government Assistance Program Grants and Community Water Enrichment Grants; and

WHEREAS, St. Bernard Parish previously approved a Language Access Policy and that policy has been implemented successfully for programs operated by the Parish’s Department of Housing and Redevelopment for many years; and

WHEREAS, a draft of this policy has been reviewed by Department heads and select project managers implementing federal grant programs and providing services to the public.

NOW THEREFORE BE IT RESOLVED, the St. Bernard Parish Council, does hereby adopt the Language Access Plan for St. Bernard Parish Government as attached.

BE IT FURTHER RESOLVED, the St. Bernard Parish Council does hereby authorize the Parish President to distribute the attached plan, as adopted, to appropriate federal and state granting agencies as may be requested or required.
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 7th day of May, 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 May 7, 2019.

Witness my hand and the seal of the Parish of St. Bernard on this 7th day of May, 2019.

ROXANNE ADAMS
CLERK OF COUNCIL
MEMORANDUM

TO: St. Bernard Parish Council

COPY: President Guy McInnis
      Ronnie Alonzo, CAO

FROM: Deborah Jan Fagan, Grants Consultant

DATE: April 29, 2019

RE: Draft Language Access Plan for Adoption

The attached Language Access Plan for St. Bernard Parish Government is presented to you for adoption. Adoption of this policy, following the specific process outlined by the State Office of Community Development, is required by several federal grant programs. The goal of the policy is to make sure language is not a barrier to the public receiving proper government services.

The policy and implementation procedure outlined in the plan are modeled after the current policy of our Housing and Redevelopment Department. That policy has been in place for several years and is working well.

The Grants Department has taken the lead in coordinating this effort since it pertains to all federal grant programs.

If there are any questions or you require any additional information, please feel free to contact me at dfagan@sbpg.net

Thank you for your time and attention to this matter.
ST. BERNARD PARISH GOVERNMENT
LANGUAGE ACCESS PLAN

Draft
April 25, 2019
A. INTRODUCTION AND BACKGROUND

The Civil Rights Act of 1964 (Title VI, 42 U.S.C. 2000(d) and Executive Order 13166 (August, 2000), and other federal and state agencies, including the Louisiana Office of Community Development and the U.S. Department of Health and Human Services Guidance Memorandum, “Policy Guidance on the Prohibition Against National Origin Discrimination As It Affects Persons with Limited English Proficiency”, require local agencies to provide meaningful access to local government programs and services. Furthermore, the Louisiana Office of Community Development requires compliance with specific guidelines under this program for the receipt of grant funding including Community Development Block Grant funds, Disaster Recovery Funds, Local Government Assistance Program grants and Community Water Enrichment Grants.

St. Bernard Parish is adopting this policy to meet these requirements and most importantly, demonstrate its commitment to provide interpreter services, or an American Sign Language Interpreter, or Telephonic Device for the Deaf (TDD) and Louisiana Relay Service number (*711) as needed.

St. Bernard Parish has a current policy for Limited English Proficiency (LEP) persons adopted by the Parish’s Department of Housing and Redevelopment. The procedures in this policy are based on that program that has successfully served the Parish for many years. Under this LAP, the policy and procedures are expanded to include all St. Bernard Parish Government grant programs.

B. DESCRIPTION OF COVERED PROGRAMS

Below listed is the federal and state grant programs currently being administered by St. Bernard Parish Government for fiscal year 2017 (latest available data):

**Louisiana Community Development Block Grant Program (CDBG)**
The CDBG Program is a federally funded program under the U.S. Department of Housing and Urban Development which provides grants to local governments for the development of viable communities by providing assistance to create living environments and economic opportunities targeted to low and moderate income populations. St. Bernard Parish has grants under the following categories:

- CDBG-Disaster Recovery Program
- CDBG- Disaster Recovery Resiliency Program (St. Bernard Integrated Water Resource Management Plan)
- CDBG traditional program for non-entitlement communities.
- Louisiana Land Trust Program
Disaster Recovery Grants
The U.S. Department of Homeland Security allocates disaster recovery public assistance funding for local governments as provided following a Presidential Major Disaster Declaration events. The grants provide funding to address infrastructure, capital improvements, economic development, and planning assistance. St. Bernard Parish currently has disaster recovery grant funding under the following programs:

- Disaster Grant - Hurricanes Katrina
- Disaster Grant – Hurricane Rita
- Disaster Grant – Hurricane Isaac
- Disaster Grant – Hurricane Gustave
- Disaster Grant – Hurricane Nate
- Disaster Grant – Hurricane Harvey
- Disaster Grant – Hurricane Irma

Hazard Mitigation Grant Program (HMGP)
The purpose of HMGP is to help communities implement hazard mitigation measures following a Presidential Major Disaster Declaration. The goal of HMGP is to enact mitigation measures that reduce the risk of loss of life and property from future disasters.

State Homeland Security Program
This program is funded by the U.S. Department of Homeland Security, Federal Emergency Management Agency, in order to provide support that achieves national preparedness goals. Funding addresses a variety of preparedness activities including planning, organization, equipment purchases, training, exercises, management and administration. St. Bernard Parish Government currently has the following program grants:

- State Homeland Security Program 2015
- State Homeland Security Program 2016
- State Homeland Security Program 2017

Emergency Management Performance Grant
The purpose of this program is to provide grants to support a system of emergency preparedness and a comprehensive all-hazards emergency preparedness system nationwide. St. Bernard Parish Government currently has the following program grants:

- Emergency Management Performance – 2017

Cities Readiness Initiative
CDC’s Cities Readiness Initiative is a federal grant program under the U.S. Department of Health and Human Services. The program aims to enhance preparedness of large cities in responding to large public health emergencies requiring life-saving medicines and medical supplies. St. Bernard Parish Government currently has the following program grants:

- Cities Readiness Initiative – 2017
Workforce Innovation and Opportunity Act (WIOA)
This act encompasses a number of programs to strengthen the U.S. workforce development system through innovation, alignment and improvement related to employment, training, and education programs in order to promote national economic growth. These grants are funded from multiple federal agencies which include, for St. Bernard Parish Government, the U. S. Department of Labor and the U.S. Department of Health and Human Services. WIOA grants target specific groups and programs and St. Bernard Parish has grants for the following:

- WIOA Adult program
- WIOA Youth Activities Program
- WIOA Displaced Workers Program
- WIOA Dislocated Workers-Job Driven NEG
- WIOA Strategies to Empower People program.

Low Income Home Energy Assistance Program (LIHEAP)
The U.S. Department of Health and Human Services’ Low Income Home Energy Assistance Program helps keep families safe and healthy through initiatives that assist families with energy costs. St. Bernard Parish Government participates in this annually funded program.

Community Services Block Grant
The U.S. Department of Health and Human Services Community Services Block Grant (CSBG) provides funds to alleviate the causes and conditions of poverty in communities. CSBG funding supports projects that reduce poverty and address the needs of low-income individuals. St. Bernard Parish Government participates in this annual program.

Coastal Zone Management
Coastal Zone Management grant funds are provided under the U.S. Department of Commerce provides financial assistance to develop and maintain approved coastal zone management programs. St. Bernard Parish Government participates in this annual program which supports staff and local coastal zone permitting functions.

Section 8 Housing Choice Vouchers
The housing choice voucher program is funded by the U.S. Department of Housing and Urban Development. It provides rental assistance that is based on the tenant’s qualifications for lower income qualified families. The choice voucher program provides increased flexibility for families to find housing in the private marketplace. St. Bernard Parish Government administers this annual grant program for Parish residents.

Community Development Capacity Grant
This U.S. Department of Housing and Urban Development grant program provides funding assistance to local agencies to develop the capacity to undertake community development and affordable housing projects and programs. St. Bernard Parish Government participates in this program to help develop the planning capacity of the Parish’s Community Development Department.

Surface Transportation Program
The Surface Transportation Program provides federal funding through the U.S. Department of Transportation’s Federal Highway Administration to improve the surface transportation system,
primarily roadways, for the public safety. St. Bernard Parish currently has two surface transportation grants including:

- Submerged Roads
- Jackson-Pakenham Roadway Restoration

Federal Transit Formula Grant
This U.S. Department of Transportation Federal Transit Agency grant program provides funding to transit agencies through a statutory formula to replace, rehabilitate and purchase buses and related equipment and to construct bus-related facilities. This program supports the operation of St. Bernard Parish Government’s transit department.

Coastal Impact Assistance Program
The Coastal Impact Assistance Program provides federal grants to oil producing states for conservation, protection, or restoration of coastal areas. For this U.S. Department of Commerce program, grant funds must be used to directly benefit renewable natural resource through as conservation, mitigation and restoration. St. Bernard Parish Government has the following current grant:

- Coastal Impact Assistance Program – Lake Lery Marsh Creation

Drinking Water Revolving Loan Fund
The Drinking Water State Revolving Fund program is a federal-state partnership to help ensure safe drinking water. Authorized under the Safe Drinking Water Act, the program provides financial support to water systems and is administered by the U.S. Environmental Protection Agency. St. Bernard Parish Government has the following current grants under this program:

- Drinking Water Revolving Loan Fund #1
- Drinking Water Revolving Loan Fund #2

Lake Pontchatrain Basin Restoration Program
Grants awarded under this program are authorized by the Clean Water Act and the Lake Pontchatrain Basin Restoration Act. Administered by the U.S. Environmental Protection Agency, projects are approved by the Lake Pontchatrain Basin Foundation in partnership with the University of New Orleans. St. Bernard Parish Government has one grant under this project.

Clean Water State Revolving Fund
This U.S. Environmental Protection Act grant program, established by the Clean Water Act, provides financial assistance program for a wide range of water infrastructure projects and allows flexibility to meet the agency’s highest priority water quality needs.

Delta Regional Authority States’ Economic Development Assistance Program
The Delta Regional Authority is a unique federal-state partnership authorized by Congress under the Delta Regional Authority Act to improve regional economic opportunity, build communities, and improve the lives of the people in an 8-state region that covers 252 counties and parishes. The main investment tool used by the Delta Regional Authority is the States’ Economic Development Assistance Program (SEDAP), which provides direct investment into community-
based and regional projects that address the Authority’s congressionally mandated funding priorities. St. Bernard Parish Government has the following grant under this program:

- St. Bernard Parish Digital Infrastructure Project

C. FOUR-FACTOR ANALYSIS

The Louisiana Office of Community Development has directed that a specified Four-factor Analysis be performed in evaluating the need for special services for Limited English Proficiency (LEP) people and grant recipients should conduct such analysis for all programs. The analysis includes the following elements:

I. The number or proportion of LEP persons likely to be encountered or eligible to be served under grant programs
II. The frequency with which LEP persons come into contact with grant programs
III. The nature and importance of the program, activity or services provided under the grant program in relation to how it might impact LEP persons
IV. Resources available and costs to the recipient

The methodology was developed and undertaken following the guidance and assessment tools outlined in the Language Access Assessment and Planning Tool for Federally Conducted and Federally Assisted Programs produced by the Federal Coordination and Compliance Section, Civil Rights Division of the U.S. Department of Justice (May, 2011)

I. Number of LEP Persons

The analysis of the number of LEP persons likely to be encountered or eligible to be served under grant programs in St. Bernard Parish is shown below. The analysis is based on data from the U.S. Census Bureau American Community Survey, Quick Facts, Quick Facts for St. Bernard Parish (July, 2018) and the U.S. Department of Education Civil Rights Data Collection, LEA Summary of Selected Facts, (2015 Survey Year).

Key facts from the above data:

| Total Population of St. Bernard Parish: | 46,721 (July, 2018) |
| Total Population less than 5 years old: | 3,411 |
| Total Population greater than 5 years old | 43,310 |

<table>
<thead>
<tr>
<th>Population That Speaks Language Other Than English in Home</th>
<th>LEP Number</th>
<th>LEP Percentage of Total St. Bernard Parish Population</th>
</tr>
</thead>
<tbody>
<tr>
<td>4,461</td>
<td>152</td>
<td>.003</td>
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</table>

Based on the above data, St. Bernard Parish Government concludes that it is unlikely our programs or activities will encounter LEP persons. However, proper steps should be taken to accommodate LEP persons should the need arise.
II. Frequency of LEP Contacts

Supervisors, managers and program staff were contacted to determine the number and type of LEP persons encountered in their programs. The following response was given for each program.

**Louisiana Community Development Block Grant Program**
Program staff does not have any record of encounters with LEP persons.

**Disaster Recovery Grants**
Program staff does not have any record of encounters with LEP persons.

**Hazard Mitigations Grant Program**
Program staff does not have any record of encounters with LEP persons.

**State Homeland Security Program**
Program staff does not have any record of encounters with LEP persons.

**Emergency Management Performance Grant**
Program staff does not have any record of encounters with LEP persons.

**Cities Readiness Initiative**
Program staff does not have any record of encounters with LEP persons.

**Workforce Innovation and Opportunity Act**
Program staff does not have any record of encounters with LEP persons.

**Low Income Home Energy Assistance Program**
Program staff does not have any record of encounters with LEP persons.

**Community Services Block Grant**
Program staff does not have any record of encounters with LEP persons.

**Coastal Zone Management**
Program staff does not have any record of encounters with LEP persons.

**Section 8 Housing Choice Vouchers**
Program staff does not have any record of encounters with LEP persons.

**Community Development Capacity Grant**
Program staff does not have any record of encounters with LEP persons.

**Surface Transportation Program**
Program staff does not have any record of encounters with LEP persons.

**Federal Transit Formula Grants**
Program staff does not have any record of encounters with LEP persons.

**Coastal Impact Assistance Program**
Program staff does not have any record of encounters with LEP persons.
Drinking Water Revolving Loan Fund
Program staff does not have any record of encounters with LEP persons.

Lake Pontchartrain Basin Restoration Program
Program staff does not have any record of encounters with LEP persons.

Clean Water State Revolving Fund
Program staff does not have any record of encounters with LEP persons.

Delta Regional Authority States’ Economic Development Assistance Program
Program staff does not have any record of encounters with LEP persons.

III. Nature and Importance of the Program and Potential Impact on LEP persons

Louisiana Community Development Block Grant Program
This program frequently deals primarily with infrastructure projects but there could be contact with LEP persons in the performance of this work and encounters with adjacent property owners. LEP persons could be encountered in the collection of data to prepare CDBG grant applications or other documentation. St. Bernard Parish Government adopts and follows a Citizen Participation Plan for each CDBG program as required by program regulations. The program will refer to this LAP plan document and policy directives as necessary to ensure proper communication is provided in carrying out all program activities.

Disaster Recovery Grants
This program frequently deals with infrastructure projects but there could be contact with LEP persons in the performance of this work and encounters with adjacent property owners. St. Bernard Parish Government adopts and follows a Citizen Participation Plan for each Disaster Recovery Program grant as required by program regulations. The program will refer to this LAP plan document and policy directives as necessary to ensure proper communication is provided in carrying out all program activities.

Hazard Mitigations Grant Program
This program frequently deals with infrastructure projects but there could be contact with LEP persons in the performance of this work and encounters with adjacent property owners. The program could also include direct benefits to citizens in implementation of select hazard mitigation measures (for example, home elevation grants). The program will refer to this LAP plan document and policy directives as necessary to ensure proper communication is provided in carrying out all program activities.

State Homeland Security Program
This program involves administrative, equipment, training and education activities for Parish staff and departments. There are no direct benefits delivered and therefore, it is unlikely that LEP persons will be encountered. Should that need arise, the program will refer to this LAP plan document and policy directives to ensure proper communication is provided in carrying out all program activities.
Emergency Management Performance Grant
This program involves administrative, equipment, training and education activities for Parish staff and departments. There are no direct benefits delivered and therefore, it is unlikely that LEP persons will be encountered. Should that need arise, the program will refer to this LAP plan document and policy directives to ensure proper communication is provided in carrying out all program activities.

Cities Readiness Initiative
This program primarily involves planning and administrative activities but could provide direct benefits to the public should those plans be implemented. If LEP persons are encountered in such a case, the program staff will refer to this LAP plan document and policy directives to ensure proper communication is provided in these emergency situations.

Workforce Innovation and Opportunity Act
These programs involve direct benefits to the public and there is potential for contact with LEP persons in carrying out all aspects of the program including promotion, application and administration. While the data and previous program experience indicate it is unlikely the program will encounter LEP persons, the program staff will refer to this LAP plan document and policy directives to ensure proper communication is provided.

Low Income Home Energy Assistance Program
This program involves direct benefits to the public and there is potential for contact with LEP persons in carrying out all aspects of the program including promotion, application and administration. While the data and previous program experience indicate it is unlikely the program will encounter LEP persons, the program staff will refer to this LAP plan document and policy directives to ensure proper communication is provided.

Community Services Block Grant
This program involves direct benefits to the public and there is potential for contact with LEP persons in carrying out all aspects of the program including promotion, application and administration. While the data and previous program experience indicate it is unlikely the program will encounter LEP persons, the program staff will refer to this LAP plan document and policy directives to ensure proper communication is provided.

Coastal Zone Management
This program involves direct benefits to the public and there is potential for contact with LEP persons in carrying out all aspects of the program including promotion, application and administration. While the data and previous program experience indicate it is unlikely the program will encounter LEP persons, the program staff will refer to this LAP plan document and policy directives to ensure proper communication is provided.

Section 8 Housing Choice Vouchers
This program involves direct benefits to the public and there is potential for contact with LEP persons in carrying out all aspects of the program including promotion, application and administration. While the data and previous program experience indicate it is unlikely the program will encounter LEP persons, the program staff will refer to this LAP plan document and policy directives to ensure proper communication is provided.
Community Development Capacity Grant
This program involves planning, training and administrative activities for Parish Community Development staff. There are no direct benefits delivered and therefore, it is unlikely that LEP persons will be encountered. Should that need arise, the program will refer to this LAP plan document and policy directives to ensure proper communication is provided in carrying out all program activities.

Surface Transportation Program
This program frequently deals with infrastructure projects but there could be contact with LEP persons in the performance of this work and encounters with adjacent property owners. The program is not likely to include direct benefits to citizens. Should the need arise the program will refer to this LAP plan document and policy directives as necessary to ensure proper communication is provided in carrying out all program activities.

Federal Transit Formula Grants
This program involves direct benefits to the public and there is potential for contact with LEP persons in carrying out all aspects of the program including promotion, application and administration. While the data and previous experience indicate it is unlikely the program will encounter LEP persons, the program staff will refer to this LAP plan document and policy directives to ensure proper communication is provided.

Coastal Impact Assistance Program
This program frequently deals with infrastructure projects but there could be contact with LEP persons in the performance of this work and encounters with adjacent property owners. The program is not likely to include direct benefits to citizens. Should the need arise the program will refer to this LAP plan document and policy directives as necessary to ensure proper communication is provided.

Drinking Water Revolving Loan Fund
This program frequently deals with infrastructure projects but there could be contact with LEP persons in the performance of this work and encounters with adjacent property owners. The program is not likely to include direct benefits to citizens. Should the need arise the program will refer to this LAP plan document and policy directives as necessary to ensure proper communication is provided.

Lake Pontchartrain Basin Restoration Program
This program involves planning and administrative activities for various Parish Developments. There are no direct benefits delivered to the public and therefore, it is unlikely that LEP persons will be encountered. Should that need arise, the program will refer to this LAP plan document and policy directives to ensure proper communication is provided in carrying out all program activities.

Clean Water State Revolving Fund
This program frequently deals with infrastructure projects but there could be contact with LEP persons in the performance of this work and encounters with adjacent property owners. The program is not likely to include direct benefits to citizens. Should the need arise the program will refer to this LAP plan document and policy directives as necessary to ensure proper communication is provided in carrying out all program activities.
Delta Regional Authority States’ Economic Development Assistance Program
This program involves planning and administrative activities for various Parish Developments. There are no direct benefits delivered to the public and therefore, it is unlikely that LEP persons will be encountered. Should that need arise, the program will refer to this LAP plan document and policy directives to ensure proper communication is provided in carrying out all program activities.

IV. Resources Available and Costs to the Recipient
The resources St. Bernard Parish Government is dedicating to this activity are described below in Section D outlining the policy and the procedures for the parish. There are no costs to the recipients for any of these services.

D. ACTION PLAN: POLICY AND PROCEDURES OF ST. BERNARD PARISH GOVERNMENT

Policy
It is the policy of St. Bernard Parish Government, including current and prospective clients and their family members, to afford a meaningful opportunity to apply for, receive or participate in, or benefit from the services and programs offered by St. Bernard Parish Government.

The procedures outlined below will reasonably ensure the necessary steps are taken that will afford LEP persons or those with impaired hearing, receive effective notice, written material or other communication concerning benefits and services.

Interpreter Services

I. The interpreter service providesinterpreters for all non-English speaking clients who need or request language assistance. Interpreters are available on the premises (bilingual staff) or are accessible by telephone.

II. The Louisiana Commission for the Deaf provides American Sign Language interpreting services. This service is accessible through an American Sign Language Interpreter and/or the Telephone Devices for the Deaf (TDD)

III. A client or citizen may, after being informed of the availability of the Interpreter Service, choose to use a family member or friend instead.

Procedures
St. Bernard Parish Government designates the Equal Opportunity (EO) Coordinator as the staff responsible for implementing methods of effective communication with LEP Persons. That staff member at the current time is John Rahaim.

The EO Coordinator will maintain, and routinely update a list of all bilingual services, organizations and staff members who are available to provide bilingual services and develop written instructions on how to gain access to these services (e.g., contact person, telephone numbers, addresses, languages available, and hours available) and conditions under which the person(s) are available.

The EO Coordinator will provide training of staff, particularly staff likely to have contact with LEP persons, with respect to St. Bernard Parish Government’s obligation to provide language
assistance and assistance to hearing impaired individuals. Staff should understand the policy and become capable of carrying it out. Training shall be conducted periodically.

The EO Coordinator will conduct regular monitoring of the Language Assistance Program to ensure that LEP persons can meaningfully access St. Bernard Parish Government programs, services and activities.

A. To request a foreign language interpreter during regular working hours:
   1. Call 504-278-4200
   2. For three-way conferences, call extension 504-278-4468
   3. Whenever possible, call in advance to request service
   4. The receptionist documents the time, department, requestor’s phone number, name, locations and language requested.

Interpreter/Translation and Deaf Services
This program provides services at no cost to all staff, clients, citizens and their relatives. These services include interpreting and translation of documents or correspondence pertinent to service the client and program.

The interpreter program is staffed by professional interpreters as well as bilingual employees and community volunteers. The Language Line Services currently offering interpreting service in 90 languages.

Spanish and Other Languages
Appointments recommended for most languages;
Mon.-Fri. 8 am – 5 pm Appointment Call: 504-278-4200

Deaf Services Program
St. Bernard Parish Government offers ASL interpretation as well as special assistance to hearing impaired individuals through the services of a contractor with the Louisiana Commission for the Deaf.
To request service:
Mon.-Fri. 8 am – 5 pm Appointments Call: 504-278-4200
504-278-4462

Written Translations
Available for English/Spanish only
For more information, call: 504-278-4200

E. APPROVAL

The LAP plan and its policies and procedures are effective immediately upon adoption by the St. Bernard Council.

Adoption Date: May 7, 2019
Last Update/Revision: May 7, 2019
On motion of XXXX, seconded by XXXX, it was moved to adopt the following emergency ordinance:

**EMERGENCY ORDINANCE SBPC #XXXX-05-19**

**SUMMARY NO. 3709**

AN EMERGENCY ORDINANCE TO AUTHORIZE THE RETENTION OF WAITZ & DOWNER TO PROVIDE LEGAL REPRESENTATION FOR ST. BERNARD PARISH GOVERNMENT AGAINST C & C MARINE AND REPAIR, L.L.C., MARQUETTE TRANSPORTATION COMPANY, L.L.C., THEIR INSURERS AND ANY OTHER RESPONSIBLE PARTIES IN CONNECTION WITH CLAIMS FOR DAMAGES ARISING FROM AN INCIDENT ON MAY 14, 2018 WHICH CAUSED DAMAGE TO THE CEMENT DOLPHIN STRUCTURE IN ST. BERNARD PARISH IN THE LOWER MISSISSIPPI RIVER AND ANY MATTERS RELATED THERETO.

WHEREAS, St. Bernard Parish Government believes it to be in the best interest of the citizens of St. Bernard Parish and St. Bernard Parish Government to retain Waitz & Downer to represent their interests in the above matters.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

**SECTION 1.** The St. Bernard Parish Council, the Governing Authority, does hereby approve and authorize the hiring of private counsel to represent St. Bernard Parish Government solely in the matters against C & C Marine and Repair, L.L.C., Marquette Transportation Company, L.L.C., their insurers and any other responsible parties in connection with claims for damages arising from an incident on May 14, 2018 which caused damage to the cement dolphin structure in St. Bernard Parish in the Lower Mississippi River and any matters related thereto pursuant to the contract attached as Exhibit A.

**SECTION 2.** Compensation. The compensation shall be pursuant to the contract attached as Exhibit

**SECTION 3.** 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 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 of this Ordinance with the invalid portions omitted.

SECTION 5. The Parish President is hereby authorized to enter into a contract for legal services as provided in the attached contract and in accordance with section 4-02 (b) of the Home Rule Charter.

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

YEAS:

NAYS:

ABSENT:

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

And the motion was declared adopted on the 7th day of May, 2019.
May 7, 2019

Parish President

________________________________________
Guy McInnis

Returned to Clerk of the Council

________________________________________
Date and Time

Received by

________________________________________
Contingency Fee Contract

St. Bernard Parish Government (hereinafter referred "Client") does hereby employ and retain WAITZ & DOWNER, on my behalf against C & C Marine and Repair, L.L.C. and Marquette Transportation Company, L.L.C., their insurers and any other responsible parties in connection with claims for damages arising from an incident on May 14, 2018, which caused damage to the cement dolphin structure in St. Bernard Parish in the Lower Mississippi River.

In consideration of WAITZ & DOWNER performing these legal services, Client agrees to pay to WAITZ & DOWNER twenty-five percent (25%) of the total amount of any settlement, compromise, award, or judgment. Client further grants to WAITZ & DOWNER an interest in the subject matter of this claim and/or suit. Client stipulates that the suit or claim may not be settled, compromised, released, discontinued, or otherwise disposed of without my consent. In the event that Client terminates WAITZ & DOWNER without cause from my representation, Client will still be responsible for the fee earned by WAITZ & DOWNER for services rendered to prosecute the case completed through the time of termination.

Client hereby agrees that WAITZ & DOWNER and any associated attorneys shall receive and recover from any settlement, compromise, verdict or judgment any and all costs, disbursements, expenses and advances incurred by them in prosecuting this claim. Said expenses are to be repaid from any recovery in addition to and after payment of the attorney’s fee. Client authorizes said attorneys to incur such costs, expenses, disbursements, and advances, as needed, for the proper prosecution of the claim. If nothing is recovered, the client owes the attorney nothing.

Client expressly authorizes WAITZ & DOWNER to associate any other counsel who may be needed to assist in my case, who will assume joint responsibility for the handling of my case, and have been advised of and do not object to the participation of the above attorneys and the division of any attorney’s fee between them and understand that the fee will not exceed the 25% contingency fee.

CLIENT HAS READ AND FULLY UNDERSTANDS THE ABOVE CONTRACT.

Entered into on the _______ day of ___________________, 20___

ST. BERNARD PARISH GOVERNMENT

BY: ______________________________
Print name: ______________________________
By Resolution of St. Bernard Parish Council
No. __________

WITNESS:

____________________________________

The foregoing agreement is hereby accepted on this ____ DAY OF ______________, 20__.
On motion of XXXX, seconded by XXXX, it was moved to adopt the following ordinance:

**Summary No. 3700**

Introduced by: Councilmember Luna  
Planning Commission Recommended **APPROVAL** on 4/23/19  
Public Hearing held on 5/7/19

**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 7th day of May, 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 ___________________________
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 adopt the following ordinance:

Summary No. 3703
Introduced by: Council on 4/16/19
Public Hearing held on 5/7/19

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.
May 7, 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 7th day of May, 2019.

__________________________  ___________________________
ROXANNE ADAMS            RICHARD "RICHEL" 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                         ____________________________
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\[ \text{Net Effect on Fund Balance} \]

\[ \$ - \quad \$ 6,372 \]

*This Budget Amendment is to budget increase the Clerk of Council salary to comply with Ordinance SBPG #1285-02-12.*
On motion of XXXX, seconded by XXXX, it was moved to adopt the following ordinance:

**Summary No. 3704**  
Introduced by: Administration on 4/16/19  
Public Hearing held on 5/7/19

AN ORDINANCE GRANTING LAKE BORGNE BASIN LEVEE DISTRICT A TEMPORARY WORK AREA 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 work area 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 work area 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.
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 7th day of May, 2019.
TEMPORARY WORK AREA 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

PARISH OF ST. BERNARD

Parcel 8 – 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 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 8: The land depicted on the map attached hereto as Exhibit “A” and made a part hereof as “Parcel 8,” being a parcel of land on the
flood side of the Mississippi River Levee, to the extent of Grantor’s ownership thereof.

The servitude granted hereby as to Parcel 8 is a Temporary Work Area Servitude, which is a temporary and assignable servitude, easement, and right of way in, on, over, and across Parcel 8 for two years beginning on May 1, 2019, for use by Grantee and its representatives, agents, contractors, and assignees as a work area, including the right to deposit fill, spoil, and waste material thereon, to move, store, and remove equipment and supplies, to erect and remove temporary structures on the land, and to perform any other work necessary and incident to the construction of the Project, together with the right to trim, cut, fell, and remove therefrom all trees, underbrush, obstructions, and any other vegetation, structures, or obstacles within the limits of the right of way; 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.

At completion of construction of the Project, Grantee shall return Parcel 8, 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 Work Area 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 Work Area 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:

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GRANTOR:

ST. BERNARD PARISH
GOVERNMENT

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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.: 

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

Summary No. 3706
Introduced by: Administration on 4/16/19
Public Hearing held on 5/7/19

A SUPPLEMENTAL BOND ORDINANCE AUTHORIZING THE ISSUANCE OF NOT EXCEEDING SIX MILLION DOLLARS ($6,000,000) OF TAXABLE UTILITIES REVENUE BONDS, SERIES 2019, OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, IN ACCORDANCE WITH THE TERMS OF A GENERAL BOND ORDINANCE ADOPTED ON APRIL 21, 2015; PRESCRIBING THE FORM, AND CERTAIN TERMS AND CONDITIONS OF SAID BONDS; AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

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

WHEREAS, on April 21, 2015, this Parish Council of the Parish of St. Bernard, State of Louisiana, acting as the governing authority of the Parish (the "Governing Authority"), adopted a General Bond Ordinance entitled: "A General Bond Ordinance authorizing the issuance from time to time of Utilities Revenue Bonds of the Parish of St. Bernard, State of Louisiana; prescribing the form, and certain terms and conditions of said Bonds; establishing funds and accounts relating to said Bonds; providing for the payment thereof in principal and interest including a rate covenant relating thereto; and providing for other matters in connection therewith" (the "General Bond Ordinance"), which authorizes the issuance of bonds from time to time for the purpose of paying the cost of acquiring, constructing, extending and improving the System; and

WHEREAS, on April 21, 2015, this Governing Authority adopted a First Supplemental Bond Ordinance (the "First Supplemental Bond Ordinance") authorizing the issuance of not exceeding $11,000,000 of Taxable Utilities Revenue Bonds, Series 2015 (the "Series 2015 Bonds"), for the purpose of financing the acquisition and construction of improvements to the drinking water portion of the
System, which bonds were sold to the Drinking Water State Revolving Loan Fund and delivered on June 25, 2015; and

WHEREAS, on October 6, 2015, this Governing Authority adopted a Second Supplemental Bond Ordinance (the "Second Supplemental Bond Ordinance") authorizing the issuance of not exceeding $10,000,000 of Taxable Utilities Revenue Bonds, Series 2015A (the "Series 2015A Bonds"), for the purpose of financing the acquisition and construction of improvements to the sewer portion of the System, which bonds were sold to the Clean Water State Revolving Fund and delivered on December 1, 2015; and

WHEREAS, on January 17, 2017, this Governing Authority adopted a Third Supplemental Bond Ordinance (the "Third Supplemental Bond Ordinance") authorizing the issuance of not exceeding $13,000,000 of Taxable Utilities Revenue Bonds, Series 2017 (the "Series 2017 Bonds" and together with the Series 2015 Bonds and Series 2015A Bonds, the "Outstanding Parity Bonds"), for the purpose of financing the acquisition and construction of improvements to the drinking water portion of the System, which bonds were sold to the Drinking Water State Revolving Loan Fund and delivered on May 18, 2017; and

WHEREAS, pursuant to Part II of Chapter 4 of Subtitle II of Title 39 of the Louisiana Revised Statutes of 1950, as amended (La. R.S. 39:501, et seq.), and other constitutional and statutory authority (the "Act"), it is the desire of this Governing Authority to provide for the issuance of additional revenue bonds of the Parish, for the purpose of paying the cost of constructing, acquiring, extending and improving the sewer portion of the System and paying the costs of issuance of such bonds; and

WHEREAS, the Parish now wishes to issue not exceeding Six Million Dollars ($6,000,000) of Taxable Utilities Revenue Bonds, Series 2019, with an equal lien on and dedication of the income and revenues of the System with Outstanding Parity Bonds; and

WHEREAS, the United States of America, pursuant to the Clean Water Act of 1972, as amended by the Water Quality Act of 1987, specifically Subchapter VI, Chapter 26 of Title 33 of the United States Code (the "Federal Act"), is authorized to make capitalization grants to states to be used for the purpose of establishing a water pollution control revolving fund for providing assistance (i) for construction of treatment works (as defined in Section 1292 of the Federal Act) which are publicly owned, (ii) for implementing a management program under Section 1329 of the Federal Act and (iii) for developing and implementing a conservation and management plan under Section 1330 of the Federal Act; and
WHEREAS, the State of Louisiana (the "State"), pursuant to Subtitle II, Chapter 14 of Title 30 of the Louisiana Revised Statutes of 1950, as amended, specifically La. R.S. 30:2301, et seq. (the "State Act"), has established a Clean Water State Revolving Fund (the "State Revolving Fund") in the custody of the Department of Environmental Quality (the "Department") to be used for the purpose of providing financial assistance for the improvement of wastewater treatment facilities in the State, as more fully described in Section 2302 of the State Act, and has authorized the Department to administer the State Revolving Fund in accordance with applicable federal and state law; and

WHEREAS, the Parish has made application to the Department for a loan from the State Revolving Fund to finance a portion of the costs of the Project and the Department has approved the Parish's application for such loan; and

WHEREAS, the Bonds will be issued to represent the Parish's obligation to repay the loan from the State Revolving Fund; and

WHEREAS, the Parish desires to fix the details necessary with respect to the issuance, sale and delivery of the Bonds, and to provide for the authorization and issuance thereof, as hereinafter provided;

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

SECTION 1. Definitions. In addition to words and terms elsewhere defined in the General Bond Ordinance and this Fourth Supplemental Bond Ordinance, the following words and terms as used in this Fourth Supplemental Bond Ordinance shall have the following meanings, unless some other meaning is plainly intended:

"Act" means Part II of Chapter 4 of Subtitle II of Title 39 of the Louisiana Revised Statutes of 1950, as amended (La. R.S. 39:501, et seq.), and other constitutional and statutory authority supplemental thereto.

"Administrative Fee" means, with respect to the 2019 Bonds and any other Bonds purchased by the Department from the Clean Water State Revolving Fund, the annual fee equal to one-half of one percent (0.5%) per annum of the outstanding principal amount of such bonds, or such lesser amount as the Department may approve from time to time, which shall be payable each year in two equal semi-annual installments on each Interest Payment Date.
"Authorized Officers" means collectively the Parish President and Clerk of the Council of the Parish, or such other person or persons authorized pursuant to a resolution or ordinance of the Governing Authority to act as an authorized officer of the Parish to perform any act or execute any document relating to the Loan, the Bonds or the Loan Agreement.

"Completion Date" means, the earlier of (i) the date of the final disbursement of the purchase price of the 2019 Bonds to the Parish or (ii) the date that operation of the Project is initiated or capable of being initiated, as certified in accordance with the Loan Agreement.

"Consulting Engineer" means a regionally known consulting engineer or firm of consulting engineers with skill and experience in the construction and operation of publicly owned drinking water and wastewater disposal systems.

"Department" means the Louisiana Department of Environmental Quality, an executive department and agency of the State, and any successor to the duties and functions thereof.

"Fourth Supplemental Ordinance" means this ordinance authorizing the issuance of the 2019 Bonds.

"General Bond Ordinance" means the General Bond Ordinance described in the preambles hereof.

"Loan" means the loan made by the Department from the Clean Water State Revolving Fund to the Parish pursuant to the Loan Agreement, the obligation to repay which Loan is evidenced by the Bonds.

"Loan Agreement" means the Loan and Pledge Agreement to be entered into by and between the Department and the Parish prior to the delivery of the Bonds, in substantially the form attached hereto as Exhibit B, which will contain certain additional agreements relating to the Bonds and the Project, as it may be supplemented or amended from time to time in accordance with the provisions thereof.

"Paying Agent" with respect to the 2019 Bonds means the Director of Finance of the Parish, unless and until a successor Paying Agent shall have assumed such responsibilities pursuant to the General Bond Ordinance.

"Principal Payment Date" means each June 1 (or such other annual payment date as may be approved by the Authorized Officers in the manner set forth in Section 2), commencing not later than one year after the completion of the Project and the final payment date to fall not exceeding nineteen years from the first principal payment date thereafter for a total of twenty (20) consecutive annual payment dates, providing that in no event shall the final maturity of the 2019 Bonds be more than twenty-two (22) years from the date of the 2019 Bonds.

"Purchaser" means the Department, being the original purchaser of the Bonds.

"Project" means the acquisition, construction, extensions and improvement to the System which shall constitute a work of public improvement for the Parish, as further described in the Loan Agreement.

"Reserve Fund Requirement" means as of any date of calculation, a sum equal to one-half of the maximum principal and interest requirements for any succeeding Bond Year on the 2019 Bonds. The Reserve Fund Requirement for any issue(s) of Parity Obligations shall be defined in the ordinance(s) authorizing the issuance of such Parity Obligations.

"2019 Bonds" means the Parish's Taxable Utilities Revenue Bonds, Series 2019, authorized to be issued by this Fourth Supplemental Ordinance and particularly by Section 2 hereof in the total aggregate principal amount of not exceeding Six Million Dollars ($6,000,000), and any bond of said issue, whether initially delivered or issued in exchange for, upon transfer of, or in lieu of any previously issued.

SECTION 2. Authorization of Series 2019 Bonds. (a) In compliance with and under the authority of the Act and other constitutional and statutory authority supplemental thereto, there is hereby authorized the incurring of an indebtedness of not exceeding Six Million Dollars ($6,000,000) for, on behalf of and in the name of the Parish, for the purpose of financing the project and paying the costs of issuance of the 2019 Bonds, and to represent the indebtedness, this Governing Authority does hereby authorize the issuance of not exceeding Six Million Dollars ($6,000,000) of Taxable Utilities Revenue Bonds, Series 2019, of the Parish. The 2019 Bonds shall be initially issued in the form of a single fully registered Bond numbered R-1, shall be dated the date of delivery thereof and shall be in
substantially the form attached hereto as Exhibit A. The Authorized Officers may approve a different series designation if the 2019 Bonds are delivered after the end of 2019 or if it is in their sole judgment preferable to do so. The Authorized Officers may also approve different semi-annual interest payment dates (e.g. January 1 & July 1, February 1 & August 1, etc.) as well as a different annual principal payment date if it is their sole judgment preferable to do so when the actual delivery date of the 2019 Bonds is known, provided that the final maturity date of the 2019 Bonds is no later than twenty-two years from the date of delivery.

(b) The 2019 Bonds shall be Fixed Rate Bonds and the Interest Payment Dates shall be June 1 and December 1 of each year in which interest on the 2019 Bonds is payable, the first of which shall occur after the delivery of the 2019 Bonds to the Department and which shall occur semi-annually thereafter until the 2019 Bonds are paid in full. The unpaid principal of the 2019 Bonds shall bear interest from the date thereof, or the most recent Interest Payment Date to which interest has been paid or duly provided for, at the rate of forty-five hundredths of one percent (0.45%) per annum, said interest to be calculated on the basis of a 360-day year consisting of twelve 30-day months and payable on each Interest Payment Date. Interest on the 2019 Bonds on any Interest Payment Date shall be payable only on the aggregate amount of the purchase price which shall have been paid theretofore to the Parish and is outstanding and shall accrue with respect to each purchase price installment only from the date of payment of such installment. In addition to interest at the rate set forth above, at any time that the Department owns the 2019 Bonds the Parish will pay the Administrative Fee to the Department on each Interest Payment Date. In the event (i) the Department owns any 2019 Bonds or the Department has pledged or assigned any 2019 Bonds in connection with its Clean Water State Revolving Fund and (ii) the Administrative Fee payable by the Parish to the Department under the terms of the Loan Agreement is declared illegal or unenforceable by a court or an administrative body of competent jurisdiction, the interest rate borne by the 2019 Bonds shall be increased by one-half of one percent (0.50%) per annum, effective as of the date declared to be the date from which the Administrative Fee is no longer owed because of such illegality or unenforceability. The Administrative Fee shall be calculated in the same manner as interest on the 2019 Bonds.

(c) The 2019 Bonds shall mature in twenty (20) installments of principal, payable annually on each June 1 and each annual installment shall be the applicable percentage shown in the following table, rounded to the nearest One Thousand Dollars ($1,000), of the outstanding principal amount of the 2019 Bonds on the day before the applicable Principal Payment Date:
<table>
<thead>
<tr>
<th>Date (December 1)</th>
<th>Percentage of Principal</th>
<th>Date (December 1)</th>
<th>Percentage of Principal</th>
</tr>
</thead>
<tbody>
<tr>
<td>2021</td>
<td>4.564%</td>
<td>2031</td>
<td>9.580%</td>
</tr>
<tr>
<td>2022</td>
<td>4.827</td>
<td>2032</td>
<td>10.696</td>
</tr>
<tr>
<td>2023</td>
<td>5.120</td>
<td>2033</td>
<td>12.090</td>
</tr>
<tr>
<td>2024</td>
<td>5.448</td>
<td>2034</td>
<td>13.884</td>
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<tr>
<td>2025</td>
<td>5.817</td>
<td>2035</td>
<td>16.275</td>
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<tr>
<td>2026</td>
<td>6.235</td>
<td>2036</td>
<td>19.624</td>
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<tr>
<td>2027</td>
<td>6.712</td>
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<td>24.647</td>
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<tr>
<td>2028</td>
<td>7.264</td>
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<td>2029</td>
<td>7.907</td>
<td>2039</td>
<td>49.764</td>
</tr>
<tr>
<td>2030</td>
<td>8.667</td>
<td>2040</td>
<td>100.000</td>
</tr>
</tbody>
</table>

(d) The principal and interest on the 2019 Bonds shall be payable by check mailed to the registered owner of the 2019 Bonds (determined as of the Interest Payment Date) at the address shown on the registration books kept by the Paying Agent for such purpose, provided that payment of the final installment of principal on the 2019 Bonds shall be made only upon presentation and surrender of the 2019 Bonds to the Paying Agent.

(e) The principal installments of the 2019 Bonds are subject to prepayment at the option of the Parish at any time, in whole or in part, at a prepayment price of par plus accrued interest and accrued Administrative Fee, if any, to the prepayment date and in such case the remaining principal of the 2019 Bonds shall continue to mature in installments calculated using the percentages shown in Section 2(c) above. Official notice of such call for prepayment shall be given in the manner provided in the General Bond Ordinance.

(f) The 2019 Bonds shall be issued in the form of a single fully registered bond, initially numbered R-1, and shall be in substantially the form attached hereto as Exhibit A.

(g) The Director of Finance of the Governing Authority shall be the initial Paying Agent for the 2019 Bonds.

(h) The 2019 Bonds are hereby awarded to and sold to the Department at a price of par plus accrued interest, if any, under the terms and conditions set forth in the Loan Agreement, and after their execution, the 2019 Bonds shall be delivered to the Department or its agents or assigns, upon receipt by the Parish of the agreed first advance of the purchase price. Pursuant to R.S. 39:505(B), the
District has determined to sell the Bonds at a private sale without necessity of publication of a notice of sale. It is understood that the purchase price of the Bonds will be paid by the Department to the District in installments, in the manner and under the terms and conditions set forth in the Loan Agreement.

(i) No proceeds of the 2019 Bonds shall be deposited into the Reserve Fund, however upon the delivery of the 2019 Bonds the Parish shall establish the "Series 2019 Account" in the Reserve Fund which shall be funded monthly in advance on or before the 20th day of each month of each year, commencing with the month following the delivery of the 2019 Bonds, with a sum at least equal to at least twenty five percent (25%) of the amount to be paid into the Debt Service Fund with respect to the 2019 Bonds, the payments into the Series 2019 Account to continue until such time as there has been accumulated in the Series 2019 Account a sum equal to the Reserve Fund Requirement, as defined above. Moneys in the Series 2019 Account shall be used to secure and make payments solely on the 2019 Bonds (and not on any other issues) as to which there would otherwise be default. No changes are required at this time with respect to the Contingencies Fund established in the General Bond Ordinance.

(j) No proceeds of the 2019 Bonds will be used to refund any outstanding obligations.

(k) This Governing Authority finds and determines that the parity requirements of Section 6.01 of the General Bond Ordinance will have been met with respect to the 2019 Bonds, and at the time of payment of the initial installments of the purchase price of the 2019 Bonds the Parish will deliver a parity certification, or the Governing Authority at that time will have received a waiver of the parity requirements from the owners of the Outstanding Parity Bonds.

(l) The Authorized Officers are each hereby empowered, authorized and directed to do any and all things necessary and incidental to carry out all of the provisions of the General Bond Ordinance and this Fourth Supplemental Ordinance, to execute and deliver the Loan Agreement, and to cause the 2019 Bonds to be prepared and/or printed, to issue, execute and seal the 2019 Bonds and to effect delivery thereof as hereinafter provided. In connection with the issuance and sale of the 2019 Bonds, the Authorized Officers and the Director of Finance of the Governing Authority are each authorized, empowered and directed to execute on behalf of the Parish such additional documents, certificates and instruments as they may deem necessary, upon the advice of bond counsel, to effect the transactions contemplated by this Fourth Supplemental Ordinance. The signatures of said officers on such documents, certificates and instruments shall be conclusive evidence of the due exercise of the authority granted hereunder.
(m) The Bonds are not being designated as "qualified tax-exempt obligations" within the meaning of Section 265(b)(3) of the Code.

(n) The Bonds are not being designated as "Build America Bonds" or any similar type of tax-advantaged bonds requiring a designation at this time.

(o) It is recognized that the Parish will not be required to comply with the continuing disclosure requirements described in the Rule 15c2-12(b) of the Securities and Exchange Commission [17 CFR §240.15c2-12(b)], because (i) the 2019 Bonds are not being purchased by a broker, dealer or municipal securities dealer acting as an underwriter in a primary offering of municipal securities, and (ii) the 2019 Bonds are being sold to only one financial institution (i.e., no more than thirty-five persons), which has such knowledge and experience in financial and business matters that it is capable of evaluating the merits and risks of the prospective investment in the 2019 Bonds and is not purchasing the 2019 Bonds for more than one account or with a view to distributing the Bonds.

(p) Inasmuch as the Bonds are not being issued as tax-exempt or tax-advantaged bonds, no post-issuance tax compliance procedures are needed.

(q) Application to the State Bond Commission has previously been authorized.

(r) There will be no Credit Enhancement with respect to the 2019 Bonds.

(s) The Loan Agreement, in substantially the form attached hereto as Exhibit B, is hereby approved, and the Authorized Officers are authorized to execute and deliver the aforesaid documents on behalf of the Parish, with such changes as may be deemed necessary, upon the advice of counsel, in connection with the 2019 Bonds. The Authorized Officers are further authorized to execute and deliver any supplemental loan agreement or cooperative endeavor agreement as may be necessary in connection with any additional subsidization offered by the Department.

With the advice of Bond Counsel, the Authorized Officers are further authorized and directed to execute on behalf of the Issuer a Commitment Agreement by and between the Department and the Issuer which the Department may require as a prerequisite to the execution of the Loan Agreement, said Commitment Agreement to be substantially in the form of the Commitment Agreement on file with the Clerk of the Governing Authority.
SECTION 3.  Davis-Bacon Wage Rate Requirements. The Parish agrees that all laborers and mechanics employed by contractors and subcontractors on the portion of the project that is funded in whole or in part with the 2019 Bonds purchased by the Department shall be paid wages at rates not less than those prevailing on projects of a character similar in the locality of the Parish as determined by the Clerk of the United States Department of Labor ("DOL") in accordance with Subchapter IV of Chapter 31 of Title 40, United States Code. DOL provides all pertinent information related to compliance with the foregoing requirements, including prevailing wage rates and instructions for reporting. The Parish will ensure that all construction contracts relating to the portion of the Project that is funded in whole or in part with 2019 Bonds purchased by the Department will require that the contractor comply with the aforesaid wage and reporting requirements. This section shall not apply to situations where the Parish may perform construction work using its own employees rather than any contractor or subcontractor.

SECTION 4. Parties Interested Herein. Nothing in this Fourth Supplemental Ordinance expressed or implied is intended or shall be construed to confer upon, or to give to, any person or corporation, other than the Parish, the Paying Agent and the Owners of the Series 2019 Bonds any right, remedy or claim under or by reason of this Fourth Supplemental Ordinance or any covenant, condition or stipulation thereof; and all the covenants, stipulations, promises and agreements in this Fourth Supplemental Ordinance contained by and on behalf of the Parish shall be for the sole and exclusive benefit of the Parish, the Paying Agent and the Owners of the 2019 Bonds.

SECTION 5. No Recourse on the 2019 Bonds. No recourse shall be had for the payment of the principal of or interest on the 2019 Bonds or for any claim based thereon or on this Fourth Supplemental Ordinance against any member of the Governing Authority or officer of the Parish or any person executing the 2019 Bonds.

SECTION 6. Successors and Assigns. Whenever in this Fourth Supplemental Ordinance the Parish is named or referred to, it shall be deemed to include its successors and assigns and all the covenants and agreements in this Fourth Supplemental Ordinance contained by or on behalf of the Parish shall bind and enure to the benefit of its successors and assigns whether so expressed or not.

SECTION 7. Severability. In case any one or more of the provisions of this Fourth Supplemental Ordinance or of the 2019 Bonds issued hereunder shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provision of this Fourth Supplemental Ordinance or of the 2019
May 7, 2019

Bonds, but this Fourth Supplemental Ordinance and the 2019 Bonds shall be construed and enforced as if such illegal or invalid provisions had not been contained therein. Any constitutional or statutory provision enacted after the date of this Fourth Supplemental Ordinance which validates or makes legal any provision of this Fourth Supplemental Ordinance or the 2019 Bonds which would not otherwise be valid or legal shall be deemed to apply to this Fourth Supplemental Ordinance and to the 2019 Bonds.

SECTION 8. Publication; Peremption. This Fourth Supplemental Ordinance shall be published one time in the official journal of the Parish, or if there is none, in a newspaper having general circulation in the Parish. It shall not be necessary to publish the exhibits to this Fourth Supplemental Ordinance but such exhibits shall be made available for public inspection at the offices of the Governing Authority at reasonable times and such fact must be stated in the publication within the official journal. For a period of thirty (30) days after the date of such publication any persons in interest may contest the legality of this Fourth Supplemental Ordinance and any provisions herein made for the security and payment of the 2019 Bonds. After such thirty day period no one shall have any cause or right of action to contest the regularity, formality, legality, or effectiveness of this Fourth Supplemental Ordinance and the provisions hereof or of the 2019 Bonds authorized hereby for any cause whatsoever. If no suit, action, or proceeding is begun contesting the validity of the 2019 Bonds authorized pursuant to this Fourth Supplemental Ordinance within the thirty days herein prescribed, the authority to issue the 2019 Bonds or to provide for the payment thereof, and the legality thereof, and all of the provisions of this Fourth Supplemental Ordinance and such 2019 Bonds shall be conclusively presumed, and no court shall have authority or jurisdiction to inquire into any such matter.

SECTION 9. Effective Date. This Fourth Supplemental Ordinance shall become effective immediately.

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 7th day of May, 2019.

ROXANNE ADAMS  
CLERK OF COUNCIL

RICHARD "RICHE" 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

__________________________
[FORM OF BOND]

INTEREST ON THIS BOND WILL BE INCLUDED IN GROSS INCOME FOR FEDERAL INCOME TAX PURPOSES AND IS NOT EXEMPT FROM FEDERAL INCOME TAXATION.

UNITED STATES OF AMERICA
STATE OF LOUISIANA
PARISH OF ST. BERNARD

TAXABLE UTILITIES REVENUE BOND, SERIES 2019
OF THE
PARISH OF ST. BERNARD, STATE OF LOUISIANA

<table>
<thead>
<tr>
<th>Bond Number</th>
<th>Bond Date</th>
<th>Interest Rate</th>
<th>Principal Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>R-1</td>
<td>2019</td>
<td>0.45%</td>
<td>$6,000,000</td>
</tr>
</tbody>
</table>

FOR VALUE RECEIVED, the Parish of St. Bernard, State of Louisiana (the "Parish"), hereby promises to pay (but only from the sources hereinafter described) to:

REGISTERED OWNER: LOUISIANA DEPARTMENT OF ENVIRONMENTAL QUALITY
ATTN: Financial Services Division,
Accounts Receivable
P. O. Box 4311
Baton Rouge, LA 70821-4311 (the "Department")

or registered assigns noted on the registration record attached hereto, but solely from the revenues hereinafter specified, the Principal Amount set forth above (unless a lower Principal Amount applies, as set forth below), together with interest thereon from the Bond Date set forth above or the most recent interest payment date to which interest has been paid or duly provided for, unless this Bond shall have been previously called for prepayment and payment shall have been duly made or provided for.

This Bond shall bear interest, payable semi-annually on June 1 and December 1 of each year, commencing December 1, 2019 (each, an "Interest Payment Date"), at the Interest Rate shown above, said interest to be calculated on the basis of a 360-day year consisting of twelve 30-day months. Interest on this Bond on any Interest Payment Date shall be payable only on the aggregate outstanding amount of the purchase price which shall have been paid theretofore, as noted on Schedule A hereto, and shall accrue with
respect to each purchase price installment only from the date of payment of such installment.

If the Department is the registered owner of this Bond, the Parish will additionally pay an Administrative Fee to the Department at the annual rate of one-half of one percent (0.50%) on the outstanding principal amount of the Bond, payable on each Interest Payment Date. In the event (i) the Department owns this Bond or the Department has pledged or assigned this Bond in connection with its Clean Water State Revolving Fund Program and (ii) the Administrative Fee payable to the Department is declared illegal or unenforceable by a court or an administrative body of competent jurisdiction, then the "Interest Rate" shown in the foregoing table and borne by this Bond shall be increased by one-half of one percent (0.5%) per annum, effective as of the date declared to be the date from which the Administrative Fee is no longer owed because of such illegality or unenforceability.

This Bond shall mature in twenty (20) installments of principal, payable annually on each June 1, and each annual installment shall be the applicable percentage shown in the following table, rounded to the nearest One Thousand Dollars ($1,000), of the outstanding principal amount of this Bond on the day before the applicable Principal Payment Date:

<table>
<thead>
<tr>
<th>Date (June 1)</th>
<th>Percentage of Principal</th>
<th>Date (June 1)</th>
<th>Percentage of Principal</th>
</tr>
</thead>
<tbody>
<tr>
<td>2021</td>
<td>4.564%</td>
<td>2031</td>
<td>9.580%</td>
</tr>
<tr>
<td>2022</td>
<td>4.827</td>
<td>2032</td>
<td>10.696</td>
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<td>19.624</td>
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<tr>
<td>2027</td>
<td>6.712</td>
<td>2037</td>
<td>24.647</td>
</tr>
<tr>
<td>2028</td>
<td>7.264</td>
<td>2038</td>
<td>33.019</td>
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<tr>
<td>2029</td>
<td>7.907</td>
<td>2039</td>
<td>49.764</td>
</tr>
<tr>
<td>2030</td>
<td>8.667</td>
<td>2040</td>
<td>100.000</td>
</tr>
</tbody>
</table>

In the event that the Completion Date of the Project being financed with this Bond is on or after June 1, 2021, the principal payment schedule set forth above may be adjusted so that each payment shall be due on the June 1 that is one year later than shown above, provided that in no event shall the final principal payment be more than twenty-two (22) years from the Delivery Date. To exercise the option to defer the principal repayment schedule, the District must so notify the Department in writing prior to December 1, 2020, and certify that the Completion Date will not have occurred prior to June 1, 2021.
The principal and interest on this Bond shall be payable by check mailed to the registered owner of this Bond (determined as of the Interest Payment Date) at the address shown on the registration books kept by the Paying Agent (hereinafter defined) for such purpose, provided that payment of the final installment of principal on this Bond shall be made only upon presentation and surrender of this Bond to the Paying Agent.

The principal installments of this Bond are subject to prepayment at the option of the Parish at any time, in whole or in part, at a prepayment price of par plus accrued interest and accrued Administrative Fee, if any, to the prepayment date. In such case, the remaining principal shall continue to mature in annual installments calculated using the percentages shown above.

In the event a portion of this Bond is to be prepaid, this Bond shall be surrendered to the Director of Finance of the Parish, as initial Paying Agent for the Bonds (the "Paying Agent"), who shall note the amount of such prepayment in the space provided therefor on the schedule attached to this Bond. Official notice of such call of this Bond for prepayment shall be given by means of first class mail, postage prepaid by notice deposited in the United States Mail not less than thirty (30) days prior to the prepayment date addressed to the registered owner of this Bond to be prepaid at his address as shown on the registration books of the Paying Agent, which notice may be waived by any registered owner. The Parish shall cause to be kept at the office of the Paying Agent a register in which registration of this Bond and of transfers of this Bond shall be made as provided herein and in the Ordinance (as hereinafter defined). This Bond may be transferred, registered and assigned only on such registration records of the Paying Agent, and such registration shall be at the expense of the Parish.

This Bond represents the entire issue of bonds of the Parish designated "Taxable Utilities Revenue Bonds, Series 2019" aggregating in principal the sum of Six Million Dollars ($6,000,000) (the "Bonds"), the Bonds having been issued by the Parish pursuant to a General Bond Ordinance adopted by Parish Council of the Parish of St. Bernard, State of Louisiana, acting as the governing authority of the Parish, on April 21, 2015, as supplemented by a Fourth Supplemental Bond Ordinance adopted by said governing authority on May 7, 2019 (collectively, the "Ordinance"), for the purpose of paying costs of the Project, as defined in the Ordinance, consisting generally of improvements to the sewerage portion of the System (hereinafter defined), and paying costs of issuance, under the authority conferred by Part II of Chapter 4 of Subtitle II of Title 39 of the Louisiana Revised Statutes of 1950, as amended (La. R.S. 39:501, et seq.), and other constitutional and statutory authority, pursuant to all requirements therein specified.

This Bond is secured by and payable as to principal and interest solely from the income and revenues of the Parish's combined water and sewer system, as more fully described in the Ordinance (the "System"), after the payment of all reasonable and necessary expenses of operating and maintaining the System (the "Net Revenues"), and are issued on a complete parity with the Parish's (i) Taxable Utilities Revenue Bonds,
Series 2015, dated June 25, 2015, (ii) Taxable Utilities Revenue Bonds, Series 2015A, dated December 1, 2015 and (iii) Taxable Utilities Revenue Bonds, Series 2017, dated May 1, 2017 (collectively, the "Outstanding Parity Bonds"). Neither this Bond nor the debt it represents constitutes an indebtedness or pledge of the general credit of the Parish within the meaning of any constitutional or statutory limitation of indebtedness.

The Parish has obligated itself pursuant to the Bond Ordinance and by this Bond declares that all of the income and revenues to be derived from the operation of the System shall be deposited promptly as the same may be collected in a separate and special bank account known and designated as the "Utility System Fund." The Parish has duly covenanted and obligated itself pursuant to the Bond Ordinance and by this Bond declares that it will fix and maintain rates and collect charges for all services and facilities to be rendered by the System sufficient to provide for the payment of the reasonable and necessary expenses of operating and maintaining the System, to provide for the payment of principal and interest falling due on this Bond and all other obligations or indebtedness payable out of the revenues of the System, to provide a reserve for the payment of principal and interest on this Bond and to provide a reasonable depreciation and contingency fund to care for depreciation, extensions, additions, improvements and replacements necessary to properly operate the System.

For a complete statement of the manner in which said fund shall be maintained and administered, the provisions for payment of this Bond and the general covenants and provisions governing the issuance of this Bond, reference is hereby made to the Bond Ordinance.

This Bond shall not be valid or become obligatory for any purpose or be entitled to any security or benefit under the Ordinance until the certificate of registration hereon shall have been signed by the Paying Agent.

It is certified that this Bond is authorized by and is issued in conformity with the requirements of the Constitution and statutes of the State of Louisiana. It is further certified, recited and declared that all acts, conditions and things required to exist, to happen and to be performed precedent to and in the issuance of this Bond necessary to constitute the same a legal, binding and valid obligation of the Parish have existed, have happened and have been performed in due time, form and manner as required by law, and that the indebtedness of the Parish, including this Bond, does not exceed any limitation prescribed by the Constitution and statutes of the State of Louisiana, and that this Bond shall not be invalid for any irregularity or defect in the proceedings for the issuance and sale thereof.
IN WITNESS WHEREOF, the Parish Council of the Parish of St. Bernard, State of Louisiana, acting as the governing authority of the Parish, has caused this Bond to be signed in the name of the Parish by the Parish President and attested by its Clerk of the Council, the corporate seal of the Parish to be hereon impressed, and this Bond to be dated as of the Dated Date set forth above.

PARISH OF ST. BERNARD, STATE OF LOUISIANA

ATTEST: By: ___________ (manual) ___________
By: ___________ (manual) ___________ (SEAL)
Parish President
Clerk of the Council

* * * * * *

REGISTRATION RECORD

TAXABLE UTILITIES REVENUE BOND, SERIES 2019
OF THE
PARISH OF ST. BERNARD, STATE OF LOUISIANA

<table>
<thead>
<tr>
<th>Name and Address Of Registered Owner</th>
<th>Date of Registration</th>
<th>Signature of Director of Finance as Paying Agent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Department of Environmental Quality Clean Water State Revolving Fund P. O. Box 4311 Baton Rouge, LA 70821-4311</td>
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<tr>
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<td>Amount of Payment</td>
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<td>-----</td>
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<td>19</td>
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</tbody>
</table>
# SCHEDULE B

## SCHEDULE OF PREPAYMENTS

**TAXABLE UTILITIES REVENUE BOND, SERIES 2019**  
**OF THE**  
**PARISH OF ST. BERNARD, STATE OF LOUISIANA**

<table>
<thead>
<tr>
<th>Prepayment Date</th>
<th>Prepayment Amount</th>
<th>Remaining Balance Due</th>
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<tbody>
<tr>
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EXHIBIT B

to Fourth Supplemental Bond Ordinance

[FORM OF LOAN & PLEDGE AGREEMENT]
STATE OF LOUISIANA
PARISH OF ST. BERNARD

I, the undersigned Clerk of Council of the Parish of St. Bernard, State of Louisiana, do hereby certify that the foregoing pages constitute a true and correct copy of a Fourth Supplemental Bond Ordinance authorizing the issuance of not exceeding Six Million Dollars ($6,000,000) of Taxable Utilities Revenue Bonds, Series 2019, of the Parish of St. Bernard, State of Louisiana, in accordance with the terms of a General Bond Ordinance adopted on April 21, 2015; prescribing the form, and certain terms and conditions of said Bonds; and providing for other matters in connection therewith.

IN FAITH WHEREOF, witness my official signature on this, the 7th day of May, 2019.

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

**Summary No. 3707**
Introduced by: Administration on 4/16/19
Public Hearing held on 5/7/19

**A GENERAL BOND ORDINANCE AUTHORIZING THE ISSUANCE FROM TIME TO TIME OF SALES TAX BONDS OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA; PRESCRIBING THE FORM, AND CERTAIN TERMS AND CONDITIONS OF SAID BONDS; PROVIDING FOR THE PAYMENT THEREOF IN PRINCIPAL AND INTEREST; AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH.**

**WHEREAS,** Parish of St. Bernard, State of Louisiana (the "Parish"), is now levying and collecting a one-half of one percent (1/2%) sales and use tax by virtue of an ordinance, adopted by this Parish Council on December 1, 1998 (the "Tax"), under the authority of an election held by the Parish on November 3, 1998, at which the following proposition was approved by a majority of the qualified electors voting in such election, viz:

**1/2% SALES TAX PROPOSITION**

AUTHORITY FOR ST. BERNARD PARISH TO LEVY A 1/2% SALES TAX, FOR IMPROVEMENTS TO THE SEWER AND WATER SYSTEM IN SAID PARISH, INCLUDING AUTHORITY TO FUND THE TAX INTO BONDS, PROVIDED THAT AT LEAST 25% OF THE ANNUAL REVENUES OF THE TAX MUST BE EXPENDED TO CORRECT INFLOW AND INFILTRATION IN SEWAGE COLLECTION LINES, OR TO REPAIR DAMAGE CAUSED THEREBY, UNLESS REQUIRED FOR DEBT SERVICE ON BONDS OR OTHERWISE APPROVED BY AT LEAST TWO-THIRDS OF THE TOTAL MEMBERSHIP OF THE PARISH COUNCIL.

Shall the Parish of St. Bernard, State of Louisiana (the "Parish"), under the provisions of Article VI, Section 29(B) of the Constitution of the State of Louisiana of 1974, Act No. 66 of 1998, and other
constitutional and statutory authority, be authorized to levy and collect a tax of one-half of one per cent (1/2%) (the "Tax"), commencing January 1, 1999, upon the sale at retail, the use, the lease or rental, the consumption, and the storage for use or consumption of tangible personal property and on sales of services in the Parish, all as defined in Chapter 2 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, as amended, with the proceeds of the Tax (after paying the reasonable and necessary costs and expenses of collecting and administering the Tax), to be dedicated and used for improvements to the sewer and water system in the Parish, title to which shall be in the public, and shall the Parish be further authorized to fund the proceeds of the Tax into bonds to be issued from time to time for the purpose of improvements to the sewer and water system in the Parish, specifically acquiring and constructing additions, extensions and improvements to the water treatment and distribution system and sewage collection, treatment and disposal system, title to which shall be in the public, to the extent and in the manner permitted by the laws of Louisiana, including Sub-Part F, Part III, Chapter 4, Title 39 of the Louisiana Revised Statutes of 1950, and other authority provided further that at least 25% of the annual revenues of the Tax must be expended to correct inflow and infiltration in sewage collection lines, or to repair damage caused thereby, unless required for debt service on bonds or otherwise approved by at least two-thirds of the total membership of the Parish Council?

WHEREAS, pursuant to the authority of the aforesaid election and ordinance, the Issuer is now levying and collecting the Tax; and

WHEREAS, in accordance with said ordinance, the net avails or proceeds of the Tax, after the reasonable and necessary expenses of collection and administration thereof have been paid therefrom (the "Revenues of the Tax"), shall be available for appropriation and expenditure by the Issuer solely for the purposes designated in the proposition authorizing the levy of the Tax, which includes the payment of bonds authorized to be issued in accordance with Louisiana law; and

WHEREAS, pursuant to Part II of Chapter 4 of Subtitle II of Title 39 of the Louisiana Revised Statutes of 1950, as amended (La. R.S. 39:501, et seq.), and other constitutional and statutory authority (collectively, the "Act"), it is now the desire of this Parish Council to adopt this General Bond Ordinance in order to provide for the issuance from time to time of sales tax bonds of the Parish (the
"Bonds"), in one or more series, for the purposes set forth above, for refunding bonds and/or for providing for a reserve and paying the costs of issuance thereof;

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

ARTICLE I

DEFINITIONS AND INTERPRETATION

SECTION 1.01. Definitions. The following terms used in this Ordinance shall have the following meanings, unless the context clearly requires otherwise:

"Act" means Part II of Chapter 4 of Subtitle II of Title 39 of the Louisiana Revised Statutes of 1950, as amended (La. R.S. 39:501, et seq.) and other constitutional and statutory authority supplemental thereto, or such other legal authority for the issuance of sales tax bonds as may exist from time to time.

"Bonds" means any bonds authorized by this General Bond Ordinance and by a Series Ordinance.

"Bond Register" means the records kept by the Paying Agent in which registration of the Bonds and transfers of the Bonds shall be made as provided herein.

"Bond Year" means the one-year period ending on each Principal Payment Date.

"Capital Appreciation Bonds" shall mean Bonds which pay interest only at maturity or redemption.

"Code" means the Internal Revenue Code of 1986, as the same may be amended and supplemented from time to time, including any regulations promulgated thereunder or any administrative or judicial interpretations thereof.

"Cost of Issuance" means all items of expense, directly or indirectly payable or reimbursable and related to the authorization, sale and issuance of the Bonds, including but not limited to printing costs, costs of preparation and reproduction of documents, official statements, filing and recording fees, initial fees and charges of any fiduciary, legal fees and charges, fees and disbursements of
consultants and professionals, costs of credit ratings, fees and charges for preparation, execution, transportation and safekeeping of the Bonds, costs and expenses of refunding, premiums for the insurance of the payment of the Bonds, if any, and any other cost, charge or fee in connection with the original issuance of Bonds.

"Costs of the Project" means, with reference to any Project, all capital costs incurred or to be incurred for such Project, including but not limited to (a) engineering, financing, legal and other fees and expenses related to the issuance of such series of the Bonds, (b) acquisition and construction costs of the Project, (c) interest on the Bonds during construction, and (d) a reasonable allowance for contingencies, all to the extent permitted by the Act and any rules or regulations promulgated thereunder.

"Credit Enhancement" shall mean any letter of credit, insurance policy, surety bond, standby bond purchase agreement or similar facility as used in connection with a series of the Bonds.

"Defeasance Obligations" means cash and/or Government Securities.

"Delivery Date" means the date on which any series of the Bonds are delivered to the purchaser thereof.

"Department" means the Louisiana Department of Health, with respect to Bonds purchased by the Drinking Water Revolving Loan Fund, or the Louisiana Department of Environmental Quality, with respect to Bonds purchased by the Clean Water State Revolving Fund, as the case may be, which are both executive departments and agencies of the State, and any successor to the duties and functions thereof.

"Executive Officers" means, collectively, the Parish President of the Parish and the Clerk of this Governing Authority.

"Fiscal Year" means the one-year accounting period beginning on January 1 of each year, or such other fiscal year period as may be determined from time to time by the Governing Authority as the fiscal year of the Parish.

"Fixed Rate Bonds" means any series of Bonds issued with a fixed rate or rates or interest for the entire term thereof.

"General Bond Ordinance" means this General Bond Ordinance.
"General Bond Ordinance" means this General Bond Ordinance authorizing the issuance of the Bonds, as hereafter amended or supplemented by a Series Ordinance or in accordance with Article 0 hereof.

"Governing Authority" means the Parish Council of the Parish of St. Bernard, State of Louisiana, or its successor in function.

"Government Securities" means direct obligations of, or obligations the principal of and interest on which are unconditionally guaranteed by, the United States of America, which are non-callable prior to their maturity, may be United States Treasury Obligations such as the State and Local Government Series and may be in book-entry form.

"Interest Payment Date" means the dates on which interest on any series of the Bonds is payable, as shall be set forth in the applicable Series Ordinance.

"Loan Agreement" means the Loan and Pledge Agreement to be entered into by and between the Department and the Parish, prior to the delivery of any Bonds that are purchased by the Department, which will contain certain additional agreements relating to such Bonds and any other series of Bonds purchased by the Department, and with respect to the Project as it may be supplemented, modified or amended from time to time in accordance with the terms thereof. In the event that any provisions of this General Bond Ordinance conflict with any provision of the Loan Agreement, then with respect to any series of the Bonds which are owned by the Department the provisions of the Loan Agreement with respect to such series shall control.

"Net Revenues of the Tax" means, for any specified period, the net income of the Tax derived by the Parish from the levy and collection of the Tax, after the payment of reasonable and necessary costs and expenses of collecting and administering the Tax, determined in accordance with then generally accepted accounting principles.

"Outstanding" when used with respect to the Bonds, as of the date of determination, means all Bonds theretofore issued and delivered under this General Bond Ordinance and any Series Ordinance except:

(a) Bonds that have been cancelled or delivered to the Paying Agent for cancellation;

(b) Bonds that have been defeased in accordance with Section 0 hereof;
(c) Bonds in exchange for or in lieu of which other Bonds have been registered and delivered pursuant to this General Bond Ordinance; or

(d) Bonds alleged to have been mutilated, destroyed, lost or stolen which have been paid as provided in this General Bond Ordinance or by law.

"Owner" or "Owners" when used with respect to any Bond, means the Person in whose name such Bond is registered in the Bond Register.

"Parish" means the Parish of St. Bernard, State of Louisiana.

"Parity Obligations" means any additional pari passu indebtedness issued by the Parish and payable from the Net Revenues of the tax in accordance with Section 0 hereof.

"Paying Agent" means the person or organization designated as such in a Series Ordinance.

"Person" means any individual, corporation, partnership, joint venture, association, joint-stock company, trust, unincorporated organization, or government or any agency or political subdivision thereof.

"Principal Payment Date" means each date on which principal on any series of the Bonds is payable, as shall be set forth in the applicable Series Ordinance, which dates shall occur annually unless otherwise required by the purchaser of any series of the Bonds.

"Project" means the capital purposes to be financed with a series of the Bonds specified in a Series Ordinance.

"Reserve Fund Credit Facility" means a letter of credit, insurance policy, surety bond or similar credit facility deposited in an account of the Reserve Fund in lieu of or in addition to other funds on deposit in such account, or any substitute therefore; provided, however, that a Reserve Fund Credit Facility for any Series of Bonds shall meet the requirements set forth in the applicable Series Ordinance.

"Reserve Fund Requirement" with respect to any series of the Bonds means a sum set forth in the applicable Series Ordinance.
"Revenues" means all income and revenues to be derived by the Parish from the levy and collection of the Tax.

"Sales Tax Collector" means the Parish School Board of the Parish of St. Martin, State of Louisiana, or its successor as collector of local sales taxes in St. Martin Parish.

"Series Ordinance" means an ordinance adopted by the Governing Authority in accordance with Section 0 authorizing the issuance and sale of any series of Bonds.

"State" means the State of Louisiana.

"Tax" means, the one-half of one percent (1/2%) sales and use tax of the Parish authorized at an election held in the Parish on November 3, 1998, as further described in the preamble hereto.

"Variable Rate Bonds" means any series of Bonds issued with a variable, adjustable, convertible or other similar rate or rates which are not fixed for the entire term thereof.

SECTION 1.02 Rules of Interpretation. Unless the context clearly indicates to the contrary, the following rules shall apply to the interpretation and construction of this General Bond Ordinance:

words importing the singular number shall include the plural number and vice versa;

(b) all references to particular articles or sections herein are references to articles or sections of this General Bond Ordinance;

(c) the captions and headings herein are solely for convenience of reference and shall not constitute a part of this General Bond Ordinance, nor shall they affect its meaning, construction or effect;

(d) the terms "hereby," "hereof," "hereto," "herein," "hereunder" and any similar terms as used in this General Bond Ordinance refer to this General Bond Ordinance in its entirety and not the particular

(e) article or section of this General Bond Ordinance in which they appear; and
(f) the term "hereafter" means after the date of execution of this General Bond Ordinance and the term "heretofore" means before the date of the execution of this General Bond Ordinance.

ARTICLE II

AUTHORIZATION, ISSUANCE AND SALE OF BONDS

SECTION 2.01 Authorization and Issuance of Bonds. This General Bond Ordinance authorizes the issuance of indebtedness of the Parish to be designated "Sales Tax Bonds" (or "Sales Tax Refunding Bonds," as the case may be) of the Parish of St. Bernard, State of Louisiana," and provides for the full and final payment of the principal or prepayment price of and interest thereof with such supplemental designation as may be determined by the Parish to be descriptive of the indebtedness. All of the Bonds shall be issued under the authority of the Act. The Bonds shall be issued for the purpose or purposes set forth in a Series Ordinance. Proceeds of Bonds may also be used to pay Costs of Issuance, costs of Credit Enhancement, capitalized interest and any initial deposit to the Reserve Fund established in Section 5.04.

SECTION 2.02 Ordinance to Constitute Contract. In consideration of the purchase and acceptance of the Bonds by those who shall own the same from time to time, the provisions of this General Bond Ordinance shall be a part of the contract of the Parish with the Owners and shall be deemed to be and shall constitute a contract between the Parish and the Owners from time to time of the Bonds.

SECTION 2.03 Obligation of Bonds. All of the Bonds, regardless of the date of issue, shall enjoy complete parity of lien on the Net Revenues of the Tax despite the fact that any of the Bonds may be delivered at an earlier date than any other of the Bonds. Subject to the foregoing, the Net Revenues of the Tax are irrevocably and irrepealably pledged in an amount sufficient for the payment of the Bonds in principal and interest as they shall respectively become due and payable, and for the other purposes hereinafter set forth. The Revenues shall be set aside in the funds and accounts described in Section 0 and shall be and remain so pledged for the security and payment of the Bonds in principal and interest, and for all other payments provided in this General Bond Ordinance, until all of the Bonds shall be fully paid and discharged.

SECTION 2.04 Series Ordinances. The details of each series of the Bonds shall be set forth in a Series Ordinance to be adopted by the Governing
Authority. Each Series Ordinance shall provide the following with respect to the applicable series of the Bonds:

(a) the purposes, dated date, series designation and principal amount, and the authority pursuant to which such series is issued;

(b) whether such series will be Capital Appreciation Bonds, Fixed Rate Bonds or Variable Rate Bonds, and a description of the applicable interest rate or rates and the first Interest Payment Date;

(c) the schedule of principal maturities or installments, or a formula for establishing same, and if such series will be Capital Appreciation Bonds a table of accreted values;

(d) the manner of payment of principal and interest;

(e) the optional and/or mandatory redemption provisions;

(f) the form or forms of bonds;

(g) the designation of the Paying Agent;

(h) the terms of sale to the purchaser thereof;

(i) the Reserve Fund Requirement and the amount, if any, of proceeds to be deposited into the Series account in the Reserve Fund;

(j) if the series is issued to refund any outstanding obligations, a description of the plan of refunding and approval of any matters necessary or convenient to effect such refunding including the designation of an escrow agent and approval of an escrow deposit agreement, if necessary;

(k) a finding by this Governing Authority that the parity requirements of Section 0 will have been met with respect to such series and that parity certifications will be delivered on the Delivery Date of the series;

(l) authorization of the Executive Officers and/or such other persons as may be so designated to execute documents in connection with such series;

(m) the designation of such series as "qualified tax-exempt obligations" under Section 265(b)(3) of the Code, if applicable;
(n) provisions for any continuing disclosure agreement as may be required by Rule 15c2-12(b) of the Securities and Exchange Commission [17 CFR §240.15c2-12(b)];

(o) provisions for any post-issuance federal tax compliance procedures as may be necessary in connection with the issuance of the series;

(p) provisions for obtaining the approval of the State Bond Commission for the issuance of such bonds and covenants with respect to compliance with applicable rules and regulations of the State Bond Commission;

(q) if such series is being sold to the Department and is subject to a Loan Agreement, the designation of the "Completion Date" and/or "Scheduled Completion Date" for such series, as applicable, and any required approval of the Loan Agreement and any other loan documents;

(r) designation of such series as "Build America Bonds" or any similar type of tax-advantaged bonds requiring a designation at this time;

(s) provisions with respect to any Credit Enhancement; and

(t) any other additional provisions as may be necessary in connection with the issuance and sale of such series.

SECTION 2.05 Paying Agent. The Parish will at all times maintain a Paying Agent meeting the qualifications hereinafter described for the performance of the duties hereunder for the Bonds and as provided in Section 0 above will designate the Paying Agent for each series in the applicable Series Ordinance.

The Parish reserves the right to appoint a successor Paying Agent by (a) filing with the person then performing such function a certified copy of appropriate proceedings appointing a successor and (b) causing notice to be given to each Owner. Every successor Paying Agent appointed hereunder shall at all times be a bank or trust company organized and doing business under the laws of the United States of America or of any State, authorized under such laws to exercise trust powers, and subject to supervision or examination by Federal or State authority.

SECTION 2.06 Execution. The Bonds shall be executed in the name and on behalf of the Parish by the manual or facsimile signatures of the Parish President and the Clerk of the Governing Authority, and the corporate seal of the
Parish (or a facsimile thereof) shall be thereunto affixed, imprinted, engraved or otherwise reproduced thereon. If facsimile signatures are used, then such signatures shall have been registered with the Louisiana Secretary of State in the manner required by La. R.S. 39:244.

SECTION 2.07 Regularity of Proceedings. The Parish, having investigated the regularity of the proceedings had in connection with the issuance of the Bonds, and having determined the same to be regular, each of the Bonds shall contain the following recital, to-wit:

"It is certified that this indebtedness is authorized by and is issued in conformity with the requirements of the Constitution and statutes of Louisiana."

ARTICLE III

PREPAYMENT OF BONDS

SECTION 3.01 Optional Prepayment of Bonds. The principal installments of the Bonds shall be subject to prepayment by the Parish in the manner set forth in the applicable Series Ordinance, pursuant to Section 0 above.

SECTION 3.02 Notice of Prepayment. Official notice of such call of any of the Bonds for prepayment shall be given via accepted means of electronic communication or by means of first class mail, postage prepaid by notice deposited in the United States Mail not less than thirty (30) days prior to the prepayment date addressed to the Owner of each Bond to be prepaid at his address as shown on the registration records of the Paying Agent, which notice may be waived by any Owner. In the event a portion of the Bonds is to be prepaid, such Bonds shall be surrendered to the Paying Agent, who shall note the date and amount of such prepayment in the space provided therefor on the Bonds.

ARTICLE IV

APPLICATION OF BOND PROCEEDS

SECTION 4.01 Issuance of Bonds; Application of Proceeds. All of the proceeds derived from the sale of each series of the Bonds, except for any proceeds as may be designated in a Series Ordinance for deposit into the Reserve Fund or as accrued interest into the Debt Service Fund or as may be required in connection with the refunding of any indebtedness, shall be deposited by the Parish in a construction fund to be established for such series of the Bonds (the
"Construction Fund"). The funds in the Construction Fund shall be used solely for the purpose of paying Costs of the Project and Costs of Issuance.

However, in the case of refunding bonds, the proceeds to be used for refunding shall be applied to the immediate prepayment of the refunded obligations, or deposited into an escrow fund, as may be set forth in a Series Ordinance.

Any accrued interest and premium received upon the sale of the Bonds shall be deposited in the Debt Service Fund described in Section 0 hereof.

SECTION 4.02 Investment of Construction Fund. Moneys in the Construction Fund may be temporarily invested in the manner provided by Louisiana law. Said moneys shall be sacred funds and the Owners shall have a lien thereon until said funds are paid out as provided in the Loan Agreement and this General Bond Ordinance. Any investment earnings on moneys in the Construction Fund may be retained in the Construction Fund and applied for the purposes described in this Section, or may be transferred to the Debt Service Fund described in Section 0 hereof and applied to the payment of interest accruing on the Bonds during the period of construction of Project.

All moneys in the Construction Fund shall at all times be secured to the full extent thereof by the banks or trust companies holding such funds by direct obligations of the United States of America or the State of Louisiana having a market value not less than the amount of moneys then on deposit in said funds.

ARTICLE V

SECURITY; PAYMENT OF BONDS; DISPOSITION OF FUNDS

SECTION 5.01 Obligation of the Bonds. The Bonds shall be secured and payable in principal and interest solely from and secured by an irrevocable pledge and dedication of the Revenues of the Tax, pursuant to the Constitution and laws of the State, after there have first been paid from the gross avails or proceeds of the Tax the reasonable and necessary costs and expenses of collecting and administering the Tax. The Net Revenues of the Tax are hereby irrevocably and irrepealably pledged and dedicated in an amount sufficient for the payment of the Bonds in principal and interest (and for the payment of any Administrative Fee for Bonds purchased by the Department) as they shall respectively become due and payable, and for the other purposes hereinafter set forth in this General Bond Ordinance. All of the Net Revenues of the Tax shall be set aside in a separate fund, as hereinafter provided, and shall be, and remain pledged for the security and
payment of the Bonds in principal and interest and for all other payments provided for in this General Bond Ordinance until the Bonds shall have been fully paid and discharged.

SECTION 5.02 Parish Obligated to Collect Tax. The Parish is obligated and is bound under the terms and provisions of law to levy, impose, enforce and collect the Tax for the full period of its authorization and to provide for all reasonable and necessary rules, regulations, procedures and penalties in connection therewith, including the proper application of the proceeds of the Tax. The Parish has a legal right to issue the Bonds and to pledge the Net Revenues of the Tax as herein provided and the Bonds issued hereunder will have a lien and privilege on the Net Revenues of the Tax until all of such Bonds have been retired as to both principal and interest. Nothing herein contained shall be construed to prevent the Parish from altering, amending or repealing from time to time as may be necessary any ordinance or resolution that provides with respect to the Tax, said alterations, amendments or repeals to be conditioned upon the continued preservation of the rights of the Owners with respect to the Net Revenues of the Tax. The ordinances imposing the Tax and pursuant to which the Tax is being levied, collected and allocated, and the obligations to continue to levy, collect and allocate the Tax and to apply the revenues therefrom in accordance with the provisions of the propositions authorizing the levy, collection and rededication of the Tax, shall be irrevocable for the full period of its authorization until the Bonds have been paid in full as to principal, premium, if any, and interest, and shall not be subject to amendment in any manner which would impair the rights of the Owners from time to time of the Bonds or which would in any way jeopardize the prompt payment of principal thereof and interest thereon. More specifically, neither the Legislature of Louisiana nor the Parish may discontinue or decrease the Tax or permit to be discontinued or decreased the Tax in anticipation of the collection of which the Bonds are being issued, or in any way make any change which would diminish the amount of the Net Revenues of the Tax pledged to the payment of the Bonds received by the Parish, until all of such Bonds shall have been retired as to both principal and interest and all amounts payable under this General Bond Ordinance and any Series Ordinance have been paid in full.

SECTION 5.03 Enforcement of Rights. The Owners of any of the Bonds may, either at law or in equity, by suit, action, mandamus or other proceeding, enforce and compel performance of all duties required to be performed as a result of issuing the Bonds and may similarly enforce the provisions of any ordinance imposing the Tax and any proceedings authorizing the issuance of the Bonds.
SECTION 5.04 Funds and Accounts. In order that the principal of and the interest on the Bonds will be paid in accordance with their terms and for the other objects and purposes hereinafter provided, the Parish further covenants as follows:

All of the avails or proceeds of the Tax shall be deposited daily as the same may be collected to the credit of the Parish, in a separate and special bank account previously established and maintained with the regularly designated fiscal agent of the Parish to be known and designated as the "Parish of St. Bernard, State of Louisiana, Water and Sewer 1999 Sales Tax Fund" (hereinafter referred to as the "Sales Tax Fund"). Out of the funds on deposit in the Sales Tax Fund, the Parish shall first pay all reasonable and necessary expenses of collection and administration of the Tax which have not been previously withheld by the Sales Tax Collector. After payment of such expenses, the remaining balance of the proceeds of the Tax shall constitute a dedicated fund of the Parish, from which appropriations and expenditures by the Parish shall be made solely for the purposes designated in the propositions authorizing the levy of the Tax, including the payment of the Bonds, which fund shall be administered and used in the following order of priority and for the following express purposes:

(a) The establishment and maintenance of a "Sales Tax Bond Debt Service Fund" (the "Debt Service Fund"), to be held by the regularly designated fiscal agent of the Parish, sufficient in amount to pay promptly and fully the principal of and the interest and any Administrative Fee on the Bonds and any Parity Obligations as they severally become due and payable, by transferring from the Sales Tax Fund to the regularly designated fiscal agent of the Parish, monthly in advance on or before the 20th day of each month of each year any Bonds are outstanding an amount equal to the principal and/or interest accruing on the Bonds for such month, together with such additional proportionate sum as may be required to pay said principal and interest and Administrative Fee as the same respectively become due.

(b) The establishment and maintenance of a "Sales Tax Bond Reserve Fund" (the "Reserve Fund"), to be held by the regularly designated fiscal agent of the Parish, the money in the accounts of the Reserve Fund to be retained solely for the purpose of paying the principal of and interest on the respective series of the Bonds payable from the Debt Service Fund as to which there would otherwise be default. The Reserve Fund shall contain a separate account for each series of the Bonds, each such account to be designated as the "Series ____ (insert series designation) Account" and to be funded by transferring from the proceeds of such series or from the Sales Tax Fund (after making all required payments from said
fund as hereinabove described), monthly or annually, such amounts as will increase the total amount on deposit in each account in the Reserve Fund within a period not exceeding five (5) years from the Delivery Date to a sum equal to the Reserve Fund Requirement for the applicable series of the Bonds.

SECTION 5.05  Reserve Fund Surety Bond or Policy Allowed. In lieu of or in addition to the required transfers or deposits to any account in the Reserve Fund, the Parish may cause to be deposited into such account in the Reserve Fund a Reserve Fund Credit Facility for the benefit of the holders of the applicable series of Bonds. The Reserve Fund Credit Facility shall be payable (upon the giving of notice as required thereunder) on any due date on which monies will be required to be withdrawn from the account in the Reserve Fund and applied to the payment of principal, premium, if any, or interest on the related series of Bonds and such withdrawal cannot be met by amounts on deposit in such account in the Reserve Fund. If a disbursement is made pursuant to a Reserve Fund Credit Facility provided pursuant to this section and the Parish is, as a result, obligated either (i) to reinstate the maximum limits of such Reserve Fund Credit Facility or (ii) to deposit into the applicable account in the Reserve Fund, funds in the amount of the disbursement made under such Reserve Fund Credit Facility, or a combination of such alternatives, such obligation of the Parish shall be paid in order of priority as set forth in Section 5.04 hereof.

SECTION 5.06  Surplus Funds.  All moneys remaining in the Sales Tax Fund on the 20th day of each month in excess of all reasonable and necessary expenses of collection and administration of the Tax and after making the required payments into the Debt Service Fund and the Reserve Fund for the current month and for prior months during which the required payments may not have been made, shall be considered as surplus. Such surplus may be used by the Parish for any of the purposes for which the imposition of the Tax is authorized or for the purpose of retiring any Bonds in advance of their maturities.

SECTION 5.07  Replenishment of Funds. If at any time it shall be necessary to use moneys in the Reserve Fund for the purpose of paying principal or interest on Bonds as to which there would otherwise be default, then the moneys so used shall be replaced from the revenues first thereafter received by the Sales Tax Fund, not hereinabove required to pay the expenses of collecting and administering the Tax or to pay current principal and interest requirements, it being the intention hereof that there shall be as nearly as possible at all times (after the payments contemplated by (b) above have been made) in the Reserve Fund an amount of money equal to the Reserve Fund Requirement.
SECTION 5.08 Deposit of Funds with Paying Agent. The Parish covenants that in the event the Paying Agent is an entity other than the Director of Finance, it will deposit or cause to be deposited with the Paying Agent from the moneys derived from the collection of the Tax or other funds available for such purpose, one (1) day in advance of the date on which payment of principal, premium, if any, and/or interest falls due on the Bond, funds fully sufficient to pay promptly the principal, premium, if any, and interest so falling due on such date.

SECTION 5.09 Notification of Deficiencies. As required by La. R.S. 39:1410.62, the Parish will notify the State Bond Commission, in writing, whenever (i) transfers to any fund required to be established by this Ordinance or any ordinance authorizing the issuance of indebtedness of the Parish have not been made timely or (ii) principal, interest, premiums, or other payments due on the Bonds or any other outstanding indebtedness of the Parish have not been made timely.

SECTION 5.10 Investment of Funds. All or any part of the moneys in the Sales Tax Fund, the Debt Service Fund or the Reserve Fund shall, at the written request of the Parish, be invested in investments permitted by Louisiana law maturing in five (5) years or less, and all income derived from such investment shall, to the extent at any time necessary, be liquidated and the proceeds thereof applied to the purposes for which the Sales Tax Fund is created, except that income on investments of the Reserve Fund shall be added to the Sales Tax Fund only to the extent that the amount then on deposit in said Reserve Fund equals or exceeds the Reserve Fund Requirement.

SECTION 5.11 Deposit of Funds and Security Therefor. All of the income and revenues derived or to be derived from the levy and collection of the Tax shall be deposited daily as received from the Sales Tax Collector in the Sales Tax Fund, which Fund shall be maintained separate and apart from all other funds of the Parish. The Debt Service Fund and the Reserve Fund shall be held by the depository banks as special trust funds for the purposes provided in this General Bond Ordinance, and all other funds shall be held by the designated banks as special deposits for the purposes set forth in this General Bond Ordinance, and subject to such reasonable instructions as the Governing Authority may give in writing to the banks holding such funds. The Owners are hereby granted a lien on all funds established pursuant to the requirements of this General Bond Ordinance until applied in the manner herein provided. The moneys on deposit in all of the funds herein required shall at all times be secured to the full extent thereof by the banks or trust companies holding such funds by direct obligations of the United
States of America or the State of Louisiana having a market value not less than the amount of moneys then on deposit in said funds.

ARTICLE VI

ISSUANCE OF PARITY OBLIGATIONS

SECTION 6.01   Issuance of Parity Obligations; Parity Requirements.

The Parish hereby covenants that it shall issue no other bonds hereunder or otherwise, or obligations of any kind or nature payable from or enjoying a lien on any part of the Net Revenues of the Tax having priority over or parity with any Outstanding Bonds, except that Parity Obligations may be issued hereunder and hereafter if the following conditions are met:

(a) If any Outstanding Bonds of the Parish are proposed to be refunded with reduced annual debt service in each Bond Year and no extension of the final maturity date, then the Parish may issue refunding bonds to effect such refunding, and such refunding bonds shall enjoy complete equality of lien with any portion of the Bonds that is still outstanding; or

(b) Parity Obligations may also be issued if all of the following conditions are met:

(i) The average Net Revenues of the Tax for the two (2) completed calendar years immediately preceding the issuance of the Parity Obligations must have been not less than one and one-third (1-1/3) times the highest combined principal and interest requirements for any succeeding Bond Year on all Bonds then outstanding and payable from the Debt Service Fund, including the Parity Obligations theretofore issued and then outstanding and any other bonds or obligations whatsoever then outstanding which are payable from the Net Revenues of the Tax (but not including Bonds which have been refunded or provisions otherwise made for their full and complete payment and prepayment), and the Parity Obligations so proposed to be issued; provided, however, that if Parity Obligations are being issued as Variable Rate Bonds, this calculation shall be made assuming interest on said bonds at historical levels of the applicable variable rate during the previous three (3) years as determined by a nationally recognized underwriter experienced in handling bonds with similar variable rates; and provided further that this limitation may be waived or
modified by the written consent of the owners of any bonds then outstanding.

(ii) The payments required to be made into the various funds provided in Section 0 hereof must be current.

(iii) The existence of the facts required by sub paragraphs (i) and (ii) above must be determined by the chief financial officer of the Parish, or by an independent firm of certified public accountants.

(iv) The proceeds of the Parity Obligations must be used solely for capital purposes for which the Net Revenues of the Tax are authorized to be expended, or to refund any Outstanding Bonds payable from a pledge of the Net Revenue of the Tax issued for such purposes.

(v) The Executive Officers of the Parish must certify that all conditions prescribed in this paragraph (b) have been met.

Any requirements set forth herein for the issuance of Parity Obligations may be waived by the Owner or Owners of the Outstanding Bonds payable from a pledge of the Net Revenues of the Tax.

ARTICLE VII

FINANCIAL RECORDS, AUDITS

SECTION 7.01 Records and Accounts; Audit Reports. The Parish will establish and maintain adequate financial records as required by the laws of the State governing financial record-keeping by political subdivisions and in accordance with generally accepted accounting principles ("GAAP") and will make these and the following records and reports available to the Owners or their authorized representatives upon request.

The Parish will cause an audit of its financial statements to be made by an independent firm of certified public accountants in accordance with the requirements of Chapter 8 of Title 24 of the Louisiana Revised Statutes of 1950, as amended. If the Department owns any of the Bonds, such audit will also be made in accordance with the requirements of (i) Circular A-133 of the U.S. Office of Management and Budget, (ii) Section 66.458 of the Catalog of Federal Domestic Assistance (CFDA Publication #66.458 - Capitalization Grants for State Revolving Funds), and/or (iii) Section 66.468 of the Catalog of Federal Domestic Assistance (CFDA #66.468 –
Capitalization Grants for Drinking Water State Revolving Funds), if applicable. Upon completion, but in no event later than six (6) months after the close of the applicable Fiscal Year, the Parish shall file a copy of such audited financial statements with any Owner requesting same.

The Parish further agrees that if the Department owns any of the Bonds, the Department shall have the right to ask for and discuss with the accountant making the review and the contents of the review and such additional information as it may reasonably require.

ARTICLE VIII

FEDERAL TAX MATTERS; CONTINUING DISCLOSURE

SECTION 8.01 General Tax Covenants. In the event that any of the Bonds are issued as tax-exempt bonds for federal income tax purposes, the Parish covenants and agrees that, to the extent permitted by the laws of the State of Louisiana, it will comply with the requirements of the Code in order to establish, maintain and preserve the exclusion from "gross income" of interest on the Bonds under the Code.

If the Bonds are issued as tax exempt bonds, the Parish further covenants and agrees that it will not take any action, fail to take any action, or permit any action within its control to be taken, or permit at any time or times any of the proceeds of the Bonds or any other funds of the Parish to be used directly or indirectly in any manner, the effect of which would be to cause the Bonds to be "arbitrage bonds" or would result in the inclusion of the interest on any of the Bonds in gross income under the Code, including, without limitation, (i) the failure to comply with the limitation on investment of Bond proceeds or (ii) the failure to pay any required rebate of arbitrage earnings to the United States of America or (iii) the use of the proceeds of the Bonds in a manner which would cause the Bonds to be "private activity bonds."

ARTICLE IX

SUPPLEMENTAL BOND RESOLUTIONS

SECTION 9.01 Supplemental Ordinances Effective Without Consent of Owners. For any one or more of the following purposes, in addition to the adoption of Series Ordinances pursuant to Section 0 with respect to the issuance of additional series of the Bonds, and at any time from time to time, an ordinance supplemental hereto may be adopted, which, upon the filing with the Paying Agent
and any rating agency which is then rating the Bonds, of a notice thereof at least fifteen (15) days prior to the adoption thereof, and thereafter with a certified copy thereof, but without any consent of the Owners, shall be fully effective in accordance with its terms:

(a) to add to the covenants and agreements of the Parish in this General Bond Ordinance other covenants and agreements to be observed by the Parish which are not contrary to or inconsistent with this General Bond Ordinance as theretofore in effect;

(b) to add to the limitations and restrictions in this General Bond Ordinance other limitations and restrictions to be observed by the Parish which are not contrary to or inconsistent with this General Bond Ordinance as theretofore in effect;

(c) to surrender any right, power or privilege reserved to or conferred upon the Parish by the terms of this General Bond Ordinance, but only if the surrender of such right, power or privilege is not contrary to or inconsistent with the covenants and agreements of the Parish contained in this General Bond Ordinance;

(d) to cure any ambiguity, supply any omission, or cure or correct any defect or inconsistent provision of this General Bond Ordinance; or

(e) to insert such provisions clarifying matters or questions arising under this General Bond Ordinance as are necessary or desirable and are not contrary to or inconsistent with the General Bond Ordinance as theretofore in effect.

SECTION 9.02 Supplemental Ordinances Effective With Consent of Owners. Except as provided in Sections 0 and 0, any modification or amendment of this General Bond Ordinance or of the rights and obligations of the Parish and of the Owners hereunder, in any particular, may be made by a supplemental ordinance, with the written consent of the Owners of a majority of the Outstanding principal amount of the Bonds at the time such consent is given. The Parish shall give a notice thereof to the Paying Agent and any rating agency which is then rating any of the Bonds, at least fifteen (15) days prior to the adoption thereof, and thereafter shall furnish to said persons a certified copy thereof. No such modification or amendment shall permit a change in the terms of prepayment or maturity of the principal of any Outstanding Bonds or of any installment of interest thereon or a reduction in the principal amount or the prepayment price thereof or in the rate of interest thereon without the consent of the Owner of such Bonds, or shall reduce the percentages of Bonds the consent of the Owner of which is required to effect any such modification or amendment, or change the obligation of the Parish to
levy and collect the Tax as provided herein, without the consent of the Owners of all of the Bonds then outstanding.

ARTICLE IX

EVENTS OF DEFAULT; REMEDIES

SECTION 10.01 Events of Default. If one or more of the following events (in this General Bond Ordinance called "Events of Default") shall happen, that is to say, (a) if default shall be made in the due and punctual payment of the principal of any Bond when and as the same shall become due and payable, whether at maturity or otherwise; or (b) if default shall be made in the due and punctual payment of any installment of interest on any Bond when and as such interest installment shall become due and payable; or (c) if default shall be made by the Parish in the performance or observance of any other of the covenants, agreements or conditions on its part in the General Bond Ordinance, any supplemental ordinance or in the Bonds contained and such default shall continue for a period of forty-five (45) days after written notice thereof to the Parish by the Owners of not less than 25% of the Outstanding principal amount of the Bonds; or (d) if the Parish shall file a petition or otherwise seek relief under any Federal or State bankruptcy law or similar law; then, upon the happening and continuance of any Event of Default, the Owners shall be entitled to exercise all rights and powers for which provision is made under Louisiana law.

ARTICLE IX

MISCELLANEOUS

SECTION 11.01 Defeasance. (a) If the Parish shall pay or cause to be paid to the Owners of all Bonds then Outstanding, the principal and interest and prepayment premium, if any, to become due thereon, at the times and in the manner stipulated therein and in this General Bond Ordinance, then the covenants, agreements and other obligations of the Parish to the Owners shall be discharged and satisfied. In such event, the Paying Agent shall, upon the request of the Parish, execute and deliver to the Parish all such instruments as may be desirable to evidence such discharge and satisfaction and the Paying Agent shall pay over or deliver to the Parish all moneys, securities and funds held by them pursuant to this General Bond Ordinance which are not required for the payment or prepayment of Bonds not theretofore surrendered for such payment or prepayment.

(b) Bonds or interest installments for the payment of which money shall have been set aside and shall be held in trust (through deposit by the Parish of
funds for such payment or otherwise) at the maturity date thereof shall be deemed to have been paid within the meaning and with the effect expressed above in this Section if they have been defeased using Defeasance Obligations pursuant to Chapter 14 of Title 39 of the Louisiana Revised Statutes of 1950, as amended, or any successor provisions thereto.

SECTION 11.02 Parties Interested Herein. Nothing in this General Bond Ordinance expressed or implied is intended or shall be construed to confer upon, or to give to, any person or corporation, other than the Parish, the Paying Agent and the Owners any right, remedy or claim under or by reason of this General Bond Ordinance or any covenant, condition or stipulation thereof; and all the covenants, stipulations, promises and agreements in this General Bond Ordinance contained by and on behalf of the Parish shall be for the sole and exclusive benefit of the Parish, the Paying Agent and the Owners.

SECTION 11.03 No Recourse on the Bonds. No recourse shall be had for the payment of the principal of or interest on the Bonds or for any claim based thereon or on this General Bond Ordinance against any member of the Governing Authority or officer of the Parish or any person executing the Bonds.

SECTION 11.04 Successors and Assigns. Whenever in this General Bond Ordinance the Parish is named or referred to, it shall be deemed to include its successors and assigns and all the covenants and agreements in this General Bond Ordinance contained by or on behalf of the Parish shall bind and inure to the benefit of its successors and assigns whether so expressed or not.

SECTION 11.05 Severability. In case any one or more of the provisions of this General Bond Ordinance or of the Bonds issued hereunder shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provision of this General Bond Ordinance or of the Bonds, but this General Bond Ordinance and the Bonds shall be construed and enforced as if such illegal or invalid provisions had not been contained therein. Any constitutional or statutory provision enacted after the date of this General Bond Ordinance which validates or makes legal any provision of this General Bond Ordinance or the Bonds which would not otherwise be valid or legal shall be deemed to apply to this General Bond Ordinance and to the Bonds.

SECTION 11.06 Publication of Ordinance; Preemption. This General Bond Ordinance shall be published one time in the official journal of the Parish. For a period of thirty (30) days from the date of such publication, any person in interest shall have the right to contest the legality of this General Bond Ordinance and of the Bonds to be issued pursuant hereto and the provisions hereof securing the Bonds.
Page -23-
Extract #23 continued
May 7, 2019

After the expiration of said thirty (30) days, no one shall have any cause of right of action to contest the legality, formality or regularity of this General Bond Ordinance or bond authorization, for any cause whatsoever. If the question of the validity of this General Bond Ordinance or bond authorization is not raised within the thirty days, the authority to issue the Bonds and the regularity thereof, including all things pertaining to the election at which the Bonds were authorized, shall be conclusively presumed, and no court may inquire into such matters.

SECTION 11.07  **Effective Date.** This General Bond Ordinance shall become effective immediately upon its adoption.

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 7th day of May, 2019.

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

Delivered to the Parish President ______________________________ Date and Time

Received by ______________________________

Approved ______________________________  Vetoed ______________________________
Page -24-
Extract #23 continued
May 7, 2019

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. 3708**

Introduced by: Administration on 4/16/19
Public Hearing held on 5/7/19

A SUPPLEMENTAL BOND ORDINANCE AUTHORIZING THE ISSUANCE IN ONE OR MORE SERIES OF NOT EXCEEDING $10,000,000 OF TAXABLE SALES TAX BONDS, SERIES 2019, OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, IN ACCORDANCE WITH THE TERMS OF GENERAL BOND ORDINANCE NO. _*_; PRESCRIBING THE FORM, AND CERTAIN TERMS AND CONDITIONS OF SAID BONDS; AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

WHEREAS, Parish of St. Bernard, State of Louisiana (the "Parish"), is now levying and collecting a one-half of one percent (1/2%) sales and use tax by virtue of an ordinance, adopted by this Parish Council of the Parish of St. Bernard, State of Louisiana (the "Governing Authority") on December 1, 1998 (the "Tax"), under the authority of an election held by the Issuer on November 3, 1998, at which the following proposition was approved by a majority of the qualified electors voting in such election, viz:

**1/2% SALES TAX PROPOSITION**

AUTHORITY FOR ST. BERNARD PARISH TO LEVY A 1/2% SALES TAX, FOR IMPROVEMENTS TO THE SEWER AND WATER SYSTEM IN SAID PARISH, INCLUDING AUTHORITY TO FUND THE TAX INTO BONDS, PROVIDED THAT AT LEAST 25% OF THE ANNUAL REVENUES OF THE TAX MUST BE EXPENDED TO CORRECT INFLOW AND INFILTRATION IN SEWAGE COLLECTION LINES, OR TO REPAIR DAMAGE CAUSED THEREBY, UNLESS REQUIRED FOR DEBT SERVICE ON BONDS OR OTHERWISE APPROVED BY AT LEAST TWO-THIRDS OF THE TOTAL MEMBERSHIP OF THE PARISH COUNCIL.
Shall the Parish of St. Bernard, State of Louisiana (the “Parish”), under the provisions of Article VI, Section 29(B) of the Constitution of the State of Louisiana of 1974, Act No. 66 of 1998, and other constitutional and statutory authority, be authorized to levy and collect a tax of one-half of one per cent (1/2%) (the “Tax”), commencing January 1, 1999, upon the sale at retail, the use, the lease or rental, the consumption, and the storage for use or consumption of tangible personal property and on sales of services in the Parish, all as defined in Chapter 2 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, as amended, with the proceeds of the Tax (after paying the reasonable and necessary costs and expenses of collecting and administering the Tax), to be dedicated and used for improvements to the sewer and water system in the Parish, title to which shall be in the public, and shall the Parish be further authorized to fund the proceeds of the Tax into bonds to be issued from time to time for the purpose of improvements to the sewer and water system in the Parish, specifically acquiring and constructing additions, extensions and improvements to the water treatment and distribution system and sewage collection, treatment and disposal system, title to which shall be in the public, to the extent and in the manner permitted by the laws of Louisiana, including Sub-Part F, Part III, Chapter 4, Title 39 of the Louisiana Revised Statutes of 1950, and other authority provided further that at least 25% of the annual revenues of the Tax must be expended to correct inflow and infiltration in sewage collection lines, or to repair damage caused thereby, unless required for debt service on bonds or otherwise approved by at least two-thirds of the total membership of the Parish Council?

WHEREAS, pursuant to the authority of the aforesaid elections, the Parish adopted an ordinance on December 1, 1998, providing for the levy and collection of the Tax (the "Tax Ordinance"); and

WHEREAS, the Parish now owns and operates a combined water and sewer system (the "System") and desires to construct, acquire, extend and improve the drinking water portion of the System (the "Project") and to finance the costs thereof through the issuance of Taxable Sales Tax Bonds (the "Bonds") payable from the net revenues of the Tax pursuant to the provisions of Part II of Chapter 4 of Subtitle II of Title 39 of the Louisiana Revised Statutes of 1950, as amended (the "Act"); and
WHEREAS, the Parish currently has no outstanding notes, bonds or other obligations payable from a pledge and dedication of the income and revenues of the Tax, EXCEPT its outstanding Sales Tax Refunding Bonds, Series 2018 which will be prepaid prior to the delivery of the Series 2019 Bonds (hereinafter defined); and

WHEREAS, on this date, this Governing Authority adopted a General Bond Ordinance entitled: "A General Bond Ordinance authorizing the issuance from time to time of Sales Tax Bonds of the Parish of St. Bernard, State of Louisiana; prescribing the form, and certain terms and conditions of said Bonds; providing for the payment thereof in principal and interest; and providing for other matters in connection therewith" (the "General Bond Ordinance"), which authorizes the issuance of sales tax bonds from time to time for the purposes described therein; and

WHEREAS, the United States of America, pursuant to the Safe Drinking Water Act Amendments of 1996, specifically Section 300j-12 of Title 42 of the United States Code (the "Federal Act"), is authorized to make capitalization grants to states to be used for the purpose of providing loans or loan guarantees, or as a source of reserve and security for leveraged loans, the proceeds of which are deposited in a state revolving fund, or to provide other financial assistance authorized under the Federal Act to community water systems and nonprofit non-community water systems, other than systems owned by Federal agencies; and

WHEREAS, the State of Louisiana (the "State"), pursuant to Chapter 32 of Title 40 of the Louisiana Revised Statutes of 1950, as amended (La. R.S. 40:2821, et seq.) (the "State Act"), has established a Drinking Water Revolving Loan Fund (the "State Revolving Fund") in the custody of the Louisiana Department of Health (the "Department") to be used for the purpose of providing financial assistance for the improvement of public drinking water systems in the State, as more fully described in Section 2825(A)(2) of the State Act, and has authorized the Department’s Office of Public Health to establish assistance priorities and perform oversight and other related activities with respect to the State Revolving Fund; and

WHEREAS, the Parish has made application to the Department for a loan from the State Revolving Fund to finance a portion of the costs of the Project and the Department has approved the Parish’s application for such loan; and

WHEREAS, to represent the loan from the State Revolving Fund in a principal amount not to exceed Ten Million Dollars ($10,000,000), it is now the desire of this Governing Authority to fix the details necessary with respect to the issuance of the Bonds and provide for the authorization and issuance thereof;
WHEREAS, as required by the Act, the maturities of the Bonds will be so arranged that the total amount of principal and interest falling due in any fiscal year shall never exceed seventy-five percent of the net revenues of the Tax in the fiscal year in which the Bonds are issued; and

WHEREAS, the Parish desires to fix the details necessary with respect to the issuance, sale and delivery of the Bonds, and to provide for the authorization and issuance thereof, as hereinafter provided;

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

SECTION 1. Definitions. In addition to words and terms elsewhere defined in the General Bond Ordinance and this First Supplemental Bond Ordinance, the following words and terms as used in this First Supplemental Bond Ordinance shall have the following meanings, unless some other meaning is plainly intended:

"Administrative Fee" means, with respect to the Series 2019 Bonds and any other Bonds purchased by the Department from the State Revolving Fund, the fee due by the Issuer to the Department of one-half of one percent (0.5%) per annum of the outstanding principal amount of such bonds, or such lesser amount, if any, as the Department may approve from time to time, which shall be payable in installments on each Interest Payment Date.

"Completion Date" means the date on which the operation of the completed Project financed with the proceeds of the Series 2019 Bonds is initiated or capable of being initiated, whichever is earlier, as that date is certified by the Authorized Officer (as defined in the Loan Agreement) of the Issuer, and as more fully described in the Loan Agreement.

"Department" means the Louisiana Department of Health, an executive department and agency of the State of Louisiana, and any successor to the duties and functions thereof.

"Final Loan Installment" means the final disbursement of loan proceeds (Bond proceeds) by the Department to the Issuer under the terms of the Loan Agreement, which installment may be paid no later than 180 days after the Completion Date.

"First Supplemental Ordinance" means this supplemental ordinance authorizing the issuance of the Series 2019 Bonds pursuant to the General Bond Ordinance.
"General Bond Ordinance" means the General Bond Ordinance, as described in the preambles hereof.

"Interest Payment Date" means June 1 and December 1 of each year, commencing on the first December 1 falling due after the Delivery Date (or such other semiannual dates which may be agreed upon by the Department and the Executive Officers at the delivery of the Series 2019 Bonds).

"Loan Agreement" means the Loan and Pledge Agreement to be entered into by and between the Issuer and the Department prior to the delivery of the Series 2019 Bonds, in substantially the form attached hereto as Exhibit B, and which will contain certain additional provisions relating to the Series 2019 Bonds and the Project as it may be supplemented or amended from time to time in accordance with the provisions thereof.

"Paying Agent" with respect to the Series 2019 Bonds means the Director of Finance of the Parish, unless and until a successor Paying Agent shall have assumed such responsibilities pursuant to the General Bond Ordinance.

"Principal Payment Date" means February 1 of each year on which an installment of principal falls due, as designated by the Bonds (or such other annual date as may be agreed upon by the Department and the Executive Officers at the time of delivery).

"Project" means constructing, acquiring, extending and improving the drinking water portion of the System as described more specifically in the Loan Agreement.

"Registrar" means the Clerk of the Issuer, unless and until a successor Registrar shall have become such pursuant to the applicable provisions of this Ordinance and thereafter "Registrar" shall mean such successor Registrar.

"Scheduled Completion Date" means the date designated as such in accordance with the provisions of the Loan Agreement, regardless of whether or not such date precedes or follows the Completion Date.

"Series 2019 Bonds" means the Taxable Sales Tax Bonds, Series 2019 authorized to be issued pursuant to this First Supplemental Ordinance and particularly by Section 2 hereof.
Rules of Interpretation. (A) In this First Supplemental Ordinance, unless the context otherwise requires, (i) words importing the singular include the plural and vice versa, (ii) words of the masculine gender shall be deemed and construed to include correlative words of the feminine and neuter genders, and (iii) the title of the offices used in this First Supplemental Ordinance shall be deemed to include any other title by which such office shall be known under any subsequently adopted charter.

(B) In the event that any provisions of this First Supplemental Ordinance conflict with any provisions of the Loan Agreement during the period the Department owns any of the Series 2019 Bonds, the provisions of the Loan Agreement shall control.

SECTION 2. Authorization of Series 2019 Bonds. (a) In compliance with and under the authority of the Act, there is hereby authorized the incurring of an indebtedness of not exceeding Ten Million Dollars ($10,000,000) for, on behalf of and in the name of the Parish, for the purpose of paying Costs of the Project and paying Costs of Issuance, and to represent the indebtedness, this Governing Authority does hereby authorize the issuance of not exceeding Ten Million Dollars ($10,000,000) of Taxable Sales Tax Bonds, Series 2019, of the Parish. The Executive Officers may approve a different series designation if the Series 2019 Bonds are delivered after the end of 2019 or if it is in their sole judgment preferable to do so. The Series 2019 Bonds shall be issued in the form of a fully registered bond, number R-1, shall be dated the Delivery Date, and shall be substantially in the form attached hereto as Exhibit A.

(b) The Series 2019 Bonds shall be Fixed Rate Bonds and the Interest Payment Dates shall be December 1 and June 1 of each year, commencing December 1, 2019. Except as hereinafter provided, the unpaid principal of the Bonds shall bear interest from the Delivery Date, or the most recent Interest Payment Date to which interest has been paid or duly provided for, at a rate of one and ninety-five hundredths percent (1.95%) per annum, said interest to be calculated on the basis of a 360-day year, consisting of twelve (12) 30-day months and payable on each Interest Payment Date. Interest on the Bonds on any Interest Payment Date prior to the Final Loan Installment shall be payable only on the aggregate amount of the purchase price which shall have been paid theretofore and is outstanding and shall accrue with respect to each purchase price installment only from the date of payment of such installment.

In addition to interest at the rate set forth above, at any time that the Department owns the Bonds, the Issuer will pay the Administrative Fee to the Department on
each Interest Payment Date. In the event that (i) the Department owns any Bonds or the Department has pledged or assigned any Bonds in connection with its Drinking Water Revolving Loan Fund; and (ii) the Administrative Fee payable by the Issuer to the Department under the terms of the Loan Agreement is declared illegal or unenforceable by a court or an administrative body of competent jurisdiction, the interest rate borne by the Bonds shall be increased by one-half of one percent (0.50%) per annum, effective as of the date declared to be the date from which the Administrative Fee is no longer owed because of such illegality or unenforceability.

(c) The Series 2019 Bonds shall mature in twenty (20) installments of principal, payable annually on a Principal Payment Date and beginning not more than one (1) year after the Completion Date in compliance with the requirements of the Federal Act and the State Act that the first repayment of principal be not more than (1) year after the Completion Date. In no event shall the final maturity of the Bonds be more than twenty-two (22) years from the Delivery Date, and each annual installment shall be the applicable percentage shown on the following table, rounded to the nearest One Thousand Dollars ($1,000), of the outstanding principal amount of the Series 2019 Bonds (taking into account any principal forgiveness) on the day before the applicable Principal Payment Date:

<table>
<thead>
<tr>
<th>Date (December 1)</th>
<th>Percentage of Principal</th>
<th>Date (December 1)</th>
<th>Percentage of Principal</th>
</tr>
</thead>
<tbody>
<tr>
<td>2021</td>
<td>3.934%</td>
<td>2031</td>
<td>8.946%</td>
</tr>
<tr>
<td>2022</td>
<td>4.196%</td>
<td>2032</td>
<td>10.066%</td>
</tr>
<tr>
<td>2023</td>
<td>4.487%</td>
<td>2033</td>
<td>11.467%</td>
</tr>
<tr>
<td>2024</td>
<td>4.813%</td>
<td>2034</td>
<td>13.270%</td>
</tr>
<tr>
<td>2025</td>
<td>5.180%</td>
<td>2035</td>
<td>15.675%</td>
</tr>
<tr>
<td>2026</td>
<td>5.597%</td>
<td>2036</td>
<td>19.044%</td>
</tr>
<tr>
<td>2027</td>
<td>6.074%</td>
<td>2037</td>
<td>24.100%</td>
</tr>
<tr>
<td>2028</td>
<td>6.625%</td>
<td>2038</td>
<td>32.530%</td>
</tr>
<tr>
<td>2029</td>
<td>7.269%</td>
<td>2039</td>
<td>49.395%</td>
</tr>
<tr>
<td>2030</td>
<td>8.031%</td>
<td>2040</td>
<td>100.00%</td>
</tr>
</tbody>
</table>
In the event that the Completion Date of the Project is on or after the first Principal Payment Date stated in the Series 2019 Bonds, the principal payment schedule set forth above may be adjusted so that each payment shall be due on the December 1 that is one year later than shown above, provided that in no event shall the final principal payment be later than twenty-two (22) years from the Delivery Date. To exercise the option to defer the principal repayment schedule, the Issuer must so notify the Department in writing prior to June 1, 2021, and certify that the Completion Date will not have occurred prior to December 1, 2021.

If it is determined by the Department as of the Delivery Date that the Series 2019 Bonds are eligible for forgiveness and if the Department has sufficient authority and funding therefor, then twenty percent (20%) of the principal amount of each draw on the Series 2019 Bonds shall be forgiven by the Department, up to maximum amount of principal forgiveness of $500,000, and no interest or Administrative Fee shall accrue on the principal amount that is so forgiven; however, such forgiveness is not a condition to the issuance of the Series 2019 Bonds that such principal forgiveness be actually granted.

(d) The principal and interest on the Series 2019 Bonds shall be payable by check mailed to the registered owner of the Series 2019 Bonds (determined as of the Interest Payment Date) at the address shown on the registration books kept by the Paying Agent for such purpose, provided that payment of the final installment of principal on the Series 2019 Bonds shall be made only upon presentation and surrender of the Series 2019 Bonds to the Paying Agent.

(e) The principal installments of the Series 2019 Bonds are subject to prepayment at the option of the Parish at any time, in whole or in part, at a prepayment price of par plus accrued interest and accrued Administrative Fee, if any, to the prepayment date and in such case the remaining principal of the Series 2019 Bonds shall continue to mature in installments calculated using the percentages shown in Section 2(c) above. Notice of any such call for prepayment shall be given in the manner provided in the General Bond Ordinance.

(f) The Series 2019 Bonds shall be issued in the form of a single fully registered bond, initially numbered R-1 and shall be in substantially the form attached hereto as Exhibit A.

(g) The Director of Finance of the Parish shall be the initial Paying Agent for the Series 2019 Bonds.

(h) The Series 2019 Bonds are awarded to and sold to the Department at a price of par plus accrued interest, if any, under the terms and conditions set forth in the Loan Agreement, and after their execution and authentication by the
Registrar, the Series 2019 Bonds shall be delivered to the Department or its agents or assigns, upon receipt by the Issuer of the agreed purchase price.

(i) The "Reserve Fund Requirement" for the Series 2019 Bonds shall mean one-half of the highest amount of principal, interest and Administrative Fee on the Series 2019 Bonds due in any future Bond Year (taking into consideration any principal forgiveness given by the Department), which shall be deposited by the Parish in an account in the Reserve Fund to be designated the "Series 2019 Account," to be retained solely for the purpose of paying the principal of and interest on the Series 2019 Bonds as to which there would otherwise be default, by transferring on the 20th day of each month of each year, a sum equal to 25% of the sum being paid monthly into the Debt Service Fund until a sum equal to the Reserve Fund Requirement is on deposit therein (such amount to be accumulated therein) within a period not exceeding five (5) years from the Delivery Date. Moneys in the Series 2019 Account shall be used only to secure and make payments solely on the Series 2019 Bonds (and not on any other issues) as to which there would otherwise be default.

(j) No proceeds of the Series 2019 Bonds will be used to refund any outstanding obligations.

(k) The Series 2019 Bonds are the first series of bonds being issued under the General Bond Ordinance, therefore the parity bond requirements of Section 6.01 thereof are not applicable.

(l) The Executive Officers are each hereby empowered, authorized and directed to do any and all things necessary and incidental to carry out all of the provisions of the General Bond Ordinance and this First Supplemental Ordinance, to execute and deliver the Loan Agreement, and to cause the Series 2019 Bonds to be prepared and/or printed, to issue, execute and seal the Series 2019 Bonds and to effect delivery thereof as hereinafter provided. In connection with the issuance and sale of the Series 2019 Bonds, the Executive Officers and the Director of Finance of the Parish are each authorized, empowered and directed to execute on behalf of the Parish such additional documents, certificates and instruments as they may deem necessary, upon the advice of bond counsel, to effect the transactions contemplated by this First Supplemental Ordinance, including a Commitment Agreement. The signatures of said officers on such documents, certificates and instruments shall be conclusive evidence of the due exercise of the authority granted hereunder.

(m) The Series 2019 Bonds are not being designated as "qualified tax-exempt obligations" within the meaning of Section 265(b)(3) of the Code.
(n) It is recognized that the Parish will not be required to comply with the continuing disclosure requirements described in Rule 15c2-12(b) of the Securities and Exchange Commission [17 CFR §240.15c2-12(b)].

(o) Inasmuch as the Series 2019 Bonds are not being issued as tax-exempt or tax-advantaged bonds, no post-issuance tax compliance procedures are needed.

(p) Application to the State Bond Commission has previously been authorized.

(q) The "Completion Date" and "Scheduled Completion Date" shall have the meanings ascribed in Section 1.

(r) The Series 2019 Bonds are not being designated as "Build America Bonds" or any similar type of tax-advantaged bonds requiring a designation at this time.

(s) There will be no Credit Enhancement arrangements with respect to the Series 2019 Bonds.

(t) This Governing Authority recognizes that the Series 2019 Bonds will be sold to the Department pursuant to its Drinking Water Revolving Loan Fund Program. In connection with this sale, the Issuer and the Department will enter into a Loan and Pledge Agreement presented by the Department to the Issuer pertaining to the Series 2019 Bonds and the Project, which Loan Agreement will be in substantially the form attached as Exhibit B hereto. The Executive Officers are hereby authorized to execute such Loan Agreement on behalf of and under the seal of the Issuer, in substantially the form attached as Exhibit B hereto, with such changes, additions and deletions as shall in the sole opinion of the Executive Officers, upon advice of counsel, be deemed appropriate under the circumstances. So long as the Department owns any portion of the Series 2019 Bonds, then to the extent that any provision of this First Supplemental Ordinance is inconsistent with or contrary to the Loan Agreement, the applicable provision of the Loan Agreement shall control. As shall be provided in the Loan Agreement, the Issuer shall comply with certain provisions of the Loan Agreement, as specified therein, regardless of whether or not the Department is the Owner and regardless of any prepayment of defeasance of the Series 2019 Bonds prior to their final stated maturity. With the advice of bond counsel, the Executive Officers are further authorized and directed to execute on behalf of the Issuer a Commitment Agreement by and between the Department and the Issuer which the Department may require as a prerequisite to the execution of the Loan Agreement, which Commitment Agreement shall be substantially in the form on file with the Clerk of the Governing Authority.
SECTION 3. Parties Interested Herein. Nothing in this First Supplemental Ordinance expressed or implied is intended or shall be construed to confer upon, or to give to, any person or corporation, other than the Parish, the Paying Agent and the Owners of the Series 2019 Bonds any right, remedy or claim under or by reason of this First Supplemental Ordinance or any covenant, condition or stipulation thereof; and all the covenants, stipulations, promises and agreements in this First Supplemental Ordinance contained by and on behalf of the Parish shall be for the sole and exclusive benefit of the Parish, the Paying Agent and the Owners of the Series 2019 Bonds.

SECTION 4. No Recourse on the Series 2019 Bonds. No recourse shall be had for the payment of the principal of or interest on the Series 2019 Bonds or for any claim based thereon or on this First Supplemental Ordinance against any member of the Governing Authority or officer of the Parish or any person executing the Series 2019 Bonds.

SECTION 5. Successors and Assigns. Whenever in this First Supplemental Ordinance the Parish is named or referred to, it shall be deemed to include its successors and assigns and all the covenants and agreements in this First Supplemental Ordinance contained by or on behalf of the Parish shall bind and inure to the benefit of its successors and assigns whether so expressed or not.

SECTION 6. Severability. In case any one or more of the provisions of this First Supplemental Ordinance or of the Series 2019 Bonds issued hereunder shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provision of this First Supplemental Ordinance or of the Series 2019 Bonds, but this First Supplemental Ordinance and the Series 2019 Bonds shall be construed and enforced as if such illegal or invalid provisions had not been contained therein. Any constitutional or statutory provision enacted after the date of this First Supplemental Ordinance which validates or makes legal any provision of this First Supplemental Ordinance or the Series 2019 Bonds which would not otherwise be valid or legal shall be deemed to apply to this First Supplemental Ordinance and to the Series 2019 Bonds.

SECTION 7. Publication; Peremption. This First Supplemental Ordinance shall be published one time in the official journal of the Parish; or if there is none, in a newspaper having general circulation in the Parish. It shall not be necessary to publish the exhibits to this First Supplemental Ordinance but such exhibits shall be made available for public inspection at the offices of the Governing Authority at reasonable times and such fact must be stated in the publication within the official journal. For a period of thirty days after the date of such publication any persons in interest may contest the legality of this First Supplemental Ordinance and
any provisions herein made for the security and payment of the Series 2019 Bonds. After such thirty day period no one shall have any cause or right of action to contest the regularity, formality, legality, or effectiveness of this First Supplemental Ordinance and the provisions hereof or of the Series 2019 Bonds authorized hereby for any cause whatsoever. If no suit, action, or proceeding is begun contesting the validity of the Series 2019 Bonds authorized pursuant to this First Supplemental Ordinance within the thirty days herein prescribed, the authority to issue the Series 2019 Bonds or to provide for the payment thereof, and the legality thereof, and all of the provisions of this First Supplemental Ordinance and such Series 2019 Bonds shall be conclusively presumed, and no court shall have authority or jurisdiction to inquire into any such matter.

SECTION 8. Effective Date. This First Supplemental Bond Ordinance shall become effective immediately upon its adoption.

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 7th day of May, 2019.

__________________________  ___________________________
ROXANNE ADAMS             RICHARD "RICHIE" LEWIS
CLERK OF COUNCIL           COUNCIL CHAIR

Delivered to the Parish President _____________________ Date and Time

Received by ____________________________
EXHIBIT A
to First Supplemental Bond Ordinance

FORM OF BOND

INTEREST ON THIS BOND WILL BE INCLUDED IN GROSS INCOME FOR FEDERAL INCOME TAX PURPOSES AND IS NOT EXEMPT FROM FEDERAL INCOME TAXATION.

UNITED STATES OF AMERICA
STATE OF LOUISIANA
PARISH OF ST. BERNARD

TAXABLE SALES TAX BOND, SERIES 2019
OF THE
PARISH OF ST. BERNARD, STATE OF LOUISIANA

<table>
<thead>
<tr>
<th>Bond Number</th>
<th>Bond Date</th>
<th>Interest Rate</th>
<th>Principal Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>R-1</td>
<td>___________ , 2019</td>
<td>1.95%</td>
<td>$__________</td>
</tr>
</tbody>
</table>

FOR VALUE RECEIVED, the Parish of St. Bernard, State of Louisiana (the "Issuer"), hereby promises to pay (but only from the sources hereinafter described) to:

REGISTERED OWNER: Louisiana Department of Health
Office of Management & Finance
ATTN: Cash Management
P. O. Box 61979
New Orleans, LA 70161-1979

or registered assigns noted on the registration record attached hereto, the Principal Amount set forth above (unless a lower Principal Amount applies, as set forth below), together with interest thereon from the Bond Date set forth above or the most recent interest payment date to which interest has been paid or duly provided for, unless this Bond shall have been previously called for prepayment and payment shall have been duly made or provided for.

This Bond shall bear interest, payable semi-annually on June 1 and December 1 of each year, commencing December 1, 2019 (each, an "Interest Payment Date"), at the Interest Rate set forth above, said interest to be calculated on the basis of a 360-day year consisting of twelve 30-day months. Interest on this Bond on any Interest Payment Date shall be payable only on the aggregate outstanding amount of the purchase price which shall have been paid theretofore, as noted on Schedule A hereto, and shall accrue with respect to each purchase price installment only from the date of payment of such installment.
If the Louisiana Department of Health (the "Department") is the registered owner of this Bond, the Parish will additionally pay an Administrative Fee to the Department at the annual rate of one-half of one percent (0.50%) on the outstanding principal amount of this Bond, payable on each Interest Payment Date. In the event (i) the Department owns this Bond or the Department has pledged or assigned this Bond in connection with its Drinking Water Revolving Loan Fund Program and (ii) the Administrative Fee payable to the Department is declared illegal or unenforceable by a court or an administrative body of competent jurisdiction, then the "Interest Rate" shown above and borne by this Bond shall be increased by one-half of one percent (0.5%) per annum, effective as of the date declared to be the date from which the Administrative Fee is no longer owed because of such illegality or unenforceability.

This Bond shall mature in twenty (20) installments of principal, payable annually on each December 1, and each annual installment shall be the applicable percentage shown in the following table, rounded to the nearest One Thousand Dollars ($1,000), of the outstanding principal amount of this Bond on the day before the applicable Principal Payment Date:

<table>
<thead>
<tr>
<th>Date (December 1)</th>
<th>Percentage of Principal</th>
<th>Date (December 1)</th>
<th>Percentage of Principal</th>
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</thead>
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<tr>
<td>2021</td>
<td>3.934%</td>
<td>2031</td>
<td>8.946%</td>
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<tr>
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<td>4.196%</td>
<td>2032</td>
<td>10.066%</td>
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<td>4.487%</td>
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<td>11.467%</td>
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<tr>
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<td>4.813%</td>
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<td>13.270%</td>
</tr>
<tr>
<td>2025</td>
<td>5.180%</td>
<td>2035</td>
<td>15.675%</td>
</tr>
<tr>
<td>2026</td>
<td>5.597%</td>
<td>2036</td>
<td>19.044%</td>
</tr>
<tr>
<td>2027</td>
<td>6.074%</td>
<td>2037</td>
<td>24.100%</td>
</tr>
<tr>
<td>2028</td>
<td>6.625%</td>
<td>2038</td>
<td>32.530%</td>
</tr>
<tr>
<td>2029</td>
<td>7.269%</td>
<td>2039</td>
<td>49.395%</td>
</tr>
<tr>
<td>2030</td>
<td>8.031%</td>
<td>2040</td>
<td>100.00%</td>
</tr>
</tbody>
</table>

In the event that the Completion Date of the Project being financed with this Bond is on or after ___________ 1, 2020, the principal payment schedule set forth above may be adjusted so that each payment shall be due on the ________ 1 that is one year later than shown above, provided that in no event shall the final principal payment be more than twenty-two (22) years from the Delivery Date. To exercise the option to defer the principal repayment schedule, the Issuer must so notify the Department in writing prior to ___________ 1, 2019, and certify that the Completion Date will not have occurred prior to ___________ 1, 2020.

The principal and interest on this Bond shall be payable by check mailed to the registered owner of this Bond (determined as of the Interest Payment Date) at the address shown on the registration books kept by the Paying Agent (hereinafter defined) for such purpose, provided that payment of the final installment of principal on this Bond shall be made only upon presentation and surrender of this Bond to the Paying Agent.

The principal installments of this Bond are subject to prepayment at the option of the Parish at any time, in whole or in part, at a prepayment price of par plus accrued interest and accrued Administrative Fee, if any, to the prepayment date. In such case, the remaining principal shall continue to mature in annual installments calculated using the percentages shown above.
In the event a portion of this Bond is to be prepaid, this Bond shall be surrendered to the Director of Finance of the Parish, as initial Paying Agent for the Bonds (the "Paying Agent"), who shall note the amount of such prepayment in the space provided therefor on the schedule attached to this Bond. Official notice of such call of this Bond for prepayment shall be given via accepted means of electronic communication or by means of first class mail, postage prepaid by notice deposited in the United States Mail not less than thirty (30) days prior to the prepayment date addressed to the registered owner of this Bond to be prepaid at his address as shown on the registration books of the Paying Agent, which notice may be waived by any registered owner. The Parish shall cause to be kept at the office of the Paying Agent a register in which registration of this Bond and of transfer of this Bond shall be made as provided herein and in the Bond Ordinance (hereinafter defined). This Bond may be transferred, registered and assigned only on such registration records of the Paying Agent, and such registration shall be at the expense of the Parish.

This Bond represents the entire issue of bonds of the Parish designated "Taxable Sales Tax Bond, Series 2019" aggregating in principal the sum of Ten Million Dollars ($10,000,000) (the "Bonds"), having been issued by the Parish pursuant the General Bond Ordinance and First Supplemental Bond Ordinance, both adopted by its governing authority on May 7, 2019 (collectively, the "Bond Ordinance"), for the purpose of paying the cost of constructing, acquiring, extending and improving the drinking water portion of the combined water and sewer system of the Issuer (the "System"), and for paying costs of issuance, under the authority conferred by Part II of Chapter 4 of Subtitle II of Title 39 of the Louisiana Revised Statutes of 1950, as amended (La. R.S. 39:501, et seq.), and other constitutional and statutory authority supplemental thereto, pursuant to all requirements therein specified.

This Bond is secured and payable solely from and secured by an irrevocable pledge and dedication of the one-half percent (1/2%) sales and use tax being levied and collected by the Parish pursuant to an election held in the Parish on November 3, 1998 (the "Tax") after payment of reasonable and necessary costs and expenses of collecting and administering the Tax. Neither this Bond nor the debt it represents constitutes an indebtedness or pledge of the general credit of the Parish within the meaning of any constitutional or statutory limitation of indebtedness.

The Parish, through its governing authority is obligated to continue to levy and collect the Tax for the full period of its authorization or and is further obligated not to discontinue or decrease or permit to be discontinued or decreased the Tax in anticipation of the collection of which this Bond has been issued, nor in any way make any change in the allocation and dedication of the proceeds of the Tax which would diminish the amount of the revenues to be received by the Parish from the Tax until this Bond and the issue of which it is a part shall have been paid as to both principal and interest.

For a complete statement of the revenues from which and conditions under which this Bond is payable, and the general covenants and provisions pursuant to which this Bond is issued, and the conditions under which additional bonds may be issued on a parity with this Bond, reference is hereby made to the Bond Ordinance.

It is certified that this indebtedness is authorized by and is issued in conformity with the requirements of the Constitution and statutes of Louisiana. It is further certified, recited and
declared that all acts, conditions and things required to exist, to happen and to be performed precedent to and in the issuance of this Bond necessary to constitute the same a legal, binding and valid obligation of the Parish have existed, have happened and have been performed in due time, form and manner as required by law, and that the indebtedness of the Parish, including this Bond, does not exceed any limitation prescribed by the Constitution and statutes of the State of Louisiana, and that this Bond shall not be invalid for any irregularity or defect in the proceedings for the issuance and sale thereof.

IN WITNESS WHEREOF, the Parish Council of the Parish of St. Bernard, State of Louisiana, acting as the governing authority of the Parish, has caused this Bond to be signed in the name of the Parish by the Parish President and attested by its Clerk of the Council, the corporate seal of the Parish to be hereon impressed and this Bond to be dated as of the Dated Date set forth above.

PARISH OF ST. BERNARD, STATE OF LOUISIANA

ATTEST:

By: (manual) Parish President

By: (manual) Clerk of the Council (SEAL)
# REGISTRATION RECORD

**TAXABLE SALES TAX BOND, SERIES 2019**

**OF THE**

**PARISH OF ST. BERNARD, STATE OF LOUISIANA**

<table>
<thead>
<tr>
<th>Name and Address Of Registered Owner</th>
<th>Date of Registration</th>
<th>Signature of Director of Finance, As Paying Agent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Department of Health Drinking Water State Revolving Fund P. O. Box 61979 New Orleans, LA 70161-1979</td>
<td></td>
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<tr>
<td>Prepayment Date</td>
<td>Prepayment Amount</td>
<td>Remaining Balance Due</td>
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<td>-----------------</td>
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<td></td>
<td></td>
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<tr>
<td>Date</td>
<td>Draw Number</td>
<td>Principal Draw Paid to Issuer this Date: $</td>
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<tr>
<td>------------</td>
<td>-------------</td>
<td>--------------------------------------------</td>
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</tbody>
</table>
STATE OF LOUISIANA
PARISH OF ST. BERNARD

I, the undersigned Clerk of the Council of the Parish of St. Bernard, State of Louisiana, do hereby certify that the foregoing pages constitute a true and correct copy of First Supplemental Bond Ordinance adopted by said Parish Council on May 7, 2019, authorizing the issuance in one or more series of not exceeding $10,000,000 of Taxable Sales Tax Bonds, Series 2019, of the Parish of St. Bernard, State of Louisiana, in accordance with the terms of General Bond Ordinance No. ___*__; prescribing the form, and certain terms and conditions of said bonds; and providing for other matters in connection therewith.

IN FAITH WHEREOF, witness my official signature on this, the 7th day of May, 2019.

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

**Summary No. 3710**
Introduced by: Councilmember McCloskey on 5/7/19

AN ORDINANCE TO AMEND ORDINANCE SBPC #2033-02-18, AN ORDINANCE DECLARING CERTAIN FORMER LOUISIANA LAND TRUST PROPERTIES TO BE HELD FOR PUBLIC USE AND DECLARING THE REMAINDER OF THE FORMER LOUISIANA LAND TRUST PROPERTIES AS SURPLUS.

WHEREAS, the purpose of this ordinance is to create a Public Use Program to make properties available for public use utilizing former Louisiana Land Trust properties and to declare all other former Louisiana Land Properties as surplus. The St. Bernard Parish Council finds that using former Louisiana Land Trust properties in this way will promote the public health, safety and welfare of the people of St. Bernard Parish in the following ways:

a. It will promote the comprehensive master plan.

b. It will promote neighborhood quality of life.

c. It will make St. Bernard Parish more attractive for former residents to return and for new residents to locate in the parish.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

**SECTION 1.** The St. Bernard Parish Council, as the Governing Authority of the Parish, does hereby create a Public Use Program and authorizes the St. Bernard Parish Government to hold the former Louisiana Land Trust properties listed in Exhibit “A” for public use as part of the Public Use Program.

**SECTION 2.** The St. Bernard Parish Council, as the Governing Authority of the Parish, does hereby declare all other former Louisiana Land Trust properties held in the Parish’s inventory as surplus. Surplus properties require a separate ordinance for disposition.

**SECTION 3.** The Public Use Program shall be administered by the Community Development Department.
SECTION 4. Effective Date. This Ordinance shall become effective immediately upon authorizing signature by the Parish President. In the event of a presidential veto, this Ordinance shall become effective upon a two-thirds favorable vote of the total membership of the Council pursuant to Sections 2-11 and 2-13 of the St. Bernard Parish Home Rule Charter.

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

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

YEAS:

NAYS:

ABSENT:

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

And the motion was declared adopted on the 7th day of May, 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, May 7, 2019.

Witness my hand and the seal of the Parish of St. Bernard on this 7th day of May 2019.

ROXANNE ADAMS
CLERK OF COUNCIL
<table>
<thead>
<tr>
<th>ID</th>
<th>Property ID</th>
<th>Address</th>
<th>DISTRICT</th>
</tr>
</thead>
<tbody>
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<td>3900 NORWOOD DR</td>
<td>A</td>
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<tr>
<td>2</td>
<td>BER-022227</td>
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<td>BER-025448</td>
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On motion of XXXX, seconded by XXXX, it was moved to introduce the following ordinance:

Summary No. 3711
Introduced by: Councilmember McCloskey on 5/7/19

AN ORDINANCE TO AMEND ORDINANCE SBPC #2043-03-18, AN ORDINANCE AUTHORIZING CONVEYANCE OF FORMER LOUISIANA LAND TRUST PROPERTIES UNDER THE BUY AND BUILD PROGRAM WITH BUILDER BUNDLE III DESIGN STANDARDS.

WHEREAS the purpose of this ordinance is to encourage the redevelopment of vacant lots into new homes utilizing former Louisiana Land Trust properties. The St. Bernard Parish Council finds that using former Louisiana Land Trust properties in this way will promote the public health, safety and welfare of the people of St. Bernard Parish in the following ways:

a. It will promote the comprehensive master plan.

b. It will make St. Bernard Parish more attractive for former residents to return and for new residents to locate in the parish.

c. It will aid in the prevention and elimination of slum and blight conditions by returning properties to commerce.

d. It will promote the economic recovery of the parish by increasing the tax base.

e. It will promote infill development.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. The St. Bernard Parish Council, as the Governing Authority of the Parish, does hereby authorize the St. Bernard Parish Government to convey the former Louisiana Land Trust properties listed in Exhibit “A” to interested owners in accordance with the Buy and Build program established by this ordinance.

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

SECTION 3. The Buy and Build program shall be administered by the Department of Community Development, which shall seek the cooperation of Louisiana Land Trust to assist the Parish based on its experience with other disposition plan programs.

SECTION 4. The Buy and Build program shall observe the following minimum standards:

I. Qualified Properties: Parcels of property eligible for inclusion in the St. Bernard Parish Government (SBPG) Buy and Build program shall meet the following minimum criteria:

1. The property shall not be classified as Public Use or Builder Bundle in the SBPG inventory. All other properties are eligible.
2. The property shall be zoned residential (R-1), agriculture (A-1) or suburban agriculture (SA).
3. The property shall be conveyed to the transferees directly by SBPG.
4. Properties, listed in Exhibit “A”, will be made available.

II. Qualified Buyers: The following are the requirements for buyers to purchase a property in the Buy and Build Program:

1. An individual or business entity is limited to one (1) property at a time, and the individual or business entity shall not create multiple corporations to circumvent this requirement. Business entities or contractors building through the program shall only have one (1) active building permit related to the program. The Director of Community Development shall reserve the right to prevent a sale if it has been determined that an individual is attempting to circumvent this requirement.
2. Potential buyers shall provide a pre-approval letter from a lending institution or proof of funds prior to closing.
3. Potential buyers shall provide stamped building plans prior to closing.
4. To purchase a property, a potential buyer shall place a deposit for the property. Properties, listed in Exhibit “A”, shall be made available for the program.

III. Transfer Of Property:

1. Upon sale through the Buy and Build program, the purchaser shall be required to obtain a building permit within one (1) month of the closing date and must complete construction within one (1) year from the time the permit was issued.
2. An individual shall be limited to one (1) Buy and Build property at a time. Once the purchaser completes construction and receives a Certificate of Occupancy, the purchaser is then eligible to purchase an additional property through the program.
3. The purchaser shall not transfer an incomplete Buy and Build property without approval from the Department of Community Development.
4. The transferee shall not own any real property in the parish that is subject to any non-remediated citation of violation of the state and/or local codes, covenants and/or ordinances. Remediation of any violations must occur before the transferee will be eligible for a Buy and Build parcel.
5. The transferee shall not own any real property in the parish that is tax delinquent at the time of the Buy and Build purchase.
6. Properties shall be conveyed at fair market value, as determined in accordance with the Community Development Block Grant program requirements and Action Plan Amendments.

IV. Deed Restrictions: Deed restrictions will be placed on the lot establishing the date a building permit will be required and the construction completion date. The restriction will not be in effect after the Certificate of Occupancy is issued.

1. A clear statement of the restrictions on lot use shall be provided in the initial letter of notification, the agreement to purchase document and at the act of sale.
V. Design Standards:

1. The first floor shall have at a minimum ten (10) foot ceiling.
2. Houses shall be constructed on piers or chain wall foundations, not slab on grade, with zero net fill.
3. Finish grade shall be 18” above the Area Base Flood Elevation or 3’ above highest adjacent ground, whichever is greater.
4. The main roof shall have at a minimum 8:12 pitch, with roofing materials meeting or exceeding 25 year Architectural asphalt shingles or approved standing seam metal roof (silver/gray finish) – 12”-18” spacing with seam height not to exceed 1.5”.
5. All exterior wall coverings shall be approved by SBPG Office of Community Development – preferred are brick, Hardie board or wood weather board
6. Vinyl siding is prohibited.
7. Solid wood doors are required. Glass inlay is acceptable upon approval of SBPG
8. Windows may be recessed mounted or surface mounted, but should appear recessed. All windows shall have a minimum 4” trim with 5/4” thickness
9. Windows shall be simulated or true divided light. Grilles must be permanently bonded to the inside and outside of the glass.
10. The crawl space in the front of the house and 10’ from the front of the house on any side shall be covered with brick or similarly attractive finish approved by SBPG
11. Landscaping is required, including one (1) tree with a minimum 3” caliper near the street. If an existing tree is present, a new tree is not required

SECTION 5. 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 6. 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.

SECTION 7. Other Ordinances and Codes Unaffected. Nothing herein shall be interpreted to repeal or otherwise diminish the powers of the Parish or its
employees, officers, or agents under any other ordinance or code, including but not limited the Zoning Ordinance, the Building Code, and the Minimum Housing Code, all of which shall apply to Buy and Build properties in addition to the provisions of this ordinance.

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 7th day of May, 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, May 7, 2019.

Witness my hand and the seal of the Parish of St. Bernard on this 7th day of May 2019.

________________________
ROXANNE ADAMS
CLERK OF COUNCIL
**EXHIBIT "A"
SUMMARY NO. 3711
ORDINANCE SBPC #XXXX-XX-XX**

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** 1946 Benjamin St. is a double lot combined with 1948 Benjamin St.
The municipal address will be 1946 Benjamin St. **

** 1950 Benjamin St. is a double lot combined with 1952 Benjamin St.
The municipal address will be 1950 Benjamin St. **
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Next to a Public Use Park
Between a servitude and large private lot
Neighbor on one side has a triple lot
Double LLT lot on one side
Triple lot on one side. Double LLT on the other
Between double lots
Between double lot and a thru lot
Next to thru lot
Between LLT lot and triple lot
Between a servitude and large private lot

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

Summary No. 3712
Introduced by: Councilmember Alcon on 5/7/19

AN ORDINANCE TO AMEND ORDINANCE SBPC #1856-03-17, AN ORDINANCE AUTHORIZING CONVEYANCE OF FORMER LOUISIANA LAND TRUST PROPERTIES UNDER THE BUY AND BUILD PROGRAM.

WHEREAS, the purpose of this ordinance is to encourage the redevelopment of vacant lots into new homes utilizing former Louisiana Land Trust properties. The St. Bernard Parish Council finds that using former Louisiana Land Trust properties in this way will promote the public health, safety and welfare of the people of St. Bernard Parish in the following ways:

a. It will promote the comprehensive master plan.

b. It will make St. Bernard Parish more attractive for former residents to return and for new residents to locate in the parish.

c. It will aid in the prevention and elimination of slum and blight conditions by returning properties to commerce.

d. It will promote the economic recovery of the parish by increasing the tax base.

e. It will promote infill development.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. The St. Bernard Parish Council, as the Governing Authority of the Parish, does hereby authorize the St. Bernard Parish Government to convey the former Louisiana Land Trust properties listed in Exhibit “A” to interested owners in accordance with the Buy and Build program established by this ordinance.
SECTION 2. The Parish President and the Chief Administrative Officer each is hereby authorized to execute all instruments necessary to effectuate the conveyances authorized by this ordinance, and are further authorized to execute any and all additional instruments necessary to implement the program, including instruments necessary to enforce the requirements of the Buy and Build program or to reacquire, claw back, or accept a reversion of any property on behalf of the St. Bernard Parish in the event that a purchaser under the program fails to comply with its requirements. It is recognized and agreed the Parish President and/or Chief Administrative Officer may nominate a designee by use of a power of attorney to transfer, sell, or auction, the properties in Exhibit “A” in accordance with the laws of Louisiana.

SECTION 3. The Buy and Build program shall be administered by the Department of Community Development, which shall seek the cooperation of Louisiana Land Trust to assist the parish based on its experience with other disposition plan programs.

SECTION 4. The Buy and Build program shall observe the following minimum standards:

I. Qualified Properties: Parcels of property eligible for inclusion in the St. Bernard Parish Government (SBPG) Buy and Build program shall meet the following minimum criteria:

1. The property shall not be classified as Public Use or Builder Bundle in the SBPG inventory. All other properties are eligible.
2. The property shall be zoned residential (R-1), agriculture (A-1) or suburban agriculture (SA).
3. The property shall be conveyed to the transferees directly by SBPG.
4. Properties, listed in Exhibit “A”, will be made available.

II. Qualified Buyers: The following are the requirements for buyers to purchase a property in the Buy and Build Program:

1. An individual or business entity is limited to one (1) property at a time, and the individual or business entity shall not create multiple corporations to circumvent this requirement. Business entities or contractors building through the program shall only have one (1) activity building permit related to the program. The Director of Community
May 7, 2019

Development shall reserve the right to prevent a sale if it has been determined that an individual is attempting to circumvent this requirement.

2. Potential buyers shall provide a pre-approval letter from a lending institution or proof of funds prior to closing.

3. Potential buyers shall provide stamped building plans prior to closing.

4. To purchase a property, a potential buyer shall place a deposit for the property. Properties, listed in Exhibit “A”, shall be made available for the program.

III. Transfer Of Property:

1. Upon sale through the Buy and Build program, the purchaser shall be required to obtain a building permit within one (1) months of the closing date and must complete construction one (1) year after the permit was issued.

2. An individual shall be limited to one (1) Buy and Build property at a time. Once the purchaser completes construction and receives a Certificate of Occupancy, the purchaser is then eligible to purchase an additional property through the program.

3. The purchaser shall not transfer an incomplete Buy and Build property without approval from the department of community development.

4. The transferee must not own any real property in the parish that is subject to any non-remediated citation of violation of the state and/or local codes, covenants and/or ordinances. Remediation of any violations must occur before the transferee will be eligible for a Buy and Build parcel.

5. The transferee must not own any real property in the parish that is tax delinquent at the time of the Buy and Build purchase.

6. Properties shall be conveyed at fair market value, as determined in accordance with the Community Development Block Grant program requirements and Action Plan Amendments.

IV. Deed Restrictions: Deed restrictions will be placed on the lot establishing the date a building permit will be required and the construction completion date. The restriction will not be in effect after the Certificate of Occupancy is issued.
1. A clear statement of the restrictions on lot use shall be provided in the initial letter of notification, the agreement to purchase document and at the act of sale.

SECTION 5. 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 6. 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.

SECTION 7. Other Ordinances and Codes Unaffected. Nothing herein shall be interpreted to repeal or otherwise diminish the powers of the Parish or its employees, officers, or agents under any other ordinance or code, including but not limited the Zoning Ordinance, the Building Code, and the Minimum Housing Code, all of which shall apply to Buy and Build properties in addition to the provisions of this ordinance.

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 7th day of May, 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, May 7, 2019.

Witness my hand and the seal of the Parish of St. Bernard on this 7th day of May, 2019.

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CLERK OF COUNCIL
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## Exhibition "A"
**SUMMARY NO. 3712**
**ORDINANCE SBPC #XXXX-XX-XX**

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

**Summary No. 3713**

Introduced by: Councilmember Luna on 5/7/19

AN ORDINANCE TO AMEND CHAPTER 20, TRAFFIC; ARTICLE IV, PARKING, STOPPING, STANDING; SECTION 20-144.1, PARKING OF CERTAIN VEHICLES IN RESIDENTIAL AREAS OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

**SECTION 1.** The Parish Council hereby amends Chapter 20, Traffic; Article IV, Parking, Stopping, Standing; Section 20-144.1, Parking of Certain Vehicles in Residential Areas 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 7th day of May, 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, May 7, 2019.

Witness my hand and the seal of the Parish of St. Bernard on this 7th day of May, 2019.

________________________

ROXANNE ADAMS
CLERK OF COUNCIL
Ch. 20 – Traffic
Article IV – Parking, Stopping, Standing
Section 20-144.1 – Parking of Certain Vehicles in Residential Areas

Sec. 20-144.1. - Parking of certain vehicles in residential areas.

(a) It shall be unlawful for any person, firm or corporation to park or store an airplane, mobile-home, trailer, tractor-trailer, or part of such vehicle in any area of a residential zone.

(b) It shall be unlawful for any person, firm or corporation to park or store any recreational vehicle, camper, boat, trailer, utility trailer or parts thereof within the boundaries of the front yard of any R-1, R-2, R-3 zoned properties, excluding a driveway that is positioned perpendicular to the residential structure. Said driveway shall not comprise more than twenty (20) feet in width.

(c) In residential zones, the following vehicles will be allowed to be parked:
   (1) Passenger vehicles.
   (2) Vehicles used for vanpooling of not more than fifteen-passenger capacity.
   (3) Station wagons.
   (4) Pickup trucks up to one (1) ton capacity.

(d) Any person, firm or corporation violating the provisions of this section shall be deemed guilty of a misdemeanor punishable either by a fine of not less than twenty dollars ($20.00) and not more than one hundred ($100.00) dollars or nor more than ninety (90) days jail sentence, or both. Said fines and/or incarceration sentencing shall be for each and every day that such a violation exists.

(e) This section shall authorize parish government through its agents and divisions of the compliance office, the office of community development, constables in their respective wards, and the sheriff and his deputies to bring action against violators of this section.

(f) It shall be unlawful for any person, firm, or corporation to park or store any passenger vehicle within the boundaries of the front yard of any R-1, R-2, R-3 zoned properties, excluding a driveway that is positioned perpendicular to the residential structure or a circular driveway that meets current zoning standards. Said perpendicular driveway shall not comprise more than twenty (20) feet in width.
On motion of XXXX, seconded by XXXX, it was moved to introduce the following ordinance:

**Summary No. 3714**
Introduced by: Councilmember Gorbaty on 5/7/19

AN ORDINANCE TO REVOKE AND SET ASIDE THE DEDICATION OF A CERTAIN PORTION OF TOURNEFORT STREET BETWEEN E. SOLIDELLE ST. AND E. PROSPER ST.

**WHEREAS**, a portion of Tournefort St. between E. Solidelle St. and E. Prosper St. measuring 50 feet by 119 feet, as shown on a survey by Richmond W. Krebs, Sr., PLS, dated February 11, 2019. attached hereto as Exhibit “A” has never been used or improved, and the same is not needed nor required for a public purpose; and

**WHEREAS**, the adjacent cemetery and grave sites have previously encroached upon a portion of Tournefort Street which prevents it from ever being used as a public street.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN

**SECTION 1.** The dedication of the portion of Tournefort between E. Solidelle St. and E. Prosper St. measuring 50 feet by 119 feet, as shown on a survey by Richmond W. Krebs, Sr., PLS, dated February 11, 2019. attached hereto as Exhibit “A” is hereby revoked.

**SECTION 2.** The Governing Authority hereby reserves any rights it or any affiliate with St. Bernard Parish Government possesses as to servitude, right of way, mineral reservation or easement located on the revoked portion of the dedication.

**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 7th day of May, 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, May 7, 2019.

Witness my hand and the seal of the Parish of St. Bernard on this 7th day of May 2019.

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

**Summary No. 3715**

Introduced by: Administration on 5/7/19

**AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE BY THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, OF NOT EXCEEDING ONE MILLION FOUR HUNDRED THOUSAND DOLLARS ($1,400,000) OF TAXABLE CERTIFICATES OF INDEBTEDNESS, SERIES 2019; PROVIDING FOR THE PAYMENT THEREOF; ESTABLISHING THE RATE OF INTEREST THEREON; PROVIDING FOR A PLEDGE OF REVENUES OF SAID PARISH FOR THE SECURITY AND PAYMENT THEREOF IN PRINCIPAL AND INTEREST; AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH.**

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

WHEREAS, Part II of Chapter 4 of Subtitle II of Title 39 of the Louisiana Revised Statutes of 1950, as amended (the "Act"), and other constitutional and statutory authority, authorize entities to pay their current expenses by anticipating their revenues for the year and to borrow money to pay these current expenses in anticipation of such revenues; and

WHEREAS, the Parish of St. Bernard, State of Louisiana (the "Issuer") desires to borrow moneys to pay said current operation costs and to dedicate and set aside revenues for the payment of Taxable Certificates of Indebtedness issued under the provisions of the Act and this ordinance (the "Certificate"), which Certificate will fall due and be payable not later than March 1, 2020, together with interest thereon as provided herein; and

WHEREAS, the Issuer has found and determined that the estimated revenues of the Issuer for the current fiscal year will be in excess of the amount borrowed;

**NOW, THEREFORE, BE IT RESOLVED** by the Parish Council of the Parish of St. Bernard, State of Louisiana, acting as the governing authority of the Parish of St. Bernard, State of Louisiana, that:
SECTION 1. Subject to the approval of the State Bond Commission, there is hereby authorized the issuance of not exceeding One Million Four Hundred Thousand Dollars ($1,400,000) of Taxable Certificates of Indebtedness, Series 2019 (the "Certificate"), of the Issuer to pay the costs of current operations of the Issuer in anticipation of the revenues of the Issuer for the current year. The Certificate shall bear interest from the date thereof and shall mature on or before March 1, 2020 at the rate of 3.50% per annum (calculated on the basis of a 360 day year, consisting of twelve 30 day months), all in accordance with the provisions of the Act. Interest on the Certificate is payable on the maturity date of said Certificate and shall be issued in the form of a single fully registered certificate to be dated the date of delivery thereof. The principal amount of the Certificate may be advanced by the Purchaser (as defined below) thereof to the Issuer on an "as needed" basis, and interest on the Certificate will only be payable on the principal amount of the Certificate which shall have been advanced to the Issuer and shall accrue on a particular amount of principal advanced to the Issuer only from the date of its advancement. Each installment shall be advanced by the Purchaser (as defined below) upon the Issuer furnishing a requisition to the Purchaser (as defined below) signed by the Parish President and/or the Clerk of the Council.

SECTION 2. The Issuer hereby accepts the offer of Gulf Coast Bank & Trust Company, of New Orleans, Louisiana (the "Purchaser") to purchase the Certificate, attached as Exhibit "A" hereto (all the terms and provisions of which are incorporated herein by reference). The Certificates shall be delivered to the Purchaser upon the payment of the purchase price thereof. As a condition to the delivery of the Certificate to the Purchaser, the Purchaser will execute a standard letter, acceptable to it and the Issuer, indicating it has conducted its own analysis with respect to the Certificate and is extending credit in the form of the Certificate as a vehicle for making a commercial loan to the Issuer.

SECTION 3. The principal of and interest on the Certificate shall be secured by and payable from a pledge of all revenues accruing to the Issuer for the fiscal year ending December 31, 2019.

SECTION 4. The Parish President and the Clerk of Council of the Issuer are each hereby authorized, empowered and directed to execute the Certificate to represent said indebtedness. Said officers are further authorized and empowered to deliver the Certificate to the Purchaser, upon the payment of the purchase price thereof, to be used for the purpose of the borrowing and to take any other action or execute and deliver any other documents which may be required to accomplish the purpose of this ordinance. The Certificate shall be issued in the form of a single,
fully registered certificate, dated the date of delivery thereof and shall be in substantially the following form:

(FORM OF FACE OF CERTIFICATE)

UNITED STATES OF AMERICA
STATE OF LOUISIANA

TAXABLE CERTIFICATES OF INDEBTEDNESS, SERIES 2019
OF THE
PARISH OF ST. BERNARD, STATE OF LOUISIANA

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<td>R-1</td>
<td>$1,400,000</td>
<td>__________, 2019</td>
<td>March 1, 2020</td>
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The Parish of St. Bernard, State of Louisiana (the "Issuer"), hereby promises to pay, but solely from the source and as hereinafter provided, to Gulf Coast Bank & Trust Company, in the City of New Orleans, Louisiana, or registered assigns, the Principal Amount set forth above on the Maturity Date set forth above, to the amount thereof advanced to the Issuer, together with interest thereon from the Issue Date set forth above at the rate of 3.50% per annum (calculated on the basis of a 360 day year, consisting of twelve 30 day months). Interest will be payable on the Maturity Date set forth above.

The principal of this Certificate may be prepaid at any time by the Issuer prior to the Maturity Date set forth above at a price of par plus accrued interest to the date of prepayment.

Both the principal of and the interest on this Certificate are payable at maturity in lawful money of the United States of America to the registered owner of this Certificate upon presentment hereof to the Issuer.

This Certificate has been issued by the Issuer to represent a debt created under the provisions of Part II of Chapter 4 of Subtitle II of Title 39 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority, for the purpose of paying the costs of current operations for the fiscal year ending December 31, 2019, and this Certificate was specially authorized by an ordinance adopted on May 21, 2019 (the "Ordinance").
This Certificate is secured by and payable from a pledge of all revenues accruing to the Issuer for the fiscal year ending December 31, 2019. The Issuer, in and by the Ordinance, has also entered into certain other covenants and agreements with the registered owner of this Certificate, for the terms of which reference is made to the Ordinance.

It is certified that this Certificate is authorized by and issued in conformity with the requirements of the Constitution and Statutes of the State of Louisiana. It is further certified, recited and declared that all acts, conditions and things required to exist, to happen and to be performed precedent to and in the issuance of this Certificate to constitute the same a legal, binding and valid obligation of the Issuer have existed, have happened and have been performed in due time, form and manner as required by law, and that this Certificate does not exceed any limitation prescribed by the Constitution and statutes of the State of Louisiana.

IN WITNESS WHEREOF, Parish of St. Bernard, State of Louisiana has caused this Certificate to be signed by the facsimile and/or manual signatures of its Parish President and Clerk of Council, and the corporate seal of the Issuer to be hereon impressed, and this Certificate to be dated the Issue Date set forth above.

PARISH OF ST. BERNARD, STATE OF LOUISIANA

________________________  ________________________
Clerk of Council               Parish President

(SEAL)

* * * * *
SECTION 5. The principal of the Certificate may be prepaid at any time by the Issuer prior to stated maturity at a price of par plus accrued interest to the date of prepayment.

SECTION 6. If any provision or item of this ordinance or the application thereof is held invalid, such invalidity shall not affect other provisions, items, or applications of this ordinance which can be given effect without the invalid provisions, items, or applications, and to this end the provisions of this ordinance are hereby declared severable.

SECTION 7. The Issuer will not be required to comply with the continuing disclosure requirements described in Rule 15c2-12 of the Securities and Exchange Commission [17 CFR 240.15c2 12].

SECTION 8. The foregoing ordinance shall take effect immediately upon its adoption.

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 7\textsuperscript{th} day of May, 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, May 7, 2019.

Witness my hand and the seal of the Parish of St. Bernard on this 7\textsuperscript{th} day of May, 2019.

________________________  ____________
ROXANNE ADAMS
CLERK OF COUNCIL
EXHIBIT A

COMMITMENT LETTER
STATE OF LOUISIANA
PARISH OF ST. BERNARD

I, the undersigned Clerk of Council of the Parish of St. Bernard, State of Louisiana do hereby certify that the foregoing pages constitute a true and correct copy of Ordinance SBPC #__________ adopted by said Parish Council on May 21, 2019, authorizing the issuance and sale by the Parish of St. Bernard, State of Louisiana, of not exceeding One Million Four Hundred Thousand Dollars ($1,400,000) of Taxable Certificates of Indebtedness, Series 2019; providing for the payment thereof; establishing the rate of interest thereon; providing for a pledge of revenues of said Parish for the security and payment thereof in principal and interest; and providing for other matters in connection therewith.

IN FAITH WHEREOF, witness my official signature on this the 21st of May, 2019.

----------------------------------------------
Clerk of Council
April 25, 2019

Honorable Parish Council
Parish of St. Bernard, State of Louisiana
Chalmette, Louisiana

Re: Offer to Purchase: Not exceeding $1,400,000 of Taxable Certificates of Indebtedness, Series 2019 of the Parish of St. Bernard, State of Louisiana

Please accept this letter as the commitment of the undersigned (the "Bank") to purchase the following Taxable Certificates of Indebtedness upon the terms and conditions outlined below:

1. Issuer and Amount - Not exceeding $1,400,000 of Taxable Certificates of Indebtedness, Series 2019 (the "Certificate") of the Parish of St. Bernard, State of Louisiana (the "Parish" or the "Issuer"). The principal amount of the Certificate may be advanced (at par on the date of each advance) by the purchaser thereof to the Issuer on a reasonably "as needed" basis, and interest will only be payable on the principal amount of the Certificate which shall have been advanced to the Issuer and shall accrue on a particular amount of principal advanced to the Issuer only from the date of its advancement.

2. Authority for Issue - Part II of Chapter 4 of Subtitle II of Title 39 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority.

3. Purpose of Certificate - paying the costs of current operations.

4. Dated Date of Certificate - Date of delivery.

5. Form of Certificate - Single typewritten certificate in fully registered form.

6. Interest Rate - 3.5% per annum.


8. Principal Payment - March 1, 2020. To the extent not previously prepaid, all principal and interest shall become immediately due and payable by Issuer to the Bank on March 1, 2020.

9. Prepayment Provisions - Principal may be prepaid at any time prior to maturity at a price of par plus accrued interest to the date of prepayment.

10. Security - Pledge of all revenues accruing to the Parish for the fiscal year ending December 31, 2019.

11. Legal Opinion - Legal opinion of Foley & Judell, L.L.P., as to the due authorization and validity of the Certificate.
12. **Investment Letter** - The Bank will sign an investment letter indicating that it has made a full investigation of the security for the issue and has not relied upon or requested that any disclosure document be prepared by or on behalf of the Parish, and that it is purchasing the Certificate without any intention to sell any portion thereof to any person other than another financial institution.

13. **Paying Agent** - The purchaser of the Certificate shall serve as the initial Paying Agent for the Certificate. There will be no charge for said service. The Bank may resign as Paying Agent at anytime.

14. **Annual Financial Statements** - Until principal and interest of the Certificate are paid in full, audited financial statements of the Issuer certified as true and correct by the Finance Director of the Issuer shall be furnished to the undersigned no later than 120 days after the applicable fiscal year-end of the Issuer.

15. **Comprehensive Budget** - The Issuer shall prepare and adopt a budget at the beginning of each fiscal year certified as true and correct by the Finance Director of the Issuer and furnish the undersigned a copy of such budget (and any amendments) in a form reasonably acceptable to the Bank within 30 days after its adoption.

16. **Continuing Disclosure** - It is understood that, with respect to the Certificate, the Issuer will not be required to comply with the continuing disclosure requirements of SEC Rule 15c2-12(b).

17. **Delivery** - On or about July 2, 2019.

Sincerely yours,

[Signature]

By: **Guy Williams**

Title: **Pres/CEO**

cc: Mr. C. Grant Schlueter, Foley & Judell, L.L.P., Bond Counsel

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

Summary No. 3716
Introduced by: Administration on 5/7/19

AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE BY THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, OF NOT EXCEEDING FOUR MILLION FOUR HUNDRED THOUSAND DOLLARS ($4,400,000) OF TAXABLE LIMITED TAX CERTIFICATES OF INDEBTEDNESS, SERIES 2019; AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

WHEREAS, pursuant to a proposition approved by the voters of the Parish of St. Bernard, State of Louisiana (the "Issuer"), a special ad valorem tax of 20 mills was authorized at an election held on December 8, 2012 (such rate being subject to adjustment from time to time due to reassessment) through the year 2022, for the purpose of acquiring, constructing, maintaining, improving and operating fire protection facilities and purchasing fire trucks and other fire fighting equipment in the Issuer (the "Tax"); and

WHEREAS, Part II of Chapter 4 of Subtitle II of Title 39 of the Louisiana Revised Statutes of 1950, as amended (the "Act"), and other constitutional and statutory authority, authorizes the Issuer to borrow money in anticipation of revenues to be realized from special taxes to be used only for the purposes for which the tax was voted; and

WHEREAS, pursuant to and in accordance with the foregoing statutory authority, the Issuer now desires to incur debt and issue its Taxable Limited Tax Certificates of Indebtedness, Series 2019, in the principal amount of Four Million Four Hundred Thousand Dollars ($4,400,000) (the "Certificates") for the purpose of maintaining and operating fire protection facilities and paying the costs incurred in connection with the issuance thereof; and

WHEREAS, other than the Certificates herein authorized, the Issuer has no outstanding obligations as of the date of delivery of the Certificates of any kind or
nature payable from or enjoying a lien on the Tax herein pledged; EXCEPT the Outstanding Parity Certificates as hereinafter defined; and

WHEREAS, the Issuer has heretofore issued its Limited Tax Certificates of Indebtedness, Series 2014, dated April 10, 2014 (the "Outstanding Parity Certificates"), secured by the revenues of the Tax; and

WHEREAS, it is the desire of the Issuer to fix the details necessary with respect to the issuance of the Certificates and to provide for the authorization and issuance thereof; and

WHEREAS, it is the further desire of the Issuer to provide for the sale of the Certificates to the Purchaser (hereinafter defined) at the price and in the manner hereinafter provided;

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

SECTION 1. Subject to the approval of the State Bond Commission, there is hereby authorized the issuance of not exceeding Four Million Four Hundred Thousand Dollars ($4,400,000) of Taxable Limited Tax Certificates of Indebtedness, Series 2019 of the Issuer (the "Certificate"), pursuant to Part II of Chapter 4 of Subtitle II of Title 39 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority for the purpose of maintaining and operating fire protection facilities and paying the costs incurred in connection with the issuance thereof, as set out in the proposition approved by the voters on December 8, 2012, said Certificates to be payable, together with the Issuer=s Limited Tax Certificates of Indebtedness, Series 2014, dated April 10, 2014 (the "Outstanding Parity Certificates"), from the irrevocable pledge and dedication of the funds to be derived from the levy and collection of a special 20 mills tax (such rate being subject to adjustment from time to time due to reassessment) authorized to be levied each year through the year 2022 (the "Tax") within the corporate boundaries of the Issuer. The Certificate shall bear interest from the date thereof and shall mature on or before March 1, 2020 at the rate of 3.50% per annum (calculated on the basis of a 360 day year, consisting of twelve 30 day months), all in accordance with the provisions of the Act. Interest on the Certificate is payable on the maturity date of said Certificate and shall be issued in the form of a single fully registered certificate to be dated the date of delivery thereof. The principal amount of the Certificate may be advanced by the Purchaser (as defined below) thereof to the Issuer on an "as needed" basis, and interest on the Certificate will only be payable
on the principal amount of the Certificate which shall have been advanced to the
Issuer and shall accrue on a particular amount of principal advanced to the Issuer
only from the date of its advancement. Each installment shall be advanced by the
Purchaser (as defined below) upon the Issuer furnishing a requisition to the
Purchaser (as defined below) signed by the Parish President and/or the Clerk of the
Council.

SECTION 2. The Issuer hereby accepts the offer of Gulf Coast Bank &
Trust Company, of New Orleans, Louisiana (the "Purchaser") to purchase the
Certificate, attached as Exhibit "A" hereto (all the terms and provisions of which are
incorporated herein by reference). The Certificates shall be delivered to the
Purchaser upon the payment of the purchase price thereof. As a condition to the
delivery of the Certificate to the Purchaser, the Purchaser will execute a standard
letter, acceptable to it and the Issuer, indicating it has conducted its own analysis
with respect to the Certificate and is extending credit in the form of the Certificate as
a vehicle for making a commercial loan to the Issuer.

SECTION 3. The principal of and interest on the Certificate shall be
secured by and payable from, together with the Issuer=s Outstanding Parity
Certificates, an irrevocable pledge and dedication of the funds to be derived from
the levy and collection of a special 20 mills tax (such rate being subject to
adjustment from time to time due to reassessment) authorized to be levied each
year through the year 2022 (the "Tax") within the corporate boundaries of the Issuer.

SECTION 4. The Parish President and the Clerk of Council of the Issuer
are each hereby authorized, empowered and directed to execute the Certificate to
represent said indebted-ness. Said officers are further authorized and empowered
to deliver the Certificate to the Purchaser, upon the payment of the purchase price
thereof, to be used for the purpose of the borrowing and to take any other action or
execute and deliver any other documents which may be required to accomplish the
purpose of this ordinance. The Certificate shall be issued in the form of a single,
fully registered certificate, dated the date of delivery thereof and shall be in
substantially the following form:
(FORM OF FACE OF CERTIFICATE)

UNITED STATES OF AMERICA
STATE OF LOUISIANA

TAXABLE CERTIFICATES OF INDEBTEDNESS, SERIES 2019
OF THE
PARISH OF ST. BERNARD, STATE OF LOUISIANA

<table>
<thead>
<tr>
<th>Number</th>
<th>Principal</th>
<th>Issue Date</th>
<th>Maturity Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>R-1</td>
<td>$4,400,000</td>
<td>________, 2019</td>
<td>March 1, 2020</td>
</tr>
</tbody>
</table>

St. Bernard Parish, State of Louisiana (the "Issuer"), hereby promises to pay, but solely from the source and as hereinafter provided, to Gulf Coast Bank & Trust Company, in the City of New Orleans, Louisiana, or registered assigns, the Principal Amount set forth above on the Maturity Date set forth above, to the amount thereof advanced to the Issuer, together with interest thereon from the Issue Date set forth above at the rate of 3.50% per annum (calculated on the basis of a 360 day year, consisting of twelve 30 day months). Interest will be payable on the Maturity Date set forth above.

The principal of this Certificate may be prepaid at any time by the Issuer prior to the Maturity Date set forth above at a price of par plus accrued interest to the date of prepayment.

Both the principal of and the interest on this Certificate are payable at maturity in lawful money of the United States of America to the registered owner of this Certificate upon presentment hereof to the Issuer.

This Certificate has been issued by the Issuer to represent a debt created under the provisions of Part II of Chapter 4 of Subtitle II of Title 39 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority, for the purpose of maintaining and operating fire protection facilities and paying the costs incurred in connection with the issuance thereof, and this Certificate was specially authorized by an ordinance adopted on May 21, 2019 (the "Ordinance").
This Certificate is secured by and payable, together with the Issuer=s Taxable Limited Tax Certificates of Indebtedness, Series 2014, dated April 10, 2014 (the "Outstanding Parity Certificates"), from an irrevocable pledge and dedication of the funds to be derived from the levy and collection of a special 20 mills tax (such rate being subject to adjustment from time to time due to reassessment) authorized to be levied each year through the year 2022 (the "Tax") within the corporate boundaries of the Issuer as set out in the Proposition approved by the voters on December 8, 2012. The Issuer, in and by the Ordinance, has also entered into certain other covenants and agreements with the registered owner of this Certificate, including provisions for the issuance of additional certificates of indebtedness payable from the proceeds of the Tax on a parity with this Certificate and the Outstanding Parity Certificates, for the terms of which reference is made to the Ordinance.

It is certified that this Certificate is authorized by and issued in conformity with the requirements of the Constitution and Statutes of the State of Louisiana. It is further certified, recited and declared that all acts, conditions and things required to exist, to happen and to be performed precedent to and in the issuance of this Certificate to constitute the same a legal, binding and valid obligation of the Issuer have existed, have happened and have been performed in due time, form and manner as required by law, and that this Certificate does not exceed any limitation prescribed by the Constitution and statutes of the State of Louisiana.

IN WITNESS WHEREOF, Parish of St. Bernard, State of Louisiana, has caused this Certificate to be signed by the facsimile and/or manual signatures of its Parish President and Clerk of Council, and the corporate seal of the Issuer to be hereon impressed, and this Certificate to be dated the Issue Date set forth above.

PARISH OF ST. BERNARD, STATE OF LOUISIANA

________________________
Clerk of Council

________________________
Parish President

(SEAL)

* * * * *
SECTION 5. The principal of the Certificate may be prepaid at any time by the Issuer prior to stated maturity at a price of par plus accrued interest to the date of prepayment.

SECTION 6. The Issuer may issue additional certificates of indebtedness (or other obligations) payable from the pledge and dedication of the funds to be derived from the levy and collection of the Tax on a complete parity with the Certificates and the Outstanding Parity Certificates, provided that the combined principal and interest requirements for any calendar year on the Certificates, the Outstanding Parity Certificates and the said additional certificates of indebtedness may not exceed 75% of the revenues estimated to be realized from the levy of the Tax in the year in which such additional certificates of indebtedness are issued; it being provided, however, that the proceeds of said additional certificates of indebtedness are to be expended only for the purposes for which the Tax is levied.

SECTION 7. If any provision or item of this ordinance or the application thereof is held invalid, such invalidity shall not affect other provisions, items, or applications of this ordinance which can be given effect without the invalid provisions, items, or applications, and to this end the provisions of this ordinance are hereby declared severable.

SECTION 8. The Issuer will not be required to comply with the continuing disclosure requirements described in Rule 15c2-12 of the Securities and Exchange Commission [17 CFR 240.15c2 12].
SECTION 9. The foregoing ordinance shall take effect immediately upon its adoption.

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 7th day of May, 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, May 7, 2019.

Witness my hand and the seal of the Parish of St. Bernard on this 7th day of May, 2019.

ROXANNE ADAMS
CLERK OF COUNCIL
EXHIBIT A

COMMITMENT LETTER
STATE OF LOUISIANA
PARISH OF ST. BERNARD

I, the undersigned Clerk of Council of the Parish of St. Bernard, State of Louisiana do hereby certify that the foregoing pages constitute a true and correct copy of Ordinance SBPC #__________ adopted by said Parish Council on May 21, 2019, authorizing the issuance and sale by the Parish of St. Bernard, State of Louisiana, of not exceeding Four Million Four Hundred Thousand Dollars ($4,400,000) of Taxable Certificates of Indebtedness, Series 2019; and providing for other matters in connection therewith.

IN FAITH WHEREOF, witness my official signature on this the 21st of May, 2019.

----------------------------------------------
Clerk of Council
Honorale Parish Council  
Parish of St. Bernard, State of Louisiana  
Chalmette, Louisiana  

Re: Offer to Purchase: Not exceeding $4,400,000 of Taxable Limited Tax Certificates of Indebtedness, Series 2019 of the Parish of St. Bernard, State of Louisiana

Please accept this letter as the commitment of the undersigned (the "Bank") to purchase the following Taxable Limited Tax Certificates of Indebtedness upon the terms and conditions outlined below:

1. **Issuer and Amount** - Not exceeding $4,400,000 of Taxable Limited Tax Certificates of Indebtedness, Series 2019 (the "Certificate") of the Parish of St. Bernard, State of Louisiana (the "Parish" or the "Issuer"). The principal amount of the Certificate may be advanced (at par on the date of each advance) by the purchaser thereof to the Issuer on a reasonably "as needed" basis, and interest will only be payable on the principal amount of the Certificates which shall have been advanced to the Issuer and shall accrue on a particular amount of principal advanced to the Issuer only from the date of its advancement.

2. **Authority for Issue** - Part II of Chapter 4 of Subtitle II of Title 39 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority.

3. **Purpose of Issue** - Maintaining and operating fire protection facilities and paying the costs incurred in connection with the issuance thereof, as set out in the Proposition approved by the voters on December 8, 2012.

4. **Dated Date of Certificate** - Date of delivery.

5. **Form of Certificate** - Single typewritten certificate in fully registered form.

6. **Interest Rate** - 3.5% per annum.


8. **Principal Payment** - March 1, 2020. To the extent not previously prepaid, all principal and interest shall become immediately due and payable by Issuer to the Bank on March 1, 2020.

9. **Prepayment Provisions** - Principal may be prepaid at any time prior to maturity at a price of par plus accrued interest to the date of prepayment.

10. **Security** - The Certificates, together with the Issuer’s Outstanding Parity Certificates (hereinafter defined), will be secured by a pledge of the proceeds of the Issuer’s special 20 mills tax (such rate being subject to adjustment from time to time due to reassessment) authorized to be levied each year through the year 2022 (the "Tax") within the corporate boundaries of the Issuer. The Outstanding Parity Certificates are comprised of $1,295,000 outstanding Limited Tax Certificates of Indebtedness, Series 2014, maturing March 1, 2019 through March 1, 2023, inclusive.
11. **Legal Opinion** - Legal opinion of Foley & Judell, L.L.P., as to the due authorization and validity of the Certificate.

12. **Investment Letter** - The Bank will sign an investment letter indicating that it has made a full investigation of the security for the issue and has not relied upon or requested that any disclosure document be prepared by or on behalf of the Parish, and that it is purchasing the Certificate without any intention to sell any portion thereof to any person other than another financial institution.

13. **Paying Agent** - The purchaser of the Certificate shall serve as the initial Paying Agent for the Certificate. There will be no charge for said service. The Bank may resign as Paying Agent at anytime.

14. **Parity Certificates** - The Issuer may issue additional certificates of indebtedness (or other obligations) payable from the pledge and dedication of the funds to be derived from the levy and collection of the Tax on a complete parity with the Certificates and the Outstanding Parity Certificates, provided that the combined principal and interest requirements for any calendar year on the Certificates, the Outstanding Parity Certificates and the said additional certificates of indebtedness may not exceed 75% of the revenues estimated to be realized from the levy of the Tax in the year in which such additional certificates of indebtedness are issued; it being provided, however, that the proceeds of said additional certificates of indebtedness are to be expended only for the purposes for which the Tax is levied.

15. **Annual Financial Statements** - Until principal and interest of the Certificate are paid in full, audited financial statements of the Issuer certified as true and correct by the Finance Director of the Issuer shall be furnished to the undersigned no later than 120 days after the applicable fiscal year-end of the Issuer.

16. **Comprehensive Budget** - The Issuer shall prepare and adopt a budget at the beginning of each fiscal year certified as true and correct by the Finance Director of the Issuer and furnish the undersigned a copy of such budget (and any amendments) in a form reasonably acceptable to the Bank within 30 days after its adoption.

17. **Continuing Disclosure** - It is understood that, with respect to the Certificate, the Issuer will not be required to comply with the continuing disclosure requirements of SEC Rule 15c2-12(b).

18. **Delivery** - On or about July 2, 2019.

Sincerely yours,

[Signature]

By: [Signature]
Title: [Title]

cc: Mr. C. Grant Schlueter, Foley & Judell, L.L.P., Bond Counsel

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

Summary No. 3717
Introduced by: Administration on 5/7/19

AN ORDINANCE TO AMEND ORDINANCE SBPC #2019-12-17, AN ORDINANCE TO ADOPT THE 2018 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 2018 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 7th day of May, 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, May 7, 2019.

Witness my hand and the seal of the Parish of St. Bernard on this 7th day of May, 2019.

________________________
ROXANNE ADAMS
CLERK OF COUNCIL