

PUBLIC NOTICE - ST. BERNARD PARISH COUNCIL MEETING - AGENDA

Email: radams@sbgg.net

(504) 278-4228

(504) 278-4209 (fax)

Posted: 9/15/22

Tuesday, September 20, 2022

3:00 p.m.

Council Chambers

Page 1 of 4

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

- 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 Councilmember Callais
- E. Pledge of Allegiance by Councilmember Moran
- F. Recognize Elected Officials

APPROVAL OF MINUTES

1. Motion to approve the minutes from the September 6, 2022 Regular Council Meeting as published in the official journal, the St. Bernard Voice on Friday, September 16, 2022. (Council Chair)

RECOGNITION

2. Motion to recognize the "Home Again Program". (Councilmember Luna)
3. Motion to proclaim October 2022 as "Philippine American History Month" in St. Bernard Parish. (Councilmember Luna)
4. Motion to proclaim September 17-September 23, 2022 as "Constitution Week" in St. Bernard Parish. (Council)
5. Motion to recognize Donnie Bourgeois with the Capital Projects Department for an update. (Councilmember Callais)
6. Councilmember's for a District Update
7. **Guy McInnis**, President's Report
8. Recognize the Public

PUBLIC HEARINGS

9. **Summary No. 4042**

Planning Commission recommended **APPROVAL** on 8/23/22

Introduced by: Administration 9/6/2022

AN ORDINANCE TO APPROVE **DOCKET Z-2022-005**, PETITION OF JOHN GALLO FOR A ZONING CHANGE FROM C-1 (NEIGHBORHOOD COMMERCIAL) TO R-2 (TWO-FAMILY RESIDENTIAL). PROPERTY LOCATION: 601-603 E. ST. BERNARD HWY. CHALMETTE, LA 70043.

10. **Summary No. 4043**

Introduced by: Councilmember Luna on 9/6/2022

AN ORDINANCE TO AMEND **ORDINANCE SBPC #2385-12-21**, AN ORDINANCE TO ADOPT THE 2022 ST. BERNARD PARISH ANNUAL OPERATING AND CAPITAL BUDGET.

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11. **Summary No. 4044**

Introduced by: Administration on 9/6/2022

AN ORDINANCE TO AMEND **ORDINANCE SBPC #2385-12-21**, AN ORDINANCE TO ADOPT THE 2022 ST. BERNARD PARISH ANNUAL OPERATING AND CAPITAL BUDGET.

12. **Summary No. 4045**

Introduced by: Administration on 9/6/2022

AN ORDINANCE TO AMEND **ORDINANCE SBPC #2385-12-21**, AN ORDINANCE TO ADOPT THE 2022 ST. BERNARD PARISH ANNUAL OPERATING AND CAPITAL BUDGET.

13. **Summary No. 4046**

Introduced by: Councilmember Lewis on 9/6/22

AN ORDINANCE TO **AMEND** CHAPTER 14, OFFENSES AND MISCELLANEOUS PROVISIONS; ARTICLE III, CHARITABLE GAMES OF CHANCE; TO ADD AND CREATE SECTION 14-69, HISTORICAL HORSE RACING OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

RESOLUTIONS

14. Adopt **Resolution SBPC #2259-09-22**, approving permits as recommended by the Alcohol Beverage and Bingo Department: (Administration)

Beer and/or Liquor Permit(s)

1. Magilla's Grill & Lounge, LLC, dba, Magilla's Grill & Lounge, 1928 E. Judge Perez Dr., Chalmette, La. 70043 Owner(s): Bobby Ragas (**New**) (**Beer and Liquor**)

Special Event(s)

- | | | |
|----|-----------------------|---|
| 1. | Name of Organization: | Professional Redfish League |
| | Address: | 1218 Cornerstone Dr., Corpus Christi, TX 78418 |
| | Name of Event: | Redfish World Series |
| | Type of Event: | Fishing Tournament |
| | Location: | Serigne Boat Launch & Marina
5933 Delacroix Hwy, St. Bernard, La.
70085 |
| | Date(s): | Wednesday, Sept. 28 through
Saturday, Oct. 1, 2022 |
| | Time(s): | 6:30 a.m. to 5 p.m. each day |
| | Contact Person: | Lori Gosewisch |

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15. Adopt **Resolution SBPC #2260-09-22**, a resolution respectfully requesting that Attorney General Jeff Landry provide the St. Bernard Parish Council with an opinion Regarding St. Bernard Parish Government's CAO, Directors and unclassified salary employees to be paid double time during declared emergencies. (Councilmember Everhardt)
16. Adopt **Resolution SBPC #2261-09-22**, a resolution approving the placement of a three way stop sign at the corner of Farmsite Road and Woodchase Court, Violet, La. (Councilmember Everhardt)
17. Adopt **Resolution SBPC #2262-09-22**, a resolution requesting Administration to hire Villivaso and Associates to execute Zoning and Community Planning Training on behalf of the St Bernard Parish Council. (Councilmember McCloskey)

ADOPTIONS

18. **Summary No. 4029**
Introduced by: Councilmember McCloskey on 6/21/22
Public Hearing held on 7/19/22
Tabled on 7/19/22 until 8/16/22
Tabled on 8/16/22 until 9/20/22

AN ORDINANCE TO AMEND **ORDINANCE SBPC #2385-12-21**, AN ORDINANCE TO ADOPT THE 2022 ST. BERNARD PARISH ANNUAL OPERATING AND CAPITAL BUDGET.

19. **Summary No. 4042**
Planning Commission recommended **APPROVAL** on 8/23/22
Introduced by: Administration 9/6/2022
Public Hearing held on 9/20/22

AN ORDINANCE TO APPROVE **DOCKET Z-2022-005**, PETITION OF JOHN GALLO FOR A ZONING CHANGE FROM C-1 (NEIGHBORHOOD COMMERCIAL) TO R-2 (TWO-FAMILY RESIDENTIAL). PROPERTY LOCATION: 601-603 E. ST. BERNARD HWY. CHALMETTE, LA 70043.

20. **Summary No. 4043**
Introduced by: Councilmember Luna on 9/6/2022
Public Hearing held on 9/20/22

AN ORDINANCE TO AMEND **ORDINANCE SBPC #2385-12-21**, AN ORDINANCE TO ADOPT THE 2022 ST. BERNARD PARISH ANNUAL OPERATING AND CAPITAL BUDGET.

21. **Summary No. 4044**
Introduced by: Administration on 9/6/2022
Public Hearing held on 9/20/22

AN ORDINANCE TO AMEND **ORDINANCE SBPC #2385-12-21**, AN ORDINANCE TO ADOPT THE 2022 ST. BERNARD PARISH ANNUAL OPERATING AND CAPITAL BUDGET.

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22. **Summary No. 4045**

Introduced by: Administration on 9/6/2022

Public Hearing held on 9/20/22

AN ORDINANCE TO AMEND **ORDINANCE SBPC #2385-12-21**, AN ORDINANCE TO ADOPT THE 2022 ST. BERNARD PARISH ANNUAL OPERATING AND CAPITAL BUDGET.

23. **Summary No. 4046**

Introduced by: Councilmember Lewis on 9/6/22

Public Hearing held on 9/20/22

AN ORDINANCE TO **AMEND** CHAPTER 14, OFFENSES AND MISCELLANEOUS PROVISIONS; ARTICLE III, CHARITABLE GAMES OF CHANCE; TO ADD AND CREATE SECTION 14-69, HISTORICAL HORSE RACING OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

OTHER MATTERS

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

Next Regular scheduled Council Meeting will be held Tuesday, October 4, 2022 @ 7:00 p.m.

Approved by: *Herri Callais* Time: 11:08 a.m. Date: 9/15/22

#1

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, SEPTEMBER 20, 2022 AT THREE O'CLOCK P.M.

On motion of XXXX, seconded by XXXX, it was moved to approve the minutes from the September 6, 2022 Regular Council Meeting as published in the official journal, the St. Bernard Voice on Friday, September 16, 2022.

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

YEAS:

NAYS:

ABSENT:

The Council Chair, Ms. Callais, cast her vote as **XXX**.

And the motion was declared **adopted** on the 20th day of September, 2022.

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, September 20, 2022.

Witness my hand and the seal
of the Parish of St. Bernard on
this 20th day of September, 2022.

ROXANNE ADAMS
CLERK OF COUNCIL

OFFICIAL PROCEEDINGS OF THE COUNCIL OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, TAKEN AT A **REGULAR MEETING HELD ON TUESDAY, SEPTEMBER 6, 2022 AT 7:00 P.M.** IN THE COUNCIL CHAMBERS OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, LOCATED AT 8201 WEST JUDGE PEREZ DRIVE, CHALMETTE, LOUISIANA.

The St. Bernard Parish Council, the Governing Authority, met in Regular Session on Tuesday, September 6, 2022 at seven o'clock p.m. pursuant to notice given to each member and posted in the manner required by law.

The meeting convened at 7:01 p.m. Members present: Council Chair Kerri Callais, Gillis McCloskey, Joshua "Josh" Moran, Howard Luna, Wanda Alcon, Fred Everhardt, Jr., and Richard "Richie" Lewis.

Also present were Roxanne Adams, Clerk of Council, serving as official secretary of the Council and Kellson Jeffrey, Finance Director and Jason Stopa, Community Development Director were representing Administration.

Councilmember Moran delivered the invocation and Councilmember McCloskey led the Pledge of Allegiance.

Also present was Elected Official Randy Nunez, St. Bernard Parish Clerk of Court.

#1 On motion of Mr. McCloskey, seconded by Mr. Lewis, it was moved to approve the minutes from the August 16, 2022 Regular Council Meeting as published in the official journal, the St. Bernard Voice on Friday, August 26, 2022.

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

YEAS: McCloskey, Moran, Luna, Alcon, Everhardt, Lewis

NAYS: None

ABSENT: None

The Council Chair, Ms. Callais, cast her vote as **YEA**.

And the motion was declared **adopted** on the 6th day of September, 2022.

On joint motion of the Council Chair, without objection and by unanimous consent, it was moved to take items **#2- #7** in globo.

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

YEAS: McCloskey, Moran, Luna, Alcon, Everhardt, Lewis

NAYS: None

ABSENT: None

The Council Chair, Ms. Callais, cast her vote as **YEA**.

And the motion was declared **adopted** on the 6th day of September, 2022.

#2 On joint motion of the Council Chair, without objection and by unanimous consent, it was moved to recognize Tracy Roberson for a check presentation from Corrine Missionary Baptist Church and Third Baptist for the St. Bernard Tornado Relief Fund.

#3 On joint motion of the Council Chair, without objection and by unanimous consent, it was moved to recognize Tia Serigne and to proclaim September 2022 as "National Recovery Month" in St. Bernard Parish.

#4 On joint motion of the Council Chair, without objection and by unanimous consent, it was moved to recognize Ramy Dali for being named the 2021-2022 St. Bernard Parish District Elementary School Student of the Year.

#5 On joint motion of the Council Chair, without objection and by unanimous consent, it was moved to recognize Jackson Nunez for being named the 2021-2022 St. Bernard Parish District Middle School Student of the Year.

#6 On joint motion of the Council Chair, without objection and by unanimous consent, it was moved to recognize Avani Miller for being named the 2021-2022 St. Bernard Parish District High School Student of the Year.

Minutes of the St. Bernard Parish Council Meeting of September 6, 2022

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#7 On joint motion of the Council Chair, without objection and by unanimous consent, it was moved to recognize Justin Templet for being named the 2021-2022 St. Bernard Parish District Teacher of the Year and the 2023 State Teacher of the Year.

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

YEAS: McCloskey, Moran, Luna, Alcon, Everhardt, Lewis

NAYS: None

ABSENT: None

The Council Chair, Ms. Callais, cast her vote as **YEA**.

And the motion was declared **adopted** on the 6th day of September, 2022.

#8 Councilmember's District Update

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

#9 President's Report

No action taken on this item

#10 Recognize the Public

- Ken Dufour – Violet, La

#11 On motion of Mrs. Alcon, seconded by Mr. Everhardt, it was moved to **adopt** the following resolution:

RESOLUTION SBPC #2257-09-22

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. Big Easy Discount Inc., dba, Big Easy Discount, 1016 W. Judge Perez Dr., Chalmette, La. 70043 Owner(s): Raed Khalailah **(Renewal) (Beer and Liquor)**
2. Big ZH, LLC, dba, Brother's of Chalmette, 7400 W. Judge Perez Dr., Arabi, La. 70032 Owner(s): Ziad Hamed **(Renewal) (Beer and Liquor)**
3. Breaux Mart Supermarkets, Inc., dba Breaux Mart Supermarket, 315 E. Judge Perez Dr., Chalmette, La. 70043 Owner(s): Barry J. Breaux **(Renewal) (Beer and Liquor)**
4. Canseco's Arabi, LLC, dba Canseco's Arabi Market, 6735 St. Claude Ave., Arabi, La. 70032 Owner(s): Sinesio Canseco **(Renewal) (Beer and Liquor)**
5. M and A Cheema, LLC, dba, AAA Shell, 2601 Paris Road., Chalmette, La. 70043 Owner(s): Osman Arslan **(New) (Beer and Liquor)**

Special Event(s)

1. Name of Organization: Los Islenos Heritage and Cultural Society
Address: 1345 – 1357 Bayou Road, St. Bernard, La. 70085
Name of Event: Los Islenos Fiesta 2023
Type of Event: Heritage Festival
Location: Los Islenos Museum Complex, 1345 – 1357 Bayou Road, St. Bernard, La. 70085
Date(s): Wednesday, March 1, 2023 – Sunday, March 5, 2023
Time(s): Wed. – Fri. 8 a.m. to 5 p.m.,
Sat. – Sun. 11:00 a.m. – 11:00 p.m.
Contact Person: William Hyland

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2. Name of Organization: Deuce' Boy'z
Address: 2001 E. Judge Perez Dr., Suite B, Chalmette, La. 70043
Name of Event: Surviving the Fight Softball Tournament
Type of Event: Softball Tournament Fundraiser
Location: Kenilworth Park Playground
2214 Bobolink, St. Bernard, La. 70085
Date(s): Saturday, October 15, 2022
Time(s): 9 a.m. to 9 p.m.
Contact Person: Danielle Lewis

3. Name of Organization: Renewed Strength Family Worship Center
Address: 2016 Licciardi Lane, Violet, La. 70092
Name of Event: VIP Cancer Walk
Type of Event: Cancer Walk and Market Place
Location: Sydney Torres Park
Date(s): Saturday, October 29, 2022
Time(s): 8 a.m. to 1 p.m.
Contact Person: Danielle Lewis

4. Name of Organization: St. Bernard EcoTourism
Address: 6301 Paris Road, Chalmette, La. 70043
Name of Event: St. Bernard EcoTourism Fishing Tournament and Boat Tours
Type of Event: Fishing Tournament and Boat Tours
Location: 6301 Paris Road, Chalmette, La. 70043
Date(s): Friday 9/09/22 – Sunday 9/11/2022
Time(s): 10 a.m. to 8 p.m.
Contact Person: Cheri Montelongo

5. Name of Organization: St. Bernard EcoTourism
Address: 6301 Paris Road, Chalmette, La. 70043
Name of Event: St. Bernard EcoTourism Fishing Tournament and Boat Tours
Type of Event: Fishing Tournament and Boat Tours
Location: 6301 Paris Road, Chalmette, La. 70043
Date(s): Friday 9/16/22 – Sunday 9/18/2022
Time(s): 10 a.m. to 8 p.m.
Contact Person: Cheri Montelongo

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

YEAS: McCloskey, Moran, Luna, Alcon, Everhardt

NAYS: None

ABSENT: None

ABSTAINED: Lewis

The Council Chair, Ms. Callais, cast her vote as **YEA**.

And the motion was declared **adopted** on the 6th day of September, 2022.

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

RESOLUTION SBPC #2258-09-22

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A RESOLUTION AUTHORIZING THE PARISH PRESIDENT TO SIGN THE EXPEDITED TEMPORARY HOUSING ASSISTANCE WAIVER OF LAND USE/PERMITTING FORM. THE SUBMISSION OF THIS FORM WILL ALLOW ST. BERNARD PARISH TO PARTICIPATE IN THE TEMPORARY HOUSING AND SHELTER PROGRAM AS AUTHORIZED BY THE GOVERNOR'S OFFICE OF HOMELAND SECURITY AND EMERGENCY PREPAREDNESS (GOHSEP).

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

YEAS: McCloskey, Moran, Luna, Alcon, Everhardt, Lewis

NAYS: None

ABSENT: None

The Council Chair, Ms. Callais, cast her vote as **YEA**.

And the motion was declared **adopted** on the 6th day of September, 2022.

#13 On motion of Mr. Lewis, seconded by Mr. Luna, it was moved to **introduce** the following ordinance:

Summary No. 4042

Planning Commission recommended **APPROVAL** on 8/23/22

Introduced by: Administration 9/6/2022

AN ORDINANCE TO APPROVE **DOCKET Z-2022-005**, PETITION OF JOHN GALLO FOR A ZONING CHANGE FROM C-1 (NEIGHBORHOOD COMMERCIAL) TO R-2 (TWO-FAMILY RESIDENTIAL). PROPERTY LOCATION: 601-603 E. ST. BERNARD HWY. CHALMETTE, LA 70043.

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

YEAS: McCloskey, Moran, Luna, Alcon, Everhardt, Lewis

NAYS: None

ABSENT: None

The Council Chair, Ms. Callais, cast her vote as **YEA**.

And the motion was declared **adopted** on the 6th day of September, 2022.

#14 On motion of Mr. Luna, seconded by Mr. McCloskey, it was moved to **introduce** the following ordinance:

Summary No. 4043

Introduced by: Councilmember Luna on 9/6/2022

AN ORDINANCE TO AMEND **ORDINANCE SBPC #2385-12-21**, AN ORDINANCE TO ADOPT THE 2022 ST. BERNARD PARISH ANNUAL OPERATING AND CAPITAL BUDGET.

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

YEAS: McCloskey, Moran, Luna, Alcon, Everhardt, Lewis

NAYS: None

ABSENT: None

The Council Chair, Ms. Callais, cast her vote as **YEA**.

And the motion was declared **adopted** on the 6th day of September, 2022.

#15 On motion of Mr. McCloskey, seconded by Mr. Lewis, it was moved to **introduce** the following ordinance:

Summary No. 4044

Introduced by: Administration on 9/6/2022

AN ORDINANCE TO AMEND **ORDINANCE SBPC #2385-12-21**, AN ORDINANCE TO ADOPT THE 2022 ST. BERNARD PARISH ANNUAL OPERATING AND CAPITAL BUDGET.

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

YEAS: McCloskey, Moran, Luna, Alcon, Everhardt, Lewis

NAYS: None

ABSENT: None

The Council Chair, Ms. Callais, cast her vote as **YEA**.

And the motion was declared **adopted** on the 6th day of September, 2022.

#16 On motion of Mr. McCloskey, seconded by Mr. Lewis, it was moved to **introduce** the following ordinance:

Summary No. 4045

Introduced by: Administration on 9/6/2022

AN ORDINANCE TO AMEND **ORDINANCE SBPC #2385-12-21**, AN ORDINANCE TO ADOPT THE 2022 ST. BERNARD PARISH ANNUAL OPERATING AND CAPITAL BUDGET.

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

YEAS: McCloskey, Moran, Luna, Alcon, Everhardt, Lewis

NAYS: None

ABSENT: None

The Council Chair, Ms. Callais, cast her vote as **YEA**.

And the motion was declared **adopted** on the 6th day of September, 2022.

#17 On motion of Mr. Lewis, seconded by Mr. McCloskey, it was moved to **introduce** the following ordinance:

Summary No. 4046

Introduced by: Councilmember Lewis on 9/6/22

AN ORDINANCE TO **AMEND** CHAPTER 14, OFFENSES AND MISCELLANEOUS PROVISIONS; ARTICLE III, CHARITABLE GAMES OF CHANCE; TO ADD AND CREATE SECTION 14-69, HISTORICAL HORSE RACING OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

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

YEAS: McCloskey, Moran, Luna, Alcon, Everhardt, Lewis

NAYS: None

ABSENT: None

The Council Chair, Ms. Callais, cast her vote as **YEA**.

And the motion was declared **adopted** on the 6th day of September, 2022.

#18 On the motion of Mrs. Alcon, seconded by Mr. Lewis, it was moved to accept the Monthly Financial Summary Statement of Revenues and Expenditures and Change in Fund Balance for July, 2022.

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

YEAS: McCloskey, Moran, Luna, Alcon, Everhardt, Lewis

NAYS: None

ABSENT: None

The Council Chair, Ms. Callais, cast her vote as **YEA**.

And the motion was declared **adopted** on the 6th day of September, 2022.

Minutes of the St. Bernard Parish Council Meeting of September 6, 2022

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#20 Coastal Zone Advisory Committee

No official action taken.

There being no further business for discussion, the Council Chair declared the meeting adjourned at 7:47 p.m. on the 6th day of September, 2022.

COPIES OF ALL RESOLUTIONS AND ORDINANCES IN THEIR ENTIRETY ARE ON FILE AT THE CLERK OF COUNCIL'S OFFICE AND ARE AVAILABLE FOR PUBLIC VIEWING.

Roxanne Adams

ROXANNE ADAMS
CLERK OF COUNCIL

Kerri Callais

KERRI CALLAIS
COUNCIL CHAIR

PUBLIC HEARING NOTICE

THE ST. BERNARD PARISH COUNCIL WILL HOLD A PUBLIC HEARING ON **TUESDAY, SEPTEMBER 20, 2022 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 SEPTEMBER 6, 2022 COUNCIL MEETING:

Summary No. 4042

Planning Commission recommended **APPROVAL** on 8/23/22

Introduced by: Administration 9/6/2022

AN ORDINANCE TO APPROVE **DOCKET Z-2022-005**, PETITION OF JOHN GALLO FOR A ZONING CHANGE FROM C-1 (NEIGHBORHOOD COMMERCIAL) TO R-2 (TWO-FAMILY RESIDENTIAL). PROPERTY LOCATION: 601-603 E. ST. BERNARD HWY. CHALMETTE, LA 70043.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. The St. Bernard Parish Council does hereby approve **Docket Z-2022-005**, petition of John Gallo for a zoning change from C-1 (neighborhood commercial) to R-2 (two-family residential).

PROPERTY LOCATION: 601-603 E. ST. BERNARD HWY. CHALMETTE, LA 70043.

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

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

BY DIRECTION OF

Kerri Callais

KERRI CALLAIS
COUNCIL CHAIR

PUBLIC HEARING NOTICE

THE ST. BERNARD PARISH COUNCIL WILL HOLD A PUBLIC HEARING ON **TUESDAY, SEPTEMBER 20, 2022 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 SEPTEMBER 6, 2022 COUNCIL MEETING:

Summary No. 4043

Introduced by: Councilmember Luna on 9/6/2022

AN ORDINANCE TO AMEND **ORDINANCE SBPC #2385-12-21**, AN ORDINANCE TO ADOPT THE 2022 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 2022 is hereby adopted 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 of this Ordinance with the invalid portions omitted.

BY DIRECTION OF

Kerri Callais

KERRI CALLAIS
COUNCIL CHAIR

St. Bernard Parish Government
Proposed 2022 Budget Amendment 9-20-22
Summary No. 4043
Ordinance SBPC #XXXX-XX-XX

<u>Org</u>	<u>Account Code</u> Object	<u>Project</u>	<u>Account Title</u>	<u>Account Type</u>	<u>Entry Amount</u>	
					<u>Increase</u>	<u>Decrease</u>
1002010 - Council	520002		Professional Service	Expenditure	120,000	
<i>Net Effect on Fund Balance</i>					<u>\$ -</u>	<u>\$ 120,000</u>
<i>To fund John Vickerman and Associates PONO/LIT study</i>						

PUBLIC HEARING NOTICE

THE ST. BERNARD PARISH COUNCIL WILL HOLD A PUBLIC HEARING ON **TUESDAY, SEPTEMBER 20, 2022 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 SEPTEMBER 6, 2022 COUNCIL MEETING:

Summary No. 4044

Introduced by: Administration on 9/6/2022

AN ORDINANCE TO AMEND **ORDINANCE SBPC #2385-12-21**, AN ORDINANCE TO ADOPT THE 2022 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 2022 is hereby adopted 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 of this Ordinance with the invalid portions omitted.

BY DIRECTION OF

Kerri Callais

KERRI CALLAIS
COUNCIL CHAIR

St. Bernard Parish Government
Proposed 2022 Budget Amendment 9-20-22
Summary No. 4044
Ordinance SBPC #XXXX-XX-XX

<u>Org</u>	<u>Account Code</u>	<u>Project</u>	<u>Account Title</u>	<u>Account Type</u>	<u>Entry Amount</u>			
	<u>Object</u>				<u>Increase</u>	<u>Decrease</u>		
2775113 -Housing	420003	5555 - CARES	Federal Grant	Revenue	180,000			
2775113 -Housing	587013	5555 - CARES	CSBG - Rental	Expenditure	180,000			
2775113 -Housing	440000	0841 - Tornado	State Grant	Revenue	200,000			
2775113 -Housing	587013	0841 - Tornado	CSBG - Rental	Expenditure	200,000			
<i>Net Effect on Fund Balance</i>					<u>\$</u>	<u>-</u>	<u>\$</u>	<u>-</u>
<i>To budget for additional funds to help tornado recovery.</i>								

PUBLIC HEARING NOTICE

THE ST. BERNARD PARISH COUNCIL WILL HOLD A PUBLIC HEARING ON **TUESDAY, SEPTEMBER 20, 2022 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 SEPTEMBER 6, 2022 COUNCIL MEETING:

Summary No. 4045

Introduced by: Administration on 9/6/2022

AN ORDINANCE TO AMEND **ORDINANCE SBPC #2385-12-21**, AN ORDINANCE TO ADOPT THE 2022 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 2022 is hereby adopted 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 of this Ordinance with the invalid portions omitted.

BY DIRECTION OF

Kerri Callais

KERRI CALLAIS
COUNCIL CHAIR

St. Bernard Parish Government
Proposed 2022 Budget Amendment 9-20-22
Summary No. 4045
Ordinance SBPC #XXXX-XX-XX

<u>Org</u>	<u>Account Code</u> Object	<u>Project</u>	<u>Account Title</u>	<u>Account Type</u>	<u>Entry Amount</u>	
					<u>Increase</u>	<u>Decrease</u>
1603425 - Comm Dev	483001	2026	Donation	Revenue	150,000	
1603425 - Comm Dev	571001	2026	CIP	Expenditure	150,000	
<i>Net Effect on Fund Balance</i>					\$ -	\$ -
<i>To budget for the donation and expense of the Mehle Street Environmental Site Assessment and cleanup</i>						

PUBLIC HEARING NOTICE

THE ST. BERNARD PARISH COUNCIL WILL HOLD A PUBLIC HEARING ON **TUESDAY, SEPTEMBER 20, 2022 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 SEPTEMBER 6, 2022 COUNCIL MEETING:

Summary No. 4046

Introduced by: Councilmember Lewis on 9/6/22

AN ORDINANCE TO **AMEND** CHAPTER 14, OFFENSES AND MISCELLANEOUS PROVISIONS; ARTICLE III, CHARITABLE GAMES OF CHANCE; TO ADD AND CREATE SECTION 14-69, HISTORICAL HORSE RACING OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. The St. Bernard Parish Council, the Governing Authority, does hereby amend Chapter 14, Offenses and Miscellaneous Provisions; Article III, Charitable games of chance; to add and create Section 14-69, Historical Horse Racing of the St. Bernard Parish Code of Ordinances is hereby amended as per attached 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

Kerri Callais

KERRI CALLAIS
COUNCIL CHAIR

Exhibit "A"
Summary No. 4046
Ordinance SBPC #XXXX-XX-XX

Chapter 14 – Offenses and Miscellaneous Provisions
Article III – Charitable Games of Chance
Section 14-69 - Historical Horse Racing

Sec. 14-69 - Historical Horse Racing

Sec. 14-69.1. – Definitions.

- “Association” means any person, association, or corporation licensed by the commission to conduct horse racing within the State of Louisiana for any stakes, purse, or reward.
- “Commission” means the Louisiana State Racing Commission within the office of governor.
- “Historical horse racing” means a form of horse racing that creates pari-mutuel pools from wagers placed on horse races previously run at a pari-mutuel facility licensed in the United States; concluded with official results; and concluded without scratches, disqualifications, or dead-heat finishes through machines permitted and authorized by the commission.
- “Licensee” means any person, partnership, corporation or business entity receiving a license, permit, or privilege from the commission to conduct a race meeting or meetings.
- “Off-track wagering facility” means the licensed and authorized location where off-track wagers may be accepted. Any association licensed by the commission may conduct pari-mutuel wagering including historical horse racing on the premises of off-track wagering facilities.
- “Pari-mutuel wagering”, “pari-mutuel system of wagering”, or “mutual wagering” means any method of wagering approved by the commission in which one or more patrons’ wager on a horse race or races, whether live, simulcast, or previously run. Wagers are placed in one or more wagering pools, and wagers on different races or sets of races may be pooled together. Patrons may establish odds or payouts, and winning patrons share in amounts wagered including any carryover amounts, plus any amounts provided by an association less any deductions required, as approved by the commission and permitted by law. Pools maybe paid out incrementally over time as approved by the commission.
- “Prohibited property” means any property on the National Register of Historic Places, any public playground, any residential property, or any building used primarily as a church, synagogue, public library, or school.
- “Residential Property” means any property which is wholly or partly used for or intended to be used for living or sleeping by human occupants and which includes one or more rooms, including a bathroom and complete kitchen facilities. Residential property shall include a mobile home or manufactured housing, provided that it shall have been in its present location for at least sixty days. Residential property shall not include any hotel or motel.

Sec. 14-69.2. - Locations. Historic horse racing machine locations; prohibited distance; prohibited properties.

- (a.) An historical horse racing machine is prohibited within one mile from any prohibited property. The measurement of the distance shall be a straight line from the nearest

Exhibit "A"
Summary No. 4046
Ordinance SBPC #XXXX-XX-XX

point of the proposed off-track wagering facility with the historical horse racing machine to the nearest point of prohibited property.

Sec. 14-69-3. – Devices in Operation

(a.) Any off-track betting wagering facility, or any other facility licensed to conduct historical horse racing, shall have no more than three historical horse racing machines in operation.

Sec. 14-69.4. – Penalty for noncompliance

In addition to any other penalties provided in the St. Bernard Parish Code of Ordinances, noncompliance with this Ordinance shall result in immediate revocation of the off-track wagering facility's occupational license issued by St. Bernard Parish. Further, each historical horse racing machine not removed after notice has been served of noncompliance with this ordinance will be subject to \$250 amount per day penalty until said historical horse racing machine is removed.

#14

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, SEPTEMBER 20, 2022 AT THREE O'CLOCK P.M.

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

RESOLUTION SBPC #2259-09-22

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. Magilla's Grill & Lounge, LLC, dba, Magilla's Grill & Lounge, 1928 E. Judge Perez Dr., Chalmette, La. 70043 Owner(s): Bobby Ragas
(New) (Beer and Liquor)

Special Event(s)

1. Name of Organization: Professional Redfish League
Address: 1218 Cornerstone Dr., Corpus Christi, TX 78418
Name of Event: Redfish World Series
Type of Event: Fishing Tournament
Location: Serigne Boat Launch & Marina
5933 Delacroix Hwy, St. Bernard, La. 70085
Date(s): Wednesday, Sept. 28 through Saturday, Oct. 1, 2022
Time(s): 6:30 a.m. to 5 p.m. each day
Contact Person: Lori Gosewisch

Page -2-
Extract #14 continued
September 20, 2022

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

YEAS:

NAYS:

ABSENT:

ABSTAINED:

The Council Chair, Ms. Callais, cast her vote as **XXX**.

And the motion was declared **adopted** on the 20th day of September, 2022.

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, September 20, 2022.

Witness my hand and the seal
of the Parish of St. Bernard on
this 20th day of September, 2022.

ROXANNE ADAMS
CLERK OF COUNCIL

#15

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, SEPTEMBER 20, 2022 AT THREE O'CLOCK P.M.

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

RESOLUTION SBPC #2260-09-22

A RESOLUTION RESPECTFULLY REQUESTING THAT ATTORNEY GENERAL JEFF LANDRY PROVIDE THE ST. BERNARD PARISH COUNCIL WITH AN OPINION REGARDING ST. BERNARD PARISH GOVERNMENT'S CAO, DIRECTORS AND UNCLASSIFIED SALARY EMPLOYEES TO BE PAID DOUBLE TIME DURING DECLARED EMERGENCIES.

WHEREAS, the St. Bernard Parish Council is respectfully requesting an official opinion regarding whether or not its legal for the St. Bernard Parish CAO, Directors, and unclassified salary employees to be paid double time during declared emergencies as per Chapter 17 Personnel; Article X; Section 17-175 Declared Emergency Pay of the St. Bernard Parish Code of Ordinances; and,

WHEREAS, the CAO and Directors of all departments are appointed and serve at the pleasure of the Parish President as per Article IV Administration; Section 4-01 General Provisions of the St. Bernard Parish Home Rule Charter; and,

WHEREAS, Chapter 17 Personnel; Article X; Section 17-175 Declared Emergency Pay of the St. Bernard Parish Code of Ordinances and Article IV Administration; Section 4-01 General Provisions of the St. Bernard Parish Home Rule Charter is attached for your reference.

NOW THEREFORE, BE IT RESOLVED that the St. Bernard Parish Council, the Governing Authority, does hereby respectfully request that Attorney General Jeff Landry provide the St. Bernard Parish Council with an official opinion regarding double time pay during declared emergencies to the St Bernard Parish CAO, Directors, and unclassified salaried employees.

Page -2-
Extract #15 continued
September 20, 2022

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

YEAS:

NAYS:

ABSENT:

The Council Chair, Ms. Callais, cast her vote as **XXXX**.

And the motion was declared **adopted** on the 20th day of September, 2022.

C E R T I F I C A T E

I HEREBY CERTIFY that the above and foregoing is a true and correct copy of a motion adopted at a Regular Meeting of the Council of the Parish of St. Bernard, held at Chalmette, Louisiana, on Tuesday, September 20, 2022.

Witness my hand and the seal
of the Parish of St. Bernard on
this 20th day of September, 2022.

ROXANNE ADAMS
CLERK OF COUNCIL

#16

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, SEPTEMBER 20, 2022 AT THREE O'CLOCK P.M.

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

RESOLUTION SBPC #2261-09-22

A RESOLUTION APPROVING THE PLACEMENT OF A THREE WAY STOP SIGN AT THE CORNER OF FARMSITE ROAD AND WOODCHASE COURT, VIOLET, LA.

WHEREAS, St. Bernard Parish Council adopted Ordinance SBPC #2240-06-20 at the June 2, 2020 Council Meeting; and,

WHEREAS, Ordinance SBPC #2240-06-20 states stop signs cannot be added or removed without a letter of recommendation from the Director of Public Works and a resolution approval from the Parish Council; and,

WHEREAS, attached is a letter of recommendation from the Director of Public Works.

NOW THEREFORE, BE IT RESOLVED, that the St. Bernard Parish Council, the governing authority, does hereby approve the placement of a three way stop sign at the corner of Farmsite Road and Woodchase Court, Violet, La.

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

YEAS:

NAYS:

ABSENT:

The Council Chair, Ms. Callais, cast her vote as **XXX**.

And the motion was declared **adopted** on the 20th day of September, 2022.

Page -2-
Extract #16 continued
September 20, 2022

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, September 20, 2022.

Witness my hand and the seal
of the Parish of St. Bernard on
this 20th day of September, 2022.

ROXANNE ADAMS
CLERK OF COUNCIL



St. Bernard Parish Government
Department of Public Works

1125 E. St. Bernard Highway
Phone (504) 278-4300

Chalmette, Louisiana 70043
Fax (504) 278-4480

Guy McInnis
Parish President

September 13, 2022

St. Bernard Parish Council
8201 West Judge Perez Drive
Chalmette, Louisiana 70043

Re: Three Way Stop Sign Intersection
Farmsite Road and Woodchase Court

Dear Council Members:

As requested by Council Member District E, Fred Everhardt, Jr., I am recommending a three way stop sign at the following location:

Corner of Farmsite Road and Woodchase Court.

Two additional stops signs are required to be erected on Farmsite Road for the three way stop sign intersection to be complete.

If you have any questions or require additional information, please advise.

Sincerely,

Hillary J. Nunez, Jr.

A handwritten signature in blue ink, consisting of the letters "TD" enclosed within a hand-drawn circle.

Hillary J. Nunez, Jr.
Director
Department of Public Works

HJN,Jr:td

#17

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, SEPTEMBER 20, 2022 AT THREE O'CLOCK P.M.

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

RESOLUTION SBPC #2262-09-22

A RESOLUTION REQUESTING ADMINISTRATION TO HIRE VILLIVASO AND ASSOCIATES TO EXECUTE ZONING AND COMMUNITY PLANNING TRAINING ON BEHALF OF THE ST BERNARD PARISH COUNCIL.

WHEREAS, St. Bernard Parish Council by Charter the Governing Authority and Legislative Branch of St Bernard Parish Government; and,

WHEREAS, One of the primary functions of the St Bernard Parish Council is to rule on zoning and community planning; and,

WHEREAS, Transitional and recurring training is a critical component to sustained competence in all endeavors. It is important that we grow the skill set of not only incoming elected legislators, but reinforce that learning year over year through training; and,

WHEREAS, attached as Exhibit A is a draft proposal from Villivaso and Associates to execute training to the St Bernard Parish Council on the topic of Zoning and Community Planning.

NOW THEREFORE, BE IT RESOLVED, that the St. Bernard Parish Council, the governing authority, does hereby request that the Administration enter into contract with Villivaso and Associates through The Department of Community Development to provide aforementioned training.

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

YEAS:

NAYS:

ABSENT:

Page -2-
Extract #17 continued
September 20, 2022

The Council Chair, Ms. Callais, cast her vote as **XXX**.

And the motion was declared **adopted** on the 20th day of September, 2022.

C E R T I F I C A T E

I HEREBY CERTIFY that the above and foregoing is a true and correct copy of a motion adopted at a Regular Meeting of the Council of the Parish of St. Bernard, held at Chalmette, Louisiana, on Tuesday, September 20, 2022.

Witness my hand and the seal
of the Parish of St. Bernard on
this 20th day of September, 2022.

ROXANNE ADAMS
CLERK OF COUNCIL

St. Bernard Parish: Planning Policies, Procedures, and Regulations Training Program

Villavaso & Associates

Scope of Training and Objectives: Establish a comprehensive training module for elected officials, appointed officials and government employees regarding planning, land use, and zoning policies, regulations, procedures and laws in the State of Louisiana.

Potential Scope of Tasks:

I. SCOPE OF SERVICES

Provide professional training services as needed to assist with:

1. Training Design: working with local officials and appropriate education institutions develop a curriculum of training that includes both facts, theories and applications regarding the above reference subject matter.
2. Planning Officials (et al.) Training – provide four two-hour training sessions for Planning Commissioners and others in accordance with Louisiana Act 859 of 2004 which requires that newly appointed members of planning commissions, zoning boards of adjustments and similar boards receive at least four hours of training in the duties and responsibilities of planning commissioner; the training will include history, practice, procedures and legislative standards.
3. Training Partnerships: work with local education groups as assigned by St. Bernard Parish officials.
4. Training Session Coordination – the local agency requesting the training will host the event. The CONSULTANT will coordinate with the local agency regarding the time, place and other needs for the training;
5. Follow up Training: Applications: also two “two hour” session will be included as “hand-on” training in the field, including a mock meeting session to demonstrate the actual application and operation of these concepts.

II. COMPENSATION

Compensation to be on a basis of fixed fee of \$12,500.00 (hourly time sheets will be maintained for record keeping purposes).

#18

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, SEPTEMBER 20, 2022 AT THREE O'CLOCK P.M.

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

Summary No. 4029

Introduced by: Councilmember McCloskey on 6/21/22

Public Hearing held on 7/19/22

Tabled on 7/19/22 until 8/16/22

Tabled on 8/16/22 until 9/20/22

AN ORDINANCE TO AMEND **ORDINANCE SBPC #2385-12-21**, AN ORDINANCE TO ADOPT THE 2022 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 2022 is hereby adopted 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.

Page -2-
Extract #18 continued
September 20, 2022

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

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

YEAS:

NAYS:

ABSENT:

The Council Chair, Ms. Callais, cast her vote as **XXX**.

And the motion was declared **adopted** on the 20th day of September, 2022.

ROXANNE ADAMS
CLERK OF COUNCIL

KERRI CALLAIS
COUNCIL CHAIR

Delivered to the Parish President _____
Date and Time

Received by _____

Approved _____ Vetoed _____

Parish President _____
Guy McInnis

Page -3-
Extract #18 continued
September 20, 2022

Returned to Clerk of the Council

Date and Time

Received by

St. Bernard Parish Government
Proposed 2022 Budget Amendment 7-5-22
Summary No. 4029
Ordinance SBPC #XXXX-XX-XX

<u>Org</u>	<u>Account Code</u>		<u>Account Title</u>	<u>Account Type</u>	<u>Entry Amount</u>	
	<u>Object</u>	<u>Project</u>			<u>Increase</u>	<u>Decrease</u>
1012400	401000	0000	Sales Tax	Revenue	\$ 100,000.00	
1012400	599100	0000	Transfer to General Fund	Transfer	\$ 100,000.00	
1002320	499101	0000	Transfer from Sales Tax	Transfer	\$ 100,000.00	
1002010	501000	0000	Salaries	Expenditure	\$ 100,000.00	
<i>Net Effect on Fund Balance</i>					<u>\$ -</u>	<u>\$ -</u>

This Budget Amendment is to budget for council administrative support personnel

#19

EXTRACT OF THE OFFICIAL PROCEEDINGS OF THE COUNCIL OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, TAKEN AT A REGULAR MEETING HELD IN THE COUNCIL CHAMBERS OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, 8201 WEST JUDGE PEREZ DRIVE, CHALMETTE, LOUISIANA ON TUESDAY, SEPTEMBER 20, 2022 AT THREE O'CLOCK P.M.

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

Summary No. 4042

Planning Commission recommended **APPROVAL** on 8/23/22

Introduced by: Administration 9/6/2022

Public Hearing held on 9/20/22

AN ORDINANCE TO APPROVE **DOCKET Z-2022-005**, PETITION OF JOHN GALLO FOR A ZONING CHANGE FROM C-1 (NEIGHBORHOOD COMMERCIAL) TO R-2 (TWO-FAMILY RESIDENTIAL). PROPERTY LOCATION: 601-603 E. ST. BERNARD HWY. CHALMETTE, LA 70043.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. The St. Bernard Parish Council does hereby approve **Docket Z-2022-005**, petition of John Gallo for a zoning change from C-1 (neighborhood commercial) to R-2 (two-family residential).

PROPERTY LOCATION: 601-603 E. ST. BERNARD HWY. CHALMETTE, LA 70043.

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

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

Page -2-
Extract #19 continued
September 20, 2022

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

YEAS:

NAYS:

ABSENT:

The Council Chair, Ms. Callais, cast her vote as **XXX**.

And the motion was declared **adopted** on the 20th day of September, 2022.

ROXANNE ADAMS
CLERK OF COUNCIL

KERRI CALLAIS
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 _____

#20

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, SEPTEMBER 20, 2022 AT THREE O'CLOCK P.M.

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

Summary No. 4043

Introduced by: Councilmember Luna on 9/6/2022

Public Hearing held on 9/20/22

AN ORDINANCE TO AMEND **ORDINANCE SBPC #2385-12-21**, AN ORDINANCE TO ADOPT THE 2022 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 2022 is hereby adopted 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 of this Ordinance with the invalid portions omitted.

Page -2-
Extract #20 continued
September 20, 2022

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

YEAS:

NAYS:

ABSENT:

The Council Chair, Ms. Callais, cast her vote as **XXX**.

And the motion was declared **adopted** on the 20th day of September, 2022.

ROXANNE ADAMS
CLERK OF COUNCIL

KERRI CALLAIS
COUNCIL CHAIR

Delivered to the Parish President _____
Date and Time

Received by _____

Approved _____ Vetoed _____

Parish President _____
Guy McInnis

Returned to Clerk of the Council _____
Date and Time

Received by _____

St. Bernard Parish Government
Proposed 2022 Budget Amendment 9-20-22
Summary No. 4043
Ordinance SBPC #XXXX-XX-XX

<u>Org</u>	<u>Account Code</u> Object	<u>Project</u>	<u>Account Title</u>	<u>Account Type</u>	<u>Entry Amount</u>	
					<u>Increase</u>	<u>Decrease</u>
1002010 - Council	520002		Professional Service	Expenditure	120,000	
<i>Net Effect on Fund Balance</i>					\$ -	\$ 120,000
<i>To fund John Vickerman and Associates PONO/LIT study</i>						

#21

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, SEPTEMBER 20, 2022 AT THREE O'CLOCK P.M.

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

Summary No. 4044

Introduced by: Administration on 9/6/2022

Public Hearing held on 9/20/22

AN ORDINANCE TO AMEND **ORDINANCE SBPC #2385-12-21**, AN ORDINANCE TO ADOPT THE 2022 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 2022 is hereby adopted 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 of this Ordinance with the invalid portions omitted.

Page -2-
Extract #21 continued
September 20, 2022

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

YEAS:

NAYS:

ABSENT:

The Council Chair, Ms. Callais, cast her vote as **XXX**.

And the motion was declared **adopted** on the 20th day of September, 2022.

ROXANNE ADAMS
CLERK OF COUNCIL

KERRI CALLAIS
COUNCIL CHAIR

Delivered to the Parish President _____
Date and Time

Received by _____

Approved _____ Vetoed _____

Parish President _____
Guy McInnis

Returned to Clerk of the Council _____
Date and Time

Received by _____

St. Bernard Parish Government
Proposed 2022 Budget Amendment 9-20-22
Summary No. 4044
Ordinance SBPC #XXXX-XX-XX

<u>Org</u>	<u>Account Code</u>	<u>Project</u>	<u>Account Title</u>	<u>Account Type</u>	<u>Entry Amount</u>			
	<u>Object</u>				<u>Increase</u>	<u>Decrease</u>		
2775113 -Housing	420003	5555 - CARES	Federal Grant	Revenue	180,000			
2775113 -Housing	587013	5555 - CARES	CSBG - Rental	Expenditure	180,000			
2775113 -Housing	440000	0841 - Tornado	State Grant	Revenue	200,000			
2775113 -Housing	587013	0841 - Tornado	CSBG - Rental	Expenditure	200,000			
<i>Net Effect on Fund Balance</i>					<u>\$</u>	<u>-</u>	<u>\$</u>	<u>-</u>
<i>To budget for additional funds to help tornado recovery.</i>								

#22

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, SEPTEMBER 20, 2022 AT THREE O'CLOCK P.M.

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

Summary No. 4045

Introduced by: Administration on 9/6/2022

Public Hearing held on 9/20/22

AN ORDINANCE TO AMEND **ORDINANCE SBPC #2385-12-21**, AN ORDINANCE TO ADOPT THE 2022 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 2022 is hereby adopted 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 of this Ordinance with the invalid portions omitted.

Page -2-
Extract #22 continued
September 20, 2022

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

YEAS:

NAYS:

ABSENT:

The Council Chair, Ms. Callais, cast her vote as **XXX**.

And the motion was declared **adopted** on the 20th day of September, 2022.

ROXANNE ADAMS
CLERK OF COUNCIL

KERRI CALLAIS
COUNCIL CHAIR

Delivered to the Parish President _____
Date and Time

Received by _____

Approved _____ Vetoed _____

Parish President _____
Guy McInnis

Returned to Clerk of the Council _____
Date and Time

Received by _____

St. Bernard Parish Government
Proposed 2022 Budget Amendment 9-20-22
Summary No. 4045
Ordinance SBPC #XXXX-XX-XX

<u>Org</u>	<u>Account Code</u> Object	<u>Project</u>	<u>Account Title</u>	<u>Account Type</u>	<u>Entry Amount</u>	
					<u>Increase</u>	<u>Decrease</u>
1603425 - Comm Dev	483001	2026	Donation	Revenue	150,000	
1603425 - Comm Dev	571001	2026	CIP	Expenditure	150,000	
<i>Net Effect on Fund Balance</i>					<u>\$ -</u>	<u>\$ -</u>
<i>To budget for the donation and expense of the Mehle Street Environmental Site Assessment and cleanup</i>						

#23

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, SEPTEMBER 20, 2022 AT THREE O'CLOCK P.M.

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

Summary No. 4046

Introduced by: Councilmember Lewis on 9/6/22

Public Hearing held on 9/20/22

AN ORDINANCE TO **AMEND** CHAPTER 14, OFFENSES AND MISCELLANEOUS PROVISIONS; ARTICLE III, CHARITABLE GAMES OF CHANCE; TO ADD AND CREATE SECTION 14-69, HISTORICAL HORSE RACING OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. The St. Bernard Parish Council, the Governing Authority, does hereby amend Chapter 14, Offenses and Miscellaneous Provisions; Article III, Charitable games of chance; to add and create Section 14-69, Historical Horse Racing of the St. Bernard Parish Code of Ordinances is hereby amended as per attached 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.

Page -2-
Extract #23 continued
September 20, 2022

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

YEAS:

NAYS:

ABSENT:

The Council Chair, Ms. Callais, cast her vote as **XXX**.

And the motion was declared **adopted** on the 20th day of September, 2022.

ROXANNE ADAMS
CLERK OF COUNCIL

KERRI CALLAIS
COUNCIL CHAIR

Delivered to the Parish President _____
Date and Time

Received by _____

Approved _____ Vetoed _____

Parish President _____
Guy McInnis

Returned to Clerk of the Council _____
Date and Time

Received by _____

Exhibit "A"
Summary No. 4046
Ordinance SBPC #XXXX-XX-XX

Chapter 14 – Offenses and Miscellaneous Provisions
Article III – Charitable Games of Chance
Section 14-69 - Historical Horse Racing

Sec. 14-69 - Historical Horse Racing

Sec. 14-69.1. – Definitions.

- “Association” means any person, association, or corporation licensed by the commission to conduct horse racing within the State of Louisiana for any stakes, purse, or reward.
- “Commission” means the Louisiana State Racing Commission within the office of governor.
- “Historical horse racing” means a form of horse racing that creates pari-mutuel pools from wagers placed on horse races previously run at a pari-mutuel facility licensed in the United States; concluded with official results; and concluded without scratches, disqualifications, or dead-heat finishes through machines permitted and authorized by the commission.
- “Licensee” means any person, partnership, corporation or business entity receiving a license, permit, or privilege from the commission to conduct a race meeting or meetings.
- “Off-track wagering facility” means the licensed and authorized location where off-track wagers may be accepted. Any association licensed by the commission may conduct pari-mutuel wagering including historical horse racing on the premises of off-track wagering facilities.
- “Pari-mutuel wagering”, “pari-mutuel system of wagering”, or “mutual wagering” means any method of wagering approved by the commission in which one or more patrons’ wager on a horse race or races, whether live, simulcast, or previously run. Wagers are placed in one or more wagering pools, and wagers on different races or sets of races may be pooled together. Patrons may establish odds or payouts, and winning patrons share in amounts wagered including any carryover amounts, plus any amounts provided by an association less any deductions required, as approved by the commission and permitted by law. Pools maybe paid out incrementally over time as approved by the commission.
- “Prohibited property” means any property on the National Register of Historic Places, any public playground, any residential property, or any building used primarily as a church, synagogue, public library, or school.
- “Residential Property” means any property which is wholly or partly used for or intended to be used for living or sleeping by human occupants and which includes one or more rooms, including a bathroom and complete kitchen facilities. Residential property shall include a mobile home or manufactured housing, provided that it shall have been in its present location for at least sixty days. Residential property shall not include any hotel or motel.

Sec. 14-69.2. - Locations. Historic horse racing machine locations; prohibited distance; prohibited properties.

- (a.) An historical horse racing machine is prohibited within one mile from any prohibited property. The measurement of the distance shall be a straight line from the nearest

Exhibit "A"
Summary No. 4046
Ordinance SBPC #XXXX-XX-XX

point of the proposed off-track wagering facility with the historical horse racing machine to the nearest point of prohibited property.

Sec. 14-69-3. – Devices in Operation

(a.) Any off-track betting wagering facility, or any other facility licensed to conduct historical horse racing, shall have no more than three historical horse racing machines in operation.

Sec. 14-69.4. – Penalty for noncompliance

In addition to any other penalties provided in the St. Bernard Parish Code of Ordinances, noncompliance with this Ordinance shall result in immediate revocation of the off-track wagering facility's occupational license issued by St. Bernard Parish. Further, each historical horse racing machine not removed after notice has been served of noncompliance with this ordinance will be subject to \$250 amount per day penalty until said historical horse racing machine is removed.