

PUBLIC NOTICE - ST. BERNARD PARISH COUNCIL MEETING - AGENDA

Email: radams@sbpg.net

(504) 278-4228

(504) 278-4209 (fax)

Posted: 8/31/23

Tuesday, September 5, 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 Moran
- E. Pledge of Allegiance by Councilmember Callais
- F. Recognize Elected Officials

APPROVAL OF MINUTES

- 1. Motion to approve the minutes from the August 15, 2023 Regular Council Meeting as published in the official journal, the St. Bernard Voice on Friday, August 25, 2023. (Council Chair)

RECOGNITION

- 2. Motion to proclaim September 17-September 23, 2023 as "Constitution Week" in St. Bernard Parish. (Councilmember Alcon)
- 3. Motion to recognize T&T Communications for 20 years of business in St. Bernard Parish. (Councilmember Alcon)
- 4. Councilmember's for a District Update.
- 5. Guy McInnis, President's Report
- 6. Recognize the Public

PUBLIC HEARINGS

- 7. **Summary No. 4106**
Introduced by: Councilmember Everhardt on 8/1/23
Planning Commission recommended **DENIAL** on 8/22/23

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.

RESOLUTIONS

- 8. Adopt **Resolution SBPC #2320-09-23**, a resolution to make an interim appointment to fill the vacancy in the office of Constable Ward "I" for the Parish of St. Bernard. (Council)

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9. Adopt **Resolution SBPC #2321-09-23**, a resolution to change the October 4, 2023 Council Meeting to October 3, 2023. (Councilmember Callais)
10. Adopt **Resolution SBPC #2322-09-23**, a resolution to change the October 17, 2023 Council Meeting to October 18, 2023. (Councilmember Callais)
11. Adopt **Resolution SBPC #2323-09-23**, a resolution to approve an Itinerant Permit for "Rays Seafood" to be operational at municipal number: 201 Bayou Road in St. Bernard, LA. (Administration)

ADOPTIONS

12. **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
Tabled on 8/1/23 until 8/15/23
Tabled on 8/15/23 until 9/5/23

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.

13. **Summary No. 4106**
Introduced by: Councilmember Everhardt on 8/1/23
Planning Commission recommended **DENIAL** on 8/22/23

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.

INTRODUCTIONS

14. **Summary No. 4011**
Introduced by: Administration on 9/5/23
Planning Commission recommended **DENIAL** on 8/22/23

AN ORDINANCE TO APPROVE **DOCKET Z-2023-013**, PETITION OF DARRYLE ESTOPINAL FOR A ZONING CHANGE FROM R-1 (SINGLE FAMILY RESIDENTIAL) TO C-2 (GENERAL COMMERCIAL). SITE LOCATION: 1 CARROLL DRIVE, CHALMETTE LA 70043.

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15. **Summary No. 4012**

Introduced by: Administration on 9/5/23

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

AN ORDINANCE TO APPROVE **DOCKET Z-2023-014**, PETITION OF DARRYLE ESTOPINAL FOR A ZONING CHANGE FROM R-1 (SINGLE FAMILY RESIDENTIAL) TO C-2 (GENERAL COMMERCIAL). SITE LOCATION: 2 CARROLL DRIVE, CHALMETTE LA 70043.

16. **Summary No. 4013**

Introduced by: Administration on 9/5/23

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

AN ORDINANCE TO APPROVE **DOCKET Z-2023-015**, PETITION OF CHARLES LOESCHER FOR A ZONING CHANGE FROM I-2 (HEAVY INDUSTRIAL) TO I-1 (LIGHT INDUSTRIAL). SITE LOCATION: (PARCEL# 439900000449)1913 REE STREET, CHALMETTE LA 70043.

17. **Summary No. 4014**

Introduced by: Administration on 9/5/23

AN ORDINANCE TO AMEND **ORDINANCE SBPC #2469-12-22**, AN ORDINANCE TO ADOPT THE 2023 ST. BERNARD PARISH ANNUAL OPERATING AND CAPITAL BUDGET.

18. **Summary No. 4015**

Introduced by: Administration on 9/5/23

AN ORDINANCE **REPEALING EMERGENCY ORDINANCE SBPC #2508-08-23**, WHICH AUTHORIZED THE RETENTION OF BLUE WILLIAMS, L.L.P., TO PROVIDE LEGAL REPRESENTATION FOR ST. BERNARD PARISH GOVERNMENT IN THE CASE OF ST. BERNARD PARISH GOVERNMENT V THE BOARD OF COMMISSIONERS FOR THE PORT OF NEW ORLEANS, 34th JDC 23-1006.

19. **Summary No. 4016**

Introduced by: Administration on 9/5/23

AN ORDINANCE TO AUTHORIZE THE RETENTION OF STERNBERG, NACARRI, AND WHITE, LLC. TO PROVIDE LEGAL REPRESENTATION FOR ST. BERNARD PARISH GOVERNMENT IN THE CASE OF ST. BERNARD PARISH GOVERNMENT V THE BOARD OF COMMISSIONERS FOR THE PORT OF NEW ORLEANS, 34th JDC 23-1006.

20. **Summary No. 4017**

Introduced by: Administration on 9/5/23

AN ORDINANCE TO AUTHORIZE THE RETENTION OF STERNBERG, NACARRI, AND WHITE, LLC. TO PROVIDE LEGAL REPRESENTATION FOR ST. BERNARD PARISH GOVERNMENT IN THE CASE OF ALORA MADERE, IN HER OFFICIAL CAPACITY AS THE CUSTODIAN OF RECORDS FOR THE BOARD OF COMMISSIONERS FOR THE PORT OF NEW ORLEANS V. ST. BERNARD PARISH GOVERNMENT, ET AL, NEW ORLEANS CIVIL DISTRICT COURT DOCKET NO. 23-09600/C.

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21. **Summary No. 4018**

Introduced by: Councilmember Luna on 9/5/23

AN ORDINANCE TO AMEND CHALTER 2.5; ADMINISTRATIVE ADJUDICATION, SECTION 2.5-6; POWERS OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

22. **Summary No. 4019**

Introduced by: Councilmember Moran on 9/5/23

AN ORDINANCE EMPOWERING THE ST. BERNARD PARISH COUNCIL TO FUND A VILLAGE SQUARE REVITALIZATION DEVELOPMENT.

23. **Summary No. 4020**

Introduced by: Administration on 9/5/23

AN ORDINANCE TO AUTHORIZE THE RETENTION OF GUICE A. GIAMBRONE, III OF BLUE WILLIAMS, L.L.P., TO PROVIDE LEGAL REPRESENTATION FOR ST. BERNARD PARISH GOVERNMENT IN THE CASE OF TABALIKA FORBES, ET AL. VS. ST. BERNARD PARISH GOVERNMENT, ET AL., CASE NO. 23-CV-02905, UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF LOUISIANA.

OTHER MATTERS

24. Motion to accept the Monthly Financial Summary Statement of Revenues and Expenditures and Change in Fund Balance for July, 2023.

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

EXECUTIVE SESSION

26. Motion to enter into Executive Session to discuss a new suit bearing the caption Tabalika Forbes, et al. vs. St. Bernard Parish Government, et al., Case No. 23-cv-02905-SSV-KWR (E.D.LA. 2023).
(Administration)

Next Regular scheduled Council Meeting will be held Tuesday, September 19, 2023 @ 3:00 p.m.

Approved by: *Richard "Richie" Lewis* Time: 1:10 p.m. Date: 8/31/23

#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, SEPTEMBER 5, 2023 AT SEVEN O'CLOCK P.M.

On motion of XXXX, seconded by XXXX, it was moved to approve the minutes from the August 15, 2023 Regular Council Meeting as published in the official journal, the St. Bernard Voice on Friday, August 25, 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 5th day of September, 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, September 5, 2023.

Witness my hand and the seal
of the Parish of St. Bernard on
this 5th day of September, 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, AUGUST 15, 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, August 15, 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 3:00 p.m. Members present: Council Chair Richard "Richie" Lewis, Gillis McCloskey, Joshua "Josh" Moran, Howard Luna, Wanda Alcon, Fred Everhardt, Jr., and Kerri Callais.

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

Councilmember Callais delivered the invocation and Councilmember Everhardt led the Pledge of Allegiance.

#1 On motion of Mrs. Callais, seconded by Mr. McCloskey, it was moved to approve the minutes from the August 1, 2023 Regular Council Meeting as published in the official journal, the St. Bernard Voice on Friday, August 11, 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 15th day of August, 2023.

#2 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

ABSENT: None

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

And the motion was declared **adopted** on the 15th day of August, 2023.

#4 President's Report

No action taken on this item.

#5 Recognize the Public

- David Deharde – Arabi, LA
- Travis Thurman – St. Bernard, LA

On motion of the Council Chair, without objection and by unanimous consent, it was moved to address Item #3.

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 15th day of August, 2023.

Minutes of the St. Bernard Parish Council Meeting of August 15, 2023

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#3 Councilmember's District Update

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

#6 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.

NO ONE APPEARED TO SPEAK FOR OR AGAINST THIS ITEM

#7 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.

NO ONE APPEARED TO SPEAK FOR OR AGAINST THIS ITEM

#8 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.

NO ONE APPEARED TO SPEAK FOR OR AGAINST THIS ITEM

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

RESOLUTION SBPC #2317-08-23

A RESOLUTION TO RE-APPOINT DANIEL SOLIS AS THE COLLEGE BOARD MEMBER ON THE ST. BERNARD FIRE PROTECTION DISTRICTS NO. 1 -2, FIRE CIVIL SERVICE BOARD

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 15th day of August, 2023.

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

RESOLUTION SBPC #2318-08-23

A RESOLUTION TO CALL A SPECIAL ELECTION TO FILL THE VACANCY IN THE OFFICE OF CONSTABLE, WARD I WITHIN THE PARISH OF ST. BERNARD.

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

ABSTAINED: None

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The Chairman, Mr. Lewis, cast his vote as **YEA**.

And the motion was declared **adopted** on the 15th day of August, 2023.

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

EMERGENCY ORDINANCE SBPC #2508-08-23

Summary No. 4107

AN EMERGENCY ORDINANCE TO AUTHORIZE THE RETENTION OF BLUE WILLIAMS, L.L.P., TO PROVIDE LEGAL REPRESENTATION FOR ST. BERNARD PARISH GOVERNMENT IN THE CASE OF ST. BERNARD PARISH GOVERNMENT V THE BOARD OF COMMISSIONERS FOR THE PORT OF NEW ORLEANS, 34th JDC 23-1006.

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 15th day of August, 2023.

#12 On motion of Mr. Everhardt, seconded by Mr. McCloskey, 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

Tabled on 8/1/23 until 8/15/23

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.

On motion of Mr. Everhardt, seconded by Mr. Luna, it was moved to **table** Summary No. 4095 until the September 5, 2023 Council Meeting.

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 15th day of August, 2023.

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

Summary No. 4103

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

Introduced by: Administration on 8/1/23

Public Hearing held on 8/15/23

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.

Discussion ensued;

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On motion of Mr. Everhardt, seconded by Mr. Luna, it was moved to **amend** Summary No. 4103 to add conditions:

- All extracted materials and excavation machinery shall be set back from all property lines a minimum of one hundred feet. No area of excavation shall be closer than one hundred feet to any property line or right-of-way line adjacent to or abutting an existing residential subdivision.
- All borrow pits will be required to maintain side slopes no steeper than 1:3.
- The borrow pit shall not be used for the disposal of any material not originally found in the borrow pit or approved by the Louisiana Department of Environmental Quality and the St. Bernard Parish Department of Public Works.

Discussion ensued on amendment;

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

YEAS: Luna, Everhardt

NAYS: McCloskey, Moran, Alcon, Callais

ABSENT: None

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

And the motion was declared **failed** on the 15th day of August, 2023.

The amendment failed.

On motion of Mr. Moran, seconded by Ms. Callais, it was moved to **adopt** the following ordinance as originally submitted:

ORDINANCE SBPC #2509-08-23

Summary No. 4103

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

Introduced by: Administration on 8/1/23

Public Hearing held on 8/15/23

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.

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

YEAS: McCloskey, Moran, Alcon, Callais

NAYS: Luna, Everhardt

ABSENT: None

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

And the motion was declared **adopted** on the 15th day of August, 2023.

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

Summary No. 4104

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

Introduced by: Administration on 8/1/23

Public Hearing held on 8/15/23

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.

On motion of Mr. Everhardt, seconded by Mr. Luna, it was moved to **amend** Summary No. 4104 to add conditions:

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- All extracted materials and excavation machinery shall be set back from all property lines a minimum of one hundred feet. No area of excavation shall be closer than one hundred feet to any property line or right-of-way line adjacent to or abutting an existing residential subdivision.
- All borrow pits will be required to maintain side slopes no steeper than 1:3.
- The borrow pit shall not be used for the disposal of any material not originally found in the borrow pit or approved by the Louisiana Department of Environmental Quality and the St. Bernard Parish Department of Public Works.

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

YEAS: Luna, Everhardt

NAYS: McCloskey, Moran, Alcon, Callais

ABSENT: None

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

And the motion was declared **failed** on the 15th day of August, 2023.

The amendment failed.

On motion of Ms. Callais, seconded by Mr. Moran, it was moved to **adopt** the following ordinance as originally submitted:

ORDINANCE SBPC #2510-08-23

Summary No. 4104

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

Introduced by: Administration on 8/1/23

Public Hearing held on 8/15/23

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.

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

YEAS: McCloskey, Moran, Alcon, Callais

NAYS: Luna, Everhardt

ABSENT: None

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

And the motion was declared **adopted** on the 15th day of August, 2023.

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

ORDINANCE SBPC #2511-08-23

Summary No. 4105

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

Introduced by: Administration on 8/1/23

Public Hearing held on 8/15/23

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.

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

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ABSENT: None

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

And the motion was declared **adopted** on the 15th day of August, 2023.

#16 Coastal Zone Advisory Committee

No action taken on this item.

On motion of the Council Chair, without objection and by unanimous consent, it was moved to address items #17, #18, and #19 in globo.

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 15th day of August, 2023.

#17 On motion of the Council Chair, without objection and by unanimous consent, it was moved to enter into Executive Session to review the Judgement List.

#18 On motion of the Council Chair, without objection and by unanimous consent, it was moved to enter into Executive Session to discuss Melissa Seal v St Bernard Parish, Animal Control and Amanda Forde, 34th JDC No. 22-0227.

#19 On motion of the Council Chair, without objection and by unanimous consent, it was moved to enter into Executive Session to discuss James Kildahl v. St. Bernard Parish Fire Department. OWC#22-05887.

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 15th day of August, 2023.

On 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 15th day of August, 2023.

#17 On motion of Ms. Callais, seconded by Mr. Moran, it was moved to accept the advice of legal counsel in the matter of the Judgement List.

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

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ABSENT: None

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

And the motion was declared **adopted** on the 15th day of August, 2023.

#18 On motion of Ms. Callais, seconded by Mr. Moran, it was moved to accept the advice of legal counsel in the matter of Melissa Seal v St Bernard Parish, Animal Control and Amanda Forde, 34th JDC No. 22-0227.

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 15th day of August, 2023.

#19 On motion of Ms. Callais, seconded by Mr. Moran, it was moved to accept the advice of legal counsel in the matter of James Kildahl v. St. Bernard Parish Fire Department. OWC#22-05887.

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 15th day of August, 2023.

There being no further business for discussion, the Council Chair declared the meeting adjourned at 5:05 p.m. on the 15th day of August, 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

PUBLIC HEARING NOTICE

THE ST. BERNARD PARISH COUNCIL WILL HOLD A PUBLIC HEARING ON **TUESDAY, SEPTEMBER 5, 2023 SEVEN (7:00) O'CLOCK P.M.** AT THE COUNCIL CHAMBERS OF THE GOVERNMENT COMPLEX, LOCATED AT 8201 WEST JUDGE PEREZ DRIVE, CHALMETTE, LOUISIANA TO RECEIVE COMMENTARY ON THE FOLLOWING PROPOSED ORDINANCE INTRODUCED AT THE AUGUST 1, 2023 COUNCIL MEETING:

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.

BY DIRECTION OF

Richard Lewis

RICHARD 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, SEPTEMBER 5, 2023 AT SEVEN O'CLOCK P.M.

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

RESOLUTION SBPC #2320-09-23

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

WHEREAS, the Honorable John Green resigned as of September 1, 2023, creating a vacancy in the Office of Constable, Ward "I", and;

WHEREAS, the unexpired term of said office exceeds one year; and,

WHEREAS, Ward "I" is wholly located within the boundaries of the Parish of St. Bernard.

NOW, THEREFORE, BE IT RESOLVED, that the St. Bernard Parish Council, the Governing Authority, does hereby proclaim the following:

SECTION 1. That James Bartholomae, is appointed as Interim Constable Ward "I".

SECTION 2. That a Special Election was called at the August 15, 2023 Council meeting for November 5, 2024 Primary Election and December 7, 2024 General Election with qualifying dates of July 17, 18, & 19, 2024.

SECTION 3. The Clerk of Council shall forward certified copies of this Resolution as well as the certified minutes of the meeting by certified mail within twenty-four (24) hours to the Louisiana Secretary of State, and the St. Bernard Parish Clerk of Court in accordance with Louisiana Revised Statutes 18:602.

BE IT RESOLVED, that if any provision or item of this Resolution or the application thereof is held invalid, such invalidity shall not affect other provisions, items or application of this Resolution which can be given effect without the invalid provisions, items or applications and to this end, the provisions of this Resolution are hereby declared severable.

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Extract #8 continued
September 5, 2023

BE IT FURTHER RESOLVED, that all resolution or parts thereof in conflict herewith are hereby repealed.

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

YEAS:

NAYS:

ABSENT:

ABSTAINED:

The Chairman, Mr. Lewis, cast his vote as **xxx**.

And the motion was declared **xxxx** on the 5th day of September, 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, September 5, 2023.

Witness my hand and the seal
of the Parish of St. Bernard on
this 5th day of September, 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, SEPTEMBER 5, 2023 AT SEVEN O'CLOCK P.M.

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

RESOLUTION SBPC #2321-09-23

A RESOLUTION TO CHANGE THE OCTOBER 4, 2023 COUNCIL MEETING TO OCTOBER 3, 2023.

WHEREAS, the St. Bernard Parish Council adopted Resolution SBPC# 2278-12-22 on the 6th day of December, 2022, setting forth official dates and times for all 2023 council meetings; and,

WHEREAS, the October 4, 2023 Council meeting is scheduled for 7:00 p.m.; and,

WHEREAS, the meeting date change is being moved back to its original date due to a date change for Night Out Against Crime; and,

WHEREAS, it is in the public's best interest to have ample notice to any and all date and/or time changes made to Council meetings; and,

WHEREAS, this Council is desirous to change the meeting date to October 3, 2023 at 7:00 p.m.; and,

WHEREAS, any changes to said dates and times can only occur by majority vote of the Governing Authority in a public meeting; and,

WHEREAS, this Resolution will be published in its entirety in our official journal, the St. Bernard Voice, on September 15, 2023 and September 22, 2023; and,

THEREFORE, BE IT RESOLVED, the St. Bernard Parish Council, the governing authority hereby authorizes the October 4, 2023 Council meeting be rescheduled to October 3, 2023 at 7:00 p.m.

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Extract #9 continued
September 5, 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 5th day of September, 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, September 5, 2023.

Witness my hand and the seal
of the Parish of St. Bernard on
this 5th day of September, 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, SEPTEMBER 5, 2023 AT SEVEN O'CLOCK P.M.

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

RESOLUTION SBPC #2322-09-23

A RESOLUTION TO CHANGE THE OCTOBER 17, 2023 COUNCIL MEETING TO OCTOBER 18, 2023.

WHEREAS, the St. Bernard Parish Council adopted Resolution SBPC# 2278-12-22 on the 6th day of December, 2022, setting forth official dates and times for all 2023 council meetings; and,

WHEREAS, the October 17, 2023 Council meeting is scheduled for 3:00 p.m.; and,

WHEREAS, the meeting date change is because of Night Out Against Crime; and,

WHEREAS, it is in the public's best interest to have ample notice to any and all date and/or time changes made to Council meetings; and,

WHEREAS, this Council is desirous to change the meeting date to October 18, 2023 at 3:00 p.m.; and,

WHEREAS, any changes to said dates and times can only occur by majority vote of the Governing Authority in a public meeting; and,

WHEREAS, this Resolution will be published in its entirety in our official journal, the St. Bernard Voice, on September 15, 2023 and September 22, 2023; and,

THEREFORE, BE IT RESOLVED, the St. Bernard Parish Council, the governing authority hereby authorizes the October 17, 2023 Council meeting be rescheduled to October 18, 2023 at 3:00 p.m.

Page -2-
Extract #10 continued
September 5, 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 5th day of September, 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, September 5, 2023.

Witness my hand and the seal
of the Parish of St. Bernard on
this 5th day of September, 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, SEPTEMBER 5, 2023 AT SEVEN O'CLOCK P.M.

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

RESOLUTION SBPC #2323-09-23

A RESOLUTION TO APPROVE AN ITINERANT PERMIT FOR "RAYS SEAFOOD" TO BE OPERATIONAL AT MUNICIPAL NUMBER: 201 BAYOU ROAD IN ST. BERNARD, LA.

WHEREAS, Ordinance SBPC #1308-06-12 was passed on June 5, 2012; and,

WHEREAS, the ordinance states following December 31, 2006 permits may be issued for itinerant vendors with special permission of the Council; and

WHEREAS, the property owner has issued in writing, permission for said vendor to use their location; and,

WHEREAS, no permit issued per vendor and/or location under this section shall be valid for any period beyond five (5) consecutive calendar days specified on the permit excluding special permits granted by council; and,

WHEREAS, an itinerant vendor permit may be renewed for one (1) additional consecutive period of five (5) days.

NOW THEREFORE, BE IT RESOLVED, that the St. Bernard Parish Council, the Governing Authority, does hereby approve an Itinerant Permit for "Rays Seafood", for five (5) consecutive calendar days from the date the Department of Community Development issues said permit.

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

YEAS:

Page -2-
Extract #11, continued
September 5, 2023

NAYS:

ABSENT:

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

And the motion was declared **adopted** on the 5th day of September, 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, September 5, 2023.

Witness my hand and the seal
of the Parish of St. Bernard on
this 5th day of September, 2023.

ROXANNE ADAMS
CLERK OF COUNCIL

#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, SEPTEMBER 5, 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

Tabled on 8/1/23 until 8/15/23

Tabled on 8/15/23 until 9/5/23

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.

Page -2-
Extract #12, continued
September 5, 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 5th day of September, 2023.

ROXANNE ADAMS
CLERK OF COUNCIL

RICHARD "RICHIE" LEWIS
COUNCIL CHAIR

Delivered to the Parish President _____
Date and Time

Received by _____

Approved _____ Vetoed _____

Parish President _____
Guy McInnis

Returned to Clerk of the Council _____
Date and Time

Received by _____

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.

#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, SEPTEMBER 5, 2023 AT SEVEN O'CLOCK P.M.

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

Summary No. 4106

Introduced by: Councilmember Everhardt on 8/1/23

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

Public Hearing held on 9/5/23

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.

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Extract #13, continued
September 5, 2023

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 5th day of September, 2023.

ROXANNE ADAMS
CLERK OF COUNCIL

RICHARD "RICHIE" LEWIS
COUNCIL CHAIR

Delivered to the Parish President _____
Date and Time

Received by _____

Approved _____ Vetoed _____

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Extract #13, continued
September 5, 2023

Parish President

Guy McInnis

Returned to Clerk of the Council

Date and Time

Received by

#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 5, 2023 AT SEVEN O'CLOCK P.M.

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

Summary No. 4011

Introduced by: Administration on 9/5/23

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

AN ORDINANCE TO APPROVE **DOCKET Z-2023-013**, PETITION OF DARRYLE ESTOPINAL FOR A ZONING CHANGE FROM R-1 (SINGLE FAMILY RESIDENTIAL) TO C-2 (GENERAL COMMERCIAL). SITE LOCATION: 1 CARROLL DRIVE, CHALMETTE LA 70043.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. The St. Bernard Parish Council does hereby approve **Docket Z-2023-013**, petition of Darryle Estopinal for a zoning change from R-1 (Single Family Residential) to C-2 (General Commercial).

SITE LOCATION: 1 CARROLL DRIVE, 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 #14, continued
September 5, 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 5th day of September, 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, September 5, 2023.

Witness my hand and the seal
of the Parish of St. Bernard on
this 5th day of September, 2023.

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 5, 2023 AT SEVEN O'CLOCK P.M.

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

Summary No. 4012

Introduced by: Administration on 9/5/23

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

AN ORDINANCE TO APPROVE **DOCKET Z-2023-014**, PETITION OF DARRYLE ESTOPINAL FOR A ZONING CHANGE FROM R-1 (SINGLE FAMILY RESIDENTIAL) TO C-2 (GENERAL COMMERCIAL). SITE LOCATION: 2 CARROLL DRIVE, CHALMETTE LA 70043.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. The St. Bernard Parish Council does hereby approve **Docket Z-2023-014**, petition of Darryle Estopinal for a zoning change from R-1 (Single Family Residential) to C-2 (General Commercial).

SITE LOCATION: 2 CARROLL DRIVE, 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 #15, continued
September 5, 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 5th day of September, 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, September 5, 2023.

Witness my hand and the seal
of the Parish of St. Bernard on
this 5th day of September, 2023.

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 5, 2023 AT SEVEN O'CLOCK P.M.

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

Summary No. 4013

Introduced by: Administration on 9/5/23

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

AN ORDINANCE TO APPROVE **DOCKET Z-2023-015**, PETITION OF CHARLES LOESCHER FOR A ZONING CHANGE FROM I-2 (HEAVY INDUSTRIAL) TO I-1 (LIGHT INDUSTRIAL). SITE LOCATION: (PARCEL# 439900000449)1913 REE STREET, CHALMETTE LA 70043.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. The St. Bernard Parish Council does hereby approve **Docket Z-2023-015**, petition of Charles Loescher for a zoning change from I-2 (Heavy Industrial) to I-1 (Light Industrial).

SITE LOCATION: (PARCEL# 439900000449) 1913 REE STREET, 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 #16, continued
September 5, 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 5th day of September, 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, September 5, 2023.

Witness my hand and the seal
of the Parish of St. Bernard on
this 5th day of September, 2023.

ROXANNE ADAMS
CLERK OF COUNCIL

#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 5, 2023 AT SEVEN O'CLOCK P.M.

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

Summary No. 4014

Introduced by: Administration on 9/5/23

AN ORDINANCE TO AMEND **ORDINANCE SBPC #2469-12-22**, AN ORDINANCE TO ADOPT THE 2023 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 2023 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 #17 continued
September 5, 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 5th 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, September 5, 2023.

Witness my hand and the seal
of the Parish of St. Bernard on
this 5th day of September, 2023.

ROXANNE ADAMS
CLERK OF COUNCIL

#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 5, 2023 AT SEVEN O'CLOCK P.M.

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

Summary No. 4015

Introduced by: Administration on 9/5/23

AN ORDINANCE **REPEALING EMERGENCY ORDINANCE SBPC #2508-08-23**, WHICH AUTHORIZED THE RETENTION OF BLUE WILLIAMS, L.L.P., TO PROVIDE LEGAL REPRESENTATION FOR ST. BERNARD PARISH GOVERNMENT IN THE CASE OF ST. BERNARD PARISH GOVERNMENT V THE BOARD OF COMMISSIONERS FOR THE PORT OF NEW ORLEANS, 34th JDC 23-1006.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. that **Ordinance SBPC #2508-08-23** authorized the retention of Blue Williams, L.L.P., to provide legal representation for St. Bernard Parish Government in the case of St. Bernard Parish Government v The Board of Commissioners for the Port of New Orleans, 34th JDC 23-1006 is hereby repealed in its entirety.

WHEREAS, Blue Williams, L.L.P. was originally retained as Legal Counsel for St. Bernard Parish Government to represent their interests in the above matters;

WHEREAS, Blue Williams, L.L.P. officially withdrew as Legal Counsel for St. Bernard Parish Government in the above matters.

WHEREAS, St. Bernard Parish Council believes it to be in the best interest of the citizens of St. Bernard Parish and St. Bernard Parish Government to repeal **Emergency Ordinance SBPC #2508-08-23** in its entirety.

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 5, 2023

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

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

YEAS:

NAYS:

ABSENT:

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

And the motion was declared **adopted** on the 5th 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, September 5, 2023.

Witness my hand and the seal
of the Parish of St. Bernard on
this 5th day of September, 2023.

ROXANNE ADAMS
CLERK OF COUNCIL

#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 5, 2023 AT SEVEN O'CLOCK P.M.

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

Summary No. 4016

Introduced by: Administration on 9/5/23

AN ORDINANCE TO AUTHORIZE THE RETENTION OF STERNBERG, NACARRI, AND WHITE, LLC. TO PROVIDE LEGAL REPRESENTATION FOR ST. BERNARD PARISH GOVERNMENT IN THE CASE OF ST. BERNARD PARISH GOVERNMENT V THE BOARD OF COMMISSIONERS FOR THE PORT OF NEW ORLEANS, 34th JDC 23-1006.

WHEREAS, St. Bernard Parish Government believes it to be in the best interest of the citizens of St. Bernard Parish and St. Bernard Parish Government to retain Sternberg, Nacarri, and White, LLC to represent their interests in the above matters.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. The St. Bernard Parish Council, the Governing Authority, does hereby approve and authorize the hiring of private counsel, Sternberg, Nacarri, and White LLC., to represent St. Bernard Parish Government in the case of St. Bernard Parish Government v The Board of Commissioners for the Port of New Orleans, 34th JDC 23-1006 and any matters related thereto.

SECTION 2. Compensation. The compensation shall be pursuant to the legal service fee schedule published by the Louisiana Attorney General's office.

SECTION 3. Effective Date. This Ordinance shall become effective immediately upon authorizing signature by the Parish President. In the event of a presidential veto, this Ordinance shall become effective upon a two-thirds favorable vote of the total membership of the Council pursuant to Sections 2-11 and 2-13 of the St. Bernard Parish Home Rule Charter.

Page -2-
Extract #19 continued
September 5, 2023

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

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 5th 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, September 5, 2023.

Witness my hand and the seal
of the Parish of St. Bernard on
this 5th day of September, 2023.

ROXANNE ADAMS
CLERK OF COUNCIL

#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 5, 2023 AT SEVEN O'CLOCK P.M.

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

Summary No. 4017

Introduced by: Administration on 9/5/23

AN ORDINANCE TO AUTHORIZE THE RETENTION OF STERNBERG, NACARRI, AND WHITE, LLC. TO PROVIDE LEGAL REPRESENTATION FOR ST. BERNARD PARISH GOVERNMENT IN THE CASE OF ALORA MADERE, IN HER OFFICIAL CAPACITY AS THE CUSTODIAN OF RECORDS FOR THE BOARD OF COMMISSIONERS FOR THE PORT OF NEW ORLEANS V. ST. BERNARD PARISH GOVERNMENT, ET AL, NEW ORLEANS CIVIL DISTRICT COURT DOCKET NO. 23-09600/C.

WHEREAS, St. Bernard Parish Government believes it to be in the best interest of the citizens of St. Bernard Parish and St. Bernard Parish Government to retain Sternberg, Nacarri, and White, LLC to represent their interests in the above matters.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. The St. Bernard Parish Council, the Governing Authority, does hereby approve and authorize the hiring of private counsel, Sternberg, Nacarri, and White LLC., to represent St. Bernard Parish Government in the case of Alora Madere, in her official capacity as the Custodian of Records for The Board of Commissioners for The Port of New Orleans V. St. Bernard Parish Government, et al, New Orleans Civil District Court Docket No. 23-09600/C and any matters related thereto.

SECTION 2. Compensation. The compensation shall be pursuant to the legal service fee schedule published by the Louisiana Attorney General's office.

SECTION 3. Effective Date. This Ordinance shall become effective immediately upon authorizing signature by the Parish President. In the event of a presidential veto, this Ordinance shall become effective upon a two-thirds favorable vote of the total membership of the Council pursuant to Sections 2-11 and 2-13 of the St. Bernard Parish Home Rule Charter.

Page -2-
Extract #20 continued
September 5, 2023

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

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 5th 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, September 5, 2023.

Witness my hand and the seal
of the Parish of St. Bernard on
this 5th day of September, 2023.

ROXANNE ADAMS
CLERK OF COUNCIL

#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 5, 2023 AT SEVEN O'CLOCK P.M.

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

Summary No. 4018

Introduced by: Councilmember Luna on 9/5/23

AN ORDINANCE TO AMEND CHALTER 2.5; ADMINISTRATIVE ADJUDICATION, SECTION 2.5-6; POWERS OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

THE ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. The St. Bernard Parish Council does hereby amend Chapter 2.5; Administrative Adjudication, Section 2.5-6; Powers of the St. Bernard Parish Code of Ordinances as attached as 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 #21 continued
September 5, 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 5th 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, September 5, 2023.

Witness my hand and the seal
of the Parish of St. Bernard on
this 5th day of September, 2023.

ROXANNE ADAMS
CLERK OF COUNCIL

#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 5, 2023 AT SEVEN O'CLOCK P.M.

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

Summary No. 4019

Introduced by: Councilmember Moran on 9/5/23

AN ORDINANCE EMPOWERING THE ST. BERNARD PARISH COUNCIL TO FUND A VILLAGE SQUARE REVITALIZATION DEVELOPMENT.

WHEREAS, the Parish acquired ownership of property in the former Village Square Area with grant funds that require that the property be used as green space; and,

WHEREAS, the Parish Council believes it to be in the best interest of the citizens of St. Bernard Parish and St. Bernard Parish Government that all projects be consistent with the green space amenities listed as followed a dog park, a chip and putt course, a soccer field, a softball field, and pickle ball courts. All future projects should be consistent with the public recreational uses listed above at the site of the former Village Square area.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. The Village Square Revitalization Development should be based on the initiatives and vision for public recreation uses presented in the St. Bernard Parish Comprehensive Plan. The green space amenities to be developed at the site must be approved by a majority vote of the St. Bernard Parish Council.

SECTION 2. Any funds private or public collected for the development shall be deposited with the St. Bernard Parish Government Finance Department which funds will be solely used for the development.

SECTION 3. Effective Date. This Ordinance shall become effective immediately upon authorizing signature by the Parish President. In the event of a presidential veto, this Ordinance shall become effective upon a two-thirds favorable vote of the total membership of the Council pursuant to Sections 2-11 and 2-13 of the St. Bernard Parish Home Rule Charter.

Page -2-
Extract #22 continued
September 5, 2023

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

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

YEAS:

NAYS:

ABSENT:

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

And the motion was declared **adopted** on the 5th 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, September 5, 2023.

Witness my hand and the seal
of the Parish of St. Bernard on
this 5th day of September, 2023.

ROXANNE ADAMS
CLERK OF COUNCIL

#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 5, 2023 AT SEVEN O'CLOCK P.M.

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

Summary No. 4020

Introduced by: Administration on 9/5/23

AN ORDINANCE TO AUTHORIZE THE RETENTION OF GUICE A. GIAMBRONE, III OF BLUE WILLIAMS, L.L.P., TO PROVIDE LEGAL REPRESENTATION FOR ST. BERNARD PARISH GOVERNMENT IN THE CASE OF TABALIKA FORBES, ET AL. VS. ST. BERNARD PARISH GOVERNMENT, ET AL., CASE NO. 23-CV-02905, UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF LOUISIANA.

WHEREAS, St. Bernard Parish Government believes it to be in the best interest of the citizens of St. Bernard Parish and St. Bernard Parish Government to retain Guice A. Giambro, III of Blue Williams, L.L.P. to represent their interests in the above matters.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. The St. Bernard Parish Council, the Governing Authority, does hereby approve and authorize the hiring of private counsel to represent St. Bernard Parish Government solely in the case Tabalika Forbes, et al. vs. St. Bernard Parish Government, et al., No. 23-cv-02905 (E.D.La.), and any matters related thereto.

SECTION 2. Compensation. The compensation shall be pursuant to the retention letter attached as Exhibit A.

SECTION 3. Effective Date. This ordinance shall become effective immediately upon authorizing signature by the Parish President. In the event of a presidential veto this ordinance shall become effective upon a two-thirds favorable vote of the total membership of the Council pursuant to Sections 2-11 and 2-13 of the St. Bernard Parish Home Rule Charter.

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

Page -2-
Extract #23 continued
September 5, 2023

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

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

YEAS:

NAYS:

ABSENT:

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

And the motion was declared **adopted** on the 5th day of September, 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, September 5, 2023.

Witness my hand and the seal
of the Parish of St. Bernard on
this 5th day of September, 2023.

ROXANNE ADAMS
CLERK OF COUNCIL



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GUICE A. GIAMBRONE, III | PARTNER

August 29, 2023

Via email: jstephens@stbda.org

Mr. Justin Stephens
Assistant District Attorney
St. Bernard Parish District Attorney's Office
1101 W. St. Bernard Highway
Chalmette, LA 70043

RE: Tabalika Forbes, et. al. v. St. Bernard Parish Government, et. al.
USDC EDLA Docket No. 2:23-cv-02905
Our File No.: 5253-23-1205

Dear Justin:

Please allow this letter to acknowledge receipt of the above referenced claim. This letter will also confirm that Blue Williams will represent St. Bernard Parish Government, Waldreka Johnson and Ronda Perkins in the above-referenced matter for the rates set forth in the most recent Attorney General Hourly Fee Schedule.

If you have any questions, please feel free to contact my office.

Sincerely,



GUICE A. GIAMBRONE, III
CRAIG R. WATSON
AMANDA M. PLAISCIA

GAG/tc

cc: Craig R. Watson (via email)
Amanda M. Plaiscia (via email)