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 Minister Jerry Troxclair with Peace and Prayer Ministries
E. Pledge of Allegiance by Councilmember Alcon

RECOGNITION

1. Motion to recognize LSU AG for an update regarding the services and programs that they provide in St. Bernard Parish. (Administration)
2. Councilmember's for a District Update
3. Guy McInnis, President's Report
4. Recognize the Public

PUBLIC HEARINGS

5. 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.

6. 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.

7. 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.
8. 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.

9. 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.

10. 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.

11. 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.

12. 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.
RESOLUTIONS

13. Adopt Resolution SBPC #1944-05-19, approving permits as recommended by the Alcohol Beverage and Bingo Department:

   **Beer and/or Liquor Permit(s)**
   
   1. Wal-Mart Louisiana, LLC dba Walmart Supercenter #909 8101 W. Judge Perez Dr., Chalmette, La 70043 Manager: Otho Craddock *(Renewal) (Beer & Liquor)*
   
   2. Wal-Mart Louisiana, LLC dba Walmart #5081 2500 Archbishop Hannan Blvd., Meraux, La 70075 Manager: Donald Sierra, Jr. *(Renewal) (Beer & Liquor)*
   
   3. 6601 W. Judge Perez, Dr., LLC dba New Orleans Original Daiquiris 6601 W., Judge Perez Dr., Arabi, La 70032 Owners: David Briggs & Travis Briggs *(Change of Ownership) (New) (Beer & Liquor)*
   
   4. 7759, LLC dba Nicosia’s Express Lane 101 Bayou Road, St. Bernard, La 70085 Owners: Maunel J. Nicosia & Jeffery D. Nicosia *(Renewal) (Beer & Liquor)*
   
   5. Umi, LLC dba Umi 535 E. Judge Perez Dr., Chalmette, La 70043 Owners: Shao X. Ruan & Wanhila Zhu *(Renewal) (Beer & Liquor)*
   
   6. Penny’s Café, Inc. dba Penny’s Café 5442 E. Judge Perez Dr., Violet, La 70092 Owners: David A. & Penny G. Lepine *(Renewal) (Beer Only)*

   **Special Event**
   
   1. Name of Organization: St. Claude Heights Community Association
      Address of Organization: 1828 Rose St., Arabi, La 70032
      Event: Crawfish & Corn hole Tournament
      Location: Patricia Park
      Date: June 1, 2019
      Time: 1PM
      Contact: Billy McGoe

14. Adopt Resolution SBPC #1945-05-19, a resolution expressing support of House Bill 335 of the 2019 Louisiana Legislative Session which provides for food service establishments serving imported crawfish or shrimp to inform patrons of the country of origin of said seafood; and otherwise to provide with respect thereto. *(Councilmember Callais)*

15. Adopt Resolution SBPC #1946-05-19, a resolution authorizing the Parish President to sign an amendment to agreement with the State of Louisiana, represented by the Division of Administration, Office of Community Development, for Fisheries Infrastructure Assistance Program, Harbor of Refuge. *(Administration)*
16. Adopt Resolution SBPC #1947-05-19, a resolution authorizing St. Bernard Parish Government to adopt a Procurement Policy. (Administration)

ADOPTION

17. Summary No. 3710
Introduced by: Councilmember McCloskey & Alcon on 5/7/19
Public Hearing held on 5/21/19

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.

18. Summary No. 3711
Introduced by: Councilmember McCloskey on 5/7/19
Public Hearing held on 5/21/19

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.

19. Summary No. 3712
Introduced by: Councilmember Alcon on 5/7/19
Public Hearing held on 5/21/19

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.

20. Summary No. 3713
Introduced by: Councilmember Luna on 5/7/19
Public Hearing held on 5/21/19

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.

21. Summary No. 3714
Introduced by: Councilmember Gorbaty on 5/7/19
Public Hearing held on 5/21/19

AN ORDINANCE TO REVOKE AND SET ASIDE THE DEDICATION OF A CERTAIN PORTION OF TOURNEFORT STREET BETWEEN E. SOLIDELLE ST. AND E. PROSPER ST.
22. **Summary No. 3715**  
Introduced by: Administration on 5/7/19  
Public Hearing held on 5/21/19  

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.

23. **Summary No. 3716**  
Introduced by: Administration on 5/7/19  
Public Hearing held on 5/21/19  

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.

24. **Summary No. 3717**  
Introduced by: Administration on 5/7/19  
Public Hearing held on 5/21/19  

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

**INTRODUCTION**

25. **Summary No. 3718**  
Introduced by: Administration on 5/21/19  

AN 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.
26. Summary No. 3719  
Introduced by: Administration on 5/21/19

AN ORDINANCE AUTHORIZING THE PARISH PRESIDENT TO PURCHASE PURNELL LANE RIGHT OF WAY PARCEL 1-1 AND PARCEL 2-1 AND TO AUTHORIZE THE DISTRICT ATTORNEY’S OFFICE TO FILE AN EXPROPRIATION SUIT IF NECESSARY TO ACQUIRE SAID PROPERTIES.

27. Summary No. 3720  
Introduced by: Administration on 5/21/19

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

28. Summary No. 3721  
Introduced by: Administration on 5/21/19

AN ORDINANCE TO AMEND ORDINANCE SBPC 1564-10-14, AN ORDINANCE OUTLINING GROUP HEALTH, LIFE AND DENTAL INSURANCE BENEFITS FOR ELIGIBLE EMPLOYEES AND RETIREES OF THE ST. BERNARD PARISH GOVERNMENT.

29. Summary No. 3722  
Introduced by: Council on 5/21/19

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

30. Summary No. 3723  
Introduced by: Council on 5/21/19

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

OTHER MATTERS

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

EXECUTIVE SESSION

32. 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".
33. Motion to enter into Executive Session to discuss Kristen Welch-Bush v. SBPG 34th J.D.C. No. 119,629.

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

Next Regular scheduled Council Meeting will be held Tuesday, June 4, 2019 @ 7:00 p.m.

Approved by:  _Richard “Richie” Lewis_  Time: 1:58 p.m.  Date: 5/17/19
PUBLIC HEARING NOTICE

THE ST. BERNARD PARISH COUNCIL WILL HOLD A PUBLIC HEARING ON TUESDAY, MAY 21, 2019 THREE (3:00) O’CLOCK P.M. AT THE COUNCIL CHAMBERS OF THE GOVERNMENT COMPLEX, LOCATED AT 8201 WEST JUDGE PEREZ DRIVE, CHALMETTE, LOUISIANA TO RECEIVE COMMENTARY ON THE FOLLOWING PROPOSED ORDINANCE INTRODUCED AT THE MAY 7, 2019 COUNCIL MEETING:

Summary No. 3710
Introduced by: Councilmember McCloskey and 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.

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.

BY DIRECTION OF

Richard ‘Richie’ Lewis
RICHARD ‘RICHIE’ LEWIS
COUNCIL CHAIR
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PUBLIC HEARING NOTICE

THE ST. BERNARD PARISH COUNCIL WILL HOLD A PUBLIC HEARING ON TUESDAY, MAY 21, 2019 THREE (3:00) O’CLOCK P.M. AT THE COUNCIL CHAMBERS OF THE GOVERNMENT COMPLEX, LOCATED AT 8201 WEST JUDGE PEREZ DRIVE, CHALMETTE, LOUISIANA TO RECEIVE COMMENTARY ON THE FOLLOWING PROPOSED ORDINANCE INTRODUCED AT THE MAY 7, 2019 COUNCIL MEETING:

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.

BY DIRECTION OF

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

THE ST. BERNARD PARISH COUNCIL WILL HOLD A PUBLIC HEARING ON TUESDAY, MAY 21, 2019 THREE (3:00) O’CLOCK P.M. AT THE COUNCIL CHAMBERS OF THE GOVERNMENT COMPLEX, LOCATED AT 8201 WEST JUDGE PEREZ DRIVE, CHALMETTE, LOUISIANA TO RECEIVE COMMENTARY ON THE FOLLOWING PROPOSED ORDINANCE INTRODUCED AT THE MAY 7, 2019 COUNCIL MEETING:

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 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.

BY DIRECTION OF

Richard “Richie” Lewis

RICHARD “RICHIE” LEWIS
COUNCIL CHAIR
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PUBLIC HEARING NOTICE

THE ST. BERNARD PARISH COUNCIL WILL HOLD A PUBLIC HEARING ON TUESDAY, MAY 21, 2019 THREE (3:00) O’CLOCK P.M. AT THE COUNCIL CHAMBERS OF THE GOVERNMENT COMPLEX, LOCATED AT 8201 WEST JUDGE PEREZ DRIVE, CHALMETTE, LOUISIANA TO RECEIVE COMMENTARY ON THE FOLLOWING PROPOSED ORDINANCE INTRODUCED AT THE MAY 7, 2019 COUNCIL MEETING:

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.

BY DIRECTION OF

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

THE ST. BERNARD PARISH COUNCIL WILL HOLD A PUBLIC HEARING ON TUESDAY, MAY 21, 2019 THREE (3:00) O’CLOCK P.M. AT THE COUNCIL CHAMBERS OF THE GOVERNMENT COMPLEX, LOCATED AT 8201 WEST JUDGE PEREZ DRIVE, CHALMETTE, LOUISIANA TO RECEIVE COMMENTARY ON THE FOLLOWING PROPOSED ORDINANCE INTRODUCED AT THE MAY 7, 2019 COUNCIL MEETING:

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.

BY DIRECTION OF

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

THE ST. BERNARD PARISH COUNCIL WILL HOLD A PUBLIC HEARING ON TUESDAY, MAY 21, 2019 THREE (3:00) O’CLOCK P.M. AT THE COUNCIL CHAMBERS OF THE GOVERNMENT COMPLEX, LOCATED AT 8201 WEST JUDGE PEREZ DRIVE, CHALMETTE, LOUISIANA TO RECEIVE COMMENTARY ON THE FOLLOWING PROPOSED ORDINANCE INTRODUCED AT THE MAY 7, 2019 COUNCIL MEETING:

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
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)

*     *     *     *     *

PROVISIONS FOR REGISTRATION

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<th>Registered Owner</th>
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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.

BY DIRECTION OF

Richard “Richie” Lewis

RICHARD “RICHIE” LEWIS
COUNCIL CHAIR
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: [Signature]
Title: [Signature]

cc: Mr. C. Grant Schlueter, Foley & Judell, L.L.P., Bond Counsel
PUBLIC HEARING NOTICE

THE ST. BERNARD PARISH COUNCIL WILL HOLD A PUBLIC HEARING ON TUESDAY, MAY 21, 2019 THREE (3:00) O’CLOCK P.M. AT THE COUNCIL CHAMBERS OF THE GOVERNMENT COMPLEX, LOCATED AT 8201 WEST JUDGE PEREZ DRIVE, CHALMETTE, LOUISIANA TO RECEIVE COMMENTARY ON THE FOLLOWING PROPOSED ORDINANCE INTRODUCED AT THE MAY 7, 2019 COUNCIL MEETING:

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) thereon 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 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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<th>Principal Amount</th>
<th>Issue Date</th>
<th>Maturity Date</th>
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<td>$4,400,000</td>
<td>___________, 2019</td>
<td>March 1, 2020</td>
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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.
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.

BY DIRECTION OF

Richard “Richie” Lewis
RICHARD “RICHIE” LEWIS
COUNCIL CHAIR
Honorble 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.

1-800-223-2060 The Bank That Cares About You! GULFBANK.COM
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
PUBLIC HEARING NOTICE

THE ST. BERNARD PARISH COUNCIL WILL HOLD A PUBLIC HEARING ON TUESDAY, MAY 21, 2019 THREE (3:00) O’CLOCK P.M. AT THE COUNCIL CHAMBERS OF THE GOVERNMENT COMPLEX, LOCATED AT 8201 WEST JUDGE PEREZ DRIVE, CHALMETTE, LOUISIANA TO RECEIVE COMMENTARY ON THE FOLLOWING PROPOSED ORDINANCE INTRODUCED AT THE MAY 7, 2019 COUNCIL MEETING:

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.

BY DIRECTION OF
Richard “Richie” Lewis
RICHARD ‘RICHIE’ LEWIS
COUNCIL CHAIR
# ST. BERNARD PARISH GOVERNMENT
## SUMMARY STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE
### 2018 Final Operating & Capital Budget

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</tr>
</thead>
<tbody>
<tr>
<td>100 General Fund</td>
<td>$ 4,587,710</td>
<td>$ 8,893,266</td>
<td>($4,305,556)</td>
<td>$ 4,039,486</td>
<td>($3,172,815)</td>
<td>($3,438,885)</td>
<td>$ 10,065,297</td>
<td>$ 6,626,412</td>
</tr>
<tr>
<td>105 34th Judicial Court</td>
<td>170,941</td>
<td>2,881,826</td>
<td>($2,710,885)</td>
<td>2,712,529</td>
<td>-</td>
<td>1,644 (448)</td>
<td>1,196</td>
<td>1,196</td>
</tr>
<tr>
<td>101 Sales Tax</td>
<td>12,371,809</td>
<td>1,124,228</td>
<td>11,247,581</td>
<td>11,617,517</td>
<td>23,721</td>
<td>(346,215)</td>
<td>1,749,147</td>
<td>1,402,932</td>
</tr>
<tr>
<td>152 Civic Auditorium</td>
<td>3,021</td>
<td>102,934</td>
<td>(99,913)</td>
<td>108,142</td>
<td>-</td>
<td>8,229</td>
<td>216,910</td>
<td>225,339</td>
</tr>
<tr>
<td>160 Community Development</td>
<td>2,299,482</td>
<td>2,358,514</td>
<td>(59,022)</td>
<td>301,818</td>
<td>-</td>
<td>242,786</td>
<td>4,478,218</td>
<td>4,721,004</td>
</tr>
</tbody>
</table>

Total General Fund:  
- $19,432,963   - $15,360,768   - $4,072,195   - $4,455,542   - $3,149,094   - $3,532,441   - 16,509,124   - 12,976,683

**SPECIAL REVENUE FUNDS:**

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</tr>
</thead>
<tbody>
<tr>
<td>253 Criminal Court 34th</td>
<td>$ 182,966</td>
<td>$ 226,333</td>
<td>($43,367)</td>
<td>-</td>
<td>-</td>
<td>($43,367)</td>
<td>50,216</td>
<td>6,849</td>
</tr>
<tr>
<td>254 Fire Department</td>
<td>10,662,068</td>
<td>9,848,887</td>
<td>813,111</td>
<td>471,414</td>
<td>(287,410)</td>
<td>997,185</td>
<td>1,108,301</td>
<td>2,105,486</td>
</tr>
<tr>
<td>259 Council on Aging</td>
<td>326,848</td>
<td>336,102</td>
<td>(9,254)</td>
<td>7,925</td>
<td>-</td>
<td>(1,329)</td>
<td>284,884</td>
<td>283,555</td>
</tr>
<tr>
<td>261 Recreation</td>
<td>1,639,843</td>
<td>2,461,779</td>
<td>(821,936)</td>
<td>653,597</td>
<td>131,646</td>
<td>(36,694)</td>
<td>674,662</td>
<td>637,968</td>
</tr>
<tr>
<td>262 Public Works</td>
<td>2,205,806</td>
<td>4,570,004</td>
<td>(2,364,198)</td>
<td>1,867,607</td>
<td>287,476</td>
<td>(209,116)</td>
<td>364,732</td>
<td>155,616</td>
</tr>
<tr>
<td>263 Road Lighting</td>
<td>427,693</td>
<td>756,776</td>
<td>(329,083)</td>
<td>-</td>
<td>314,782</td>
<td>(14,301)</td>
<td>145,895</td>
<td>131,594</td>
</tr>
<tr>
<td>264 Sanitation</td>
<td>5,197,544</td>
<td>3,962,635</td>
<td>1,234,909</td>
<td>127,739</td>
<td>(194,886)</td>
<td>1,167,761</td>
<td>48,590</td>
<td>1,216,351</td>
</tr>
<tr>
<td>266 Assessor's Office</td>
<td>12,218</td>
<td>54,551</td>
<td>(42,333)</td>
<td>7,790</td>
<td>32,228</td>
<td>(2,315)</td>
<td>2,315</td>
<td>-</td>
</tr>
<tr>
<td>267 WIA</td>
<td>1,734,108</td>
<td>1,743,988</td>
<td>(9,880)</td>
<td>-</td>
<td>(23,721)</td>
<td>(33,601)</td>
<td>56,012</td>
<td>22,411</td>
</tr>
<tr>
<td>271 Health</td>
<td>218,246</td>
<td>231,891</td>
<td>(13,645)</td>
<td>-</td>
<td>(202)</td>
<td>(13,847)</td>
<td>700,374</td>
<td>686,527</td>
</tr>
<tr>
<td>273 Communications District</td>
<td>597,270</td>
<td>393,623</td>
<td>203,647</td>
<td>-</td>
<td>-</td>
<td>203,647</td>
<td>770,378</td>
<td>974,015</td>
</tr>
<tr>
<td>277 Housing &amp; Redevelopment</td>
<td>6,227,296</td>
<td>6,819,477</td>
<td>(592,181)</td>
<td>-</td>
<td>453,761</td>
<td>(138,420)</td>
<td>138,420</td>
<td>-</td>
</tr>
<tr>
<td>279 Transit</td>
<td>411,580</td>
<td>486,039</td>
<td>(75,459)</td>
<td>-</td>
<td>-</td>
<td>(75,459)</td>
<td>204,082</td>
<td>129,023</td>
</tr>
<tr>
<td>286 Deputy Witness Fees</td>
<td>22,199</td>
<td>950</td>
<td>21,249</td>
<td>-</td>
<td>-</td>
<td>21,249</td>
<td>30,982</td>
<td>52,231</td>
</tr>
<tr>
<td>260 CDBG</td>
<td>937,115</td>
<td>700,441</td>
<td>236,674</td>
<td>-</td>
<td>-</td>
<td>236,674</td>
<td>(930,153)</td>
<td>(693,479)</td>
</tr>
<tr>
<td>270 HMGP</td>
<td>3,750,357</td>
<td>2,916,883</td>
<td>833,474</td>
<td>-</td>
<td>-</td>
<td>833,474</td>
<td>(933,906)</td>
<td>(100,432)</td>
</tr>
<tr>
<td>290 State &amp; Federal Grants</td>
<td>3,789,959</td>
<td>6,224,102</td>
<td>(2,434,143)</td>
<td>281,497</td>
<td>2,544,924</td>
<td>392,278</td>
<td>(356,983)</td>
<td>35,295</td>
</tr>
<tr>
<td>234 Tree Fund</td>
<td>100</td>
<td>-</td>
<td>100</td>
<td>-</td>
<td>-</td>
<td>100</td>
<td>2,006</td>
<td>2,106</td>
</tr>
<tr>
<td>229 Hurricane Katrina</td>
<td>10,347,219</td>
<td>7,254,808</td>
<td>3,092,411</td>
<td>-</td>
<td>(6,083)</td>
<td>3,086,328</td>
<td>(6,305,431)</td>
<td>(3,219,103)</td>
</tr>
<tr>
<td>201 Hurricane Gustav</td>
<td>19,514</td>
<td>-</td>
<td>19,514</td>
<td>-</td>
<td>-</td>
<td>19,514</td>
<td>(155,438)</td>
<td>(135,924)</td>
</tr>
<tr>
<td>205 Hurricane Isaac</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>(342,515)</td>
<td>(342,515)</td>
</tr>
<tr>
<td>206 Hurricane Ike</td>
<td>34,912</td>
<td>-</td>
<td>34,912</td>
<td>-</td>
<td>-</td>
<td>34,912</td>
<td>137,281</td>
<td>172,193</td>
</tr>
</tbody>
</table>

Total Special Revenue Funds:  

1
## ST. BERNARD PARISH GOVERNMENT
### SUMMARY STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE (continued)
#### 2018 Final Operating & Capital Budget

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</thead>
<tbody>
<tr>
<td>309 Versailles Industrial Park Sinking</td>
<td>$</td>
<td>$</td>
<td>$</td>
<td>$</td>
<td>$</td>
<td>$</td>
<td>$</td>
<td>$</td>
</tr>
<tr>
<td>312 2012 Sales Tax Refunding Bond</td>
<td>14,410</td>
<td>4,151,700</td>
<td>(4,137,290)</td>
<td>1,037,974</td>
<td>3,162,175</td>
<td>62,859</td>
<td>3,061,395</td>
<td>3,124,205</td>
</tr>
<tr>
<td>354 2014 Fire Sinking Fund</td>
<td>1,108</td>
<td>271,205</td>
<td>(270,097)</td>
<td>-</td>
<td>278,285</td>
<td>8,188</td>
<td>208,528</td>
<td>216,716</td>
</tr>
<tr>
<td><strong>Total Debt Service Funds</strong></td>
<td><strong>15,518</strong></td>
<td><strong>4,447,380</strong></td>
<td><strong>(4,431,862)</strong></td>
<td><strong>1,037,974</strong></td>
<td><strong>3,440,460</strong></td>
<td><strong>46,572</strong></td>
<td><strong>3,294,398</strong></td>
<td><strong>3,340,921</strong></td>
</tr>
</tbody>
</table>

### CAPITAL PROJECT FUNDS:

<table>
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<tr>
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</tr>
</thead>
<tbody>
<tr>
<td>443 Courthouse Capital Fund</td>
<td>856</td>
<td>22,750</td>
<td>(21,893)</td>
<td>-</td>
<td>-</td>
<td>(21,893)</td>
<td>142,302</td>
<td>120,409</td>
</tr>
<tr>
<td>457 General Fund Capital Projects</td>
<td>50,101</td>
<td>253,259</td>
<td>(203,159)</td>
<td>-</td>
<td>683,276</td>
<td>480,117</td>
<td>189,912</td>
<td>670,029</td>
</tr>
<tr>
<td>462 Capital Projects</td>
<td>470,188</td>
<td>833,511</td>
<td>(363,322)</td>
<td>-</td>
<td>-</td>
<td>(363,322)</td>
<td>558,498</td>
<td>195,176</td>
</tr>
<tr>
<td>463 Rebuild St. Bernard</td>
<td>422</td>
<td>-</td>
<td>422</td>
<td>-</td>
<td>(40,914)</td>
<td>(40,914)</td>
<td>40,492</td>
<td>-</td>
</tr>
<tr>
<td>464 Hurricane Reconstruction</td>
<td>383,800</td>
<td>2,309,052</td>
<td>(1,925,222)</td>
<td>-</td>
<td>603,416</td>
<td>(1,321,836)</td>
<td>5,684,088</td>
<td>4,362,252</td>
</tr>
<tr>
<td><strong>Total Capital Project Funds</strong></td>
<td><strong>905,367</strong></td>
<td><strong>3,418,572</strong></td>
<td><strong>(2,513,205)</strong></td>
<td><strong>-</strong></td>
<td><strong>1,245,778</strong></td>
<td><strong>(1,267,427)</strong></td>
<td><strong>6,615,292</strong></td>
<td><strong>5,347,865</strong></td>
</tr>
</tbody>
</table>

### INTERNAL SERVICE FUNDS:

<table>
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</tr>
</thead>
<tbody>
<tr>
<td>650 Self Insurance</td>
<td>$ 1,375,127</td>
<td>$ 1,538,072</td>
<td>$ (162,945)</td>
<td>$ -</td>
<td>$ -</td>
<td>$ (162,945)</td>
<td>$ 162,945</td>
<td>$ -</td>
</tr>
<tr>
<td>675 W&amp;S Self Insurance</td>
<td>490,018</td>
<td>821,100</td>
<td>(331,082)</td>
<td>-</td>
<td>-</td>
<td>(331,082)</td>
<td>844,015</td>
<td>512,933</td>
</tr>
<tr>
<td><strong>Total Internal Service</strong></td>
<td><strong>1,865,145</strong></td>
<td><strong>2,359,172</strong></td>
<td><strong>(494,027)</strong></td>
<td><strong>-</strong></td>
<td><strong>-</strong></td>
<td><strong>(494,027)</strong></td>
<td><strong>1,006,960</strong></td>
<td><strong>512,933</strong></td>
</tr>
</tbody>
</table>
### ST. BERNARD PARISH GOVERNMENT
### SUMMARY STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE (continued)

#### 2018 Final Operating & Capital Budget

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</thead>
<tbody>
<tr>
<td>500 Water &amp; Sewerage Fund</td>
<td>$13,606,350</td>
<td>$17,080,755</td>
<td>$(3,474,405)</td>
<td>$2,713,225</td>
<td>$(6,187,630)</td>
<td>$222,943,453</td>
<td>$216,755,823</td>
</tr>
<tr>
<td>501 W&amp;S 50M Bond Fund</td>
<td>8,253</td>
<td>-</td>
<td>8,253</td>
<td>(267,313)</td>
<td>(259,060)</td>
<td>245,322</td>
<td>(13,738)</td>
</tr>
<tr>
<td>529 SF-SW99 1/2 Cent Sales Tax Fund</td>
<td>4,124,137</td>
<td>374,743</td>
<td>3,749,394</td>
<td>(3,912,355)</td>
<td>(162,961)</td>
<td>941,328</td>
<td>778,367</td>
</tr>
<tr>
<td>530 50 M Bond Sales Tax Debt Service</td>
<td>11,629</td>
<td>18,067</td>
<td>6,438</td>
<td>67,167</td>
<td>60,729</td>
<td>(384,737)</td>
<td>(324,008)</td>
</tr>
<tr>
<td>532 W&amp;S 2008 Refinanced ST Debt Service</td>
<td>3,359</td>
<td>58,220</td>
<td>(54,861)</td>
<td>825,555</td>
<td>770,694</td>
<td>(1,483,449)</td>
<td>(712,755)</td>
</tr>
<tr>
<td>533 W&amp;S 2008 St. Reserve Fund</td>
<td>13,537</td>
<td>-</td>
<td>13,537</td>
<td>-</td>
<td>-</td>
<td>872,294</td>
<td>885,831</td>
</tr>
<tr>
<td>557 W&amp;S Capital Projects</td>
<td>8,224</td>
<td>6,021,973</td>
<td>(6,013,749)</td>
<td>-</td>
<td>1,209,354</td>
<td>(4,804,395)</td>
<td>319,267</td>
</tr>
<tr>
<td><strong>Total Water &amp; Sewer</strong></td>
<td><strong>$17,775,489</strong></td>
<td><strong>$23,553,758</strong></td>
<td><strong>$(5,778,269)</strong></td>
<td><strong>$(4,790,817)</strong></td>
<td><strong>$(10,569,086)</strong></td>
<td><strong>$223,453,478</strong></td>
<td><strong>$212,884,392</strong></td>
</tr>
</tbody>
</table>

#### OTHER BUSINESS-TYPE ACTIVITIES:

| Recreational Facilities            | $284,928               | $424,715                   | $(139,787)                                                                           | -                        | 1,160                                                        | $(138,627)                    | $(280,246)                  | $(418,873)                  |
| **Total Recreational Facilities**  | **$284,928**           | **$424,715**               | **$(139,787)**                                                                       | **-**                    | **1,160**                                                    | **$(138,627)**                | **$(280,246)**              | **$(418,873)**              |

**TOTAL ALL FUNDS**

| $89,024,271                       | $98,554,232            | $$(9,530,061)**             | **-**                                                                                | **-**                    | **-**                                                        | **$(9,530,060)**              | **$246,291,694**            | **$236,763,690**            |
On motion of XXXX, seconded by XXXX, it was moved to adopt the following resolution:

RESOLUTION SBPC #1944-05-19

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. Wal-Mart Louisiana, LLC dba Walmart Supercenter #909 8101 W. Judge Perez Dr., Chalmette, La 70043 Manager: Otho Craddock (Renewal) (Beer & Liquor)

2. Wal-Mart Louisiana, LLC dba Walmart #5081 2500 Archbishop Hannan Blvd., Meraux, La 70075 Manager: Donald Sierra, Jr. (Renewal) (Beer & Liquor)

3. 6601 W. Judge Perez, Dr., LLC dba New Orleans Original Daiquiris 6601 W., Judge Perez Dr., Arabi, La 70032 Owners: David Briggs & Travis Briggs (Change of Ownership) (New) (Beer & Liquor)

4. 7759, LLC dba Nicosia's Express Lane 101 Bayou Road, St. Bernard, La 70085 Owners: Maunel J. Nicosia & Jeffery D. Nicosia (Renewal) (Beer & Liquor)

5. Umi, LLC dba Umi 535 E. Judge Perez Dr., Chalmette, La 70043 Owners: Shao X. Ruan & Wanhila Zhu (Renewal) (Beer & Liquor)

6. Penny's Café, Inc. dba Penny’s Café 5442 E. Judge Perez Dr., Violet, La 70092 Owners: David A. & Penny G. Lepine (Renewal) (Beer Only)
Special Event

1. Name of Organization: St. Claude Heights Community Association
   Address of Organization: 1828 Rose St., Arabi, La 70032
   Event: Crawfish & Corn hole Tournament
   Location: Patricia Park
   Date: June 1, 2019
   Time: 1PM
   Contact: Billy McGoey

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

YEAS:

NAYS:

ABSENT:

ABSTAIN:

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

And the motion was declared adopted on the 21st 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 21, 2019.

Witness my hand and the seal of the Parish of St. Bernard on this 21st 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 #1945-05-19**

A RESOLUTION EXPRESSING SUPPORT OF HOUSE BILL 335 OF THE 2019 LOUISIANA LEGISLATIVE SESSION WHICH PROVIDES FOR FOOD SERVICE ESTABLISHMENTS SERVING IMPORTED CRAWFISH OR SHRIMP TO INFORM PATRONS OF THE COUNTRY OF ORIGIN OF SAID SEAFOOD; AND OTHERWISE TO PROVIDE WITH RESPECT THERETO.

WHEREAS, imported crawfish and shrimp are not tested and can be filled with antibiotics and other toxins which pose a potentially health risk to consumers; and

WHEREAS, Louisiana consumers have the right to know if crawfish or shrimp being served in a food service establishment has been imported from other countries; and

WHEREAS, HB 335 which would require food service establishments serving crawfish and shrimp to inform their patrons of the country of origin of said seafood thereby providing for the health, safety and wellbeing of the crawfish and shrimp consumers of Louisiana;

NOW THEREFORE BE IT RESOLVED by the St. Bernard Parish Council that supports HB 335 of the 2019 Louisiana Legislative Session, which provides for food service establishments serving imported crawfish or shrimp to inform patrons of the country of origin of said seafood.

BE IT FURTHER RESOLVED by the St. Bernard Parish Council that a copy of this resolution be sent to the St. Bernard Parish delegation in the Louisiana Legislature.

BE IT FURTHER RESOLVED by the St. Bernard Parish Council that the Secretary of this Council hereby authorized and directed to immediately certify and
release this Resolution and that Parish employees and officials are authorized to carry out the purpose of this Resolution, both without further reading and approval by the St. Bernard Parish Council.

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 21st 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 21, 2019.

Witness my hand and the seal of the Parish of St. Bernard on this 21st 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 #1946-05-19

A RESOLUTION AUTHORIZING THE PARISH PRESIDENT TO SIGN AN AMENDMENT TO AGREEMENT WITH THE STATE OF LOUISIANA, REPRESENTED BY THE DIVISION OF ADMINISTRATION, OFFICE OF COMMUNITY DEVELOPMENT, FOR FISHERIES INFRASTRUCTURE ASSISTANCE PROGRAM, HARBOR OF REFUGE.

WHEREAS, the purpose of the amendment is to reduce by $38,970 to pay for grant management expenses through another agreement with Pan American Engineers and to revise clauses to comply with HUD and DOA requirements.

WHEREAS, it is in the best interest of the citizens of St. Bernard Parish for St. Bernard Parish Government to sign said amendment to agreement.

NOW THEREFORE, BE IT RESOLVED, that the St. Bernard Parish Council, the governing authority of St. Bernard Parish, does hereby support the efforts of the Parish President, on behalf of St. Bernard Parish Government, to execute the amendment to agreement for Fisheries Infrastructure Assistance Program, Harbor of Refuge.

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 21st 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 21, 2019.

Witness my hand and the seal of the Parish of St. Bernard on this 21st day of May, 2019.

________________________
ROXANNE ADAMS
CLERK OF COUNCIL
Amendment to Agreement between State of Louisiana  
(Division of Administration)  
(Office of Community Development)  
AND  

St. Bernard Parish Government  
Fisheries Infrastructure Assistance Program  
Harbor of Refuge  

Effective Date:  March 1, 2019  

Amendment Provisions  

Change Agreement from:  

Page 2, SECTION II SCOPE OF SERVICES  

A. Grant Award  

OCD, as administrator of the CDBG Disaster Recovery Program, subject to the terms and conditions of this Agreement, shall make available to Grantee Disaster Recovery funds up to the gross amount of Seven Hundred Ninety Three Thousand, Five Hundred and One and no/100 ($793,501.00) Dollars (“the Grant Funds”) for the purpose of funding the implementation of the selected fisheries infrastructure recovery projects (the “Program”).
**Change Agreement to:**

**Page 2, SECTION II SCOPE OF SERVICES**

**A. Grant Award**

OCD, as administrator of the CDBG Disaster Recovery Program, subject to the terms and conditions of this Agreement, shall make available to Grantee Disaster Recovery funds up to the gross amount of Seven Hundred Fifty Four Thousand, Five Hundred Thirty One and no/100 ($754,531.00) Dollars ("the Grant Funds") for the purpose of funding the implementation of the selected fisheries infrastructure recovery projects (the "Program").

**Change Agreement from:**

**Page 4, SECTION II SCOPE OF SERVICES**

**D. Statement of Work**

4. Grantee shall be responsible for implementing the recovery activities in compliance with all state and federal laws and regulations and all Program requirements. It shall be Grantee’s responsibility to require that all of its contractors, and all tiers of their subcontractors, all sub recipients, if applicable, and all beneficiaries, if applicable, adhere to all applicable state and federal laws and regulations and Program requirements, and to conduct all necessary monitoring for such compliance. As to laws and regulations which apply to the use of CDBG funds, Grantee shall execute a Statement of Assurances, attached hereto and made a part hereof, reflecting compliance with those listed laws and regulations, which shall be deemed to be requirements of this Agreement. As to any other laws and regulations which may apply to construction projects, Grantee is responsible for determining the applicable laws and regulations and ensuring compliance therewith.
Change Agreement to:

Page 4, SECTION II SCOPE OF SERVICES

D. Statement of Work

4. Grantee shall be responsible for implementing the recovery activities in compliance with all state and federal laws and regulations and all Program requirements. It shall be Grantee’s responsibility to require that all of its contractors, and all tiers of their subcontractors, all sub recipients, if applicable, and all beneficiaries, if applicable, adhere to all applicable state and federal laws and regulations and Program requirements, as now in effect and as may be amended from time to time, and to conduct all necessary monitoring for such compliance. As to laws and regulations which apply to the use of CDBG funds, Grantee shall execute a Statement of Assurances, attached hereto and made a part hereof, reflecting compliance with those listed laws and regulations, which shall be deemed to be requirements of this Agreement. As to any other laws and regulations which may apply to construction projects, Grantee is responsible for determining the applicable laws and regulations and ensuring compliance therewith.

Change Agreement from:

Page 10, SECTION V HUD/CDBG COMPLIANCE PROVISIONS

F. Use and Reversion of Assets

The use and disposition of immovable property, equipment and remaining Grant Funds under this Agreement shall be in compliance with all CDBG regulations, which include but are not limited to the following:

1. Grantee shall transfer to the OCD any Grant Funds on hand and any accounts receivable attributable to the use of funds under this Agreement at the time of expiration, cancellation, or termination.

2. Immovable property under Grantee’s control that was acquired or improved, in whole or in part, with funds under this Agreement in excess of $25,000 shall be
used to meet one of the CDBG National Objectives set forth in 24 CFR 570.208 until five (5) years after the closeout of the individual projects associated with the particular immovable property or expiration of this Agreement, whichever occurs first (or such longer period as the OCD deems appropriate). If Grantee fails to use such immovable property in a manner that meets a CDBG National Objective for the prescribed period of time, Grantee shall pay to the OCD an amount equal to the current fair market value of the property less any portion of the value attributable to expenditures of non-CDBG funds for the acquisition of, or improvement to, the property. Such payment shall constitute program income to the OCD. Grantee may retain real property acquired or improved under this Agreement after the expiration of the five-year period described above, or such longer period as the OCD deems appropriate.

3. In all cases in which equipment acquired, in whole or in part, with Grant Funds is sold, the proceeds shall be program income (prorated to reflect the extent to which funds received under this Agreement were used to acquire the equipment). Equipment not needed by Grantee for activities under this Agreement shall be (a) transferred to the OCD for the CDBG program or (b) retained by Grantee after compensating the OCD an amount equal to the current fair market value of the equipment less the percentage of non-CDBG funds used to acquire the equipment.

If Grantee is not the owner of the immovable property being acquired or improved, in whole or in part, with the Grant Funds, Grantee shall obtain written consent via authentic act from the owner of the immovable property acknowledging and consenting to the use restrictions required by 24 CFR 570.505 and as contained in this Agreement. In addition, if immovable property being acquired or improved, in whole or in part, with the Grant Funds is leased or subleased by Grantee to a third party, Grantee shall contractually insure that the lessee/sublessee is bound by the use restrictions contained in 24 CFR 570.505 and as contained in this Agreement.

Change Agreement to:

Page 10, SECTION V HUD/CDBG COMPLIANCE PROVISIONS

F. Use and Reversion of Assets

The use and disposition of immovable property, equipment and remaining Grant Funds under this Agreement shall be in compliance with all CDBG regulations, which include but are not limited to the following:

1. Grantee shall transfer to the OCD any Grant Funds on hand and any accounts receivable attributable to the use of funds under this Agreement at the time of expiration, cancellation, or termination.
2. Immovable property under Grantee’s control that was acquired or improved, in whole or in part, with funds under this Agreement in excess of $25,000 shall be used to meet one of the CDBG National Objectives set forth in 24 CFR 570.208 until five (5) years after the closeout of the individual projects associated with the particular immovable property or expiration of this Agreement, whichever occurs first (or such longer period as the OCD deems appropriate). If Grantee fails to use such immovable property in a manner that meets a CDBG National Objective for the prescribed period of time, Grantee shall pay to the OCD an amount equal to the current fair market value of the property less any portion of the value attributable to expenditures of non-CDBG funds for the acquisition of, or improvement to, the property. Such payment shall constitute program income to the OCD. Grantee may retain real property acquired or improved under this Agreement after the expiration of the five-year period described above, or such longer period as the OCD deems appropriate.

3. In all cases in which equipment acquired, in whole or in part, with Grant Funds is sold, the proceeds shall be program income (prorated to reflect the extent to which funds received under this Agreement were used to acquire the equipment). Equipment not needed by Grantee for activities under this Agreement shall be (a) transferred to the OCD for the CDBG program or (b) retained by Grantee after compensating the OCD an amount equal to the current fair market value of the equipment less the percentage of non-CDBG funds used to acquire the equipment.

If Grantee is not the owner of the immovable property being acquired or improved, in whole or in part, with the Grant Funds, Grantee shall acquire sufficient interest and site control over the property to allow the use of CDBG funds for improvement of a non-owned property, within the timeframe mandated by any applicable award letter or within any timeframe established by OCD before or during this Agreement. Grantee shall submit the terms of such interest to OCD to confirm that the interests are sufficient. The interests shall be through a written agreement via authentic act with the owner of the immovable property acknowledging and consenting to the use restrictions required by 24 CFR 570.505 and as contained in this Agreement and agreeing that the property shall be bound by such use restrictions. In addition, if immovable property being acquired or improved, in whole or in part, with the Grant Funds is leased or subleased by Grantee to a third party, Grantee shall contractually insure that the lessee/sublessee is bound by the use restrictions contained in 24 CFR 570.505 and as contained in this Agreement.

Purpose of amendment:

To reduce by $38,970 to pay for grant management expenses through another agreement with Pan American Engineers and also to revise clauses to comply with HUD and DOA requirements.
This amendment contains or has attached hereto all revised terms and conditions agreed upon by contracting parties.

IN WITNESS THEREOF, this amendment is signed and entered into on the date indicated below:

______________________________________
Date
Name: _________________________________
Title: ________________________________
Office of Community Development

______________________________________
Signature
Date
Name: Desireé Honoré Thomas
Title: Assistant Commissioner, DOA
Division of Administration

______________________________________
Date
Name: _________________________________
Title: ________________________________
St. Bernard Parish
On motion of XXXX, seconded by XXXX, it was moved to adopt the following resolution:

**RESOLUTION SBPC #1947-05-19**

A RESOLUTION AUTHORIZING ST. BERNARD PARISH GOVERNMENT TO ADOPT A PROCUREMENT POLICY.

WHEREAS, St. Bernard Parish Government must establish the procurement policy described in Exhibit A.

WHEREAS, it is in the best interest of the citizens of St. Bernard Parish for St. Bernard Parish Government to adopt said policy.

NOW THEREFORE, BE IT RESOLVED, that the St. Bernard Parish Council, the governing authority of St. Bernard Parish, does hereby adopt the attached procurement policy.

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 21st 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 21, 2019.

Witness my hand and the seal of the Parish of St. Bernard on this 21st day of May, 2019.

________________________
ROXANNE ADAMS
CLERK OF COUNCIL
St. Bernard Parish Government

8201 West Judge Perez Drive Chalmette, Louisiana, 70043
(504) 278-4227 Fax (504) 278-4330
www.sbpg.net

Guy McInnis
Parish President

St. Bernard Parish Government
PROCUREMENT POLICY

- All purchases require a requisition be written with a detailed description, quantities, pricing, required documentation and must receive an approved purchase order before goods or services can be ordered or completed.

- The requisition is to follow the approval levels set in MUNIS (Purchasing system for SBPG). All approvers will verify adequate funds are budgeted and available.

- Requisitions under $500 are NOT required to have 3 vendor prices, however departments are encouraged to find the best pricing available regardless of price. The Department should also consider utilizing the Louisiana State Contract for purchases when available.

- Multiple purchases of the same item during the same calendar year that add up to more than $500 require three prices. For example, if purchasing weed killer at $319 and this item will be ordered more than once during the year then it requires three prices.

- Requisitions between $500 and $15,000 are required to have 3 vendor prices (telephone, fax, email or hard copy quote).

- Requisitions between $15,000 and $30,000 are required to have 3 vendor prices (fax, email or hard copy quote only).

- Competitive Sealed Bidding (R.S. 39:1594) LAC 34:V 301-339 should be used when State Contracts are not used and no exceptional circumstances apply (Small Purchases, Sole Source or Emergency Procurement) and the purchase is greater than $30,000, competitive sealed bidding should be used. Competitive sealed bidding is a method that uses formal advertising in order to solicit bids from a variety of contractors or vendors to capture the best price. This will take place through the Public Works department. For further assistance please contact Teri Doskey, 504.278.4314 or tdoskey@sbpg.net.

- Public Works, as defined in R.S. 38:2211(A)(12), includes any contract for the erection, construction, alteration, improvement or repair of any public facility or immovable property owned, used, or leased by a public entity. These contracts also include labor and material. The threshold, or contract limit, is currently set at $157,700.00 (changed in 2019 Legislative Session, added in CPI (Consumer Price Index) calculation). Public Works Projects are handled by the Public Works Department by the Public Works Director and the Public Works Office Manager.
• Sole Source Procurement is used when only ONE SOURCE is available from which to make a particular purchase. Sole Source Procurement, like Emergency Procurement, does not require competition. Products that are a “SOLE SOURCE” item or service require a letter from the vendor detailing why the item is a “SOLE SOURCE” and can’t be provided by any other vendor. Subject to Procurement Officer approval or the designee above the level of the Procurement Officer.

• “PIGGYBACK” – When using an active contract from another agency, referred to as piggybacking, a letter from that agency granting permission to SBPG is required along with a copy of the current “ACTIVE” contract being utilized.

• Emergency Procurement – The Chief Procurement Officer or the designee above the level of Procurement Officer, may make, or authorize others to make, emergency procurements when there exists an imminent threat to the public health, welfare, safety, or public property under emergency conditions as defined in accordance with regulations. Many types of conditions, including floods, epidemics, and equipment failures, can create an emergency. The Chief Procurement Officer or the designee above that level may identify other emergency conditions, which are those that create an immediate need for services, materials or supplies.

   The department head / director should put in writing the reason or reasons causing the emergency to occur and why the danger is imminent. Every effort should be made to obtain quotations from three or more vendors for emergency repairs or supplies, when possible.

• Cooperative Purchasing – This allows multiple entities to procure materials and supplies in a joint effort. The entities may be a combination of public units or a mixture of public and private units. For example, to achieve a best price, a state agency, a local parish government and a university may purchase some equipment via a cooperative purchase agreement or contract.

• Shipping / Handling and / or Freight should be included in all your requisitions. Ask vendors to include this in their quotes to each department.

• Once you receive your purchase order, provide a copy to the vendor. Once goods or services have been completed you must receive the purchase order in MUNIS. Please be sure the invoice is sent to Finance for payment processing.

• No department shall authorize purchases or services without a purchase order or direct approval from the Parish President or CAO. This means that you should have a valid purchase order before the cost is incurred. If a vendor cannot provide Finance a copy of a purchase order, Finance will direct the vendor to collect payment from the ordering party.

• Other than the procedures listed above specific to St. Bernard Parish Government, all Public Bid Laws will be followed by St. Bernard Parish Government.

If you have any questions, please contact the Purchasing Department at (504)355-4414 or (504) 278-4252.

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

Summary No. 3710
Introduced by: Councilmember McCloskey and Alcon on 5/7/19
Public Hearing held on 5/21/19

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 Trust 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 21st day of May, 2019.
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On motion of XXXX, seconded by XXXX, it was moved to adopt the following ordinance:

Summary No. 3711
Introduced by: Councilmember McCloskey on 5/7/19
Public Hearing held on 5/21/19

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 21st day of May, 2019.
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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** 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 adopt the following ordinance:

**Summary No. 3712**
Introduced by: Councilmember Alcon on 5/7/19
Public Hearing held on 5/21/19

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
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 21st day of May, 2019.
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<td>3408 JUDY DR</td>
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<td><strong>BER-079902</strong></td>
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On motion of XXXX, seconded by XXXX, it was moved to adopt the following ordinance:

**Summary No. 3713**
Introduced by: Councilmember Luna on 5/7/19
Public Hearing held on 5/21/19

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 21st 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 ________________________________
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 adopt the following ordinance:

Summary No. 3714
Introduced by: Councilmember Gorbaty on 5/7/19
Public Hearing held on 5/21/19

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 21st day of May, 2019.

__________________________  __________________________
ROXANNE ADAMS              RICHARD “RICHELIE” LEWIS
CLERK OF COUNCIL            COUNCIL CHAIR

Delivered to the Parish President __________________________ Date and Time

Received by __________________________

Approved ________________ Vetoed ________________

Parish President __________________________
Guy McInnis

Returned to Clerk of the Council __________________________ Date and Time

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

**Summary No. 3715**
Introduced by: Administration on 5/7/19
Public Hearing held on 5/1/19

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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<tr>
<th>Number</th>
<th>Principal</th>
<th>Issue Date</th>
<th>Maturity Date</th>
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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)

*     *     *     *     *

PROVISIONS FOR REGISTRATION

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<th>Registered Owner</th>
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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 21st day of May, 2019.
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: [Signature]
Title: [Title]

cc: Mr. C. Grant Schlueter, Foley & Judell, L.L.P., Bond Counsel
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 21, 2019 AT THREE O'CLOCK P.M.

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

Summary No. 3716
Introduced by: Administration on 5/7/19
Public Hearing held on 5/21/19

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 Certificate 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  

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<tr>
<th>Number</th>
<th>Principal Amount</th>
<th>Issue Date</th>
<th>Maturity Date</th>
</tr>
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<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)
PROVISIONS FOR REGISTRATION

Registered Owner                  Registration Date                  Signature of Clerk of Council
__________________________________________________________
__________________________________________________________
__________________________________________________________
__________________________________________________________
__________________________________________________________

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 21st day of May, 2019.

__________________________
ROXANNE ADAMS
CLERK OF COUNCIL

___________________________
RICHARD “RICHIE” LEWIS
COUNCIL CHAIR

Delivered to the Parish President Date and Time

Received by

Approved Vetoed

Parish President Guy McInnis

Returned to Clerk of the Council Date and Time

Received by
Honorable 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 adopt the following ordinance:

Summary No. 3717
Introduced by: Administration on 5/7/19
Public Hearing held on 5/21/19

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 21st day of May, 2019.

__________________________  ________________________
ROXANNE ADAMS               RICHARD “RICHLIE” LEWIS
CLERK OF COUNCIL             COUNCIL CHAIR

Delivered to the Parish President  ________________________  Date and Time

Received by  ________________________________

Approved ______________________  Vetoed  ________________________

Parish President  ____________________________  Guy McInnis

Returned to Clerk of the Council  ________________________  Date and Time

Received by  ________________________________
## ST. BERNARD PARISH GOVERNMENT

**SUMMARY STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE**

### 2018 Final Operating & Capital Budget

<table>
<thead>
<tr>
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<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>100 General Fund</td>
<td>$4,587,710</td>
<td>$8,893,266</td>
<td>($4,305,556)</td>
<td>$4,039,486</td>
<td>($3,172,815)</td>
<td>($3,438,885)</td>
<td>$10,065,297</td>
<td>$6,626,412</td>
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<td>105 34th Judicial Court</td>
<td>170,941</td>
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<td>($2,710,885)</td>
<td>2,712,529</td>
<td>-</td>
<td>1,644</td>
<td>(448)</td>
<td>1,196</td>
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<td>101 Sales Tax</td>
<td>12,371,809</td>
<td>1,124,228</td>
<td>11,247,581</td>
<td>11,617,517</td>
<td>23,721</td>
<td>(346,215)</td>
<td>1,749,147</td>
<td>1,402,932</td>
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<td>152 Civic Auditorium</td>
<td>3,021</td>
<td>102,934</td>
<td>(99,913)</td>
<td>108,142</td>
<td>-</td>
<td>8,229</td>
<td>216,910</td>
<td>225,139</td>
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<td>160 Community Development</td>
<td>2,299,482</td>
<td>2,358,514</td>
<td>(59,022)</td>
<td>301,818</td>
<td>-</td>
<td>242,786</td>
<td>4,478,218</td>
<td>4,721,004</td>
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<tr>
<td><strong>Total General Fund</strong></td>
<td><strong>$19,432,963</strong></td>
<td><strong>$15,360,768</strong></td>
<td><strong>$4,072,195</strong></td>
<td><strong>($4,455,542)</strong></td>
<td><strong>($3,149,094)</strong></td>
<td><strong>($3,532,441)</strong></td>
<td><strong>$16,509,124</strong></td>
<td><strong>$12,976,683</strong></td>
</tr>
</tbody>
</table>

### SPECIAL REVENUE FUNDS:

<table>
<thead>
<tr>
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</tr>
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<tbody>
<tr>
<td>253 Criminal Court 34th</td>
<td>$182,966</td>
<td>$226,333</td>
<td>($43,367)</td>
<td>-</td>
<td>-</td>
<td>($43,367)</td>
<td>$50,216</td>
<td>$6,849</td>
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<td>254 Fire Department</td>
<td>10,662,068</td>
<td>9,848,887</td>
<td>813,181</td>
<td>471,414</td>
<td>(287,410)</td>
<td>997,185</td>
<td>1,108,301</td>
<td>2,105,486</td>
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<td>259 Council on Aging</td>
<td>326,848</td>
<td>336,102</td>
<td>(9,254)</td>
<td>7,925</td>
<td>-</td>
<td>(1,329)</td>
<td>284,884</td>
<td>283,555</td>
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<tr>
<td>261 Recreation</td>
<td>1,639,843</td>
<td>2,461,779</td>
<td>(821,916)</td>
<td>653,597</td>
<td>131,646</td>
<td>(36,694)</td>
<td>674,662</td>
<td>637,968</td>
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<td>262 Public Works</td>
<td>2,005,806</td>
<td>4,570,004</td>
<td>(2,564,198)</td>
<td>1,867,607</td>
<td>287,476</td>
<td>(209,116)</td>
<td>364,732</td>
<td>155,616</td>
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<td>263 Road Lighting</td>
<td>427,693</td>
<td>756,776</td>
<td>(329,083)</td>
<td>-</td>
<td>314,782</td>
<td>(14301)</td>
<td>145,895</td>
<td>131,594</td>
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<tr>
<td>264 Sanitation</td>
<td>5,197,544</td>
<td>3,962,635</td>
<td>1,234,909</td>
<td>127,739</td>
<td>(194,886)</td>
<td>1,167,761</td>
<td>48,590</td>
<td>1,216,351</td>
</tr>
<tr>
<td>266 Assessor's Office</td>
<td>12,218</td>
<td>54,551</td>
<td>(42,333)</td>
<td>7,790</td>
<td>32,228</td>
<td>(3,215)</td>
<td>-</td>
<td>2,315</td>
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<tr>
<td>267 WIA</td>
<td>1,734,108</td>
<td>1,745,988</td>
<td>(9,880)</td>
<td>-</td>
<td>(23,721)</td>
<td>(33,601)</td>
<td>56,012</td>
<td>22,411</td>
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<tr>
<td>271 Health</td>
<td>218,246</td>
<td>231,891</td>
<td>(13,645)</td>
<td>-</td>
<td>(202)</td>
<td>(13,847)</td>
<td>700,374</td>
<td>686,527</td>
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<tr>
<td>273 Communications District</td>
<td>597,270</td>
<td>393,623</td>
<td>203,647</td>
<td>-</td>
<td>-</td>
<td>203,647</td>
<td>770,368</td>
<td>974,015</td>
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<tr>
<td>277 Housing &amp; Redevelopment</td>
<td>6,227,296</td>
<td>6,819,477</td>
<td>(592,181)</td>
<td>-</td>
<td>453,761</td>
<td>(135,426)</td>
<td>138,420</td>
<td>-</td>
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<tr>
<td>279 Transit</td>
<td>411,580</td>
<td>486,659</td>
<td>(75,079)</td>
<td>-</td>
<td>-</td>
<td>(75,079)</td>
<td>204,082</td>
<td>129,023</td>
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<td>286 Deputy Witness Fees</td>
<td>22,199</td>
<td>950</td>
<td>21,249</td>
<td>-</td>
<td>-</td>
<td>21,249</td>
<td>30,982</td>
<td>52,231</td>
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<td>260 CDBG</td>
<td>937,115</td>
<td>700,441</td>
<td>236,674</td>
<td>-</td>
<td>-</td>
<td>236,674</td>
<td>(930,133)</td>
<td>(693,479)</td>
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<td>270 HMGIP</td>
<td>7,750,357</td>
<td>2,916,883</td>
<td>833,474</td>
<td>-</td>
<td>833,474</td>
<td>(933,906)</td>
<td>(100,432)</td>
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<tr>
<td>290 State &amp; Federal Grants</td>
<td>3,789,959</td>
<td>6,224,102</td>
<td>(2,434,143)</td>
<td>281,497</td>
<td>2,544,924</td>
<td>392,278</td>
<td>(356,983)</td>
<td>35,295</td>
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<td>234 Tree Fund</td>
<td>100</td>
<td>100</td>
<td>-</td>
<td>0</td>
<td>100</td>
<td>2,006</td>
<td>2,106</td>
<td>-</td>
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<tr>
<td>229 Hurricane Katrina</td>
<td>10,347,219</td>
<td>7,254,808</td>
<td>3,092,410</td>
<td>-</td>
<td>(6,083)</td>
<td>3,086,328</td>
<td>(6,305,431)</td>
<td>(3,219,103)</td>
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<tr>
<td>201 Hurricane Gustav</td>
<td>19,514</td>
<td>19,541</td>
<td>19,541</td>
<td>-</td>
<td>19,514</td>
<td>(155,438)</td>
<td>(135,924)</td>
<td>-</td>
</tr>
<tr>
<td>205 Hurricane Isaac</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>(342,515)</td>
<td>(342,515)</td>
</tr>
<tr>
<td>206 Hurricane Ike</td>
<td>34,912</td>
<td>34,912</td>
<td>-</td>
<td>-</td>
<td>34,912</td>
<td>137,281</td>
<td>172,193</td>
<td>-</td>
</tr>
</tbody>
</table>

| **Total Special Revenue Funds**   | **$48,744,861**        | **$48,989,867**             | **$245,186**                                  | **$3,417,568**                                             | **$3,252,514**       | **$6,424,976**                                              | **$4,307,312**                | **$2,119,769**              |
## ST. BERNARD PARISH GOVERNMENT

### SUMMARY STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE (continued)

#### 2018 Final Operating & Capital Budget

<table>
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<tr>
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<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>309 Versailles Industrial Park Sinking</td>
<td>$</td>
<td>$ 24,475</td>
<td>(24,475)</td>
<td>-</td>
<td>-</td>
<td>(24,475)</td>
<td>$ 24,475</td>
<td>$ -</td>
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<tr>
<td>312 2012 Sales Tax Refunding Bond</td>
<td>14,410</td>
<td>4,151,700</td>
<td>(4,137,290)</td>
<td>1,037,974</td>
<td>3,162,175</td>
<td>62,859</td>
<td>3,061,395</td>
<td>3,124,205</td>
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<td>354 2014 Fire Sinking Fund</td>
<td>1,108</td>
<td>271,205</td>
<td>(270,097)</td>
<td>-</td>
<td>278,285</td>
<td>8,188</td>
<td>208,528</td>
<td>216,716</td>
</tr>
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<td><strong>Total Debt Service Funds</strong></td>
<td><strong>$ 15,518</strong></td>
<td><strong>$ 4,473,380</strong></td>
<td><strong>(4,431,862)</strong></td>
<td><strong>1,037,974</strong></td>
<td><strong>3,440,460</strong></td>
<td><strong>46,572</strong></td>
<td><strong>3,294,398</strong></td>
<td><strong>3,340,921</strong></td>
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#### CAPITAL PROJECT FUNDS:

<table>
<thead>
<tr>
<th>Department</th>
<th>2018 Budgeted Revenues</th>
<th>2018 Budgeted Expenditures</th>
<th>Excess of Revenues Over (Under) Expenditures</th>
<th>Sales Tax Transfers (including reallocation of fund balance)</th>
<th>Other Transfers, net</th>
<th>Excess of Revenues Over (Under) Expenditures After Transfers</th>
<th>Fund Balance, Beginning of Year</th>
<th>Fund Balance, End of Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>443 Courthouse Capital Fund</td>
<td>$ 856</td>
<td>$ 22,750</td>
<td>(21,893)</td>
<td>-</td>
<td>-</td>
<td>(21,893)</td>
<td>$ 142,302</td>
<td>$ 120,409</td>
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<tr>
<td>457 General Fund Capital Projects</td>
<td>50,101</td>
<td>253,259</td>
<td>(203,159)</td>
<td>-</td>
<td>683,276</td>
<td>480,117</td>
<td>189,912</td>
<td>670,029</td>
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<tr>
<td>462 Capital Projects</td>
<td>470,188</td>
<td>833,511</td>
<td>(363,322)</td>
<td>-</td>
<td>-</td>
<td>(363,322)</td>
<td>558,498</td>
<td>195,176</td>
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<tr>
<td>463 Rebuild St. Bernard</td>
<td>422</td>
<td>422</td>
<td>(40,914)</td>
<td>(40,914)</td>
<td>(40,492)</td>
<td>(40,492)</td>
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<td>464 Hurricane Reconstruction</td>
<td>383,800</td>
<td>2,309,052</td>
<td>(1,925,232)</td>
<td>-</td>
<td>603,416</td>
<td>(1,321,836)</td>
<td>5,684,088</td>
<td>4,362,252</td>
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<tr>
<td><strong>Total Capital Project Funds</strong></td>
<td><strong>$ 905,367</strong></td>
<td><strong>$ 3,418,572</strong></td>
<td><strong>(2,513,205)</strong></td>
<td>-</td>
<td><strong>1,245,778</strong></td>
<td><strong>(1,267,427)</strong></td>
<td><strong>6,615,292</strong></td>
<td><strong>5,347,865</strong></td>
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#### INTERNAL SERVICE FUNDS:

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<tr>
<th>Department</th>
<th>2018 Budgeted Revenues</th>
<th>2018 Budgeted Expenditures</th>
<th>Excess of Revenues Over (Under) Expenditures</th>
<th>Sales Tax Transfers (including reallocation of fund balance)</th>
<th>Other Transfers, net</th>
<th>Excess of Revenues Over (Under) Expenditures After Transfers</th>
<th>Fund Balance, Beginning of Year</th>
<th>Fund Balance, End of Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>650 Self Insurance</td>
<td>$ 1,375,127</td>
<td>$ 1,538,072</td>
<td>(162,945)</td>
<td>-</td>
<td>-</td>
<td>(162,945)</td>
<td>$ 162,945</td>
<td>$ -</td>
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<tr>
<td>675 W&amp;S Self Insurance</td>
<td>490,018</td>
<td>821,100</td>
<td>(331,082)</td>
<td>-</td>
<td>-</td>
<td>(331,082)</td>
<td>844,015</td>
<td>512,933</td>
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<tr>
<td><strong>Total Internal Service</strong></td>
<td><strong>$ 1,865,145</strong></td>
<td><strong>$ 2,359,172</strong></td>
<td><strong>(494,027)</strong></td>
<td>-</td>
<td>-</td>
<td><strong>(494,027)</strong></td>
<td><strong>1,006,960</strong></td>
<td><strong>512,933</strong></td>
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<td>-------------------------------------------------------------</td>
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<tr>
<td>501 W&amp;S 50M Bond Fund</td>
<td>8,253</td>
<td>-</td>
<td>8,253</td>
<td>-</td>
<td>(267,313)</td>
<td>(259,060)</td>
<td>245,322</td>
<td>(13,738)</td>
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<td>529 SF-SW99 1/2 Cent Sales Tax Fund</td>
<td>4,124,137</td>
<td>374,743</td>
<td>3,749,394</td>
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<td>(3,912,355)</td>
<td>(162,961)</td>
<td>941,328</td>
<td>778,367</td>
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<tr>
<td>530 50 M Bond Sales Tax Debt Service</td>
<td>11,629</td>
<td>18,067</td>
<td>(6,438)</td>
<td>-</td>
<td>67,167</td>
<td>60,729</td>
<td>(384,737)</td>
<td>(324,008)</td>
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<tr>
<td>532 W&amp;S 2008 Refinanced ST Debt Service</td>
<td>3,359</td>
<td>58,220</td>
<td>(54,861)</td>
<td>-</td>
<td>825,555</td>
<td>770,694</td>
<td>(1,483,449)</td>
<td>(712,755)</td>
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<tr>
<td>533 W&amp;S 2008 St. Reserve Fund</td>
<td>13,537</td>
<td>-</td>
<td>13,537</td>
<td>-</td>
<td>-</td>
<td>13,537</td>
<td>872,294</td>
<td>885,831</td>
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<tr>
<td>557 W&amp;S Capital Projects</td>
<td>8,224</td>
<td>6,021,973</td>
<td>(6,013,749)</td>
<td>-</td>
<td>1,209,354</td>
<td>(4,804,395)</td>
<td>319,267</td>
<td>(4,485,128)</td>
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<tr>
<td><strong>Total Water &amp; Sewer</strong></td>
<td><strong>$17,775,489</strong></td>
<td><strong>$23,553,758</strong></td>
<td><strong>$5,778,269</strong></td>
<td>-</td>
<td><strong>$4,790,817</strong></td>
<td><strong>$10,569,086</strong></td>
<td><strong>$223,453,478</strong></td>
<td><strong>$212,884,392</strong></td>
</tr>
</tbody>
</table>

**OTHER BUSINESS-TYPE ACTIVITIES:**

| Recreational Facilities                  | $284,928               | $424,715                   | (139,787)                                    | -                                                            | 1,160                | (138,627)                                                   | (280,246)                      | (418,873)                |
| Total Recreational Facilities            | **$284,928**           | **$424,715**               | **(139,787)**                                | -                                                            | **1,160**            | **(138,627)**                                               | **(280,246)**                  | **(418,873)**            |
| **TOTAL ALL FUNDS**                      | **$89,024,271**        | **$98,554,232**            | **$9,530,061**                               | -                                                            | -                    | **$9,530,060**                                              | **$246,291,694**               | **$236,763,690**         |
On motion of XXXX, seconded by XXXX, it was moved to introduce the following ordinance:

**Summary No. 3718**  
 Introduced by: Administration on 5/21/19

**AN 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 A.

**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 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 21st 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 21, 2019.

Witness my hand and the seal of the Parish of St. Bernard on this 21st day of May, 2019.

________________________
ROXANNE ADAMS
CLERK OF COUNCIL
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__.

________________________________
Attorney, WAITZ & DOWNER

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

Summary No. 3719
Introduced by: Administration on 5/21/19

AN ORDINANCE AUTHORIZING THE PARISH PRESIDENT TO PURCHASE PURNE LL LANE RIGHT OF WAY PARCEL 1-1 AND PARCEL 2-1 AND TO AUTHORIZE THE DISTRICT ATTORNEY’S OFFICE TO FILE AN EXPROPRIATION SUIT IF NECESSARY TO ACQUIRE SAID PROPERTIES

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

WHEREAS, the St. Bernard Parish Council authorizes and approves the Parish President to purchase Purnell Lane Right of Way Parcel 1-1 and Parcel 2-1, more specifically described in Exhibit A;

WHEREAS, SBPG paved the road known as Purnell Lane, installed water lines and fire hydrants, and has paid for and continues to pay for electrical lighting on the property on the east side of Purnell Lane;

WHEREAS, it is necessary that SBPG acquire said property for a public purpose, namely use of a public road and access to public utilities;

WHEREAS, if SBPG and said property owners cannot come to an amicable acquisition of the property, it is necessary for the District Attorney’s Office to file an Expropriation Suit to acquire said properties.

SECTION 1. St. Bernard Parish Council, the governing authority for St. Bernard Parish, does hereby authorize the Parish President to acquire Purnell Lane Right of Way Parcel 1-1 and Parcel 2-1, more specifically described in Ex. A. Further, the St. Bernard Parish Council authorizes the District Attorney’s Office to file an Expropriation Suit if necessary to acquire said properties.
SECTION 2. The President of St. Bernard Parish Government is hereby authorized to execute any documents necessary to purchase Purnell Lane right of Way Parcel 1-1 and Parcel 2-1, in compliance with state law.

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 21st 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 21, 2019.

Witness my hand and the seal of the Parish of St. Bernard on this 21st day of May, 2019.

________________________________________________________________________
ROXANNE ADAMS  
CLERK OF COUNCIL
PURCELL LANE RIGHT OF WAY PARCEL 1-1

DESCRIPTION OF A 0.452 ACRE PARCEL OF LAND LOCATED IN THE PARISH OF ST. BERNARD, STATE OF LOUISIANA IN ACCORDANCE WITH A PLAN ENTITLED PURCELL LANE RIGHT OF WAY, LOCATED IN SECTION 85 T14S-R14E, SOUTHEASTERN LAND DISTRICT, EAST OF THE MISSISSIPPI RIVER, ST. HELENA MERIDIAN, ST. BERNARD PARISH, LOUISIANA.

SAID 0.452 ACRE PARCEL BEING MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT, SAID POINT BEING A OLD MILL SHAFT AT THE INTERSECTION OF THE SOUTHERLY RIGHT OF WAY OF VERRET ROAD AND THE SECTION LINE COMMON TO SECTIONS 83 AND 85, T14S-R14E, SOUTHEASTERN LAND DISTRICT, EAST OF THE MISSISSIPPI RIVER, ST. HELENA MERIDIAN, ST. BERNARD PARISH, LOUISIANA; THENCE SOUTH 61°40'14" EAST ALONG THE SOUTHERLY RIGHT OF WAY OF VERRET ROAD FOR A DISTANCE OF 336.00' TO A ½" IRON ROD FOUND AT THE INTERSECTION OF THE BOUNDARY LINE COMMON TO LUCILLE GREEN JOHNSON, ET AL AND GARDLAND TROY SANCHEZ, ET UX AND THE SOUTHERLY RIGHT OF WAY OF VERRET ROAD BEING THE POINT OF BEGINNING;

THENCE SOUTH 18°29'04" WEST FOR A DISTANCE OF 636.08 FEET TO A POINT;
THENCE SOUTH 23°07'14" WEST FOR A DISTANCE OF 6.22 FEET TO A POINT;
THENCE NORTH 66°52'46" WEST FOR A DISTANCE OF 35.00 FEET TO A POINT;
THENCE NORTH 23°07'14" EAST FOR A DISTANCE OF 100.00 FEET TO A POINT;
THENCE NORTH 17°02'12" EAST FOR A DISTANCE OF 240.00 FEET TO A POINT;
THENCE NORTH 18°28'45" EAST FOR A DISTANCE OF 116.00 FEET TO A POINT;
THENCE NORTH 22°02'36" EAST FOR A DISTANCE OF 112.00 FEET TO A POINT;
THENCE NORTH 17°05'59" EAST FOR A DISTANCE OF 77.00 FEET TO A POINT;
THENCE SOUTH 61°40'14" EAST FOR A DISTANCE OF 28.71 FEET TO THE POINT OF BEGINNING.

CONTAINING: 19,703 SQUARE FEET OR 0.452 ACRES OF LAND, MORE OR LESS.
PURCELL LANE RIGHT OF WAY PARCEL 2-1

DESCRIPTION OF A 0.065 ACRE PARCEL OF LAND LOCATED IN THE PARISH OF ST. BERNARD, STATE OF LOUISIANA IN ACCORDANCE WITH A PLAN ENTITLED PURCELL LANE RIGHT OF WAY, LOCATED IN SECTION 85 T14S-R14E, SOUTHEASTERN LAND DISTRICT, EAST OF THE MISSISSIPPI RIVER, ST. HELENA MERIDIAN, ST. BERNARD PARISH, LOUISIANA.

SAID 0.065 ACRE PARCEL BEING MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT, SAID POINT BEING A OLD MILL SHAFT AT THE INTERSECTION OF THE SOUTHERLY RIGHT OF WAY OF VERRET ROAD AND THE SECTION LINE COMMON TO SECTIONS 83 AND 85, T14S-R14E, SOUTHEASTERN LAND DISTRICT, EAST OF THE MISSISSIPPI RIVER, ST. HELENA MERIDIAN, ST. BERNARD PARISH, LOUISIANA; THENCE SOUTH 61°40'14" EAST ALONG THE SOUTHERLY RIGHT OF WAY OF VERRET ROAD FOR A DISTANCE OF 336.00' TO A ½" IRON ROD FOUND AT THE INTERSECTION OF THE BOUNDARY LINE COMMON TO LUCILLE GREEN JOHNSON, ET AL AND GARLAND TROY SANCHEZ, ET UX AND THE SOUTHERLY RIGHT OF WAY OF VERRET ROAD BEING THE POINT OF BEGINNING;

THENCE SOUTH 61°40'14" EAST FOR A DISTANCE OF 6.97 FEET TO A POINT;

THENCE SOUTH 17°05'59" WEST FOR A DISTANCE OF 71.56 FEET TO A POINT;

THENCE SOUTH 22°02'36" WEST FOR A DISTANCE OF 112.42 FEET TO A POINT;

THENCE SOUTH 18°28'45" WEST FOR A DISTANCE OF 114.47 FEET TO A POINT;

THENCE SOUTH 17°02'12" WEST FOR A DISTANCE OF 241.42 FEET TO A POINT;

THENCE SOUTH 23°07'14" WEST FOR A DISTANCE OF 95.64 FEET TO A POINT;

THENCE NORTH 18°29'04" EAST FOR A DISTANCE OF 636.08 FEET TO THE POINT OF BEGINNING.

CONTAINING: 2,815 SQUARE FEET OR 0.065 ACRES OF LAND, MORE OR LESS.

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

Summary No. 3720
Introduced by: Administration on 5/21/19

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

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. That St. Bernard Parish Annual Operating and Capital Budget for 2019 is hereby amended as per attached in Exhibit “A”.

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

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

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

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

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

**YEAS:**

**NAYS:**

**ABSENT:**

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

And the motion was declared **adopted** on the 21st 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 21, 2019.

Witness my hand and the seal of the Parish of St. Bernard on this 21st day of May, 2019.

______________________________
ROXANNE ADAMS
CLERK OF COUNCIL
St. Bernard Parish Government
Proposed 2019 Budget Amendment 6-4-2019
Summary No. 3720
Ordinance SBPC #XXXX-XX-XX

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<tr>
<td>2797010</td>
<td>Federal Transit Revenues</td>
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<td>$80,000</td>
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<tr>
<td>2797010</td>
<td>Construction In Progress Expenditures</td>
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**Net Effect on Fund Balance**

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<thead>
<tr>
<th></th>
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<tbody>
<tr>
<td>$</td>
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<td>$20,000</td>
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<tr>
<td>5004310</td>
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**Net Effect on Fund Balance**

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<tr>
<th></th>
<th>Increase</th>
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</tr>
</thead>
<tbody>
<tr>
<td>$</td>
<td>-</td>
<td>$150,000</td>
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**This Budget Amendment is to budget for new bus shelters. The Federal Transit will pay 80%.**

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<th>Account Title</th>
<th>Account Type</th>
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<td>Professional Service - Legal Expenditure</td>
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**Net Effect on Fund Balance**

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<tbody>
<tr>
<td>$</td>
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<td>$150,000</td>
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**Net Effect on Fund Balance**

<table>
<thead>
<tr>
<th></th>
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<tbody>
<tr>
<td>$0.00</td>
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**This Budget Amendment is to budget for legal expenditures in Water & Sewer**

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

**Summary No. 3721**
Introduced by: Administration on 5/21/19

AN ORDINANCE TO AMEND ORDINANCE SBPC 1564-10-14, AN ORDINANCE OUTLINING GROUP HEALTH, LIFE AND DENTAL INSURANCE BENEFITS FOR ELIGIBLE EMPLOYEES AND RETIREES OF THE ST. BERNARD PARISH GOVERNMENT.

WHEREAS, it is the desire of the St. Bernard Parish Council to amend Ordinance SBPC #1564-10-14, “An ordinance outlining group health, life and dental insurance benefits for active employees and retirees of the St. Bernard Parish Government.”

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

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

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

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

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

1. Employees must be vested for a minimum of 10 years of creditable service in a St. Bernard Parish Government participating retirement system and the 10 creditable years must be served working for the St. Bernard Parish Government; and
2. In the event of a Disability Retirement, the employee must have served the minimum number of creditable years required under the disability guidelines of the participating retirement system working for the St. Bernard Parish Government.

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

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

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

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

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

SECTION 4. Group Insurance.

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

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

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

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

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

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

Health Insurance:

1. St. Bernard Parish Government Employees & Retirees:
   a. Single Coverage - The St. Bernard Parish Government shall pay 100% of the monthly Single coverage insurance premium for Eligible Employees and Retirees who are enrolled in the St. Bernard Parish Government group health insurance program.
   b. Family Coverage – The St. Bernard Parish Government shall pay 40% towards the monthly Dependent cost for Employees and Pre-65 Retirees who elect Family Coverage. The Employee and Pre-65 Retiree shall be responsible for paying 60% of the monthly Dependent cost. (The Dependent cost is determined by subtracting the billed Single premium from the billed Family premium.)

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

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

   a. If the employee’s 30% contribution of the monthly group insurance Premium is higher than the Health Care Reform Act, “Affordable” healthcare guideline(s), using the safe harbor method(s) applied by St. Bernard Parish Government, the affected employees’ monthly group Insurance premium will be adjusted accordingly as mandated.
**Orphaned Dependents**: “Orphan Dependents” is an insurance industry term that applies if a Retiree is eligible for Medicare and enrolled in the Post-65 group health insurance program but their spouse and/or dependent(s) are not eligible for Medicare. Eligible dependent(s) will be allowed to remain on the group insurance plan offered to the Active Employee and Pre-65 Retirees until such time they cease to be an eligible dependent or become eligible for Medicare. The Retiree shall be responsible for paying the applicable Dependent cost under the group policy(ies) that both the Post-65 Retiree and any Dependents are insured. Dependent coverage is subject to group insurance policy eligibility, guidelines and provisions.

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

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

**Active Employees**:
- a. $10,000 minimum coverage on eligible employees; and
- b. $1,000 for each eligible dependent

**Retired Employees**:
- a. $10,000 minimum coverage on eligible retirees.

**Dental Insurance**:
Parish Government Employees and Retirees:
- a. The dental plan offered to eligible employees and retirees will be a voluntary product.
- b. The St. Bernard Parish Government shall have no responsibility to pay any portion of the group dental insurance premium.

Fire Department Employees and Retirees:
- a. The St. Bernard Parish Government shall be responsible for paying 70% of the monthly group insurance premium for all Eligible Employees and Retirees whether single or family coverage is elected under the group insurance plan
- b. Eligible Employees and Retiree shall be responsible for paying 30% of the monthly group insurance premiums whether single or family coverage is elected under the group insurance plan.
May 21, 2019

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

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

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

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

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

SECTION 9. Effective Date. This Ordinance shall become effective immediately upon authorizing signature by the Parish President and beginning January 1, 2015. In the event of a presidential veto, this Ordinance shall become effective upon a two-thirds favorable vote of the total membership of the Council pursuant to Sections 2-11 and 2-13 of the St. Bernard Parish Home Rule Charter.
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 21st 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 21, 2019.

Witness my hand and the seal of the Parish of St. Bernard on this 21st 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. 3722
Introduced by: Council on 5/21/19

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

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. The Parish Council hereby amends Chapter 22 Zoning; Section 22-5 Residential Zoning Districts, Section 22-6 Commercial and Industrial Zoning Districts and Section 22-7 Site Development Standards as attached in Exhibit “A”.

SECTION 2. Effective Date. This Ordinance shall become effective immediately upon authorizing signature by the Parish President. 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 21st 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 21, 2019.

Witness my hand and the seal of the Parish of St. Bernard on this 21st day of May, 2019.

__________________________
ROXANNE ADAMS
CLERK OF COUNCIL
Sec. 22-5. - Residential zoning districts.

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

<table>
<thead>
<tr>
<th>USE</th>
<th>R-1</th>
<th>R-2</th>
<th>R-3</th>
<th>R-1(M)</th>
<th>R-4</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single-family dwellings</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td>Two-family (two units)</td>
<td>P</td>
<td>P</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Multi-family (more than three units) (1)</td>
<td></td>
<td></td>
<td>P</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Single-family mobile home dwellings</td>
<td></td>
<td></td>
<td></td>
<td>P</td>
<td></td>
</tr>
<tr>
<td>Mobile home trailer parks</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>P</td>
</tr>
<tr>
<td>Short-term rentals (STR)</td>
<td>P(8)</td>
<td>P(8)</td>
<td>P(8)</td>
<td>P(8)</td>
<td></td>
</tr>
<tr>
<td>Boarding houses and lodging house</td>
<td></td>
<td></td>
<td></td>
<td>P</td>
<td></td>
</tr>
<tr>
<td>Convalescent and nursing homes</td>
<td></td>
<td></td>
<td></td>
<td>P</td>
<td></td>
</tr>
<tr>
<td>Apartment hotel</td>
<td></td>
<td></td>
<td></td>
<td>P</td>
<td></td>
</tr>
<tr>
<td>Home occupation</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td>Parks and playgrounds (4)</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td>Police and fire stations</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td>Libraries and museums</td>
<td>CU</td>
<td>CU</td>
<td>CU</td>
<td>CU</td>
<td>CU</td>
</tr>
</tbody>
</table>
### Exhibit A
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<table>
<thead>
<tr>
<th>Use Description</th>
<th>P</th>
<th>P</th>
<th>P</th>
<th>P</th>
<th>P</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cemeteries, crematories, and mausoleums</td>
<td>CU</td>
<td>CU</td>
<td>CU</td>
<td>CU</td>
<td>CU</td>
</tr>
<tr>
<td>Outdoor commercial recreation (2)</td>
<td>CU</td>
<td>CU</td>
<td>CU</td>
<td>CU</td>
<td>CU</td>
</tr>
<tr>
<td>Bed and breakfast (for not more than ten (10) guests)</td>
<td>CU</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Kindergartens and nursery schools</td>
<td>CU</td>
<td>CU</td>
<td>CU</td>
<td>CU</td>
<td>CU</td>
</tr>
<tr>
<td>Child care centers (3)</td>
<td>CU</td>
<td>CU</td>
<td>CU</td>
<td>CU</td>
<td>CU</td>
</tr>
<tr>
<td>Community centers</td>
<td>CU</td>
<td>CU</td>
<td>CU</td>
<td>CU</td>
<td>CU</td>
</tr>
<tr>
<td>Churches, temples, Sunday schools, parish house</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>Public and private schools, academic institutions</td>
<td>CU</td>
<td>CU</td>
<td>CU</td>
<td>CU</td>
<td>CU</td>
</tr>
<tr>
<td>Gardens, community or private (4)</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>Day care home, adult or child (5)</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>Day care center, adult or child - small (6)</td>
<td>P</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Day care center, adult or child - large (6)</td>
<td>P</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Group home, small (7)</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>Group home, large (7)</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Group home, congregate (7)</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

P = Permitted Use and CU = Conditional Use

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

(7) Group home:

(a) Group homes shall be licensed by the State of Louisiana.

(b) Group homes are subject to all local and federal regulations and the regulations of the Louisiana Administrative Code.
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(c) A group home shall encompass the entire structure.

(d) The location, design, and operation of the group home shall not alter the residential character of the neighborhood. The facility shall retain a residential character, which shall be compatible with the surrounding neighborhood. Group Homes shall retain a residential character and shall not alter the character of the neighborhood.

(e) There are no Parish zoning requirements for Group Homes other than those in Chapter 22 of the Zoning Ordinance for the Parish of St. Bernard.

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

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

<table>
<thead>
<tr>
<th>Retail and Service Uses</th>
<th>RO</th>
<th>A-1</th>
<th>C-1</th>
<th>C-2</th>
<th>C-3</th>
<th>I-1</th>
<th>I-2</th>
<th>SA</th>
<th>SBV</th>
</tr>
</thead>
<tbody>
<tr>
<td>Retail establishments</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P(1)</td>
<td>P(1)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Service establishments, personal/professional</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Retail/service establishments - Over 30,000 sq. ft.</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Nursery schools</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Day care home, adult or child (14)</td>
<td>P</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>P</td>
<td>P</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Day care home, adult or child - small (15)</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td></td>
<td>CU</td>
<td>CU</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Day care home, adult or child - large (15)</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td></td>
<td></td>
<td>CU</td>
<td>CU</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Day care center, adult or child - commercial (15)</td>
<td>P</td>
<td>CU</td>
<td>P</td>
<td></td>
<td></td>
<td>CU</td>
<td>CU</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Group home, small (16)</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Group home, large (16)</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td></td>
<td>P</td>
<td></td>
<td>CU</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### Exhibit A
Summary No. 3722
Ordinance SBPC #XXXX-XX-XX

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

P = Permitted Use - CU = Conditional Use

Notes to business and industrial district uses:

1. **Group home:**
   a. Group homes shall be licensed by the State of Louisiana.
   b. Group homes are subject to all local and federal regulations and the regulations of the Louisiana Administrative Code.
   c. A group home shall encompass the entire structure.
   d. **The location, design, and operation of the group home shall not alter the residential character of the neighborhood.** The facility shall retain a residential character, which shall be compatible with the surrounding neighborhood. **Group Homes shall retain a residential character and shall not alter the character of the neighborhood.**
   e. There are no Parish zoning requirements for Group Homes other than those in Chapter 22 of the Zoning Ordinance for the Parish of St. Bernard.
Sec. 22-7. Site development standards

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

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

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

<table>
<thead>
<tr>
<th>Type of Use</th>
<th>Minimum Number of Parking Spaces</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Residential Uses:</strong></td>
<td></td>
</tr>
<tr>
<td>Single-family dwelling</td>
<td>2.0 per dwelling unit</td>
</tr>
<tr>
<td>Multiple-family dwelling</td>
<td>2.0 per dwelling unit</td>
</tr>
<tr>
<td>Boarding house or lodging house</td>
<td>1.0 per guest room</td>
</tr>
<tr>
<td>Nursing home or convalescent home</td>
<td>1.0 per three beds plus and 1.0 per employee/shift</td>
</tr>
<tr>
<td>Manufactured home</td>
<td>1.0 per dwelling unit</td>
</tr>
<tr>
<td><strong>Business and Industrial Uses:</strong></td>
<td></td>
</tr>
<tr>
<td>Retail stores, personal service shops, shopping centers and other similar uses</td>
<td>6.0 per 1,000 square feet for 1 to 10,000 square feet, 5.0 per 1,000 square feet above 10,000 square feet</td>
</tr>
<tr>
<td>Banks, professional or business office</td>
<td>4.0 per 1,000 square feet</td>
</tr>
<tr>
<td>Healthcare facilities</td>
<td>1.0 per 200 square feet and 4.0 per licensed healthcare provider</td>
</tr>
<tr>
<td>Industrial and manufacturing</td>
<td>2.0 per 1,000 square feet</td>
</tr>
<tr>
<td>Warehouse and storage</td>
<td>0.5 per 1,000 square feet</td>
</tr>
<tr>
<td>Category</td>
<td>Requirement</td>
</tr>
<tr>
<td>---------------------------------------------------</td>
<td>-----------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Contractor's workshops or vehicle storage facilities</td>
<td>As determined by the commission</td>
</tr>
<tr>
<td>Hotel or motel</td>
<td>1.0 per guest room plus and 1.0 per employee/shift</td>
</tr>
<tr>
<td>Restaurants, clubs, and bars</td>
<td>10.0 per 1,000 square feet</td>
</tr>
<tr>
<td>Places of public assembly and conference space</td>
<td>1.0 per 3 seats</td>
</tr>
<tr>
<td>Roadside stand</td>
<td>5.0 per each stand</td>
</tr>
<tr>
<td>Scrap or salvage yard</td>
<td>1 per 300 square feet of GFA of office space</td>
</tr>
<tr>
<td>Motor vehicle service and repair</td>
<td>6 spaces plus one space per service bay</td>
</tr>
<tr>
<td>Truck repair</td>
<td>3 truck spaces per service bay plus 2 vehicle spaces per bay</td>
</tr>
<tr>
<td>Car wash</td>
<td>1 per car wash bay plus 3 spaces per bay for queuing purposes</td>
</tr>
<tr>
<td>Motor vehicle dealerships</td>
<td>1.0 per 500 square feet of gross lot area</td>
</tr>
<tr>
<td>Gas station</td>
<td>2 per pump plus 1 per 500 square feet of retail area plus 2 per service bay of accessory motor vehicle service and repair plus 4 stacking spaces for car wash bay</td>
</tr>
<tr>
<td>Vehicle impound lot</td>
<td>1 per 300 square feet of GFA of office space</td>
</tr>
<tr>
<td>Vehicle storage lot</td>
<td>1 per 300 square feet of GFA of office space</td>
</tr>
<tr>
<td>Vehicle operations facility</td>
<td>1 per 300 square feet of GFA of office space</td>
</tr>
<tr>
<td>Bowling alley</td>
<td>4.0 per lane</td>
</tr>
<tr>
<td>Riverboat gaming establishments</td>
<td>1.0 per each passenger and crewmember based on maximum capacity plus 1.0 space for each landside employee</td>
</tr>
<tr>
<td>Sound stage/movie studio</td>
<td>1.0 per 1,000 square feet of gross floor area (applied to all)</td>
</tr>
</tbody>
</table>
### Exhibit A
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<table>
<thead>
<tr>
<th>Structures on the campus)</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Day care center, adult or child</td>
<td>3.0 per 1,000 square feet</td>
</tr>
<tr>
<td><strong>Group home (small)</strong></td>
<td>3.0 per 1,000 square feet</td>
</tr>
<tr>
<td><strong>Group home (large)</strong></td>
<td>2.0 per each 6 group home residents</td>
</tr>
<tr>
<td><strong>Group home (congregate)</strong></td>
<td>2.0 per each 6 group home residents</td>
</tr>
</tbody>
</table>

**Institutional Uses:**

| Club and fraternities | 1.0 per 3 members |
| Libraries and museums | 2.5 per 1,000 square feet |
| Elementary and junior high schools | 1.0 per classroom |
| Senior high schools | 4.0 per classroom |
| College and universities | 5.0 per classroom |
| Auditoriums and theaters, places of public assembly | 1.0 per 4.0 seats |
| Hospitals | 1.0 per 5.0 beds, 1.0 per each staff doctor, and 1.0 per each employee including nurses |
| Cemeteries | 15.0 per every 5 acres |
| Churches | 1.0 per 4 seats |
| Bingo halls | 5.0 per 1,000 square feet |
| Athletic playing fields | 1.0 per 5,000 square feet of gross area |
| Parks | One percent of total are designed as parking |
On motion of XXXX, seconded by XXXX, it was moved to introduce the following ordinance:

**Summary No. 3723**
 Introduced by: Council on 5/21/19

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

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

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

**SECTION 2.** Effective Date. This Ordinance shall become effective immediately upon authorizing signature by the Parish President. 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 xxxxx on the 21st 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 21, 2019.

Witness my hand and the seal of the Parish of St. Bernard on this 21st day of May, 2019.

____________________________________
ROXANNE ADAMS
CLERK OF COUNCIL
APPENDIX F--REASONABLE ACCOMMODATION UNDER THE
U.S. FAIR HOUSING ACT

Sec. 1. – Purpose

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

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

Sec. 2. Definitions


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

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

The DEPARTMENT. Department of Community Development.

DIRECTOR. The Director of Community Development.

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

Sec. 3. Notice to the Public of Availability of Accommodation Process

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

### Sec. 4. Requesting Reasonable Accommodation

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

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

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

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

### Sec. 5. Review of Requests for Reasonable Accommodation

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

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

c. Not more than thirty (30) days after receiving a written request for reasonable accommodation, the DIRECTOR shall issue a written decision on the request; provided that, in the event that the DIRECTOR requests further information pursuant to the above paragraph, the running of this period shall be tolled (stopped) until the Applicant responds to the request.
Sec. 6. Factors for Considering Requests for Reasonable Accommodation

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

- Is the housing, which is the subject of the request for reasonable accommodation, to be used by an individual protected under the Act?

- Is the request for accommodation necessary to make specific housing available to an individual protected under the Act?

- Whether the requested accommodation would impose an undue financial or administrative or other burden on the Parish?

- Whether the requested accommodation would require a fundamental alteration in the nature of a Parish program?

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

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

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

Sec. 8. Appeals

a. Within thirty (30) days of the date of the DIRECTOR’S written decision, the Applicant may appeal the an adverse decision by filing an appeal the Appeal of Denial Decision on of fair housing accommodation request Fair Housing Accommodation Request form (Exhibit D), which shall be supplied by the department, with the board of zoning adjustments. Delivery of the appeal to the department shall constitute filing of the appeal with the DEPARTMENT.
b. If the director fails to render a written decision on the request for reasonable accommodation within the time period allotted by section 5, above, the applicant shall be entitled to file an appeal to the board of zoning adjustments within ninety (90) days of the date the applicant filed the request for reasonable accommodation with the director. An Applicant may request reasonable accommodation to the procedure by which an appeal will be processed. If an Applicant needs assistance in filing an appeal, the Parish shall provide the assistance that is necessary to ensure that the appeal process is accessible to the applicant, including by transcribing a verbal request for an appeal into a written request.

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

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

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

f. Nothing in these provisions shall preclude an aggrieved individual from seeking any other state or federal remedy available. The decision on the appeal shall be issued to the Applicant in writing.

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

Sec. 9. Force and Effect of a Reasonable Accommodation

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

Sec. 10. Record Keeping

a. The Parish shall retain, for the duration of the accommodation and at least three (3) years thereafter, written records of each request and all related records, including the Parish’s responses and decisions.
NOTICE OF FAIR HOUSING ACCOMMODATION PROCEDURES FOR PEOPLE WITH DISABILITIES
THIS IS NOT A COMPREHENSIVE EXPLANATION OF YOUR RIGHTS UNDER THE FEDERAL FAIR HOUSING AMENDMENTS ACT.

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

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

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

*The Fair Housing act defines “disability” as any of the following: a physical or mental impairment that substantially limits one or more major life activities; a record of having such an impairment or; being regarding has having such an impairment. The Fair Housing Act does not protect individuals currently using illegal substances, unless they have a separate disability.
Exhibit A
Summary No. 3723
ORDINANCE SBPC #xxxx-xx-xx

FAIR HOUSING ACCOMMODATION REQUEST
EXPLANATION OF RIGHTS UNDER THE FAIR HOUSING AMENDMENTS ACT

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

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

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

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

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

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

1. Name of Applicant ___________________________ Telephone Number ___________________________

2. Address ____________________________________________

3. Address of Housing at which Accommodation is requested __________________________________________

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

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

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

7. Signature of Applicant ___________________________ Date: ___________________________

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

1. Date of Application: ____________________________

2. Date of Decision: ____________________________

3. The request for a Fair Housing Accommodation is:
   _______ Granted   _______ Granted with Modification   _______ Denied (See Notice below re right to appeal decision)

   Description of Accommodation granted or denied:
   ______________________________________________________________________________________
   ______________________________________________________________________________________
   ______________________________________________________________________________________

4. The reasons for this decision are as follows:
   ______________________________________________________________________________________
   ______________________________________________________________________________________
   ______________________________________________________________________________________
   __________________________________________________________
   ______________________________________________________________________________________
   ______________________________________________________________________________________

5. The facts relied on in making this decision:
   __________________________________________________________
   __________________________________________________________
   __________________________________________________________
   __________________________________________________________
   __________________________________________________________
   __________________________________________________________

Signature of DIRECTOR ____________________________ Date __________________

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

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

1. Name of Applicant: ______________________________________________________

2. Address: __________________________________________________________________

3. Phone Number of Applicant: ______________________________________________

4. Date Initial Request Filed: ________________________________________________

5. Date of Adverse Decision: ________________________________________________

6. State why you think the decision on your Request for accommodation was wrongly decided:
   __________________________________________________________________________
   __________________________________________________________________________
   __________________________________________________________________________
   __________________________________________________________________________
   __________________________________________________________________________

7. Provide any additional information, facts or documents that support your Request for accommodation:
   __________________________________________________________________________
   __________________________________________________________________________
   __________________________________________________________________________
   __________________________________________________________________________
   __________________________________________________________________________

8. Signature ___________________________ Date ______________________

Attach additional sheets if necessary