

PUBLIC NOTICE - ST. BERNARD PARISH COUNCIL MEETING - AGENDA

Email: radams@sbpg.net

(504) 278-4228

(504) 278-4209 (fax)

Posted: 7/27/23

Tuesday, August 1, 2023

7:00 p.m.

Council Chambers

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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 McCloskey
- E. Pledge of Allegiance by Councilmember Alcon
- F. Recognize Elected Officials

APPROVAL OF MINUTES

1. Motion to approve the minutes from the July 18, 2023 Regular Council Meeting as published in the official journal, the St. Bernard Voice on Friday, July 28, 2023. (Council Chair)

RECOGNITION

2. Motion to recognize Sheriff James Pohlmann's 40th year anniversary in law enforcement. (President McInnis)
3. Motion to recognize the 18U Liberty Belles Fastpitch Softball team for representing St. Bernard Parish at the Youth Nationals Tournament in Cincinnati, Ohio. (Councilmember Lewis)
4. Motion to recognize the 12U Wicked Fastpitch Softball Team for winning the USSSA Gulf Coast National Championship in Gulf Shores. (Councilmember Alcon)
5. Councilmember's for a District Update.
6. Guy McInnis, President's Report
7. Recognize the Public

RESOLUTIONS

8. Adopt **Resolution SBPC #2314-08-23**, a resolution to reappoint members to the St. Bernard Parish 911 Communications District. (Administration)
9. Adopt **Resolution SBPC #2315-08-23**, a resolution authorizing the acceptance of a Capital Outlay Grant Award in the amount of \$2,500,000.00 from the State of Louisiana for the St. Bernard Parish Special Operations Division (SOD) building, planning and construction and execution of a Cooperative Endeavor Agreement to complete the project. (Administration)
10. Adopt **Resolution SBPC #2316-08-23**, a resolution urging the U.S. Secretary of Commerce and the U.S. Trade Representative to implement the existing measures to limit the overall volume of imported shrimp in America in order to insure the survival of our domestic wild caught shrimp harvesters and America's access to wild harvested shrimp from domestic waters; and urging the Commissioners of the International Trade Commission, when considering imports to include all forms of shrimp from all countries; and otherwise to provide with respect thereto. (Councilmember Everhardt)

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ADOPTIONS

11. Summary No. 4095

Introduced by: Councilmember Everhardt on 6/6/23

Public Hearing held on 7/5/23

Tabled on 7/5/23 until 8/1/23

AN ORDINANCE TO **AMEND ORDINANCE SBPC #2472-12-22**, CHAPTER 11; HEALTH AND SANITATION; ARTICLE IX, PROHIBITING THE SALE AND DISTRIBUTION OF IMPORTED SHRIMP, **CRAB MEAT AND CRAWFISH**; TO CREATE AND ADD SECTION 11-31**34** ENFORCEMENT OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

INTRODUCTIONS

12. Summary No. 4103

Planning Commission recommended **APPROVAL** on 7/25/23

Introduced by: Administration on 8/1/23

AN ORDINANCE TO APPROVE **DOCKET Z-2023-006**, PETITION OF OLIVIER PLANTATION LLC FOR A CONDITIONAL USE FOR A BURROW OR EXCAVATION PITS. SITE LOCATION: LOTS 92-A-1A IN NW ¼ OF SECTION 21, E OF ½ OF SECTION 21 AND SURROUNDING AREA.

13. Summary No. 4104

Planning Commission recommended **APPROVAL** on 7/25/23

Introduced by: Administration on 8/1/23

AN ORDINANCE TO APPROVE **DOCKET Z-2023-007**, PETITION OF OLIVIER PLANTATION LLC FOR A CONDITIONAL USE FOR A BURROW OR EXCAVATION PITS. SITE LOCATION: LOTS F1, F2 & F3 IN NW ¼ OF SECTION 21, E OF ½ OF SECTION 21 AND SURROUNDING AREA.

14. Summary No. 4105

Planning Commission recommended **APPROVAL** on 7/25/23

Introduced by: Administration on 8/1/23

AN ORDINANCE TO **AMEND** CHAPTER 22, ZONING; SECTION 22-7; SITE DEVELOPMENT STANDARDS; SUBSECTION 22-7-4, SIGN REGULATIONS; SUB-SUBSECTION 22-7-4.5, DIMENSIONS, CONDITIONS, AND RESTRICTIONS FOR SIGN TYPES OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

15. Summary No. 4106

Introduced by: Councilmember Everhardt on 8/1/23

AN ORDINANCE TO APPROVE **DOCKET Z-2023-012**, PETITION OF COUNCILMEMBER DISTRICT E FOR A ZONING CHANGE FROM A-1 (RURAL) TO R-1 (SINGLE-FAMILY RESIDENTIAL). PROPERTY LOCATION: LOTS: 1-50 WOODCHASE SUBDIVISION, LOTS 1-13 SQ. I, SIDELENIE PK., LOTS 2A, 3-11, 13-A, 14-20, SQ. F. SIDELENIE PK., LOT 2-E-1, 3E-18E, 19 & 20, SQ. E. SIDELENIE PK. SUB., LOTS: 1-5, 6A, 8A, 9-10, & 11A SQ. B. SIDLENIE PK. SUB., 8A1, 9-11A, 13-A-1, 14A, 16A1, & 17A, SQ. A, SIDLENIE SUB. ST. BERNARD, LA 70085.

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OTHER MATTERS

16. Motion to accept the Monthly Financial Summary Statement of Revenues and Expenditures and Change in Fund Balance for June, 2023.
17. Motion to discuss and take any action as it relates to information received from the Coastal Zone Advisory Committee.

EXECUTIVE SESSION

18. Motion to enter into Executive Session to discuss *Melissa Seal v St Bernard Parish, Animal Control and Amanda Forde*, 34th JDC No. 22-0227.

Next Regular scheduled Council Meeting will be held Tuesday, August 15, 2023 @ 3:00 p.m.

Approved by: *Richard "Richie" Lewis* Time: 3:49 p.m. Date: 7/27/23

#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, AUGUST 1,, 2023 AT SEVEN O'CLOCK P.M.

On motion of XXXX, seconded by XXXX, it was moved to approve the minutes from the July 18, 2023 Regular Council Meeting as published in the official journal, the St. Bernard Voice on Friday, July 28, 2023.

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 1st day of August, 2023.

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, August 1, 2023.

Witness my hand and the seal
of the Parish of St. Bernard on
this 1st day of August, 2023.

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, JULY 18, 2023 AT 3:00 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, July 18, 2023 at three o'clock p.m. pursuant to notice given to each member and posted in the manner required by law.

The meeting convened at 3:01 p.m. Members present: Council Chair Richard "Richie" Lewis, Gillis McCloskey, Howard Luna, and Fred Everhardt, Jr.

Councilmembers absent were Joshua "Josh" Moran, Wanda Alcon, and Kerri Callais.

Also present were Roxanne Adams, Clerk of Council, serving as official secretary of the Council and John Lane, CAO was representing Administration.

Councilmember Luna delivered the invocation and led the Pledge of Allegiance.

Elected Officials present were Ray Lauga, Jr. former Councilmember District A, John Schroder Louisiana State Treasurer and Jake Benoit Representative with Senator Kennedy's Office.

Councilmember Moran, Alcon, and Callais are now marked as present.

#1 On motion of Mr. Moran, seconded by Ms. Callais, it was moved to approve the minutes from the July 5, 2023 Regular Council Meeting as published in the official journal, the St. Bernard Voice on Friday, July 14, 2023.

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

YEAS: Moran, Luna, Alcon, Everhardt, Callais

NAYS: None

ABSENT: None

DID NOT VOTE: McCloskey

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

And the motion was declared **adopted** on the 18th day of July, 2023.

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

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

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

NAYS: None

ABSENT: None

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

And the motion was declared **adopted** on the 18th day of July, 2023.

Council Chair took a Chairman's Privilege to recognize John Schroder the Louisiana State Treasurer and Candidate for Louisiana Governor.

#3 On joint motion of the Council Chair, without objection and by unanimous consent, it was moved to receive an update from the Capital Projects Department.

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

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

NAYS: None

Minutes of the St. Bernard Parish Council Meeting of July 18, 2023

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ABSENT: None

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

And the motion was declared **adopted** on the 18th day of July, 2023

#4 Councilmember's District Update

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

#5 President's Report

No action taken on this item.

#6 Recognize the Public

- Jim Phillpott – Chalmette, LA

#7 Summary No. 4100

Introduced by: Councilmember Luna on 7/5/23

AN ORDINANCE TO AMEND **ORDINANCE SBPC #2346-08-21**, AN ORDINANCE ESTABLISHING AN OLD ARABI NEIGHBORHOOD COMMISSION TO ADDRESS PRESERVATION AND REDEVELOPMENT ISSUES.

NO ONE APPEARED TO SPEAK FOR OR AGAINST THIS ITEM

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

RESOLUTION SBPC #2313-07-23

A RESOLUTION TO AN APPOINT MEMBER TO THE ST. BERNARD PARISH LIBRARY BOARD.

<u>Member</u>	<u>Expiration Date</u>
Elizabeth "Liz" Qualiano	July 2028

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

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

NAYS: None

ABSENT: None

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

And the motion was declared **adopted** on the 18th day of July, 2023.

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

ORDINANCE SBPC #2507-07-23

Summary No. 4100

Introduced by: Councilmember Luna on 7/5/23

Public Hearing held on 7/18/23

AN ORDINANCE TO AMEND **ORDINANCE SBPC #2346-08-21**, AN ORDINANCE ESTABLISHING AN OLD ARABI NEIGHBORHOOD COMMISSION TO ADDRESS PRESERVATION AND REDEVELOPMENT ISSUES.

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

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

NAYS: None

ABSENT: None

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

Minutes of the St. Bernard Parish Council Meeting of July 18, 2023

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And the motion was declared **adopted** on the 18th day of July, 2023.

#10 On motion of the Council Chair, without objection and by unanimous consent, it was moved to **remove** the following **Emergency Ordinance**:

EMERGENCY ORDINANCE SBPC #2505-07-23

Summary No. 4101

Councilman Everhardt

AN **EMERGENCY** ORDINANCE TO ENSURE THAT ADMINISTRATION CONTINUES TO STAFF, MAINTAIN AND OPERATE FIRE STATIONS 10 & 11 WHILE CONCURRENTLY WORKING ON PRESERVING FIRE STATION 12 TO PREPARE FOR FUTURE USE.

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

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

NAYS: None

ABSENT: None

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

And the motion was declared **adopted** on the 18th day of July, 2023.

Councilmember Everhardt stated for the official record:

“Mr. Chairman, I would like to state for the official record that there were lots of meetings with Council and Administration and we are all in agreeance to move a truck from Fire Station 10 to 11, preserve Station 12 for the next administration and that no equipment or manpower will be moved out of Fire District 2.

I’m confident that in the next 14 to 30 days, we will see results for all the hard work we have put in for Fire District 2.”

On motion of Mr. Everhardt, seconded by Mr. Moran, it was moved to amend the agenda for the following Emergency Ordinance:

EMERGENCY ORDINANCE SBPC #2506-07-23

Summary No. 4102

AN EMERGENCY ORDINANCE **REPEALING ORDINANCE SBPC #2483-04-23**, AN ORDINANCE TO HAVE THE ADMINISTRATION IMMEDIATELY PUT BACK IN PLACE THE ENTIRE STAFFING AND EQUIPMENT LEVELS OF FIRE DISTRICT 2 TO ITS LEVELS AS IT WAS PRIOR TO MARCH 6, 2023.

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

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

NAYS: None

ABSENT: None

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

And the motion was declared **adopted** on the 18th day of July, 2023.

#13 On motion of Mr. Everhardt, seconded by Mrs. Callais, it was moved to **adopt** the following Emergency Ordinance:

EMERGENCY ORDINANCE SBPC #2506-07-23

Summary No. 4102

AN EMERGENCY ORDINANCE **REPEALING ORDINANCE SBPC #2483-04-23**, AN ORDINANCE TO HAVE THE ADMINISTRATION IMMEDIATELY PUT BACK IN PLACE THE ENTIRE STAFFING AND EQUIPMENT LEVELS OF FIRE DISTRICT 2 TO ITS LEVELS AS IT WAS PRIOR TO MARCH 6, 2023.

Minutes of the St. Bernard Parish Council Meeting of July 18, 2023

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On motion of Mr. Lewis, seconded by Mr. McCloskey, it was moved to amend the 1st Whereas and add “and Council”

WHEREAS, Administration and Council has agreed to continue to staff, maintain, and operate Fire Stations 8, 10 & 11 while concurrently working on preserving Fire Station 12 to prepare for future use; and,

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

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

NAYS: None

ABSENT: None

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

And the motion was declared **adopted** on the 18th day of July, 2023.

#11 Coastal Zone Advisory Committee

No action taken on this item.

#12 On joint motion of the Council Chair, without objection and by unanimous consent, it was moved to enter into Executive Session to discuss SBPG v Urban Systems, 34th JDC No. 19-0298.

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

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

NAYS: None

ABSENT: None

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

And the motion was declared **adopted** on the 18th day of July, 2023.

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

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

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

NAYS: None

ABSENT: None

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

And the motion was declared **adopted** on the 18th day of July, 2023.

#12 On motion of Ms. Callais, seconded by Mr. Luna, it was moved to accept the advice of legal counsel in the matter of SBPG v Urban Systems, 34th JDC No. 19-0298.

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

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

NAYS: None

ABSENT: None

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

And the motion was declared **adopted** on the 18th day of July, 2023.

Minutes of the St. Bernard Parish Council Meeting of July 18, 2023

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There being no further business for discussion, the Council Chair declared the meeting adjourned at 4:39 p.m. on the 18th day of July, 2023.

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

Roxanne Adams

ROXANNE ADAMS
CLERK OF COUNCIL

Richard "Richie" Lewis

RICHARD "RICHIE" LEWIS
COUNCIL CHAIR

#8

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, AUGUST 1, 2023 AT SEVEN O'CLOCK P.M.

On motion of Mr. XXXX, seconded by Mr. XXXX, it was moved to adopt the following Resolution:

RESOLUTION SBPC #2314-08-23

A RESOLUTION TO REAPPOINT MEMBERS TO THE ST. BERNARD PARISH 911 COMMUNICATIONS DISTRICT.

WHEREAS, vacancies exist on the 911 Communications District due to the expiring terms of John Rahaim, Jr., and Alan T. Ashley on August 3, 2023; and,

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

NOW THEREFORE, BE IT RESOLVED, that the St. Bernard Parish Council, the governing authority, does hereby reappoint the following to the St. Bernard Parish 911 Communications District for a term of four years:

<u>Member</u>	<u>Expiration Date</u>
John Rahaim, Jr., OEP-Director OHSEP	August 3, 2027
Alan T. Ashley, EMS-Acadian Ambulance	August 3, 2027

BE IT FURTHER RESOLVED that these appointments shall be effective as of August 3, 2023 and shall terminate on August 3, 2027.

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 1st day of August, 2023.

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Extract #8 continued
August 1, 2023

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, August 1, 2023.

Witness my hand and the seal
of the Parish of St. Bernard on
this 1st day of August, 2023.

ROXANNE ADAMS
CLERK OF COUNCIL

#9

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, AUGUST 1, 2023 AT SEVEN O'CLOCK P.M.

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

RESOLUTION SBPC #2315-08-23

A RESOLUTION AUTHORIZING ACCEPTANCE OF A CAPITAL OUTLAY GRANT AWARD IN THE AMOUNT OF \$2,500,000.00 FROM THE STATE OF LOUISIANA FOR THE ST. BERNARD PARISH SPECIAL OPERATIONS DIVISION (SOD) BUILDING, PLANNING AND CONSTRUCTION AND EXECUTION OF A COOPERATIVE ENDEAVOR AGREEMENT TO COMPLETE THE PROJECT.

WHEREAS, the Capital Outlay Act of the State of Louisiana sets out appropriations for projects as provided in the Capital Outlay Budget and approved by the Louisiana State Legislature (Act #465 of the 2023 Regular Session – Capital Outlay Appropriations); and,

WHEREAS, the Omnibus Bond Act of the Louisiana Legislature provides for the issuance of General Obligation Bonds by the State Bond Commission for certain projects contained in the Act as approved by the Louisiana State Legislature; and

WHEREAS, the State has also appropriated State General Fund (Direct) monies and/or other sources of cash for selected projects, or authorized non-cash lines of credit for selected projects, under this program; and,

WHEREAS, St. Bernard Parish Government submitted a request to the Capital Outlay Program for funding to plan and construct the St. Bernard Parish SOD building for storage of St. Bernard Parish Sheriff's Office special operations division vehicles and equipment; and,

WHEREAS, the Parish received notice of funding approval under the Capital Outlay Program on July 12, 2023; and,

WHEREAS, the Capital Outlay Program requires that local agencies accepting funding provide a minimum of 25% in local matching funds and other costs as specified in the award agreement.

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Extract #9 continued
August 1, 2023

NOW THEREFORE BE IT RESOLVED that the St. Bernard Parish Council, does hereby authorize acceptance of funding for the St. Bernard Parish SOD building, Planning and Construction Project as approved by the Capital Outlay Program including the following: General Obligation Bonds State Non-Cash Line of Credit of Priority 5 – Two Million Dollars (\$2,000,000.00) and State General Fund Non-Recurring (Surplus) Five Hundred Thousand Dollars (\$500,000.00), including the provision by St. Bernard Parish Government of local costs identified as Six Hundred Twenty-Five Thousand Dollars (\$625,000.00) in local matching funds; Two Hundred Seven Thousand, Five Hundred Dollars (\$207,500.00) in Facility Planning and Control Administrative Costs; and other costs as required to complete the project. The total estimated project cost is Three Million, Three Hundred Thirty-Two Thousand, Five Hundred Dollars (\$3,332,500.00).

BE IT FURTHER RESOLVED, the St. Bernard Parish Council does hereby authorize the President of St. Bernard Parish Government to sign and execute the required cooperative endeavor agreement and any amendments thereof, and all of the necessary reports, requirements, assurances, contracts and any other documents.

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 1st day of August, 2023.

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Extract #9 continued
August 1, 2023

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, August 1, 2023.

Witness my hand and the seal
of the Parish of St. Bernard on
this 1st day of August, 2023.

ROXANNE ADAMS
CLERK OF COUNCIL

#10

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, AUGUST 1, 2023 AT SEVEN O'CLOCK P.M.

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

RESOLUTION SBPC #2316-08-23

A RESOLUTION URGING THE U.S. SECRETARY OF COMMERCE AND THE U.S. TRADE REPRESENTATIVE TO IMPLEMENT THE EXISTING MEASURES TO LIMIT THE OVERALL VOLUME OF IMPORTED SHRIMP IN AMERICA IN ORDER TO INSURE THE SURVIVAL OF OUR DOMESTIC WILD CAUGHT SHRIMP HARVESTERS AND AMERICA'S ACCESS TO WILD HARVESTED SHRIMP FROM DOMESTIC WATERS; AND URGING THE COMMISSIONERS OF THE INTERNATIONAL TRADE COMMISSION, WHEN CONSIDERING IMPORTS TO INCLUDE ALL FORMS OF SHRIMP FROM ALL COUNTRIES; AND OTHERWISE TO PROVIDE WITH RESPECT THERETO.

WHEREAS, the influx of imported shrimp into America has resulted in the catastrophic collapse of the domestic shrimp industry; and,

WHEREAS, many boat owners/operators have been docked thereby creating significant challenges to our local economy and the countless individuals who rely on this sector; and,

WHEREAS, the Northern Gulf of Mexico has historically been a thriving hub for shrimp production, with rich waters and a favorable climate creating optimal conditions for shrimp stocks and harvest; and,

WHEREAS, imported shrimp now dominates cold storage, distribution hubs and the American market at a level that voids the margin of the market the domestic harvesters are able to fulfill; and,

WHEREAS, if action is not taken, not only will small family fishing business owners go under but, also businesses with which we conduct commerce with will go under. Furthermore, working waterfront and land based fishery infrastructure will be lost, thereby loosing access to this wild caught food source; and

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Extract #10 continued
August 1, 2023

WHEREAS, the consequences of the inundation of imported shrimp into our markets has caused immense disruption and economic instability for our local shrimp producers, including risk of closure or already being shut down. The loss also extends to the loss of livelihoods and the socio- economic well-being of the communities reliant of this industry;

NOW THEREFORE, BE IT RESOLVED, that the St. Bernard Parish Council, the governing authority, urges the U.S. Secretary of Commerce and the U.S. Trade Representative to implement the existing measures to limit the overall volume of imported shrimp in America in order to insure the survival of our domestic wild caught shrimp harvesters and America's access to wild harvested shrimp from domestic waters; and urging the Commissioners of the International Trade Commission, when considering imports, to include all forms of shrimp from all countries.

BE IT FURTHER RESOLVED, that this Resolution be forwarded to all of the following:

- All Commissioners of the International Trade Commission
- The U.S. Secretary of Commerce, The Honorable Gina Raimondo
- The U.S. Trade Representative, The Honorable Katherine Tai
- U.S. Senator John Kennedy
- U.S. Senator Bill Cassidy
- U.S. Representative Steve Scalise
- Governor John Bel Edwards
- Representative Ray Garofalo, Senator Sharon Hewitt, and Senator Joseph Bouie Jr.

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

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Extract #10 continued
August 1, 2023

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 1st day of August, 2023.

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, August 1, 2023.

Witness my hand and the seal
of the Parish of St. Bernard on
this 1st day of August, 2023.

ROXANNE ADAMS
CLERK OF COUNCIL

#11

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, AUGUST 1, 2023 AT SEVEN O'CLOCK P.M.

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

Summary No. 4095

Introduced by: Councilmember Everhardt on 6/6/23

Public Hearing held on 7/5/23

Tabled on 7/5/23 until 8/1/23

AN ORDINANCE TO **AMEND ORDINANCE SBPC #2472-12-22**, CHAPTER 11; HEALTH AND SANITATION; ARTICLE IX, PROHIBITING THE SALE AND DISTRIBUTION OF IMPORTED SHRIMP, CRAB MEAT AND CRAWFISH; TO CREATE AND ADD SECTION 11-3134 ENFORCEMENT OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

Code language: Underlined to be added, ~~strikethrough to be deleted~~.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. The St. Bernard Parish Council, the Governing Authority, does hereby amend Chapter 11 Health and Sanitation; Article IX, Prohibiting the Sale and Distribution of Imported Shrimp, Crab Meat and Crawfish, to create and add Section 11-3134 Enforcement of the St. Bernard Parish Code of Ordinances as per attached in Exhibit "A".

SECTION 2. Effective Date. This Ordinance shall become effective immediately upon the 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.

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Extract #11, continued
August 1, 2023

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 1st day of August, 2023.

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, August 1 , 2023.

Witness my hand and the seal
of the Parish of St. Bernard on
this 1st day of August, 2023.

ROXANNE ADAMS
CLERK OF COUNCIL

Exhibit "A"
Summary No. 4095
Ordinance SBPC #xxxx-xx-23

Chapter 11 – Health and Sanitation

Article IX – Prohibiting the Sale and Distribution of Imported Shrimp Crab Meat and Crawfish

Section 11-311- Sale and Distribution Prohibited.

- a. It shall be illegal for any person, vendor, seller, or retailer licensed to do business in St. Bernard Parish to sell or distribute imported shrimp, crab meat and crawfish in the Parish of St. Bernard.

Section 11-312 – Definitions

For the purpose of this article, the following terms, phrases and words shall have the meaning given herein, unless it shall be apparent from the context that a different meaning is intended.

Imported – brought into a country from overseas

Section 11-~~312~~ 313- Penalties

- a. Whoever violates the provisions of this section shall be fined not more than five hundred (\$500.00) or imprisoned for not more than six (6) months, or both.
- b. Whoever violates the provisions of this section for a second offense shall be fine one thousand dollars (\$1,000.00) or imprisoned for not more than six months, or both.
- c. Whoever violates the provisions of this section for a third or subsequent offense shall be fine one thousand five hundred dollars (\$1,500.00) or imprisoned for not more than six (6) months, or both. However, if the offender is a vendor, seller or retailer licensed to do business in St. Bernard Parish it shall forfeit and/or have all business licensed revoked by the Parish in addition to the above-stated penalties.

Section 11-~~313~~ 314 - Enforcement

- a. It shall be the responsibility of the chief compliance officer or his designee to inspect and issue a citation to any person, vendor, seller, or retailer that is found to be in violation of these requirements. If a violation is identified, notice of the violation shall be sent to the owner. Notice to one (1) owner shall be deemed notice to any co-owner.
- b. Such notice of violation shall be by United States certified mail.

Exhibit "A"
Summary No. 4095
Ordinance SBPC #xxxx-xx-23

- c. If the notice should be returned by the post office department because of its inability to make delivery thereof or if the owner has refused to accept the notification, notice may be accomplished by publication of the notification in the official journal at least once.

- d. The notice shall contain the following:
 - 1. The date that the violation occurred.
 - 2. It should state if this is the first, second or a third or subsequent offense.
 - 3. An additional charge of three hundred dollars (\$300.00) shall be assessed for the cost of the inspection and administrative costs. Included in this charge will be the cost of mailings, filing and publication of notification in the official journal.

#12

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, AUGUST 1, 2023 AT SEVEN O'CLOCK P.M.

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

Summary No. 4103

Planning Commission recommended **APPROVAL** on 7/25/23

Introduced by: Administration on 8/1/23

AN ORDINANCE TO APPROVE **DOCKET Z-2023-006**, PETITION OF OLIVIER PLANTATION LLC FOR A CONDITIONAL USE FOR A BURROW OR EXCAVATION PITS. SITE LOCATION: LOTS 92-A-1A IN NW ¼ OF SECTION 21, E OF ½ OF SECTION 21 AND SURROUNDING AREA.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. The St. Bernard Parish Council does hereby approve **Docket Z-2023-006**, petition of Olivier Plantation LLC for a Conditional Use for a burrow or excavation pits.

SITE LOCATION: LOTS 92-A-1A IN NW ¼ OF SECTION 21, E OF ½ OF SECTION 21 AND SURROUNDING AREA.

Conditions:

1. No building permits or licenses for this project shall be issued until final development plans are approved and recorded. Site plan approval shall become null and void in one (1) year from the date of approval if the activities have not commenced and the site plan shall be considered to be disapproved per Section 22-10-1.3(h) of the Zoning Code.
2. The applicant shall comply with all state and federal requirements including but not limited to the provisions of existing permits for site operations.

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Extract #12, continued
August 1, 2023

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 1st day of August, 2023.

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, August 1, 2023.

Witness my hand and the seal
of the Parish of St. Bernard on
this 1st day of August, 2023.

ROXANNE ADAMS
CLERK OF COUNCIL

#13

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, AUGUST 1, 2023 AT SEVEN O'CLOCK P.M.

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

Summary No. 4104

Planning Commission recommended **APPROVAL** on 7/25/23

Introduced by: Administration on 8/1/23

AN ORDINANCE TO APPROVE **DOCKET Z-2023-007**, PETITION OF OLIVIER PLANTATION LLC FOR A CONDITIONAL USE FOR A BURROW OR EXCAVATION PITS. SITE LOCATION: LOTS F1, F2 & F3 IN NW ¼ OF SECTION 21, E OF ½ OF SECTION 21 AND SURROUNDING AREA.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. The St. Bernard Parish Council does hereby approve **Docket Z-2023-007**, petition of Olivier Plantation LLC for a Conditional Use for a burrow or excavation pits.

SITE LOCATION: LOTS F1, F2 & F3 IN NW ¼ OF SECTION 21, E OF ½ OF SECTION 21 AND SURROUNDING AREA.

Conditions:

1. No building permits or licenses for this project shall be issued until final development plans are approved and recorded. Site plan approval shall become null and void in one (1) year from the date of approval if the activities have not commenced and the site plan shall be considered to be disapproved per Section 22-10-1.3(h) of the Zoning Code.
2. The applicant shall comply with all state and federal requirements including but not limited to the provisions of existing permits for site operations.

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Extract #13, continued
August 1, 2023

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 1st day of August, 2023.

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, August 1, 2023.

Witness my hand and the seal
of the Parish of St. Bernard on
this 1st day of August, 2023.

ROXANNE ADAMS
CLERK OF COUNCIL

#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, AUGUST 1, 2023 AT SEVEN O'CLOCK P.M.

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

Summary No. 4105

Planning Commission recommended **APPROVAL** on 7/25/23

Introduced by: Administration on 8/1/23

AN ORDINANCE TO **AMEND** CHAPTER 22, ZONING; SECTION 22-7; SITE DEVELOPMENT STANDARDS; SUBSECTION 22-7-4, SIGN REGULATIONS; SUB-SUBSECTION 22-7-4.5, DIMENSIONS, CONDITIONS, AND RESTRICTIONS FOR SIGN TYPES 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 ordain that Chapter 22, Zoning; Section 22-7; Site Development Standards; Subsection 22-7-4, Sign Regulations; Sub-Subsection 22-7-4.5, Dimensions, Conditions, And Restrictions for Sign Types 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.

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Extract #14, continued
August 1, 2023

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 1st day of August, 2023.

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, August 1, 2023.

Witness my hand and the seal
of the Parish of St. Bernard on
this 1st day of August, 2023.

ROXANNE ADAMS
CLERK OF COUNCIL

**Summary No. 4105
Ordinance XXXX-XX-XX
Exhibit "A"**

**Chapter 22 – Zoning
Section 22-7 Site Development Standards
Subsection 22-7-4 – Sign Regulations
Sub-SubSection 22-7-4.5 – Dimensions, Conditions, and Restrictions for Sign Types**

Sec. 22-7-4.5. – Dimensions, Conditions, and Restrictions for Sign Type.

****** other sections omitted for brevity ******

(h) *Freestanding signs.*

- (1) The total number of billboards shall be limited to a number of ~~twenty (20)~~ twenty-one (21).
- (2) Billboard signage shall be limited to six hundred seventy-two (672) square feet per side.
- (3) An applicant must receive a resolution from the parish council to replace a billboard.
- (4) Billboards shall be a minimum height of twenty-five (25) feet to the bottom of the sign.

****** other sections omitted for brevity ******

#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, AUGUST 1, 2023 AT SEVEN O'CLOCK P.M.

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

Summary No. 4106

Introduced by: Councilmember Everhardt on 8/1/23

AN ORDINANCE TO APPROVE **DOCKET Z-2023-012**, PETITION OF COUNCILMEMBER DISTRICT E FOR A ZONING CHANGE FROM A-1 (RURAL) TO R-1 (SINGLE-FAMILY RESIDENTIAL). PROPERTY LOCATION: LOTS: 1-50 WOODCHASE SUBDIVISION, LOTS 1-13 SQ. I, SIDELENIE PK., LOTS 2A, 3-11, 13-A, 14-20, SQ. F. SIDELENIE PK., LOT 2-E-1, 3E-18E, 19 & 20, SQ. E. SIDELENIE PK. SUB., LOTS: 1-5, 6A, 8A, 9-10, & 11A SQ. B. SIDLENIE PK. SUB., 8A1, 9-11A, 13-A-1, 14A, 16A1, & 17A, SQ. A, SIDLENIE SUB. ST. BERNARD, LA 70085.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. The St. Bernard Parish Council does hereby approve **Docket Z-2023-012**, petition of Councilmember District E for a zoning change from A-1 (Rural) to R-1 (Single-Family Residential).

PROPERTY LOCATION: LOTS: 1-50 WOODCHASE SUBDIVISION, LOTS 1-13 SQ. I, SIDELENIE PK., LOTS 2A, 3-11, 13-A, 14-20, SQ. F. SIDELENIE PK., LOT 2-E-1, 3E-18E, 19 & 20, SQ. E. SIDELENIE PK. SUB., LOTS: 1-5, 6A, 8A, 9-10, & 11A SQ. B. SIDLENIE PK. SUB., 8A1, 9-11A, 13-A-1, 14A, 16A1, & 17A, SQ. A, SIDLENIE SUB. ST. BERNARD, LA 70085.

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.

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Extract #15, continued
August 1, 2023

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 1st day of August, 2023.

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, August 1, 2023.

Witness my hand and the seal
of the Parish of St. Bernard on
this 1st day of August, 2023.

ROXANNE ADAMS
CLERK OF COUNCIL