

## **RESOLUTIONS ADOPTED BY THE ST. BERNARD PARISH COUNCIL IN 2013**

**(Click on each link to see the full Resolution)**

### **January 8, 2013**

- 1005** Approve permits as recommended by the Alcohol Beverage and Bingo Department.
- 1006** A resolution to request that Parish President Dave Peralta sign an amended Cooperative Endeavor Agreement with Louisiana Land Trust and the Louisiana Office of Community Development.
- 1007** A resolution requesting the Louisiana Department of Transportation and Development (LADOTD) to synchronize the current traffic lights on Judge Perez Drive (LA 39) from Doctor Meraux Boulevard to Paris Road (LA 47).

### **January 17, 2013 Special Meeting**

- 1008** Approve permits as recommended by the Alcohol Beverage and Bingo Department.

### **January 19, 2013 Special Meeting**

- 1011** Approve permits as recommended by the Alcohol Beverage and Bingo Department.

### **January 22, 2013**

- 1009** Approve permits as recommended by the Alcohol Beverage and Bingo Department.
- 1010** A resolution authorizing the Parish President to submit a grant application to the State Office of Community Development's Community Water Enrichment Fund (FY 2012-2013) for securing \$151,698.00 to replace water service lines in the vicinity of Courthouse Square, Jackson Boulevard and Pakenham Drive.

### **February 5, 2013**

- 1012** Approve permits as recommended by the Alcohol Beverage and Bingo Department.
- 1013** A resolution certifying to the Louisiana Department of Transportation and Development that St. Bernard Parish Government has and will continue to comply with all FHWA/DOTD requirements regarding performance of interim inspections, calculating the load carrying capacity and load posting deficient bridges under their jurisdiction for 2012.
- 1014** A resolution certifying to the Louisiana Department of Transportation and Development that St. Bernard Parish Government has and will continue to comply with all FHWA/DOTD requirements regarding performance of interim inspections, calculating the load carrying capacity and load posting deficient bridges under their jurisdiction for 2013.

### **February 19, 2013**

- 1015** Approve permits as recommended by the Alcohol Beverage and Bingo Department.
- 1016** Re-appointing Ruth Bertucci as the Governing Authority Board Member of the St. Bernard Fire Protection Districts No. 1 – 2 Civil Service Board.
- 1017** Authorizing Chairman to seek legal representation for Governing Authority in the Taffaro vs. Peralta lawsuit.

### **March 5, 2013**

- 1018** Approve permits as recommended by the Alcohol Beverage and Bingo Department.
- 1019** Endorsing De La Ronde Medical Center, LLC., participation in the LA Enterprise Zone Program.

- 1020 Endorsing RLH Investments LLC dba Landrieu Concrete and Cement Industries, participation in the LA Enterprise Zone Program
- 1021 Approving the application for grant funds from the FHWA Recreational Trails Program for Louisiana (FRTPL)

#### March 19, 2013

- 1022 Proclaiming March 2013 American Red Cross Month in St. Bernard Parish.
- 1023 Approve permits as recommended by the Alcohol Beverage and Bingo Department
- 1024 A resolution giving preliminary approval to the issuance of Certificates of Indebtedness, of the Parish of St. Bernard, State of Louisiana; providing certain terms of said certificates; making application to the State Bond Commission for approval if said Certificates; and providing for other matters in connection therewith.
- 1025 A resolution giving preliminary approval to the issuance of Limited Tax Certificates of Indebtedness of the Parish of St. Bernard, State of Louisiana; providing certain terms of said certificates; making application to the State Bond Commission for approval if said Certificates; and providing for other matters in connection therewith.
- 1026 A resolution giving preliminary approval to the issuance of Limited Tax Certificates of Indebtedness of Fire Protection District No. 1 of the Parish of St. Bernard, State of Louisiana; providing certain terms of said certificates; making application to the State Bond Commission for approval if said Certificates; and providing for other matters in connection therewith.
- 1027 A resolution giving preliminary approval to the issuance of Limited Tax Certificates of Indebtedness of Fire Protection District No. 2 of the Parish of St. Bernard, State of Louisiana; providing certain terms of said certificates; making application to the State Bond Commission for approval if said Certificates; and providing for other matters in connection therewith.
- 1028 a resolution stating that the ordinance that governs the cable station and cable franchise as is written shall be strictly enforced.

#### April 2, 2013

- 1029 Approve permits as recommended by the Alcohol Beverage and Bingo Department
- 1030 A resolution requesting Administration to create an ordinance to revoke and set aside the dedication of certain portions of the following streets.
- 1031 A resolution requesting that victims of the B. P. Oil Spill be exempted from taxes for any funds received by the commercial fishing industry from the B. P. settlement process or future litigation.

#### April 16, 2013

- 1032 Approve permits as recommended by the Alcohol Beverage and Bingo Department
- 1033 A resolution appointing Jennifer Lemoine, Council Assistant of the St. Bernard Parish Council.
- 1034 A requesting the Regional Planning Commission in conjunction with the Louisiana Department of Transportation and Development fund a turning lane on Judge Perez for ingress and egress of St. Bernard Parish Hospital.
- 1035 A resolution opposing any additional fresh water diversion projects in and affecting St. Bernard Parish until scientific evidence supports that such structures do not cause irreparable harm to our commercial and recreational fishing industries.
- 1036 A resolution supporting the unrestricted fund balance policy which is currently being crafted for adoption via ordinance.

### May 7, 2013

- 1037 Approve permits as recommended by the Alcohol Beverage and Bingo Department
- 1038 Endorsing Raising Cane's Restaurants, LLC., dba Raising Canes participation in the LA Enterprise Zone Program.
- 1039 Adopting the Louisiana Legislative Auditor's Questionnaire.
- 1040 Authorizing the St. Bernard Parish President to enter into the required Amendment #2 to Agreement with the State of Louisiana (Division of Administration) (Office of Community Development – Disaster Recovery Unit) to obligate \$878,501.00 of Community Development Block Grant Funds to construct a "Harbor of Refuge".  
**Tabled until the 5/21/13 Mtg.**
- 1041 Approving the issuance, sale and delivery of not exceeding Three Million Dollars (\$3,000,000) of Revenue Anticipation Notes of the Hospital Service District of the Parish of St. Bernard, State of Louisiana, and other matters relating thereto.
- 1042 Proclaiming May as "Disability History and Awareness for the St. Bernard Parish Residents in Need; We Take Care of Our Own" month in St. Bernard Parish.
- 1043 A resolution to authorize the parish president to sign a Community Development Block Grant Program disaster recovery consultant services contract with Waggoner & Ball Architects, a professional corporation for the development of an integrated water management plan/resiliency category 1 program management plan. **Tabled until the 5/21/13 Mtg.**
- 1044 A resolution to request that Parish President Dave Peralta sign an amendment to the Cooperative Endeavor Agreement with the Louisiana Land Trust and the Louisiana Office of Community Development Disaster Recovery Unit.
- 1045 A resolution to **amend Resolution SBPC #904-02-13**, to adopt guidelines for council agenda's. (attached as exhibit a)

### May 21, 2013

- 1040 Authorizing the St. Bernard Parish President to enter into the required Amendment #2 to Agreement with the State of Louisiana (Division of Administration) (Office of Community Development – Disaster Recovery Unit) to obligate \$878,501.00 of Community Development Block Grant Funds to construct a "Harbor of Refuge".
- 1043 A resolution to authorize the parish president to sign a Community Development Block Grant Program disaster recovery consultant services contract with Waggoner & Ball Architects, a professional corporation for the development of an integrated water management plan/resiliency category 1 program management plan.
- 1046 Approve permits as recommended by the Alcohol Beverage and Bingo Department
- 1047 A resolution requesting approval to amend its Community Development Block Grant (CDBG) Disaster Recovery monies in the amount of \$91,185,319.00 for support of the St. Bernard Parish Disaster Recovery Projects.
- 1048 A resolution requesting approval to allocate Community Development Block Grant (CDBG) Disaster Recovery monies in the amount of \$300,000.00 for support of the Office of Fair Housing.
- 1049 A resolution requesting approval to allocate Community Development Block Grant (CDBG) Disaster Recovery monies in the amount of \$500,000.00 for support of a Nunez Workforce Development Project.
- 1050 A resolution declaring that the St. Bernard Parish Council has read and understands that the Munster Wastewater Treatment Plant located at 3300 Munster Blvd. is meeting the treatment

effluent requirements that are that are set forth by the Louisiana Department of Environmental Quality.

#### **June 4, 2013**

- 1051** Approve permits as recommended by the Alcohol Beverage and Bingo Department
- 1052** A resolution confirming the following nominations to the St. Bernard Parish Ethics Board, as per Article VIII (Section 8-04) of the St. Bernard Parish Home Rule Charter.
- 1053** A resolution requesting that United States Senator Mary Landrieu, United States Senator David Vitter, and United States Congressman Steve Scalise immediately support all federal legislation intended to mitigate the social and economic hardships faced by the residents of St. Bernard Parish due to the pending implementation of the Biggert-Waters Act.
- 1054** A resolution renaming Livaudais Street to Mr. Norman Street.
- 1055** A resolution approving the Lacoste Community Garden plan.
- 1056A** A resolution requesting the coast guard to remove a large metal object from the Spoil Canal that is a health, safety and welfare hazard to the people and their properties that navigate the Spoil Canal.

#### **June 18, 2013**

- 1056** Approve permits as recommended by the Alcohol Beverage and Bingo Department
- 1057** Appointing a member to the Hospital Service District Board per the advertisement in the St. Bernard Voice.
- 1058** A resolution appointing The St. Bernard Voice as the Official Journal of the Parish of St. Bernard for one year beginning July 1, 2013 and ending June 30, 2014 pursuant to R.S. 43:150 and R.S. 43:174.
- 1059** A resolution authorizing the Parish President to enter into an agreement with the La Department of Transportation and Development for Chalmette Intersection Safety Improvements.
- 1060** A resolution appointing members to the Old Arabi Neighborhood Commission.
- 1061** A resolution to authorize Parish President Dave Peralta to sign an amendment to the Cooperative Endeavor Agreement with the State of Louisiana Division of Administration Office of Community Development to fund the hiring of a planner.

#### **July 2, 2013**

- 1062** Approve permits as recommended by the Alcohol Beverage and Bingo Department
- 1063** A resolution authorizing the Parish President to enter into an agreement with the La Department of Transportation and Development for Pakenham Drive and Jackson Street Couplet.

#### **July 16, 2013**

- 1063A** A resolution confirming that salvage activities associated with the removal of the abandoned stretch of railroad between milepost 0.00 at Poydras Junction and milepost 4.50 at Toca by the Alabama Great Southern Railway Company will not have any impact on federal flood control structures in St. Bernard Parish.
- 1064** A resolution authorizing the Parish President to submit a grant application to the Louisiana Housing Authority under the 2013 Emergency Solutions Grants Program to benefit the Saint Bernard Battered Women's Program, Inc.

#### **August 6, 2013**

- 1065** Approve permits as recommended by the Alcohol Beverage and Bingo Department



- 1066 A resolution appointing Pharissa Robinson as the Fair Housing Coordinator.
- 1067 A resolution authorizing the Parish President to advertise for statements of qualifications from law firms to provide professional legal service for the investigation, preparation, filing and handling of such injunctive, declaratory, or other actions as are necessary to ensure compliance with coastal zone laws, statutes and regulations.
- 1068 A resolution setting procedures for requesting Council documents.
- 1069 A resolution requesting the Louisiana Department of Transportation and Development (DOTD) to evaluate school zone signage at Chalmette High School, Willie T. Smith Elementary and Trist Middle School.

#### August 20, 2013

- 1070 Approve permits as recommended by the Alcohol Beverage and Bingo Department
- 1071 A resolution appointing a new member to the Americans with Disabilities Act Commission (ADA)
- 1072 A resolution appointing a new member to the Board of Zoning Adjustments (BZA).
- 1073 A resolution appointing the following members to the Tourist Commission.
- 1074 A resolution supporting the procurement of maps for the Department of Community Development to facilitate the Comprehensive Master Land Use Plan and disposition of the Louisiana Land Trust lots.
- 1075 A resolution authorizing the Parish President to sign and execute an agreement between St. Bernard Parish Government and the Louisiana Department of Natural Resources for the contract year which starts in July 2013 and ends June 2014.

#### September 3, 2013

- 1076 Approve permits as recommended by the Alcohol Beverage and Bingo Department.
- 1077 A resolution appointing new members to the Veterinary Board.
- 1078 A resolution by the St. Bernard Parish Council to authorize the Louisiana Land Trust (LLT) to conduct a builder bundle program via a request for proposal system to dispose of certain LLT lots that have been identified as builder bundles and have not been conveyed to St. Bernard Parish Government, as provided for in the St. Bernard Parish Redevelopment and Disposition Plan for Louisiana Land Trust Properties.
- 1079 A resolution to authorize Parish President David E. Peralta to sign an extension for the Cooperative Endeavor Agreement with the State of Louisiana Division of Administration facilitating the production of the Integrated Water Management/Resiliency Category 1 Program Management Plan.
- 1080 A resolution approving the purchase of equipment that is needed to create a government access channel for AT&T U-Verse.
- 1081 Approve permits as recommended by the Alcohol Beverage and Bingo Department.

#### September 17, 2013

- 1082 Approve permits as recommended by the Alcohol Beverage and Bingo Department
- 1083 Authorizing the travel expenses to attend the 2013 Super Region Canvas Conference
- 1084 A resolution by the St. Bernard Parish Council to approve the request for proposals for the Builder Bundle Program that was approved at the September 3, 2013 meeting
- 1085 A resolution requesting administration to refund the thirty-two dollar (\$32.00) fee that was collected in 2012 due to the current audit findings and in furtherance of Resolution SBPC #985-01-12
- 1086 A resolution appointing seven (7) members to the St. Bernard Parish Housing Redevelopment and Quality of Life Commission.

#### **October 1, 2013**

- 1087** Approve permits as recommended by the Alcohol Beverage and Bingo Department
- 1088** Authorizing the St. Bernard Parish President to enter into the required Amendment #1 to Agreement with the State of Louisiana (Division of Administration) (Office of Community Development - Disaster Recovery Unit) to increase the Gustav – Ike allocation by \$500,000.00 from the Sustainable Coastal Communities Program.
- 1089** To temporarily change the polling location of Precincts 31, 33, 34 and 35 from Chalmette High School Cafeteria to Chalmette High School Gym Lobby.

#### **October 15, 2013**

- 1090** Approve permits as recommended by the Alcohol Beverage and Bingo Department
- 1091** A resolution stating St. Bernard Parish Council interest in participation in the Louisiana Enterprise Zone Act Louisiana R.S. 51:1781-1791 designates the portions of the 2010 census tract and block groups as Louisiana Enterprise Zone(s).
- 1092** A resolution of St. Bernard Parish Council requesting designation of Enterprise Zone and to otherwise provide with respect thereto.
- 1093** A resolution stating the St. Bernard Parish Council interest in participation in the Louisiana Enterprise Zone Program and designation of Enterprise Zones and Economic Development Zones and to otherwise provide with respect thereto.

#### **November 5, 2013**

- 1094** Approve permits as recommended by the Alcohol Beverage and Bingo Department.
- 1095** A resolution approving the purchase of playground equipment for Sidney Torres Park.
- 1096** A resolution to dedicate and or restrict the remaining \$9.3 million of the \$50 million bond proceeds to fund the Parish's responsibility relating to specific capital projects as outlined herein.
- 1097** A resolution authorizing the parish president to enter into an agreement to replace those water supply lines deemed by engineering firms to require immediate replacement and seek alternative revenue sources and the best financing sources available. The estimated cost for the water line replacement project is estimated at \$21 million.

#### **November 19, 2013**

- 1098** Approve permits as recommended by the Alcohol Beverage and Bingo Department
- 1099** A resolution authorizing Administration to solicit firms to perform a study as it pertains to industry standards regarding water and sewer.
- 1100** A resolution authorizing the Parish President to submit a loan application form 100A and accompanying documents to the Department of Health and Hospitals on behalf of St. Bernard Parish for the purpose of placing improvements to the St. Bernard Parish Water District – PWS ID NO. 1087001 on the comprehensive priority list for funding through the Drinking Water Revolving Loan Fund Program.
- 1101** A resolution establishing a Master Plan as primary project for Gustav – Ike funding of the St. Bernard Parish Council St. Bernard Parish, Louisiana. **Tabled**
- 1102** A resolution appointing Katherine Tommaseo to the State's Battle of New Orleans Bicentennial Commission.
- 1103** A resolution requesting partial reimbursement for expenses incurred for the 2013 Super Region Canvas Conference.
- 1104** Donate Civic center for HSD Xmas party.

### **December 3, 2013**

- 1105** Approve permits as recommended by the Alcohol Beverage and Bingo Department
- 1106** Approving the dates and times of the 2014 Council meetings.
- 1107** A resolution establishing a Master Plan as primary project for Gustav – Ike funding of the St. Bernard Parish Council St. Bernard Parish, Louisiana.
- 1108** Resolution authorizing the Parish President to submit a grant application to the Louisiana Office of Community Development (Division of Administration) for the purpose of securing \$124,800.00 from the 2013-2014 Louisiana Governmental Assistance Program to acquire vacant land in the Village Square Hazard Mitigation Footprint.
- 1109** A resolution to re-appoint Andrew Sercovich to the Hospital Service District of St. Bernard Parish, State of Louisiana.

### **December 17, 2013**

- 1110** Approve permits as recommended by the Alcohol Beverage and Bingo Department
- 1111** A resolution giving preliminary approval to the issuance of not exceeding two million two hundred thousand dollars (\$2,200,000) of limited tax certificates of indebtedness of the parish of St. Bernard, State of Louisiana; providing certain terms of said certificates; making application to the state bond commission for approval of said certificates; and providing for other matters in connection therewith.
- 1114** A resolution to pay invoices numbered 00019 and 00017 by Perez APC, the total amount of payment being thirty one thousand five hundred dollars (\$31,500). The payment of the above invoices are to be paid out of the \$1.3 million contingency funding (Miscellaneous debt) of the \$50 million bond.
- 1115** A resolution retaining the Tonry law firm, LLC as legal counsel representing St. Bernard Parish Council and to authorize a contract for said services.



# *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

**#5**

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, JANUARY 8, 2013 AT SEVEN O'CLOCK P.M.

On motion of Mr. Hunnicutt, seconded by Mr. McInnis, it was moved to adopt the following resolution:

## **RESOLUTION SBPC #1005-01-13**

BE IT RESOLVED, that the St. Bernard Parish Council, the Governing Authority, does hereby approve the following permits as recommended by the Alcohol Beverage and Bingo Department:

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

<u>Establishment</u>	<u>Beer</u>	<u>Liquor</u>
Renewals:		
a. Last Stop Food Mart, LLC d/b/a Last Stop Food Mart LLC 4513 East LA Highway 46 St. Bernard, LA 70085 Member: Margaret B. Kramer	X	X
b. Moneymaker, LLC d/b/a Zig's Hideout 105 Bayou Road St. Bernard, LA 70085 Member: Thomas Pacaccio, Jr.	X	X

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the St. Bernard Parish District Attorney and the St. Bernard Parish Sheriff's Office.

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

**YEAS:** Lauga, Gorbaty, Hunnicutt, Montelongo, McInnis

**NAYS:** None



## *St. Bernard Parish Council*

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at Large*

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**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
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District E*

**Roxanne Adams**  
*Clerk of Council*

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Extract #5 continued  
January 8, 2013

**ABSENT:**      Lewis

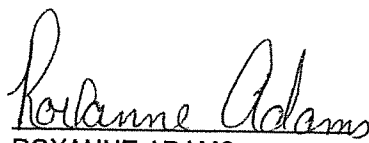
The Council Chair, Mr. Cavnagac, cast his vote as **ABSTAINED**.

And the motion was declared **adopted** on the 8<sup>th</sup> day of January, 2013.

### **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, January 8, 2013.

Witness my hand and the seal  
of the Parish of St. Bernard on  
this 8<sup>th</sup> day of January, 2013.

  
ROXANNE ADAMS  
CLERK OF COUNCIL



# *St. Bernard Parish Council*

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**Guy McInnis**  
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at Large*

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**#6**

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, JANUARY 8, 2013 AT SEVEN O'CLOCK P.M.

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

## **RESOLUTION SBPC #1006-01-13**

A RESOLUTION TO REQUEST THAT PARISH PRESIDENT DAVE PERALTA SIGN AN AMENDED COOPERATIVE ENDEAVOR AGREEMENT WITH LOUISIANA LAND TRUST AND THE LOUISIANA OFFICE OF COMMUNITY DEVELOPMENT.

WHEREAS, the Parish, LLT and OCD shall enter into an amended Cooperative Endeavor Agreement as attached, (Exhibit A) wherein they agree to certain matters concerning implementing grant under the Community Development Block Grant Disaster Recovery Program through the Road Home Homeowner Assistance Program located in the parish (the "CEA").

NOW THEREFORE, BE IT RESOLVED, that the St. Bernard Parish Council, the governing authority, does hereby authorize the Parish President to sign the amended Cooperative Endeavor Agreement between St. Bernard Parish, Louisiana Land Trust and the Louisiana Office of Community Development.

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

**YEAS:** Lauga, Gorbaty, Lewis, Hunnicutt, Montelongo, McInnis

**NAYS:** None

**ABSENT:** None

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

And the motion was declared **adopted** on the 8<sup>th</sup> day of January, 2013.





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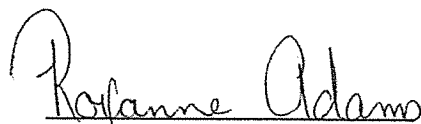
**Roxanne Adams**  
*Clerk of Council*

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Extract #6 continued  
January 8, 2013

## 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, January 8, 2013.

Witness my hand and the seal  
of the Parish of St. Bernard on  
this 8<sup>th</sup> day of January, 2013.

  
ROXANNE ADAMS  
CLERK OF COUNCIL

**STATE OF LOUISIANA**  
**DIVISION OF ADMINISTRATION**  
**OFFICE OF COMMUNITY DEVELOPMENT – DISASTER RECOVERY UNIT**

**COOPERATIVE ENDEAVOR AGREEMENT**

**IMPLEMENTING GRANT UNDER THE COMMUNITY DEVELOPMENT BLOCK**  
**GRANT DISASTER RECOVERY PROGRAM THROUGH THE**  
**ROAD HOME HOMEOWNER ASSISTANCE PROGRAM**

**ST BERNARD PARISH**

This Cooperative Endeavor Agreement (“Agreement”) is entered into by and between **ST BERNARD PARISH** (“Grantee”), the Louisiana Road Home Corporation d/b/a the Louisiana Land Trust (“LLT”) and the **STATE OF LOUISIANA, DIVISION OF ADMINISTRATION, OFFICE OF COMMUNITY DEVELOPMENT** (“OCD”), each represented herein by their undersigned duly authorized representatives. Grantee, LLT and the OCD may sometimes hereinafter be collectively referred to as the “Parties” and individually as a “Party.

**PREAMBLES**

WHEREAS, Article VII, Section 14(c) of the Constitution of the State of Louisiana provides, “For a public purpose, the State and its political subdivisions or political corporations may engage in cooperative endeavors with each other, with the United States or its agencies, or with any public or private association, corporation, or individual”; and

WHEREAS, in the aftermath of Hurricanes Katrina and Rita, the United States Congress, through Public Laws 109-148, and 109-234, and 110-116 appropriated funds to the U.S. Department of Housing and Urban Development (“HUD”) Community Development Block Grant (“CDBG”) Program for use through the State of Louisiana for disaster recovery; and

WHEREAS, the OCD, on behalf of the State of Louisiana (the “State”), administers the State’s CDBG disaster recovery program (the “CDBG Disaster Recovery Program”), which is subject to the Federal statutes and regulations governing CDBG grants, as modified by exceptions and waivers previously granted and which may hereinafter be granted by HUD; and

WHEREAS, Louisiana’s First Action Plan (Katrina/Rita) and Louisiana’s Second Action Plan (Katrina/Rita), along with various amendments, which were submitted to and approved by HUD, detail the Road Home Homeowner Assistance Program (the “Road Home Program”), which is the State’s hurricane recovery program designed to aid certain homeowners affected by Hurricanes Katrina and/or Rita. Action Plan Amendment No. 20 to Louisiana’s First Action Plan (Katrina/Rita) and Action Plan Amendment No. 7 to

WHEREAS, the Parties now wish to further provide for the transfer of all Road Home Program properties in the Parish of St Bernard currently held by LLT, as of July 1, 2012, which equals 2,496 parcels of property (the "Property") and for payment to Grantee of funds from the Disaster CDBG Community Revitalization Program Income Fund 1 for direct management costs of the properties transferred by LLT to Grantee and for other CDBG eligible activities, as approved by the OCD; and

WHEREAS, the public purpose to be derived from this Agreement is to assist Grantee, as a part of the CDBG Disaster Recovery Program through the Road Home Program, in the recovery and rebuilding of the Parish of St Bernard from damage suffered by Hurricanes Katrina and/or Rita; and

WHEREAS, the actions of the OCD and Grantee will result in a public benefit described in detail in this Agreement not disproportionate to the consideration in this Agreement; and

NOW, THEREFORE, in consideration of the promises and the mutual representations, warranties, and covenants herein contained, the receipt and sufficiency of which are hereby acknowledged, the Parties hereby agree as follows:

#### **I. SCOPE OF AGREEMENT**

##### **A. Grant Award**

Subject to the terms and conditions of this Agreement, the OCD, as administrator of the CDBG Disaster Recovery Program, shall make available to Grantee and LLT, collectively, up to three million, ~~two hundred seventy five thousand four hundred sixty thousand, six hundred seventy dollar~~eighty nine dollars (\$~~3,460,670.00 3,275,089~~) in CDBG disaster recovery funds for the Project (as defined below) (the "Grant Funds"). See Section I.D.2. ("The Budget") below for allocation of funds to Grantee and LLT.

##### **B. Implementation of Agreement**

Grantee's rights and obligations under this Agreement are as a grant recipient as set forth in 24 CFR 570.501. Grantee shall be responsible for complying with said regulations and for implementing this Agreement in a manner satisfactory to the OCD and HUD and consistent with any applicable guidelines and standards that may be required as a condition of the OCD's providing the funds, including but not limited to all applicable CDBG Program Administration and Compliance requirements set forth by this Agreement and the Statement of Assurances (attached hereto as Appendix A) executed by Grantee and made a part hereof. The OCD's providing of Grant Funds under this Agreement is specifically conditioned on Grantee's compliance with this provision and all CDBG regulations, guidelines and standards.

No Later than April 15, 2013 all contracts in the Second Sales Program shall be closed. If the transfer agreement for a parcel of the Property in the Second Sales Program is not fully executed and closed by April 15, 2013, the LLT shall provide Grantee with written notice of such closing failure within three (3) days after the closing failure ("Second Sales Program Closing Failure Notice"). For each parcel of the Property for which Grantee receives Second Sales Program Closing Failure Notice, Grantee shall accept title to the parcel no later than May 31, 2013, pursuant to an instrument substantially similar to the instrument attached as Appendix C, and Grantee hereby agrees to accept title to such parcels of the Property.

#### **First Public Use Program**

No later than ~~September 1~~November 16, 2012, Grantee shall designate parcels of the Property for transfer to other public entities for use as green space, drainage, or other public uses in accordance with the Action Plan (the "First Public Use Program") through a notice to LLT ("First Public Use Program Notice"). The First Public Use Program Notice shall include a closing memorandum indentifying the parcels of the Property to be transferred and information regarding the recipient entities and the terms pertinent to each transfer.

No Later than ~~October 31~~December 31, 2012, all contracts in the Public Use Program shall be closed. If the transfer agreement for a parcel of the Property in the Public Use Program is not fully executed and closed by ~~October 31~~December 31, 2012, the LLT shall provide Grantee with written notice of such closing failure within three (3) days after the closing failure ("~~Sales-First Public Program~~Use Program Closing Failure Notice"). For each parcel of the Property for which Grantee receives ~~Sales-a First Public Program~~ Closing Failure Notice, Grantee shall accept title to the parcel no later than ~~December 31, 2012~~January 31, 2013 pursuant to an instrument substantially similar to the instrument attached as Appendix C, and Grantee hereby agrees to accept title to such parcels of the Property.

#### **Second Public Use Program**

No later than February 15, 2012, Grantee shall designate parcels of the Property for transfer to other public entities for use as green space, drainage, or other public uses in accordance with the Action Plan (the "Second Public Use Program") through a notice to LLT ("Second Public Use Program Notice"). Second Public Use Program Notice shall include a closing memorandum indentifying the parcels of the Property to be transferred and information regarding the recipient entities and the terms pertinent to each transfer.

No Later than March 28, 2013, all contracts in the Second Public Use Program shall be closed. If the transfer agreement for a parcel of the Property in the Second

substantially similar to the instrument attached as Appendix C, and Grantee hereby agrees to accept title to such parcels.

#### **Other Provisions**

If Grantee fails to provide timely First or Second Sales Program Notice, timely First or Second Public Use Program Notice, Lot Next Door Program Notice, or fails to accept title to any parcel of the Property as provided in this Agreement, the LLT may dispose of all of the remaining parcels of the Property in compliance with the provisions of this Agreement and the Action Plan.

Grantee's obligations under this Section (Section I(D)(1)(a)) shall be deemed complete when each parcel of the Property is transferred from LLT's inventory, whether such transfer is to Grantee directly or to a third party. Nevertheless, Grantee's obligations under this Section (Section I(D)(1)(a)) may be deemed complete, at the sole discretion of the OCD, if Grantee has substantially completed its obligations in this Section but, by no fault of Grantee, parcels of the Property still remain in LLT's inventory.

Property actually transferred to Grantee shall hereinafter be referred to as the "Transferred Property."

Notice to LLT under this section, as well as any other notice, decision or approval required of Grantee under this Agreement or otherwise pertaining to the Property, shall be through Grantee's Chief Administrative Officer or any other person he designates in writing.

#### **b. Disposition and Use of the Property**

The Property shall be used or disposed of by Grantee or the LLT, as provided above, pursuant to the Action Plan approved by the OCD and HUD, and in a manner that the transferor, whether it is Grantee or the LLT as the case may be, reasonably anticipates will meet one or more CDBG national objectives, namely urgent need, elimination of slum and blight, or benefit to low to moderate income families, as those terms are defined in federal regulations and interpreted by waivers from HUD. Otherwise, the Property shall be sold at fair market value, as determined by HUD through a process approved by HUD. The transferor of the Property, whether it is Grantee or the LLT as the case may be, shall implement any contractual arrangements necessary to ensure that each parcel of the Property meets one or more CDBG national objectives.

The LLT shall conduct all dispositions of parcels of the Property in compliance with the title and closing performance measures contained in Appendix D attached to this Agreement.

**LLT may use the Grant Funds provided in the LLT Budget in Section I.D.2 of this Agreement for Direct Management Costs of the parcels of the Property remaining in LLT's inventory through December 31, 2012. Beginning January 1, 2013, Grantee shall begin to use funds from Grantee's Program Income Fund and, if the funds in Grantee's Program Income Fund are not sufficient, Grantee shall use the Grant Funds for Direct Management Costs of the parcels the property in St. Bernard's inventory and those properties still in LLT's inventory located in St. Bernard Parish.**

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**d. Other Eligible Activities**

On the date that Grantee has fulfilled all of its obligations contained in Section I.D.1a of this Agreement, as determined by the OCD, Grantee may use the Grant Funds, if provided in Grantee's Budget, as well as the remaining funds in Grantee's Program Income Fund for reimbursement of Eligible Expenses, as defined herein, applied to projects approved by the OCD through the application process described below.

**i. Project Funding Application Process**

Grantee shall submit individual project applications to the OCD for approval of projects involving Eligible Expenses and consistent with the goals of previously submitted recovery projects in the Long Term Recovery Plan of St Bernard Parish.

The OCD shall make individual project approval determinations pursuant to CDBG and HUD guidelines and regulations. The individual project applications must include a projected schedule for completion and project budget on a form approved by OCD. Upon approval of the application, the resulting project award shall be implemented through this Agreement and subject to the terms and conditions thereof. Compliance and cooperation with OCD's monitoring of Grantee shall be deemed a requirement of this Agreement.

**ii. Eligible Expenses**

Eligible Expenses for the Grant Funds and funds in Grantee's Program Income Fund include those applied to eligible activities, as defined in the program-applicable current, pending, and future Action Plans and Action Plan Amendments (refer to <http://www.doa.louisiana.gov/cdbg/DRactionplans.htm>), that are recovery-related, and are otherwise in furtherance of the intent of this Agreement and the goals and objectives as set forth above, when approved by the OCD in accordance with eligibility rules under CDBG guidelines and subject to limitations established by the OCD.



The OCD shall be the responsible entity for conducting environmental reviews for each parcel of the Property in compliance with CDBG and HUD environmental review requirements. An environmental review with a written Notice to Proceed from the OCD Environmental Officer must be issued prior to the transfer of each parcel of the Property, until the duration of CDBG requirements end pursuant to Section I(D)(3)(c).

**b. Tracking Mechanism for Environmental Reviews**

The OCD shall track the Property until they cease to be covered by CDBG program requirements and HUD environmental review requirements as noted above.

**c. Duration of CDBG Requirements**

All CDBG requirements, as set forth in this Agreement and its attachments, apply to the transfer and use of each parcel of the Property until:

- i. The parcel of the Property has been sold at fair market value, pursuant to 24 CFR 570.489(j) and 570.503(b)(7), or
- ii. The parcel of the Property has been transferred to a Low to Moderate Income Household,
- iii. The parcel of the Property has been transferred to a higher income homeowner who prevents or eliminates slum and blight, or
- iv. The activity performed on, the use of, or the transfer of the parcel of Property meets a national objective, as defined in 24 CFR §570.208.

**d. Continuing Obligations**

For each parcel of the Property conveyed or transferred to a person or entity other than Grantee, regardless of the transferor, in which one of the events identified in Section I(D)(3)(c) has not occurred as a result of the conveyance, Grantee ensures and is responsible for taking any and all necessary actions to ensure, that the following obligations are met:

- i. A written Notice to Proceed is obtained from the OCD Environmental Officer prior to any subsequent disposition of each parcel of the Property. This obligation continues until a national objection, as defined in 24 CFR §570.208, is met.
- ii. If the proposed known reuse changes from that identified in the last completed environmental review or an environmental

requires OCD to repay to HUD for the parcel of the Property on which the written Notice to Proceed was not obtained. In the event that a HUD finding against the OCD is the result of a Notice to Proceed that was amended, rescinded or revoked by the OCD following a valid Notice to Proceed correctly obtained by the transferor prior to the disposition of the parcel of the Property at issue, Grantee shall not be obligated to indemnify the OCD for that particular HUD finding, unless notice of the amended, rescinded or revoked notice was communicated to the Grantee prior to the transfer in question.

#### **4. Mitigation Plan**

Grantee shall be responsible for ensuring that the Project considers and proposes a mitigation plan to minimize damage in the event of future floods and/or hurricanes.

#### **5. Citizen Participation Requirements**

Grantee shall comply with all HUD and OCD citizen participation requirements and the citizen participation requirements set forth in the Action Plan and all current, pending and future applicable Action Plan Amendment(s) (refer to <http://www.doa.louisiana.gov/cdbg/DRactionplans.htm>).

#### **6. Assurances**

Grantee and the LLT shall be responsible for implementing the recovery activities in compliance with all state and federal laws and regulations. It shall be Grantee's and the LLT's responsibility to require that all of its contractors, and all tiers of their subcontractors, adhere to all applicable state and federal laws and regulations, and to conduct all necessary monitoring for such compliance. As to laws and regulations which apply to the use of CDBG funds, Grantee has prior to the execution of this Agreement executed the Statement of Assurances, attached hereto as Appendix A, reflecting compliance with those listed laws and regulations, which shall be deemed to be requirements of this Agreement. Similarly, as to laws and regulations which apply to the use of CDBG funds, the LLT has prior to the execution of this Agreement executed the Statement of Assurances, attached hereto as Appendix A-1, reflecting compliance with those listed laws and regulations, which shall be deemed to be requirements of this Agreement. As to any other laws and regulations which may apply to construction projects, Grantee and the LLT shall be responsible for determining the applicable laws and regulations and ensuring compliance therewith.

As between the Parties to this Agreement, Grantee, as the administrator of the recovery efforts of Grantee bears sole responsibility for implementing such recovery efforts.

Agreement, including any monitoring obligations that would otherwise survive its termination, shall cease. Nevertheless, the LLT may be required by the OCD to provide the OCD with information necessary to conduct such monitoring, including but not limited to, updated property and program income tracking information.

**F. Duplication of Benefits**

Duplication of Benefits is prohibited. If Grantee is eligible or becomes eligible to receive funding for the same costs covered under this Agreement, Grantee agrees to pursue recovery and/or funding through such sources with due diligence and, to the extent of recovery of such alternate sources, reimburse the OCD for the funding under this Agreement.

If funding from alternate sources becomes available to Grantee which the OCD agrees applies to both Eligible Expenses and expenses that are not eligible under this Agreement, Grantee may apply such funds first to expenses that are not eligible under this Agreement and second to Eligible Expenses that are in excess of amounts paid under this Agreement.

**II. PAYMENT PROCESS**

For the use of funds from Grantee's Program Income Fund for Direct Management Costs and Eligible Expenses, if provided for in Grantee's Budget, Grantee shall provide to the OCD, on dates and on a form to be provided by the OCD, support documentation designed to verify the eligible use of funds in and expenditures from Grantee's Program Income Fund.

The following payment process shall apply to the Grant Funds:

- A. Grantee and the LLT are permitted to submit up to two (2) draw requests per month for payment of Eligible Expenses or Direct Management Costs payable under this Agreement to the Executive Director of the OCD, or his designee, for approval. LLT shall send to Grantee a copy of draw requests submitted to the OCD. Following review and approval of the draw requests by the Executive Director or his designee, approved draw requests shall be submitted to the OCD Finance Manager, or his designee, for approval of payment. Draw requests that are not approved by the Executive Director or his designee and the OCD Finance Manager or his designee shall not be paid, but returned to Grantee or the LLT, as the case may be, for further processing.
- B. Upon approval of payment by the OCD as provided for above, payment of Eligible Expenses shall be provided to Grantee or the LLT, as the case may be, via electronic funds transfer.

1. Failure to comply with any of the rules, regulations or provisions referred to herein, or such statutes, regulations, executive orders, and HUD guidelines, policies or directives as may be applicable at any time;
2. Failure, for any reason, of Grantee to fulfill in a timely and proper manner the obligations under this Agreement;
3. Submission by Grantee of reports to the OCD, HUD, or either of their auditors of reports that are incorrect or incomplete in any material respect, provided Grantee is given notice of said failure and fails to correct the same within a reasonable amount of time; or
4. Ineffective or improper use of funds as provided for under this Agreement.

If, through any cause, Grantee shall otherwise fail to fulfill in a timely and proper manner, its obligations under this Agreement, or if Grantee shall violate any of the covenants, agreements, or stipulations of this Agreement, the OCD shall thereupon have the right to terminate this Agreement by giving written notice to Grantee of such termination and specifying the effective date thereof, at least thirty (30) days prior to the effective date of said termination.

**C. Termination for Convenience**

The OCD may terminate the Agreement in whole or in part at any time by giving at least thirty (30) days prior written notice to Grantee. Grantee shall be entitled to payment on requests submitted up to the date of termination contained within the notice, to the extent that requests represent eligible activities satisfactorily completed and otherwise reimbursable under the terms of this Agreement.

**D. Termination Due to Unavailable Funding**

The continuation of this Agreement is contingent upon the appropriation and release of sufficient funds to the OCD to fulfill the requirements of this Agreement. Failure of the appropriate authorities to approve and provide an adequate budget to the OCD for fulfillment of the Agreement terms shall constitute reason for termination of the Agreement by either Party. Grantee shall be paid for all authorized services properly performed prior to termination.

**E. Grantee's Program Income Fund Upon Termination**

In the event that this Agreement is terminated pursuant to any of the provisions contained in Section III(B), Section III(C) or Section III(D), all funds contained in Grantee's Program Income Fund shall be returned to the OCD.

- c. Records required to determine the eligibility of services;
- d. Records required to document the acquisition, improvement, use or disposition of real property acquired or improved with CDBG assistance;
- e. Records documenting compliance with the fair housing and equal opportunity components of the CDBG program;
- f. Financial records as required by 24 CFR 570.502(a)(15);
- g. Personnel, property and financial records, adequate to identify and account for all costs pertaining to this Agreement and such other records as may be deemed necessary by the OCD to assure proper accounting for all project funds; and
- h. Other records necessary to document compliance with Subpart K of 24 CFR Part 570, regarding environmental requirements.

## **2. Retention of Records**

Grantee shall retain all financial records, supporting documents, statistical records, and all other records pertinent to the Agreement for a period of five (5) years after closeout of this Agreement.

## **3. Access to Records**

The OCD, the Division of Administration (“DOA”), the State Legislative Auditor, HUD, the Comptroller General of the United States, and any of their duly authorized representatives or agents shall have access to any books, documents, papers and records of Grantee which are directly pertinent to this Agreement for the purpose of audits, examinations, and making excerpts and transcriptions.

Grantee shall provide citizens with reasonable access to records regarding the past use of CDBG funds, consistent with applicable state and local laws regarding privacy and obligations of confidentiality.

## **4. Close-outs**

Grantee’s obligation under this Agreement shall not end until all close-out requirements as set forth in 24 CFR 570.509 are completed. The terms of this Agreement shall remain in effect during any period that Grantee has control over CDBG funds, including program income.

## **5. Audits & Inspections**

## **V. HUD/CDBG COMPLIANCE PROVISIONS**

### **A. General Compliance**

Grantee agrees to comply with the requirements of Title 24 of the Code of Federal Regulations, Part 570 (the U.S. Housing and Urban Development regulations concerning Community Development Block Grants (CDBG)) including subpart K of these regulations, except that (1) Grantee does not assume the OCD's environmental responsibilities described in 24 CFR 570.604 and (2) Grantee does not assume the OCD's responsibility for initiating the review process under the provisions of 24 CFR Part 52. Grantee also agrees to comply with all other applicable federal, state and local laws, regulations and policies governing the funds available under this Agreement to supplement rather than supplant funds otherwise available.

Grantee agrees that it shall be responsible for insuring compliance of all of its construction contracts with any applicable mandatory contract language, including but not limited to:

1. Compliance with the Copeland "Anti-Kickback" Act (18 U.S.C. 874) as supplemented in Department of Labor regulations (29 CFR part 3)
2. Compliance with the Davis-Bacon Act (40 U.S.C. 3141 *et seq.*) as supplemented by Department of Labor regulations (29 CFR part 5)
3. Compliance with all applicable standards, orders, or requirements issued under section 306 of the Clean Air Act (42 U.S.C. 1857 (h)), section 508 of the Clean Water Act (33 U.S.C. 1368), Executive Order 11738, and Environmental Protection Agency regulations (40 CFR part 15).
4. Mandatory standards and policies relating to energy efficiency which are contained in the state energy conservation plan issued in compliance with the Energy Policy and Conservation Act (Pub. L. 94A 163, 89 Stat. 871).
5. Compliance with applicable uniform administrative requirements described in 24 CFR 570.502.
6. Certification by Grantee's contractors and each tier of subcontractors that such contractors and subcontractors are not on the List of Parties Excluded from Federal Procurement or Nonprocurement Programs promulgated in accordance with



Grantee shall also comply with the current Louisiana Code of Governmental Ethics, as applicable.

**D. Section 3 Compliance in the Provision of Training, Employment and Business Opportunities**

The work to be performed under this contract is subject to the requirements of section 3 of the Housing and Urban Development Act of 1968, as amended, 12 U.S.C. 1701u (section 3). The purpose of section 3 is to ensure that employment and other economic opportunities generated by HUD assistance or HUD-assisted projects covered by section 3, shall, to the greatest extent feasible, be directed to low- and very low-income persons, particularly persons who are recipients of HUD assistance for housing.

The parties to this contract agree to comply with HUD's regulations in 24 CFR part 135, which implement section 3. As evidenced by their execution of this contract, the parties to this contract certify that they are under no contractual or other impediment that would prevent them from complying with the part 135 regulations.

Grantee agrees to send to each labor organization or representative of workers with which Grantee has a collective bargaining agreement or other understanding, if any, a notice advising the labor organization or workers' representative of Grantee's commitments under this section 3 clause, and will post copies of the notice in conspicuous places at the work site where both employees and applicants for training and employment positions can see the notice. The notice shall describe the section 3 preference, shall set forth minimum number and job titles subject to hire, availability of apprenticeship and training positions, the qualifications for each; and the name and location of the person(s) taking applications for each of the positions; and the anticipated date the work shall begin.

Grantee agrees to include this section 3 clause in every subcontract subject to compliance with regulations in 24 CFR part 135, and agrees to take appropriate action, as provided in an applicable provision of the subcontract or in this section 3 clause, upon a finding that the subcontractor is in violation of the regulations in 24 CFR part 135. Grantee will not subcontract with any subcontractor where Grantee has notice or knowledge that the subcontractor has been found in violation of the regulations in 24 CFR part 135.

Grantee will certify that any vacant employment positions, including training positions, that are filled (1) after Grantee is selected but before the contract is executed, and (2) with persons other than those to whom the regulations of 24 CFR part 135 require employment opportunities to be directed, were not filled to circumvent Grantee's obligations under 24 CFR part 135.

real property acquired or improved under this Agreement after the expiration of the five-year period.

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

## **VI. GENERAL CONDITIONS**

### **A. "Independent Contractor"**

Nothing contained in this Agreement is intended to, or shall be construed in any manner, as creating or establishing the relationship of employer/employee between the Parties. Grantee shall at all times remain an "independent contractor" with respect to the services to be performed under this Agreement. The OCD shall be exempt from payment of all unemployment compensation, FICA, retirement, life and/or medical insurance and workers' compensation insurance, as Grantee is an independent contractor.

### **B. Hold Harmless**

Grantee shall hold harmless, defend and indemnify the OCD from any and all claims, actions, suits, charges and judgments whatsoever that arise out of Grantee's performance or nonperformance of the services or subject matter called for in this Agreement.

### **C. Workers' Compensation**

Grantee shall provide workers' compensation insurance coverage for all of its employees involved in the performance of this Agreement

### **D. Insurance & Bonding**

Grantee shall carry sufficient insurance coverage to protect contract assets from loss due to theft, fraud and/or undue physical damage, and as a minimum shall purchase a blanket fidelity bond, or equivalent insurance acceptable to the OCD, covering all employees in an amount equal to cash advances from the OCD.

### **E. OCD Recognition**

may be removed from their respective counterpart and attached to a single original of this instrument.

**J. Entire Agreement**

This Agreement constitutes the entire understanding and reflects the entirety of the undertakings between the Parties with respect to the subject matter hereof, superseding all negotiations, prior discussions and preliminary agreements. There is no representation or warranty of any kind made in connection with the transactions contemplated hereby that is not expressly contained in this Agreement.

**K. No Authorship Presumptions**

Each of the Parties has had an opportunity to negotiate the language of this Agreement in consultation with legal counsel prior to its execution. No presumption shall arise or adverse inference be drawn by virtue of authorship. Each Party hereby waives the benefit of any rule of law that might otherwise be applicable in connection with the interpretation of this Agreement, including but not limited to any rule of law to the effect that any provision of this Agreement shall be interpreted or construed against the Party who (or whose counsel) drafted that provision. The rule of no authorship presumption set forth in this section is equally applicable to any person that becomes a Party by reason of assignment and/or assumption of this Agreement and any successor to a signatory Party.

**L. Applicable Law, Controversies and Venue**

Any claim or controversy arising out of this Agreement shall be resolved under the processes set forth in La. Revised Statute 39:1524-1526.

This Agreement shall be governed by and construed in accordance with the laws of Louisiana. Exclusive venue and jurisdiction shall be vested in the Nineteenth Judicial District Court, Parish of East Baton Rouge, State of Louisiana.

**M. No Personal Liability of Individual Representatives**

No covenant or agreement contained in this Agreement shall be deemed to be the covenant or agreement of any official, trustee, officer, agent or employee of any corporate Party in his individual capacity, and neither the officers of any Party nor any official executing this Agreement shall be personally liable with respect to this Agreement or be subject to any personal liability or accountability under this Agreement by reason of the execution and delivery of this Agreement.

**N. Delay or Omission**

Grantee agrees not to use proceeds from this Agreement to urge any elector to vote for or against any candidate or proposition on an election ballot nor shall such funds be used to lobby for or against any proposition or matter having the effect of law being considered by the Louisiana Legislature or any local governing authority. This provision shall not prevent the normal dissemination of factual information relative to a proposition on any election ballot or a proposition or matter having the effect of law being considered by the Louisiana Legislature or any local governing authority.

Grantee and all of its sub-contractors shall certify that they have complied with the Byrd Anti-Lobbying Amendment (31 U.S.C. 1352) and that it will not and has not used Federal appropriated funds to pay any person or organization for influencing or attempting to influence an officer or employee of any agency, a member of Congress, officer or employee of Congress, or an employee or a member of Congress in connection with obtaining any Federal contract, grant or any other award covered by 31 U.S.C. 1352. Grantee and each of its sub-contractors shall also disclose any lobbying with non-Federal funds that takes place in connection with obtaining any Federal award.

**T. Subcontractors**

Grantee may, with prior written permission from the OCD, enter into subcontracts with third parties for the performance of any part of Grantee's duties and obligations. In no event shall the existence of a subcontract operate to release or reduce the liability of Grantee to the OCD for any breach in the performance of Grantee's or any subcontractor's duties.

**U. Copyright**

No materials, including but not limited to reports, maps, or documents produced as a result of this Agreement, in whole or in part, shall be available to Grantee for copyright purposes. Any such material produced as a result of this Agreement that might be subject to copyright is the property of and all rights shall belong to the OCD.

All records, reports, documents, or other material or data, including electronic data, related to this Agreement and/or obtained or prepared by Grantee, and all repositories and databases compiled or used, regardless of the source of information included therein, in connection with performance of the services contracted for herein shall become the property of the OCD, and shall, upon request, be returned by Grantee to the OCD at termination or expiration of this Agreement. Cost incurred by Grantee to compile and transfer information for return to the OCD shall be billed on a time and materials basis, subject to the maximum amount of this Agreement. Software and other materials owned by Grantee prior to the date of this Agreement and not related to this Agreement shall be and remain the property of Grantee.

State of Louisiana  
Division of Administration  
Office of Community Development  
P.O. Box 94095  
Baton Rouge, Louisiana 70804-9095  
Facsimile: 225-342-1947

**To Grantee:**

**ST BERNARD PARISH**  
President David E. Peralta  
St. Bernard Parish Government  
8201 W. Judge Perez Drive  
Chalmette, Louisiana 70043

**To LLT:**

Chairman of the Board of Directors  
11601 Southfork Avenue, Building D  
Baton Rouge, Louisiana 70816

Executive Director  
Road Home Corporation  
11601 Southfork Avenue, Building D  
Baton Rouge, Louisiana 70816

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## APPENDIX A

### GRANTEE STATEMENT OF ASSURANCES

This Applicant/Grantee/Subrecipient hereby assures and certifies that:

1. It possesses legal authority to apply for a Community Development Block Grant ("CDBG") and to execute the proposed CDBG program.
2. Its governing body has duly adopted, or passed as an official act, a resolution, motion, or similar action authorizing the filing of the CDBG application and directing and authorizing the person identified as the official representative of the Applicant/Grantee/Subrecipient to act in connection with the application, sign all understandings and assurances contained therein, and to provide such additional information as may be required.
3. It has facilitated citizen participation by providing adequate notices containing the information specified in the program instructions and by providing citizens an opportunity to review and submit comments on the proposed application.
4. Its chief executive officer, or other officer or representative of Applicant/Grantee/Subrecipient approved by the State:
  - a. Consents to assume the status of a responsible federal official under the National Environmental Policy Act of 1969 (42 U.S.C.A. §4331, et seq.) insofar as the provisions of such Act apply to the proposed CDBG Program; and
  - b. Is authorized and consents, on behalf of the Applicant/Grantee/Subrecipient and himself, to submit to the jurisdiction of the federal courts for the purpose of enforcement of Applicant/Grantee/Subrecipient's responsibilities and his or her responsibilities as an official.
5. It will develop the CDBG program and use CDBG funds so as to give maximum feasible priority to activities that will benefit low and moderate income families, aid in the prevention or elimination of slums or blight, or meet other community development needs having a particular urgency.
6. It will comply with the following applicable federal grant management regulations, policies, guidelines, and/or requirements as they relate to the application, acceptance, and use of federal funds: OMB Circular A-87 (Cost Principles for State, Local and Indian Tribal Governments) as amended and made part of State regulations; A-102 (Grants and Cooperative Agreements with State and Local Governments), as amended and made part of State regulations; OMB Circular A-133 (Audits of States, Local Governments, and Non-Profit Organizations), revised; OMB Circular A-21 (Cost Principles for Educational Institutions); A-122 (Cost Principles for Non-Profit Organizations); 24 CFR Part 85 (Administrative Requirements for Grants and Cooperative Agreements to State, Local and Federally Recognized Indian Tribal Governments) and 24 CFR Part 84 (Uniform Administrative Requirements For Grants and Agreements With Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations).
7. It will administer and enforce the labor standards requirements set forth in 24 CFR §570.603 and any other regulations issued to implement such requirements.



housing and non-discrimination in the sale or rental of housing built with federal assistance.

- e. Executive Order 11246, as amended by Executive Orders 11375 and 12086, and the regulations issued pursuant thereto, which provide that no person shall be discriminated against on the basis of race, color, religion, sex or national origin in all phases of employment during the performance of federal or federally assisted construction contracts. Further, contractors and subcontractors on federal and federally assisted construction contracts shall take affirmative action to insure fair treatment in employment, upgrading, demotion, or transfer, recruitment or recruitment advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training and apprenticeship.
- f. Section 504 of the Rehabilitation Act of 1973, as amended, which provides that no otherwise qualified individual shall, solely, by reason of his or her handicap be excluded from participation, denied program benefits or subjected to discrimination on the basis of age under any program or activity receiving federal funding assistance.

11. The work to be performed by Grantee is subject to the requirements of section 3 of the Housing and Urban Development Act of 1968, as amended, 12 U.S.C. 1701u (section 3). The purpose of section 3 is to ensure that employment and other economic opportunities generated by HUD assistance or HUD-assisted projects covered by section 3, shall, to the greatest extent feasible, be directed to low- and very low-income persons, particularly persons who are recipients of HUD assistance for housing.

Grantee agrees to comply with HUD's regulations in 24 CFR part 135, which implement section 3. Grantee also certifies that there are under no contractual or other impediment that would prevent it from complying with the part 135 regulations.

Grantee agrees to send to each labor organization or representative of workers with which the Grantee has a collective bargaining agreement or other understanding, if any, a notice advising the labor organization or workers' representative of the Grantee's commitments under this section 3 clause, and will post copies of the notice in conspicuous places at the work site where both employees and applicants for training and employment positions can see the notice. The notice shall describe the section 3 preference, shall set forth minimum number and job titles subject to hire, availability of apprenticeship and training positions, the qualifications for each; and the name and location of the person(s) taking applications for each of the positions; and the anticipated date the work shall begin.

Grantee agrees to include this section 3 clause in every subrecipient agreement and contract subject to compliance with regulations in 24 CFR part 135, and agrees to take appropriate action, as provided in an applicable provision of such contract or in this section 3 clause, upon a finding that the subrecipient or contractor is in violation of the regulations in 24 CFR part 135. Grantee will not contract with any subrecipient or contractor where the contractor has notice or knowledge that the subrecipient or contractor has been found in violation of the regulations in 24 CFR part 135.

Policies Act of 1970 (42 U.S.C. 4601 et seq., Pub. L. 91-646) and amendments thereto shall be provided to the displaced person(s). Persons displaced by rehabilitation of "Non-Uniform Act" acquisition financed (in whole or in part) with CDBG funds shall be provided relocation assistance in accordance with one of the following: (1) the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as required under 24 CFR Section 570.606 (a) and HUD implementing regulations at 24 CFR Part 42; (2) the requirements in 24 CFR Section 570.606 (b) governing the Residential Antidisplacement and Relocation Assistance Plan under Section 104 (d) of the Housing and Community Development Act of 1974; (3) the relocation requirements of Section 104 (k) of the Act; (4) the relocation requirements of 24 CFR Section 570.606 (d) governing optional relocation assistance under Section 105 (a) (11) of the Act; and (5) the provisions of 24 CFR Part 511.10 (h) (2) (iii) rental Rehabilitation Program.

13. It will establish safeguards to prohibit employees from using positions for a purpose that is or gives the appearance of being motivated by a desire for private gain for themselves or others, particularly those with whom they have family, business, or other ties, in accordance with CDBG regulations.
14. It will comply with the provisions of the Hatch Act that limit the political activity of employees and the HUD regulations governing political activity at 24 CFR §570.207.
15. It will give the State and HUD, and any of their representatives or agents, access to and the right to examine all records, books, papers, or documents related to the grant.
16. It will ensure that the facilities under Applicant/Grantee/Subrecipient's ownership, lease or supervision utilized in the accomplishment of the CDBG Program are not listed on the Environmental Protection Agency's (EPA) list of violating facilities and that it will notify HUD of the receipt of any communication from the EPA Office of Federal Activities indicating that a facility to be used in the CDBG Program is being considered for listing by the EPA as a violating facility.
17. With regard to environmental impact, it will comply with the National Environmental Policy Act of 1969 (42 U.S.C. §4321-4347), and Section 104(f) of the Housing and Community Development Act of 1974 (42 U.S.C. §5304(d)).
18. It will comply with Section 106 of the National Historic Preservation Act of 1966 (16 U.S.C. 470 et seq.), as amended, Executive Order 11593, and the Preservation of Archaeological and Historical Data Act of 1966 (16 U.S.C. §469a-1 et. seq.), as amended, by:
  - a. Consulting with the State Historic Preservation Office to identify properties listed in or eligible for inclusion in the National Register of Historic Places that are subject to adverse effects (see 36 CFR Part 800) by the proposed activity; and
  - b. Complying with all requirements established by the State to avoid or mitigate adverse effects upon such properties.

Title 24 of the Code of Federal Regulations as part 35 (codified in 24 CFR 35). The purpose of this regulation is to protect young children from lead-based paint hazards in housing that is financially assisted by the Federal government or sold by the government. This regulation applies only to structures built prior to 1978.

29. It will comply with the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act of 1976 (42 U.S.C. §6901, et seq.).
30. It will comply with the Clean Air Act (42 U.S.C. §7401, et seq.), which prohibits engaging in, supporting in any way, or providing financial assistance for, licensing or permitting, or approving any activity which does not conform to the State implementation plan for national primary and secondary ambient air quality standards.
31. In relation to water quality, it will comply with:
  - e. The Safe Drinking Water Act of 1974 (42 U.S.C. §§ 201, 300(f) et seq. and U.S.C. §349), as amended, particularly Section 1424(e) (42 U.S.C. §§ 300h-303(e)), which is intended to protect underground sources of water. No commitment for federal financial assistance can be entered into for any project which the U.S. Environmental Protection Agency determines may contaminate an aquifer which is the sole or principal draining water source for an area; and
  - a. The Federal Water Pollution Control Act of 1972, as amended, including the Clear Water Act of 1977, Public Law 92-212 (33 U.S.C. §1251, et seq.) which provides for the restoration and maintenance of the chemical, physical and biological integrity of the nation's water.
32. It will comply with HUD Environmental Standards (24 CFR, Part 51 and 44 F.R. 40860-40866).
33. With regard to wildlife, it will comply with:
  - a. The Endangered Species Act of 1973, as amended (16 U.S.C. §1531 et seq.). Federally authorized and funded projects must not jeopardize the continued existence of endangered and threatened species or result in the destruction of or modification of habitat of such species which is determined by the U.S. Department of the Interior, after consultation with the state, to be critical; and
  - b. The Fish and Wildlife Coordination Act of 1958, as amended, (16 U.S.C. §661 et seq.) which requires that wildlife conservation receives equal consideration and is coordinated with other features of water resource development programs.

Signing these assurances means that Applicant/Grantee/Sub recipient agrees to implement its program in accordance with these provisions. Failure to comply can result in serious audit and/or monitoring findings that require repayment of funds to the State or expending Applicant/Grantee/Sub recipient funds to correct deficiencies.

## APPENDIX A-1

### LLT STATEMENT OF ASSURANCES

This Applicant/Grantee/Subrecipient hereby assures and certifies that:

1. It possesses legal authority to apply for a Community Development Block Grant ("CDBG") and to execute the proposed CDBG program.
2. Its governing body has duly adopted, or passed as an official act, a resolution, motion, or similar action authorizing the filing of the CDBG application and directing and authorizing the person identified as the official representative of the Applicant/Grantee/Subrecipient to act in connection with the application, sign all understandings and assurances contained therein, and to provide such additional information as may be required.
3. It has facilitated citizen participation by providing adequate notices containing the information specified in the program instructions and by providing citizens an opportunity to review and submit comments on the proposed application.
4. Its chief executive officer, or other officer or representative of Applicant/Grantee/Subrecipient approved by the State:
  - a. Consents to assume the status of a responsible federal official under the National Environmental Policy Act of 1969 (42 U.S.C.A. §4331, et seq.) insofar as the provisions of such Act apply to the proposed CDBG Program; and
  - b. Is  
authorized and consents, on behalf of the Applicant/Grantee/Subrecipient and himself, to submit to the jurisdiction of the federal courts for the purpose of enforcement of Applicant/Grantee/Subrecipient's responsibilities and his or her responsibilities as an official.
5. It will develop the CDBG program and use CDBG funds so as to give maximum feasible priority to activities that will benefit low and moderate income families, aid in the prevention or elimination of slums or blight, or meet other community development needs having a particular urgency.
6. It will comply with the following applicable federal grant management regulations, policies, guidelines, and/or requirements as they relate to the application, acceptance, and use of federal funds: OMB Circular A-87 (Cost Principles for State, Local and Indian Tribal Governments) as amended and made part of State regulations; A-102 (Grants and Cooperative Agreements with State and Local Governments), as amended and made part of State regulations; OMB Circular A-133 (Audits of States, Local Governments, and Non-Profit Organizations), revised; OMB Circular A-21 (Cost Principles for Educational Institutions); A-122 (Cost Principles for Non-Profit Organizations); 24 CFR Part 85 (Administrative Requirements for Grants and Cooperative Agreements to State, Local and Federally Recognized Indian Tribal Governments) and 24 CFR Part 84 (Uniform Administrative Requirements For Grants and Agreements With Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations).

- d. Executive Order 11063, as amended by Executive Order 12259, and the regulations issued pursuant thereto, which pertains to equal opportunity in housing and non-discrimination in the sale or rental of housing built with federal assistance.
  - e. Executive Order 11246, as amended by Executive Orders 11375 and 12086, and the regulations issued pursuant thereto, which provide that no person shall be discriminated against on the basis of race, color, religion, sex or national origin in all phases of employment during the performance of federal or federally assisted construction contracts. Further, contractors and subcontractors on federal and federally assisted construction contracts shall take affirmative action to insure fair treatment in employment, upgrading, demotion, or transfer, recruitment or recruitment advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training and apprenticeship.
  - f. Section 504 of the Rehabilitation Act of 1973, as amended, which provides that no otherwise qualified individual shall, solely, by reason of his or her handicap be excluded from participation, denied program benefits or subjected to discrimination on the basis of age under any program or activity receiving federal funding assistance.
11. The work to be performed by Applicant/Grantee/Subrecipient is subject to the requirements of section 3 of the Housing and Urban Development Act of 1968, as amended, 12 U.S.C. 1701u (section 3). The purpose of section 3 is to ensure that employment and other economic opportunities generated by HUD assistance or HUD-assisted projects covered by section 3, shall, to the greatest extent feasible, be directed to low- and very low-income persons, particularly persons who are recipients of HUD assistance for housing.

Applicant/Grantee/Subrecipient agrees to comply with HUD's regulations in 24 CFR part 135, which implement section 3. Applicant/Grantee/Subrecipient also certifies that there are under no contractual or other impediment that would prevent it from complying with the part 135 regulations.

Applicant/Grantee/Subrecipient agrees to send to each labor organization or representative of workers with which the Applicant/Grantee/Subrecipient has a collective bargaining agreement or other understanding, if any, a notice advising the labor organization or workers' representative of the Applicant/Grantee/Subrecipient's commitments under this section 3 clause, and will post copies of the notice in conspicuous places at the work site where both employees and applicants for training and employment positions can see the notice. The notice shall describe the section 3 preference, shall set forth minimum number and job titles subject to hire, availability of apprenticeship and training positions, the qualifications for each; and the name and location of the person(s) taking applications for each of the positions; and the anticipated date the work shall begin.

Applicant/Grantee/Subrecipient agrees to include this section 3 clause in every subrecipient agreement and contract subject to compliance with regulations in 24 CFR part 135, and agrees to take appropriate action, as provided in an applicable provision of such contract or in this section 3 clause, upon a finding that the subrecipient or contractor is in

families and individuals and that the range of choices available to such persons will not vary on account of their race, color, religion, national origin, sex, or source of income; and

- e. Assure that if displacement is precipitated by CDBG funded activities that require the acquisition (either in whole or in part) of real property, all appropriate benefits required by the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4601 et seq., Pub. L. 91-646) and amendments thereto shall be provided to the displaced person(s). Persons displaced by rehabilitation of "Non-Uniform Act" acquisition financed (in whole or in part) with CDBG funds shall be provided relocation assistance in accordance with one of the following: (1) the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as required under 24 CFR Section 570.606 (a) and HUD implementing regulations at 24 CFR Part 42; (2) the requirements in 24 CFR Section 570.606 (b) governing the Residential Antidisplacement and Relocation Assistance Plan under Section 104 (d) of the Housing and Community Development Act of 1974; (3) the relocation requirements of Section 104 (k) of the Act; (4) the relocation requirements of 24 CFR Section 570.606 (d) governing optional relocation assistance under Section 105 (a) (11) of the Act; and (5) the provisions of 24 CFR Part 511.10 (h) (2) (iii) rental Rehabilitation Program.
- 13. It will establish safeguards to prohibit employees from using positions for a purpose that is or gives the appearance of being motivated by a desire for private gain for themselves or others, particularly those with whom they have family, business, or other ties, in accordance with CDBG regulations.
  - 14. It will comply with the provisions of the Hatch Act that limit the political activity of employees and the HUD regulations governing political activity at 24 CFR §570.207.
  - 15. It will give the State and HUD, and any of their representatives or agents, access to and the right to examine all records, books, papers, or documents related to the grant.
  - 16. It will ensure that the facilities under Applicant/Grantee/Subrecipient's ownership, lease or supervision utilized in the accomplishment of the CDBG Program are not listed on the Environmental Protection Agency's (EPA) list of violating facilities and that it will notify HUD of the receipt of any communication from the EPA Office of Federal Activities indicating that a facility to be used in the CDBG Program is being considered for listing by the EPA as a violating facility.
  - 17. With regard to environmental impact, it will comply with the National Environmental Policy Act of 1969 (42 U.S.C. §4321-4347), and Section 104(f) of the Housing and Community Development Act of 1974 ( 42 U.S.C. §5304(d)).
  - 18. It will comply with Section 106 of the National Historic Preservation Act of 1966 (16 U.S.C. 470 et seq.), as amended, Executive Order 11593, and the Preservation of Archaeological and Historical Data Act of 1966 (16 U.S.C. §469a-1 et. seq.), as amended, by:

27. It will comply with the Farmland Protection Policy Act, 7 U.S.C.A. §4201 et seq., which requires recipients of federal assistance to minimize the extent to which their projects contribute to the unnecessary and irreversible commitment of farmland to nonagricultural uses.
28. It will comply with Sections 1012 and 1013 of Title X of the Housing and Community Development Act of 1992 (Public Law 102-550, as amended). The regulation appears within Title 24 of the Code of Federal Regulations as part 35 (codified in 24 CFR 35). The purpose of this regulation is to protect young children from lead-based paint hazards in housing that is financially assisted by the Federal government or sold by the government. This regulation applies only to structures built prior to 1978.
29. It will comply with the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act of 1976 (42 U.S.C. §6901, et seq.).
30. It will comply with the Clean Air Act (42 U.S.C. §7401, et seq.), which prohibits engaging in, supporting in any way, or providing financial assistance for, licensing or permitting, or approving any activity which does not conform to the State implementation plan for national primary and secondary ambient air quality standards.
31. In relation to water quality, it will comply with:
  - a. The Safe Drinking Water Act of 1974 (42 U.S.C. §§ 201, 300(f) et seq. and U.S.C. §349), as amended, particularly Section 1424(e) (42 U.S.C. §§ 300h-303(e)), which is intended to protect underground sources of water. No commitment for federal financial assistance can be entered into for any project which the U.S. Environmental Protection Agency determines may contaminate an aquifer which is the sole or principal draining water source for an area; and
  - b. The Federal Water Pollution Control Act of 1972, as amended, including the Clear Water Act of 1977, Public Law 92-212 (33 U.S.C. §1251, et seq.) which provides for the restoration and maintenance of the chemical, physical and biological integrity of the nation's water.
32. It will comply with HUD Environmental Standards (24 CFR, Part 51 and 44 F.R. 40860-40866).
33. With regard to wildlife, it will comply with:
  - a. The Endangered Species Act of 1973, as amended (16 U.S.C. §1531 et seq.). Federally authorized and funded projects must not jeopardize the continued existence of endangered and threatened species or result in the destruction of or modification of habitat of such species which is determined by the U.S. Department of the Interior, after consultation with the state, to be critical; and

## **APPENDIX B**

### **COMPLETE CONTRACT PACKAGE CONTENTS**

Each Complete Contract Package shall contain the following documents:

- a. Completed and fully executed Purchase and Sale Agreement (on customary LLT-approved forms) including all amendments, addendums, exhibits with legal descriptions and /or price reduction supporting documents such as Growing Home and Slum and Blight agreements.
- b. If the parcel has a structure, a final determination of whether it will be demolished.
- c. All required Power of Attorney and/or Corporate Resolutions authorizing signature on behalf of an entity.
- d. Fully completed Buyer Information document.
- e. Fully completed and executed NO RIGHT OF ENTRY Document.
- f. Fully completed and executed Environmental Disclosure Documents.
- g. Fully completed and executed Hold Harmless and Elevation disclosure.
- h. Fully completed and executed Earnest Money Deposit disclosure.
- i. Fully completed and executed LMI information document required by OCD.

## **APPENDIX B**



appearing herein through NameOfAppearer, as TitleOfAppearer of NameOfEntity, on authority of Resolution No. \_\_\_\_\_, which was adopted on \_\_\_\_\_ and recorded on \_\_\_\_\_ at Instrument No.: \_\_\_\_\_ in \_\_\_\_\_ Parish, Louisiana (referred to herein as "Transferee")

with full warranty of title and with full substitution and subrogation in and to any and all rights and actions of warranty of title which Transferor has or may have against all preceding owners and vendors, the following described property (referred to herein as "Property"), the possession and delivery of which Transferee acknowledges:

**SEE EXHIBIT "A"**

**[If used for single lot transfer: INSERT LEGAL DESCRIPTION HERE]**

The improvements bearing the municipal address of: \_\_\_\_\_]

TO HAVE AND TO HOLD the Property unto the Transferee, its successors and assigns forever. Transferee accepts the transfer herein made.

The Property is conveyed together with and shall include all buildings, other improvements, component parts, fixtures, if any, located thereon, and all rights, ways, servitudes, privileges, appurtenances and advantages thereunto belonging or anywise appertaining. Transferor also conveys all of Transferor's right, title, and interest in all public ways adjoining the Property, as a private landowner, if any. This sale is made and accepted subject to any and all existing reservations, building setback lines, servitudes, easements, rights-of-way, and zoning ordinances, land use controls imposed by public authority, building restrictions, all mineral servitudes and mineral leases, subdivision ordinances, subdivision covenants, conditions and restrictions that may appear of record or on the Property and other land use controls imposed by a public authority, liens for public improvements and public safety, all shortages in area, encroachments or overlaps in boundaries or the fact that any portion of the property lies within a road or roadway, and all other matters which would be shown by a current, on the ground, survey of the Property.

Transferor, for itself and its successors and assigns, expressly reserves and retains all right, title and interest in and to all of the oil, gas, and other minerals and mineral rights in, on, or under the Property, if any. Transferor expressly waives the right to use the surface of the Property in connection with the exercise of the mineral reservation herein created, Transferor reserving the right to extract minerals from the Property only by means of directional drilling from other properties or by pooling or unitization of the Property with other tracts.

To the extent that the Property may be determined to have been transferred for less than one-half of its market value, Transferor agrees that this transfer shall be construed as a donation.

hidden or redhibitory defects in the Property, and the warranty that the Property is fit for its intended use, each of which would otherwise be imposed upon Transferor by La. C.C. Art. 2475 are hereby disclaimed by Transferor and expressly waived by Transferee. Purchaser releases Seller from any liability that may arise from Seller's actual or constructive knowledge of Purchaser's intended use of the property, or from Seller's actual or constructive knowledge of the condition of the property.

**The waiver of warranties contained herein have been called to the attention of and explained to Transferee, as acknowledged by its signature.**

Transferee acknowledges receipt of an Environmental Disclosure previously provided by Transferor. Transferee agrees to accept the Property subject to any and all conditions disclosed in that document, and to comply with all restrictions and conditions as to the use of the Property indicated in that document.

Transferee hereby releases Transferor from any claims, demands liabilities, costs or suits under or pursuant to 42 U.S.C. § 6991 et seq., 42 U.S.C. § 9601 et seq., and La. R.S. § 30:2001 et seq., together with any and all claims, demands suits or litigation under any other applicable laws, statutes, ordinances, rules and regulations, as the same may from time to time be amended, relating to any contamination on, in or under the Property, and from Hazardous Substances (as hereinafter defined) liabilities of whatsoever kind or nature, including without limitation all foreseeable and unforeseeable damages of any kind or nature and the cost of any required or necessary investigation, study, repair, clean-up detoxification, under any laws, statutes, rules and regulations (including but not limited to LAC 33: Part XI), ordinance or decree. Transferee further agrees to comply with all such laws, statutes, ordinances, rules and regulations, and to comply with any orders, decrees or judgments based thereon.

For purposes of Transferee's release of Transferor, Hazardous Substances ("Hazardous Substances") means (a) any chemicals, materials, elements or compounds or substances defined as or included in the definition of "hazardous substances," "hazardous wastes," "hazardous materials," "extremely hazardous wastes," "restricted hazardous wastes," "toxic substances," "toxic pollutants," "hazardous air pollutants," "pollutants," "contaminants," "toxic chemicals," "petroleum or petroleum products," "toxics," "hazardous chemicals," "extremely hazardous substances," "pesticides" or related materials, as now, in the past, or hereafter defined in any applicable environmental laws; (b) any petroleum or petroleum products (including but not limited to gasoline and fuel additives including MTBE and other oxygenates, typically added to gasoline or their degradation products), natural or synthetic gas, radioactive materials, asbestos-containing materials, urea formaldehyde foam insulation, and radon; and (c) any other chemical, material or substance, exposure to which is prohibited, limited or regulated by any governmental authority.

If the Property has any structure present on it at the time of transfer, Transferee hereby acknowledges that the structure is not a habitable dwelling. Transferor declares that it does not consider any structure present on the property to be "housing," and that significant rehabilitation would be required before any such structure could be made available for occupancy as housing. Although Transferor does not have specific information on the age of any structure that may be on the property, any such structure may have been built prior to 1978, and as such, may present exposure to lead from lead-based paint. Unless Transferor has expressly provided site-specific information to the Transferee stating otherwise, Transferor has no knowledge of lead-based paint and/or lead-based paint hazards in housing that may be located on the property, nor does Transferor have reports or records pertaining to lead-based paint and/or lead-based

land, and expressly waives and renounces any right to rescind or dissolve the transfer of the Property conveyed to Transferee on account of the non-fulfillment of any of the Transferee's obligations hereunder, under the Action Plan, or under CDBG Supplemental Disaster regulations and procedures; and further warrants that third parties may deal with Transferee free and clear of any vendor's lien, privilege, mortgage, resolatory condition or right of rescission. Transferor stipulates that La. R.S. 41:1338(A)(1), which relates to a public entity offering to sell property to a grantor prior to disposition to a third party, shall not apply to this Act of Transfer.

Transferor and Transferee expressly acknowledge that Transferor is a nonprofit corporation, and is exempt from the assessment or payment of ad valorem taxes assessed or bearing against the Property during the period of Transferor's ownership thereof. This exemption is recognized in a cooperative endeavor agreement with the governing authority of the parish in which the Property is located. It is further acknowledged by the parties that, as a result thereof, no monetary pro-ration of any ad valorem taxes has been made in connection with this act and that Transferee hereby relieves me, Notary, Transferor, the Title Insurance Company insuring the title to the Property in favor of Transferee, American Government Services Corporation and Ironclad Title, L.L.C., for any liability therefore.

Notwithstanding Transferor's tax exempt status, Transferor declares and Transferee acknowledges that outstanding taxes on the Property may appear on the records of local authorities responsible for tax assessment and collection. The Property is transferred subject to any outstanding taxes, and Transferee assumes responsibility for paying, appealing, or otherwise resolving any such tax liability. To the extent necessary for Transferee to take such actions, Transferor hereby assigns its rights to do so to Transferee. Transferee's responsibility in this regard extends to any tax obligation bearing against the property, regardless of whether it arises before, during, or after Transferor's period of ownership. To the extent that any taxes may be determined to be due, such taxes shall be deemed to have been prorated as of the date of this sale between Transferor and Transferee, and such proration is final between Transferor and Transferee, and Transferee shall be obligated to pay any such taxes determined to be due. Further, Transferee agrees that any ad valorem taxes assessed against the Property for any period accruing from and after the date hereof shall be the sole responsibility of Transferee.

Transferee will be responsible for providing the tax assessor for the Parish where the immovable property is located with the address where property tax and assessment notices are to be mailed. As of the date of this sale, such notices should be sent to Transferee's mailing address as shown on page one of this Act of Transfer.

The parties hereto waive the production of all mortgages and conveyance certificates and all other necessary certificates and researches, and agree to release and relieve me, Notary, from all responsibility and liability in connection with the non-production thereof. All parties signing within this instrument have declared themselves to be of full legal capacity.

All agreements and stipulations herein and all the obligations herein assumed will inure to the benefit of and be binding upon the heirs, successors and assigns of the respective parties, and Transferee, their successors and assigns, shall have and hold the Property in full ownership forever.

**THUS DONE, PASSED, AND SIGNED** in multiple originals, on this \_\_\_\_day of \_\_\_\_\_, 2012, at \_\_\_\_\_, Louisiana, by the undersigned, in

THUS DONE, PASSED, AND SIGNED in multiple originals, on this \_\_\_\_day of \_\_\_\_\_, 2012, at \_\_\_\_\_, Louisiana, by the undersigned, in the presence of me, Notary and the undersigned competent witnesses who hereunto sign our names with the undersigned, after reading of the whole.

**TRANSFeree:**

**NAMEofENTITY,**  
a body corporate and politic

By: \_\_\_\_\_

Witness: \_\_\_\_\_

Print Name: NameOfSigner

Print Name: \_\_\_\_\_

Title: TitleOfSigner

Witness: \_\_\_\_\_

Print Name: \_\_\_\_\_

\_\_\_\_\_  
**Notary Public**  
Printed Name: \_\_\_\_\_

Notary or Bar Roll No. \_\_\_\_\_ Parish, Louisiana

My Commission Expires: \_\_\_\_\_



# *St. Bernard Parish Council*

8201 West Judge Perez Drive    Chalmette, Louisiana, 70043  
(504) 278-4228    Fax (504) 278-4209  
[www.sbpbg.net](http://www.sbpbg.net)

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

**#7**

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, JANUARY 8, 2013 AT SEVEN O'CLOCK P.M.

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

## **RESOLUTION SBPC #1007-01-13**

A RESOLUTION REQUESTING THE LOUISIANA DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT (LADOTD) TO SYNCHRONIZE THE CURRENT TRAFFIC LIGHTS ON JUDGE PEREZ DRIVE (LA 39) FROM DOCTOR MERAUX BOULEVARD TO PARIS ROAD (LA 47).

WHEREAS, the St. Bernard Parish Council, the Governing Authority, is making a request to the Louisiana Department of Transportation and Development to synchronize all traffic lights on Judge Perez Drive (LA 39) from Doctor Meraux Boulevard to Paris Road (LA 47) in St. Bernard Parish both east bound and west bound, and;

WHEREAS, the traffic lights located on Judge Perez Drive (LA 39) between Doctor Meraux Boulevard to Paris Road (LA 47) are not synchronized with each other, and;

WHEREAS, these lights not being in synchronicity has caused traffic jams as well as traffic accidents, harming the people of St. Bernard Parish, and;

WHEREAS, the Governing Authority desires to provide an efficient traveling environment for the citizens of St. Bernard Parish.

NOW THEREFORE, BE IT RESOLVED, that the St. Bernard Parish Council, the Governing Authority, does hereby request the Louisiana Department of Transportation and Development synchronize the current traffic lights on Judge Perez Drive (LA 39) between Doctor Meraux Boulevard to Paris Road (LA 47) in St. Bernard Parish.



## *St. Bernard Parish Council*

8201 West Judge Perez Drive    Chalmette, Louisiana, 70043  
(504) 278-4228    Fax (504) 278-4209  
[www.sbpq.net](http://www.sbpq.net)

**Guy McInnis**  
*Councilman  
at Large*

**George Cavnac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbacy**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

Page -2-  
Extract #7 continued  
January 8, 2013

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

**YEAS:**            Lauga, Gorbacy, Lewis, Hunnicutt, Montelongo, McInnis

**NAYS:**            None

**ABSENT:**        None

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

And the motion was declared **adopted** on the 8<sup>th</sup> day of January, 2013.

### 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, January 8, 2013.

Witness my hand and the seal  
of the Parish of St. Bernard on  
this 8<sup>th</sup> day of January, 2013.

ROXANNE ADAMS  
CLERK OF COUNCIL



# *St. Bernard Parish Council*

8201 West Judge Perez Drive    Chalmette, Louisiana, 70043  
(504) 278-4228    Fax (504) 278-4209  
[www.sbpj.net](http://www.sbpj.net)

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

**#1**

EXTRACT OF THE OFFICIAL PROCEEDINGS OF THE COUNCIL OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, TAKEN AT A SPECIAL MEETING HELD IN THE COUNCIL CHAMBERS OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, 8201 WEST JUDGE PEREZ DRIVE, CHALMETTE, LOUISIANA ON THURSDAY, JANUARY 17, 2013 AT EIGHT THIRTY A.M.

On motion of Mr. Hunnicutt, seconded by Mr. McInnis, it was moved to **adopt** the following resolution:

## **RESOLUTION SBPC #1008-01-13**

BE IT RESOLVED, that the St. Bernard Parish Council, the Governing Authority, does hereby approve the following permits as recommended by the Alcohol Beverage and Bingo Department:

### **Special Event**

- |    |                       |   |
|----|-----------------------|---|
| a. | Name of Organization: | MLK Parade  |
|    | Address:              | 2409 Guerra Drive, Violet, LA 70092   |
|    | Name of Event:        | Martin Luther King, Jr. Parade  |
|    | Location of Event:    | 1100 East Judge Perez Drive to<br>8245 W. Judge Perez Drive, Chalmette,<br>LA 70043 |
|    | Date and Time:        | January 21, 2013 10:00 a.m.   |

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the St. Bernard Parish District Attorney and the St. Bernard Parish Sheriff's Office.

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

**YEAS:**            Lewis, Hunnicutt, McInnis

**NAYS:**            None

**ABSENT:**        Lauga, Gorbaty, Montelongo

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

And the motion was declared **adopted** on the 17<sup>th</sup> day of January, 2013.



# *St. Bernard Parish Council*

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*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

Page -2-  
Extract #1 continued  
January 17, 2013

## CERTIFICATE

I HEREBY CERTIFY that the above and foregoing is a true and correct copy of a motion adopted at a Special Meeting of the Council of the Parish of St. Bernard, held at Chalmette, Louisiana, on Thursday, January 17, 2013.

Witness my hand and the seal  
of the Parish of St. Bernard on  
this 17<sup>th</sup> day of January, 2013.

ROXANNE ADAMS  
CLERK OF COUNCIL





# *St. Bernard Parish Council*

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**Guy McInnis**  
Councilman  
at Large

**George Cavignac**  
Councilman  
at Large

**Ray Lauga, Jr.**  
Councilman  
District A

**Nathan Gorbata**  
Councilman  
District B

**Richard "Richie" Lewis**  
Councilman  
District C

**Casey W. Hunnicutt**  
Councilman  
District D

**Manuel "Monty" Montelongo III**  
Councilman  
District E

**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, JANUARY 22, 2013 AT THREE O'CLOCK P.M.

On motion of Mr. Hunnicutt, seconded by Mr. Gorbata, it was moved to **adopt** the following resolution:

## **RESOLUTION SBPC #1009-01-13**

BE IT RESOLVED, that the St. Bernard Parish Council, the Governing Authority, does hereby approve the following permits as recommended by the Alcohol Beverage and Bingo Department:

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

<u>Establishment</u>	<u>Beer</u>	<u>Liquor</u>
Renewals:		
1. Frozen Fantasies, LLC d/b/a Frozen Fantasies 3120 East Judge Perez Drive Meraux, LA 70075 Member(s): Harry Meraux Fisher, III. and Herbie Meraux Fisher	X	X
2. Hot Wok Buffet & Lounge, Inc., d/b/a Hot Wok Buffet & Lounge 8700 West Judge Perez Drive, Suite O Chalmette, LA 70043 Owner: Zhong Ruan Lin	X	X
3. Kelly Enterprises of Louisiana, LLC d/b/a Pastry Pantry Café 2531 Paris Road Chalmette, LA 70043 Member(s): Mark and Dawn Hamilton	X(Only)	
4. Liza K., Inc., d/b/a Yogi's Katz Lounge Yogi's Katz Lounge 3004 Paris Road Chalmette, LA 70043 Owner: Liza Kelly-Levis	X	X

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the St. Bernard Parish District Attorney and the St. Bernard Parish Sheriff's Office.



## *St. Bernard Parish Council*

8201 West Judge Perez Drive Chalmette, Louisiana, 70043

(504) 278-4228 Fax (504) 278-4209

www.sbpq.net

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

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*Councilman  
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**Casey W. Hunnicutt**  
*Councilman  
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**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

Page -2-  
Extract #12 continued  
January 22, 2013

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

**YEAS:** Lauga, Gorbato, Lewis, Hunnicutt, Montelongo

**NAYS:** None

**ABSENT:** Cavignac


The Council Vice-Chair, Mr. McInnis, cast his vote as **YEA**.

And the motion was declared **adopted** on the 22<sup>nd</sup> day of January, 2013.

### 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, January 22, 2013.

Witness my hand and the seal  
of the Parish of St. Bernard on  
this 22<sup>nd</sup> day of January, 2013.

  
ROXANNE ADAMS  
CLERK OF COUNCIL



# *St. Bernard Parish Council*

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**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**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, JANUARY 22, 2013 AT THREE O'CLOCK P.M.

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

## **RESOLUTION SBPC #1010-01-13**

A RESOLUTION AUTHORIZING THE PARISH PRESIDENT TO SUBMIT A GRANT APPLICATION TO THE STATE OFFICE OF COMMUNITY DEVELOPMENT'S COMMUNITY WATER ENRICHMENT FUND (FY 2012-2013) FOR SECURING \$151,698.00 TO REPLACE WATER SERVICE LINES IN THE VICINITY OF COURTHOUSE SQUARE, JACKSON BOULEVARD AND PAKENHAM DRIVE.

WHEREAS, the Saint Bernard Parish Water System requires improvements to the distribution system including replacing damaged existing water lines, and;

WHEREAS, Saint Bernard Parish Government is applying for \$151,698.00 from the State Office of Community Development's Community Water Enrichment Fund to replace water service lines in the vicinity of Courthouse Square, Jackson Boulevard and Pakenham Drive, and;

WHEREAS, the Governing Authority desires for the parish administration to seek funds from the State Office of Community Development's Community Water Enrichment Fund to make the necessary repairs, replacements and installation of necessary components to the Saint Bernard Parish Water System.

NOW THEREFORE, BE IT RESOLVED, that the St. Bernard Parish Council, the Governing Authority, does hereby authorize the Parish President to submit a grant application to the state Office of Community Development's Community Water Enrichment Fund (FY 2012-2013) for securing \$151,698.00 to replace water service lines in the vicinity of Courthouse Square, Jackson Boulevard and Pakenham Drive.



## *St. Bernard Parish Council*

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*Councilman  
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**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

Page -2-  
Extract #13 continued  
January 22, 2013

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

**YEAS:**            Lauga, Gorbaty, Lewis, Hunnicutt, Montelongo

**NAYS:**            None

**ABSENT:**        Cavignac

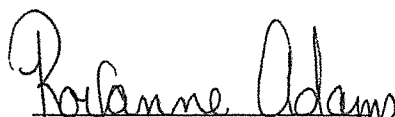
The Council Vice-Chair, Mr. McInnis, cast his vote as **YEA**.

And the motion was declared **adopted** on the 22<sup>nd</sup> day of January, 2013.

### 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, January 22, 2013.

Witness my hand and the seal  
of the Parish of St. Bernard on  
this 22<sup>nd</sup> day of January, 2013.

  
ROXANNE ADAMS  
CLERK OF COUNCIL



# *St. Bernard Parish Council*

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*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

**#1**

EXTRACT OF THE OFFICIAL PROCEEDINGS OF THE COUNCIL OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, TAKEN AT A SPECIAL MEETING HELD IN THE COUNCIL CHAMBERS OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, 8201 WEST JUDGE PEREZ DRIVE, CHALMETTE, LOUISIANA ON SATURDAY, JANUARY 19, 2013 AT ELEVEN THIRTY A.M.

On motion of Mr. Hunnicutt, seconded by Mr. Lauga, it was moved to **adopt** the following resolution:

## **RESOLUTION SBPC #1011-01-13**

BE IT RESOLVED, that the St. Bernard Parish Council, the Governing Authority, does hereby approve the following permits as recommended by the Alcohol Beverage and Bingo Department:

<u>Establishment</u>	<u>Beer</u>	<u>Liquor</u>
Renewals:		
a. DJ's Bar, Inc d/b/a/ CY's Bar 817 E. St. Bernard Highway Chalmette, LA 70043 Owner: Jacquelyn Couvillion	X	X

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the St. Bernard Parish District Attorney and the St. Bernard Parish Sheriff's Office.

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

**YEAS:** Lauga, Hunnicutt, Montelongo, McInnis

**NAYS:** None

**ABSENT:** Gorbaty, Lewis

The Council Chair, Mr. Cavignac, was absent.

And the motion was declared **adopted** on the 19<sup>th</sup> day of January, 2013.



# *St. Bernard Parish Council*

8201 West Judge Perez Drive    Chalmette, Louisiana, 70043  
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**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

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*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

Page -2-  
Extract #1 continued  
January 19, 2013

## CERTIFICATE

I HEREBY CERTIFY that the above and foregoing is a true and correct copy of a motion adopted at a Special Meeting of the Council of the Parish of St. Bernard, held at Chalmette, Louisiana, on Saturday, January 19, 2013.

Witness my hand and the seal  
of the Parish of St. Bernard on  
this 19<sup>th</sup> day of January, 2013.

ROXANNE ADAMS  
CLERK OF COUNCIL



# *St. Bernard Parish Council*

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at Large*

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*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**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, FEBRUARY 5, 2013 AT SEVEN O'CLOCK P.M.

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

## **RESOLUTION SBPC #1012-02-13**

BE IT RESOLVED, that the St. Bernard Parish Council, the Governing Authority, does hereby approve the following permits as recommended by the Alcohol Beverage and Bingo Department:

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

<u>Establishment</u>	<u>Beer</u>	<u>Liquor</u>
Renewals:		
a. Bayou Brothers Seafood, LLC d/b/a Bayou Brothers Seafood 1112 West Judge Perez Drive Chalmette, LA 70043 Member: Darrin Robin	X	X
b. Meraux Tackle Box, LLC d/b/a Meraux Tackle Box 3124 East Judge Perez Drive Meraux, LA 70075 Member: Harry M. Fisher, Jr.	X	X
c. Murphy Oil USA, Inc., d/b/a Murphy USA #7217 8001 A. West Judge Perez Drive Chalmette, LA 70043 Manager: Shariff Hassan	X	X
Change in Ownership:		
d. QC Pit Lane, LLC d/b/a QC Pit Lane 3225 East Judge Perez Drive Meraux, LA 70075 Member(s): Abdallah A. Jaber and Ahmed Jaber	X	X
e. R.A. Brothers, Inc., d/b/a Violet Food Mart 7601 East St. Bernard Highway Violet, LA 70092 Owner: Heidi L. Burnette	X	X



## *St. Bernard Parish Council*

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*Councilman  
at Large*

**George Cavnac**  
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*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

Page -2-  
Extract #11 continued  
February 5, 2013

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the St. Bernard Parish District Attorney and the St. Bernard Parish Sheriff's Office.

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

**YEAS:**            Lauga, Gorbaty, Hunnicutt, Montelongo, McInnis

**NAYS:**            None

**ABSENT:**        Lewis


The Council Chair, Mr. Cavnac, cast his vote as **ABSTAIN**.

And the motion was declared **adopted** on the 5<sup>th</sup> day of February, 2013.

### 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, February 5, 2013.

Witness my hand and the seal  
of the Parish of St. Bernard on  
this 5<sup>th</sup> day of February, 2013.

  
ROXANNE ADAMS  
CLERK OF COUNCIL





# *St. Bernard Parish Council*

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*Councilman  
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Montelongo III**  
*Councilman  
District E*

**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, FEBRUARY 5, 2013 AT SEVEN O'CLOCK P.M.

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

## **RESOLUTION SBPC #1013-02-13**

RESOLUTION CERTIFYING TO THE LOUISIANA DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT THAT ST. BERNARD PARISH GOVERNMENT HAS AND WILL CONTINUE TO COMPLY WITH ALL FHWA/DOTD REQUIREMENTS REGARDING PERFORMANCE OF INTERIM INSPECTIONS, CALCULATING THE LOAD CARRYING CAPACITY AND LOAD POSTING DEFICIENT BRIDGES UNDER THEIR JURISDICTION FOR 2012.

**WHEREAS**, the Code of Federal Regulations as enacted by the United States Congress mandates that all structures defined as bridges located on all public roads shall be inspected, rated for safe load capacity and posted in accordance with the National Bridge Inspection Standards and that an inventory of these bridges be maintained by each State; and

**WHEREAS**, the responsibility to inspect, rate and load post those bridges under the authority of St. Bernard Parish Government in accordance with those Standards is delegated by the Louisiana Department of Transportation and Development to St. Bernard Parish Government; therefore,

**WHEREAS**, this resolution was sponsored for administration by Mr. Cavignac, St. Bernard Parish Councilman at Large; and

**WHEREAS**, it is recommended by the Administration of the St. Bernard Parish Government that the Council approve said resolution.

**BE IT RESOLVED**, by the governing authority of St. Bernard Parish that the St. Bernard Parish Council, convened in regular session on February 5, 2013, does hereby certify to the Louisiana Department of Transportation and Development that they have and will continue to comply with all FHWA/DOTD requirements regarding performance of interim inspections, calculating the load carrying capacity and load posting deficient bridges under their jurisdiction for 2012.



## *St. Bernard Parish Council*

8201 West Judge Perez Drive Chalmette, Louisiana, 70043

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at Large

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Montelongo III**  
Councilman  
District E

**Roxanne Adams**  
Clerk of Council

Page -2-  
Extract #12 continued  
February 5, 2013

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Louisiana Department of Transportation and Development, Attn: Mr. John Guidry, District Maintenance Engineer, P.O. Box 9180, Bridge City, Louisiana 70096-9180; St. Bernard Parish Department of Public Works; and the Office of the Parish President.

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

**YEAS:** Lauga, Gorbaty, Lewis, Hunnicutt, Montelongo, McInnis

**NAYS:** None

**ABSENT:** None

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

And the motion was declared **adopted** on the 5<sup>th</sup> day of February, 2013.

### 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, February 5, 2013.

Witness my hand and the seal  
of the Parish of St. Bernard on  
this 5<sup>th</sup> day of February, 2013.

ROXANNE ADAMS  
CLERK OF COUNCIL



# *St. Bernard Parish Council*

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*Councilman  
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**Casey W. Hunnicutt**  
*Councilman  
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**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**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, FEBRUARY 5, 2013 AT SEVEN O'CLOCK P.M.

On motion of Mr. McInnis, seconded by Mr. Lauga, it was moved to **adopt** the following resolution:

## **RESOLUTION SBPC #1014 -02-13**

RESOLUTION CERTIFYING TO THE LOUISIANA DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT THAT ST. BERNARD PARISH GOVERNMENT HAS AND WILL CONTINUE TO COMPLY WITH ALL FHWA/DOTD REQUIREMENTS REGARDING PERFORMANCE OF INTERIM INSPECTIONS, CALCULATING THE LOAD CARRYING CAPACITY AND LOAD POSTING DEFICIENT BRIDGES UNDER THEIR JURISDICTION FOR 2013.

WHEREAS, the Code of Federal Regulations as enacted by the United States Congress mandates that all structures defined as bridges located on all public roads shall be inspected, rated for safe load capacity and posted in accordance with the National Bridge Inspection Standards and that an inventory of these bridges be maintained by each State; and

WHEREAS, the responsibility to inspect, rate and load post those bridges under the authority of St. Bernard Parish Government in accordance with those Standards is delegated by the Louisiana Department of Transportation and Development to St. Bernard Parish Government; therefore,

WHEREAS, this resolution was sponsored for administration by Mr. Cavignac, St. Bernard Parish Councilman at Large; and

WHEREAS, it is recommended by the Administration of the St. Bernard Parish Government that the Council approve said resolution.

BE IT RESOLVED, by the governing authority of St. Bernard Parish that the St. Bernard Parish Council, convened in regular session on February 5, 2013, does hereby certify to the Louisiana Department of Transportation and Development that they have and will continue to comply with all FHWA/DOTD requirements regarding performance of interim inspections, calculating the load carrying capacity and load posting deficient bridges under their jurisdiction for 2013.



## *St. Bernard Parish Council*

8201 West Judge Perez Drive    Chalmette, Louisiana, 70043  
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**Guy McInnis**  
*Councilman  
at Large*

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Extract #13 continued  
February 5, 2013

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Louisiana Department of Transportation and Development, Attn: Mr. John Guidry, District Maintenance Engineer, P.O. Box 9180, Bridge City, Louisiana 70096-9180; St. Bernard Parish Department of Public Works; and the Office of the Parish President.

**Nathan Gorbaty**  
*Councilman  
District B*

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

**Richard "Richie" Lewis**  
*Councilman  
District C*

**YEAS:**            Lauga, Gorbaty, Lewis, Hunnicutt, Montelongo, McInnis

**Casey W. Hunnicutt**  
*Councilman  
District D*

**NAYS:**            None

**ABSENT:**        None

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

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

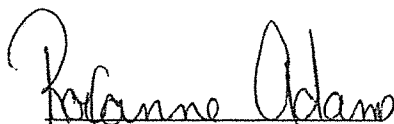
And the motion was declared **adopted** on the 5<sup>th</sup> day of February, 2013

**Roxanne Adams**  
*Clerk of Council*

### 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, February 5, 2013.

Witness my hand and the seal  
of the Parish of St. Bernard on  
this 5<sup>th</sup> day of February, 2013.

  
ROXANNE ADAMS  
CLERK OF COUNCIL



# *St. Bernard Parish Council*

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(504) 278-4228 Fax (504) 278-4209  
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**Guy McInnis**  
*Councilman  
at Large*

**#7**

**George Cavignac**  
*Councilman  
at Large*

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, FEBRUARY 19, 2013 AT THREE O'CLOCK P.M.

**Ray Lauga, Jr.**  
*Councilman  
District A*

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

**Nathan Gorbaty**  
*Councilman  
District B*

## **RESOLUTION SBPC #1015-02-13**

**Richard "Richie" Lewis**  
*Councilman  
District C*

BE IT RESOLVED, that the St. Bernard Parish Council, the Governing Authority, does hereby approve the following permits as recommended by the Alcohol Beverage and Bingo Department:

**Casey W. Hunnicutt**  
*Councilman  
District D*

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

**Manuel "Monty" Montelongo III**  
*Councilman  
District E*

#### Establishment Renewals:

Beer   Liquor

**Roxanne Adams**  
*Clerk of Council*

- |   |   |   |
|---|---|---|
| a. Jaber and Sons, Inc., d/b/a Quick Check #6<br>5815 East Judge Perez Drive Violet, LA 70092<br>Owner: Abdallah A. Jaber                         | X | X |
| b. M & A Cheema, LLC d/b/a AAA Shell<br>2601 Paris Road Chalmette, LA 70043<br>Member(s): Muhammed Cheema and Asia Cheema                         | X | X |
| c. Parish Seafood & Diner, LLC d/b/a Parish Seafood & Diner<br>6617 West Judge Perez Drive Arabi, LA 70032<br>Member: Allen J. Gaudet, III.       | X | X |
| d. Poche's Kwik Stop, LLC d/b/a Poche's Kwik Stop<br>601 East Judge Perez Drive Chalmette, LA 70043<br>Member(s): Juan K. Poche and Jonette Nagra | X | X |
| e. QC Discount, LLC d/b/a Meraux Food Store<br>2004 Paris Road Chalmette, LA 70043<br>Member: Abdallah A. Jaber                                   | X | X |



## *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

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Extract #7 continued  
February 19, 2013

**George Cavignac**  
*Councilman  
at Large*

f. QC Discount, LLC d/b/a QC Discount X X  
4725 East Judge Perez Drive Violet, LA 70092  
Member: Abdallah A. Jaber

**Ray Lauga, Jr.**  
*Councilman  
District A*

g. Quick Check, Inc., d/b/a Qick Check #4 X X  
617 Bayou Road St. Bernard, LA 70085

**Nathan Gorbaty**  
*Councilman  
District B*

Owner: Abdallah A. Jaber

**Richard "Richie" Lewis**  
*Councilman  
District C*

h. Knights of Columbus Rummet Council, Inc., d/b/a Knights of Columbus X(only)  
2107 Paris Road Chalmette, LA 70043  
Grand Knight: Ruben Saavedra

**Casey W. Hennicutt**  
*Councilman  
District D*

Change in ownership:

i. Morkin, LLC d/b/a Plantation Bar & Grill X X  
3201-A East Judge Perez Drive Meraux, LA 70075  
Member: Scott Savoie

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

### **Special Event**

**Roxanne Adams**  
*Clerk of Council*

1. Name of Organization: Los Islenos Heritage and Cultural Society  
Address: 1345-1357 Bayou Road, St. Bernard, LA 70085  
Name of Event: Los Islenos Fiesta 2013  
Location of Event: 1345-1357 Bayou Road, St. Bernard, LA 70085  
Date and Time: March 16, 2013 (11:00 a.m. - 11:00 p.m.),  
March 17, 2013 (11:00 a.m. - 11:00 p.m.)

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the St. Bernard Parish District Attorney and the St. Bernard Parish Sheriff's Office.



## *St. Bernard Parish Council*

8201 West Judge Perez Drive Chalmette, Louisiana, 70043

(504) 278-4228 Fax (504) 278-4209

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**Guy McInnis**  
*Councilman  
at Large*

**George Cavnagac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

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Extract #7 continued  
February 19, 2013

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

**YEAS:** Lauga, Gorbaty, Hunnicutt, Montelongo, McInnis

**NAYS:** None

**ABSENT:** Lewis

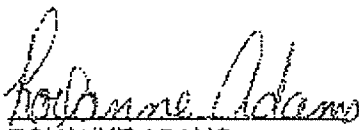
The Council Chair, Mr. Cavnagac, cast his vote as **ABSTAIN**.

And the motion was declared **adopted** on the 19<sup>th</sup> day of February, 2013.

### 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, February 19, 2013.

Witness my hand and the seal  
of the Parish of St. Bernard on  
this 19<sup>th</sup> day of February, 2013.

  
ROXANNE ADAMS  
CLERK OF COUNCIL



## *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

**#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, FEBRUARY 19, 2013 AT THREE O'CLOCK P.M.

On motion of Mr. Hunnicutt, seconded by Mr. McInnis, it was moved to adopt the following resolution:

### **RESOLUTION SBPC #1016-02-13**

A RESOLUTION TO RE-APPOINT RUTH BERTUCCI AS THE GOVERNING AUTHORITY BOARD MEMBER OF THE ST. BERNARD FIRE PROTECTION DISTRICTS NO. 1 – 2 CIVIL SERVICE BOARD.

**WHEREAS**, a vacancy exists on the St. Bernard Fire Protection Districts No. 1 – 2 Civil Service Board due the expired term of Ruth Bertucci; and

**WHEREAS**, the Council is desirous of filling the aforementioned vacancy.

**NOW THEREFORE, BE IT RESOLVED**, that the St. Bernard Parish Council, the governing authority, does hereby re-appoint Ruth Bertucci as the Governing Authority Board Member of the St. Bernard Fire Protection Districts No. 1 – 2 Civil Service Board; and

**BE IT FURTHER RESOLVED**, that this appointment shall be effective as of April 12, 2013 and shall terminate on April 12, 2016 for a term of three (3) years.

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

**YEAS:**            Lauga, Gorbaty, Hunnicutt, Montelongo, McInnis

**NAYS:**            None

**ABSENT:**        Lewis





## *St. Bernard Parish Council*

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Gey McFurris  
*Councilman  
at Large*

George Cavignac  
*Councilman  
at Large*

Ray Lauga, Jr.  
*Councilman  
District A*

Nathan Gorbaty  
*Councilman  
District B*

Richard "Richie" Lewis  
*Councilman  
District C*

Casey W. Hannicutt  
*Councilman  
District D*

Manuel "Monty"  
Montelongo III  
*Councilman  
District E*

Roxanne Adams  
*Clerk of Council*

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Extract #8 continued  
February 19, 2013


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

And the motion was declared adopted on the 19<sup>th</sup> day of February, 2013.

### 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, February 19, 2013.

Witness my hand and the seal  
of the Parish of St. Bernard on  
this 19<sup>th</sup> day of February, 2013.

  
ROXANNE ADAMS  
CLERK OF COUNCIL



## *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

**#25**

**George Cavignac**  
*Councilman  
at Large*

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, FEBRUARY 19, 2013 AT THREE O'CLOCK P.M.

**Ray Lauga, Jr.**  
*Councilman  
District A*

On motion of Mr. McInnis, seconded by Mr. Lauga, it was moved to adopt the following resolution:

**Nathan Gorbaly**  
*Councilman  
District B*

### **RESOLUTION SBPC #1017-02-13**

**Richard "Richie" Lewis**  
*Councilman  
District C*

A RESOLUTION AUTHORIZING THE COUNCIL CHAIRMAN TO NEGOTIATE AND SEEK LEGAL REPRESENTATION TO REPRESENT THE GOVERNING AUTHORITY IN THE LAWSUIT NAMED "CRAIG P. TAFFARO, JR. VERSUS DAVID E. PERALTA, WILLIAM M. MCGOEY, JARROD GOURGUES, CLAY DILLON, CRAIG DEHARDE, DONALD BOURGEOIS, AND POLICEOFFICER123@YMAIL.COM", UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF LOUISIANA, CASE NUMBER 12-2720.

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Mamrel "Monty" Montelongo III**  
*Councilman  
District E*

WHEREAS, the Council is desirous to hire outside legal counsel to represent the governing authority for legal advice.

**Roxanne Adams**  
*Clerk of Council*

NOW THEREFORE, BE IT RESOLVED, that the St. Bernard Parish Council, the governing authority, does hereby authorize the Council Chairman to negotiate and seek legal representation to represent the governing authority in the lawsuit named "Craig P. Taffaro, Jr. versus David E. Peralta, William M. McGoey, Jarrod Gourgues, Clay Dillon, Craig Deharde, Donald Bourgeois, And policeofficer123@ymail.com", United States District Court for the Eastern District of Louisiana, Case Number 12-2720

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

**YEAS:**            Lauga, Hunnicutt, Montelongo, McInnis

**NAYS:**            None

**ABSENT:**        Gorbaly, Lewis



## *St. Bernard Parish Council*

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Extract #25 continued  
February 19, 2013

**Gay McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

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

And the motion was declared adopted on the 19<sup>th</sup> day of February, 2013.

### 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, February 19, 2013.

Witness my hand and the seal  
of the Parish of St. Bernard on  
this 19<sup>th</sup> day of February, 2013.

  
ROXANNE ADAMS  
CLERK OF COUNCIL



# *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**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, MARCH 5, 2013 AT SEVEN O'CLOCK P.M.

On motion of Mr. Hunnicutt, seconded by Mr. Lauga, it was moved to **adopt** the following resolution:

## **RESOLUTION SBPC #1018-03-13**

BE IT RESOLVED, that the St. Bernard Parish Council, the Governing Authority, does hereby approve the following permits as recommended by the Alcohol Beverage and Bingo Department:

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

#### Establishment Renewals:

#### Beer Liquor

- |  |                |          |
|--|----------------|----------|
| a. LaMar Enterprises, LLC d/b/a Barker's Dozen<br>7801-B East St. Bernard Highway Violet, LA 70092<br>Member: Rolfe A. Barker  | <b>X(only)</b> |          |
| b. Pons-A-Pack, Inc., d/b/a Ponstein's Food Store<br>3523 Paris Road Chalmette, LA 70043<br>Owner: Neil Ponstein   | <b>X</b>       | <b>X</b> |
| c. Rocky & Carlo's, Inc., d/b/a Rocky & Carlo's Restaurant & Bar<br>613 West St. Bernard Highway Chalmette, LA 70043<br>Owner(s): Thomas Tommaseo, Tommoso G. Tommaseo, and Leonarda Tommaseo Gioe | <b>X</b>       | <b>X</b> |
| d. The Palms Casino & Truck Stop, Inc., d/b/a The Palms Casino<br>8001-C West St. Bernard Highway Arabi, LA 70032<br>Owner(s): Charles L. Bienvenu and John R. Bienvenu, Jr.                       | <b>X</b>       | <b>X</b> |



# *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

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Extract #11 continued  
March 5, 2013

**George Cavignac**  
*Councilman  
at Large*

- e. The Palms Casino & Truck Stop, Inc., d/b/a The Palms Truck Stop X X  
8001-A West St. Bernard Highway Arabi, LA 70032  
Owner(s): Charles L. Bienvenu and John R. Bienvenu, Jr.

**Ray Lauga, Jr.**  
*Councilman  
District A*

## **Special Event**

**Nathan Gorbaty**  
*Councilman  
District B*

1. Name of Organization: Louisiana Crawfish Festival Inc.  
Address: 2107 Paris Road, Chalmette, LA 70043  
Name of Event: Louisiana Crawfish Festival  
Location of Event: 8245 West Judge Perez Drive, Chalmette, LA 70043  
Date and Time: March 20, 2013 (5:00 p.m. - 10:00 p.m.)  
March 21, 2013 (5:00 p.m. - 10:00 p.m.)  
March 22, 2013 (2:00 p.m. - 12:00 a.m.)  
March 23, 2013 (11:00 a.m. - 12:00 a.m.)  
March 24, 2013 (11:00 a.m. - 11:00 p.m.)

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the St. Bernard Parish District Attorney and the St. Bernard Parish Sheriff's Office.

**Roxanne Adams**  
*Clerk of Council*

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

**YEAS:** Lauga, Gorbaty, Hunnicutt, Montelongo, McInnis

**NAYS:** None

**ABSENT:** Lewis

The Council Chair, Mr. Cavignac, cast his vote as **ABSENT**.

And the motion was declared **adopted** on the 5<sup>th</sup> day of March, 2013.



# *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

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Extract #11 continued  
March 5, 2013

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

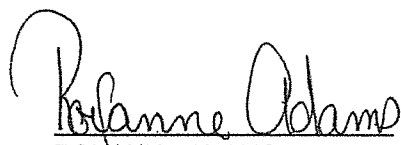
**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

## 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, March 5, 2013.

Witness my hand and the seal  
of the Parish of St. Bernard on  
this 5<sup>th</sup> day of March, 2013.

  
ROXANNE ADAMS  
CLERK OF COUNCIL



# *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**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, MARCH 5, 2013 AT SEVEN O'CLOCK P.M.

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

## **RESOLUTION SBPC #1019-03-13**

A RESOLUTION ENDORSING DE LA RONDE MEDICAL CENTER, LLC., PARTICIPATION IN THE LA ENTERPRISE ZONE PROGRAM.

WHEREAS, the Louisiana Enterprise Zone Program enacted in accordance with Act 948 of the 1992 Louisiana Legislature offers significant incentives for economic development for some of the most distressed areas in the Parish of St. Bernard; and

WHEREAS, the Louisiana Department of Economic Development has designated the Parish of St. Bernard as an Enterprise Zone eligible for participation based on demographic and economic factors; and

WHEREAS, in accordance with the Louisiana Enterprise Zone Program requirements the parish agrees:

- a. To participate in the enterprise zone program
- b. To assist the LA Department of Economic Development in evaluating progress made in any enterprise zone within its jurisdiction.
- c. Participant will not be eligible for local benefits.

NOW THEREFORE, BE IT RESOLVED, that the St. Bernard Parish Council, the governing authority does hereby endorse De La Ronde Medical Center, LLC, 8050 West Judge Perez Drive, Suite 3100, Chalmette, LA , Project #20121184 to participate in the Louisiana Enterprise Zone Program.



## *St. Bernard Parish Council*

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Extract #12 continued  
March 5, 2013

**Guy McInnis**  
*Councilman  
at Large*

**George Cavnagac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbata**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

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

**YEAS:**            Lauga, Gorbata, Lewis, Hunnicutt, Montelongo, McInnis

**NAYS:**            None

**ABSENT:**        None

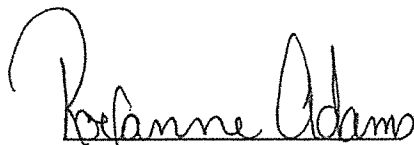
The Council Chair, Mr. Cavnagac, cast his vote as YEA.

And the motion was declared **adopted** on the 5<sup>th</sup> day of March, 2013.

### 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, March 5, 2013.

Witness my hand and the seal  
of the Parish of St. Bernard on  
this 5<sup>th</sup> day of March, 2013.

  
ROXANNE ADAMS  
CLERK OF COUNCIL





# *St. Bernard Parish Council*

8201 West Judge Perez Drive    Chalmette, Louisiana, 70043  
(504) 278-4228    Fax (504) 278-4209  
[www.sbpj.net](http://www.sbpj.net)

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**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, MARCH 5, 2013 AT SEVEN O'CLOCK P.M.

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

## **RESOLUTION SBPC #1020-03-13**

A RESOLUTION ENDORSING RLH INVESTMENTS LLC DBA LANDRIEU CONCRETE AND CEMENT INDUSTRIES, PARTICIPATION IN THE LA ENTERPRISE ZONE PROGRAM.

WHEREAS, the Louisiana Enterprise Zone Program enacted in accordance with Act 948 of the 1992 Louisiana Legislature offers significant incentives for economic development for some of the most distressed areas in the Parish of St. Bernard; and

WHEREAS, the Louisiana Department of Economic Development has designated the Parish of St. Bernard as an Enterprise Zone eligible for participation based on demographic and economic factors; and

WHEREAS, in accordance with the Louisiana Enterprise Zone Program requirements the parish agrees:

- a. To participate in the enterprise zone program
- b. To assist the LA Department of Economic Development in evaluating progress made in any enterprise zone within its jurisdiction.
- c. Participant will not be eligible for local benefits.

NOW THEREFORE, BE IT RESOLVED, that the St. Bernard Parish Council, the governing authority does hereby endorse RLH Investments LLC dba Landrieu Concrete and Cement Industries, 4141 Paris Road, Chalmette, LA, Project #20130148 to participate in the Louisiana Enterprise Zone Program.



## *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

Page -2-  
Extract #13 continued  
March 5, 2013

**George Cavignac**  
*Councilman  
at Large*

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

**Ray Lauga, Jr.**  
*Councilman  
District A*

**YEAS:**            Lauga, Gorbaty, Lewis, Hunnicutt, Montelongo, McInnis

**NAYS:**            None

**Nathan Gorbaty**  
*Councilman  
District B*

**ABSENT:**        None

**Richard "Richie" Lewis**  
*Councilman  
District C*

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

And the motion was declared **adopted** on the 5<sup>th</sup> day of March, 2013.

**Casey W. Hunnicutt**  
*Councilman  
District D*

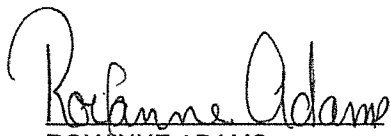
**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

### 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, March 5, 2013.

Witness my hand and the seal  
of the Parish of St. Bernard on  
this 5<sup>th</sup> day of March, 2013.

  
ROXANNE ADAMS  
CLERK OF COUNCIL



# *St. Bernard Parish Council*

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(504) 278-4228 Fax (504) 278-4209

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**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

**#25**

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, MARCH 5, 2013 AT SEVEN O'CLOCK P.M.

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

## **RESOLUTION SBPC #1021-03-13**

RESOLUTION OF THE ST. BERNARD PARISH COUNCIL APPROVING THE APPLICATION FOR GRANT FUNDS FROM THE FHWA RECREATIONAL TRAILS PROGRAM FOR LOUISIANA (FRTPL), as established by CFDA 20.219 :

WHEREAS, the US Federal Government provides funds to the State of Louisiana for grants to state, local and non-profit organizations to acquire, develop and/or maintain motorized and non-motorized trails; and

WHEREAS, the FRTPL has been delegated the responsibility for the administration of the program within the state and setting up necessary procedures governing project application under the program; and

WHEREAS, said procedures require the applicant to certify by resolution the approval of the application before the submission of said application;

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

1. Approve the filing of an application with FRTPL; and
2. Certify that the said applicant has or will have available prior to commencement of any work on the project included in this application, sufficient funds to build (including 20% local match), operate and maintain the project; and
3. Appoint the Parish President as agent of the St. Bernard Parish Government to conduct all negotiations, execute and submit all documents, including, but not limited to application, letter of commitment agreement, amendments, payment requests and completion report, which may be necessary for the completion of the aforementioned project.



## *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

Page -2-  
Extract #25 continued  
March 5, 2013

**George Cavignac**  
*Councilman  
at Large*

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

**Ray Lauga, Jr.**  
*Councilman  
District A*

**YEAS:**            Lauga, Gorbaty, Lewis, Hunnicutt, Montelongo, McInnis

**NAYS:**            None

**Nathan Gorbaty**  
*Councilman  
District B*

**ABSENT:**        None

**Richard "Richie" Lewis**  
*Councilman  
District C*

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

And the motion was declared **adopted** on the 5<sup>th</sup> day of March, 2013.

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

### 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, March 5, 2013.

Witness my hand and the seal  
of the Parish of St. Bernard on  
this 5<sup>th</sup> day of March, 2013.

ROXANNE ADAMS  
CLERK OF COUNCIL



# *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**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, MARCH 19, 2013 AT THREE O'CLOCK P.M.

On a joint motion of the Council, without objection and by unanimous consent it was moved to adopt the following resolution:

## **RESOLUTION SBPC# 1022-03-13**

A RESOLUTION PROCLAIMING MARCH 2013 AMERICAN RED CROSS MONTH IN ST. BERNARD PARISH.

WHEREAS, the American Red Cross fulfills a unique and vital role in our state, providing help and hope in the face of emergencies and disaster, and is a true reflection of the humanitarian and volunteer spirit of the American people.

WHEREAS, for nearly 100 years, Presidents have called on the American people to support the Red Cross and its humanitarian mission. In World War I, President Woodrow Wilson ordered the Red Cross to raise funds to support emergency aid to the military, as mandated by the Red Cross Congressional Charter. At that time, the American Red Cross set a goal of \$125 million and in less than six weeks donation totaled \$146 million – a tribute to the overwhelming generosity of the American public.

WHEREAS, in 1943, during World War II, President Franklin D. Roosevelt became the first president to proclaim March as Red Cross Month and called on Americans to "rededicate themselves to the splendid aims and activities of the Red Cross." President Roosevelt's call to action nearly 70 years ago started a tradition of designating March as Red Cross Month, a time to recognize and support the valuable work of the American Red Cross by making a financial contribution, donating blood, taking a life-saving class, or volunteering to help the Red Cross perform its mission.

WHEREAS, every day, sometimes more than once a day, the volunteers of the South Louisiana Region of the American Red Cross are there to save the day when a neighbor's house burns down. They are there when, as so often happens here in Louisiana, a weather-related disaster strikes. The Red Cross is there when someone needs life-saving blood, or the comfort of a helping hand. It connects military families with their loved ones in service, and provides training in CPR, aquatics safety, and first aid. It spreads humanitarian aid and goodwill to people around the world.



## *St. Bernard Parish Council*

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Extract #10 continued  
March 19, 2013

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

WHEREAS, Louisiana depends on the American Red Cross more than many states, because of our location on the Gulf Coast. Because it is not a government agency, the Red Cross depends on support from the public to continue its humanitarian work. This is especially true in these challenging economic times.

NOW THEREFORE, BE IT RESOLVED, that the St. Bernard Parish Council, the Governing Authority, does hereby proclaim March 2013 as American Red Cross Month, and respectfully request that each citizen of ST. BERNARD PARISH become partners in preparedness with their local Red Cross Chapters and to become active participants in advancing the noble mission of the Red Cross.

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

**YEAS:**            Lauga, Gorbaty, Lewis, Hunnicutt, Montelongo, McInnis

**NAYS:**            None

**ABSENT:**        None

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

And the motion was declared **adopted** on the 19<sup>th</sup> day of March, 2013.

### 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, March 19, 2013.

Witness my hand and the seal  
of the Parish of St. Bernard on  
this 19<sup>th</sup> day of March, 2013.

ROXANNE ADAMS  
CLERK OF COUNCIL



# *St. Bernard Parish Council*

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www.sbpq.net

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**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, MARCH 19, 2013 AT THREE O'CLOCK P.M.

On motion of Mr. Hunnicutt, seconded by Mr. Lauga, it was moved to adopt the following resolution:

## **RESOLUTION SBPC #1023-03-13**

BE IT RESOLVED, that the St. Bernard Parish Council, the Governing Authority, does hereby approve the following permits as recommended by the Alcohol Beverage and Bingo Department:

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

<u>Establishment</u>	<u>Beer</u>	<u>Liquor</u>
Renewals:		
a. H.A.G, Inc., d/b/a Warehouse Bar & Grill 1351 East St. Bernard Highway Chalmette, LA 70043 Owner(s): Peter J. Deogracias, III, Steven W. Busher & Rebecca W. Busher	X	X
b. Kimberly, Inc., d/b/a Brewster's 8751 West Judge Perez Drive Chalmette, LA 70043 Owner(s): Theodore and Kimberly Reab	X	X
c. Lehmann's, Inc., d/b/a Lehmann's Bar 135 West St. Bernard Highway Chalmette, LA 70043 Owner: Ronald Lehmann Sr.	X	X
d. Par 3 Diner, Inc., d/b/a Par 3 Diner 2401 Paris Road Chalmette, LA 70043 Owner: Tracey LaBrosse	X(only)	
e. Quality Inn Motel QI Truck Stop, Inc., d/b/a Lucky Bayou 5353 Paris Road Chalmette, LA 70043 Owner: Robert Berthelot	X	X



# *St. Bernard Parish Council*

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Extract #11 continued  
March 19, 2013

**Guy McInnis**  
Councilman  
at Large

**George Cavignac**  
Councilman  
at Large

**Ray Lauga, Jr.**  
Councilman  
District A

**Nathan Gorbaty**  
Councilman  
District B

**Richard "Richie" Lewis**  
Councilman  
District C

**Casey W. Hunnicutt**  
Councilman  
District D

**Manuel "Monty"  
Montelongo III**  
Councilman  
District E

**Roxanne Adams**  
Clerk of Council

- |    |  |         |   |
|----|--|---------|---|
| f. | R.A. Brothers Inc., d/b/a Violet Food Mart<br>7601 East St. Bernard Highway Violet, LA 70092<br>Owner: Heidi L. Burnette                   | X       | X |
|    |  |         |   |
| g. | Today's Ketch Seafood, Inc., d/b/a Today's Ketch<br>2110 East Judge Perez Drive Chalmette, LA 70043<br>Owner(s): Jeffrey and Teri Pohlmann | X(only) |   |

## New Business:

- |    |  |         |
|----|--|---------|
| h. | Morain, Arlene d/b/a K & P Family Diner<br>1101 Bayou Road St. Bernard, LA 70085<br>Owner: Arlene Morain | X(only) |
|----|--|---------|

## Special Event

- |    |   |
|----|---|
| 1. | Name of Organization: Our Lady of Prompt Succor Clustered Church<br>Address: 2320 Paris Road, Chalmette, LA 70043<br>Name of Event: Tomato Festival<br>Location of Event: O.L.P.S. School Grounds, Chalmette, LA 70043<br>Date and Time: May 3, 2013 (6:00 p.m. - 12:00 a.m.)<br>May 4, 2013 (11:30 a.m. - 12:00 a.m.)<br>May 5, 2013 (11:30 a.m. - 11:00 p.m.) |
|----|---|

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the St. Bernard Parish District Attorney and the St. Bernard Parish Sheriff's Office.

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

**YEAS:** Lauga, Gorbaty, Hunnicutt, Montelongo, McInnis

**NAYS:** None

**ABSENT:** Lewis

The Council Chair, Mr. Cavignac, cast his vote as **ABSENT**.

And the motion was declared **adopted** on the 19<sup>th</sup> day of March, 2013.





## *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

Page -3-  
Extract #11 continued  
March 19, 2013

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

### 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, March 19, 2013.

Witness my hand and the seal  
of the Parish of St. Bernard on  
this 19<sup>th</sup> day of March, 2013.

ROXANNE ADAMS  
CLERK OF COUNCIL



# *St. Bernard Parish Council*

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at Large*

**George Cavignac**  
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at Large*

**Ray Lauga, Jr.**  
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District A*

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*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**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, MARCH 19, 2013 AT THREE O'CLOCK P.M.

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

## **RESOLUTION SBPC# 1024-03-13**

A RESOLUTION GIVING PRELIMINARY APPROVAL TO THE ISSUANCE OF NOT EXCEEDING THREE MILLION FIVE HUNDRED THOUSAND DOLLARS (\$3,500,000) OF CERTIFICATES OF INDEBTEDNESS, OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA; PROVIDING CERTAIN TERMS OF SAID CERTIFICATES; MAKING APPLICATION TO THE STATE BOND COMMISSION FOR APPROVAL OF SAID CERTIFICATES; AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH.

WHEREAS, Sections 745 through 748, inclusive, of Title 39 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority (the "Act"), authorize Parishes to pay their current expenses by anticipating their revenues for the year and to borrow money to pay these current expenses in anticipation of such revenues; and

WHEREAS, the Parish of St. Bernard, State of Louisiana (the "Parish" or the "Issuer"), desires to incur debt and issue not exceeding Three Million Five Hundred Thousand Dollars (\$3,500,000) of its Certificates of Indebtedness (the "Certificates"), for the purpose of paying current expenses of the Parish in anticipation of revenues of the Parish, said Certificates to mature no later than March 1, 2014, and to bear interest at a rate not to exceed five per centum (5%) per annum; and

WHEREAS, the Issuer desires to make formal application to the State Bond Commission for approval of the above described borrowing;

NOW, THEREFORE, BE IT RESOLVED by the Parish Council of the Parish of St. Bernard, State of Louisiana (the "Governing Authority"), acting as the governing authority of the Parish (the "Parish"), that:

SECTION 1. The Parish is hereby authorized to incur debt and borrow an amount not to exceed in the aggregate \$3,500,000 at a rate or rates not exceeding five per centum (5%) per annum, to mature on or before March 1, 2014, for the



# *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

Page -2-  
Extract #12 continued  
March 19, 2013

purpose of paying the costs of current operations, such borrowing to be secured by and payable from revenues accruing to the Issuer.

SECTION 2. The Parish President and the Clerk of Council of the Parish are each hereby further authorized and directed, for and on behalf of the Parish, to accept, receive, execute, seal, attest and deliver all such documents, certificates and other instruments as are required in connection with the borrowing authorized herein, and to take such further action as may be appropriate or required by law in connection therewith.

SECTION 3. Application be and the same is hereby formally made to the State Bond Commission, Baton Rouge, Louisiana, for its consent and authority to issue and sell the aforesaid issue of Certificates, and a certified copy of this resolution shall be forwarded to the State Bond Commission on behalf of the Issuer, together with a letter requesting the prompt consideration and approval of this application. By virtue of applicant/issuer's application for, acceptance and utilization of the benefits of the Louisiana State Bond Commission's approval(s) resolved and set forth herein, it resolves that it understands and agrees that such approval(s) are expressly conditioned upon, and it further resolves that it understands, agrees and binds itself, its successors and assigns to, full and continuing compliance with the "State Bond Commission Policy on Approval of Proposed Use of Swaps, or other forms of Derivative Products Hedges, Etc.", adopted by the Commission on July 20, 2006, as to the borrowing(s) and other matter(s) subject to the approval(s), including subsequent application and approval under said Policy of the implementation or use of any swap(s) or other product(s) or enhancement(s) covered thereby.

SECTION 4. This Governing Authority finds and determines that a real necessity exists for the employment of special counsel in connection with the issuance of the obligations, and accordingly, Foley & Judell, LLP, of New Orleans, Louisiana, as Bond Counsel, is hereby employed to do and perform work of a traditional legal nature as bond counsel with respect to the issuance and sale of said obligations. Said Bond Counsel shall prepare and submit to this Governing Authority for adoption all of the proceedings incidental to the authorization, issuance, sale and delivery of such obligations, shall counsel and advise this Governing Authority as to the issuance thereof and shall furnish their opinions covering the legality of the issuance of the obligations. The fee of Bond Counsel for each series of said obligations shall be fixed at a sum not exceeding the fee allowed by the Attorney General's fee guidelines for such bond counsel work in connection with the issuance of each such series of revenue obligations and based on the amount of said obligations issued, sold, delivered, plus "out-of-pocket" expenses, said fees to be contingent upon the issuance, sale and delivery of said certificates.



## *St. Bernard Parish Council*

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[www.sbpq.net](http://www.sbpq.net)

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Extract #12 continued  
March 19, 2013

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

A certified copy of this resolution shall be submitted to the Attorney General of the State of Louisiana for his written approval of said employment and of the fees herein designated, and the Finance Director is hereby empowered and directed to issue vouchers in payment for the work herein provided for upon completion of the work herein specified and under the conditions herein enumerated.

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

**YEAS:**            Lewis, Montelongo, McInnis

**NAYS:**            Lauga, Gorbaty, Hunnicutt

**ABSENT:**        None

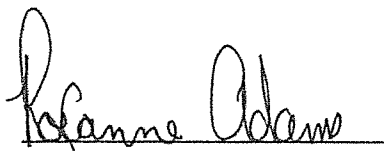
The Council Chair, Mr. Cavignac, cast his vote as **YEA**.

And the motion was declared **adopted** on the 19<sup>th</sup> day of March, 2013

### 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, March 19, 2013.

Witness my hand and the seal  
of the Parish of St. Bernard on  
this 19<sup>th</sup> day of March, 2013.

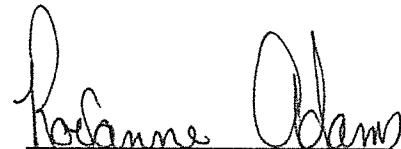
  
ROXANNE ADAMS  
CLERK OF COUNCIL

STATE OF LOUISIANA

PARISH OF ST. BERNARD

I, the undersigned Clerk of Council of the Parish of St. Bernard, State of Louisiana, do hereby certify that the foregoing pages constitute a true and correct copy of a resolution adopted by the Parish Council of the Issuer on March 19, 2013, giving preliminary approval to the issuance of not exceeding Three Million Five Hundred Thousand Dollars (\$3,500,000) of Certificates of Indebtedness, of the Parish of St. Bernard, State of Louisiana; providing certain terms of said certificates; making application to the State Bond Commission for approval of said Certificates; and providing for other matters in connection therewith.

IN FAITH WHEREOF, witness my official signature on this, the 19<sup>th</sup> day of March, 2013.

  
Clerk of Council



# *St. Bernard Parish Council*

8201 West Judge Perez Drive    Chalmette, Louisiana, 70043  
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**#13**

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

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, MARCH 19, 2013 AT THREE O'CLOCK P.M.

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

## **RESOLUTION SBPC# 1025-03-13**

A RESOLUTION GIVING PRELIMINARY APPROVAL TO THE ISSUANCE OF NOT EXCEEDING FOUR MILLION FIVE HUNDRED TWENTY SIX THOUSAND DOLLARS (\$4,526,000) OF LIMITED TAX CERTIFICATES OF INDEBTEDNESS OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA; PROVIDING CERTAIN TERMS OF SAID CERTIFICATES; MAKING APPLICATION TO THE STATE BOND COMMISSION FOR APPROVAL OF SAID CERTIFICATES; AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH.

WHEREAS, the Parish of St. Bernard, State of Louisiana (the "Parish" or the "Issuer") desires to incur debt and issue not exceeding Four Million Five Hundred Twenty Six Thousand Dollars (\$4,526,000) of its Limited Tax Certificates of Indebtedness (the "Certificates"), pursuant to Section 742.2 of Title 39 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority, for the purpose of maintaining and operating fire protection facilities and paying the costs incurred in connection with the issuance thereof, as set out in the Proposition approved by the voters on December 8, 2012, said Certificates to be payable from the irrevocable pledge and dedication of the funds to be derived from the levy and collection of a special 20 mills tax (such rate being subject to adjustment from time to time due to reassessment) authorized to be levied each year through the year 2022 (the "Tax") within the corporate boundaries of the Issuer, to mature no later than March 1, 2014, and to bear interest at a rate or rates not to exceed 5% per annum; and

WHEREAS, the Issuer is not now a party to any contract pledging or dedicating the revenues of the Tax; and

WHEREAS, the Issuer desires to make formal application to the State Bond Commission for approval of the Certificates;

NOW, THEREFORE, BE IT RESOLVED by the Parish Council of the Parish of St. Bernard, State of Louisiana (the "Governing Authority"), acting as the governing authority of the Parish of St. Bernard, State of Louisiana (the "Issuer"), that:

SECTION 1. Preliminary approval is given to the issuance of not exceeding \$4,526,000 aggregate principal amount of Limited Tax Certificates of Indebtedness of the Issuer (the "Certificates"), pursuant to Section 742.2 of Title 39 of the Louisiana



## *St. Bernard Parish Council*

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Extract #13 continued

March 19, 2013

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

Revised Statutes of 1950, as amended, and other constitutional and statutory authority, to be issued for the purpose of maintaining and operating fire protection facilities and paying the costs incurred in connection with the issuance thereof, as set out in the Proposition approved by the voters on December 8, 2012, said Certificates to be payable from the irrevocable pledge and dedication of the funds to be derived from the levy and collection of a special 20 mills tax (such rate being subject to adjustment from time to time due to reassessment) authorized to be levied each year through the year 2022 (the "Tax") within the corporate boundaries of the Issuer. The Certificates shall bear interest at a rate or rates not to exceed 5% per annum, to be determined by subsequent proceedings of this Governing Authority at the time of the sale of the Certificates, and shall mature no later than March 1, 2014. The Certificates shall be issued in fully registered form, shall be sold to the purchasers thereof at a price of not less than par, plus accrued interest, and shall have such additional terms and provisions as may be determined by this Governing Authority.

SECTION 2. The Parish President and the Clerk of Council of the Parish are each hereby further authorized and directed, for and on behalf of the Parish, to accept, receive, execute, seal, attest and deliver all such documents, certificates and other instruments as are required in connection with the borrowing authorized herein, and to take such further action as may be appropriate or required by law in connection therewith.

SECTION 3. Application be and the same is hereby formally made to the State Bond Commission, Baton Rouge, Louisiana, for its consent and authority to issue and sell the aforesaid issue of Certificates, and a certified copy of this resolution shall be forwarded to the State Bond Commission on behalf of the Issuer, together with a letter requesting the prompt consideration and approval of this application. By virtue of applicant/issuer's application for, acceptance and utilization of the benefits of the Louisiana State Bond Commission's approval(s) resolved and set forth herein, it resolves that it understands and agrees that such approval(s) are expressly conditioned upon, and it further resolves that it understands, agrees and binds itself, its successors and assigns to, full and continuing compliance with the "State Bond Commission Policy on Approval of Proposed Use of Swaps, or other forms of Derivative Products Hedges, Etc.," adopted by the Commission on July 20, 2006, as to the borrowing(s) and other matter(s) subject to the approval(s), including subsequent application and approval under said Policy of the implementation or use of any swap(s) or other product(s) or enhancement(s) covered thereby.

SECTION 4. This Governing Authority finds and determines that a real necessity exists for the employment of special counsel in connection with the issuance of the obligations, and accordingly, Foley & Judell, LLP, of New Orleans, Louisiana, as Bond Counsel, is hereby employed to do and perform work of a traditional legal nature as bond counsel with respect to the issuance and sale of said obligations. Said Bond Counsel shall prepare and submit to this Governing Authority for adoption all of the



## *St. Bernard Parish Council*

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Extract #13 continued  
March 19, 2013

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

proceedings incidental to the authorization, issuance, sale and delivery of such obligations, shall counsel and advise this Governing Authority as to the issuance thereof and shall furnish their opinions covering the legality of the issuance of the obligations. The fee of Bond Counsel for each series of said obligations shall be fixed at a sum not exceeding the fee allowed by the Attorney General's fee guidelines for such bond counsel work in connection with the issuance of each such series of revenue obligations and based on the amount of said obligations issued, sold, delivered, plus "out-of-pocket" expenses, said fees to be contingent upon the issuance, sale and delivery of said notes. A certified copy of this resolution shall be submitted to the Attorney General of the State of Louisiana for his written approval of said employment and of the fees herein designated, and the Finance Director is hereby empowered and directed to issue vouchers in payment for the work herein provided for upon completion of the work herein specified and under the conditions herein enumerated.

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

**YEAS:**            Lewis, Montelongo, McInnis

**NAYS:**            Lauga, Gorbaty, Hunnicutt

**ABSENT:**        None

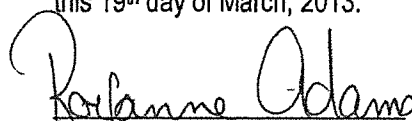
The Council Chair, Mr. Cavignac, cast his vote as **YEA**.

And the motion was declared **adopted** on the 19<sup>th</sup> day of March, 2013

### 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, March 19, 2013.

Witness my hand and the seal  
of the Parish of St. Bernard on  
this 19<sup>th</sup> day of March, 2013.

  
ROXANNE ADAMS  
CLERK OF COUNCIL

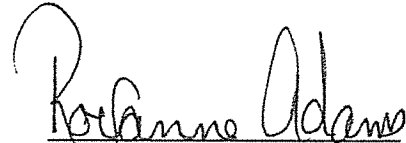


STATE OF LOUISIANA

PARISH OF ST. BERNARD

I, the undersigned Clerk of Council of the Parish of St. Bernard, State of Louisiana, do hereby certify that the foregoing pages constitute a true and correct copy of a resolution giving preliminary approval to the issuance of not exceeding Four Million Five Hundred Twenty Six Thousand Dollars (\$4,526,000) of Limited Tax Certificates of Indebtedness of the Parish of St. Bernard, State of Louisiana; providing certain terms of said certificates; making application to the State Bond Commission for approval of said Certificates; and providing for other matters in connection therewith.

IN FAITH WHEREOF, witness my official signature on this, the 19<sup>th</sup> day of March, 2013.

  
Clerk of Council



# *St. Bernard Parish Council*

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**#14**

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

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, MARCH 19, 2013 AT THREE O'CLOCK P.M.

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

## **RESOLUTION SBPC# 1026-03-13**

A RESOLUTION GIVING PRELIMINARY APPROVAL TO THE ISSUANCE OF NOT EXCEEDING ONE MILLION TWO HUNDRED EIGHTY NINE THOUSAND DOLLARS (\$1,289,000) OF LIMITED TAX CERTIFICATES OF INDEBTEDNESS OF FIRE PROTECTION DISTRICT NO. 1 OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA; PROVIDING CERTAIN TERMS OF SAID CERTIFICATES; MAKING APPLICATION TO THE STATE BOND COMMISSION FOR APPROVAL OF SAID CERTIFICATES; AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH.

WHEREAS, Fire Protection District No. 1 of the Parish of St. Bernard, State of Louisiana (the "Issuer") desires to incur debt and issue not exceeding One Million Two Hundred Eighty Nine Thousand Dollars (\$1,289,000) of its Limited Tax Certificates of Indebtedness (the "Certificates"), pursuant to Section 742.2 of Title 39 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority, for the purpose of maintaining and operating fire protection facilities and paying the costs incurred in connection with the issuance thereof, as set out in propositions approved by the voters on November 7, 2006, and paying the costs of issuance thereof, said Certificates to be payable from the irrevocable pledge and dedication of the funds to be derived from the levy and collection of a (i) 2.77 mills tax (such rate being subject to adjustment from time to time due to reassessment) authorized to be levied each year through the year 2016 and (ii) 4.66 mills tax (such rate being subject to adjustment from time to time due to reassessment) authorized to be levied each year through the year 2018 (collectively, the "Tax") within the boundaries of the Issuer, to mature no later than March 1, 2014, and to bear interest at a rate or rates not to exceed 5% per annum; and

WHEREAS, the Issuer is not now a party to any contract pledging or dedicating the revenues of the Tax; and

WHEREAS, the Issuer desires to make formal application to the State Bond Commission for approval of the Certificates;

NOW, THEREFORE, BE IT RESOLVED by the Parish Council of the Parish



## *St. Bernard Parish Council*

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Extract #14 continued

March 19, 2013

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

of St. Bernard, State of Louisiana (the "Governing Authority"), acting as the governing authority of Fire Protection District No. 1 of the Parish of St. Bernard, State of Louisiana (the "Issuer"), that:

SECTION 1. Preliminary approval is given to the issuance of not exceeding \$1,289,000 aggregate principal amount of Limited Tax Certificates of Indebtedness of the Issuer (the "Certificates"), pursuant to Section 742.2 of Title 39 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority, to be issued for the purpose of maintaining and operating fire protection facilities and paying the costs incurred in connection with the issuance thereof, as set out in propositions approved by the voters on November 7, 2006, and paying the costs of issuance thereof, said Certificates to be payable from the irrevocable pledge and dedication of the funds to be derived from the levy and collection of a (i) 2.77 mills tax (such rate being subject to adjustment from time to time due to reassessment) authorized to be levied each year through the year 2016 and (ii) 4.66 mills tax (such rate being subject to adjustment from time to time due to reassessment) authorized to be levied each year through the year 2018 (collectively, the "Tax") within the boundaries of the Issuer. The Certificates shall bear interest at a rate or rates not to exceed 5% per annum, to be determined by subsequent proceedings of this Governing Authority at the time of the sale of the Certificates, and shall mature no later than March 1, 2014. The Certificates shall be issued in fully registered form, shall be sold to the purchasers thereof at a price of not less than par, plus accrued interest, and shall have such additional terms and provisions as may be determined by this Governing Authority.

SECTION 2. The Parish President and the Clerk of Council of the Parish of St. Bernard, State of Louisiana (the "Parish") are each hereby further authorized and directed, for and on behalf of the Parish, to accept, receive, execute, seal, attest and deliver all such documents, certificates and other instruments as are required in connection with the borrowing authorized herein, and to take such further action as may be appropriate or required by law in connection therewith.

SECTION 3. Application be and the same is hereby formally made to the State Bond Commission, Baton Rouge, Louisiana, for its consent and authority to issue and sell the aforesaid issue of Certificates, and a certified copy of this resolution shall be forwarded to the State Bond Commission on behalf of the Issuer, together with a letter requesting the prompt consideration and approval of this application. By virtue of applicant/issuer's application for, acceptance and utilization of the benefits of the Louisiana State Bond Commission's approval(s) resolved and set forth herein, it resolves that it understands and agrees that such approval(s) are expressly conditioned upon, and it further resolves that it understands, agrees and binds itself, its successors and assigns to, full and continuing compliance with the "State Bond Commission Policy on Approval of Proposed Use of Swaps, or other



# *St. Bernard Parish Council*

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Extract #14 continued  
March 19, 2013

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

forms of Derivative Products Hedges, Etc.", adopted by the Commission on July 20, 2006, as to the borrowing(s) and other matter(s) subject to the approval(s), including subsequent application and approval under said Policy of the implementation or use of any swap(s) or other product(s) or enhancement(s) covered thereby.

SECTION 4. This Governing Authority finds and determines that a real necessity exists for the employment of special counsel in connection with the issuance of the obligations, and accordingly, Foley & Judell, LLP, of New Orleans, Louisiana, as Bond Counsel, is hereby employed to do and perform work of a traditional legal nature as bond counsel with respect to the issuance and sale of said obligations. Said Bond Counsel shall prepare and submit to this Governing Authority for adoption all of the proceedings incidental to the authorization, issuance, sale and delivery of such obligations, shall counsel and advise this Governing Authority as to the issuance thereof and shall furnish their opinions covering the legality of the issuance of the obligations. The fee of Bond Counsel for each series of said obligations shall be fixed at a sum not exceeding the fee allowed by the Attorney General's fee guidelines for such bond counsel work in connection with the issuance of each such series of revenue obligations and based on the amount of said obligations issued, sold, delivered, plus "out-of-pocket" expenses, said fees to be contingent upon the issuance, sale and delivery of said notes. A certified copy of this resolution shall be submitted to the Attorney General of the State of Louisiana for his written approval of said employment and of the fees herein designated, and the Finance Director is hereby empowered and directed to issue vouchers in payment for the work herein provided for upon completion of the work herein specified and under the conditions herein enumerated..

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

**YEAS:** Lewis, Montelongo, McInnis

**NAYS:** Lauga, Gorbaty, Hunnicutt

**ABSENT:** None

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

And the motion was declared **adopted** on the 19<sup>th</sup> day of March, 2013



# *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

**George Cavnac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

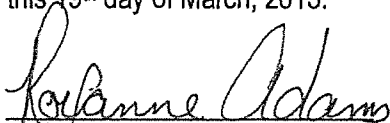
**Roxanne Adams**  
*Clerk of Council*

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Extract #14 continued  
March 19, 2013

## 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, March 19, 2013.

Witness my hand and the seal  
of the Parish of St. Bernard on  
this 19<sup>th</sup> day of March, 2013.



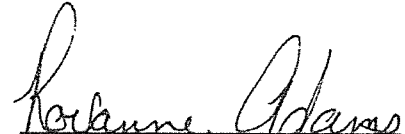
ROXANNE ADAMS  
CLERK OF COUNCIL

STATE OF LOUISIANA

PARISH OF ST. BERNARD

I, the undersigned Clerk of Council of the Parish of St. Bernard, State of Louisiana, do hereby certify that the foregoing pages constitute a true and correct copy of a resolution giving preliminary approval to the issuance of not exceeding One Million Two Hundred Eighty Nine Thousand Dollars (\$1,289,000) of Limited Tax Certificates of Indebtedness of Fire Protection District No. 1 of the Parish of St. Bernard, State of Louisiana; providing certain terms of said certificates; making application to the State Bond Commission for approval of said Certificates; and providing for other matters in connection therewith.

IN FAITH WHEREOF, witness my official signature on this, the 19<sup>th</sup> day of March, 2013.

  
Clerk of Council



# *St. Bernard Parish Council*

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(504) 278-4228    Fax (504) 278-4209  
[www.sbpj.net](http://www.sbpj.net)

**#15**

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

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, MARCH 19, 2013 AT THREE O'CLOCK P.M.

On motion of Mr. McInnis, seconded by Mr. Gorbaty, it was moved to **adopt** the following resolution:

## **RESOLUTION SBPC# 1027-03-13**

A RESOLUTION GIVING PRELIMINARY APPROVAL TO THE ISSUANCE OF NOT EXCEEDING THREE HUNDRED NINETY ONE THOUSAND DOLLARS (\$391,000) OF LIMITED TAX CERTIFICATES OF INDEBTEDNESS OF FIRE PROTECTION DISTRICT NO. 2 OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA; PROVIDING CERTAIN TERMS OF SAID CERTIFICATES; MAKING APPLICATION TO THE STATE BOND COMMISSION FOR APPROVAL OF SAID CERTIFICATES; AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH.

WHEREAS, Fire Protection District No. 2 of the Parish of St. Bernard, State of Louisiana (the "Issuer") desires to incur debt and issue not exceeding Three Hundred Ninety One Thousand Dollars (\$391,000) of its Limited Tax Certificates of Indebtedness (the "Certificates"), pursuant to Section 742.2 of Title 39 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority, for the purpose of maintaining and operating fire protection facilities and paying the costs incurred in connection with the issuance thereof, as set out in the Proposition approved by the voters on November 7, 2006, said Certificates to be payable from the irrevocable pledge and dedication of the funds to be derived from the levy and collection of a special 8.35 mills tax (such rate being subject to adjustment from time to time due to reassessment) authorized to be levied each year through the year 2018 (the "Tax") within the corporate boundaries of the Issuer, to mature no later than March 1, 2014, and to bear interest at a rate or rates not to exceed 5% per annum; and

WHEREAS, the Issuer is not now a party to any contract pledging or dedicating the revenues of the Tax; and

WHEREAS, the Issuer desires to make formal application to the State Bond Commission for approval of the Certificates;

NOW, THEREFORE, BE IT RESOLVED by the Parish Council of the Parish of St. Bernard, State of Louisiana (the "Governing Authority"), acting as



# *St. Bernard Parish Council*

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Extract #15 continued  
March 19, 2013

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

the governing authority of Fire Protection District No. 2 of the Parish of St. Bernard, State of Louisiana (the "Issuer"), that:

SECTION 1. Preliminary approval is given to the issuance of not exceeding \$391,000 aggregate principal amount of Limited Tax Certificates of Indebtedness of the Issuer (the "Certificates"), pursuant to Section 742.2 of Title 39 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority, to be issued for the purpose of maintaining and operating fire protection facilities and paying the costs incurred in connection with the issuance thereof, as set out in the Proposition approved by the voters on November 7, 2006, said Certificates to be payable from the irrevocable pledge and dedication of the funds to be derived from the levy and collection of a special 8.35 mills tax (such rate being subject to adjustment from time to time due to reassessment) authorized to be levied each year through the year 2018 (the "Tax") within the corporate boundaries of the Issuer. The Certificates shall bear interest at a rate or rates not to exceed 5% per annum, to be determined by subsequent proceedings of this Governing Authority at the time of the sale of the Certificates, and shall mature no later than March 1, 2014. The Certificates shall be issued in fully registered form, shall be sold to the purchasers thereof at a price of not less than par, plus accrued interest, and shall have such additional terms and provisions as may be determined by this Governing Authority.

SECTION 2. The Parish President and the Clerk of Council of the Parish of St. Bernard, State of Louisiana (the "Parish") are each hereby further authorized and directed, for and on behalf of the Parish, to accept, receive, execute, seal, attest and deliver all such documents, certificates and other instruments as are required in connection with the borrowing authorized herein, and to take such further action as may be appropriate or required by law in connection therewith.

SECTION 3. Application be and the same is hereby formally made to the State Bond Commission, Baton Rouge, Louisiana, for its consent and authority to issue and sell the aforesaid issue of Certificates, and a certified copy of this resolution shall be forwarded to the State Bond Commission on behalf of the Issuer, together with a letter requesting the prompt consideration and approval of this application. By virtue of applicant/issuer's application for, acceptance and utilization of the benefits of the Louisiana State Bond Commission's approval(s) resolved and set forth herein, it resolves that it understands and agrees that such approval(s) are expressly conditioned upon, and it further resolves that it understands, agrees and binds itself, its successors and assigns to, full and continuing compliance with the "State Bond Commission Policy on Approval of Proposed Use of Swaps, or other forms of Derivative Products Hedges, Etc.", adopted by the Commission on July 20, 2006, as to the borrowing(s) and other matter(s) subject to the approval(s), including





# *St. Bernard Parish Council*

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Extract #15 continued  
March 19, 2013

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

subsequent application and approval under said Policy of the implementation or use of any swap(s) or other product(s) or enhancement(s) covered thereby.

SECTION 4. This Governing Authority finds and determines that a real necessity exists for the employment of special counsel in connection with the issuance of the obligations, and accordingly, Foley & Judell, LLP, of New Orleans, Louisiana, as Bond Counsel, is hereby employed to do and perform work of a traditional legal nature as bond counsel with respect to the issuance and sale of said obligations. Said Bond Counsel shall prepare and submit to this Governing Authority for adoption all of the proceedings incidental to the authorization, issuance, sale and delivery of such obligations, shall counsel and advise this Governing Authority as to the issuance thereof and shall furnish their opinions covering the legality of the issuance of the obligations. The fee of Bond Counsel for each series of said obligations shall be fixed at a sum not exceeding the fee allowed by the Attorney General's fee guidelines for such bond counsel work in connection with the issuance of each such series of revenue obligations and based on the amount of said obligations issued, sold, delivered, plus "out-of-pocket" expenses, said fees to be contingent upon the issuance, sale and delivery of said notes. A certified copy of this resolution shall be submitted to the Attorney General of the State of Louisiana for his written approval of said employment and of the fees herein designated, and the Finance Director is hereby empowered and directed to issue vouchers in payment for the work herein provided for upon completion of the work herein specified and under the conditions herein enumerated.

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

**YEAS:**            Lewis, Montelongo, McInnis

**NAYS:**            Lauga, Gorbaty, Hunnicutt

**ABSENT:**        None

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

And the motion was declared **adopted** on the 19<sup>th</sup> day of March, 2013



# *St. Bernard Parish Council*

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Extract #15 continued  
March 19, 2013

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
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*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

## 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, March 19, 2013.

Witness my hand and the seal  
of the Parish of St. Bernard on  
this 19<sup>th</sup> day of March, 2013.

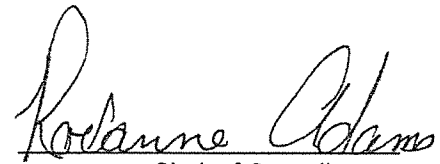
ROXANNE ADAMS  
CLERK OF COUNCIL

STATE OF LOUISIANA

PARISH OF ST. BERNARD

I, the undersigned Clerk of Council of the Parish of St. Bernard, State of Louisiana, do hereby certify that the foregoing pages constitute a true and correct copy of a resolution giving preliminary approval to the issuance of not exceeding Three Hundred Ninety One Thousand Dollars (\$391,000) of Limited Tax Certificates of Indebtedness of Fire Protection District No. 2 of the Parish of St. Bernard, State of Louisiana; providing certain terms of said certificates; making application to the State Bond Commission for approval of said Certificates; and providing for other matters in connection therewith.

IN FAITH WHEREOF, witness my official signature on this, the 19<sup>th</sup> day of March, 2013.

  
Clerk of Council



# *St. Bernard Parish Council*

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**#16**

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

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, MARCH 19, 2013 AT THREE O'CLOCK P.M.

On motion of Mr. Lauga, seconded by Mr. Hunnicutt, it was moved to **adopt** the following resolution:

## **RESOLUTION SBPC# 1028-03-13**

A RESOLUTION STATING THAT THE ORDINANCE THAT GOVERNS THE CABLE STATION AND CABLE FRANCHISE AS IS WRITTEN SHALL BE STRICTLY ENFORCED.

WHEREAS, The St. Bernard Parish Council is desirous to place the Cable Department and its personnel back under the supervision of the St. Bernard Parish Council and have the Cable Committee provide direction in regards to programming to the aforementioned department per Ordinance SBPC #971-03-09.

NOW THEREFORE, BE IT RESOLVED, that the St. Bernard Parish Council, the Governing Authority, does hereby authorize the placement of the Cable Department and its personnel under the supervision of the St. Bernard Parish Council and have the Cable Committee provide direction in regards to programming to the aforementioned department per Ordinance SBPC #971-03-09 immediately with the passing of this resolution.

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

**YEAS:**            Lauga, Lewis, Hunnicutt, Montelongo

**NAYS:**            Gorbaty

**ABSENT:**        McInnis

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

And the motion was declared **adopted** on the 19<sup>th</sup> day of March, 2013



## *St. Bernard Parish Council*

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Extract #16 continued  
March 19, 2013

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
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**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

### 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, March 19, 2013.

Witness my hand and the seal  
of the Parish of St. Bernard on  
this 19<sup>th</sup> day of March, 2013.

ROXANNE ADAMS  
CLERK OF COUNCIL



# St. Bernard Parish Council

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**Guy McInnis**  
Councilman  
at Large

**George Cavignac**  
Councilman  
at Large

**Ray Lauga, Jr.**  
Councilman  
District A

**Nathan Gorbaty**  
Councilman  
District B

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Councilman  
District C

**Casey W. Hunnicutt**  
Councilman  
District D

**Manuel "Monty" Montelongo III**  
Councilman  
District E

**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, APRIL 2, 2013 AT SEVEN O'CLOCK P.M.

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

## RESOLUTION SBPC #1029-04-13

BE IT RESOLVED, that the St. Bernard Parish Council, the Governing Authority, does hereby approve the following permits as recommended by the Alcohol Beverage and Bingo Department:

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

<u>Establishment</u>	<u>Beer</u>	<u>Liquor</u>
Renewals:		
a. GC3, LLC d/b/a The Drunken Monkey 308 East Judge Perez Drive Chalmette, LA 70043 Member(s): George Cavignac and Craig Smith	X	X
b. S & P Chevron, LLC d/b/a S & P Chevron 6205 East St. Bernard Highway Violet, LA 70092 Member(s): Sanh PHung and Phuong Xuan Phung	X	X
c. Theriot's Wholesale Liquor Co., Inc. 7519 West Judge Perez Drive Arabi, LA 70032 Owner(s): Mark and Tracey Theriot	X	X
d. Tony's PoBoy Restaurant, Inc., d/b/a Tony's PoBoy Restaurant 434 East Judge Perez Drive Chalmette, LA 70043 Owner: Anthony Fiore	X	X

### Change in ownership:

1. Par 3, Inc., d/b/a Par 3 Restaurant 1530 East Judge Perez Drive Chalmette, LA 70043 Owner: Dorothy Z. LaBrosse	X	X
---	---	---



## *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
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**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

Page -2-  
Extract #10 continued  
April 2, 2013

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the St. Bernard Parish District Attorney and the St. Bernard Parish Sheriff's Office.

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

**YEAS:** Lauga, Gorbaty, Hunnicutt, Montelongo, McInnis

**NAYS:** None

**ABSENT:** Lewis

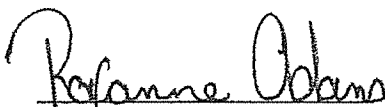
The Council Chair, Mr. Cavignac, cast his vote as **ABSENT**.

And the motion was declared **adopted** on the 2<sup>nd</sup> day of April, 2013.

### 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, April 2, 2013.

Witness my hand and the seal  
of the Parish of St. Bernard on  
this 2<sup>nd</sup> day of April, 2013.

  
ROXANNE ADAMS  
CLERK OF COUNCIL



# *St. Bernard Parish Council*

8201 West Judge Perez Drive Chalmette, Louisiana, 70043

(504) 278-4228 Fax (504) 278-4209

www.sbpj.net

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
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*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**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, APRIL 2, 2013 AT SEVEN O'CLOCK P.M.

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

## **RESOLUTION SBPC# 1030-04-13**

A RESOLUTION REQUESTING ADMINISTRATION TO CREATE AN ORDINANCE TO REVOKE AND SET ASIDE THE DEDICATION OF CERTAIN PORTIONS OF THE FOLLOWING STREETS.

WHEREAS, the owners of the surrounding properties have requested the Parish to revoke and set aside the dedication of certain portions of the following streets:

- Buffon Street
- Starling Street

WHEREAS, the Council respectfully requests Administration to create an ordinance to revoke and set aside the dedication of certain portions of the aforementioned streets.

NOW THEREFORE, BE IT RESOLVED, that the St. Bernard Parish Council, the Governing Authority, does hereby request Administration to create an ordinance revoke and set aside the dedication of certain portions of Buffon Street and Starling Street.

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

**YEAS:** Lauga, Gorbaty, Lewis, Hunnicutt, Montelongo, McInnis

**NAYS:** None

**ABSENT:** None

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

And the motion was declared **adopted** on the 2<sup>nd</sup> day of April, 2013.





## *St. Bernard Parish Council*

8201 West Judge Perez Drive Chalmette, Louisiana, 70043

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**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

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*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

Page -2-  
Extract #11 continued  
April 2, 2013

### 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, April 2, 2013.

Witness my hand and the seal  
of the Parish of St. Bernard on  
this 2<sup>nd</sup> day of April, 2013.

ROXANNE ADAMS  
CLERK OF COUNCIL



# *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

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*Councilman  
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*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**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, APRIL 2, 2013 AT SEVEN O'CLOCK P.M.

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

## **RESOLUTION SBPC #1031-04-13**

A RESOLUTION REQUESTING THAT VICTIMS OF THE B. P. OIL SPILL BE EXEMPTED FROM TAXES FOR ANY FUNDS RECEIVED BY THE COMMERCIAL FISHING INDUSTRY FROM THE B. P. SETTLEMENT PROCESS OR FUTURE LITIGATION.

WHEREAS, the B. P. Oil Spill was designated as a disaster of national significance under the economic and property damage settlement, the seafood compensation program establishes a cap on the amount of compensation the seafood industry is entitled to, and;

WHEREAS, the seafood industry and all its component parts were the first and worst impacted, the most vulnerable to variations in production (amounts and growth rates) and market conditions (demand and price), consequently assigns all the future risk to the fishermen, and;

WHEREAS, component parts of the seafood compensation program including but not limited to, requiring 2007, 2008, 2009 as benchmark years for production, compensation on only a percentage of yearly loss, limiting the number of years deckhands and dealers qualify for, no compensation for both short term and long term devaluation of boats, equipment, and property, makes the settlement grossly inadequate for the overwhelming majority of the fishing industry, and;

WHEREAS, the option to opt out and wait for the court system to produce a better result under present production and price models does not exist as the ability to produce enough product at present prices until that occurs is minimal, and;

WHEREAS, in disasters of national significance (ie 9/11) compensation programs were developed to assist victims using federal funding were not taxed. In the case of the B. P. Spill there is a responsible party, no funds from the nation's tax base, and;



## *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

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*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

Page -2-  
Extract #12 continued  
April 2, 2013

WHEREAS, as President Obama promised he would do everything in this country's power to assist the victims in maintaining their businesses, homes and culture, and;

WHEREAS, since the settlement awards are inadequate on its face, the potential of reducing the award by up to a 50% tax rate further lessens the ability of fishermen to stay in business until mother nature fixes B. P.'s mess, and;

WHEREAS, eventually the Federal and State governments are going to receive funding through the Natural Resources Damage Assessment and the Clean Water Act, and;

WHEREAS, B.P. is ultimately going to end up with a substantial tax credit, while the commercial fishermen are going to have a tax liability for funds designed to keep them in business for the next 8 years, or longer, and;

WHEREAS, the possibility exists for a portion of the taxes paid by the fishermen to fund the very departments that allowed and helped cover up the worst oil spill in our nation's history, and;

WHEREAS, our country has used billions in tax payer funds to bailout the banking industry and some of the auto industry. These funds if tax exempted would ultimately stay within the communities where the fishermen live and work. Retaining these funds may very well be the economic stimulus required to keep the industry up and running until, hopefully conditions improve, and;

WHEREAS, the hardworking, taxpaying, economic stimulus producing, participants of the commercial fishing industry do not believe the rest of hardworking American Business men and women want to benefit from the misfortune of fellow American citizens in a dire situation through no fault of their own, and;

THEREFORE BE IT RESOLVED, the St. Bernard Parish Council, the governing authority, does hereby request that the Louisiana State Delegation, the Louisiana Legislature and the Federal Delegation in Washington through legislation or executive order exempt victims of the B. P. Oil Spill from taxes for any funds received by the commercial fishing industry from the B. P settlement process or future litigation.



## *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
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**Ray Lauga, Jr.**  
*Councilman  
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Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

Page -3-  
Extract #12 continued  
April 2, 2013

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

**YEAS:** Lauga, Gorbaty, Lewis, Hunnicutt, Montelongo, McInnis

**NAYS:** None

**ABSENT:** None

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

And the motion was declared **adopted** on the 2<sup>nd</sup> day of April, 2013.

### 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, April 2, 2013.

Witness my hand and the seal  
of the Parish of St. Bernard on  
this 2<sup>nd</sup> day of April, 2013.

ROXANNE ADAMS  
CLERK OF COUNCIL



# *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
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*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**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, APRIL 16, 2013 AT THREE O'CLOCK P.M.

On motion of Mr. Hunnicutt, seconded by Mr. McInnis, it was moved to **adopt** the following resolution:

## **RESOLUTION SBPC #1032-04-13**

BE IT RESOLVED, that the St. Bernard Parish Council, the Governing Authority, does hereby approve the following permits as recommended by the Alcohol Beverage and Bingo Department:

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

<u>Establishment</u> Renewals:	<u>Beer</u>	<u>Liquor</u>
a. Rana & Sons, LLC d/b/a Discount Food Mart 7011 St. Claude Avenue Arabi, LA 70032 Member(s): Rana S. Rasool and Rana M. Rasool	X	X
b. RD & RS, Inc., d/b/a Smokes for Less #3 2400 Paris Road Chalmette, LA 70043 Owner: Jatin Desat	X	X
c. Rick's Veteran's, LLC d/b/a Magnolia Discount 7600 West Judge Perez Drive Arabi, LA 70032 Member: Fouad El Jasuhari	X	X
d. Sharon's Discount, LLC d/b/a Sharon's Discount 2001 Citrus Avenue St. Bernard, LA 70085 Member: Sharon Couture	X	X
e. South End Zone Bienvenu, LLC d/b/a South End Zone 8241 West St. Bernard Highway Chalmette, LA 70043 Members: Jill H. and Lawrence A. Bienvenu, IV	X	X
f. St. Bernard Recreation Complex, Inc., d/b/a St. Bernard Recreation Complex 1100 Magistrate Street Chalmette, LA 70043	X	X



# *St. Bernard Parish Council*

8201 West Judge Perez Drive Chalmette, Louisiana, 70043  
(504) 278-4228 Fax (504) 278-4209  
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Page -2-

Extract #11 continued

April 16, 2013

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

Director: Craig DeHarde

- |  |   |   |
|--|---|---|
| g. Tony's Mexican Restaurant, LLC d/b/a Tony's Mexican Restaurant<br>2118 Paris Road Chalmette, LA 70043<br>Member: Apolinar Diaz Vargas         | X | X |
| h. Violet Discount Meat Market, LTD d/b/a Violet Discount Meat Market<br>5636 East Judge Perez Drive Violet, LA 70092<br>Owner: Tharwat N. Hamed | X | X |

Change in ownership:

- |  |   |   |
|--|---|---|
| i. Kevin V. Shah, Inc., d/b/a Chalmette Discount Cigarette<br>1800 East Judge Perez Drive, Suite B Chalmette, LA 70043<br>Owner: Kevin V. Shah | X | X |
|--|---|---|

## **Special Event**

- |                          |   |
|--------------------------|---|
| 1. Name of Organization: | Los Islenos Heritage and Cultural Society       |
| Address:                 | 1345-1357 Bayou Road, St. Bernard, LA 70085     |
| Name of Event:           | Los Islenos Antique and Classic Automobile Show |
| Location of Event:       | Los Islenos Museum Complex                      |
| Date and Time:           | April 27, 2013 (7:00 a.m. - 5:00 p.m.)          |

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the St. Bernard Parish District Attorney and the St. Bernard Parish Sheriff's Office.

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

**YEAS:** Lauga, Hunnicutt, Montelongo, McInnis

**NAYS:** None

**ABSENT:** Gorbaty, Lewis

The Council Chair, Mr. Cavignac, cast his vote as **ABSTAIN**.

And the motion was declared **adopted** on the 16<sup>th</sup> day of April, 2013.



# *St. Bernard Parish Council*

8201 West Judge Perez Drive Chalmette, Louisiana, 70043  
(504) 278-4228 Fax (504) 278-4209  
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**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

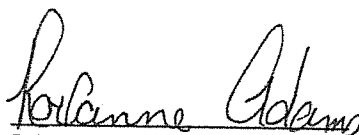
**Roxanne Adams**  
*Clerk of Council*

Page -3-  
Extract #11 continued  
April 16, 2013

## 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, April 16, 2013.

Witness my hand and the seal  
of the Parish of St. Bernard on  
this 16<sup>th</sup> day of April, 2013.

  
ROXANNE ADAMS  
CLERK OF COUNCIL



# *St. Bernard Parish Council*

8201 West Judge Perez Drive    Chalmette, Louisiana, 70043  
(504) 278-4228    Fax (504) 278-4209  
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**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**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, APRIL 16, 2013 AT THREE O'CLOCK P.M.

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

## **RESOLUTION SBPC #1033-04-13**

RESOLUTION APPOINTING JENNIFER LEMOINE, COUNCIL ASSISTANT OF THE ST. BERNARD PARISH COUNCIL.

WHEREAS, the St. Bernard Parish Council, the governing authority, does hereby appoint Jennifer Lemoine as Council Assistant.

THEREFORE BE IT RESOLVED, that the foregoing appointment of Jennifer Lemoine is effective April 1, 2013 at an annual salary of \$25,000.00.

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

**YEAS:**            Lauga, Hunnicutt, Montelongo, McInnis

**NAYS:**            None

**ABSENT:**        Gorbaty, Lewis

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

And the motion was declared **adopted** on the 16<sup>th</sup> day of April, 2013.





## *St. Bernard Parish Council*

8201 West Judge Perez Drive Chalmette, Louisiana, 70043

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**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
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**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

Page -2-  
Extract #12 continued  
April 16, 2013

### 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, April 16, 2013.

Witness my hand and the seal  
of the Parish of St. Bernard on  
this 16<sup>th</sup> day of April, 2013.

ROXANNE ADAMS  
CLERK OF COUNCIL



# *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**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, APRIL 16, 2013 AT THREE O'CLOCK P.M.

On a joint motion of the Council, without objection and by unanimous consent, it was moved to adopt the following resolution:

## **RESOLUTION SBPC #1034-04-13**

RESOLUTION REQUESTING THE REGIONAL PLANNING COMMISSION IN CONJUNCTION WITH THE LOUISIANA DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT FUND A TURNING LANE ON JUDGE PEREZ FOR INGRESS AND EGRESS OF ST. BERNARD PARISH HOSPITAL.

WHEREAS, the Hospital Service District passed HSD Resolution 01-13 on March 28, 2013, and;

WHEREAS, by the request of the HSD, the St. Bernard Parish Council, the governing authority, is hereby requesting the Regional Planning Commission in conjunction with the Louisiana Department of Transportation and Development to fund a turning lane on Judge Perez Drive for the ingress and egress of St. Bernard Parish Hospital, and;

WHEREAS, said turning lane would reduce delay in an emergency situation, and;

WHEREAS, said turning lane would also reduce the amount of congestion with the increased traffic due to the Medical Office Building

NOW THEREFORE, BE IT RESOLVED, that St. Bernard Parish Council, the governing authority does hereby request the Regional Planning Commission in conjunction with the Louisiana Department of Transportation and Development to fund a turning lane on Judge Perez Drive for the ingress and egress of St. Bernard Parish Hospital.

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



## *St. Bernard Parish Council*

8201 West Judge Perez Drive    Chalmette, Louisiana, 70043  
(504) 278-4228    Fax (504) 278-4209  
[www.sbp.net](http://www.sbp.net)

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

Page -2-  
Extract #13 continued  
April 16, 2013

**YEAS:**            Lauga, Hunnicutt, Montelongo, McInnis

**NAYS:**            None

**ABSENT:**        Gorbaty, Lewis

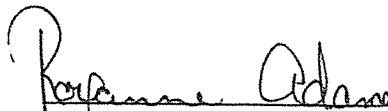
The Council Chair, Mr. Cavignac, cast his vote as **YEA**.

And the motion was declared **adopted** on the 16<sup>th</sup> day of April, 2013.

### 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, April 16, 2013.

Witness my hand and the seal  
of the Parish of St. Bernard on  
this 16<sup>th</sup> day of April, 2013.

  
ROXANNE ADAMS  
CLERK OF COUNCIL



# *St. Bernard Parish Council*

8201 West Judge Perez Drive Chalmette, Louisiana, 70043

(504) 278-4228 Fax (504) 278-4209

www.sbpq.net

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**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, APRIL 16, 2013 AT THREE O'CLOCK P.M.

On a joint motion of the Council, without objection and by unanimous consent, it was moved to **adopt** the following resolution:

## **RESOLUTION SBPC #1035-04-13**

RESOLUTION OPPOSING ANY ADDITIONAL FRESH WATER OR SEDIMENT DIVERSION PROJECTS OR MODIFICATIONS TO EXISTING DIVERSIONS IN AND AFFECTING ST. BERNARD PARISH UNTIL SCIENTIFIC EVIDENCE SUPPORTS THAT SUCH STRUCTURES DO NOT CAUSE IRREPARABLE HARM TO OUR COMMERCIAL AND RECREATIONAL FISHING INDUSTRIES.

WHEREAS, the proposed Upper Breton Diversion (250,000 cfs), in the vicinity of Braithwaite, and the proposed Central Wetlands Diversion (5,000 cfs), in the vicinity of Violet, will have an adverse economic impact on the commercial and recreational fishing industry in St. Bernard Parish, (i.e. fish, crabs, oysters); and

WHEREAS, at present the scientific data is insufficient to support the conclusion that large fresh water sediment diversion will accomplish coastal restoration.

NOW THEREFORE, BE IT RESOLVED, that St. Bernard Parish Council, the governing authority does hereby oppose any additional fresh water or sediment diversion projects or modifications to existing diversions in and affecting St. Bernard parish until scientific evidence supports that such structures do not cause irreparable harm to our commercial and recreational fishing industries.

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

**YEAS:** Lauga, Lewis, Hunnicutt, Montelongo, McInnis

**NAYS:** None

**ABSENT:** Gorbaty



## *St. Bernard Parish Council*

8201 West Judge Perez Drive Chalmette, Louisiana, 70043

(504) 278-4228 Fax (504) 278-4209

[www.sbpq.net](http://www.sbpq.net)

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

Page -2-  
Extract #14 continued  
April 16, 2013

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

And the motion was declared **adopted** on the 16<sup>th</sup> day of April, 2013.

### 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, April 16, 2013.

Witness my hand and the seal  
of the Parish of St. Bernard on  
this 16<sup>th</sup> day of April, 2013.

ROXANNE ADAMS  
CLERK OF COUNCIL



# *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

**#16a**

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, APRIL 16, 2013 AT THREE O'CLOCK P.M.

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

## **RESOLUTION SBPC #1036-04-13**

RESOLUTION SUPPORTING THE UNRESTRICTED FUND BALANCE POLICY WHICH IS CURRENTLY BEING CRAFTED FOR ADOPTION VIA ORDINANCE.

WHEREAS, the St. Bernard Parish Council, the governing authority, is currently in the process of crafting a unrestricted fund balance ordinance; and,

WHEREAS, this Council is desirous in passing a resolution to demonstrate their support of a unrestricted fund balance ordinance for St. Bernard Parish; and,

THEREFORE BE IT RESOLVED, that the St. Bernard Parish Council, the governing authority, is currently in the process of crafting an unrestricted fund balance ordinance.

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

**YEAS:**            Lauga, Lewis, Hunnicutt, Montelongo, McInnis

**NAYS:**            None

**ABSENT:**        Gorbaty

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

And the motion was declared **adopted** on the 16<sup>th</sup> day of April, 2013.



# *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

Page -2-  
Extract #16a continued  
April 16, 2013

## 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, April 16, 2013.

Witness my hand and the seal  
of the Parish of St. Bernard on  
this 16<sup>th</sup> day of April, 2013.

ROXANNE ADAMS  
CLERK OF COUNCIL



# *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**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, MAY 7, 2013 AT SEVEN O'CLOCK P.M.

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

## **RESOLUTION SBPC #1037-05-13**

BE IT RESOLVED, that the St. Bernard Parish Council, the Governing Authority, does hereby approve the following permits as recommended by the Alcohol Beverage and Bingo Department:

<b>Beer and/or Liquor Permit(s)</b>		
<u>Establishment</u>	<u>Beer</u>	<u>Liquor</u>
<b>Renewals:</b>		
a. SL & CR, LLC d/b/a Me Me's Bar & Grille 712 West Judge Perez Drive Chalmette, LA 70043 Member(s): Charles Williams, Jr., Rae Ann Williams, Sammie Catalanotto, and Lynda Catalanotto	X	X
b. St. Bernard Cultural Center, Inc., d/b/a St. Bernard Cultural Center 8245 West Judge Perez Drive Chalmette, LA 70043 Director: Stephanie Bachemin	X	X
c. St. Bernard Station, LLC d/b/a St. B's Discounts 5859 East St. Bernard Highway Violet, LA 70092 Member: Danny Nassar	X	X
d. Tag's Meat Market, Inc., d/b/a Tag's Deli 1207 East Judge Perez Drive Chalmette, LA 70043 Owner(s): Deborah and Michael E. Michalik, Jr.		X
e. UMI, LLC d/b/a UMI 535 East Judge Perez Drive Chalmette, LA 70043 Member(s): James Peeples and Jia Je Ruan	X	X





## *St. Bernard Parish Council*

8201 West Judge Perez Drive    Chalmette, Louisiana, 70043  
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**Guy McInnis**  
*Councilman  
at Large*

Page -2-  
Extract #11 continued  
May 7, 2013

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

- |   |   |   |
|---|---|---|
| f. Vaughan Bar, Inc., d/b/a Barracuda's Lounge<br>7907 East St. Bernard Highway, Suite A St. Bernard, LA 70085<br>Owner: Ricky 'Tony' Melerine      | X | X |
| g. Violet Discount Meat Market, LTD d/b/a<br>Violet Discount Meat Market<br>5636 East Judge Perez Drive Violet, LA 70092<br>Owner: Tharwat N. Hamed | X | X |
| h. Vu Ngoc Son, Inc., d/b/a Ruby Express<br>1515 East Judge Perez Drive, Suite 4 Chalmette, LA 70043<br>Owner: Son Ngoc Vu                          | X | X |
| i. Wal-Mart Louisiana, LLC d/b/a Walmart Supercenter #909<br>8101 West Judge Perez Drive Chalmette, LA 70043<br>Manager: Otho Craddock              | X | X |
| j. 7759, LLC d/b/a Nicosia's Express Lane<br>101 Bayou Road St. Bernard, LA 70085<br>Member(s): Manuel J. Nicosia and Jeffrey D. Nicosia            | X | X |
| k. 81 Investments, LLC d/b/a Juan's Bar<br>7419 West St. Bernard Highway Arabi, LA 70032<br>Member: Guy McInnis                                     | X | X |

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the St. Bernard Parish District Attorney and the St. Bernard Parish Sheriff's Office.

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

**YEAS:** Lauga, Gorbaty, Hunnicutt, Montelongo

**NAYS:** None

**ABSENT:** Lewis, Cavignac



## *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

**George Cavnag**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
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*Councilman  
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*Councilman  
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Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

Page -3-  
Extract #11 continued  
May 7, 2013

The Council Vice-Chair, Mr. McInnis, cast his vote as **ABSENT**.

And the motion was declared adopted on the 7<sup>th</sup> day of May, 2013.

### CERTIFICATE

I HEREBY CERTIFY that the above and foregoing is a true and correct copy of a motion adopted at a Regular Meeting of the Council of the Parish of St. Bernard, held at Chalmette, Louisiana, on Tuesday, May 7, 2013.

Witness my hand and the seal  
of the Parish of St. Bernard on  
this 7<sup>th</sup> day of May, 2013.

ROXANNE ADAMS  
CLERK OF COUNCIL



## *St. Bernard Parish Council*

8201 West Judge Perez Drive    Chalmette, Louisiana, 70043  
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[www.sbpj.net](http://www.sbpj.net)

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**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, MAY 7, 2013 AT SEVEN O'CLOCK P.M.

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

### **RESOLUTION SBPC #1038-05-13**

A RESOLUTION ENDORSING RAISING CANE'S RESTAURANTS, LLC., DBA RAISING CANES PARTICIPATION IN THE LA ENTERPRISE ZONE PROGRAM.

WHEREAS, the Louisiana Enterprise Zone Program enacted in accordance with Act 948 of the 1992 Louisiana Legislature offers significant incentives for economic development for some of the most distressed areas in the Parish of St. Bernard; and

WHEREAS, the Louisiana Department of Economic Development has designated the Parish of St. Bernard as an Enterprise Zone eligible for participation based on demographic and economic factors; and

WHEREAS, in accordance with the Louisiana Enterprise Zone Program requirements the parish agrees:

- a. To participate in the enterprise zone program
- b. To assist the LA Department of Economic Development in evaluating progress made in any enterprise zone within its jurisdiction.
- c. Participant will not be eligible for local benefits.

NOW THEREFORE, BE IT RESOLVED, that the St. Bernard Parish Council, the governing authority does hereby endorse Raising Cane's Restaurants, LLC., dba Raising Canes, 8113 West Judge Perez Drive, Chalmette, LA , Project #2371326057 to participate in the Louisiana Enterprise Zone Program.



## *St. Bernard Parish Council*

8201 West Judge Perez Drive Chalmette, Louisiana, 70043

(504) 278-4228 Fax (504) 278-4209

[www.sbpge.net](http://www.sbpge.net)

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Extract #12 continued

May 7, 2013

**Guy McInnis**  
Councilman  
at Large

**George Cavignac**  
Councilman  
at Large

**Ray Lauga, Jr.**  
Councilman  
District A

**Nathan Gorbaty**  
Councilman  
District B

**Richard "Richie" Lewis**  
Councilman  
District C

**Casey W. Hunnicutt**  
Councilman  
District D

**Manuel "Monty"  
Montelongo III**  
Councilman  
District E

**Roxanne Adams**  
Clerk of Council

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

**YEAS:** Lauga, Gorbaty, Lewis, Hunnicutt, Montelongo

**NAYS:** None

**ABSENT:** Cavignac

The Council Vice-Chair, Mr. McInnis, cast his vote as **YEA**.

And the motion was declared **adopted** on the 7<sup>th</sup> day of May, 2013.

### CERTIFICATE

I HEREBY CERTIFY that the above and foregoing is a true and correct copy of a motion adopted at a Regular Meeting of the Council of the Parish of St. Bernard, held at Chalmette, Louisiana, on Tuesday, May 7, 2013.

Witness my hand and the seal  
of the Parish of St. Bernard on  
this 7<sup>th</sup> day of May, 2013.

ROXANNE ADAMS  
CLERK OF COUNCIL



## *St. Bernard Parish Council*

8201 West Judge Perez Drive    Chalmette, Louisiana, 70043  
(504) 278-4228    Fax (504) 278-4209  
[www.sbpq.net](http://www.sbpq.net)

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**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, MAY 7, 2013 AT SEVEN O'CLOCK P.M.

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

### **RESOLUTION SBPC #1039-05-13**

A RESOLUTION ADOPTING THE LOUISIANA LEGISLATIVE AUDITOR'S QUESTIONNAIRE.

NOW THEREFORE, BE IT RESOLVED, that the St. Bernard Parish Council, the Governing Authority, does hereby approve the Louisiana Legislative Auditor's Questionnaire, "Exhibit "A" as attached,

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

**YEAS:**            Lauga, Gorbaty, Lewis, Hunnicutt, Montelongo

**NAYS:**            None

**ABSENT:**        Cavignac

The Council Vice-Chair, Mr. McInnis, cast his vote as YEA.

And the motion was declared **adopted** on the 7<sup>th</sup> day of May, 2013.



## *St. Bernard Parish Council*

8201 West Judge Perez Drive    Chalmette, Louisiana, 70043  
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**Guy McInnis**  
*Councilman  
at Large*

Page -2-  
Extract #13 continued  
May 7, 2013

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*


**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

### CERTIFICATE

I HEREBY CERTIFY that the above and foregoing is a true and correct copy of a motion adopted at a Regular Meeting of the Council of the Parish of St. Bernard, held at Chalmette, Louisiana, on Tuesday, May 7, 2013.

Witness my hand and the seal  
of the Parish of St. Bernard on  
this 7<sup>th</sup> day of May, 2013.

  
ROXANNE ADAMS  
CLERK OF COUNCIL

**LOUISIANA COMPLIANCE QUESTIONNAIRE**  
**(For Audit Engagements)**

Dear Chief Executive Officer:

Attached is the Louisiana Compliance Questionnaire that is to be completed by you or your staff. This questionnaire is a required part of a financial audit of Louisiana state and local government and quasi-public agencies. Upon completion, the questionnaire must be presented to and adopted by the governing body, if any, of your organization by means of a formal resolution in an open meeting. Independently elected officials should sign the document, in lieu of such a resolution.

The completed questionnaire and a copy of the adoption instrument, if appropriate, must be given to the auditor at the beginning of the audit. The auditor will, during the course of his regular audit, test the accuracy of the responses in the questionnaire. It is not necessary to return the questionnaire to my office.

Certain portions of the questionnaire may not be applicable to your organization, especially those related to federal financial assistance, the requirements of the *Single Audit Act*, and OMB Circular A-133. In such cases, it is appropriate to mark the representation "not applicable." However, you must respond to each applicable representation. A 'yes' answer indicates that you have complied with the applicable law or regulation. A 'no' answer to any representation indicates a possible violation of law or regulation and, as such, should be fully explained. These matters will be reviewed by the auditor during the course of his examination. Please feel free to attach a further explanation of any representation.

Your cooperation in this matter will be greatly appreciated.

Sincerely,

Daryl G. Purpera, CPA, CFE  
Louisiana Legislative Auditor

Enclosure

**LOUISIANA COMPLIANCE QUESTIONNAIRE**  
**(For Audit Engagements of Government Agencies)**

May 1, 2013 (Date Transmitted)

**Postlethwaite & Netterville, APAC**

One Galleria Boulevard, Suite 2100

Metairie, Louisiana 70001

In connection with your audit of our financial statements as of December 31, 2012 and for the year ended 12/31/12 (period of audit) for the purpose of expressing an opinion as to the fair presentation of our financial statements in accordance with accounting principles generally accepted in the United States of America, to assess our system of internal control as a part of your audit, and to review our compliance with applicable laws and regulations, we confirm, to the best of our knowledge and belief, the following representations. These representations are based on the information available to us as of May 1, 2013.

**PART I. AGENCY PROFILE**

1. Name and address of the organization.

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

2. List the population of the municipality or parish based upon the last official United States Census or most recent official census (municipalities and police juries only). Include the source of the information.

3. List names, addresses, and telephone numbers of entity officials. [Include elected/appointed members of the governing board, chief executive and fiscal officer, and legal counsel].

**Guy McInnis**  
**Councilman at Large East**  
4617 Genie St.  
Meraux, LA 70075  
(504) 494-4829  
[gmcinnis@sbpg.net](mailto:gmcinnis@sbpg.net)

**George Cavignac**  
**Councilman at Large West**  
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Chalmette, LA 70043  
(504) 650-1285  
[gcavignac@sbpg.net](mailto:gcavignac@sbpg.net)



**Ray Lauga Jr.**  
**Councilman District A**  
725 LeBeau St.  
Arabi, LA 70032  
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[districta@cox.net](mailto:districta@cox.net)

**Nathan Gorbaty**  
**Councilman District B**  
2500 Jackson Blvd.  
Chalmette, LA 70043  
(504) 220-3814  
[ngorbaty@sbpg.net](mailto:ngorbaty@sbpg.net)

**Richard "Richie" Lewis**  
**Councilman District C**  
3408 Palmisano Blvd.  
Chalmette, LA 70043  
(504) 234-8002  
[rlewis@sbpg.net](mailto:rlewis@sbpg.net)

**Casey Hunnicutt**  
**Councilman District D**  
3124 Legend St.  
Meraux, LA 70075  
(504) 224-1895  
[chunnicutt@sbpg.net](mailto:chunnicutt@sbpg.net)

**Manuel "Monty" Montelongo III**  
**Councilman District E**  
2104 Sylvia Blvd.  
St. Bernard, LA 70085  
(504) 224-1359  
[mmontelongo@sbpg.net](mailto:mmontelongo@sbpg.net)

**David E. Peralta**  
**Parish President**  
8201 W. Judge Perez Dr.  
Chalmette, LA 70043  
(504) 278-4200  
[dperalta@sbpg.net](mailto:dperalta@sbpg.net)

**Ross B. Gonzales**  
**Finance Director**  
8201 W. Judge Perez Dr.  
Chalmette, LA 70043  
(504) 278-4200  
[rgonzales@sbpg.net](mailto:rgonzales@sbpg.net)

**William McGoey**  
**Legal Counsel**  
8201 W. Judge Perez Dr.  
Chalmette, LA 70043  
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[wmcgoey@sbpg.net](mailto:wmcgoey@sbpg.net)

**Jeanne Juneau**  
**Legal Counsel**  
8201 W. Judge Perez Dr.  
Chalmette, LA 70043  
(504) 278-4200  
[jjuneau@sbspq.net](mailto:jjuneau@sbspq.net)

4. Period of time covered by this questionnaire:

**January 1, 2012 through December 31, 2012**

5. The entity has been organized under the following provisions of the Louisiana Revised Statute (s) (R.S.) and, if applicable, local resolutions/ordinances.

**Article VI, Section 5, of the Louisiana Constitution**

6. Briefly describe the public services provided:

**Public Safety, Highways and Streets, Sanitation, Utilities, Culture and Recreation,  
Planning and Zoning, General Administrative Services, Fire Protection**

7. Expiration date of current elected/appointed officials' terms.

**December 31, 2015**

#### **LEGAL COMPLIANCE**

##### **PART II. PUBLIC BID LAW**

8. The provisions of the public bid law, R.S. Title 38:2211-2296, and, where applicable, the regulations of the Division of Administration, State Purchasing Office have been complied with.

A) All public works purchases exceeding \$100,000 have been publicly bid.

B) All material and supply purchases exceeding \$20,000 have been publicly bid.

Yes [ ☒ ] No [ ☐ ]

##### **PART III. CODE OF ETHICS LAW FOR PUBLIC OFFICIALS AND PUBLIC EMPLOYEES**

9. It is true that no employees or officials have accepted anything of value, whether in the form of a service, loan, or promise, from anyone that would constitute a violation of R.S. 42:1101-1124.

Yes [ ☐ ] No [ ☒ ]

10. It is true that no member of the immediate family of any member of the governing authority, or the chief executive of the governmental entity, has been employed by the governmental entity after April 1, 1980, under circumstances that would constitute a violation of R.S. 42:1119.

Yes [ ☐ ] No [ ☒ ]

#### **PART IV. LAWS AFFECTING BUDGETING**

11. We have complied with the budgeting requirements of the Local Government Budget Act (R.S. 39:1301-16) R.S. 39:33, or R.S. 39:1331-1342, as applicable:

##### A. Local Budget Act

1. We have adopted a budget for the general fund and all special revenue funds (R.S. 39:1305).
2. The chief executive officer, or equivalent, has prepared a proposed budget that included a budget message, a proposed budget for the general fund and each special revenue fund, and a budget adoption instrument that specified the chief executive's authority to make budgetary amendments without approval of the governing authority. Furthermore, the proposed expenditures did not exceed estimated funds to be available during the period (R.S. 39:1305).
3. The proposed budget was submitted to the governing authority and made available for public inspection at least 15 days prior to the beginning of the budget year (R.S. 39:1306).
4. To the extent that proposed expenditures were greater than \$500,000, we have made the budget available for public inspection and have advertised its availability in our official journal. The advertisement included the date, time, and place of the public hearing on the budget. Notice has also been published certifying that all actions required by the Local Government Budget Act have been completed (R.S. 39:1307).
5. If required, the proposed budget was made available for public inspection at the location required by R.S. 39:1308.
6. All action necessary to adopt and finalize the budget was completed prior to the date required by state law. The adopted budget contained the same information as that required for the proposed budget (R.S. 39:1309).
7. After adoption, a certified copy of the budget has been retained by the chief executive officer or equivalent officer (R.S. 39:1309).
8. To the extent that proposed expenditures were greater than \$500,000, the chief executive officer or equivalent notified the governing authority in writing during the year when actual receipts plus projected revenue collections for the year failed to meet budgeted revenues by five percent or more, or when actual expenditures plus projected expenditures to year end exceeded budgeted expenditures by five percent or more (R.S. 39:1311).
9. The governing authority has amended its budget when notified, as provided by R.S. 39:1311. (Note, general and special revenue fund budgets should be amended, regardless of the amount of expenditures in the fund, when actual receipts plus projected revenue collections for the year fail to meet budgeted revenues by five percent or more; or when actual expenditures plus projected expenditures to year end exceed budgeted expenditures by five percent or more. State law exempts from the amendment requirements special revenue funds with anticipated expenditures of \$500,000 or less, and exempts special revenue funds whose revenues are expenditure-driven--primarily federal funds--from the requirement to amend revenues.)

Yes [x ] No [ ]

##### B. State Budget Requirements

1. The state agency has complied with the budgetary requirements of R.S. 39:33.

Yes [ x ] No [ ]

##### C. Licensing Boards N/A

1. The licensing board has complied with the budgetary requirements of R. S. 39:1331-1342.

N/A Yes [ ] No [ ]

**PART V. ACCOUNTING, AUDITING, AND FINANCIAL REPORTING LAWS**

12. We have maintained our accounting records in such a manner as to provide evidence of legal compliance and the preparation of annual financial statements to comply with R.S. 24:513 and 515, and/or 33:463.

Yes ☒ No ☐

13. All non-exempt governmental records are available as a public record and have been retained for at least three years, as required by R.S. 44:1, 44:7, 44:31, and 44:36.

Yes ☒ No ☐

14. We have filed our annual financial statements in accordance with R.S. 24:514, and 33:463 where applicable.

Yes ☒ No ☐

15. We have had our financial statements audited in a timely manner in accordance with R.S. 24:513.

Yes ☐ No ☐

**PART VI. MEETINGS**

We have complied with the provisions of the Open Meetings Law, provided in R. S. 42:1 through 42:13.

Yes ☒ No ☐

**PART VII. ASSET MANAGEMENT LAWS**

16. We have maintained records of our fixed assets and movable property records, as required by R.S. 24:515 and/or 39:321-332, as applicable.

Yes ☒ No ☐

**PART VIII. FISCAL AGENCY AND CASH MANAGEMENT LAWS**

17. We have complied with the fiscal agency and cash management requirements of R.S. 39:1211-45 and 49:301-327, as applicable.

Yes ☒ No ☐

**PART IX. DEBT RESTRICTION LAWS**

18. It is true we have not incurred any long-term indebtedness without the approval of the State Bond Commission, as provided by Article VII, Section 8 of the 1974 Louisiana Constitution, Article VI, Section 33 of the 1974 Louisiana Constitution, and R.S. 39:1410.60-1410.65.

Yes ☒ No ☐

19. We have complied with the debt limitation requirements of state law (R.S. 39:562).

Yes ☒ No ☐

20. We have complied with the reporting requirements relating to the Fiscal Review Committee of the State Bond Commission (R.S. 39:1351).

Yes ☒ No ☐

**PART X. REVENUE AND EXPENDITURE RESTRICTION LAWS**

21. We have restricted the collections and expenditures of revenues to those amounts authorized by Louisiana statutes, tax propositions, and budget ordinances.

Yes ☒ No ☐

22. It is true we have not advanced wages or salaries to employees or paid bonuses in violation of Article VII, Section 14 of the 1974 Louisiana Constitution, R.S. 14:138, and AG opinion 79-729.

Yes ☒ No ☐

23. It is true that no property or things of value have been loaned, pledged, or granted to anyone in violation of Article VII, Section 14 of the 1974 Louisiana Constitution.

Yes ☒ No ☐

**PART XI. QUESTIONS FOR SPECIFIC GOVERNMENTAL UNITS**

Police Juries N/A (Home Rule Charter)

24. We have adopted a system of road administration that provides as follows:

- A. Approval of the governing authority of all expenditures, R.S. 48:755(A).
- B. Development of a capital improvement program on a selective basis, R.S. 48:755.
- C. Centralized purchasing of equipment and supplies, R.S. 48:755.
- D. Centralized accounting, R.S. 48:755.
- E. A construction program based on engineering plans and inspections, R.S. 48:755.
- F. Selective maintenance program, R.S. 48:755.
- G. Annual certification of compliance to the auditor, R.S. 48:758.

Yes ☐ No ☐

School Boards N/A

25. We have complied with the general statutory, constitutional, and regulatory provisions of the Louisiana Department of Education, R.S. 17:51-401.

Yes ☐ No ☐

26. We have complied with the regulatory circulars issued by the Louisiana Department of Education that govern the Minimum Foundation Program.

Yes ☐ No ☐

27. We have, to the best of our knowledge, accurately compiled the performance measurement data contained in the following schedules and recognize that your agreed upon procedures will be applied to such schedules and performance measurement data:

Parish school boards are required to report as part of their annual financial statements measures of performance. These performance indicators are found in the supplemental schedules:

- Schedule 1, General Fund Instructional and Support Expenditures and Certain Local Revenue Sources
- Schedule 2, Education Levels of Public School Staff
- Schedule 3, Number and Type of Public Schools
- Schedule 4, Experience of Public Principals, Assistant Principals, and Full-time Classroom

Teachers

- Schedule 5, Public School Staff Data: Average Salaries
- Schedule 6, Class Size Characteristics

- Schedule 7, Louisiana Educational Assessment Program (LEAP)
- Schedule 8, Graduation Exit Examination (GEE)
- Schedule 9, IOWA and iLEAP Tests

Yes [ ] No [ ]

Tax Collectors N/A

28. We have complied with the general statutory requirements of R.S. 47.

Yes [ ] No [ ]

Sheriffs N/A

29. We have complied with the state supplemental pay regulations of R.S. 33:2218.8.

Yes [ ] No [ ]

30. We have complied with R.S. 33:1432 relating to the feeding and keeping of prisoners.

Yes [ ] No [ ]

District Attorneys N/A

31. We have complied with the regulations of the Louisiana Department of Social Services that relate to the Title IV-D Program.

Yes [ ] No [ ]

Assessors N/A

32. We have complied with the regulatory requirements found in Title 47 of the Louisiana Revised Statutes.

Yes [ ] No [ ]

33. We have complied with the regulations of the Louisiana Tax Commission relating to the reassessment of property.

Yes [ ] No [ ]

Clerks of Court N/A

34. We have complied with R.S. 13:751-917 and applicable sections of R.S. 11:1501-1562.

Yes [ ] No [ ]

Libraries N/A

35. We have complied with the regulations of the Louisiana State Library.

Yes [ ] No [ ]

Municipalities

36. Minutes are taken at all meetings of the governing authority. R.S. 42:7.1.

Yes [ x ] No [ ]

37. Minutes, ordinances, resolutions, budgets, and other official proceedings of the municipalities are published in the official journal. R.S. 43:141-146 and A.G. 86-528.

Yes [ x ] No [ ]

38. All official action taken by the municipality is conducted at public meetings. R.S. 42:4.1-13.

Yes [ x ] No [ ]

Airports N/A

39. We have submitted our applications for funding airport construction or development to the Department of Transportation and Development as required by R.S. 2:802.

Yes [ ] No [ ]

40. We have adopted a system of administration that provides for approval by the department for any expenditures of funds appropriated from the Transportation Trust Fund, and no funds have been expended without department approval (R.S. 2:810).

Yes [ ] No [ ]

41. All project funds have been expended on the project and for no other purpose (R.S. 2:810).

Yes [ ] No [ ]

42. We have certified to the auditor, on an annual basis, that we have expended project funds in accordance with the standards established by law (R.S. 2:811).

Yes [ ] No [ ]

Ports N/A

43. We have submitted our applications for funding port construction or development to the Department of Transportation and Development as required by R.S. 34:3452.

Yes [ ] No [ ]

44. We have adopted a system of administration that provides for approval by the department for any expenditures of funds made out of state and local matching funds, and no funds have been expended without department approval (R.S. 34:3460).

Yes [ ] No [ ]

45. All project funds have been expended on the project and for no other purpose (R.S. 34:3460).

Yes [ ] No [ ]

46. We have established a system of administration that provides for the development of a capital improvement program on a selective basis, centralized purchasing of equipment and supplies, centralized accounting, and the selective maintenance and construction of port facilities based upon engineering plans and inspections (R.S. 34:3460).

Yes [ ] No [ ]

47. We have certified to the auditor, on an annual basis, that we have expended project funds in accordance with the standards established by law (R.S. 34:3461).

Yes [ ] No [ ]

Sewerage Districts N/A

48. We have complied with the statutory requirements of R.S. 33:3881-4159.10. N/A

Yes [ ] No [ ]

Waterworks Districts N/A

49. We have complied with the statutory requirements of R.S. 33:3811-3837. N/A

Yes [ ] No [ ]

Utility Districts N/A

50. We have complied with the statutory requirements of R.S. 33:4161-4546.21. N/A

Yes [ ] No [ ]

Drainage and Irrigation Districts N/A

51. We have complied with the statutory requirements of R.S. 38:1601-1707 (Drainage Districts); R.S. 38:1751-1921 (Gravity Drainage Districts); R.S. 38:1991-2048 (Levee and Drainage Districts); or R.S. 38:2101-2123 (Irrigation Districts), as appropriate.

Yes [ ] No [ ]

Fire Protection Districts RS N/A

52. We have complied with the statutory requirements of R.S. 40:1491-1509.


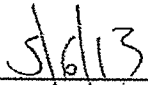
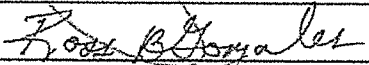
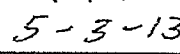


Yes [ ] No [ ]

Other Special Districts N/A

53. We have complied with those specific statutory requirements of state law applicable to our district.

Yes [ ] No [ ]

The previous responses have been made to the best of our belief and knowledge.

	Secretary		Date
	Treasurer		Date
	President		Date





# *St. Bernard Parish Council*

8201 West Judge Perez Drive    Chalmette, Louisiana, 70043  
(504) 278-4228    Fax (504) 278-4209  
[www.sbp.org.net](http://www.sbp.org.net)

**Guy McInnis**  
*Councilman  
at Large*

**George Cavnag**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
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District A*

**Nathan Gorbaty**  
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**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**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, MAY 21, 2013 AT THREE O'CLOCK P.M.

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

## **RESOLUTION SBPC#1040-05-13**

A RESOLUTION AUTHORIZING THE ST. BERNARD PARISH PRESIDENT TO ENTER INTO THE REQUIRED AMENDMENT #2 TO AGREEMENT WITH THE STATE OF LOUISIANA (DIVISION OF ADMINISTRATION) (OFFICE OF COMMUNITY DEVELOPMENT – DISASTER RECOVERY UNIT) TO OBLIGATE \$878,501.00 OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS TO CONSTRUCT A "HARBOR OF REFUGE".

WHEREAS, the construction of a "Harbor of Refuge" will help protect fishing vessels and other watercraft during a hurricane, major storm event, or rising water by securing boats to cluster pilings in a designated area, and;

WHEREAS, the Governing Authority desires to assist fishermen and parish residents with boats docked in St. Bernard Parish through this project, and;

WHEREAS, Amendment #2 to the Agreement with the State of Louisiana (Division of Administration)(Office of Community Development-Disaster Recovery Unit) increases the Grant Award amount from \$400,000 to \$878,501 for the purpose of funding the implementation of the selected fisheries infrastructure recovery project.

THEREFORE, BE IT RESOLVED, by the St. Bernard Parish Government, that the parish President is; authorized to enter into Amendment #2 to the Agreement between the State of Louisiana (Division of Administration) (Office of Community Development) and the St. Bernard Parish Government to increase the grant award amount by \$478,501 for the purpose of funding the implementation of the selected fisheries infrastructure recovery projects and for proper completion and closeout of the projects.



## *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

Page -2-  
Extract #14 continued  
May 21, 2013

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

**YEAS:**            Lauga, Gorbaty, Lewis, Hunnicutt, Montelongo, McInnis

**NAYS:**            None

**ABSENT:**        None

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

And the motion was declared **adopted** on the 21<sup>st</sup> day of May, 2013.

### CERTIFICATE

I HEREBY CERTIFY that the above and foregoing is a true and correct copy of a motion adopted at a Regular Meeting of the Council of the Parish of St. Bernard, held at Chalmette, Louisiana, on Tuesday, May 21, 2013.

Witness my hand and the seal  
of the Parish of St. Bernard on  
this 21<sup>st</sup> day of May, 2013.

ROXANNE ADAMS  
CLERK OF COUNCIL



## *St. Bernard Parish Council*

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**#15**

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

EXTRACT OF THE OFFICIAL PROCEEDINGS OF THE COUNCIL OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, TAKEN AT A REGULAR MEETING HELD IN THE COUNCIL CHAMBERS OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, 8201 WEST JUDGE PEREZ DRIVE, CHALMETTE, LOUISIANA ON TUESDAY, MAY 7, 2013 AT SEVEN O'CLOCK P.M.

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

### **RESOLUTION SBPC#1041-05-13**

A RESOLUTION APPROVING THE ISSUANCE, SALE AND DELIVERY OF NOT EXCEEDING THREE MILLION DOLLARS (\$3,000,000) OF REVENUE ANTICIPATION NOTES OF THE HOSPITAL SERVICE DISTRICT OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, AND OTHER MATTERS RELATING THERETO.

WHEREAS, the Board of Commissioners of the Hospital Service District of the Parish of St. Bernard, State of Louisiana, by resolution adopted on April 16, 2013, has authorized the issuance of not exceeding Three Million Dollars (\$3,000,000) of Revenue Anticipation Notes, in one of more series (collectively, the "Notes"), purpose of paying the costs of current operations for the fiscal year ending December 31, 2013, and to dedicate and set aside its income, revenues and receipts for the payment of any Notes issued under the provisions of Section 1430 of Title 39 of the Louisiana Revised Statutes of 1950, as amended, which Notes will fall due and be payable not later than March 1, 2014.

WHEREAS, it is now the desire of the St. Bernard Parish Council, State of Louisiana, to approve the issuance of the Notes;

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

SECTION 1. In compliance with the provisions of Section 1430 of Title 39 of the Louisiana Revised Statutes of 1950, as amended, and in accordance with the request of the Board of Commissioners of the Hospital Service District of the Parish of St. Bernard, State of Louisiana, this Parish Council hereby approves the issuance of not exceeding Three Million Dollars (\$3,000,000) of Revenue Anticipation Notes of the Hospital Service District of the Parish of St. Bernard, State of Louisiana, the Notes to be issued under the authority and for the purposes stated in the preamble hereto.



## *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

Page -2-  
Extract #15 continued  
May 7, 2013

**George Cavignac**  
*Councilman  
at Large*

SECTION 2. Neither the Parish nor this Parish Council shall be liable in any manner for the payment of the Notes.

**Ray Lauga, Jr.**  
*Councilman  
District A*

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

**Nathan Gorbaty**  
*Councilman  
District B*

**YEAS:**            Lauga, Gorbaty, Lewis, Hunnicutt, Montelongo

**NAYS:**            None

**Richard "Richie" Lewis**  
*Councilman  
District C*

**ABSENT:**        Cavignac

**Casey W. Hunnicutt**  
*Councilman  
District D*

The Council Vice-Chair, Mr. McInnis, cast his vote as **YEA**.

And the motion was declared **adopted** on the 7<sup>th</sup> day of May, 2013.


**Manuel "Monty" Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

### CERTIFICATE

I HEREBY CERTIFY that the above and foregoing is a true and correct copy of a motion adopted at a Regular Meeting of the Council of the Parish of St. Bernard, held at Chalmette, Louisiana, on Tuesday, May 7, 2013.

Witness my hand and the seal  
of the Parish of St. Bernard on  
this 7<sup>th</sup> day of May, 2013.

  
ROXANNE ADAMS  
CLERK OF COUNCIL



# *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

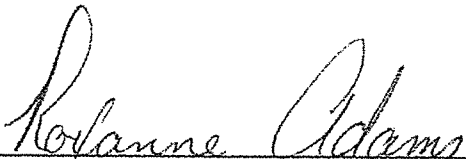
**Roxanne Adams**  
*Clerk of Council*

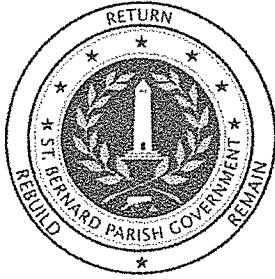
STATE OF LOUISIANA

PARISH OF ST. BERNARD

I, the undersigned Clerk of the St. Bernard Parish Council, State of Louisiana (the "Parish Council"), acting as the governing authority of the Parish of St. Bernard, State of Louisiana (the "Parish"), do hereby certify that the foregoing pages constitute a true and correct copy of a resolution adopted by the Parish Council on May 7, 2013, approving the issuance, sale and delivery of not exceeding Three Million Dollars (\$3,000,000) of Revenue Anticipation Notes, Series 2013, of the Hospital Service District of the Parish of St. Bernard, State of Louisiana, and other matters relating thereto.

IN FAITH WHEREOF, witness my official signature on this, the 7<sup>th</sup> day of May, 2013.

  
\_\_\_\_\_  
Clerk of the Council  
ST. BERNARD PARISH COUNCIL



## *St. Bernard Parish Council*

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**#16**

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

EXTRACT OF THE OFFICIAL PROCEEDINGS OF THE COUNCIL OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, TAKEN AT A REGULAR MEETING HELD IN THE COUNCIL CHAMBERS OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, 8201 WEST JUDGE PEREZ DRIVE, CHALMETTE, LOUISIANA ON TUESDAY, MAY 7, 2013 AT SEVEN O'CLOCK P.M.

On a joint motion of the Council, without objection and by unanimous consent it was moved to **adopt** the following resolution:

### **RESOLUTION SBPC#1042-05-13**

A RESOLUTION PROCLAIMING MAY AS "DISABILITY HISTORY AND AWARENESS FOR THE ST. BERNARD PARISH RESIDENTS IN NEED; WE TAKE CARE OF OUR OWN" MONTH IN ST. BERNARD PARISH.

WHEREAS, people with disabilities are currently the largest minority group in the United States with a population of over 57 million; and

WHEREAS, St. Bernard Parish recognizes the importance of increasing public awareness and respect for persons with disabilities and informing the public about the many contributions to society and accomplishments of individuals with disabilities; and

WHEREAS, St. Bernard Parish encourages public understanding of the disability rights movements, including the Americans with Disabilities Act of 1990, which was enacted to end disability-based discrimination, and to promote inclusion, full participation, economic self-sufficiency and equality of opportunity for all people with disabilities

WHEREAS, St. Bernard Parish will reaffirm the local, state, and federal commitment to providing equality and inclusion for people with disabilities' and

NOW THEREFORE, BE IT RESOLVED, that the St. Bernard Parish Council, the Governing Authority, does hereby proclaim the month of May as Disability History and Awareness for the St. Bernard Parish Residents in Need; We Take Care of Our Own, and respectfully request that each citizen of St. Bernard Parish celebrate and promote respect for the better treatment of people with disabilities in St. Bernard Parish.



## *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

**George Cavnac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

Page -2-  
Extract #16 continued  
May 7, 2013

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

**YEAS:** Lauga, Gorbaty, Lewis, Hunnicutt, Montelongo

**NAYS:** None

**ABSENT:** Cavnac

The Council Vice-Chair, Mr. McInnis, cast his vote as YEA.

And the motion was declared adopted on the 7<sup>th</sup> day of May, 2013.

### CERTIFICATE

I HEREBY CERTIFY that the above and foregoing is a true and correct copy of a motion adopted at a Regular Meeting of the Council of the Parish of St. Bernard, held at Chalmette, Louisiana, on Tuesday, May 7, 2013.

Witness my hand and the seal  
of the Parish of St. Bernard on  
this 7<sup>th</sup> day of May, 2013.

ROXANNE ADAMS  
CLERK OF COUNCIL



# *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**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, MAY 21, 2013 AT THREE O'CLOCK P.M.

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

## **RESOLUTION SBPC #1043-05-13**

A RESOLUTION TO AUTHORIZE THE PARISH PRESIDENT TO SIGN A COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM DISASTER RECOVERY CONSULTANT SERVICES CONTRACT WITH WAGGONER & BALL ARCHITECTS, A PROFESSIONAL CORPORATION FOR THE DEVELOPMENT OF AN INTEGRATED WATER MANAGEMENT PLAN/RESILIENCY CATEGORY 1 PROGRAM MANAGEMENT PLAN.

ST. BERNARD PARISH COUNCIL DOES HEREBY RESOLVE:

WHEREAS, a Council Resolution authorizing the Parish President is needed to obtain funding for the development of an Integrated Water Management Plan/Resiliency Category 1 Program Management Plan,

WHEREAS, it is in the best interests of the citizens of St. Bernard that an Integrated Water Management Plan/Resiliency Category 1 Program Management Plan be developed.

THEREFORE, BE IT RESOLVED that the Parish Council hereby authorizes the Parish President to sign a contract with Waggoner & Ball Architects, a Professional Corporation to develop an Integrated Water Management Plan/Resiliency Category 1 Program Management Plan.

SECTION 1. Effective Date. This Resolution shall become effective immediately upon authorizing signature by the Parish President.





## *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

Page -2-  
Extract #15 continued  
May 21, 2013

**George Cavnag**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

SECTION 2. Severability. If any section, clause, paragraph, provision or portion of this Resolution 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 Resolution, the St. Bernard Parish Council hereby expresses and declares that it would have adopted the remaining portion this Resolution with the invalid portions omitted.

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

**YEAS:**            Lauga, Gorbaty, Lewis, Montelongo, McInnis

**NAYS:**            None

**ABSENT:**        Hunnicutt

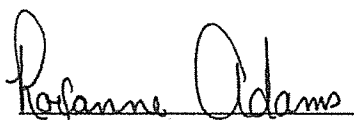
The Council Chair, Mr. Cavnag, cast his vote as YEA.

And the motion was declared adopted on the 21<sup>st</sup> day of May, 2013.

### CERTIFICATE

I HEREBY CERTIFY that the above and foregoing is a true and correct copy of a motion adopted at a Regular Meeting of the Council of the Parish of St. Bernard, held at Chalmette, Louisiana, on Tuesday, May 21, 2013.

Witness my hand and the seal  
of the Parish of St. Bernard on  
this 21<sup>st</sup> day of May, 2013.

  
ROXANNE ADAMS  
CLERK OF COUNCIL

**COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM**

**DISASTER RECOVERY CONSULTANT SERVICES**

**PART I – AGREEMENT**

This Agreement for professional services is by and between the ST. BERNARD PARISH GOVERNMENT (hereinafter called the "GRANTEE"), acting herein by David Peralta, President, hereunto duly authorized, and WAGGONER & BALL ARCHITECTS, A PROFESSIONAL CORPORATION, and organized under the laws of the State of Louisiana (hereinafter called the "CONSULTANT"), acting herein by J. David Waggoner III, President, hereunto duly authorized;

**WITNESSETH THAT:**

WHEREAS, the GRANTEE has entered into a Cooperative Endeavor Agreement to receive funding from the State of Louisiana, Office of Community Development, Disaster Recover (OCD/DRU) CDBG Programs pursuant to Title I of the Housing and Community Development Act of 1974, as amended; and,

WHEREAS, the GRANTEE desires to engage the CONSULTANT to render certain professional services in connection with its Community Development Program:

NOW, THEREFORE, the parties do mutually agree as follows:

1) Engagement of CONSULTANT

The GRANTEE hereby agrees to engage the CONSULTANT, and the CONSULTANT hereby agrees to perform the Scope of Services set forth herein under the terms and conditions of this agreement.

2) Scope of Services

The CONSULTANT shall, in a satisfactory and proper manner, consistent with the applicable professional standard of care, perform the services listed in Part III Scope of Services. Services in each of the work areas shall be performed under and at the direction of the CONSULTANT's designated representative, subject to the approval of GRANTEE.

3) Time of Performance

The services of the CONSULTANT shall commence upon authorization to proceed and shall end after nine (9) months. Such services shall be continued in such sequence as to assure their relevance to the purposes of this Agreement. All of the services required and performed hereunder shall not be considered to be completed until the GRANTEE has received notification of final close out from the OCD/DRU.

4) Access to Information

It is agreed that information, data, reports, records, and maps as are existing, available, and necessary for the carrying out of the work outlined above, shall be the responsibility of the CONSULTANT to secure at no charge to the GRANTEE.

5) Compensation and Method of Payment

CONSULTANT shall only be paid for services rendered under this agreement from funds allowed by the OCD/DRU under the provisions of the grant awarded to the GRANTEE. Payment for such services will be made by GRANTEE, or at GRANTEE's direction, after GRANTEE approves of the services, submits an application for payment to OCD/DRU, or its designee, and receives payment on such application from OCD/DRU, or its designee.

The total amount of reimbursable fees and/or costs to be paid CONSULTANT under this Contract shall not exceed Two hundred eighty thousand dollars [\$280,000.00] without amendment, in accordance with Part II-C herein. CONSULTANT shall not incur any costs in excess of this amount without the written approval of the GRANTEE; however, CONSULTANT may incur costs in excess of this amount at its own risk. CONSULTANT will only be paid for the time and effort needed to complete the actual scope of services required for this program as determined by GRANTEE. CONSULTANT acknowledges that such payment may be less than the total amount above.

The CONSULTANT shall submit invoices monthly based on the work completed to the GRANTEE for payment. Each invoice submitted shall identify the specific contract task(s) or sub-task(s) listed in Part III Scope of Services for payment according to the lump sum price method, as follows: Lump Sum Price: For tasks with a definable work product and where the quantity required is certain and the CONSULTANT assumes the risk for all costs: a lump sum price shall be paid. Each invoice submitted by the CONSULTANT shall identify the specific contract task(s) and the completed work

product/deliverable for the agreed upon subtasks and quantity listed in Part III. GRANTEE shall pay CONSULTANT upon submission of an approved invoice within 45 days of GRANTEE receiving payment from OCD/DRU for the completed work product/deliverable represented by the invoice.

6) GRANTEE'S RESPONSIBILITIES

According to the Cooperative Endeavor Agreement signed between GRANTEE and OCD/DRU, the GRANTEE's rights and obligations under this Agreement are as a grant recipient as set forth in 24 CFR 570.501; therefore, GRANTEE must implement the Program in compliance with 24 CFR 570.501, and other applicable laws and regulations, as well as in a manner satisfactory to the OCD and HUD and consistent with any applicable guidelines and standards that may be required as a condition of the OCD's providing the funds, including but not limited to all applicable CDBG Program Administration and Compliance requirements set forth by the Cooperative Endeavor Agreement (CEA), this Agreement and the Statement of Assurances (attached hereto to the CEA as Appendix A) executed by GRANTEE and the State of Louisiana Office of Community Development and made a part hereof. As such, nothing in this agreement is intended to nor shall it be construed to deviate from or alter GRANTEE's obligations to OCD/DRU.

GRANTEE shall support the CONSULTANT's work by providing Economic analysis; Zoning and ordinance recommendations in regard to water and land use in collaboration with the Comprehensive Plan team; Institutional mechanisms and review of institutional approaches for Parish management to coincide with implementation;

Implementation strategies; and support for public outreach and community engagement activities.

7) Ownership of Documents

All documents, including original drawings, estimates, specifications, field notes, and data (collectively, "Contract Documents") produced by the CONSULTANT as a result of this Contract are the property of the GRANTEE and/or OCD/DRU. The CONSULTANT may retain digital and other reproducible copies of drawings and other documents.

Under no circumstances shall the transfer of ownership of the CONSULTANT's drawings, specifications, electronic files or other instruments of service be deemed a sale.

8) Public Communications

CONSULTANT shall be required to seek prior approval of all public communications regarding work performed under this contract from GRANTEE and OCD/DRU. Such public communications shall recognize the role of GRANTEE, OCD/DRU and the U. S. Department of Housing and Urban Development in providing the services required under this contract.

9) Professional Liability

The CONSULTANT shall in providing services under this Contract for the preparation of the strategy and in the implementation of the Disaster Recovery CDBG program, perform in a manner consistent with that degree of care and skill ordinarily exercised by members of the same profession currently practicing under similar circumstances at the same time and in the same or similar locality.

10) Indemnification

Consistent with the professional standard of care, the CONSULTANT shall comply with the requirements of all applicable laws, rules and regulations in connection with the services of the CONSULTANT, and shall indemnify and hold harmless the GRANTEE, its officers, agents, and all employees from and against them, and local taxes or contributions imposed or required under the Social Security, Workers' Compensation, and Income Tax Laws. Further, the CONSULTANT shall indemnify and hold harmless the GRANTEE to the extent any damages and expenses arising from or in connection with any negligent work or intentional tort performed under this Contract by the CONSULTANT and its agents, employees, and subcontractors. Nothing in this Paragraph shall be construed as a limitation of the CONSULTANT's liability under this Agreement or as otherwise provided by law.

11) Terms and Conditions

This Agreement is subject to the provisions titled, "Part II, Terms and Conditions" and "Part III, Payment Schedule," attached hereto and incorporated by reference herein.

12) Address of Notices and Communications

David Peralta  
President  
St. Bernard Parish Government  
8201 West Judge Perez Drive  
Chalmette, LA 70043

J. David Waggoner III  
President  
Waggoner & Ball Architects, APC  
2200 Prytania Street  
New Orleans, LA 70130

13) Captions

Each paragraph of this Contract has been supplied with a caption to serve only as a guide to the contents. The caption does not control the meaning of any paragraph or in any way determine its interpretation or application.



14) Authorization

This Agreement is authorized by the St. Bernard Parish Government, Resolution [number] adopted [date], copies of which are attached hereto and made a part hereof.

SIGNATURES:

St. Bernard Parish Government

\_\_\_\_\_

By: David Peralta, President

Date: \_\_\_\_\_

Waggonner & Ball Architects, APC

\_\_\_\_\_

By: J. David Waggonner III, President

Date: \_\_\_\_\_

## PART II – TERMS AND CONDITIONS

### A. TERMINATION OF CONTRACT FOR CAUSE.

If, through any cause, the CONSULTANT shall fail to fulfill in a timely and proper manner his obligations under this Contract, or if the CONSULTANT shall violate any of the covenants, agreements, or stipulations of this Contract, the GRANTEE shall thereupon have the right to terminate this Contract by giving written notice to the CONSULTANT of such termination and specifying the effective date thereof, at least five days before the effective date of such termination. In such event, all finished or unfinished documents, data, studies, surveys, drawings, maps, models, photographs, and reports prepared by the CONSULTANT under this Contract shall, at the option of the GRANTEE, become its property and the CONSULTANT shall be entitled to receive just and equitable compensation for any work satisfactorily completed hereunder; however, such compensation shall be subject to compliance and in accordance with all provisions of this contract pertaining to payment, including but not limited to Paragraph 5 of Part I hereof. Notwithstanding the above, the CONSULTANT shall not be relieved of liability to the GRANTEE for damages sustained by the GRANTEE by virtue of any breach of the Contract by the CONSULTANT, and the GRANTEE may withhold any payments to the CONSULTANT for the purpose of set-off until such time as the exact amount of damages due the GRANTEE from the CONSULTANT is determined.

### B. TERMINATION FOR CONVENIENCE OF THE GRANTEE

The GRANTEE may terminate this Contract at any time by giving at least 10 days' notice in writing to the CONSULTANT. If the Contract is terminated by the

GRANTEE as provided herein, the CONSULTANT will be paid for the time properly provided and expenses properly incurred up to the receipt of the notice termination date. If this Contract is terminated due to the fault of the CONSULTANT, the provisions of Paragraph "A" above, relative to termination and the rights of GRANTEE, shall apply. Notwithstanding the provisions of Paragraph A and B above, this Contract may be terminated if any application for payment is not funded, in whole or in part, by the OCD/DRU. If OCD/DRU fails to fund any application in whole or in part, then CONSULTANT will not be entitled to any reimbursement for the amount not funded, either from the GRANTEE or the OCD/DRU.

C. CHANGES

The GRANTEE may, from time to time, request changes, including, but not limited to changes requested by OCD/DRU in the scope of the services of the CONSULTANT to be performed hereunder. Such changes, including any increase or decrease in the amount of the CONSULTANT's compensation, which are mutually agreed upon by and between the GRANTEE and the CONSULTANT, shall be incorporated in written amendments to this Contract. No amendment or variation of the terms of this Contract shall be valid unless made in writing, signed by the parties, approved as required by law, and attached to this Contract. No oral understanding or agreement not incorporated in the Contract shall be binding on any of the parties.

D. PERSONNEL

- a) The CONSULTANT represents that he has, or will secure at his own expense, all personnel required in performing the services under this

Contract. Such personnel shall not be employees of or have any contractual relationship with the GRANTEE.

- b) All of the services required hereunder will be performed by the CONSULTANT or under his supervision and all personnel engaged in the work shall be fully qualified and shall be authorized or permitted, as may be required, under state and local law to perform such services.
- c) None of the work or services covered by this Contract shall be subcontracted without the prior written approval of the GRANTEE. Any work or services subcontracted hereunder shall be specified by written contract or agreement and shall be subject to each provision of this Contract. Any provision in a subcontractor agreement that is in conflict with or deviates from the provisions of this Contract shall be void and unenforceable as to GRANTEE.

E. ASSIGNABILITY

The CONSULTANT shall not assign any interest in this Contract to any entity other than those listed by CONSULTANT in its response to GRANTEE'S RFP, and shall not transfer any interest in the same (whether by assignment or novation), without the prior written consent of the GRANTEE thereto, provided, however, that claims for money by the CONSULTANT from the GRANTEE under this Contract may be assigned to a bank, trust company, or other financial institution without such approval. Written notice of any such assignment or transfer shall be furnished promptly to the GRANTEE.

F. REPORTS AND INFORMATION

The CONSULTANT, at such times and in such forms as the GRANTEE may require, shall furnish the GRANTEE with quarterly progress reports (schedule to be provided by GRANTEE), pertaining to the work or services undertaken pursuant to this Contract, the costs and obligations incurred or to be incurred in connection therewith, and any other matters covered by this Contract. CONSULTANT shall also provide a final report detailing completion of all project tasks, a project summary, a lessons learned report, as well as the final deliverable of the St. Bernard Integrated Water Management Plan, as detailed in the task list. All reports shall be provided by CONSULTANT to GRANTEE in digital PDF format.

G. RECORDS AND AUDITS

The CONSULTANT shall maintain accounts and records, including personnel, property, and financial records, adequate to identify and account for all costs pertaining to the Contract and such other records as may be deemed necessary by the GRANTEE to assure proper accounting for all project funds, both federal and non-federal shares. These records, including all financial records, supporting documents, statistical records, and all other records pertinent to the agreement, will be available for audit or other financial reporting purposes to the GRANTEE or any authorized representative, and will be retained for a period of five (5) years after closeout of the Cooperative Endeavor Agreement between the State of Louisiana and the St. Bernard Parish Government, unless permission to destroy them is granted by the GRANTEE.

H. FINDINGS CONFIDENTIAL

All the reports, data, and any other project deliverables, prepared or assembled by the CONSULTANT under this Contract are confidential and the CONSULTANT agrees that they shall not be made available to any individual or organization without the prior written approval of the GRANTEE.

I. COPYRIGHT

No materials, including but not limited to reports, maps, or documents produced as a result of this Contract (collectively, "Contract Documents"), in whole or in part, shall be available to CONSULTANT for exclusive copyright purposes. The GRANTEE acknowledges that the Consultant, its officers, directors, employees and subconsultants (collectively, CONSULTANT) have developed proprietary systems, processes, apparatus, analytical tools and methods which the CONSULTANT has produced for others and/or uses in his business. Such systems, processes, apparatus, analytical tools and methods, including software, websites, patents, copyrights, trademarks and other intellectual property, and all derivations, enhancements or modifications thereof made by the CONSULTANT, including those made as a result of work performed for the GRANTEE hereunder ("Intellectual Property"), shall be and shall remain the property of the CONSULTANT and the entity for whom it was produced. This Contract does not confer any grant of a license to any such CONSULTANT's Intellectual Property, nor any right of use by the GRANTEE independently or by other GRANTEE contractors.

J. COMPLIANCE WITH LOCAL LAWS

Consistent with the standard care of the profession, the CONSULTANT shall comply with all applicable laws, ordinances and codes of the state and local government, and the CONSULTANT shall indemnify and hold harmless the GRANTEE to the extent to any damages arising from the CONSULTANT's negligent or intentional failure to comply with any applicable law, ordinance, and/or code of the state and/or local government, or the CONSULTANT's tortious conduct while performing any of the work required by this Contract. Nothing in this Paragraph shall be construed as a limitation of the CONSULTANT's liability under this Agreement or as otherwise provided by law.

K. CIVIL RIGHTS ACT OF 1964/EQUAL EMPLOYMENT OPPORTUNITY

Under Title VI of the Civil Rights Act of 1964, no person shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. During the performance of the Contract, the CONSULTANT agrees as follows:

- a) The CONSULTANT will not discriminate against any employee or applicant for employment because of race, creed, sex, color, national origin, handicap or familial status. The CONSULTANT will take affirmative steps to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, creed, sex, color, national origin, handicap or familial status. Such action shall include, but

not be limited to, the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The CONSULTANT agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the GRANTEE setting forth the provisions of this non-discrimination clause.

- b) The CONSULTANT will, in all solicitations or advertisements for employees placed by or on behalf of the CONSULTANT, state that all qualified applicants will receive consideration for employment without regard to race, creed, color, sex, national origin, handicap or familial status.
- c) The CONSULTANT will cause the foregoing provisions to be inserted in all subcontracts for any work covered by this Contract so that such provisions will be binding upon each subcontractor, provided that the foregoing provisions shall not apply to contracts or subcontracts for standard commercial supplies or raw materials.
- d) The CONSULTANT will comply with all provisions of Presidential Executive Order 11246 and of the rules, regulations and relevant orders of the Secretary of Labor.
- e) The CONSULTANT will furnish all information and reports required by Executive Order 11246, and by the rules, regulations and orders of the



Secretary of Labor, or pursuant thereto, and will permit access to his books, records and accounts by the GRANTEE and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations and orders.

- f) In the event of the CONSULTANT's non-compliance with the equal opportunity clauses of this Agreement or with any such rules, regulations, or orders, this Agreement may be canceled, terminated, or suspended in whole or in part and the CONSULTANT may be declared ineligible for further government contracts in accordance with procedures authorized in Executive Order 11246 and such other sanctions may be imposed and remedies invoked as provided by Executive Order or by rule, regulation, or order of the Secretary of Labor, or as otherwise provided by law.
- g) The CONSULTANT will include the provisions of paragraphs (a) through (g) in every subcontract or purchase order unless exempted by rules, regulations or orders of the Secretary of Labor issued pursuant to Section 204 of Executive Order 11246 so that such provisions will be binding upon each subcontractor or vendor. The CONSULTANT will take such action with respect to any subcontract or purchase order as the GRANTEE may direct as a means of enforcing such provisions including sanctions for non-compliance: provided, however, that in the event the CONSULTANT becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction by the GRANTEE, the

CONSULTANT may request the United States to enter into such litigation to protect the interests of the United States.

L. SECTION 109 OF THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974

No person in the United States shall on the grounds of race, color, national origin, or sex be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity funded in whole or in part with funds made available under this title. Section 109 further provides that discrimination on the basis of age under the Age Discrimination Act of 1975 or with respect to an otherwise qualified handicapped individual as provided in Section 504 of the Rehabilitation Act of 1973, as amended, is prohibited.

M. "SECTION 3" COMPLIANCE IN THE PROVISION OF TRAINING, EMPLOYMENT AND BUSINESS OPPORTUNITIES

- a) The work to be performed under this Contract is subject to the requirements of Section 3 of the Housing and Urban Development Act of 1968, as amended, 12 U.S.C. 1701u ("Section 3"). The purpose of Section 3 is to ensure that employment and other economic opportunities generated by HUD assistance or HUD-assisted projects covered by Section 3, shall, to the greatest extent feasible, be directed to low and very low income persons, particularly persons who are recipients of HUD assistance for housing.

- b) The parties to this Contract agree to comply with HUD's regulations in 24 CFR Part 135, which implement Section 3. As evidenced by their execution of this Contract, the parties to this Contract certify that they are under no contractual or other impediment that would prevent them from complying with the part 135 regulations.
- c) The CONSULTANT agrees to send to each labor organization or representative of workers with which the CONSULTANT has a collective bargaining agreement or other understanding, if any, a notice advising the labor organization or workers' representative of the CONSULTANT's commitments under this Section 3 clause, and will post copies of the notice in conspicuous places at the work site where both employees and applicants for training and employment positions can see the notice. The notice shall describe the Section 3 preference, shall set forth minimum number and job titles subject to hire, availability of apprenticeship and training positions, the qualifications for each, and the name and location of the person(s) taking applications for each of the positions, and the anticipated date the work shall begin.
- d) The CONSULTANT agrees to include this Section 3 clause in every subcontract subject to compliance with regulations in 24 CFR Part 135, and agrees to take appropriate action, as provided in an applicable provision of the subcontract or in this Section 3 clause, upon a finding that the subcontractor is in violation of the regulations in 24 CFR Part 135. The CONSULTANT will not subcontract with any subcontractor where the

CONSULTANT has notice or knowledge that the subcontractor has been found in violation of the regulations in 24 CFR Part 135.

- e) The CONSULTANT will certify that any vacant employment positions, including training positions, that are filled (1) after the CONSULTANT is selected but before the Contract is executed, and (2) with persons other than those to whom the regulations of 24 CFR Part 135 require employment opportunities to be directed, were not filled to circumvent the CONSULTANT's obligations under 24 CFR Part 135.
- f) Noncompliance with HUD's regulations in 24 CFR Part 135 may result in sanctions, termination of this Contract for default, and debarment or suspension from future HUD assisted contracts.
- g) With respect to work performed in connection with Section 3 covered Indian housing assistance, Section 7(b) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450e) also applies to the work to be performed under this Contract. Section 7(b) requires that to the greatest extent feasible (i) preference and opportunities for training and employment shall be given to Indians, and (ii) preference in the award of contracts and subcontracts shall be given to Indian organizations and Indian-owned Economic Enterprises. Parties to this Contract that are subject to the provisions of Section 3 and Section 7(b) agree to comply with Section 3 to the maximum extent feasible, but not in derogation of compliance with Section 7(b).

N. INTEREST OF OTHER LOCAL PUBLIC OFFICIALS

No member of the governing body of the locality and no other public official of such locality, who exercises any functions or responsibilities in connection with the planning and carrying out of the program, shall have any personal financial interest, direct or indirect, in this Contract; and the CONSULTANT shall take appropriate steps to assure compliance.

O. INTEREST OF CONSULTANT AND EMPLOYEES

The CONSULTANT covenants that he presently has no interest and shall not acquire interest, direct or indirect, in the project area or any parcels therein or any other interest which would conflict in any manner or degree with the performance of his services hereunder. The CONSULTANT further covenants that in the performance of this Contract, no person having any such interest shall be employed.

P. ACCESS TO RECORDS

GRANTEE, OCD/DRU grantor agency, the Department of Housing and Urban Development, the Comptroller General of the United States, or any of their duly authorized representatives, shall have access to any books, documents, papers, and records of the CONSULTANT which are directly pertinent to this specific Contract for the purpose of audits, examinations, and making excerpts and transcriptions. All records connected with this Contract will be maintained in a central location by the unit of local government and will be maintained for a period of 5 years from the official date of close out of the grant by the OCD/DRU.

Q. INSURANCE

- All insurance required under the provisions of this contract shall be placed with insurers with an A.M. Best's rating of no less than A-; VI.
- CONSULTANT's Insurance: The CONSULTANT shall not commence work under this Contract until he has obtained all insurance required herein and provided evidence thereof by submitting certified copies of the Policies of Insurance or certificates of insurance that are fully executed by officers of the Insurance Company or countersigned by an authorized Louisiana State agency. If so requested, the CONSULTANT shall also submit copies of insurance policies for inspection and approval of the GRANTEE before work is commenced. Said policies shall not hereafter be canceled without thirty (30) days' notice in advance to the GRANTEE and consented to by the GRANTEE in writing and the policies shall so provide.
- Professional Liability Insurance: Before any work is commenced, the CONSULTANT shall maintain professional liability insurance.
- Workers' Compensation Insurance: Before any work is commenced, the CONSULTANT shall maintain during the life of the Contract, Workers' Compensation Insurance for all of the CONSULTANT's employees. The CONSULTANT's insurer shall agree to waive all rights of subrogation against GRANTEE, its officers, agents, employees and volunteers for losses arising from work performed by CONSULTANT for GRANTEE.

- **Commercial General Liability Insurance:** The CONSULTANT shall maintain during the life of the Contract such commercial general liability insurance which shall protect the GRANTEE, and any subcontractor during the performance of work covered by the Contract from claims or damages for personal injury, including accidental death, as well as for claims for property damages, which may arise from operations under the Contract, whether such operations be by himself or by a subcontractor, or by anyone directly or indirectly employed by either of them, or in such a manner as to impose liability to the GRANTEE. Such insurance shall name the GRANTEE as additional insured for claims arising from or as the result of the operations of the CONSULTANT or his subcontractors and shall include a waiver of subrogation as regards to negligence by the CONSULTANT. In the absence of specific regulations, the amount of coverage shall be as follows: commercial general liability insurance, including bodily injury, property damage and contractual liability, with combined single limits of one million (\$1,000,000) dollars per occurrence; 2 million (\$2,000,000) dollars in the aggregate.
- **Licensed and Non-Licensed Motor Vehicles:** The CONSULTANT shall maintain during the life of the Contract, automobile liability insurance in an amount not less than combined single limits of CONSULTANT'S existing policy limits or if GRANTEE determines such limits are insufficient in such reasonable amounts as GRANTEE may require per occurrence for bodily injury/property damage. Such insurance shall cover the use of any non-licensed motor vehicles engaged in operations within the terms of the Contract on the site of the work to be

performed thereunder, unless such coverage is included in insurance elsewhere specified.

- Subcontractor's Insurance: The CONSULTANT shall require that any and all subcontractors, which are not protected under the CONSULTANT's own insurance policies, take and maintain insurance of the same nature and in the same amounts as required of the CONSULTANT. Alternatively, CONSULTANT shall take full responsibility for the actions of any Subcontractor and fully indemnify and hold harmless the GRANTEE to the extent any damages and expenses arising from or in connection with any negligent or intentional tort work performed under this Contract by the Subcontractor and its agents and employees as if the work had been performed by CONSULTANT directly.

R. APPLICABLE LAW

This Contract shall be governed by and interpreted in accordance with the laws of the State of Louisiana. Venue of any action brought with regard to this Contract shall be in the Civil District Court for the Parish of St. Bernard, State of Louisiana.

S. CODE OF ETHICS

The CONSULTANT acknowledges that Chapter 15 of Title 42 of the Louisiana Revised Statutes (R.S. 42:1101 et seq., Code of Governmental Ethics) applies to the Contracting Party in the performance of services called for in this Contract. The CONSULTANT agrees to immediately notify the state if potential violations of the Code of Governmental Ethics arise at any time during the term of this Contract.



T. SEVERABILITY

If any term or condition of this Contract or the application thereof is held invalid, such invalidity shall not affect other terms, conditions, or applications which can be given effect without the invalid term, condition, or application; to this end, the terms and conditions of this Contract are declared severable.

U. COMPLETE CONTRACT

This is the complete Contract between the parties with respect to the subject matter and all prior discussions and negotiations are merged into this Contract. This Contract is entered into with neither party relying on any statement or representation made by the other party not embodied in this Contract and there are no other agreements or understanding changing or modifying the terms. This Contract shall become effective upon execution.

V. ENTIRE AGREEMENT & ORDER OF PRECEDENCE

This Contract together with the Cooperative Endeavor Agreement between GRANTEE and OCD/DRU ("CEA") shall, to the extent possible, be construed to give effect to all of its provisions; however, where provisions are in conflict, first priority shall be given to the provisions of the Contract and its amendments.

### PART III – SCOPE OF SERVICES

<b>Task 1: Water System Analysis and Feasibility Study</b>	a. Identify project goals	\$3,000
	b. Hydrologic system identification	\$15,000
	c. Infrastructure planning review	\$5,000
	d. Open space analysis and site inventory	\$7,000
	e. Coastal and regional water management plan review	\$5,000
	<b>Task 1 Total</b>	<b>\$35,000</b>
<b>Task 2: Integrated Water Management Plan Design Scenarios and Site Specific Strategies</b>	a. Development of green infrastructure typologies (streets, water collection, and conveyance systems)	\$10,000
	b. Alternative redevelopment typologies for LLT properties, canal infrastructure, public open space, and industrial buffer areas particular to different sites and conditions within the Parish to increase resiliency	\$20,000
	c. Guide to potential project types, infrastructure typologies and innovative technologies	\$5,000
	d. Site strategies for properties at the neighborhood scale and selected case studies that capture specific issues particular to different parts of the study area	\$30,000
	e. Strategies for a green urban network	\$8,000
	f. Mapping of coordinated water resource features	\$5,000
	<b>Task 2 Total</b>	<b>\$78,000</b>
<b>Task 3: Institutional Implementation Mechanisms</b>	a. Prioritization of projects and timeline for construction	\$7,500
	b. Cost estimate for development of projects	\$12,500
	c. Strategy for implementation and maintenance	\$5,000
	<b>Task 3 Total</b>	<b>\$25,000</b>
	<b>Quarterly Reports</b>	<b>\$2,000</b>
	<b>Final Report</b>	<b>\$10,000</b>
	<b>Tasks 1, 2 and 3 Subtotal with Reports</b>	<b>\$150,000</b>
<b>Task 4: Visualization</b>	a. Interactive, real-time, agent-based, three-dimensional or flat surface projected simulation of model of the water management projects identified in the plan that will show their impact, along with the ability to apply variables and varying scenarios regarding land use as well, as described in the Request to Amend the Scope of Work	
	a.1 Water management modeling and interactive design	\$38,000
	a.2 GIS mapping integration	\$23,000
	a.3 3D physical model	\$24,000
	a.4 Two surface interactive projection	\$30,000
	a.5 Travel, meetings and on-site installation	\$5,000
	<b>Task 4 Subtotal</b>	<b>\$120,000</b>
	b. Coordination with simulation consultant - collect and supply data, maps, alternatives to be modelled, exhibit installation support	\$10,000
	<b>Task 4 Total</b>	<b>\$130,000</b>
<b>PROJECT TOTAL</b>		<b>\$280,000</b>

## **Resiliency Category 1 Program Water Management Plan**

### **Part III – Scope of Work**

The Scope of Work for the St. Bernard Integrated Water Management Plan includes the following tasks.

- Map the Parish's hydrologic system and water resources in relation to soils, subsidence, buildings, streets, subdivisions, vacant lands, open space, recreation, land use and zoning, utilities, industry, river and coastal navigation, FEMA flood hazard delineations, and ongoing and proposed infrastructure projects west of the Violet Canal to the Ninth Ward of Orleans Parish delineating the western basin of impact.
- Use the data collected in the regional WMS to identify, scope, and price projects for the most densely populated portions of St. Bernard from the Orleans Parish line to the Violet Canal, that incorporate the principles of the WMS to enhance resiliency and the aesthetics of the built environment. Such projects should also have the potential to link urban reforestation and planting, open spaces and permeable surfaces; storm water retention projects; small-scale community agriculture; and other innovative water management efforts that affect storm buffering, wave attenuation, and the enhancement of the ecosystem such as improved water quality.
- Work in collaboration with the Comprehensive Plan team to integrate these projects into the community vision and associated aspects of the Comprehensive Plan.
- Provide all raw data to the Comprehensive Plan team for consideration of the implication of all SBIWMP findings to the components of the Comprehensive Plan.
- Produce a simulation model of the Parish as described below that shows the impact of the identified projects on resiliency and land use.

The simulation model that fulfills the “visualization” component of the original application for this project will include the following:

- The model will be an interactive, real time, agent-based, three-dimensional or flat surface projected simulation model of the water management projects identified in the plan that will show their impact, along with the ability to apply variables and varying scenarios regarding land use as well.
- The model will simulate the water management concepts and projects suggested by the SBIWMP to determine the highest degree of resiliency.
- The model will simulate other land use variables.
- The model will facilitate collaborative decision making by all stakeholders in the allocation of scarce resources and the most desirable land use alternatives.
- The model will allow for real time feedback for sculpting of physical features to match LIDAR elevation data for the study area.
- The model will allow for the ability of participants in planning sessions to interact with, manipulate and apply the GIS and other data sets and variables via the use of smart phones and tablets across all platforms.
- The model will demonstrate the costs and benefits associated with the SBIWMP concepts and projects and demonstrate the costs of inaction.

# Part III: Scope of Services

03/01/2013

## 2. d0 Arpen Zone

Land (Forest, with  
Reservoir, water  
to drain  
Treated water  
to drain

## 1) Gards

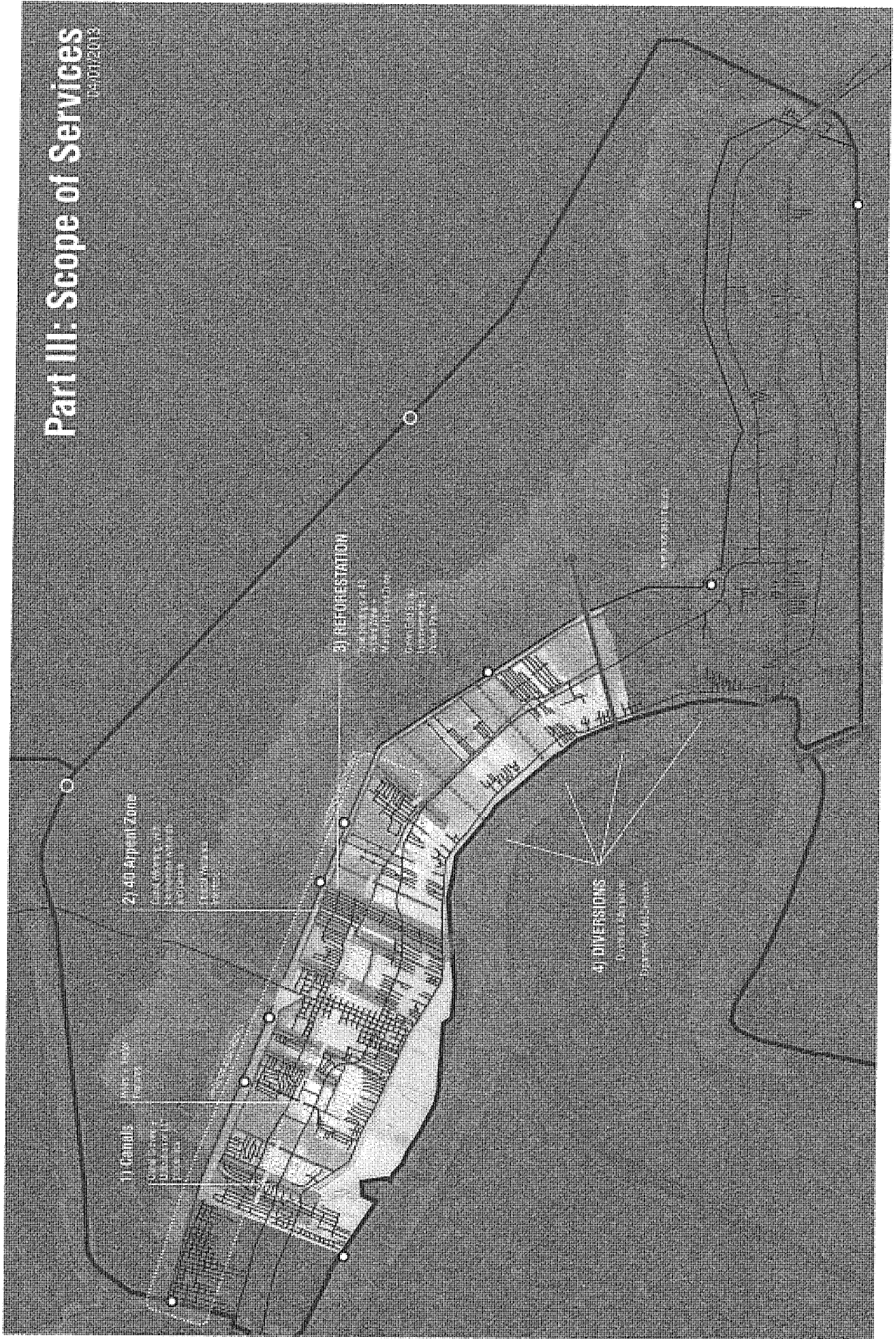
Land (Forest, with  
Reservoir, water  
to drain  
Treated water  
to drain

## 3) REFORESTATION

Land (Forest, with  
Reservoir, water  
to drain  
Treated water  
to drain

## 4) DIVERSIONS

Land (Forest, with  
Reservoir, water  
to drain  
Treated water  
to drain





## *St. Bernard Parish Council*

8201 West Judge Perez Drive    Chalmette, Louisiana, 70043  
(504) 278-4228    Fax (504) 278-4209  
[www.sbpq.net](http://www.sbpq.net)

**Guy McInnis**  
*Councilman  
at Large*

**George Cavnagac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbacy**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**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, MAY 7, 2013 AT SEVEN O'CLOCK P.M.

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

### **RESOLUTION SBPC# 1044-05-13**

A RESOLUTION TO REQUEST THAT PARISH PRESIDENT DAVE PERALTA SIGN AN AMENDMENT TO THE COOPERATIVE ENDEAVOR AGREEMENT WITH THE LOUISIANA LAND TRUST AND THE LOUISIANA OFFICE OF COMMUNITY DEVELOPMENT DISASTER RECOVERY UNIT.

WHEREAS, the Parish, LLT and OCD/DRU entered into a Cooperative Endeavor Agreement wherein they agreed to certain matters concerning implementing a grant under the Community Development Block Grant Disaster Recovery Program through the Road Home Homeowner Assistance Program located in the parish (the "CEA") that requires amending to schedule the conveyance of LLT properties to St. Bernard Parish Government,

NOW THEREFORE, BE IT RESOLVED, that the St. Bernard Parish Council, the governing authority, does hereby request that the Parish President sign the 1st Amendment to OCR# 107-301756, CFMS #719070, CFDA #14.228, Grant #B-06-DG-22-0002, Year 2007 (attached) to the Cooperative Endeavor Agreement between St. Bernard Parish, Louisiana Land Trust and the Louisiana Office of Community Development/Disaster Recovery Unit.

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

**YEAS:**            Lauga, Gorbacy, Lewis, Hunnicutt, Montelongo

**NAYS:**            None

**ABSENT:**        Cavnagac

The Council Vice-Chair, Mr. McInnis, cast his vote as **YEA**.

And the motion was declared **adopted** on the 7<sup>th</sup> day of May, 2013.



## *St. Bernard Parish Council*

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*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

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Extract #18 continued  
May 7, 2013

### CERTIFICATE

I HEREBY CERTIFY that the above and foregoing is a true and correct copy of a motion adopted at a Regular Meeting of the Council of the Parish of St. Bernard, held at Chalmette, Louisiana, on Tuesday, May 7, 2013.

Witness my hand and the seal  
of the Parish of St. Bernard on  
this 7<sup>th</sup> day of May, 2013.

ROXANNE ADAMS  
CLERK OF COUNCIL

1st AMENDMENT TO:

OCR # 107-301756  
CFMS # 719070  
AMENDMENT # 1  
CFDA # 14.228  
Grant # B-06-DG-22-0002  
Year 2007

COOPERATIVE ENDEAVOR AGREEMENT  
IMPLEMENTING GRANT UNDER  
COMMUNITY DEVELOPMENT BLOCK GRANT  
DISASTER RECOVERY PROGRAM

BY AND BETWEEN  
STATE OF LOUISIANA, DIVISION OF ADMINISTRATION  
OFFICE OF COMMUNITY DEVELOPMENT  
DISASTER RECOVERY UNIT

AND

ROAD HOME CORPORATION D/B/A LOUISIANA LAND TRUST (and St. Bernard Parish)

EFFECTIVE JULY 1, 2012

AMENDMENT PROVISIONS:

CHANGE AGREEMENT FROM:

Page 4:

**I. SCOPE OF AGREEMENT**

**D. Statement of Work**

**1. The Project**

The Project shall include the transfer of the Property, payment of Direct Management Costs of the Property, disposition of the Property, and use of funds for eligible CDBG activities. The Project shall be conducted in accordance with the regulations and limitations of the Road Home Program, as defined by all current, pending, and future applicable Action Plan Amendments(s) (available at <http://www.doa.louisiana.gov/cdbg/DRactionplans.htm>).



#### **a. Transfer of the Property**

##### **Sales Programs**

After consultation with Grantee, the LLT shall develop and implement sales programs in accordance with the Action Plan for the sale of parcels of the Property (the "First and Second Sales Program"). No later than August 1, 2012, Grantee shall provide to the LLT notice of the parcels of the Property to be included in the First Sales Program ("First Sales Program Notice"). No later than December 28, 2012, Grantee shall provide to the LLT notice of the parcels of the Property to be included in the Second Sales Program ("Second Sales Program Notice")

No Later than January 15, 2013, all contracts in the First Sales Program shall be closed. If the transfer agreement for a parcel of the Property in the First Sales Program is not fully executed and closed by January 15, 2013, the LLT shall provide Grantee with written notice of such closing failure within three (3) days after the closing failure ("First Sales Program Closing Failure Notice"). For each parcel of the Property for which Grantee receives First Sales Program Closing Failure Notice, Grantee shall accept title to the parcel no later than January 31, 2013, pursuant to an instrument substantially similar to the instrument attached as Appendix C, and Grantee hereby agrees to accept title to such parcels of the Property.

No later than April 15, 2013 all contracts in the Second Sales Program shall be closed. If the transfer agreement for a parcel of the Property in the Second Sales Program is not fully executed and closed by April 15, 2013, the LLT shall provide Grantee with written notice of such closing failure within three (3) days after the closing failure ("Second Sales Program Closing Failure Notice"). For each parcel of the Property for which Grantee receives Second Sales Program Closing Failure Notice, Grantee shall accept title to the parcel no later than May 31, 2013, pursuant to an instrument substantially similar to the instrument attached as Appendix C, and Grantee hereby agrees to accept title to such parcels of the Property.

##### **First Public Use Program**

No later than November 16, 2012, Grantee shall designate parcels of the Property for transfer to other public entities for use as green space, drainage, or other public uses in accordance with the Action Plan (the "First Public Use Program") through a notice to LLT ("First Public Use Program Notice"). The First Public Use Program Notice shall include a closing memorandum indentifying the parcels of the Property to be transferred and information regarding the recipient entities and the terms pertinent to each transfer.

No Later than December 31, 2012, all contracts in the Public Use Program shall be closed. If the transfer agreement for a parcel of the Property in the Public Use Program is not fully executed and closed by December 31, 2012, the LLT shall provide Grantee with written notice of such closing failure within three (3) days after the closing failure ("First Public Use Program Closing Failure Notice"). For each parcel of the Property for which Grantee receives a First Public Program Closing Failure Notice, Grantee shall accept title to the parcel no later than January 31, 2013 pursuant to an instrument substantially similar to the instrument attached as Appendix C, and Grantee hereby agrees to accept title to such parcels of the Property.

#### **Second Public Use Program**

No later than February 15, 2013, Grantee shall designate parcels of the Property for transfer to other public entities for use as green space, drainage, or other public uses in accordance with the Action Plan (the "Second Public Use Program") through a notice to LLT ("Second Public Use Program Notice"). Second Public Use Program Notice shall include a closing memorandum indentifying the parcels of the Property to be transferred and information regarding the recipient entities and the terms pertinent to each transfer.

No Later than March 28, 2013, all contracts in the Second Public Use Program shall be closed. If the transfer agreement for a parcel of the Property in the Second Public Use Program is not fully executed and closed by March 28, 2013 the LLT shall provide Grantee with written notice of such closing failure within three (3) days after the closing failure ("Second Public Program Closing Failure Notice"). For each parcel of the Property for which Grantee receives Second Public Use Program Closing Failure Notice, Grantee shall accept title to the parcel no later than May 10, 2013, pursuant to an instrument substantially similar to the instrument attached as Appendix C, and Grantee hereby agrees to accept title to such parcels of the Property.

#### **Lot Next Door**

No later than February 1, 2013, Grantee shall designate parcels of the Property for transfer to Lot Next Door Program in accordance with the Action Plan (the "Lot Next Door Program") through a notice to LLT ("Lot Next Door Notice"). Lot Next Door Program Notice shall include a closing memorandum indentifying the parcels of the Property to be transferred and information regarding the recipient entities and the terms pertinent to each transfer.

No Later than April 15, 2013, all contracts in the Lot Next Door Program shall be closed. If the transfer agreement for a parcel of the Property in the Lot Next Door Program is not fully executed and closed by April 15, 2013, the LLT shall provide Grantee with written notice of such closing failure within three (3) days after the

closing failure ("Lot Next Door Program Closing Failure Notice"). For each parcel of the Property for which Grantee receives a Lot Next Door Program Closing Failure Notice, Grantee shall accept title to the parcel no later than May 10, 2013 pursuant to an instrument substantially similar to the instrument attached as Appendix C, and Grantee hereby agrees to accept title to such parcels of the Property.

#### **Transfers to Grantee**

All parcels of the Property not included in the First or Second Public Use Program or the First or Second Sales Program or the Lot Next Door Program as of March 15, 2013, or not otherwise committed for disposition, as determined by the OCD, by March 15, 2013, shall be transferred to Grantee no later than May 10, 2013. Transfers directly to Grantee shall occur pursuant to an instrument substantially similar to the instrument attached as Appendix C, and Grantee hereby agrees to accept title to such parcels of the Property.

#### **Remaining Inventory Transfers to Grantee**

Notwithstanding the foregoing, any parcel of the Property remaining in LLT's inventory as of May 13, 2013 shall be transferred to Grantee no later than May 31, 2013 pursuant to an instrument substantially similar to the instrument attached as Appendix C, and Grantee hereby agrees to accept title to such parcels.

#### **Other Provisions**

If Grantee fails to provide timely First or Second Sales Program Notice, timely First or Second Public Use Program Notice, Lot Next Door Program Notice, or fails to accept title to any parcel of the Property as provided in this Agreement, the LLT may dispose of all of the remaining parcels of the Property in compliance with the provisions of this Agreement and the Action Plan.

Grantee's obligations under this Section (Section I(D)(1)(a)) shall be deemed complete when each parcel of the Property is transferred from LLT's inventory, whether such transfer is to Grantee directly or to a third party. Nevertheless, Grantee's obligations under this Section (Section I(D)(1)(a)) may be deemed complete, at the sole discretion of the OCD, if Grantee has substantially completed its obligations in this Section but, by no fault of Grantee, parcels of the Property still remain in LLT's inventory.

Property actually transferred to Grantee shall hereinafter be referred to as the "Transferred Property."

Notice to LLT under this section, as well as any other notice, decision or approval required of Grantee under this Agreement or otherwise pertaining to the Property,

shall be through Grantee's Chief Administrative Officer or any other person he designates in writing.

CHANGE AGREEMENT TO:

Page 4:

**I. SCOPE OF AGREEMENT**

**D. Statement of Work**

**1. The Project**

The Project shall include the transfer of the Property, payment of Direct Management Costs of the Property, disposition of the Property, and use of funds for eligible CDBG activities. The Project shall be conducted in accordance with the regulations and limitations of the Road Home Program, as defined by all current, pending, and future applicable Action Plan Amendments(s) (available at <http://www.doa.louisiana.gov/cdbg/DRactionplans.htm>).

**a. Transfer of the Property**

**Lot Next Door**

No later than February 1, 2013, Grantee shall designate parcels of the Property for transfer to Lot Next Door Program in accordance with the Action Plan (the "Lot Next Door Program") through a notice to LLT ("Lot Next Door Notice"). Lot Next Door Program Notice shall include a closing memorandum indentifying the parcels of the Property to be transferred and information regarding the recipient entities and the terms pertinent to each transfer.

**Transfers to Grantee**

All parcels of the Property shall be transferred to Grantee or disposed of to a third party by LLT at the direction of St. Bernard Parish Government on or before July 31, 2013. Transfers directly to Grantee shall occur pursuant to an instrument substantially similar to the instrument attached as Appendix C, and Grantee hereby agrees to accept title to such parcels of the Property. OCD may provide extensions to this date in writing to Grantee if deemed necessary by OCD. LLT will report monthly to OCD on the status of all parcels of the Property until authorized by OCD to end this reporting.

### **Remaining Inventory Transfers to Grantee**

Notwithstanding the foregoing, any parcel of the Property remaining in LLT's inventory as of July 31, 2013 shall be transferred to Grantee no later than July 31, 2013 pursuant to an instrument substantially similar to the instrument attached as Appendix C, and Grantee hereby agrees to accept title to such parcels. OCD may provide extensions to this date in writing to Grantee if deemed necessary by OCD.

### **Other Provisions**

If Grantee fails to accept title to any parcel of the Property as provided in this Agreement, the LLT may dispose of all of the remaining parcels of the Property in compliance with the provisions of this Agreement and the Action Plan.

Grantee's obligations under this Section (Section I(D)(1)(a)) shall be deemed complete when each parcel of the Property is transferred from LLT's inventory, whether such transfer is to Grantee directly or to a third party. Nevertheless, Grantee's obligations under this Section (Section I(D)(1)(a)) may be deemed complete, at the sole discretion of the OCD, if Grantee has substantially completed its obligations in this Section but, by no fault of Grantee, parcels of the Property still remain in LLT's inventory.

Property actually transferred to Grantee shall hereinafter be referred to as the "Transferred Property."

Notice to LLT under this section, as well as any other notice, decision or approval required of Grantee under this Agreement or otherwise pertaining to the Property, shall be through Grantee's Chief Administrative Officer or any other person he designates in writing.

•  
•  
•

(Balance of this page left blank intentionally.)

ALL OTHER TERMS AND CONDITIONS REMAIN UNCHANGED.

The Parties have caused this Amendment to be executed by their respective duly authorized representatives on the dates below but effective as of the date first set forth above.

\_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Office of Community Development  
150 Third Street, Suite 500  
Baton Rouge, Louisiana 70801

\_\_\_\_\_

Date

\_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

St. Bernard Parish

\_\_\_\_\_

Date

\_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Road Home Corporation d/b/a/ Louisiana Land Trust

\_\_\_\_\_

Date



# *St. Bernard Parish Council*

8201 West Judge Perez Drive    Chalmette, Louisiana, 70043  
(504) 278-4228    Fax (504) 278-4209  
[www.sbpq.net](http://www.sbpq.net)

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

**#35**

EXTRACT OF THE OFFICIAL PROCEEDINGS OF THE COUNCIL OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, TAKEN AT A REGULAR MEETING HELD IN THE COUNCIL CHAMBERS OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, 8201 WEST JUDGE PEREZ DRIVE, CHALMETTE, LOUISIANA ON TUESDAY, MAY 7, 2013 AT SEVEN O'CLOCK P.M.

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

## **RESOLUTION SBPC #1045-05-13**

A RESOLUTION TO **AMEND RESOLUTION SBPC #904-02-12**, TO ADOPT GUIDELINES FOR COUNCIL AGENDA'S. (Attached as Exhibit A)

WHEREAS, the council is desirous to have council agenda's compiled in a professional manner, and;

WHEREAS, the attached document titled COUNCIL AGENDA shall be the content of this resolution; and

WHEREAS, this resolution will become part of the Council Procedures and shall be codified at a later date upon final assembly of said procedures, in particular under the title COUNCIL AGENDA; and

NOW THEREFORE, BE IT RESOLVED, that the Agenda rules as stated above shall commence immediately upon passage of this resolution.

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

**YEAS:**            Lauga, Gorbaty, Lewis, Hunnicutt, Montelongo

**NAYS:**            None

**ABSENT:**        Cavignac

The Council Vice-Chair, Mr. McInnis, cast his vote as **YEA**.

And the motion was declared **adopted** on the 7<sup>th</sup> day of May, 2013.



## *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

Page -2-  
Extract #35 continued  
May 7, 2012

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

### CERTIFICATE

I HEREBY CERTIFY that the above and foregoing is a true and correct copy of a motion adopted at a Regular Meeting of the Council of the Parish of St. Bernard, held at Chalmette, Louisiana, on Tuesday, May 7, 2013.

Witness my hand and the seal  
of the Parish of St. Bernard on  
this 7<sup>th</sup> day of May, 2013.

ROXANNE ADAMS  
CLERK OF COUNCIL



## RESOLUTION SBPC #1045-05-13

### "Exhibit A"

## COUNCIL POLICY AND PROCEDURES

### COUNCIL AGENDA

**POLICY:** It is the policy of the St. Bernard Parish Council, that there shall be an organized method for the Assembly, Format, Posting Approval, Posting Procedures and Council Member responsibility with regard to Council Agenda's. The Council Clerk shall be responsible for the compilation of the Agenda with the Council Chair as acting supervisor. In the absence of the Council Chair, the Vice-Chairman of the Council shall act as supervisor. The Clerk of Council may delegate any of the tasks associated with the preparation and posting of the agenda, but shall ultimately be responsible for all facets of the agenda.

### PROCEDURES:

#### ASSEMBLY

##### 1

The Clerk of Council shall at all times maintain a working draft of Council Agenda's.

##### 2

Agenda items must be general enough to allow the public to discern what deliberations will take place, but should be as specific as possible to identify the action that is intended to take place. Ideally, an agenda must be reasonably clear so as to advise the public in general terms each subject to be discussed. The Council Chair or Vice-Chair should supervise the writing of the item, and assist the author of the item with more appropriate wording in order to maintain compliance with the Open Meeting Laws.

- a) The Clerk of Council shall include the author or outside agency requesting the agenda item for any meeting as well as the district in which it refers to.

##### 3

Deadline for placing items on a regular meeting shall be set at 4:00 p.m. on the Wednesday prior to the regularly scheduled Council meeting, **no exceptions**.

- a) The Chair or Vice-Chair, as appropriate, shall strictly enforce this deadline to all non-council departments, agencies, and outside sources. Discretion to allow agenda additions past the deadline, should be very strictly scrutinized.

Any Council member may place any item on an agenda by submitting this request to the Clerk of Council and carbon copy the Council Staff.

- a) This request shall be made in writing and shall contain the exact wording for the title to be placed on the agenda.
- b) If the item is an ordinance or resolution, the Chair or Vice-Chair of the meeting which the agenda item is requested to be on, may insist that said resolution or ordinance be in writing prior to the item being placed on the agenda, this discretion shall be allowed by the Chair or Vice-Chair, but not as a way to repudiate the right of the member to place an item on the agenda. Further, any councilman may request the written ordinance or resolution from the author in order to properly prepare for the meeting.
- c) Ordinances must be submitted in writing prior to the start of the meeting according to section 2-12 of the Home Rule Charter and should be submitted timely enough for the Clerk of Council to input the ordinance into the system. Timely enough shall be defined as at least 72 hours prior to the scheduled meeting. If a member successfully moves to amend an ordinance, then that member should co-operate with the Clerk of Council to have that amendment reduced to writing in order to finalize the ordinance. If an ordinance is amended after advertisement, then the chair shall ask for public comment regarding the amendment in order to allow the public an opportunity for input into same.
- d) Resolutions should be submitted in writing timely enough for the Clerk of Council to input the resolution into the system. Timely enough shall be defined as at least 72 hours prior to the scheduled meeting. However, if the resolution is one from public input or from a motion, or germane topic of the meeting, the member who has moved for the motion shall immediately co-operate with the Clerk of Council to have the resolution reduced to writing. Likewise, if a member successfully moves to amend a resolution, then that member should co-operate with the Clerk of Council to have that amendment reduced to writing.
- e) The chairman shall not exclude an agenda item request by a council member. The chairman has sole discretion to allow or disallow agenda item request by anyone or any entity who is not a council member.

Anyone or any entity (excluding Councilmen) who is submitting an agenda item request must be approved by the Council Chair or Vice-Chair as appropriate.

- a) All agenda item requests MUST comply with section 3 above.
- b) All agenda item requests MUST be accompanied by the appropriate paper work in writing BEFORE the item may be placed on the agenda. (Except the Parish President as noted in d) of this section)
- c) All departments MUST submit their agenda item requests to the Parish President or CAO. If approved by the Parish President or CAO, they must submit the requests to the Clerk of Council and carbon copy the Council Staff along with all language and attachments in proper ordinance/resolution format. If an item is submitted from anyone other than the Parish President or CAO, it will be rejected.

- d) The Clerk of Council shall not place any item on the agenda without the applicable paper work first, followed by the approval of the Chair or Vice-Chair as appropriate for the meeting. All submittals must be sent via electronic transmittal (e-mail) and must be submitted in word/excel format. Any agenda item submissions not meeting the aforementioned guidelines will be rejected.
- e) The Parish President shall not be required to fill out an agenda request for the Parish President's Report. This privilege is a courtesy to the Parish President. The President's Report shall be on the agenda of every regularly scheduled council meeting. The Parish President should forward his report to the council clerk for distribution to all council members by close of business on the day prior to the regularly scheduled council meeting. Recognizing, the Parish President will enjoy the discretion to add to that report on the day of the meeting if the President is desirous to do so.

### FORMAT

The format of the agenda shall be as follows:

1

### PUBLIC NOTICE - ST. BERNARD PARISH COUNCIL MEETING - AGENDA

Email: <a href="mailto:radams@sbpg.net">radams@sbpg.net</a> xx/xx/xx	(504) 278-4228 (504) 278-4209 (fax)	Posted
Tuesday, Month XX, 20XX	X:XX p.m.	Page
	Council Chambers	X of XX

---

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.

---

**\*\* NOTE:** The Email address of the Clerk of Council, the posted date time and place of the meeting, page numbering, and phone and fax numbers of the Clerk of Council as appropriate shall always be posted. Further, this heading shall be on EVERY page of the agenda.

After the Heading of the Public Notice, the body shall as closely as possible be in the following order:

- A. Meeting Called to Order and Roll Call
- B. Remind Public that no food or drink is allowed in the Council Chambers
- C. Remind Public of Cell Phone Ordinance **SBPC #815-02-08**
- D. Invocation by Pastor (Name) with (place of worship)
- E. Pledge of Allegiance
- F. Recognize Elected Officials

### APPROVAL OF MINUTES

**RECOGNITION**

**PRESIDENTS REPORT**

**COMMITTEE REPORTS**

**COUNCILMEMBER'S DISTRICT UPDATE**

**RECOGNIZE THE PUBLIC**

(Those wishing to speak **MUST** sign in prior to the start of the meeting. Speakers will be given 2 minutes to voice complaints, concerns, or issues. The council may take action from items discussed)

**\*\* NOTE:** The Chair of the meeting shall have the sole discretion of allowing speakers to go over that time limit.

**PUBLIC HEARINGS**

**RESOLUTIONS**

**ADOPTION OF ORDINANCES**

**INTRODUCTION OF ORDINANCES**

**OTHER MATTERS**

**EXECUTIVE SESSIONS**

**\*\* NOTE:** Executive sessions should always be the last item of business on the agenda. The Chair or Vice-Chair as appropriate, has discretion to move this item around on the agenda, but should only do so when extraordinary situations dictate the necessity.

**THE NEXT REGULAR SCHEDULED MEETING DATE AND TIME**

**SIGNATURE LINE AND DATE AND TIME OF POSTING SHALL BE THE FINAL LINE OF THE AGENDA**

**2**

Amendments to the Agenda during the meeting will only be allowed upon unanimous vote of members present

**POSTING APPROVAL**

On the Friday immediately prior to the regularly scheduled Tuesday meeting, the Clerk of Council shall have pre-arranged a time at the discretion of the Chair or Vice-Chair, as appropriate, for the final approval

for posting of the agenda. This is the primary approval authority of the Chair or Vice-Chair in addition to the authority given in 4 (e).

- a) This approval shall consist of the Chair or Vice-Chair, as appropriate, signing a copy of the actual agenda to be posted.
  - i) The actual signed copy of the agenda shall be the same copy to receive the Parish President's Office Stamp which shall be kept in accordance with 7(b)(ii).
  - ii) Electronic posting of agenda's may have electronic signature which shall denote that there is a signed copy of the agenda on file.
  - iii) All meeting agenda's shall be permanently stored electronically with a copy of the minutes, and copies of all ordinances and resolutions for posterity.

## POSTING PROCEDURES

### 1

The Clerk of Council shall publicly post the agenda **IMMEDIATELY** AFTER signed approval in the following manner:

- a) On the Friday immediately prior to the Tuesday meeting, at least 48 hours (excluding weekends and holidays) prior to the start of the meeting.
- b) Meeting times as published shall be strictly adhered to. The Chair or Vice-Chair should only modify those times/days only upon absolute necessity.
- c) For a special meeting, at least 24 hours (excluding weekends and holidays) prior to the start of the special meeting.
- d) Outside the Council Office in public view in a consistent place designated by the Clerk of Council
- e) To all Council Members
  - i) This shall be posted at a minimum, to electronic devices where tracking reports can be maintained
  - ii) The Clerk of Council shall maintain for at least one (1) year a copy of the tracking reports verifying that the agenda was sent to the Council members
- f) To Parish President and any other administrative staff who requested same
  - i) The Parish President's office shall be hand delivered a copy of the agenda, and said office shall stamp the last page of the agenda.
  - ii) The Clerk of Council shall maintain for at least one (1) year a copy of the properly stamped Agenda from the President's office.
- g) To all media sources that have requested the agenda
  - i) The Clerk of Council shall maintain for one (1) year a copy of the transmittal receipt to all media sources.
- h) To all Parish residents who have requested the agenda

- i) The Clerk of Council shall maintain for one (1) year a copy of the transmittal receipt to all residents requesting notification.

## 2

Electronic signatures shall be acceptable for electronic posting of the agenda.

### COUNCIL MEMBER RESPONSIBILITY

#### 1

It shall be the responsibility of each Councilman to ask questions of the author of any agenda item if there are any questions about a particular agenda item in order to properly prepare for a meeting. This will ensure that the velocity of transacting councilmanic business is not slowed down due to an unprepared councilman regarding an agenda item.

#### 2

The council member who is the author of an ordinance or resolution is responsible for the written production of same. This does not mean that the council member must actually "write" the document. This means that the council member is responsible for the content in the production of same.

#### 3

The council member who is the successful mover of an amendment to an ordinance or resolution is responsible for the written production of the amendment. This does not mean that the council member must actually "write" the document. This means that the council member is responsible for the content in the production of same.

#### 4

Any council member has the authority to request from the clerk the written resolution or ordinance prior to any meeting. The written documents should be in the clerk of council's possession at least 72 hours prior to any meeting.

### DISTRIBUTION OF OFFICIAL DOCUMENTS

Upon certification and codification of official documents, the Council Staff will furnish a copy to the Parish Presidents office for their distribution to appropriate departments as they deem necessary. The Council Staff shall be responsible for distributing official documents to outside agencies but it will be the responsibility of the Parish President's office to distribute to the appropriate internal departments.



# *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**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, MAY 21, 2013 AT THREE O'CLOCK P.M.

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

## **RESOLUTION SBPC #1046-05-13**

BE IT RESOLVED, that the St. Bernard Parish Council, the Governing Authority, does hereby approve the following permits as recommended by the Alcohol Beverage and Bingo Department:

<u>Establishment</u> Renewals:	<u>Beer and/or Liquor Permit(s)</u>	
	<u>Beer</u>	<u>Liquor</u>
a. Penny's Café, Inc., d/b/a Penny's Café 5442 East Judge Perez Drive Violet, LA 70092 Owner(s): David A. and Penny G. Lepine	X	
b. Son's Seafood, LLC d/b/a Son's Seafood 113 East Judge Perez Drive Chalmette, LA 70043 Member(s): Cuong T. Nguyen and Xi T. Nguyen	X	X
c. Sunshine Fuel and Diner, LLC d/b/a Sunshine Diner 5840-A East Judge Perez Drive Violet, LA 70092 Member(s): Steven Van Le and Trang Thi Nguyen	X	X
d. Sunshine Fuel and Diner, LLC d/b/a Sunshine Fuel 5840 East Judge Perez Drive Violet, LA 70092 Member(s): Steven Van Le and Trang Thi Nguyen	X	X
e. Winn Dixie Montgomery, LLC d/b/a Winn Dixie #1432 3300 Paris Road Chalmette, LA 70043 President: Robert Randall Onstead	X	X
f. 6940, LLC d/b/a Perino's Bar and Seafood 6940 St. Claude Avenue Arabi, LA 70032 Member: Mark J. Jackson	X	X



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Councilman  
at Large

**George Cavignac**  
Councilman  
at Large

**Ray Lauga, Jr.**  
Councilman  
District A

**Nathan Gorbaty**  
Councilman  
District B

**Richard "Richie" Lewis**  
Councilman  
District C

**Casey W. Hunnicutt**  
Councilman  
District D

**Manuel "Monty"  
Montelongo III**  
Councilman  
District E

**Roxanne Adams**  
Clerk of Council

Page -2-  
Extract #16 continued  
May 21, 2013

## Change in ownership:

- |   |   |   |
|---|---|---|
| g. The Park Bar & Grill, LLC d/b/a The Hideout Bar & Grill<br>86 Norton Avenue, Suites 1 & 2 Arabi, LA 70032<br>Member: Soyana Escott-Jackson | X | X |
| h. 2021 Inc., d/b/a Johnny's Be Good Bar & Grill<br>2021 Paris Road Chalmette, LA 70043<br>Owner(s): Murphy J. Laiche, Jr. and Deborah Laiche | X | X |

## New Business:

- |  |   |   |
|--|---|---|
| i. Who Dat Yat Chat, LLC d/b/a Who Dat Yat Chat<br>5805 East Judge Perez Drive Violet, LA 70092<br>Member(s): Lisa Graves and Darleen Levy | X | X |
|--|---|---|

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

**YEAS:** Lauga, Gorbaty, Montelongo, McInnis

**NAYS:** None

**ABSENT:** Lewis, Hunnicutt

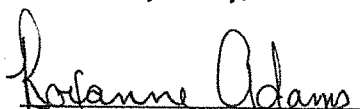
The Council Chair, Mr. Cavignac, cast his vote as **ABSTAIN**.

And the motion was declared **adopted** on the 21<sup>st</sup> day of May, 2013.

## CERTIFICATE

I HEREBY CERTIFY that the above and foregoing is a true and correct copy of a motion adopted at a Regular Meeting of the Council of the Parish of St. Bernard, held at Chalmette, Louisiana, on Tuesday, May 21, 2013.

Witness my hand and the seal  
of the Parish of St. Bernard on  
this 21<sup>st</sup> day of May, 2013.

  
ROXANNE ADAMS  
CLERK OF COUNCIL





# *St. Bernard Parish Council*

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District E*

**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, MAY 21, 2013 AT THREE O'CLOCK P.M.

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

## **RESOLUTION SBPC #1047-05-13**

A RESOLUTION REQUESTING APPROVAL TO AMEND ITS COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) DISASTER RECOVERY MONIES IN THE AMOUNT OF \$91,185,319.00 FOR SUPPORT OF THE ST. BERNARD PARISH DISASTER RECOVERY PROJECTS.

WHEREAS, the Office of Community Development has made available funding in the amount of \$91,185,319.00 through the Louisiana Community Development Block Grant (CDBG) Disaster Recovery Program administered by the Division of Administration to assist St. Bernard Parish impacted by Hurricanes Katrina & Rita in implementing ongoing and planned recovery projects; and,

WHEREAS, the St. Bernard Parish Council has through a public hearing process solicited citizen comments relative to the amending of CDBG recovery funds for eligible recovery projects; and

WHEREAS, these disaster recovery projects are listed by priority and funding as:

a.	New Water Treatment Plant/Reconfigure Treatment Plant	\$ 30,349,694.00
b.	Expansion of Val Reiss Park	\$ 11,000,000.00
c.	Hospital	\$ 41,000,000.00
d.	Old Arabi Revitalization (Master Planning & Implementation)	\$ 3,050,000.00
e.	Sewer Consolidation -FEMA Ineligible Activities- DRAVO	\$ 3,000,000.00
f.	FHWA Road Improvements- Submerged Roads	\$ 1,835,625.00
g.	Master Land Use and Zoning Plan	\$ 150,000.00
h.	Office of Fair Housing	\$ 300,000.00
i.	Nunez Workforce Development	\$ 500,000.00



## *St. Bernard Parish Council*

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(504) 278-4228    Fax (504) 278-4209  
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**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

Page -2-  
Extract #17 continued  
May 21, 2013

WHEREAS, the Parish has allocated funding for a Office of Fair Housing and for funding in collaboration with Nunez Community College for a Workforce Development Project to reduce the affects of Hurricane Katrina damage to employment and housing opportunities; and,

NOW THEREFORE BE IT RESOLVED, that the St. Bernard Parish Council, does hereby request approval from the Office of Community Development to amend its CDBG Disaster Recovery funds (\$91,185,319) for these disaster recovery projects as prioritized and budgeted.

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

**YEAS:**            Lauga, Gorbaty, Lewis, Hunnicutt, Montelongo, McInnis

**NAYS:**            None

**ABSENT:**        None

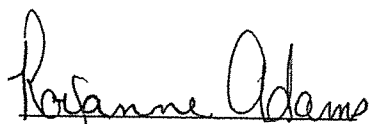
The Council Chair, Mr. Cavignac, cast his vote as **YEA**.

And the motion was declared **adopted** on the 21<sup>st</sup> day of May, 2013.

### CERTIFICATE

I HEREBY CERTIFY that the above and foregoing is a true and correct copy of a motion adopted at a Regular Meeting of the Council of the Parish of St. Bernard, held at Chalmette, Louisiana, on Tuesday, May 21, 2013.

Witness my hand and the seal  
of the Parish of St. Bernard on  
this 21<sup>st</sup> day of May, 2013.

  
ROXANNE ADAMS  
CLERK OF COUNCIL



# *St. Bernard Parish Council*

8201 West Judge Perez Drive    Chalmette, Louisiana, 70043  
(504) 278-4228    Fax (504) 278-4209  
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**Guy McInnis**  
*Councilman  
at Large*

**George Cavnac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**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, MAY 21, 2013 AT THREE O'CLOCK P.M.

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

## **RESOLUTION SBPC #1048-05-13**

A RESOLUTION REQUESTING APPROVAL TO ALLOCATE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) DISASTER RECOVERY MONIES IN THE AMOUNT OF \$300,000.00 FOR SUPPORT OF THE OFFICE OF FAIR HOUSING.

WHEREAS, the Office of Community Development has made available funding in the amount of \$91,185,319.00 through the Louisiana Community Development Block Grant (CDBG) Disaster Recovery Program administered by the Division of Administration to assist St. Bernard Parish impacted by Hurricanes Katrina & Rita in implementing ongoing and planned recovery projects; and,

WHEREAS, the Department of Housing & Urban Development regulations require that the St. Bernard Parish Council certify that these activities for which CDBG funds are being requested are designed to alleviate existing conditions which pose a serious and immediate threat to the health or welfare of the community; which are of recent origin or which recently have become urgent, and that the St. Bernard Parish Council is unable to finance the activity on its own, that no local funds are available; and,

WHEREAS, the St. Bernard Parish Council has identified ongoing recovery projects and planned recovery projects that may not be eligible for funding through FEMA or that are ineligible for FEMA reimbursement; and

WHEREAS, the disaster recovery project is listed as:

OFFICE OF FAIR HOUSING  
\$300,000.00



## *St. Bernard Parish Council*

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Extract #18 continued  
May 21, 2013

**Guy McInnis**  
*Councilman  
at Large*

**George Cavnagac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

NOW THEREFORE BE IT RESOLVED, that the St. Bernard Parish Council, on does hereby request approval from the Office of Community Development to use CDBG Disaster Recovery funds (\$300,000.00) for this disaster recovery project as prioritized by the St. Bernard Parish Council, thereby maximizing benefits to the health and welfare of the residents through our disaster recovery infrastructure efforts.

BE IT FURTHER RESOLVED, that the St. Bernard Parish Council does hereby certify the disaster recovery priority projects are designed to alleviate existing conditions which pose a serious and immediate threat to the health and welfare of the community;

RESOLVED FURTHER, that the St. Bernard Parish Council does hereby certify that the priority project as "Urgent Need" Project as they are of recent origin and recently became urgent; and

RESOLVED FURTHER, St. Bernard Parish Council does hereby certify that no local funds are available for the implementation of these projects.

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

**YEAS:** Lauga, Gorbaty, Lewis, Hunnicutt, Montelongo, McInnis

**NAYS:** None

**ABSENT:** None

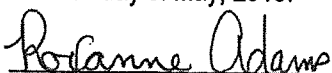
The Council Chair, Mr. Cavnagac, cast his vote as **YEA**.

And the motion was declared **adopted** on the 21<sup>st</sup> day of May, 2013.

### CERTIFICATE

I HEREBY CERTIFY that the above and foregoing is a true and correct copy of a motion adopted at a Regular Meeting of the Council of the Parish of St. Bernard, held at Chalmette, Louisiana, on Tuesday, May 21, 2013.

Witness my hand and the seal  
of the Parish of St. Bernard on  
this 21<sup>st</sup> day of May, 2013.

  
ROXANNE ADAMS  
CLERK OF COUNCIL



# *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**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, MAY 21, 2013 AT THREE O'CLOCK P.M.

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

## **RESOLUTION SBPC#1049-05-13**

A RESOLUTION REQUESTING APPROVAL TO ALLOCATE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) DISASTER RECOVERY MONIES IN THE AMOUNT OF \$500,000.00 FOR SUPPORT OF A NUNEZ WORKFORCE DEVELOPMENT PROJECT

WHEREAS, the Office of Community Development has made available funding in the amount of \$91,185,319.00 through the Louisiana Community Development Block Grant (CDBG) Disaster Recovery Program administered by the Division of Administration to assist St. Bernard Parish impacted by Hurricanes Katrina & Rita in implementing ongoing and planned recovery projects; and,

WHEREAS, the Department of Housing & Urban Development regulations require that the St. Bernard Parish Council certify that these activities for which CDBG funds are being requested are designed to alleviate existing conditions which pose a serious and immediate threat to the health or welfare of the community; which are of recent origin or which recently became urgent, and that the St. Bernard Parish Council is unable to finance the activity on its own, that no local funds are available; and,

WHEREAS, the St. Bernard Parish Council has identified ongoing recovery projects and planned recovery projects that may not be eligible for funding through FEMA or that are ineligible for FEMA reimbursement; and

WHEREAS, the disaster recovery project is listed as:

NUNEZ WORK FORCE DEVELOPMENT  
\$500,000.00

NOW THEREFORE BE IT RESOLVED, that the St. Bernard Parish Council, on does hereby request approval from the Office of Community Development to use CDBG Disaster Recovery funds (\$500,000.00) for this disaster recovery project as prioritized by the St. Bernard Parish Council, thereby maximizing benefits to the health and welfare of the residents through our disaster recovery infrastructure efforts.



## *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

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Extract #19 continued  
May 21, 2013

BE IT FURTHER RESOLVED, that the St. Bernard Parish Council does hereby certify the disaster recovery priority projects are designed to alleviate existing conditions which pose a serious and immediate threat to the health and welfare of the community;

RESOLVED FURTHER, that the St. Bernard Parish Council does hereby certify that the priority project as "Urgent Need" Project as they are of recent origin and recently became urgent; and

RESOLVED FURTHER, St. Bernard Parish Council does hereby certify that no local funds are available for the implementation of these projects.

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

**YEAS:**            Lauga, Gorbaty, Lewis, Hunnicutt, Montelongo, McInnis

**NAYS:**            None

**ABSENT:**        None

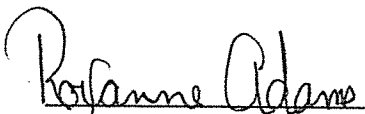
The Council Chair, Mr. Cavignac, cast his vote as **YEA**.

And the motion was declared **adopted** on the 21<sup>st</sup> day of May, 2013.

### CERTIFICATE

I HEREBY CERTIFY that the above and foregoing is a true and correct copy of a motion adopted at a Regular Meeting of the Council of the Parish of St. Bernard, held at Chalmette, Louisiana, on Tuesday, May 21, 2013.

Witness my hand and the seal  
of the Parish of St. Bernard on  
this 21<sup>st</sup> day of May, 2013.

  
ROXANNE ADAMS  
CLERK OF COUNCIL



## *St. Bernard Parish Council*

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**Guy McInnis**  
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*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**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, MAY 21, 2013 AT THREE O'CLOCK P.M.

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

### **RESOLUTION SBPC #1050-05-13**

A RESOLUTION DECLARING THAT THE ST. BERNARD PARISH COUNCIL HAS READ AND UNDERSTANDS THAT THE MUNSTER WASTEWATER TREATMENT PLANT LOCATED AT 3300 MUNSTER BLVD. IS MEETING THE TREATMENT EFFLUENT REQUIREMENTS THAT ARE THAT ARE SET FORTH BY THE LOUISIANA DEPARTMENT OF ENVIRONMENTAL QUALITY.

BE IT RESOLVED, the Municipal Water Pollution Prevention Environmental Audit Report which is attached (Exhibit A) demonstrates that the Munster WWTP is in full compliance with Effluent Limits as set forth by LA DEQ Permit.

BE IT FURTHER RESOLVED, that the outstanding work performed by the dedicated workers of the water & Sewer Division have demonstrated their commitment of protection the environment.

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

**YEAS:**            Lauga, Gorbaty, Lewis, Hunnicutt, Montelongo, McInnis

**NAYS:**            None

**ABSENT:**        None

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

And the motion was declared **adopted** on the 21<sup>st</sup> day of May, 2013.



## *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

**George Cavnagac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

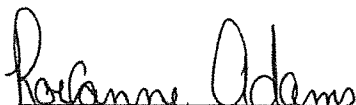
**Roxanne Adams**  
*Clerk of Council*

Page -2-  
Extract #20 continued  
May 21, 2013

### CERTIFICATE

I HEREBY CERTIFY that the above and foregoing is a true and correct copy of a motion adopted at a Regular Meeting of the Council of the Parish of St. Bernard, held at Chalmette, Louisiana, on Tuesday, May 21, 2013.

Witness my hand and the seal  
of the Parish of St. Bernard on  
this 21<sup>st</sup> day of May, 2013.

  
ROXANNE ADAMS  
CLERK OF COUNCIL



**LOUISIANA**  
**MUNICIPAL WATER**  
**POLLUTION PREVENTION**  
**MWPP**



*Facility Name:*

Munster Sewage Treatment  
Facility

*LPDES Permit Number:*

LA0040177

*Agency Interest (AI) Number:*

27960

*Address:*

P. O. Box 1278  
Chalmette, LA 7043

3300 Munster Blvd.

*Parish:*

St. Bernard

*(Person Completing Form) Name:*

Jacob B. Groby III

*Title:*

Supt. Quality Control

*Date Completed:*

April 2012 - April 2013

Permit #: LA0040177

**PART 1: INFLUENT FLOW/LOADINGS (all plants) N/A**

- A.** List the average monthly volumetric flows and BOD loadings received at your facility during the last reporting year.

Column 1 Average Monthly Flow (million gallons per day, MGD)		Column 2 Average Monthly BOD5 Concentration (mg/l)		Column 3 Average Monthly BOD5 Loading (pounds per day, lb/day)
	x		x 8.34 =	
	x		x 8.34 =	
	x		x 8.34 =	
	x		x 8.34 =	
	x		x 8.34 =	
	x		x 8.34 =	
	x		x 8.34 =	
	x		x 8.34 =	
	x		x 8.34 =	
	x		x 8.34 =	
	x		x 8.34 =	
	x		x 8.34 =	
	x		x 8.34 =	
	x		x 8.34 =	

**\*Please note that current permit does not requires testing of influent BOD.**

BOD loading = Average Monthly Flow (in MGD) x Average Monthly BOD concentration (in mg/l) x 8.34

- B.** List the design flow and design BOD loading for your facility in the blanks below. If you are not aware of these design quantities, refer to your Operation and Maintenance (O&M) Manual or contact your consulting engineer.

Design Flow, MGD:

14.5

x 0.90 =

13.05

Design BOD, lb/day:

x 0.90 =

Permit #: **LA0040177**

- C. How many months did the monthly flow (Column 1) to the wastewater treatment facility (WWTF) exceed 90% of design flow? Circle the number of months and the corresponding point total. Write the point total in the box below at the right.

<i>months</i>	0	1	2	3	4	5	6	7	8	9	10	11	12
<i>points</i>	0	0	0	0	0	5	5	5	5	5	5	5	5

Write 0 or 5 in the C point total box  C Point Total

- D. How many months did the monthly flow (Column 1) to the WWTF exceed the design flow? Circle the number of months and corresponding point total. Write the point total in the box below at the right.

<i>months</i>	0	1	2	3	4	5	6	7	8	9	10	11	12
<i>points</i>	0	5	5	10	10	15	15	15	15	15	15	15	15

Write 0, 5, 10 or 15 in the D point total box  D Point Total

- E. How many months did the monthly BOD loading (Column 3) to the WWTF exceed 90% of the design loading? Circle the number of months and corresponding point total. Write the point total in the box below at the right.

<i>months</i>	0	1	2	3	4	5	6	7	8	9	10	11	12
<i>points</i>	0	0	5	5	5	10	10	10	10	10	10	10	10

Write 0, 5, or 10 in the E point total box  E Point Total

- F. How many months did the monthly BOD loading (Column 3) to the WWTF exceed the design loading? Circle the number of months and corresponding point total. Write the point total in the box below at the right.

<i>months</i>	0	1	2	3	4	5	6	7	8	9	10	11	12
<i>points</i>	0	10	20	30	40	50	50	50	50	50	50	50	50

Write 0, 10, 20, 30, 40 or 50 in the F point total box  F Point Total

- G. Add together each point total for C through F and place this sum in the box below at the right.

**TOTAL POINT VALUE FOR PART 1:**  (max = 80)

Also enter this value or 80, whichever is less, on the point calculation table on page 16.

Permit #: **LA0040177**

## PART 2: EFFLUENT QUALITY / PLANT PERFORMANCE

- A. List the monthly average effluent BOD and TSS concentrations produced by your facility during the last reporting year.

Month	Column 1 Average Monthly BOD (mg/l)	Column 2 Average Monthly TSS (mg/l)
April 2012	35	205
May 2012	814	1018
June 2012	1205	6292
July 2012	405	743
August 2012	175	125
September 2012	255	85
October 2012	500	250
November 2012	745	621
December 2012	520	346
January 2013	240	80
February 2013	240	120
March 2013	310	465

- B. List the monthly average permit limits for your facility in the blanks below.

	Permit Limit		90% of Permit Limit
BOD, mg/l	3653	x 0.90 =	3288
TSS, mg/l	3653	x 0.90 =	3288

Permit #: LA0040177

C. Continuous Discharge to Surface Water.

- i. How many months did the effluent BOD (Column 1) exceed 90% of the permit limits? Circle the number of months and the corresponding point total. Write the point total in the box below at the right.

<i>months</i>	0	1	2	3	4	5	6	7	8	9	10	11	12
<i>points</i>	0	0	10	20	30	40	40	40	40	40	40	40	40

Write 0, 10, 20, 30 or 40 in the i point total box 0 i Point Total

- ii. How many months did the effluent BOD (Column 1) exceed permit limits? Circle the number of months and corresponding point total. Write the point total in the box below at the right.

<i>months</i>	0	1	2	3	4	5	6	7	8	9	10	11	12
<i>points</i>	0	5	5	10	10	10	10	10	10	10	10	10	10

Write 0, 5, or 10 in the ii point total box 0 ii Point Total

- iii. How many months did the effluent TSS (Column 2) exceed 90% of the permit limits? Circle the number of months and the corresponding point total. Write the point total in the box below at the right.

<i>months</i>	0	1	2	3	4	5	6	7	8	9	10	11	12
<i>points</i>	0	0	10	20	30	40	40	40	40	40	40	40	40

Write 0, 10, 20, 30 or 40 in the iii point total box 0 iii Point Total

- iv. How many months did the effluent TSS (Column 2) exceed permit limits? Circle the number of months and corresponding point total. Write the point total in the box below at the right.

<i>months</i>	0	1	2	3	4	5	6	7	8	9	10	11	12
<i>points</i>	0	5	5	10	10	10	10	10	10	10	10	10	10

Write 0, 5, or 10 in the iv point total box 5 iv Point Total

- v. Add together each point total for i through iv and place this sum in the box below at the right.

**TOTAL POINT VALUE FOR PART 2:** 5 (max = 100)

Also enter this value or 100, whichever is less, on the point calculation table on page 16.

Permit #: LA0040177

D. Other Monitoring and Limitations

- i. At any time in the past year was there an exceedance of a permit limit for other pollutants such as: ammonia-nitrogen, phosphorus, pH, total residual chlorine, or fecal coliform?

✓ Check one box.

☒

Yes

No

*If Yes, Please describe:*

Before the Munster plant was fully operational, we were receiving shock loads from collection system clean out program, without warning, which caused upset conditions sporadically.

- ii. At any time in the past year was there a "failure" of a Biomonitoring (Whole Effluent Toxicity) test of the effluent?

✓ Check one box.

Yes

☒

No

*If Yes, Please describe:*

- iii. At any time in the past year was there an exceedance of a permit limit for a toxic substance?

✓ Check one box.

Yes

☒

No

*If Yes, Please describe:*

N/A

Permit #: LA0040177

### PART 3: AGE OF THE WASTEWATER TREATMENT FACILITY

- A. What year was the wastewater treatment facility constructed or last major expansion/improvements completed?

2012 Complete reconstruction

*Current Year*      -      *Answer to A*      =      *Age in years*

2012

2012

<1 year

Enter Age in Part C below.

- B. ☒ Check the type of treatment facility that is employed.

**FACTOR:**

<u>X</u>	Mechanical Treatment Plant (trickling filter, activated sludge, etc...) Specify Type: <u>Activated Sludge</u>	2.5
<u>      </u>	Aerated Lagoon	2.0
<u>      </u>	Stabilization Pond	1.5
<u>      </u>	Other Specify Type: <u>  </u>	1.0

- C. Multiply the factor listed next to the type of facility your community employs by the age of your facility to determine the total point value for Part 3.

**TOTAL POINT VALUE FOR PART 3 =**

$$\frac{2.5}{\text{Factor}} \times \frac{1}{\text{Age}} = \boxed{2.5} \text{ (max = 50)}$$

Also enter this value or 50, whichever is less, on the point calculation table on page 16.

- D. Please attach a schematic of the treatment plant.

SEE ATTACHED DIAGRAM.

Permit #: **LA0040177**

## PART 4: OVERFLOWS AND BYPASSES

### A.

- i. List the number of times in the last year there was an overflow, bypass or unpermitted discharge of untreated or incompletely treated wastewater due to heavy rain:

\_\_\_\_\_ √ Check one box. ☒ 0 = 0 points ☐ 3 = 15 points  
☐ 1 = 5 points ☐ 4 = 30 points  
☐ 2 = 10 points ☐ 5 or more = 50 points

- ii. List the number of bypasses, overflows or unpermitted discharges shown in A (i) that were within the collection system and the number at the treatment plant

Collection System: \_\_\_\_\_ 0 \_\_\_\_\_ Treatment Plant: \_\_\_\_\_ 1 \_\_\_\_\_

### B.

- i. List the number of times in the last year there was an overflow, bypass or unpermitted discharge of untreated or incompletely treated wastewater due to equipment failure, either at the treatment plant or due to pumping problems in the collection system:

\_\_\_\_\_ 1 √ Check one box. ☐ 0 = 0 points ☐ 3 = 15 points  
☒ 1 = 5 points ☐ 4 = 30 points  
☐ 2 = 10 points ☒ 5 or more = 50 points

- ii. List the number of bypasses, overflows or unpermitted discharges shown in B (i) that were within the collection system and the number at the treatment plant

Collection System: \_\_\_\_\_ 4 \_\_\_\_\_ Treatment Plant: \_\_\_\_\_ 2 \_\_\_\_\_

- C. Specify whether the bypasses came from the city/village/town sewer system or from contract or tributary communities/sanitary districts, etc...

\_\_\_\_\_ Town of Chalmette \_\_\_\_\_

- D. Add the point values checked for A and B and place the total in the box below.

**TOTAL POINT VALUE FOR PART 4:** **50** (max = 100)

Also enter this value or 100, whichever is less, on the point calculation table on page 16.

- E. List the person responsible (name and title) for reporting overflows, bypasses or unpermitted discharges to State and Federal authorities:

\_\_\_\_\_ Jacob B. Groby III, Supt. Water Quality \_\_\_\_\_

Describe the procedure for gathering, compiling and reporting:

\_\_\_\_\_ Field and plant staff report incidents, Mgmt. notifies DEQ verbally and/or written \_\_\_\_\_



Permit #: **LA0040177**

## PART 5: SLUDGE STORAGE AND DISPOSAL SITES

### A. Sludge Storage

How many months of sludge storage capacity does your facility have available, either on-site or off-site?

Circle the number of months and the corresponding point total. Write the point total in the box below at the right.

<i>months</i>	<2	2	3	4-5	>6
<i>points</i>	50	30	20	10	0

Write 0, 10, 20, 30 or 40 in the A point total box **50** A Point Total

### B. For how many months does your facility have access to (and approval for) sufficient land disposal sites to provide proper land disposal? N/A

Circle the number of months and the corresponding point total. Write the point total in the box below at the right.

<i>months</i>	<2	6-11	12-23	24-35	>36
<i>points</i>	50	30	20	10	0

Write 0, 10, 20, 30 or 40 in the B point total box **0** B Point Total

### C. Add together the A and B point values and place the sum in the box below at the right:

**TOTAL POINT VALUE FOR PART 5:** **50** (max = 100)

Also enter this value or 100, whichever is less, on the point calculation table on page 16.

Permit #: LA0040177

## PART 6: NEW DEVELOPMENT

- A. Please provide the following information for the total of all sewer line extensions which were installed during the last year.

Design Population: N/A  
Design Flow: N/A MGD  
Design BOD: N/A mg/l

- B. Has an industry (or other development) moved into the community or expanded production in the past year, such that either flow or pollutant loadings to the sewerage system were significantly increased (5% or greater)?

✓ Check one box. ☐ Yes = 15 points ☒ No = 0 points

*If Yes, Please describe:*

No

List any new pollutants:

N/A

- C. Is there any development (industrial, commercial or residential) anticipated in the next 2-3 years, such that either flow or pollutant loadings to the sewerage system could significantly increase?

✓ Check one box. ☐ Yes = 15 points ☒ No = 0 points

*If Yes, Please describe:*

None Expected

List any new pollutants you anticipate:

None Expected

- D. Add together the point value checked in B and C and place the sum in the box below.

TOTAL POINT VALUE FOR PART 6: 0 (max = 30)

Also enter this value or 30, whichever is less, on the point calculation table on page 16.

Permit #: LA0040177

## PART 7: OPERATOR CERTIFICATION AND EDUCATION

- A. What was the name of the operator-in-charge for the reporting year?

Name: Richard Coffee

- B. What is his or her certification number:

Cert. #: 970

- C. What level of certification is the operator-in-charge required to have to operate the wastewater treatment facility?

Level Required: IV

- D. What is the level of certification of the operator-in-charge?

Level Certified: IV

- E. Was the operator-in-charge of the report year certified at least at the grade level required in order to operate this plant?

✓ Check one box. ☒ Yes = 0 points ☐ No = 50 points

Write 0 or 50 in the E point total box

0

E Point Total

- F. Has the operator-in-charge maintained recertification requirements during the reporting year?

✓ Check one box. ☒ Yes ☐ No

- G. How many hours of continuing education has the operator-in-charge completed over the last two calendar years?

✓ Check one box. ☒ > 12 hours = 0 points ☐ < 12 hours = 50 points

Write 0 or 50 in the G point total box

0

G Point Total

- H. Is there a written policy regarding continuing education an training for wastewater treatment plant employees?

✓ Check one box. ☒ Yes ☐ No

Explain: Budget allocated and training schedule set at beginning of each year  
we train in nouse

- I. What percentage of the continuing education expenses of the operator-in-charge were paid for:

By the permittee? 100 Percent By the operator?

- J. Add together the E and G point values and place the sum in the box below at the right.

TOTAL POINT VALUE FOR PART 7:

0

(max = 100)

Also enter this value or 100, whichever is less, on the point calculation table on page 16.

Permit #: LA0040177

## PART 8: FINANCIAL STATUS

A. Are User-Charge Revenues sufficient to cover operation and maintenance expenses?

✓ Check one box.

☒

Yes

☐

No

*If No, How are O&M costs financed?*

B. What financial resources do you have available to pay for your wastewater improvements and reconstruction needs?

Revenue generated from the sale of water and sewer services. Inspection and re-connection fees.

Permit #: LA0040177

## PART 9: SUBJECTIVE EVALUATION

### A. Collection System Maintenance

- i. Describe what sewer system maintenance work has been done in the last year.

General maintenance (smoking & camera). Relining of collection system lines.

- ii. Describe what lift station work has been done in the last year.

General maintenance...pumps replaced as needed.  
Typically burnt up due to clogging.

- iii. What collection system improvements does the community have under construction for the next 5 years?

N/A

### B. If you have ponds please answer the following questions:

✓ Check one box.

- |   |   |  |
|---|---|--|
| i. Do you have duckweed buildup in the ponds?                                       | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No |
| ii. Do you mow the dikes regularly (at least monthly), to the waters edge?          | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No |
| iii. Do you have bushes or trees growing on the dikes or in the ponds?              | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No |
| iv. Do you have excess sludge buildup (> 1foot) on the bottom of any of your ponds? | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No |
| v. Do you exercise all of your valves?  | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No            |
| vi. Are your control manholes in good structural shape?                             | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No            |
| vii. Do you maintain at least 3 feet of freeboard in all of your ponds?             | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No            |
| viii. Do you visit your pond system at least weekly?                                | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No            |

Permit #: LA0040177

C. Treatment Plants

- i. Have the influent and effluent flow meters been calibrated in the last year?

☒ Yes ☒ No (✓ Check one box.)

\*Please note: Influent and Effluent meters are magnetic design and cannot be calibrated.

Influent flow meter calibration date(s)

Effluent flow meter calibration date(s)

- ii. What problems, if any, have been experienced over the last year that have threatened treatment?

NONE

- iii. Is your community presently involved in formal planning for treatment facility upgrade?

✓ Check one box.

☐

Yes

☒

No

If Yes, Please describe:

Permit #: LA0040177

D. Preventive Maintenance

- i. Does your plant have a written plan for preventive maintenance on major equipment items?

✓ Check one box.

☒

Yes

☐

No

*If Yes, Please describe:*

As per manufacturer directives in O&M manual.

- ii. Does this preventive maintenance program depict frequency of intervals, types of lubrication and other preventive maintenance tasks necessary for each piece of equipment?

☒

Yes

☐

No

- iii. Are these preventive maintenance tasks, as well as equipment problems, being recorded and filed so future maintenance problems can be assured properly?

☒

Yes

☐

No

E. Sewer Use Ordinance

- i. Does your community have a sewer use ordinance that limits or prohibits the discharge of excessive conventional pollutants (BOD, TSS or pH) or toxic substances to the sewer system from industries, commercial users and residences?

✓ Check one box.

☐

Yes

☒

No

*If Yes, Please describe:*

- ii. Has it been necessary to enforce?

✓ Check one box.

☐

Yes

☒

No

*If Yes, Please describe:*

- iii. Any additional comments about your treatment plant or collection system? (Attach additional sheets if necessary.)

We are operating a new 14.5 mg/day wastewater treatment plant.

Permit #: LA0040177

### POINT CALCULATION TABLE

	Actual Values	Maximum
Part 1: <i>Influent Flow/Loadings</i>	<u>N/A</u>	80 points
Part 2: <i>Effluent Quality / Plant Performance</i>	<u>5</u>	100 points
Part 3: <i>Age of WWTF</i>	<u>2.5</u>	50 points
Part 4: <i>Overflows and Bypasses</i>	<u>50</u>	100 points
Part 5: <i>Ultimate Disposition of Sludge</i>	<u>50</u>	100 points
Part 6: <i>New Development</i>	<u>0</u>	30 points
Part 7: <i>Operator Certification Training</i>	<u>0</u>	100 points

TOTAL POINTS:

107.5





# *St. Bernard Parish Council*

8201 West Judge Perez Drive Chalmette, Louisiana, 70043  
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**Guy McInnis**  
*Councilman  
at Large*

**George Cavnac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**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, JUNE 4, 2013 AT SEVEN O'CLOCK P.M.

On motion of Mr. Gorbaty, seconded by Mr. Lauga, it was moved to **adopt** the following resolution:

## **RESOLUTION SBPC #1051-06-13**

BE IT RESOLVED, that the St. Bernard Parish Council, the Governing Authority, does hereby approve the following permits as recommended by the Alcohol Beverage and Bingo Department:

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

<u>Establishment</u>	<u>Beer</u>	<u>Liquor</u>
Renewals:		
a. Vucinovich's La Bella Vita, LLC d/b/a Vucinovich's La Bella Vita 3850 East Judge Perez Drive Meraux, LA 70075 Member(s): Russell L. Vucinovich, Jr. and Eileen P. Vucinovich	X	X
b. Walgreen Louisiana Co. Inc., d/b/a Walgreens # 07415 100 West Judge Perez Drive Chalmette, LA 70043 Manager: Dustin Mares	X	X
c. Walgreen Louisiana Co. Inc., d/b/a Walgreens # 13586 4141 East Judge Perez Drive Meraux, LA 70075 Owner: Johnathon Wetzel	X	X

### **Bingo and Electronic Video Bingo Renewals**

- Name of Organization: Disabled Veterans of LA, Inc., Chapter #4, Auxiliary  
Address: 151 Friscoville Avenue, Arabi, LA 70032  
Date and Time of Games: Friday's and Saturday's 6:00 p.m. – 12:00 a.m.  
Member in Charge: Carolyn Little
- Name of Organization: Disabled Veterans of LA, Inc., Chapter #4 (men's)  
Address: 151 Friscoville Avenue, Arabi, LA 70032  
Date and Time of Games: Wednesday's and Thursday's 6:00 p.m. – 12:00 a.m.  
Member in Charge: Sandra M. Roberts



## *St. Bernard Parish Council*

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Extract #13 continued  
June 4, 2013

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

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

**YEAS:**            Lauga, Gorbaty, Hunnicutt, Montelongo, McInnis

**NAYS:**            None

**ABSENT:**        Lewis

The Chairman, Mr. Cavignac, cast his vote as **ABSTAINED**.

And the motion was declared **adopted** on the 4<sup>th</sup> day of June, 2013.

### 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, June 4, 2013.

Witness my hand and the seal  
of the Parish of St. Bernard on  
the 4<sup>th</sup> day of June, 2013.

ROXANNE ADAMS  
CLERK OF COUNCIL



# *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**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, JUNE 4, 2013 AT SEVEN O'CLOCK P.M.

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

## **RESOLUTION SBPC #1052-06-13**

A RESOLUTION CONFIRMING THE FOLLOWING NOMINATIONS TO THE ST. BERNARD PARISH ETHICS BOARD, AS PER ARTICLE VIII (SECTION 8-04) OF THE ST. BERNARD PARISH HOME RULE CHARTER.

WHEREAS, the designated Universities have made recommendations to the Open Positions on the St. Bernard Parish Ethics Board, and;

WHEREAS, this Council is desirous of filling the aforementioned board and vacancies.

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

Tulane University: Mr. Chris Holmes  
University of New Orleans: Dr. John Kiefer  
Loyola University: Ms. Adele Faust  
Nunez Community College: Mr. Frank Auderer, Jr.

BE IT FURTHER RESOLVED, that this term shall be effective immediately upon adoption of this Resolution.

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

**YEAS:**            Lauga, Gorbaty, Hunnicutt, Montelongo, McInnis

**NAYS:**            None

**ABSENT:**        Lewis



## *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

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Extract #14 continued  
June 4, 2013

**George Cavignac**  
*Councilman  
at Large*

The Chairman, Mr. Cavignac, cast his vote as YEA.

**Ray Lauga, Jr.**  
*Councilman  
District A*

And the motion was declared **adopted** on the 4<sup>th</sup> day of June, 2013.

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

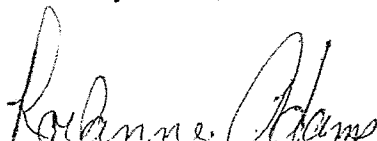
**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

### 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, June 4, 2013.

Witness my hand and the seal  
of the Parish of St. Bernard on  
the 4<sup>th</sup> day of June, 2013.

  
ROXANNE ADAMS  
CLERK OF COUNCIL



# *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

**George Cavnac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**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, JUNE 4, 2013 AT SEVEN O'CLOCK P.M.

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

## **RESOLUTION SBPC #1053-06-13**

A RESOLUTION REQUESTING THAT UNITED STATES SENATOR MARY LANDRIEU, UNITED STATES SENATOR DAVID VITTER, AND UNITED STATES CONGRESSMAN STEVE SCALISE IMMEDIATELY SUPPORT ALL FEDERAL LEGISLATION INTENDED TO MITIGATE THE SOCIAL AND ECONOMIC HARDSHIPS FACED BY THE RESIDENTS OF ST. BERNARD PARISH DUE TO THE PENDING IMPLEMENTATION OF THE BIGGERT-WATERS ACT.

WHEREAS, the United States Congress established the National Flood Insurance Program (NFIP) in 1968 for the purpose of providing affordable flood insurance in exchange for the establishment of local floodplain management practices; and,

WHEREAS, St. Bernard Parish Government has successfully participated in the NFIP for over 40 years, working closely with property owners to ensure compliance with the local floodplain management ordinance and all NFIP standards; and,

WHEREAS, the only two major flood events to occur in St. Bernard Parish over the past fifty years (Hurricane Betsy and Hurricane Katrina) were caused primarily by levee failures and the existence of artificial navigation canals around the perimeter of the Parish; and,

WHEREAS, the United States Congress has now invested over \$1 billion in Hurricane Katrina recovery efforts in St. Bernard Parish; and,

WHEREAS, over 40,000 residents (including approximately 12,000 NFIP policyholders) have returned to St. Bernard Parish during its lengthy recovery under the premise that the NFIP would continue to provide affordable flood insurance; and

WHEREAS, the continued recovery and long-term economic viability of St. Bernard Parish depends upon the maintenance and improvement of property values and the availability of affordable flood insurance; and,



# *St. Bernard Parish Council*

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Extract #15 continued  
June 4, 2013

**Guy McInnis**  
*Councilman  
at Large*

**George Cavnac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbay**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

WHEREAS, implementation of the Biggert-Waters Act would result in the establishment of punitive and unreasonably priced premiums for thousands of NFIP policyholders in St. Bernard Parish, thereby undermining the significant investments that have been made in the community since Hurricane Katrina;

NOW THEREFORE, BE IT RESOLVED, that the St. Bernard Parish Council, the Governing Authority, does hereby request that United States Senator Mary Landrieu, United States Senator David Vitter, and United States Congressman Steve Scalise immediately support all federal legislation intended to mitigate the social and economic hardships faced by the residents of St. Bernard Parish due to the pending implementation of the Biggert-Waters Act.

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

**YEAS:**            Lauga, Gorbay, Hunnicutt, Montelongo, McInnis

**NAYS:**            None

**ABSENT:**        Lewis

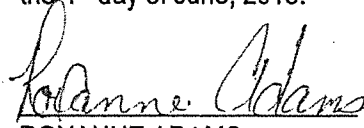
The Chairman, Mr. Cavnac, cast his vote as **YEA**.

And the motion was declared **adopted** on the 4<sup>th</sup> day of June, 2013.

## 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, June 4, 2013.

Witness my hand and the seal  
of the Parish of St. Bernard on  
the 4<sup>th</sup> day of June, 2013.

  
ROXANNE ADAMS  
CLERK OF COUNCIL



# *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**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, JUNE 4, 2013 AT SEVEN O'CLOCK P.M.

On motion of Mr. Lauga, seconded by Mr. Hunnicutt, it was moved to adopt the following resolution:

## **RESOLUTION SBPC #1054-06-13**

A RESOLUTION RENAMING LIVAUDAIS STREET TO MR. NORMAN STREET.

WHEREAS, the surrounding neighbors have expressed interest in renaming Livaudais Street to Mr. Norman Street in memory of Mr. Norman; and

WHEREAS, the Council is desirous of honoring this request by renaming Livaudais Street to Mr. Norman Street; and

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

**YEAS:** Lauga, Gorbaty, Hunnicutt, Montelongo, McInnis

**NAYS:** None

**ABSENT:** Lewis

The Chairman, Mr. Cavignac, cast his vote as YEA.

And the motion was declared adopted on the 4<sup>th</sup> day of June, 2013.

## **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, June 4, 2013.

Witness my hand and the seal  
of the Parish of St. Bernard on  
the 4<sup>th</sup> day of June, 2013.

**ROXANNE ADAMS**  
CLERK OF COUNCIL



# *St. Bernard Parish Council*

8201 West Judge Perez Drive    Chalmette, Louisiana, 70043  
(504) 278-4228    Fax (504) 278-4209  
[www.sbpj.net](http://www.sbpj.net)

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**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, JUNE 4, 2013 AT SEVEN O'CLOCK P.M.

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

## **RESOLUTION SBPC #1055-06-13**

A RESOLUTION OF THE ST. BERNARD PARISH COUNCIL APPROVING THE LACOSTE GARDENS PLAN.

WHEREAS Lacoste Gardens will be a neighborhood garden for the residents of that area; and

WHEREAS, the benefits of these gardens are numerous throughout a community; and

WHEREAS, this project involves the planting of numerous raised garden beds on two (2) existing LLT properties in District C.

NOW, THEREFORE, BE IT RESOLVED that the St. Bernard Parish Council does hereby approve and support the Lacoste Gardens Plan as attached.

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

**YEAS:**            Lauga, Gorbaty, Hunnicutt, Montelongo, McInnis

**NAYS:**            None

**ABSENT:**        Lewis

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

And the motion was declared **adopted** on the 4<sup>th</sup> day of June, 2013.





## *St. Bernard Parish Council*

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**Casey W. Hunnicutt**  
*Councilman  
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Montelongo III**  
*Councilman  
District E*

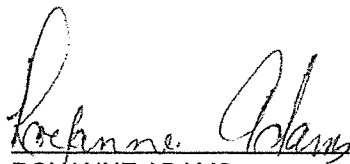
**Roxanne Adams**  
*Clerk of Council*

Page -2-  
Extract #17 continued  
June 4, 2013

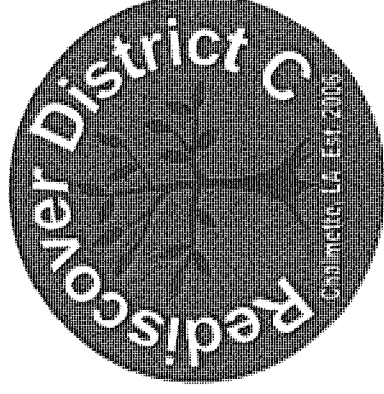
### CERTIFICATE

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, June 4, 2013.

Witness my hand and the seal  
of the Parish of St. Bernard on  
this 4<sup>th</sup> day of June, 2013.

  
ROXANNE ADAMS  
CLERK OF COUNCIL

Lacoste Gardens  
3213 Mumphrey Street  
Chalmette, LA



# Outline

- Background
- Objective
- Project Scope
- Project Details
- Project Cost
- Funding
- Schedule
- Contacts

# Lacoste Gardens

- Lacoste Gardens will be a neighborhood garden for the residents of area.
- The neighborhood and community gardens are popping up in cities across America.
- The benefits of these gardens are numerous;
  - 1) They provide good carbon sequestrers and improve air quality.
  - 2) Community gardens bring neighbors together and helps them become more active in the outdoors.
  - 3) Parish green space is effectively used and maintained by the neighborhood group, thus taking the burden off parish government for property maintenance.
  - 4) Most importantly, these gardens produce healthy food for people within the neighborhood.

## Objective

- As our community moves from recovery to creation, it is these types of project that will build upon the pride in our community and allow us to attract new residents to our parish. All of our projects are designed with the community in mind. They all have overflow benefits which are to connect numerous neighborhood and community organizations into one cohesive movement. That movement is to improve the appearance and beauty of St. Bernard Parish.

# Project Scope

- This project involves the planting of numerous raised garden beds on two existing LLT properties.
  - The project consist of up to 14 raised beds approx. 4 ft. X 16 ft. Planting will be done using neighborhood and District C volunteers.
  - Installing a irrigation system. Parish government to provide a water meter and water.
  - Maintenance and care of the gardens and surrounding area with be provided by Mumphrey Street neighbors, RDC members and volunteers..

RAISED GARDEN BEDS  
4'X16'

RAISED GARDEN BEDS  
4'X16'

RAISED GARDEN BEDS  
4'X16'

RAISED GARDEN BEDS  
4'X16'

RAISED GARDEN BEDS  
4'X16'

RAISED GARDEN BEDS  
4'X16'

RAISED GARDEN BEDS  
4'X16'

EXISTING TREE

REAR  
140'

RAISED GARDEN BEDS  
4'X16'

RAISED GARDEN BEDS  
4'X16'

RAISED GARDEN BEDS  
4'X16'

RAISED GARDEN BEDS  
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4'X16'

RAISED GARDEN BEDS  
4'X16'

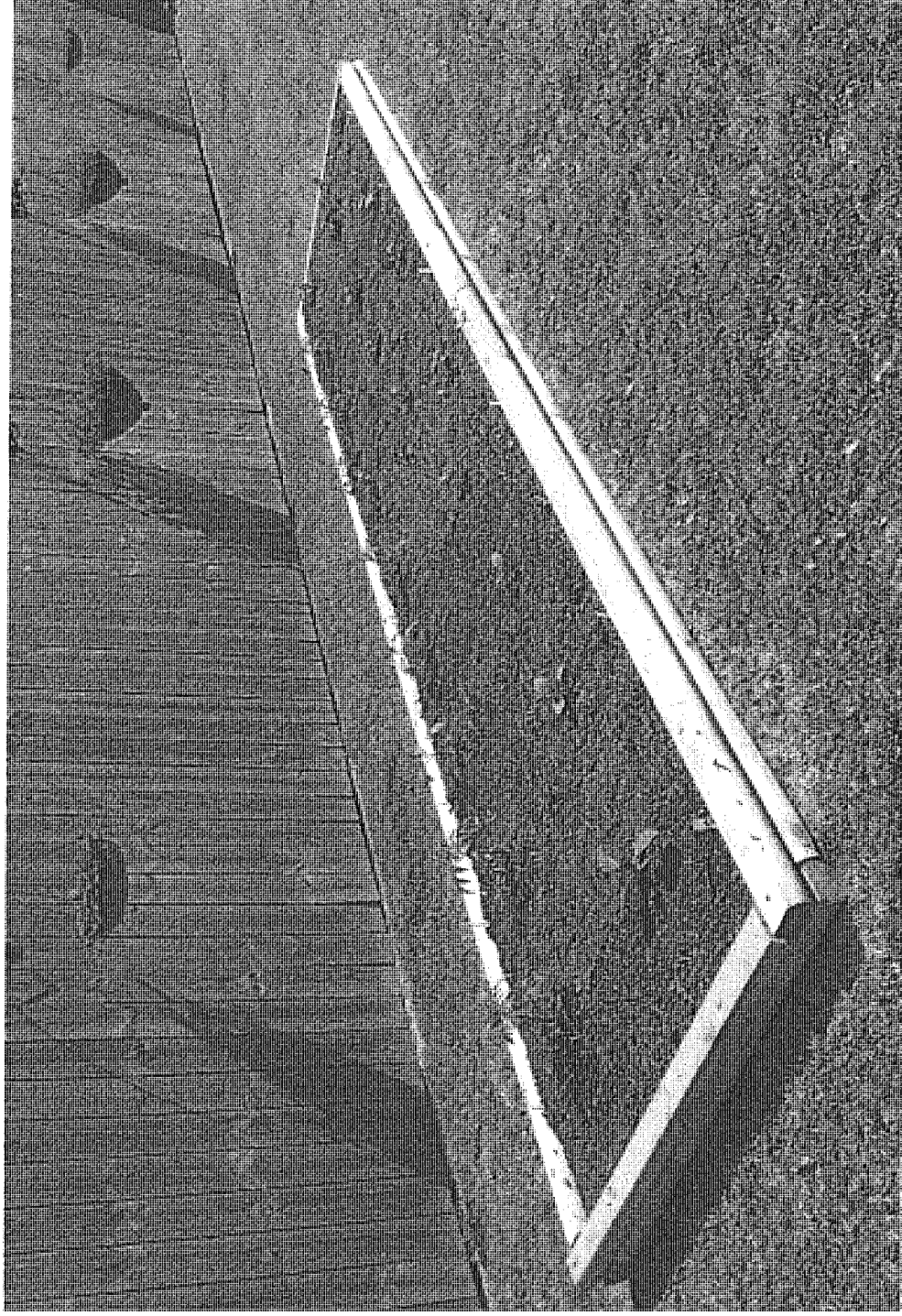
PROPERTY FRONTS  
MUMPHREY STREET  
LOT# 3213 & 3301  
APPROX. 140' X 70'

# Project Details

- The raised garden beds will be built with landscape timbers and will consist of organically grown vegetables, fruits and flowers.
- Each garden bed will be developed with funds generated through sponsorships. These sponsorships may be from individuals, non-profit groups or businesses in the community.
- An irrigation system designed to provide adequate watering.
- The neighborhood garden will be maintained by local residents, homeowner and neighborhood associations under the guidance and direction of Rediscover District C and the St. Bernard Parish Parks and Parkways Commission.



Sample Garden Bed

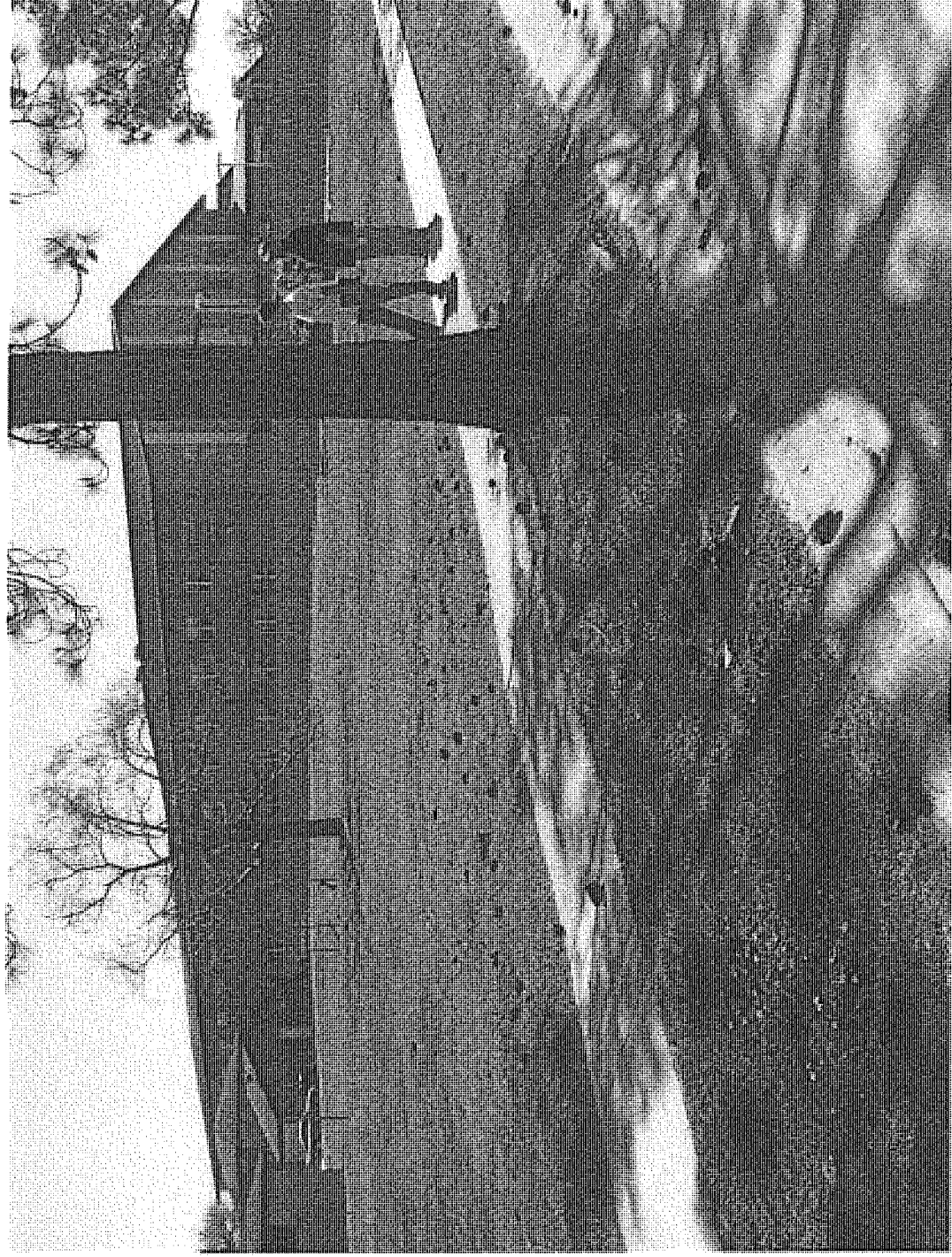


# Lacoste Gardens

## Proposed LLT Properties

- Proposed LLT lots to be used for Lacoste Gardens are 3213 & 3301 Mumphrey.
- These LLT lots have been rezoned into one continuous property and is now listed as 3213 Mumphrey according to the Parish's LLT Disposition Plan.
- Proposed garden is located adjacent to Lacoste Elementary School which makes for possible interaction with the school's 4-H Club.
- See attached plot plan for proposed layout of gardens.

3213 Mumphrey – Lacoste Gardens Site



# Project Costs

- Building of raised garden beds, filling with soil and installing irrigation. Approximate cost per bed is \$90.00.
- Plants will be provided through donations from a local business and individuals.
- Irrigation system will be installed by Rediscover District C members.
- Labor for construction and planting will be done with volunteers from neighborhood and community.

# Funding

- Funding will be secured by sponsorships from community individuals, neighborhood groups and businesses.
- Initial phase will consist of 6 to 8 raised garden beds with remainder being developed as sponsors sign on to project.

# Schedule

- Obtain approvals
- Rediscover District C will be the main sponsoring neighborhood organization. RDC Board has approved the project.
- Parks and Parkways
- HRQL
- Planning Commission
- Parish Council
- Garden beds construction and planting tentative for April 2013.

# Contacts

- Project Director
- \* Joey Navis
- Others
- \* Cindy & Ricky Gonzales
- \* Angela Allen
- \* Kendra Davis
- \* Shari Newman
- \* Joey Englert
- \* Howard Luna



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*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

**#7**

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, JUNE 18, 2013 AT THREE O'CLOCK P.M.

On motion of Mr. McInnis, seconded by Mr. Gorbaty, it was moved to **adopt** the following resolution:

## **RESOLUTION SBPC #1056-06-13**

BE IT RESOLVED, that the St. Bernard Parish Council, the Governing Authority, does hereby approve the following permits as recommended by the Alcohol Beverage and Bingo Department:

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

<u>Establishment</u>	<u>Beer</u>	<u>Liquor</u>
<u>Renewals:</u>		
a. Arabi Café, Inc., d/b/a Arabi Po-Boys 650 Friscoville Avenue Arabi, LA 70032 Owner(s): Mitchell and Deborah Smith	X(only)	
b. Disabled Veteran's of LA, Inc., d/b/a Friendly Pub 149 Friscoville Avenue Arabi, LA 70032 Manager: Carolyn Little	X	X
<u>New Business:</u>		
1. Breton Sound Boat Launch, LLC d/b/a Breton Sound Marina 7600 Hopedale Highway St. Bernard, LA 70085 Member(s): Glenn Sanchez and Karen Claverie	X(only)	





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**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

Page -2-  
Extract #7 continued  
June 18, 2013

## **Special Event**

1. Name of Organization: St. Bernard Salutes America  
Address: 8201 W. Judge Perez Drive, Chalmette, LA 70043  
Name of Event: St. Bernard Salutes America  
Location of Event: St. Bernard Parish Government Complex Grounds  
Date and Time: Thursday, July 4, 2013, 3:00 p.m. – 10:00 p.m.

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

**YEAS:** Lauga, Gorbaty, Montelongo, McInnis

**NAYS:** None

**ABSENT:** Lewis

**DID NOT VOTE:** Hunnicutt

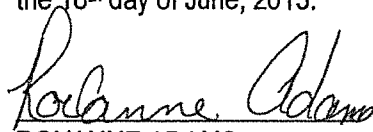
The Chairman, Mr. Cavignac, cast his vote as **ABSTAIN**.

And the motion was declared **adopted** on the 18<sup>th</sup> day of June, 2013.

## **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, June 18, 2013.

Witness my hand and the seal  
of the Parish of St. Bernard on  
the 18<sup>th</sup> day of June, 2013.

  
ROXANNE ADAMS  
CLERK OF COUNCIL



# *St. Bernard Parish Council*

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*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**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, JUNE 4, 2013 AT SEVEN O'CLOCK P.M.

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

## **RESOLUTION SBPC #1056A-06-13**

A RESOLUTION REQUESTING THE COAST GUARD TO REMOVE A LARGE METAL OBJECT FROM THE SPOIL CANAL THAT IS A HEALTH, SAFETY AND WELFARE HAZARD TO THE PEOPLE AND THEIR PROPERTIES THAT NAVIGATE THE SPOIL CANAL.

WHEREAS, the Council is desirous to remove a large metal object from the Spoil Canal; and

WHEREAS, this object is a health, safety and welfare hazard to the people and their properties that navigate the Spoil Canal; and

WHEREAS, this object is located one half (½) to one (1) mile in the Spoil Canal before you enter the MRGO.

NOW THEREFORE, BE IT RESOLVED, that the St. Bernard Parish Council, the Governing Authority, does hereby request the Coast Guard to remove a large metal object from the Spoil Canal that is a health, safety and welfare hazard to the people and their properties that navigate the Spoil Canal.

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

**YEAS:**            Lauga, Gorbaty, Lewis, Hunnicutt, Montelongo, McInnis

**NAYS:**            None

**ABSENT:**        None



# *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

Page -2-  
Extract #18 continued  
June 4, 2013

**George Cavignac**  
*Councilman  
at Large*

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

**Ray Lauga, Jr.**  
*Councilman  
District A*

And the motion was declared **adopted** on the 4<sup>th</sup> day of June, 2013.

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

## 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, June 4, 2013.

Witness my hand and the seal  
of the Parish of St. Bernard on  
the 4<sup>th</sup> day of June, 2013.

ROXANNE ADAMS  
CLERK OF COUNCIL



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at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

**#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 ST. BERNARD PARISH GOVERNMENT BUILDING, 8201 WEST JUDGE PEREZ DRIVE, CHALMETTE, LOUISIANA ON TUESDAY, JUNE 18, 2013 AT THREE O'CLOCK P.M.

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

## **RESOLUTION SBPC #1057-06-13**

A RESOLUTION APPOINTING A NEW MEMBER TO THE HOSPITAL SERVICE DISTRICT OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA.

WHEREAS, a vacancy occurred on the Hospital Service District of St. Bernard Parish, State of Louisiana, due to the official resignation of Councilman George Cavignac, effective April 23, 2013, and;

WHEREAS, the St. Bernard Parish Council advertised, in the official journal, that they would be accepting applications to fill an opening on the St. Bernard Parish Hospital Service District, and;

WHEREAS, Mr. Andrew Becker Jr., has a Master of Science Degree in Health Care Administration, a Bachelor of Arts Degree in History and is currently working towards a Master of Business Administration Degree in Finance and;

WHEREAS, Mr. Andrew Becker comes highly recommended from the Administration of parish government and the Hospital Service District.

NOW, THEREFORE, BE IT RESOLVED that the St. Bernard Parish Council, the Governing Authority, of St. Bernard Parish, does hereby appoint Mr. Andrew Becker Jr., to the Hospital Service District of the Parish of St. Bernard, State of Louisiana.

BE IT FURTHER RESOLVED, the effective date of said appointment is to be June 18, 2013 and appointee will continue with the completion of the former members term to expire December 9, 2015.



## *St. Bernard Parish Council*

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[www.sbpq.net](http://www.sbpq.net)

Page -2-  
Extract #8 continued  
June 18, 2013

**Guy McInnis**  
*Councilman  
at Large*

**George Cavnagac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbacy**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
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**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

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

**YEAS:** Lauga, Lewis, Hunnicutt, Montelongo, McInnis

**NAYS:** Gorbacy

**ABSENT:** None

**ABSTAIN:** Hunnicutt

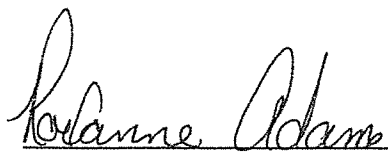
The Chairman, Mr. Cavnagac, cast his vote as **YEA**.

And the motion was declared **adopted** on the 18<sup>th</sup> day of June, 2013.

### 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, June 18, 2013.

Witness my hand and the seal  
of the Parish of St. Bernard on  
this 18<sup>th</sup> day of June, 2013.

  
ROXANNE ADAMS  
CLERK OF COUNCIL



# *St. Bernard Parish Council*

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*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**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, JUNE 18, 2013 AT THREE O'CLOCK P.M.

On motion of Mr. Montelongo, seconded by Mr. McInnis, it was moved to adopt the following resolution.

## **RESOLUTION SBPC #1058-06-13**

A RESOLUTION APPOINTING THE ST. BERNARD VOICE AS THE OFFICIAL JOURNAL OF THE PARISH OF ST. BERNARD FOR ONE YEAR BEGINNING JULY 1, 2013 AND ENDING JUNE 30, 2014 PURSUANT TO R.S. 43:150 AND R.S. 43:174.

NOW THEREFORE BE IT RESOLVED, that the St. Bernard Parish Council, the Governing Authority, does hereby appoint The St. Bernard Voice as the Official Journal of the parish for one year beginning July 1, 2013 and ending June 30, 2014, pursuant to R.S. 43:150 and R.S. 43:174.

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

**YEAS:** Lauga, Gorbaty, Lewis, Hunnicutt, Montelongo, McInnis

**NAYS:** None

**ABSENT:** None

The Chairman, Mr. Cavignac, cast his vote as YEA.

And the motion was declared adopted on the 18<sup>th</sup> day of June, 2013.



## *St. Bernard Parish Council*

8201 West Judge Perez Drive Chalmette, Louisiana, 70043

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Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

Page -2-  
Extract #9 continued  
June 18, 2013

### 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, June 18, 2013.

Witness my hand and the seal  
of the Parish of St. Bernard on  
this 18<sup>th</sup> day of June, 2013.

ROXANNE ADAMS  
CLERK OF COUNCIL



# *St. Bernard Parish Council*

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*Councilman  
District E*

**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, JUNE 18, 2013 AT THREE O'CLOCK P.M.

On motion of Mr. Lewis, seconded by Mr. Lauga, it was moved to adopt the following resolution.

## **RESOLUTION SBPC #1059-06-13**

A RESOLUTION AUTHORIZING THE PARISH PRESIDENT TO ENTER INTO AN AGREEMENT WITH THE LA DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT FOR CHALMETTE INTERSECTION SAFETY IMPROVEMENTS.

NOW THEREFORE BE IT RESOLVED, that the St. Bernard Parish Council, the Governing Authority, does hereby authorize the Parish President to enter into an agreement (attached and labeled Exhibit A) with LA Department of Transportation and Development for Chalmette Intersection Safety Improvements.

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

**YEAS:**                    Lauga, Gorbaty, Lewis, Hunnicutt, Montelongo, McInnis

**NAYS:**                    None

**ABSENT:**                None

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

And the motion was declared **adopted** on the 18<sup>th</sup> day of June, 2013.





## *St. Bernard Parish Council*

8201 West Judge Perez Drive    Chalmette, Louisiana, 70043  
(504) 278-4228    Fax (504) 278-4209  
[www.sbpq.net](http://www.sbpq.net)

Page -2-  
Extract #10 continued  
June 18, 2013

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

### 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, June 18, 2013.

Witness my hand and the seal  
of the Parish of St. Bernard on  
this 18<sup>th</sup> day of June, 2013.

ROXANNE ADAMS  
CLERK OF COUNCIL



# *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**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 ST. BERNARD PARISH GOVERNMENT BUILDING, 8201 WEST JUDGE PEREZ DRIVE, CHALMETTE, LOUISIANA ON TUESDAY, JUNE 18, 2013 AT THREE O'CLOCK P.M.

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

## **RESOLUTION SBPC #1060-06-13 Old Arabi Neighborhood Commission**

WHEREAS, St. Bernard Parish Council adopted Ordinance SBPC #1374-02-13 on February 5, 2013 which established an Old Arabi Neighborhood Commission, and;

WHEREAS, this Council is desirous to seat this commission; and

NOW THEREFORE, BE IT RESOLVED, that the St. Bernard Parish Council, the Governing Authority, does hereby appoint the following members to the Old Arabi Neighborhood Commission; and

BE IT FURTHER RESOLVED, that these terms shall be effective as of June 18, 2013 and terminate as follows:

<u>Member</u>	<u>Expiration Date</u>	<u>Appointee From</u>
Col. Tim Chastain	06/18/15	Jackson Barracks Commandant
Patrice Cusimano	06/18/16	Old Arabi Neighborhood Association
Harold Applewhite	06/18/15	Old Arabi Neighborhood Association
Doug Miltz	06/18/17	Old Arabi Neighborhood Association
Barry Lemoine	06/18/16	Chamber of Commerce
David Chimento	06/18/16	Planning Commission
Carl Doescher	06/18/17	Parish Council



# *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

Page -2-  
Extract #11 continued  
June 18, 2013

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

**YEAS:** Lauga, Gorbaty, Lewis, Hunnicutt, Montelongo, McInnis

**NAYS:** None

**ABSENT:** None

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

And the motion was declared **adopted** on the 18<sup>th</sup> day of June, 2013.

## 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, June 18, 2013.

Witness my hand and the seal  
of the Parish of St. Bernard on  
this 18<sup>th</sup> day of June, 2013.

ROXANNE ADAMS  
CLERK OF COUNCIL



# *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**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, JUNE 18, 2013 AT THREE O'CLOCK P.M.

On motion of Mr. Hunnicutt, seconded by Mr. Montelongo, it was moved to adopt the following resolution.

## **RESOLUTION SBPC #1061-06-13**

A RESOLUTION TO AUTHORIZE PARISH PRESIDENT DAVE PERALTA TO SIGN AN AMENDMENT TO THE COOPERATIVE ENDEAVOR AGREEMENT WITH THE STATE OF LOUISIANA DIVISION OF ADMINISTRATION OFFICE OF COMMUNITY DEVELOPMENT TO FUND THE HIRING OF A PLANNER.

WHEREAS, the Parish and the State of Louisiana Division of Administration Office of Community Development entered into a Cooperative Endeavor Agreement wherein they agreed to certain matters concerning implementing a grant under the Community Development Block Grant Disaster Recovery Program (the "CEA") to hire a Planner, and the grant period needs to be extended,

NOW THEREFORE, BE IT RESOLVED, that the St. Bernard Parish Council, the governing authority, does hereby authorize Parish President Dave Peralta to sign the 2nd Amendment to OCR# 107-901230, CFMS #670228, CFDA #14.228, Grant #B-06-DG-22-0001, Year 2006 (attached) to the Cooperative Endeavor Agreement between St. Bernard Parish and the State of Louisiana Division of Administration Office of Community Development.

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

**YEAS:**                    Lauga, Gorbaty, Lewis, Hunnicutt, Montelongo

**NAYS:**                    None

**ABSENT:**                McInnis



## *St. Bernard Parish Council*

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Page -2-  
Extract # continued  
June 18, 2013

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
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**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

The Chairman, Mr. Cavignac, cast his vote as YEA.

And the motion was declared **adopted** on the 18<sup>th</sup> day of June, 2013.

### 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, June 18, 2013.

Witness my hand and the seal  
of the Parish of St. Bernard on  
this 18<sup>th</sup> day of June, 2013.

ROXANNE ADAMS  
CLERK OF COUNCIL

2nd AMENDMENT TO:

OCR # 107-901230  
CFMS # 670228  
AMENDMENT # 2  
DUNS # 612127423  
CFDA 14.228  
Grant # B-06-DG-22-0001  
Year 2006

COOPERATIVE ENDEAVOR AGREEMENT  
IMPLEMENTING GRANT UNDER  
COMMUNITY DEVELOPMENT BLOCK GRANT  
DISASTER RECOVERY PROGRAM

BY AND BETWEEN  
STATE OF LOUISIANA, DIVISION OF ADMINISTRATION  
OFFICE OF COMMUNITY DEVELOPMENT

AND

ST. BERNARD PARISH GOVERNMENT ("St. Bernard" or "Grantee")

EFFECTIVE: June 1, 2013

AMENDMENT PROVISIONS:

CHANGE AGREEMENT FROM:

Page 1:

**TERM:** July 1, 2008 through June 30, 2013

CHANGE AGREEMENT TO:

Page 1:

**TERM:** July 1, 2008 through June 30, 2014

CHANGE AGREEMENT FROM:

PAGE 2:

1.6 WHEREAS, St. Bernard is eligible for up to One Hundred Eighty Two Thousand Seven Hundred and no/100 Dollars (\$182,700.00) in CDBG funds for Planning over a

five year period. Eligibility will be based upon performance of St. Bernard required by the Agreement and availability of CDBG funds.

CHANGE AGREEMENT TO:

PAGE 2:

1.6 WHEREAS, St. Bernard is eligible for up to One Hundred Eighty Two Thousand Seven Hundred and no/100 Dollars (\$182,700.00) in CDBG funds for Planning over a six year period. Eligibility will be based upon performance of St. Bernard required by the Agreement and availability of CDBG funds.

CHANGE AGREEMENT FROM:

Page 3:

**2.0 TERM OF CONTRACT**

This Cooperative Endeavor Agreement shall begin on July 1, 2008 and end on June 30, 2013.

CHANGE AGREEMENT TO:

Page 3:

**2.0 TERM OF CONTRACT**

This Cooperative Endeavor Agreement shall begin on July 1, 2008 and end on June 30, 2014.

CHANGE AGREEMENT FROM:

PAGE 15:

**30.0 CDBG PROGRAM ADMINISTRATION AND COMPLIANCE**

St. Bernard, as recipient of CDBG Grant Funds (as defined herein), shall comply with the CDBG program and compliance requirements set forth in **Revised Exhibit D (CDBG Program Administration and Compliance)**, which is attached hereto and made a part hereof. State agrees that the CDBG program and compliance requirements set forth in **Exhibit D** including requirement to comply with all applicable

Federal and State Laws and Regulations are those which St. Bernard will pass through to its contractors and employees.

CHANGE AGREEMENT TO:

PAGE 15:

**30.0 CDBG PROGRAM ADMINISTRATION AND COMPLIANCE**

St. Bernard, as recipient of CDBG Grant Funds (as defined herein), shall comply with the CDBG program and compliance requirements set forth in **Revised Exhibit D (4-2013)** (GRANTEE STATEMENT OF ASSURANCES), which is attached hereto and made a part hereof. State agrees that the CDBG program and compliance requirements set forth in **Revised Exhibit D (4-2013)** including requirement to comply with all applicable Federal and State Laws and Regulations are those which St. Bernard will pass through to its contractors and employees.

ADD:

Page 16:

**44.0 No Third Party Beneficiaries**

This Agreement does not create, nor is it intended to create, any third party beneficiaries or contain any stipulations pour autrui. The State and the Grantee are and shall remain the only parties to this Agreement and the only parties with the right to enforce any provision thereof and shall have the right, without the necessity of consent of any third party, to modify or rescind this Agreement.

**REASON FOR AMENDMENT:**

To extend ending date to properly finish the planning project.



ALL OTHER TERMS AND CONDITIONS REMAIN UNCHANGED.

St. Bernard Parish Government and the State of Louisiana, Division of Administration, Office of Community Development have caused this Amendment to be executed by their respective duly authorized representatives on the dates below but effective as of the date first set forth above.

---

Name	Date
------	------

---

Title  
Office of Community Development  
150 Third Street, Suite 500  
Baton Rouge, Louisiana 70801

---

Name	Date
St. Bernard Parish President	
St. Bernard Parish Government	

**REVISED EXHIBIT D (4-2013)**  
**GRANTEE STATEMENT OF ASSURANCES**

This Applicant/Grantee/Subrecipient hereby assures and certifies that:

1. It possesses legal authority to apply for a Community Development Block Grant ("CDBG") and to execute the proposed CDBG program.
2. Its governing body has duly adopted, or passed as an official act, a resolution, motion, or similar action authorizing the filing of the CDBG application and directing and authorizing the person identified as the official representative of the Applicant/Grantee/Subrecipient to act in connection with the application, sign all understandings and assurances contained therein, and to provide such additional information as may be required.
3. It has facilitated citizen participation by providing adequate notices containing the information specified in the program instructions and by providing citizens an opportunity to review and submit comments on the proposed application.
4. Its chief executive officer, or other officer or representative of Applicant/Grantee/Subrecipient approved by the State:
  - a. Consents to assume the status of a responsible federal official under the National Environmental Policy Act of 1969 (42 U.S.C.A. §4331, et seq.) insofar as the provisions of such Act apply to the proposed CDBG Program; and
  - b. Is authorized and consents, on behalf of the Applicant/Grantee/Subrecipient and himself, to submit to the jurisdiction of the federal courts for the purpose of enforcement of Applicant/Grantee/Subrecipient's responsibilities and his or her responsibilities as an official.
5. It will develop the CDBG program and use CDBG funds so as to give maximum feasible priority to activities that will benefit low and moderate income families, aid in the prevention or elimination of slums or blight, or meet other community development needs having a particular urgency.
6. It will comply with the following applicable federal grant management regulations, policies, guidelines, and/or requirements as they relate to the application, acceptance, and use of federal funds: OMB Circular A-87 (Cost Principles for State, Local and Indian Tribal Governments) as amended and made part of State regulations; A-102 (Grants and Cooperative Agreements with State and Local Governments), as amended and made part of State regulations; OMB Circular A-133 (Audits of States, Local Governments, and Non-Profit Organizations), revised; OMB Circular A-21 (Cost Principles for Educational Institutions); A-122 (Cost Principles for Non-Profit Organizations); 24 CFR Part 85 (Administrative Requirements for Grants and Cooperative Agreements to State, Local and Federally Recognized Indian Tribal Governments) and 24 CFR Part 84 (Uniform Administrative Requirements For Grants

and Agreements With Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations).

7. It will administer and enforce the labor standards requirements set forth in 24 CFR §570.603 and any other regulations issued to implement such requirements.
8. It will comply with the provisions of Executive Order 11988, as amended by Executive Order 12148, relating to evaluation of flood hazards, and Executive Order 12088, as amended by Executive Order 12580, relating to the prevention, control and abatement of water pollution.
9. It will require every building or facility (other than a privately owned residential structure) designed, constructed, or altered with funds provided to Applicant/Grantee/Subrecipient to comply with any accessibility requirements, as required by Title III of the Americans with Disabilities Act of 1990 (42 U.S.C.A. § 12101 et seq.). The Applicant/Grantee/Subrecipient will be responsible for conducting inspections to ensure compliance with these specifications by the contractor.
10. It will comply with:
  - a. Title VI of the Civil Rights Acts of 1964, 42 U.S.C. §2000d et seq., as amended, and the regulations issued pursuant thereto (24 CFR Part 1), which provide that no person in the United States shall on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the Applicant/Grantee/Subrecipient receives federal financial assistance and will immediately take any measures necessary to effectuate this assurance. If any real property or structure thereon is provided or improved with the aid of federal financial assistance extended to the Applicant/Grantee/Subrecipient, this assurance shall obligate the Applicant/Grantee/Subrecipient, or in the case of any transfer of such property, any transferee, for the period during which the property or structure is used for another purpose involving the provision of similar services or benefits.
  - b. Section 104 (b) (2) of Title VIII of the Civil Rights Act of 1968 (**42 U.S.C.A. §3601, et seq.**), as amended, which requires administering all programs and activities relating to housing and community development in a manner to affirmatively further fair housing. Title VIII further prohibits discrimination against any person in the sale or rental of housing, or the provision of brokerage services, including in any way making unavailable or denying a dwelling to any person, because of race, color, religion, sex, national origin, handicap or familial status.
  - c. Section 109 of Title I of the Housing and Community Development Act of 1974 (42 U.S.C. §5309), and the regulations issued pursuant thereto (24 CFR Part §570.602), which provides that no person in the United States shall, on the grounds of race, color, national origin, or sex, be excluded from participation in, be denied the benefits of, or be subjected to

discrimination under, any program or activity funded in whole or in part with funds provided under that Part. Section 109 further prohibits discrimination to an otherwise qualified individual with a handicap, as provided under Section 504 of the Rehabilitation Act of 1973, as amended, and prohibits discrimination based on age as provided under the Age Discrimination Act of 1975. The policies and procedures necessary to ensure enforcement of section 109 are codified in 24 CFR part 6.

- d. Executive Order 11063, as amended by Executive Order 12259, and the regulations issued pursuant thereto, which pertains to equal opportunity in housing and non-discrimination in the sale or rental of housing built with federal assistance.
  - e. Executive Order 11246, as amended by Executive Orders 11375 and 12086, and the regulations issued pursuant thereto, which provide that no person shall be discriminated against on the basis of race, color, religion, sex or national origin in all phases of employment during the performance of federal or federally assisted construction contracts. Further, contractors and subcontractors on federal and federally assisted construction contracts shall take affirmative action to insure fair treatment in employment, upgrading, demotion, or transfer, recruitment or recruitment advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training and apprenticeship.
  - f. Section 504 of the Rehabilitation Act of 1973, as amended, which provides that no otherwise qualified individual shall, solely, by reason of his or her handicap be excluded from participation, denied program benefits or subjected to discrimination on the basis of age under any program or activity receiving federal funding assistance.
11. The work to be performed by Grantee is subject to the requirements of section 3 of the Housing and Urban Development Act of 1968, as amended, 12 U.S.C. 1701u (section 3). The purpose of section 3 is to ensure that employment and other economic opportunities generated by HUD assistance or HUD-assisted projects covered by section 3, shall, to the greatest extent feasible, be directed to low- and very low-income persons, particularly persons who are recipients of HUD assistance for housing.

Grantee agrees to comply with HUD's regulations in 24 CFR part 135, which implement section 3. Grantee also certifies that there are under no contractual or other impediment that would prevent it from complying with the part 135 regulations.

Grantee agrees to send to each labor organization or representative of workers with which the Grantee has a collective bargaining agreement or other understanding, if any, a notice advising the labor organization or workers' representative of the Grantee's commitments under this section 3 clause, and will

post copies of the notice in conspicuous places at the work site where both employees and applicants for training and employment positions can see the notice. The notice shall describe the section 3 preference, shall set forth minimum number and job titles subject to hire, availability of apprenticeship and training positions, the qualifications for each; and the name and location of the person(s) taking applications for each of the positions; and the anticipated date the work shall begin.

Grantee agrees to include this section 3 clause in every subrecipient agreement and contract subject to compliance with regulations in 24 CFR part 135, and agrees to take appropriate action, as provided in an applicable provision of such contract or in this section 3 clause, upon a finding that the subrecipient or contractor is in violation of the regulations in 24 CFR part 135. Grantee will not contract with any subrecipient or contractor where the contractor has notice or knowledge that the subrecipient or contractor has been found in violation of the regulations in 24 CFR part 135.

The Grantee will certify that any vacant employment positions, including training positions, that are filled (1) after the Grantee is selected but before the contract is executed, and (2) with persons other than those to whom the regulations of 24 CFR part 135 require employment opportunities to be directed, were not filled to circumvent the Grantee's obligations under 24 CFR part 135.

Noncompliance with HUD's regulations in 24 CFR part 135 may result in sanctions, termination of this Agreement for default, and debarment or suspension from future HUD assisted contracts.

With respect to work performed in connection with section 3 covered Indian housing assistance, section 7(b) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450e) also applies to the work to be performed under this Agreement. Section 7(b) requires that to the greatest extent feasible (i) preference and opportunities for training and employment shall be given to Indians, and (ii) preference in the award of contracts and subcontracts shall be given to Indian organizations and Indian-owned Economic Enterprises. Parties to this Agreement that are subject to the provisions of section 3 and section 7(b) agree to comply with section 3 to the maximum extent feasible, but not in derogation of compliance with section 7(b).

12. It will minimize displacement of persons as a result of activities assisted with CDBG funds. In addition, it will:
  - a. Comply with Title II (Uniform Relocation Assistance) and Sections 301-304 of Title III (Uniform Real Property Acquisition Policy) of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. Chapter 61), and HUD implementing instructions at 24 CFR Part 42 and 24 CFR §570.606; and

- b. Inform affected persons of their rights and of the acquisition policies and procedures set forth in the regulations at 24 CFR Part 42; and
  - c. Provide relocation payments and offer relocation assistance as described in Section 205 of the Uniform Relocation Assistance Act to all persons displaced as a result of acquisition of real property for an activity assisted under the CDBG Program. Such payments and assistance shall be provided in a fair, consistent and equitable manner that ensures that the relocation process does not result in different or separate treatment of such persons on account of race, color, religion, national origin, sex or source of income; and
  - d. Assure that, within a reasonable period of time prior to displacement, comparable decent, safe and sanitary replacement dwellings will be available to all displaced families and individuals and that the range of choices available to such persons will not vary on account of their race, color, religion, national origin, sex, or source of income; and
  - e. Assure that if displacement is precipitated by CDBG funded activities that require the acquisition (either in whole or in part) of real property, all appropriate benefits required by the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4601 et seq., Pub. L. 91-646) and amendments thereto shall be provided to the displaced person(s). Persons displaced by rehabilitation of "Non-Uniform Act" acquisition financed (in whole or in part) with CDBG funds shall be provided relocation assistance in accordance with one of the following: (1) the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as required under 24 CFR Section 570.606 (a) and HUD implementing regulations at 24 CFR Part 42; (2) the requirements in 24 CFR Section 570.606 (b) governing the Residential Antidisplacement and Relocation Assistance Plan under Section 104 (d) of the Housing and Community Development Act of 1974; (3) the relocation requirements of Section 104 (k) of the Act; (4) the relocation requirements of 24 CFR Section 570.606 (d) governing optional relocation assistance under Section 105 (a) (11) of the Act; and (5) the provisions of 24 CFR Part 511.10 (h) (2) (iii) rental Rehabilitation Program.
13. It will establish safeguards to prohibit employees from using positions for a purpose that is or gives the appearance of being motivated by a desire for private gain for themselves or others, particularly those with whom they have family, business, or other ties, in accordance with CDBG regulations.
  14. It will comply with the provisions of the Hatch Act that limit the political activity of employees and the HUD regulations governing political activity at 24 CFR §570.207.
  15. It will give the State and HUD, and any of their representatives or agents, access to and the right to examine all records, books, papers, or documents related to the grant.

16. It will ensure that the facilities under Applicant/Grantee/Subrecipient's ownership, lease or supervision utilized in the accomplishment of the CDBG Program are not listed on the Environmental Protection Agency's (EPA) list of violating facilities and that it will notify HUD of the receipt of any communication from the EPA Office of Federal Activities indicating that a facility to be used in the CDBG Program is being considered for listing by the EPA as a violating facility.
17. With regard to environmental impact, it will comply with the National Environmental Policy Act of 1969 (42 U.S.C. §4321-4347), and Section 104(f) of the Housing and Community Development Act of 1974 ( 42 U.S.C. §5304(d)).
18. It will comply with Section 106 of the National Historic Preservation Act of 1966 (16 U.S.C. 470 et seq.), as amended, Executive Order 11593, and the Preservation of Archaeological and Historical Data Act of 1966 (16 U.S.C. §469a-1 et. seq.), as amended, by:
  - a. Consulting with the State Historic Preservation Office to identify properties listed in or eligible for inclusion in the National Register of Historic Places that are subject to adverse effects (see 36 CFR Part 800) by the proposed activity; and
  - b. Complying with all requirements established by the State to avoid or mitigate adverse effects upon such properties.
19. It will comply with the provisions in 24 CFR §570.200(c) regarding special assessments to recover capital costs.
20. It will adopt and enforce a policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individual engaged in non-violent Civil Rights demonstrations and will enforce applicable state and local laws against physically barring entrance to or exit from a facility or location which is the subject of such nonviolent civil rights demonstrations within its jurisdiction.
21. It certifies that no federally appropriated funds will be used for any lobbying purposes regardless of the level of government.
22. It will abide by and enforce the conflict of interest requirement set forth in 24 CFR §570.489(h).
23. It will comply with HUD rules prohibiting the use of CDBG funds for inherently religious activities, as set forth in 24 CFR §570.200(j).
24. Activities involving new building construction, alterations, or rehabilitation will comply with the Louisiana State Building Code.

25. In relation to labor standards, it will comply with:
- a. Section 110 of the Housing and Community Development Act of 1974, as amended and as set forth in 24 CFR §570.603.
  - b. Davis-Bacon Act, as amended (40 U.S.C. §3141 et seq.).
  - c. Contract Work Hours and Safety Standards Act (40 U.S.C. §327 et seq.).
  - d. Federal Fair Labor Standards Act (29 U.S.C. §201 et seq.)
26. It will comply with the flood insurance purchase requirement of Section 102(a) of the Flood Disaster Protection Act of 1973, 42 U.S.C. §4001 et seq., which requires the purchase of flood insurance in communities where such insurance is available as a condition for the receipt of any federal financial assistance for construction or acquisition purposes for use in any area that has been identified by the Secretary of the Department of HUD as an area having special flood hazards. The phrase "federal financial assistance" includes any form of loan, grant, guaranty, insurance payment, rebate, subsidy, disaster assistance loan or grant, or any other form of direct or indirect federal funding. It will comply with 42 USC § 4012a, which requires that if the federal financial assistance is provided in the form of a loan or an insurance or guaranty of a loan, the amount of flood insurance required need not exceed the outstanding principal balance of the loan and need not be required beyond the term of the loan. If the federal financial assistance is in the form of a grant, the requirement of maintaining flood insurance on any dwelling on any part of the property in an amount equal to the lesser of 1) the value of the property less land costs or 2) the maximum amount of flood insurance available under the National Flood Insurance Program to the extent coverage can be obtained under the National Flood Insurance Program, shall apply during the life of the property, regardless of transfer of ownership of such property.
27. It will comply with the Farmland Protection Policy Act, 7 U.S.C.A. §4201 et seq., which requires recipients of federal assistance to minimize the extent to which their projects contribute to the unnecessary and irreversible commitment of farmland to nonagricultural uses.
28. It will comply with Sections 1012 and 1013 of Title X of the Housing and Community Development Act of 1992 (Public Law 102-550, as amended). The regulation appears within Title 24 of the Code of Federal Regulations as part 35 (codified in 24 CFR 35). The purpose of this regulation is to protect young children from lead-based paint hazards in housing that is financially assisted by the Federal government or sold by the government. This regulation applies only to structures built prior to 1978.
29. It will comply with the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act of 1976 (42 U.S.C. §6901, et seq.).
30. It will comply with the Clean Air Act (42 U.S.C. §7401, et seq.), which prohibits engaging in, supporting in any way, or providing financial assistance for, licensing or



permitting, or approving any activity which does not conform to the State implementation plan for national primary and secondary ambient air quality standards.

31. In relation to water quality, it will comply with:

- e. The Safe Drinking Water Act of 1974 (42 U.S.C. §§ 201, 300(f) et seq. and U.S.C. §349), as amended, particularly Section 1424(e) (42 U.S.C. §§ 300h-303(e)), which is intended to protect underground sources of water. No commitment for federal financial assistance can be entered into for any project which the U.S. Environmental Protection Agency determines may contaminate an aquifer which is the sole or principal draining water source for an area; and
- a. The Federal Water Pollution Control Act of 1972, as amended, including the Clear Water Act of 1977, Public Law 92-212 (33 U.S.C. §1251, et seq.) which provides for the restoration and maintenance of the chemical, physical and biological integrity of the nation's water.

32. It will comply with HUD Environmental Standards (24 CFR, Part 51 and 44 F.R. 40860-40866).

33. With regard to wildlife, it will comply with:

- a. The Endangered Species Act of 1973, as amended (16 U.S.C. §1531 et seq.). Federally authorized and funded projects must not jeopardize the continued existence of endangered and threatened species or result in the destruction of or modification of habitat of such species which is determined by the U.S. Department of the Interior, after consultation with the state, to be critical; and
- b. The Fish and Wildlife Coordination Act of 1958, as amended, (16 U.S.C. §661 et seq.) which requires that wildlife conservation receives equal consideration and is coordinated with other features of water resource development programs.

Signing these assurances means that Applicant/Grantee/Sub recipient agrees to implement its program in accordance with these provisions. Failure to comply can result in serious audit and/or monitoring findings that require repayment of funds to the State or expending Applicant/Grantee/Sub recipient funds to correct deficiencies.

GRANTEE

By: \_\_\_\_\_

Title: \_\_\_\_\_

This \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.



## *St. Bernard Parish Council*

8201 West Judge Perez Drive    Chalmette, Louisiana, 70043  
(504) 278-4228    Fax (504) 278-4209  
[www.sbpq.net](http://www.sbpq.net)

**#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, JULY 2, 2013 AT SEVEN O'CLOCK P.M.

On motion of Mr. Gorbaty, seconded by Mr. Lauga, it was moved to **adopt** the following resolution:

### **RESOLUTION SBPC #1062-07-13**

BE IT RESOLVED, that the St. Bernard Parish Council, the Governing Authority, does hereby approve the following permits as recommended by the Alcohol Beverage and Bingo Department:

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

<u>Establishment</u>	<u>Beer</u>	<u>Liquor</u>
Renewals:		
a. Daiquiris Chalmette Partnership d/b/a New Orleans Original Daiquiris 8304 West Judge Perez Drive Chalmette, LA 70043 Owner: David A. Briggs, Jr.	X	X
b. DePope Launch and Tavern, Inc., d/b/a DePope Launch and Tavern 6201 East St. Bernard Highway @ Violet Canal Violet, LA 70092 Owner: Lionel J. Alphonso, Sr.	X	X
c. Desi's, Inc., d/b/a Desi's 3809 Paris Road Chalmette, LA 70043 Owner(s): Tina Romano, Desi A. Romano, and Desi D. Romano	X	X
d. Dockside Enterprises, Inc., d/b/a Casanova Seafood 1928 Massicot Road St. Bernard, LA 70085 Owner(s): Judy and Robert Casanova	X(only)	
e. D&S Wingery, LLC d/b/a WOW 1720 East Judge Perez Drive, Suite C Chalmette, LA 70043 Member: Dianne Songy	X	X

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*



## *St. Bernard Parish Council*

8201 West Judge Perez Drive Chalmette, Louisiana, 70043  
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**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

Page -2-  
Extract #13 continued  
July 2, 2013

Establishment  
Renewals:

Beer    Liquor

f. Mia's Pizza, LLC d/b/a Marco's Pizza, (X) only  
9212 West Judge Perez Drive, Suite C  
Chalmette, LA 70043  
Member(s): Robert and Maria Lawless

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

**YEAS:** Lauga, Gorbaty, Hunnicutt, Montelongo

**NAYS:** None

**ABSENT:** Lewis, McInnis

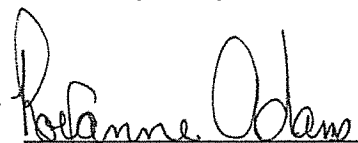
The Chairman, Mr. Cavignac, cast his vote as **ABSTAINED**.

And the motion was declared **adopted** on the 2<sup>nd</sup> day of July, 2013.

### 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, July 2, 2013.

Witness my hand and the seal  
of the Parish of St. Bernard on  
the 2<sup>nd</sup> day of July, 2013.

  
ROXANNE ADAMS



# *St. Bernard Parish Council*

8201 West Judge Perez Drive    Chalmette, Louisiana, 70043  
(504) 278-4228    Fax (504) 278-4209  
[www.sbpq.net](http://www.sbpq.net)

**#14**

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

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, JULY 2, 2013 AT SEVEN O'CLOCK P.M.

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

## **RESOLUTION SBPC #1063-07-13**

A RESOLUTION AUTHORIZING THE PARISH PRESIDENT TO ENTER INTO AN AGREEMENT WITH THE LA DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT FOR PACKENHAM DRIVE AND JACKSON STREET COUPLET.

NOW THEREFORE BE IT RESOLVED, that the St. Bernard Parish Council, the Governing Authority, does hereby authorize the Parish President to enter into an agreement (attached and labeled Exhibit A) with LA Department of Transportation and Development for Packenham Drive and Jackson Street Couplet.

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

**YEAS:** Lauga, Gorbaty, Lewis, Hunnicutt, Montelongo, McInnis

**NAYS:** None

**ABSENT:** None

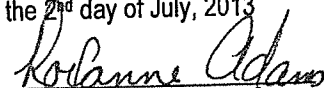
The Chairman, Mr. Cavignac, cast his vote as YEA.

And the motion was declared **adopted** on the 2<sup>nd</sup> day of July, 2013.

## **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, July 2, 2013.

Witness my hand and the seal  
of the Parish of St. Bernard on  
the 2<sup>nd</sup> day of July, 2013

  
ROXANNE ADAMS

**STATE OF LOUISIANA  
LOUISIANA DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT**

**SUPPLEMENTAL AGREEMENT NO. 1  
STATE PROJECT NO. H.007331  
FORMERLY IDENTIFIED AS LEGACY STATE PROJECT NO. 742-44-0006  
FEDERAL AID PROJECT NO. STP-4401(504)  
PAKENHAM DRIVE  
(LA 46 –LA 39)  
ST. BERNARD PARISH**

**THIS SUPPLEMENTAL AGREEMENT**, is made and executed in three originals on this \_\_\_\_\_ day of \_\_\_\_\_, 2013, by and between the Louisiana Department of Transportation and Development, through its Secretary, hereinafter referred to as "DOTD", and St. Bernard Parish Government, a political subdivision of the State of Louisiana, hereinafter referred to as ("Entity").

**WITNESSETH:** That;

**WHEREAS**, the DOTD and the Entity entered into a formal agreement, dated March 14, 2005, to develop a couplet using Pakenham Drive and Jackson Street between LA 46 (St. Bernard Highway) and LA 39 (Judge Perez Drive) consisting of one 12-foot travel lane and one 8-foot.

**WHEREAS**, it is necessary to amend the original Agreement to update the project description, project number, funding article, cost disbursement and standard provisions articles; and

**WHEREAS**, DOTD is agreeable to the implementation of the Project and desires to cooperate with the Entity as hereinafter provided:

**NOW, THEREFORE**, in consideration of the premises and mutual dependent covenants herein contained, the parties hereto agree as follows:

**1.**

**ARTICLE I: PROJECT DESCRIPTION** is hereby amended to read as follows:

The improvement that is to be undertaken under this Project is to develop a couplet using Pakenham Drive and Jackson Street between LA 46 (St. Bernard Highway) and LA 39 (Judge Perez Drive). The proposed typical section for the roadways consists of a travel lane and a parking lane. The proposed typical section is to be constructed of asphaltic concrete with concrete curb and gutter.

Supplemental Agreement No. 1  
S.P. No. H.007331  
Pakenham Dr. (LA 46 – LA 39)  
St. Bernard Parish  
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For purposes of identification and record keeping, State and Federal Project Numbers have been assigned to this project as follows:

**State Project No. H.004859 (Legacy State Project No. 700-44-0008) and Federal Project No. STP-4401(505)** have been assigned to this project. Progress reports, invoices and other such data in connection with pre-construction engineering, right-of-way services shall be identified with these project numbers.

**State Project No. H.007331 (Legacy State Project No. 742-44-0006) and Federal Project No. STP-4401(504)** have been assigned to this project. Progress reports, invoices and other such data in connection with construction costs, including construction engineering services and testing shall be identified with these project numbers.

2.

**ARTICLE II: FUNDING** is hereby amended to read as follows:

“Except for services hereinafter specifically listed to be furnished at DOTD’s expense or at the Entity’s expense, as the case may be, the cost of this project will be a joint participation between the Entity and the DOTD, with the Entity contributing the 20% match of the participating approved project cost and the DOTD contributing with federal funds, the remaining 80% as shown in the Funding Table below. The St. Bernard Parish Government 20% match shall include \$151,698 from Community Water Enrichment funds to be used only for the repair of water line infrastructure.

The Entity does, however, reserve the right to incorporate items of work into the construction contract not eligible for federal participation if it so desires, and at its own cost subject to prior DOTD and/or federal approval. Funds will be disbursed as provided in Article XI. Program Managers will identify the specific funding amount in the Project Funding Document.

“For services eligible for disbursement, the Entity agrees it will not incur or expend any funds or provide a notice to proceed (NTP) to any consultant or contractor prior to notice from DOTD that they work can begin. Any costs incurred prior to such notification will not be compensable.

**Funding Table**

Phase	Local Match Percentage	Federal Percentage
Conceptual Plans and Environmental Decision	100%	N/A
Preconstruction Engineering	100%	N/A
Right-of-Way Acquisition and Relocation	100%	N/A

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Utility Relocation	100%	N/A
Construction Engineering & Inspection	20%	80%
Construction	20%	80%

*The percentages are to be applied to the amounts shown in the most current approved TIP including subsequent modifications and amendments.*

3.

**ARTICLE VI: RIGHT-OF-WAY ACQUISITION AND RELOCATION is hereby amended to read as follows:**

If it is specified in the funding article, right-of-way acquisition is eligible as a project cost.

If right-of-way is required for this project, the Entity shall acquire all real property and property rights required for this Project in accordance with all applicable State and Federal Laws, including Title 49 CFR, Part 24 as amended; Title 23 CFR, Part 710 as amended; LADOTD's Right-of-Way Manual; LADOTD's LPA Right of Way Manual; LADOTD's Guide to Title Abstracting and any additional written instructions as given by the DOTD Real Estate Section.

Design surveys, right-of-way surveys and the preparation of right-of-way maps shall be performed in accordance with the requirements specified in the current edition of the "Location & Survey Manual".

Entity shall sign and submit the LPA Assurance Letter to the DOTD Real Estate Section annually. As soon as it is known that the acquisition of right-of-way is required for this Project, the Entity shall contact the DOTD Real Estate Section for guidance.

All right-of-way acquisition files and Relocation Assistance files shall be certified by the DOTD Real Estate Section and may be subject to review/audit by the DOTD Real Estate Section and/or FHWA.

The Entity ensures that the project will be constructed within the existing right-of-way or within the right-of-way acquired by the Entity for the project, as shown on the construction plans. The Entity will send to the Project Manager a letter certifying the project can be built within the existing right-of-way. If right-of-way was acquired for construction, the letter should state that the right-of-way was acquired according to all state and federal guidelines as mentioned above. All liability and any costs incurred due to insufficient right-of-way is the responsibility of the Entity.



4.

**ARTICLE VII: CONSTRUCTION ENGINEERING AND INSPECTION is hereby amended to read as follows:**

If it is specified in the funding article, construction engineering and inspection is eligible as a project cost.

DOTD will advertise and select a consultant via federal funds with local match from the Entity.

The Entity or its consultant will provide construction engineering and inspection services during the project construction.

DOTD will assign a representative from its District Office at 02 to serve as a project coordinator for DOTD during project construction. The project coordinator will make intermittent trips to the construction site to ensure that the construction contractor is following established construction procedures and that applicable Federal and State requirements are being enforced. The project coordinator will advise the Entity's Responsible Charge of any discrepancies noted and, if necessary, will direct that appropriate remedial action be taken. Failure to comply with such directives will result in the withholding of funds by DOTD until corrective measures are taken by the Entity.

Except where a deviation has been mutually agreed to in writing by both DOTD and the Entity, the following specific requirements shall apply.

1. When it is stipulated in the latest edition of the Louisiana Standard Specifications for Roads and Bridges that approval by the engineer or DOTD is required for equipment and/or construction procedures, such approval must be obtained through DOTD Construction Section. All DOTD policies and procedures for obtaining such approval shall be followed.

2. All construction inspections personnel utilized by the Entity and/or the Entity's consultant must meet the same qualifications required of DOTD construction personnel. When certification in a specific area is required, these personnel must meet the certification requirements of DOTD. Construction inspection personnel should be responsible for inspecting compliance with accessibility codes and regulations to avoid future complaints and/or litigation.

3. All construction procedures must be in accordance with DOTD guidelines and policies established by the Construction Contract Administration Manual, latest edition, the Engineering Directives and Standard Manual (EDSM), and any applicable memoranda. These documents will be made available to the consultant through the Entity.

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Pakenham Dr. (LA 46 – LA 39)  
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4. Construction documentation will be performed in Site Manager. All documentation of pay quantities must conform to the requirements of DOTD as outlined in the Construction Contract Administration Manual, latest edition. This manual will be made available to the consultant through the Entity.
5. Contractor Quality Assurance must follow appropriate quality assurance manuals for all materials to be tested and insure that proper sampling and testing methods are used. Sampling shall be done in accordance with DOTD's Sampling Manual or as directed by the Department through Site Manager Materials.
6. In the event that a private laboratory is used for material testing, the Entity will be responsible for all cost associated with the material testing and the selected laboratory must be accredited by an accreditation laboratory approved by the Department. Approved accreditation entities are listed on the Materials Lab website.
7. All private laboratory personnel utilized by the Entity and/or the Entity's consultant must meet the same qualifications required of DOTD laboratory personnel. When certification in a specific area is required, these personnel must meet the certification requirements of DOTD.
8. Shop drawing review is the responsibility of the design engineer.

The Consultant and/or the Entity shall be required to comply with all parts of this section while performing duties as project engineer.

5.

**ARTICLE XI: COST REIMBURSEMENT** is hereby amended to read as follows:

#### **ARTICLE XI: COST DISBURSEMENTS**

The DOTD will disburse the Entity monthly the correct federal ratio of the approved project costs (i.e. pre-construction engineering services, right-of-way acquisitions, utility adjustments and/or the costs of construction) in the funding article. The Entity shall render invoices monthly for disbursement. The invoices shall be submitted with an executed DOTD Cost Disbursement Certification by the proper designated official of Entity. Upon receipt of each disbursement requested, Entity is required to tender payment for the invoiced cost to the vendor. Within sixty (60) days from receipt of payment from DOTD, Entity will provide proof to DOTD of said payment to vendor. All such charges shall be subject to verification, adjustment and/or settlement by the DOTD's Audit Officer.

When the final approved project costs as shown in the funding article (i.e. engineering services, right-of-way acquisitions, utility adjustments, construction and/or construction engineering) have

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Pakenham Dr. (LA 46 – LA 39)  
St. Bernard Parish  
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been determined, adjustments will be made so that the amount of participation in these items will not exceed the percentages outlined in Article II. Before final payment is recommended by DOTD, all documentation of pay quantities shall conform to DOTD policies and procedures. The Entity acknowledges that the DOTD will not participate in the cost of those items not constructed in accordance with the approved plans and specifications, and in this event the Entity will be obligated to assume full financial responsibility. The Entity shall also submit all final billings for all phases of work within one year after the completion of final acceptance of the project. Failure to submit these billings within the specified one year period shall result in the project being closed on previously billed amounts and any unbilled cost shall be the responsibility of the Entity.

The Entity shall reimburse the DOTD any and all amounts which may be cited by the DOTD due to the Entity's noncompliance with Federal/State laws and/or regulations. The cited amounts reimbursed by the Entity will be returned to the Entity upon clearance of the citation(s).

Should the Entity fail to reimburse the DOTD any and all cited amounts within a thirty (30) day period after notification, all future payment requests from the Entity will be held until the cited amount is exceeded at which time only the amount over and above the cited amount(s) will be released for payment. Additionally, no new Local Public Agency project will be approved until such time as the cited amount is reimbursed to the DOTD.

The participation by the DOTD and the FHWA in the project shall in no way be construed to make the DOTD or the FHWA a party to the contract between the Entity and its contractor.

6.

**ARTICLE XV: CIVIL RIGHTS are hereby amended to read as follows:**

**ARTICLE XV: COMPLIANCE WITH CIVIL RIGHTS**

The Entity agrees to abide by the requirements of the following as applicable: Titles VI and VII of the Civil Rights Act of 1964, as amended; the Equal Employment Opportunity Act of 1972, as amended; Federal Executive Order 11246, as amended; Section 504 of the Rehabilitation Act of 1973, as amended; the Vietnam Era Veteran's Readjustment Assistance Act of 1974, as amended; Title IX of the Education Amendments of 1972; the Age Discrimination Act of 1975; the Americans with Disabilities Act of 1990, as amended; and Title II of the Genetic Information Nondiscrimination Act of 2008.

The Entity agrees not to discriminate in its employment practices, and shall render services under this Contract without regard to race, color, age religion, sex, national origin, veteran status, genetic information, political affiliation or disabilities.

Supplemental Agreement No. 1  
S.P. No. H.007331  
Pakenham Dr. (LA 46 – LA 39)  
St. Bernard Parish  
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Any act of discrimination committed by the Entity, or failure to comply with these statutory obligations when applicable shall be grounds for termination of this Agreement.

7.

**ARTICLE XVI: PUBLIC LIABILITY is hereby amended to read as follows:**

The Entity shall indemnify, save harmless and defend DOTD against any and all claims, losses, liabilities, demands, suits, causes of action, damages, and judgments of sums of money growing out of, resulting from, or by reason of any act or omission of the Entity, its agents, servants, independent contractors, or employees while engaged in, about, or in connection with the discharge or performance of the terms of this Agreement. Such indemnification shall include reasonable attorney's fees and court costs. Entity shall provide and bear the expense of all personal and professional insurance related to its duties arising under this Agreement.

8.

**ARTICLE XVII: FINAL INSPECTION AND MAINTENANCE is hereby amended to read as follows:**

Upon completion and Final Acceptance of the project, the St. Bernard Parish Government will adopt a resolution granting a Final Acceptance to the contractor, which will be recorded with the Clerk of Court in St. Bernard Parish. The receipt of filing from the courthouse must be sent to the DOTD Construction Section. The Entity shall assume the maintenance of the improvement at its expense and in a manner satisfactory to DOTD and/or the FHWA. An acceptance letter with a copy of the resolution shall be furnished to DOTD by the Entity.

Before making the final inspection, the Entity's Responsible Charge shall notify DOTD's District Project Coordinator shall be notified so that he/she may have representatives present for such inspection.

Title to the project right-of-way shall be vested in the Entity but shall be subject to DOTD and FHWA requirements and regulations concerning abandonment, disposal, encroachments and/or uses for non-highway purposes.

9.

The Original Agreement is further supplemented to add the following Articles XIX, XX and XXI:

**ARTICLE XIX: PROJECT RESPONSIBLE CHARGE**

Federal regulation provision, 23 CFR 635.105 requires a full time employee to be in "responsible charge" of the project. This person in "responsible charge" shall be a full time employee of the

Supplemental Agreement No. 1  
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Pakenham Dr. (LA 46 – LA 39)  
St. Bernard Parish  
Page 8 of 10

Entity. The Entity's person in "responsible charge" need not be an engineer. (This requirement applies even when consultants are providing construction engineering services.)

**Duties:**

The person designated as being in "responsible charge" is expected to be a public employee who is accountable for the project. This person is expected to be able to perform the following duties and functions:

- Administers inherently governmental project activities, including those dealing with cost, time, adherence to contract requirements, construction quality and scope of Federal-aid projects;
- Maintains familiarity of day to day project operations, including project safety issues;
- Makes or participates in decisions about changed conditions or scope changes that require change orders or supplemental agreements;
- Visits and reviews the project on a frequency that is commensurate with the magnitude and complexity of the project;
- Reviews financial processes, transactions and documentation to ensure that safeguards are in place to minimize fraud, waste, and abuse;
- Directs project staff, agency or consultant, to carry out project administration and contract oversight, including proper documentation.
- Is aware of the qualifications, assignments and on-the-job performance of the agency and consultant staff at all stages of the project.

This does not restrict an agency's organizational authority over the person designated in "responsible charge," or precludes sharing of these duties and functions among a number of public agency employees. It does not preclude one employee from having responsible charge of several projects and directing project managers assigned to specific projects. DOTD must be notified if changes are made to the Entity's designated person in responsible charge.

The Entity at the time of execution of this agreement shall complete the Responsible Charge Form and submit it to the Project Manager. The Entity is responsible to keep the form updated. Any changes in staffing of the person in responsible charge employee must be communicated to the Project Manager.

## **ARTICLE XX: CONSULTANT SELECTION**

If Federal Funds are used for a phase of the project, DOTD shall advertise and select a consulting firm for the performance of the services necessary to fulfill the scope of work for the designated phase. Following the selection of the consulting engineering firm by DOTD, Entity shall enter into a contract (prepared by DOTD) with the consulting engineering firm for the performance of all engineering services. No sub-consultants shall be added to the project without prior approval of the Consultant Contract Services Administrator. The specified services will be performed by the selected consultant under the direct supervision of the Entity's "Responsible Charge" designee who will have charge and control of the project at all times.

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No work shall take place until notification by DOTD of the fully executed contract between the Consultant and the Entity.

#### **ARTICLE XXI: UTILITY RELOCATION**

If it is specified in the funding article, utility relocation is eligible as a project cost. The Entity is responsible for obtaining all of the agreements and for the design of the new system, if required. The Entity is required to comply with the utility relocation process as specified in the Local Public Agency Manual Appendix.

**If Utility Relocation is identified for disbursement, formal notification from DOTD of federal authorization is required prior to the issuance of a Notice to Proceed date. Any costs which the Entity expects to be reimbursed prior to such authorization will not be compensable prior to the Notice to Proceed date.**

#### **10.**

The DOTD and the St. Bernard Parish Government agree that all provisions of the original Agreement between the parties dated March 14, 2005, to the extent not inconsistent with this Supplemental Agreement No. 1 of the original Agreement, shall remain in full force and effect.

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S.P. No. H.007331  
Pakenham Dr. (LA 46 - LA 39)  
St. Bernard Parish  
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IN WITNESS THEREOF, the parties have caused these presents to be executed by their respective officers thereunto duly authorized as of the day and year first above written.

WITNESSES:

STATE OF LOUISIANA  
ST. BERNARD PARISH GOVERNMENT

BY: \_\_\_\_\_ *WJN*

\_\_\_\_\_  
Typed or Printed Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
72-6001193  
Taxpayer Identification Number

\_\_\_\_\_  
Duns Number

\_\_\_\_\_  
20.205  
CFDA Number

WITNESSES:

STATE OF LOUISIANA  
DEPARTMENT OF TRANSPORTATION  
AND DEVELOPMENT

BY: \_\_\_\_\_  
Secretary

RECOMMENDED FOR APPROVAL:

BY: \_\_\_\_\_  
Division Head



# *St. Bernard Parish Council*

8201 West Judge Perez Drive    Chalmette, Louisiana, 70043  
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District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

**#6**

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, JULY 16, 2013 AT THREE O'CLOCK P.M.

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

## **RESOLUTION SBPC #1063A-07-13**

A RESOLUTION CONFIRMING THAT SALVAGE ACTIVITIES ASSOCIATED WITH THE REMOVAL OF THE ABANDONED STRETCH OF RAILROAD BETWEEN MILEPOST 0.00 AT POYDRAS JUNCTION AND MILEPOST 4.50 AT TOCA BY THE ALABAMA GREAT SOUTHERN RAILWAY COMPANY WILL NOT HAVE ANY IMPACT ON FEDERAL FLOOD CONTROL STRUCTURES IN ST. BERNARD PARISH.

WHEREAS, The Alabama Great Southern Railroad (AGS) filed a notice of exemption with the Surface Transportation Board (STB) for the discontinuance of service on the subject stretch of railroad in June 2006; and,

WHEREAS, AGS filed a notice of exemption with the STB for the abandonment of the subject stretch of railroad in March 2011; and,

WHEREAS, a 2011 environmental report regarding the subject stretch of railroad characterized retaining the track on the site as "not satisfactory" and stated that the closing of the two at-grade crossings associated with the track would "enhance public safety by eliminating distractions to vehicular traffic crossing the line"; and,

WHEREAS, abandonment and removal of the subject stretch of railroad has already been agreed upon by the St. Bernard Parish Council (SBPC #728-12-10); the Natural Resources Conservation Service (12/10/2010); United States Army Corps of Engineers (1/24/2011); Louisiana Department of Transportation and Development (2/23/2011); and the Lake Borgne Basin Levee District (3/9/2011); and,

WHEREAS, the STB has granted two annual extensions (2012 and 2013) to AGS for the consummation of abandonment and removal of the subject stretch of railroad pending further approval from St. Bernard Parish Government and the Louisiana Department of Natural Resources.





# *St. Bernard Parish Council*

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Page -2-  
Extract #6 continued  
July 16, 2013

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

NOW THEREFORE, BE IT RESOLVED, that the St. Bernard Parish Council, the Governing Authority, does hereby confirm that the salvage activities associated with the removal of the abandoned stretch of railroad between Milepost 0.00 at Poydras Junction and Milepost 4.50 at Toca by The Alabama Great Southern Railway Company will not have any impact on federal flood control structures in St. Bernard Parish; and,

BE IT FURTHER RESOLVED, that the St. Bernard Parish Council, the Governing Authority, does hereby request that AGS and the STB take immediate action with respect to the abandonment and removal of the subject stretch of railroad upon approval from the Louisiana Department of Natural Resources.

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

**YEAS:**            Lauga, Lewis, Hunnicutt, Montelongo

**NAYS:**            None

**ABSENT:**        Gorbaty, Cavignac

The Vice-Chairman, Mr. McInnis, cast his vote as **YEA**.

And the motion was declared **adopted** on the 16<sup>th</sup> day of July, 2013.

## 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, July 16, 2013.

Witness my hand and the seal  
of the Parish of St. Bernard on  
the 16<sup>th</sup> day of July, 2013.

ROXANNE ADAMS  
CLERK OF COUNCIL



# *St. Bernard Parish Council*

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**#7**

**Guy McInnis**  
*Councilman  
at Large*

**George Cavnag**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

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, JULY 16, 2013 AT THREE O'CLOCK P.M.

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

## **RESOLUTION SBPC #1064-07-13**

A RESOLUTION AUTHORIZING THE PARISH PRESIDENT TO SUBMIT A GRANT APPLICATION TO THE LOUISIANA HOUSING AUTHORITY UNDER THE 2013 EMERGENCY SOLUTIONS GRANTS PROGRAM TO BENEFIT THE SAINT BERNARD BATTERED WOMEN'S PROGRAM, INC.

WHEREAS, the State of Louisiana mandates only units of local government can apply for funds for the Emergency Solutions Grant Program (ESGP), and;

WHEREAS, funds received by the local unit of government from the ESGP may be distributed to a private non-profit organization, and;

WHEREAS, the Saint Bernard Battered Women's Program Inc. is an eligible private non-profit organization that has requested funds from Saint Bernard Parish Government to be used for their general operations, and;

WHEREAS, the Governing Authority desires to assist the Saint Bernard Battered Women's Program Inc.

NOW THEREFORE, BE IT RESOLVED, that the St. Bernard Parish Council, the governing authority, does hereby authorize the Parish President to submit a grant application to the Louisiana Housing Corporation under the 2013 Emergency Solutions Grants Program to benefit the Saint Bernard Battered Women's Program, Inc.



## *St. Bernard Parish Council*

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Page-2-  
Extract #7 continued  
July 16, 2013

**Guy McInnis**  
*Councilman  
at Large*

**George Cavnagac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

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

**YEAS:**            Lauga, Lewis, Hunnicutt, Montelongo

**NAYS:**            None

**ABSENT:**        Gorbaty, Cavnagac

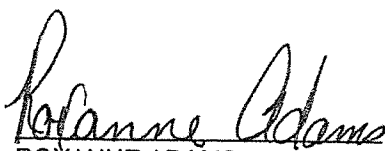
The Vice-Chairman, Mr. McInnis, cast his vote as **YEA**.

And the motion was declared **adopted** on the 16<sup>th</sup> day of July, 2013.

### 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, July 16, 2013

Witness my hand and the seal  
of the Parish of St. Bernard on  
this 16<sup>th</sup> day of July, 2013.

  
ROXANNE ADAMS  
CLERK OF COUNCIL



# St. Bernard Parish Council

8201 West Judge Perez Drive Chalmette, Louisiana, 70043  
(504) 278-4228 Fax (504) 278-4209  
www.sbp.net

**Guy McInnis**  
Councilman  
at Large

**George Cavnagac**  
Councilman  
at Large

**Ray Lauga, Jr.**  
Councilman  
District A

**Nathan Gorbaty**  
Councilman  
District B

**Richard "Richie" Lewis**  
Councilman  
District C

**Casey W. Hunnicutt**  
Councilman  
District D

**Manuel "Monty" Montelongo III**  
Councilman  
District E

**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, AUGUST 6, 2013 AT SEVEN O'CLOCK P.M.

On motion of Mr. McInnis, seconded by Mr. Lauga, it was moved to **adopt** the following resolution:

## RESOLUTION SBPC #1065-08-13

BE IT RESOLVED, that the St. Bernard Parish Council, the Governing Authority, does hereby approve the following permits as recommended by the Alcohol Beverage and Bingo Department:

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

<u>Establishment</u> Renewals:	<u>Beer</u>	<u>Liquor</u>
1. Alex Chevron, Inc., d/b/a Alex Chevron 7415 West Judge Perez Drive Arabi, LA 70032 Owner(s): Trang Nguyen & Qui Do	X	X
2. Amin, LLC d/b/a Amin Quick Stop 1901 East Judge Perez Drive Chalmette, LA 70043 Member: Ammeen Ayyad	X	X
3. DJ's Bar, Inc., d/b/a CY's Bar 817 East St. Bernard Highway Chalmette, LA 70043 Owner: Jacquelyn Couvillon	X	X
4. The Daq Shaq, LLC d/b/a The Daq Shack 6601 W. Judge Perez Drive Arabi, LA 70032 Owner: Brandon Licciardi	X	X

### New Business:

- |  |   |   |
|--|---|---|
| 1. King Discount Tobacco & Liquor, LLC d/b/a King Discount Tobacco & Liquor<br>8700 West Judge Perez Drive, Suite W Chalmette, LA 70043<br>Member: Suleiman Darweesh | X | X |
|--|---|---|

### Change in Ownership:

- |   |   |   |
|---|---|---|
| 1. Parish Seafood & Diner, LLC d/b/a Parish Seafood & Diner | X | X |
|---|---|---|



# *St. Bernard Parish Council*

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Extract #19 continued  
August 6, 2013

**Guy McInnis**  
Councilman  
at Large

**George Cavignac**  
Councilman  
at Large

**Ray Lauga, Jr.**  
Councilman  
District A

**Nathan Gorbaty**  
Councilman  
District B

**Richard "Richie" Lewis**  
Councilman  
District C

**Casey W. Hunnicutt**  
Councilman  
District D

**Manuel "Monty"  
Montelongo III**  
Councilman  
District E

**Roxanne Adams**  
Clerk of Council

6617 West Judge Perez Drive Arabi, LA 70032  
Member: Joseph Licciardi

## **Special Event**

1. Name of Organization: Our Lady of Lourdes Oyster Festival  
Address: 2621 Colonial Boulevard, Violet, LA 70092  
Name of Event: Our Lady of Lourdes Oyster Festival  
Location of Event: 2621 Colonial Boulevard, Violet, LA 70092  
Date and Time: October 18, 2013 (6:00 p.m. - 12:00 a.m.)  
October 19, 2013 (11:00 a.m. - 12:00 a.m.)  
October 20, 2013 (11:00 a.m. - 12:00 a.m.)

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

**YEAS:** Lauga, Hunnicutt, Montelongo, McInnis  
**NAYS:** None  
**ABSENT:** Gorbaty, Lewis

The Chairman, Mr. Cavignac, cast his vote as **ABSTAINED**.

And the motion was declared **adopted** on the 6<sup>th</sup> day of August, 2013.

## **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 6, 2013.

Witness my hand and the seal  
of the Parish of St. Bernard on  
the 6<sup>th</sup> day of August, 2013.

ROXANNE ADAMS  
CLERK OF COUNCIL



# *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**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, AUGUST 6, 2013 AT SEVEN O'CLOCK P.M.

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

## **RESOLUTION SBPC #1066-08-13**

A RESOLUTION APPOINTING PHARISSA ROBINSON AS THE FAIR HOUSING COORDINATOR.

WHEREAS, the St. Bernard Parish Government has been afforded the opportunity to participate in the state of Louisiana Community Development Block Grant (CDBG) Disaster Recovery Program administered by the Division of Administration; and,

WHEREAS, the State requires Grantees to take actions to affirmatively further fair housing in compliance with Title VIII of the Civil Rights Act of 1968, as amended and Executive Order 11063, as amended; and,

NOW THEREFORE BE IT RESOLVED, that Pharisssa Robinson is appointed as Fair Housing Coordinator.

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

**YEAS:**            Lauga, Gorbaty, Lewis, Hunnicutt, Montelongo, McInnis

**NAYS:**            None

**ABSENT:**        None

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

And the motion was declared **adopted** on the 6<sup>th</sup> day of August, 2013.



## *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

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Extract #20 continued  
August 6, 2013

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

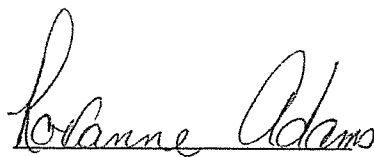
**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

### 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 6, 2013.

Witness my hand and the seal  
of the Parish of St. Bernard on  
the 6<sup>th</sup> day of August, 2013.

  
ROXANNE ADAMS  
CLERK OF COUNCIL



# *St. Bernard Parish Council*

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(504) 278-4228 Fax (504) 278-4209

www.sbpq.net

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

**#21**

**Tabled**

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 6, 2013 AT SEVEN O'CLOCK P.M.

On motion of Mr. McInnis, seconded by Mr. Lauga, it was moved to **table** the following resolution:

## **RESOLUTION SBPC #1067-08-13**

A RESOLUTION AUTHORIZING THE PARISH PRESIDENT TO ADVERTISE FOR STATEMENTS OF QUALIFICATIONS FROM LAW FIRMS TO PROVIDE PROFESSIONAL LEGAL SERVICES FOR THE INVESTIGATION, PREPARATION, FILING AND HANDLING OF SUCH INJUNCTIVE, DECLARATORY, OR OTHER ACTIONS AS ARE NECESSARY TO ENSURE COMPLIANCE WITH COASTAL ZONE LAWS, STATUTES AND REGULATIONS.

WHEREAS, the St. Bernard Parish Coastal Zone Management department administers the St. Bernard Parish Coastal Management (CZM) Program pursuant to the provisions of La. R.S. 49:214.28 and consistent with the rules, guidelines, policies and objectives set forth in Subpart C (Louisiana Coastal Zone Management Program) of Part II of Chapter 2 of Title 49 of the Revised Statutes; and

WHEREAS, Louisiana Revised Statutes, Title 49, Section 214.36 authorizes St. Bernard Parish to bring such injunctive, declaratory, or other actions as are necessary to ensure that no uses are made of the coastal zone of St. Bernard Parish for which a coastal use permit has not been issued when required or which are not in accordance with the terms and conditions of a coastal use permit.

WHEREAS, investigation, preparation and filing of any actions authorized by Louisiana Revised Statutes, Title 49, Section 214.21, *et seq*, and specifically La. R.S. 49:214.36, requires the hiring of independent legal counsel for the Parish of St. Bernard with specialized knowledge and experience in pertinent state and federal coastal and environmental statutes and regulations, oil, and gas statutes and regulations, environmental and ecological risk assessment and remediation, coastal loss mitigation, hydrology, hydro geology, and geological and lithological science;

NOW, THEREFORE BE IT RESOLVED by the St. Bernard Parish Council that the Parish President is hereby authorized to advertise for statements of qualification from law firms to provide professional legal services for the investigation, preparation, filing, and handling of such injunctive, declaratory, or other actions as are necessary to ensure compliance with coastal zone laws, statutes and regulations.





## *St. Bernard Parish Council*

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Extract #21 continued

August 6, 2013

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

BE IT FURTHER RESOLVED by the St. Bernard Parish Council that the following criteria will be used to evaluate each firm submitting a Statement of Qualifications:

Professional knowledge and experience related to state and federal coastal and environmental statutes and regulations;

Professional knowledge and experience in the handling of oil and gas environmental issues;

Professional experience in litigating environmental issues;

Professional experience related to environmental and ecological risk assessment and remediation, coastal loss mitigation, hydrology, hydro geology, and geological and lithological science;

Results obtained in representing former clients regarding environmental issues;

The size of the firm in regards to its capabilities in handling and financing any proposed litigation;

Capacity for timely completion of the work, taking into consideration the firm's professional and support manpower;

BE IT FURTHER RESOLVED by the St. Bernard Parish Council that legal services shall be provided pursuant to a contingency fee contract that compiles with all applicable statutes, rules and regulations.

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

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



## *St. Bernard Parish Council*

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Extract #21 continued  
August 6, 2013

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

**YEAS:**            Lauga, Gorbaty, Lewis, Hunnicutt, Montelongo, McInnis

**NAYS:**            None

**ABSENT:**        None

The Chairman, Mr. Cavignac, cast his vote as YEA.

And the motion was declared **adopted** on the 6<sup>th</sup> day of August, 2013.

### 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 6, 2013.

Witness my hand and the seal  
of the Parish of St. Bernard on  
the 6<sup>th</sup> day of August, 2013.

ROXANNE ADAMS  
CLERK OF COUNCIL



# *St. Bernard Parish Council*

8201 West Judge Perez Drive Chalmette, Louisiana, 70043  
(504) 278-4228 Fax (504) 278-4209  
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**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**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, AUGUST 6, 2013 AT SEVEN O'CLOCK P.M.

On motion of Mr. Gorbaty, seconded by Mr. Lauga, it was moved to **adopt** the following resolution:

## **RESOLUTION SBPC #1068-08-13**

A RESOLUTION SETTING PROCEDURES FOR REQUESTING COUNCIL DOCUMENTS.

WHEREAS, the council is desirous to have procedures in place for requesting Council documents, and;

WHEREAS, all requests for Council Documents must be made in writing to the Council Staff by the Parish President or CAO; and

WHEREAS, the Council Staff will comply with all requests within a twenty-four (24) hour work period; and

WHEREAS, should the request be a time sensitive matter, all requests must be made through the Council Chairman and/or Vice-Chairman to instruct the Council Staff to expedite said request upon approval; and

NOW THEREFORE, BE IT RESOLVED, that the procedures as stated above shall commence immediately upon passage of this resolution.

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

**YEAS:** Lauga, Gorbaty, Lewis, Hunnicutt, Montelongo, McInnis

**NAYS:** None

**ABSENT:** None

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

And the motion was declared **adopted** on the 6<sup>th</sup> day of August, 2013.



# *St. Bernard Parish Council*

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Extract #22 continued  
August 6, 2013

**Guy McInnis**  
*Councilman  
at Large*

**George Cavnag**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

## 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 6, 2013.

Witness my hand and the seal  
of the Parish of St. Bernard on  
the 6<sup>th</sup> day of August, 2013.

ROXANNE ADAMS  
CLERK OF COUNCIL



# *St. Bernard Parish Council*

8201 West Judge Perez Drive Chalmette, Louisiana, 70043

(504) 278-4228 Fax (504) 278-4209

www.sbpj.net

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

**#41**

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 6, 2013 AT SEVEN O'CLOCK P.M.

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

## **RESOLUTION SBPC #1069-08-13**

A RESOLUTION REQUESTING THE LOUISIANA DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT (LADOTD) TO EVALUATE SCHOOL ZONE SIGNAGE AT CHALMETTE HIGH SCHOOL, WILLIE T. SMITH ELEMENTARY, J. F. GAUTHIER ELEMENTARY AND TRIST MIDDLE SCHOOL.

WHEREAS, the St. Bernard Parish Council, the Governing Authority is making a request to the Louisiana Department of Transportation and Development to correct the school zone signage at Chalmette High School, located at 1100 E Judge Perez Dr, Chalmette, LA, to reflect the correct times of 6:45 AM – 8:45 AM and 2:00 PM – 3:15 PM as well as synchronize the flashers and;

WHEREAS, Willie T. Smith Elementary School located at 6701 E. St. Bernard Hwy. Violet, LA 70092, , GAUTHIER ELEMENTARY located at 1200 E LA Hwy 26 St. Bernard, LA 70085 and Trist Middle School located at #1 Pirates Cove Meraux, LA 70075 need flashers on the School Zone signs, and;

NOW THEREFORE, BE IT RESOLVED, that the St. Bernard Parish Council, the Governing Authority, does hereby request the Louisiana Department of Transportation and Development correct the times on the school zone signage at Chalmette High School as well as add and synchronize flashers at Chalmette High School, Willie T. Smith Elementary School, J. F. Gauthier Elementary School and Trist Middle School.

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

**YEAS:** Lauga, Gorbaty, Lewis, Hunnicutt, Montelongo, McInnis

**NAYS:** None

**ABSENT:** None



## *St. Bernard Parish Council*

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Extract #41 continued

August 6, 2013

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

The Chairman, Mr. Cavignac, cast his vote as YEA.

And the motion was declared **adopted** on the 6<sup>th</sup> day of August, 2013.

### 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 6, 2013.

Witness my hand and the seal  
of the Parish of St. Bernard on  
the 6<sup>th</sup> day of August, 2013.

ROXANNE ADAMS  
CLERK OF COUNCIL



# *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**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, AUGUST 20, 2013 AT THREE O'CLOCK P.M.

On motion of Mr. Gorbaty, seconded by Mr. Hunnicutt it was moved to **adopt** the following resolution:

## **RESOLUTION SBPC #1070-08-13**

BE IT RESOLVED, that the St. Bernard Parish Council, the Governing Authority, does hereby approve the following permits as recommended by the Alcohol Beverage and Bingo Department:

<u>Establishment</u> Renewals:	<b>Beer and/or Liquor Permit(s)</b>	
	<u>Beer</u>	<u>Liquor</u>
a. The Doghouse, LLC d/b/a The Remix 103 West St. Bernard Highway Chalmette, LA 70043 Member(s): Ramona Fincher and Tanya McCormick	X	X

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

**YEAS:**            Gorbaty, Hunnicutt, Montelongo, McInnis

**NAYS:**            None

**ABSENT:**        Lauga, Lewis

The Chairman, Mr. Cavignac, cast his vote as **ABSTAINED**.

And the motion was declared **adopted** on the 20<sup>th</sup> day of August, 2013.



# *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

Page -2-  
Extract #12  
August 20, 2013

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

## 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 20, 2013.

Witness my hand and the seal  
of the Parish of St. Bernard on  
the 20<sup>th</sup> day of August, 2013.

ROXANNE ADAMS  
CLERK OF COUNCIL





# *St. Bernard Parish Council*

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**#13**

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

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 20, 2013 AT THREE O'CLOCK P.M.

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

## **RESOLUTION SBPC #1071-08-13**

A RESOLUTION APPOINTING A NEW MEMBER TO THE AMERICANS WITH DISABILITIES ACT COMMISSION (ADA).

WHEREAS, the Appointments Review Board has made recommendations to the Open Position on the ADA commission, and;

WHEREAS, this Council is desirous of filling the aforementioned commission and vacancies.

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

- Carol Perkins - Expiration date January 2016.

BE IT FURTHER RESOLVED, that this term shall be effective immediately upon adoption of this Resolution.

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

**YEAS:**            Gorbaty, Lewis, Hunnicutt, Montelongo, McInnis

**NAYS:**            None

**ABSENT:**        Lauga

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

And the motion was declared **adopted** on the 20<sup>th</sup> day of August, 2013.



# *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

Page-2-  
Extract #13 continued  
August 20, 2013

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

## 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 20, 2013.

Witness my hand and the seal  
of the Parish of St. Bernard on  
the 20<sup>th</sup> day of August, 2013.

ROXANNE ADAMS  
CLERK OF COUNCIL



# *St. Bernard Parish Council*

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**#14**

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

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 20, 2013 AT THREE O'CLOCK P.M.

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

## **RESOLUTION SBPC #1072-08-13**

A RESOLUTION APPOINTING A NEW MEMBER TO THE BOARD OF ZONING ADJUSTMENTS (BZA).

WHEREAS, the Appointments Review Board has made recommendations to the Open Position on the Board of Zoning Adjustments (BZA), and;

WHEREAS, this Council is desirous of filling the aforementioned board and vacancies.

NOW THEREFORE, BE IT RESOLVED, that the St. Bernard Parish Council, the Governing Authority, does hereby appoint the following to the Board of Zoning Adjustments (BZA); pending the resignation from the St. Bernard Parish Planning Commission.

- Louis Schneider - Expiration date August 2018.

BE IT FURTHER RESOLVED, that this term shall be effective immediately upon adoption of this Resolution.

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

**YEAS:**            Gorbaty, Lewis, Hunnicutt, Montelongo, McInnis

**NAYS:**            None

**ABSENT:**        Lauga

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

And the motion was declared **adopted** on the 20<sup>th</sup> day of August, 2013.



# *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

Page-2-  
Extract #14 continued  
August 20, 2013

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*


**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

## 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 20, 2013.

Witness my hand and the seal  
of the Parish of St. Bernard on  
the 20<sup>th</sup> day of August, 2013.

  
ROXANNE ADAMS  
CLERK OF COUNCIL



# *St. Bernard Parish Council*

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**#15**

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

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 20, 2013 AT THREE O'CLOCK P.M.

On motion of Mr. Gorbaty, seconded by Mr. Hunnicutt, it was moved to **adopt** the following resolution:

## **RESOLUTION SBPC #1073-08-13**

A RESOLUTION APPOINTING THE FOLLOWING MEMBERS TO THE TOURIST COMMISSION.

WHEREAS, the Appointments Review Board has made recommendations to the Open Positions on the Tourist Commission, and;

WHEREAS, this Council is desirous of filling the aforementioned board and vacancies.

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

- Wanda Alcon - Expiration of August of 2016
- Jennifer Heintz - Expiration of August of 2016

BE IT FURTHER RESOLVED, that this term shall be effective immediately upon adoption of this Resolution.

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

**YEAS:**            Gorbaty, Lewis, Hunnicutt, Montelongo, McInnis

**NAYS:**            None

**ABSENT:**        Lauga

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

And the motion was declared **adopted** on the 20<sup>th</sup> day of August, 2013.



# *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

Page-2-  
Extract #15 continued  
August 20, 2013

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

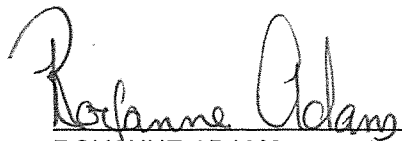
**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

## 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 20, 2013.

Witness my hand and the seal  
of the Parish of St. Bernard on  
the 20<sup>th</sup> day of August, 2013.

  
ROXANNE ADAMS  
CLERK OF COUNCIL



# *St. Bernard Parish Council*

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**#16**

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

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 20, 2013 AT THREE O'CLOCK P.M.

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

## **RESOLUTION SBPC #1074-08-13**

A RESOLUTION SUPPORTING THE PROCUREMENT OF MAPS FOR THE DEPARTMENT OF COMMUNITY DEVELOPMENT TO FACILITATE THE COMPREHENSIVE MASTER LAND USE PLAN AND DISPOSITION OF THE LOUISIANA LAND TRUST LOTS.

WHEREAS, in accordance with La.R.S.33:106 and 107 the St. Bernard Parish Planning Commission is charged with the duty of adopting a master plan, and;

WHEREAS, producing said master plan will allow the Planning Commission to survey, study and evaluate the Parish to make informed and sound decisions on land development issues such as the administration and disposition of the Louisiana Land Trust lots and their redevelopment, and;

WHEREAS, the St. Bernard Parish Planning Commission has requested the production of maps to facilitate the adoption of the Comprehensive Master Land Use Plan and a tool for guiding and coordinating redevelopment, the St. Bernard Parish Council supports any application for funds that would cover the costs to produce said maps.

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

**YEAS:** Gorbaty, Lewis, Hunnicutt, Montelongo, McInnis

**NAYS:** None

**ABSENT:** Lauga

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

And the motion was declared **adopted** on the 20<sup>th</sup> day of August, 2013.



# *St. Bernard Parish Council*

8201 West Judge Perez Drive    Chalmette, Louisiana, 70043  
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[www.sbpj.net](http://www.sbpj.net)

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

Page-2-  
Extract #16 continued  
August 20, 2013

## 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 20, 2013.

Witness my hand and the seal  
of the Parish of St. Bernard on  
the 20<sup>th</sup> day of August, 2013.

ROXANNE ADAMS  
CLERK OF COUNCIL





# *St. Bernard Parish Council*

8201 West Judge Perez Drive    Chalmette, Louisiana, 70043  
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**#17**

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

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 20, 2013 AT THREE O'CLOCK P.M.

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

## **RESOLUTION SBPC #1075-08-13**

A RESOLUTION AUTHORIZING THE PARISH PRESIDENT TO SIGN AND EXECUTE AN AGREEMENT BETWEEN ST. BERNARD PARISH GOVERNMENT AND THE LOUISIANA DEPARTMENT OF NATURAL RESOURCES FOR THE CONTRACT YEAR WHICH STARTS IN JULY 2013 AND ENDS JUNE 2014.

NOW THEREFORE BE IT RESOLVED, that the St. Bernard Parish Council, the Governing Authority, does hereby authorize the Parish President to sign and execute an agreement between St. Bernard Parish Government and the Louisiana Department of Natural Resources the contract year which starts in July 2013 and ends June 2014 in the amount of \$61,520.00 in total.

BE IT FUTHER RSOLVED, that of the total project cost, the Louisiana Department of Natural Resources shall contribute a maximum of Thirty-Five Thousand Two Hundred Sixty and 00/100 dollars (\$35,260.00) and St. Bernard Parish Government shall contribute a minimum of Twenty-Six Thousand Two Hundred Sixty and 00/100 Dollars (\$26,260.00).

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

**YEAS:**            Gorbaty, Lewis, Hunnicutt, Montelongo, McInnis

**NAYS:**            None

**ABSENT:**        Lauga

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

And the motion was declared **adopted** on the 20<sup>th</sup> day of August, 2013.



# *St. Bernard Parish Council*

8201 West Judge Perez Drive    Chalmette, Louisiana, 70043  
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**Guy McInnis**  
*Councilman  
at Large*

Page-2-  
Extract #17 continued  
August 20, 2013

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

## 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 20, 2013.

Witness my hand and the seal  
of the Parish of St. Bernard on  
the 20<sup>th</sup> day of August, 2013.

ROXANNE ADAMS  
CLERK OF COUNCIL

**BOBBY JINDAL**  
GOVERNOR



**STEPHEN CHUSTZ**  
INTERIM SECRETARY

**State of Louisiana**  
**DEPARTMENT OF NATURAL RESOURCES**  
**OFFICE OF MANAGEMENT AND FINANCE**

May 13, 2013

William McCartney  
St. Bernard Parish  
8201 W. Judge Perez Drive  
Chalmette, Louisiana 70043

RE: DNR Cooperative Agreement No. 2516-14-07  
"St. Bernard Parish Local Coastal Program Implementation"

Dear Mr. McCartney:

Enclosed are three (3) copies of the above referenced agreement. Please have the three copies signed and witnessed, and return all copies to this office as soon as possible. An executed copy and notice to proceed will be returned to you upon completion of the approval process.

A certificate of insurance, effecting the coverages required by Article 13, must be submitted with the signed contract. The certificate must include the agreement number for which it is being submitted. Do not return the signed agreement if the coverages do not meet all requirements of Article 13.

Please submit a formal dated Board Resolution using the enclosed form, indicating the signatory is authorized to sign this agreement. If you are unable to obtain the Board Resolution in time to return the signed agreement, please send the signed agreement and submit the Board Resolution as soon thereafter as possible.

Should you have any questions, please call Kandice McMorris at (225) 342-4539.

Sincerely,

A handwritten signature in black ink that reads "Renita Hoskins".

Renita Hoskins  
Contracts & Grants Administrator

RH/km  
Enclosures

MEETING OF THE BOARD OF DIRECTORS  
OF

---

A meeting of the Board of Directors of \_\_\_\_\_ was held on  
\_\_\_\_\_, whereby a resolution was passed authorizing  
\_\_\_\_\_ by his signature, to enter into any and all  
contractual obligations on behalf of this corporation.

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Secretary and/or Chairman

DNR COOPERATIVE AGREEMENT NO. 2516-14-07  
COOPERATIVE AGREEMENT FORMAT NO. 5  
OCR COOPERATIVE AGREEMENT NO.

COOPERATIVE AGREEMENT

BETWEEN THE

LOUISIANA DEPARTMENT OF NATURAL RESOURCES  
(Hereinafter referred to as "Department")

AND

ST. BERNARD PARISH  
8201 W. Judge Perez Drive Chalmette, Louisiana 70043  
(Hereinafter referred to as "Contracting Party")

WHEREAS, Article VII, Section 14(C) of the Louisiana Constitution provides that "for a public purpose the state and its political subdivisions or political corporations may engage in cooperative endeavors with each other... or with any public or private association, corporation or individual"; and,

NOW, THEREFORE, in consideration of the mutual covenants herein contained, the parties hereto agree as follows:

1. PROJECT IDENTITY:

This cooperative agreement shall be identified as "St. Bernard Parish Local Coastal Program Implementation" and by the Cooperative Agreement Number assigned as listed above. All invoices and other correspondence submitted to the Department in connection with this agreement shall be identified by this number.

2. CONTRACT TERM:

The term for the fulfillment of services to be performed pursuant to this agreement shall be from July 1, 2013 through June 30, 2014.

3. SCOPE OF CONTRACT SERVICES:

Contracting Party agrees to provide services and/or products in accordance with the specifications set forth in Appendix A, attached hereto and made a part hereof.

4. DEPARTMENT FURNISHED ITEMS:

The Department shall provide the following to assist the Contracting Party in the performance of its duties:

- a) Appropriate personnel for consultation as required; and
- b) Access to relevant material required in the performance of the work.

5. NOTICE TO PROCEED:

The Contracting Party shall proceed with the work upon receipt of an executed contract signed by duly authorized representatives of both parties.

6. COMPENSATION:

The total project cost shall be Sixty One Thousand Five Hundred Twenty and 00/100 Dollars (\$61,520.00). Of the total project cost, the Department shall contribute a maximum of Thirty Five Thousand Two Hundred Sixty and 00/100 Dollars (\$35,260.00). Under no circumstances shall the Department or the State of Louisiana have any obligation to the Contracting Party or to any third person, association, partnership or corporation for any additional sum or contribution. Expenditures incurred by the Contracting Party in excess of the amount specified above will be borne by the Contracting Party. Travel and other allowable costs shall constitute part of the maximum payable under the terms of this agreement.

No authority exists for payments which exceed the approved maximum contract amount except through written amendment prior to expiration date of the contract.

7. FISCAL YEAR FUNDING:

The continuation of this contract is contingent on the appropriation of funds to fulfill the requirements of the contract by the legislature. If the legislature fails to appropriate sufficient monies to provide for the continuation of the contract, or if such appropriation is reduced by the veto of the Governor or by any means as provided by law to prevent the total appropriation for the year from exceeding revenues for that year, or for any other

lawful purpose, and the effect of such reduction is to provide insufficient monies for the continuation of the contract, the contract shall terminate on the date of the beginning of the first fiscal year for which funds are not appropriated.

8. REPORTS AND PAYMENT:

a. Reporting Requirements:

The following reports shall be received by the Department Project Manager prior to issuance of incremental and final payments:

- (1) A progress report shall be submitted by the Contracting Party with each invoice for payment on Form DNR-PR (Appendix B).
- (2) A final summary report shall be submitted by the Contracting Party on Form DNR-PR (Appendix B) with the final invoice for payment.

b. The quarterly invoice package shall, as a minimum, contain the following:

- 1) Monitoring Report (Appendix B)
- 2) Requisition for Payment Form (Appendix C)
- 3) In-kind Contribution Report (Appendix D)
- 4) Copy of all Pertinent Cost Records (time sheets, invoices and any other applicable payment documentation)

c. Payment:

Payment to the Contracting Party for services rendered shall be made according to the following:

The Department shall reimburse the Contracting Party in four quarterly of \$8,815.00 for all eligible costs incurred under this Project. **Contracting Party shall indicate the in-kind match on both Appendix B Monitoring Report and each monthly invoice.** Invoices for progress payments, with supporting documentation, detailing the fees charged and allowable costs to be reimbursed as set forth in Appendix A, shall be submitted quarterly with progress reports.

An invoice for the final payment shall be submitted upon completion of the project and acceptance of the final report by the Department. **The final invoice shall be submitted within thirty (30) days following expiration of the contract.**

Travel and other allowable expenses shall be reimbursed in accordance with the

Division of Administration State General Travel Regulations, within the limits established for State Employees, as defined in Division of Administration Policy and Procedure Memorandum No. 49. All out of state travel will be subject to prior written approval of the Secretary of the Department.

Payments shall be made by the Department within approximately thirty (30) days after receipt of an original and two copies of a proper invoice rendered according to the payment schedule, and reports as prescribed in Item a. above, and which has been first approved for payment by the Department Project Manager.

9. ALLOWABLE COSTS:

Allowability of costs under this contract shall be determined in accordance with applicable state and federal laws.

10. DELIVERABLES:

The Contracting Party shall deliver to the Department deliverables as specified in Appendix A as products of the services rendered by the Contracting Party under the terms of this agreement.

11. OWNERSHIP OF DOCUMENTS:

Upon completion or termination of this agreement, all data collected by the Contracting Party and all documents, notes, equipment purchased, drawings, tracings and files collected or prepared in connection with this work, except the Contracting Party's personnel and administrative files, shall become and be the property of the Department, and the Department shall not be restricted in any way whatever in its use of such material. In addition, at any time during the contract period, the Department shall have the right to require the Contracting Party to furnish copies of any or all data and all documents, notes, and files collected or prepared by the Contracting Party specifically in connection with this agreement within five (5) days of receipt of written notice issued by the Department.

The Contracting Party shall notify the DNR Project Manager immediately upon receipt of equipment purchased under this agreement, and a DNR property tag(s) shall be issued to the Contracting Party and affixed to the equipment. The Contracting Party shall procure equipment in accordance with state procurement regulations. The Contracting Party shall return equipment to the DNR Project Manager within sixty (60) days after completion or termination of this agreement.

The Department encourages the use of data collected under DNR contracts for the purpose



of dissemination of information through presentations of technical/scientific papers in symposiums/seminars/workshops, publication in journals, newspapers articles and news etc. However, to better control the release of information, the use of the collected data/project information for dissemination purposes is subjected to the following stipulations:

- A. Written permission must be sought from the Project Support Manager prior to use of collected data/project information, for any of the publication purposes mentioned above.
- B. To obtain such permission a draft paper/presentation must be submitted to the Project Support Manager for review and approval prior to its release.
- C. In all such papers/presentations, DNR (and others if appropriate) must be acknowledged as the source of funding for the data collection/project.

Failure to follow these guidelines may result in stoppage of work or lack of future Task Orders.

## 12. INDEMNIFICATION:

The Contracting Party agrees to protect, defend, indemnify, save and hold harmless the State of Louisiana, all State Departments, Agencies, Boards and Commissions, its officers, agents, servants and employees, including volunteers, from and against any and all claims, demands, expense and liability arising out of injury or death to any person or the damage, loss or destruction of any property which may occur or in any way grow out of any act or omission of the Contracting Party, its agents, servants, and employees, or any and all costs, expense and/or attorney fees incurred by the Contracting Party as a result of any claim, demands, and/or causes of action except of those claims, demands, and/or causes of action arising out of the negligence of the State of Louisiana, all State Departments, Agencies, Boards, Commissions, its agents, representatives, and/or employees. The Contracting Party agrees to investigate, handle, respond to, provide defense for and defend any such claims, demand, or suit at its sole expense and agrees to bear all other costs and expenses related thereto, even if it (claims, etc.) is groundless, false or fraudulent.

## 13. INSURANCE:

Insurance shall be placed with insurers with an A.M. Best's rating of no less than A-: VI. This rating requirement shall be waived for Worker's Compensation coverage only.

**Contractor's Insurance:** The Contractor shall not commence work under this contract until he has obtained all insurance required herein. Certificates of Insurance, fully executed by officers of the Insurance Company written or countersigned by an authorized Louisiana State agency, shall be filed with the State of Louisiana for approval. The Contractor shall not allow any sub-contractor to commence work on his subcontract until all similar insurance required for the subcontractor has been obtained and approved. If so requested, the Contractor shall also submit copies of insurance policies for inspection and approval of the State of Louisiana before work is commenced. Said policies shall not hereafter be canceled, permitted to expire, or be changed without thirty (30) days' notice in advance to the State of Louisiana and consented to by the State of Louisiana in writing and the policies shall so provide.

**Compensation Insurance:** Before any work is commenced, the Contractor shall maintain during the life of the contract, Workers' Compensation Insurance for all of the Contractor's employees employed at the site of the project. In case any work is sublet, the Contractor shall require the subcontractor similarly to provide Workers' Compensation Insurance for all the latter's employees, unless such employees are covered by the protection afforded by the Contractor. In case any class of employees engaged in work under the contract at the site of the project is not protected under the Workers' Compensation Statute, the Contractor shall provide for any such employees, and shall further provide or cause any and all subcontractors to provide Employer's Liability Insurance for the protection of such employees not protected by the Workers' Compensation Statute.

**Commercial General Liability Insurance:** The Contractor shall maintain during the life of the contract such Commercial General Liability Insurance which shall protect him, the State, and any subcontractor during the performance of work covered by the contract from claims or damages for personal injury, including accidental death, as well as for claims for property damages, which may arise from operations under the contract, whether such operations be by himself or by a subcontractor, or by anyone directly or indirectly employed by either or them, or in such a manner as to impose liability to the State. Such insurance shall name the State as additional insured for claims arising from or as the result of the operations of the Contractor or his subcontractors. In the absence of specific regulations, the amount of coverage shall be as follows: Commercial General Liability Insurance, including bodily injury, property damage and contractual liability, with combined single limits of \$1,000,000.

**Insurance Covering Special Hazards:** Special hazards as determined by the State shall be covered by rider or riders in the Commercial General Liability Insurance Policy or policies herein elsewhere required to be furnished by the Contractor, or by separate policies of insurance in the amounts as defined in any Special Conditions of the contract included therewith.

**Licensed and Non-Licensed Motor Vehicles:** The Contractor shall maintain during the life of the contract, Automobile Liability Insurance in an amount not less than combined single limits of \$1,000,000 per occurrence for bodily injury/property damage. Such insurance shall cover the use of any non-licensed motor vehicles engaged in operations within the terms of the contract on the site of the work to be performed there under, unless such coverage is included in insurance elsewhere specified.

**Subcontractor's Insurance:** The Contractor shall require that any and all subcontractors,

which are not protected under the Contractor's own insurance policies, take and maintain insurance of the same nature and in the same amounts as required of the Contractor.

14. ASSIGNABILITY:

The Contracting Party shall not assign any interest in this agreement, and shall not transfer any interest in the same (whether by assignment or novation) without the prior written consent of the Department thereto; provided, however, that all claims for money due or to become due to the Contracting Party under this agreement may be assigned to its bank, trust company or other financial institution without such approval. Notice of any such assignment or transfer shall be furnished promptly to the Department.

15. COMPLIANCE WITH LAWS:

This Agreement shall be construed in accordance with and governed by the laws of the State of Louisiana.

16. TAX RESPONSIBILITY:

The Contracting Party hereby agrees that the responsibility for payment of taxes from the funds received under this contract shall be the Contracting Party's obligation and shall be identified under Tax Identification Number 72-6001193.

17. COST RECORDS:

Contracting Party hereby grants to the Legislative Auditor of the State of Louisiana and/or the Office of the Governor, Division of Administration auditors, the option of auditing all records of Contracting Party pertinent to this agreement. The Contracting Party must keep all such records for a period of three (3) years from completion or termination of this Agreement.

18. TERMINATION OF CONTRACT FOR CAUSE:

If, in the determination of the Department, the Contracting Party fails to fulfill in timely and proper manner its obligations under this contract or violates any of the covenants, agreements, or stipulations of this contract, the Department shall thereupon have the right to terminate this contract by giving written notice sent certified mail (return receipt requested) to the Contracting Party of such termination and specifying the effective date thereof, at least ten (10) days before the effective date of such termination.

In that event, and at the option of the Department, all finished or unfinished documents,

data, studies, surveys, drawings, maps, models, photographs, and reports or other material prepared by the Contracting Party under this contract shall become the property of the Department, and the Contracting Party shall be entitled to receive just and equitable compensation for any satisfactory work completed on such documents and other materials. The Department shall be relieved of liability for costs for any undelivered work as of the effective date of termination and shall be entitled to repayment for any progress payments made on undelivered work.

Notwithstanding the above, the Contracting Party shall not be relieved of liability to the Department for damages sustained by the Department by virtue of any breach of the Contract by the Contracting Party, and the Department may withhold any payments to the Contracting Party for the purpose of setoff until such time as the exact amount of damages due the Department from the Contracting Party is determined.

19. TERMINATION FOR THE CONVENIENCE OF THE DEPARTMENT:

The Department may terminate this contract at any time by giving written notice by certified mail (return receipt requested) to the Contracting Party of such termination and specifying the effective date thereof, at least fifteen (15) days before the effective date of such termination. In that event, and at the option of the Department, all finished or unfinished documents and other materials as described in the preceding section shall become its property. If the contract is terminated by the Department, as provided herein, the Contracting Party shall promptly submit a statement showing in detail the actual services performed to date of termination. The Contracting Party shall then be paid the proportion of the total contract amount which bears the same ratio as the services completed bears to the total scope of services called for in this contract, less payments of compensation previously made.

20. REMEDIES:

Any claim or controversy arising out of this agreement shall be resolved pursuant to the laws of the State of Louisiana.

21. CODE OF ETHICS FOR STATE EMPLOYEES:

The Contracting Party acknowledges that Chapter 15 of Title 42 of the Louisiana Revised Statutes (R.S. 42:1101 et. seq., Code of Governmental Ethics) applies to the Contracting Party in the performance of services called for in this contract. The Contracting Party agrees to immediately notify the Department if potential violations of the Code of Governmental Ethics arise at any time during the term of this contract.

22. SUBCONTRACTORS:

The Contracting Party agrees to obtain written Department approval prior to subcontracting any part of the services specified in Appendix A. The Contracting Party shall include, in any subcontract, the provisions contained in this contract. The Contracting Party shall submit requests for approval, accompanied by copies of proposed subcontracts, to the Department Project Manager. The Contracting Party further agrees to guarantee and be liable to the State (Department) for all services performed under any such subcontract.

23. CIVIL RIGHTS COMPLIANCE:

The Contracting Party agrees to abide by the requirements of the following as applicable: Title VI and VII of the Civil Rights Act of 1964, as amended by the Equal Opportunity Act of 1972, Federal Executive Order 11246, the Federal Rehabilitation Act of 1973, as amended, the Vietnam Era Veteran's Readjustment Assistance Act of 1974, Title IX of the Education Amendments of 1972, the Age Act of 1972, and the Contracting Party agrees to abide by the requirements of the Americans with Disabilities Act of 1990, the Davis-Bacon Act (40 USC 276a et seq), and the Federal Funding Accountability and Transparency Act (FFATA) (<https://www.fsrs.gov>).

The Contracting Party shall not discriminate in its employment practices, and will render services under this contract without regard to race, color, religion, sex, national origin, veteran status, political affiliation, disabilities or sexual orientation.

Any act of discrimination committed by the Contracting Party, or failure to comply with these statutory obligations, when applicable, shall be grounds for termination of this contract.

24. HUDSON / VETERAN'S INITIATIVES:

The Louisiana Department of Natural Resources fully participates and encourages contractor participation in the Hudson Initiative. The State of Louisiana Veteran and Hudson Initiatives are designed to provide additional opportunities for Louisiana-based small entrepreneurship (sometimes referred to as LaVet's and SE's respectively) to participate in contracting and procurement with the state. A certified Veteran-Owned and Service- Connected Disabled Veteran-Owned small entrepreneurship (LaVet) and a Louisiana Initiative for Small Entrepreneurships (Hudson Initiative) small entrepreneurship are businesses that have been certified by the Louisiana Department of Economic Development. All eligible contractors are encouraged to become certified. Eligible contractors are also required to make it clear in their proposal that they are

certified by attaching a certification document. Qualification requirements and online certification are available at [https://smallbiz.louisianaforward.com/index\\_2.asp](https://smallbiz.louisianaforward.com/index_2.asp).

25. AMENDMENTS:

No amendment shall be effective unless it is in writing, signed by duly authorized representatives of both parties.

THE DEPARTMENT AND THE CONTRACTING PARTY REPRESENT THAT THIS AGREEMENT SUPERSEDES ALL PROPOSALS, ORAL AND WRITTEN, ALL PREVIOUS CONTRACTS, AGREEMENTS, NEGOTIATIONS AND ALL OTHER COMMUNICATIONS BETWEEN THE PARTIES WITH RESPECT TO THE SUBJECT MATTER HEREOF.

This Cooperative Agreement entered into this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ at Baton Rouge, Louisiana.

WITNESSES:

ROBERT D. HARPER, COORDINATOR  
DEPARTMENT OF NATURAL RESOURCES

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

ST. BERNARD PARISH

certified by attaching a certification document. Qualification requirements and online certification are available at [https://smallbiz.louisianaforward.com/index\\_2.asp](https://smallbiz.louisianaforward.com/index_2.asp).

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ST. BERNARD PARISH

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DEPARTMENT OF NATURAL RESOURCES

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ST. BERNARD PARISH



## Appendix A

### SCOPE OF SERVICES

#### LOCAL COASTAL RESOURCES MANAGEMENT PROGRAM

*2013-2014*

The Purpose of this scope of services is to describe and identify the processes, procedures and duties for the yearly operation of a state and federally approved Parish Local Coastal Management Program (LCP) as a part of the Louisiana Coastal Resources Program, in accordance with the rules and regulations of the Louisiana Coastal Resources Program and Louisiana R.S. 49, sections 214.21 to 214.41, the State and Local Coastal Resources Management Act of 1978 (SLCRMA), as amended, and the approved Parish LCP Documents and Ordinances. This scope of services details specific actions and deliverables that must be performed by the parish in conducting the operation of its LCP. The LCP must operate consistent with its program documents and with the state program. In addition to operating its program as approved, specific deliverables must be submitted to the LDNR to ensure that federal, state and local reporting and other requirements are fulfilled including the requirements of the Louisiana Coastal Wetlands Conservation Plan and Louisiana's Comprehensive Master Plan for a Sustainable Coast.

The Coastal Zone Public Policy of the Parish LCP is to:

- protect, develop, and where feasible, restore and enhance the resources within the Parish's coastal zone;
- support and encourage multiple uses of coastal resources consistent with maintenance and enhancement of renewable resource management and productivity, the need to provide for adequate economic growth and development, and the minimization of adverse effects;
- employ procedures and practices that resolve conflicts among competing uses within the coastal zone;
- develop and implement a coastal resources management program which is based on consideration of our resources, the environment; and the needs of the people of the Nation, the State, and the Parish;
- enhance opportunities for the use and enjoyment of the recreational values of coastal zone areas;
- express certain regulatory and non-regulatory policies for the Coastal Zone Management (LCP) Program;
- develop and implement a reasonable and equitable coastal resources management program with sufficient expertise, technical proficiency, and legal authority to enable the

Parish to determine the future course of development and conservation of the coastal zone; and

- provide for regular inspection of coastal zone areas to report violations and monitor permit compliance of public and private contractors.

## I. ADMINISTRATION

The local LCP administrators shall conduct their programs and complete the following tasks in accordance with their approved local program documents and ordinances consistent with the state program.

### 1. PERMITTING PROCEDURES

- When applications are filed with the local LCP, the local LCP will review the permit application and make a preliminary determination as to whether the activity is of state or local concern. Within two (2) days, the local administrator or his designee will forward his determination to the State Office of Coastal Management (OCM), along with a copy of the application, for official concurrence. If an application is deemed to be a state concern by the state OCM, the administrator may subsequently comment to the state regarding parish's concerns.
- When deemed necessary by the local administrator, an onsite investigation by the administrator or his designee shall be carried out to obtain additional information concerning the project area and its impact on the environment.
- Any documents used in making decisions or recommendations for local concern activities, must be included in a file which becomes the Administrative Record of Decision. Each file shall contain:
  - a. the application and any additional information submitted by the applicant.
  - b. the state's local use determination,
  - c. the final determination or permit, including any special conditions and/or modifications required of the permittee, with a statement documenting the basis for the decision in accordance with the rules and procedures.
  - d. any field investigations performed for the project,
  - e. the technical review on the environmental, social, economic, and cultural impacts of the project, as well as, a copy of any mitigation calculations and project determination information,
  - f. the needs, alternatives and justification statement,
  - g. any public notice required for the project and any comments received,

- h. any public hearing transcripts, if required
  - j. any additional local use permit proceeding, including modifications, suspensions, and revocations, shall be placed in the parish permit file and a copy forwarded to the OCM.
- A copy of the final decision for uses of local concern permits shall be sent to the OCM.
  - During the review of local concern applications, the local administrator (or his designee) shall coordinate with other appropriate agencies.

## 2. FEE SYSTEM

The local administrator shall administer fees as stated in the Parish LCP Ordinance.

## 3. APPEALS PROCESS

A copy of all documentation in a case of an appeal for a use of local concern shall be placed in the parish permit file and a copy shall be forwarded to the OCM. The state shall be kept informed in writing of all findings in such cases.

## 4. VARIANCES

A copy of all variances, with findings, once approved by the Secretary of the Louisiana Department of Natural Resources (LDNR), shall be kept in the application file and in the parish permit file, and a copy shall be sent to the OCM.

## 5. ENFORCEMENT PROCEDURES

The Parish LCP shall investigate any unpermitted activities as well as activities that might result in non-compliance with state or local rules and regulations or with permit terms and conditions. This pertains to activities discovered by, or reported to, the parish. The parish LCP shall investigate the activity and, if appropriate, request that the party conducting the unauthorized activity submit an after the fact coastal use permit application. The parish LCP investigation shall follow enforcement procedures provided in La. R.S. 49:214.36 and the parish LCP document and ordinance. If appropriate, the parish may seek to impose a fine or other appropriate civil or criminal penalties.

## 6. MITIGATION

The parish LCP shall assess compensatory mitigation to replace or substitute for the ecological value of wetlands lost due to permitted activities of local jurisdiction. The mitigation assessment shall be conducted according to La. R.S. 49:214.41 and the parish LCP document and ordinance. The progress of this task shall be reported to the OCM. The parish LCP shall report on mitigation to the State OCM as described in this contract scope of services.

## II. DELIVERABLES

### 1. QUARTERLY MEETINGS

OCM will sponsor four quarterly meetings during this contract period. Attendance at these meetings is mandatory for LCP administrators. If a parish administrator is unable to attend a scheduled meeting he/she is asked to make arrangements to have an assistant or an advisory committee member attend as a representative.

### 2. REPORTING TO THE STATE OCM

The OCM is responsible for including local program permitting information in the semi annual Louisiana Coastal Wetlands Conservation Plan Report and the Quarterly Legislative Report on OCM performance indicators.

Code sheets used for permitting, enforcement and mitigation reporting shall be completed (including all information on habitat impacts and AHUs/CHU derivations) and forwarded to OCM immediately upon the issuance of a permit and/or the final agreement of a mitigation plan. Because the Quarterly Legislative Report on OCM performance indicators is due immediately following the end of each quarter, this reporting information must be complete in the OCM database by September 30th and December 31st, March 31st, June 30<sup>th</sup>.

These forms are as follows:

- Local Coastal Programs Coding Form shall be submitted for all applications determined to be of local concern. When applicable, be sure that state assigned enforcement numbers are co-referenced on the LCP coding form.
- Impacted Habitat Form shall be submitted for all local concern applications, except solicitation of views and those which are exempt from permitting because they occur outside the coastal zone and do not impact coastal waters;
- Habitat Benefit Forms shall be submitted for every local concern activity for which mitigation is required.

### Invoices

The local LCP Administrator shall forward the following information regarding state and local permit uses to OCM at least by the 15th of the month following the end of the quarter or monthly.

- Requisitions for payments, in-kind contribution reports with monitoring report; and
- Completed "Standardized Local Coastal Program Reporting Form" (see attached).

### 3. ANNUAL REPORTING

Pursuant to L.A.C. 43:I.725(F) an annual report shall be submitted by the LCP for every year of local program implementation to the OCM. The report includes the following:

- the number, type, and characteristics of applications for coastal use permits,
- the number, type, and characteristics of coastal use permits granted, conditioned, denied, and withdrawn,
- the number, type, and characteristics of permits appealed,
- the results of any appeals,
- a record of all variances granted,
- a record of any enforcement activities and actions taken (enforcement activities reported by the State Program to the parish LCP or activities discovered by the parish)
- a description of any problem areas within the state or local program and proposed solutions to any such problems, and
- proposed changes in the state or local program.

While much of the information required by L.A.C. 43:I.725(F) is captured in the submission by the parish LCP of deliverables required by the on-line data base throughout the contract period, the parish will provide a detailed written report of all of the pertinent questions on the Standardized Local Coastal Permitting Reporting Form. OCM will conduct an end of the year performance evaluation of the parish program at the end of the fourth quarter as well as the statutorily required periodic review of each program at least every two years.

## **Standardized Local Coastal Annual Reporting Form**

**List and Written Detailed Description of any Appeals:**

**List and Written Detailed Description of any Mitigation Assessed:**

**List and Written Detailed Description of any Variances:**

**List and Written Detailed Description of any Enforcement Actions:**

### **Local Program Assessment**

List any problems or proposed changes to local program

### **State Program Assessment**

List any problems or proposed changes to state program

St Bernard Parish Government  
Coastal Zone Management Budget  
July 1, 2013 - June 30, 2014

Total Contract Amount	State Contribution	Parish In-Kind Match	CZM Salaries Total
\$61,520.00	\$35,260.00	\$26,260.00	\$61,520.00

MONITORING REPORT

Appendix B

Date: \_\_\_\_\_

Contracting Party: **St. Bernard Parish**      DNR Contract No. **2516-14-07**

Project Title: **"St. Bernard Parish Local Coastal Program Implementation"**

Invoice No. \_\_\_\_\_ Invoice Amount: \_\_\_\_\_

Total Contract Amount: \$ \_\_\_\_\_ Balance: \$ \_\_\_\_\_

Total invoiced to date: \$ \_\_\_\_\_

- I.      WORK COMPLETED TO DATE (ACCORDING TO TYPE CONTRACT):
  - A.      Percentage of work completed [include percentage completed and/or milestones accomplished (give dates)].
  - B.      Hourly (include services performed and number of hours worked).
  - C.      Scope of Services Outlined by Tasks (include tasks completed or portion of task completed to date).
  - D.      Actual Costs Incurred
  - E.      Fee Schedule
  
- II.     FOR EACH PROJECT A NARRATIVE OF IMPLEMENTATION PROGRESS INCLUDING:
  - A.      Tasks and/or milestones accomplished (give dates)
  
  - B.      Tasks and/or milestones not accomplished with explanation or assessment of:
    1.      Nature of problems encountered:
  
  
  
  
  
  
  
  
  
  
    2.      Remedial action taken or planned:



3. Whether minimum criteria for measure can still be met:

4. Likely impact upon achievement:

### III. DELIVERABLES

### IV. OTHER DISCUSSIONS OF SPECIAL NOTE

Contracting Party \_\_\_\_\_ Date \_\_\_\_\_

Approval \_\_\_\_\_ Date \_\_\_\_\_

Project Manager: Jon Truxillo

MAIL TO: Department of Natural Resources  
Contracts & Grants Division  
P.O. Box 94396  
Baton Rouge, LA 70804-9396

CONTRACTING PARTY \_\_\_\_\_

PROJECT NAME \_\_\_\_\_

TOTAL AMOUNT AUTHORIZED \_\_\_\_\_ ESTIMATED % COMPLETE \_\_\_\_\_

I certify that charges reflected are supported by the attached cost documentation which is available in the Contracting Party's and contractor's records.

SIGNATURE OF CONTRACTING  
PARTY REPRESENTATIVE

APPROVED: \_\_\_\_\_  
JON TRUXILLO, DNR PROJECT MANAGER







# St. Bernard Parish Council

8201 West Judge Perez Drive Chalmette, Louisiana, 70043  
(504) 278-4228 Fax (504) 278-4209  
www.sbpq.net

**Guy McInnis**  
Councilman  
at Large

**George Cavignac**  
Councilman  
at Large

**Ray Lauga, Jr.**  
Councilman  
District A

**Nathan Gorbaty**  
Councilman  
District B

**Richard "Richie" Lewis**  
Councilman  
District C

**Casey W. Hunnicutt**  
Councilman  
District D

**Manuel "Monty"  
Montelongo III**  
Councilman  
District E

**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 3, 2013 AT SEVEN O'CLOCK P.M.

On motion of Mr. McInnis, seconded by Mr. Gorbaty, it was moved to **adopt** the following resolution:

## RESOLUTION SBPC #1076-09-13

BE IT RESOLVED, that the St. Bernard Parish Council, the Governing Authority, does hereby approve the following permits as recommended by the Alcohol Beverage and Bingo Department:

<u>Establishment</u> Renewals:	<u>Beer and/or Liquor Permit(s)</u>	
	<u>Beer</u>	<u>Liquor</u>
1. Ben's Pizza #1, LLC d/b/a Ben's Pizza #1 7417 West St. Bernard Highway Arabi, LA 70032 Member(s): Henry Lion, III and Tammy Lion	X(only)	
2. Breaux Mart Supermarkets, Inc., d/b/a Breaux Mart Supermarket 315 East Judge Perez Drive Chalmette, LA 70043 Owner: Barry J. Breaux	X	X
3. B & G Fresh Market, LLC d/b/a B & G Fresh Market 501 West Judge Perez Drive Chalmette, LA 70043 Member(s): Brian Gab and Robert Binney	X	X
4. Civello, Barbara A., Inc., d/b/a Barbara's Place 1008 West Judge Perez Drive Chalmette, LA 70043 Owner: Barbara Civello	X	X

## Special Events

- Name of Organization: St. Bernard Recreation Complex, Inc.  
Address: 8201 W Judge Perez Drive, Chalmette, LA 70043  
Name of Event: St. Bernard Shrimp Festival  
Location of Event: 2501 Hannan Boulevard, Meraux, LA 70075



# *St. Bernard Parish Council*

8201 West Judge Perez Drive Chalmette, Louisiana, 70043  
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[www.sbpq.net](http://www.sbpq.net)

**Guy McInnis**  
*Councilman  
at Large*

Page -2-  
Extract #11 (continued)  
September 3, 2013

**George Cavnac**  
*Councilman  
at Large*

Date and Time: September 13, 2013 (6:00 p.m. - 11:00 p.m.)  
September 14, 2013 (12:00 p.m. - 11:00 p.m.)  
September 15, 2013 (12:00 p.m. - 10:00 p.m.)

**Ray Lauga, Jr.**  
*Councilman  
District A*

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

**Nathan Gorbaty**  
*Councilman  
District B*

**YEAS:** Lauga, Gorbaty, Montelongo, McInnis

**Richard "Richie" Lewis**  
*Councilman  
District C*

**NAYS:** None

**ABSENT:** Lewis, Hunnicutt

**Casey W. Hunnicutt**  
*Councilman  
District D*

The Chairman, Mr. Cavnac, cast his vote as **ABSTAINED**.

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

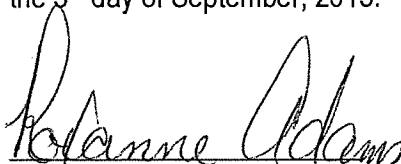
And the motion was declared **adopted** on the 3<sup>rd</sup> day of September, 2013.

**Roxanne Adams**  
*Clerk of Council*

## 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 3, 2013.

Witness my hand and the seal  
of the Parish of St. Bernard on  
the 3<sup>rd</sup> day of September, 2013.

  
ROXANNE ADAMS  
CLERK OF COUNCIL



# *St. Bernard Parish Council*

8201 West Judge Perez Drive    Chalmette, Louisiana, 70043  
(504) 278-4228    Fax (504) 278-4209  
[www.sbpbg.net](http://www.sbpbg.net)

**#12**

**Guy McInnis**  
*Councilman  
at Large*

**George Cavnag**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

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 3, 2013 AT SEVEN O'CLOCK P.M.

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

## **RESOLUTION SBPC #1077-09-13**

A RESOLUTION APPOINTING NEW MEMBERS TO THE VETERINARY BOARD.

WHEREAS, the Appointments Review Board has made recommendations to the Open Position on the Veterinary Board, and;

WHEREAS, this Council is desirous of filling the aforementioned board and vacancies.

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

- Donald Duplantier – Expiration January 2016
- Wallace Ansardi – Expiration January 2016
- Alexandra Amster – Expiration January 2016
- David Hood – Expiration January 2016

BE IT FURTHER RESOLVED, that this term shall be effective immediately upon adoption of this Resolution.

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

**YEAS:**                    Lauga, Gorbaty, Lewis, Montelongo, McInnis

**NAYS:**                    None

**ABSENT:**                Hunnicutt

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

And the motion was declared **adopted** on the 3<sup>rd</sup> day of September, 2013.



# *St. Bernard Parish Council*

8201 West Judge Perez Drive    Chalmette, Louisiana, 70043  
(504) 278-4228    Fax (504) 278-4209  
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Page-2-  
Extract #12 continued  
September 3, 2013

**Guy McInnis**  
*Councilman  
at Large*

**George Cavnac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*


**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

## 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 3, 2013.

Witness my hand and the seal  
of the Parish of St. Bernard on  
the 3<sup>rd</sup> day of September, 2013.

  
ROXANNE ADAMS  
CLERK OF COUNCIL





# *St. Bernard Parish Council*

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[www.sbpq.net](http://www.sbpq.net)

**#13**

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

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 3, 2013 AT SEVEN O'CLOCK P.M.

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

## **RESOLUTION SBPC #1078-09-13**

A RESOLUTION BY THE ST. BERNARD PARISH COUNCIL TO AUTHORIZE THE LOUISIANA LAND TRUST (LLT) TO CONDUCT A BUILDER BUNDLE PROGRAM VIA A REQUEST FOR PROPOSAL SYSTEM TO DISPOSE OF CERTAIN LLT LOTS THAT HAVE BEEN IDENTIFIED AS BUILDER BUNDLES AND HAVE NOT BEEN CONVEYED TO ST. BERNARD PARISH GOVERNMENT, AS PROVIDED FOR IN THE ST. BERNARD PARISH REDEVELOPMENT AND DISPOSITION PLAN FOR LOUISIANA LAND TRUST PROPERTIES.

WHEREAS, St. Bernard Parish Government wishes to facilitate redevelopment of the Parish and dispose of the Louisiana Land Trust properties by putting them back into commerce for the construction of new homes.

NOW THEREFORE, BE IT RESOLVED, that the St. Bernard Parish Council, the governing authority, does hereby authorize the Louisiana Land Trust to conduct the St. Bernard Builder Bundle Program to convey LLT properties to builders or developers via a Request for Proposals (RFP) process.

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

**YEAS:**                    Lauga, Gorbaty, Lewis, Montelongo, McInnis

**NAYS:**                    None

**ABSENT:**                Hunnicutt

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

And the motion was declared **adopted** on the 3<sup>rd</sup> day of September, 2013.



# *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

Page-2-  
Extract #13 continued  
September 3, 2013

## 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 3, 2013.

Witness my hand and the seal  
of the Parish of St. Bernard on  
the 3<sup>rd</sup> day of September, 2013.

ROXANNE ADAMS  
CLERK OF COUNCIL

BOBBY JINDAL  
GOVERNOR



KRISTY H. NICHOLS  
COMMISSIONER OF ADMINISTRATION

**State of Louisiana**  
Division of Administration  
**Office of Community Development**  
**Disaster Recovery Unit**

July 31, 2013

To: President Peralta, St. Bernard Parish President

From: Pat Forbes, Executive Director, Office of Community Development Disaster Recovery Unit

Re: St. Bernard Parish Builder Bundle Program

---

Please allow this to serve as a response to the July 19, 2013 memorandum sent by President Peralta requesting LLT to retain 128 lots beyond the CEA deadline of July 31, 2013. OCD/DRU agrees to allow LLT to retain the list of lots attached to this memo for the purpose of the St. Bernard "Builder Bundle" Program. These lots will remain in LLT's inventory for 120 days from this approval. Any lots that have not closed in 120 days will be transferred to St. Bernard Parish. If St. Bernard Parish refuses to accept title to any of the referenced lots, LLT may dispose of the properties according to the Action Plan and the Cooperative Endeavor Agreements.

**Bundle 1 - Disposition Plan**

1	400498	2914 Marietta
2	190575	2712 Plaza
3	047703	2621 Rosetta
4	067198	3312 Dauterive
5	041709	3233 Veronica
6	118144	3300 Veronica
7	060028	2804 Charles
8	093524	2349 Plaza
9	610515	2400 Plaza
10	055448	3004 Charles
11	062807	2801 Blanchard
12	140281	3312 Plaza

**Bundle 2 - Disposition Plan**

1	400041	14 Carroll
2	074608	28 Carroll
3	003497	9 E. Chalmette Circle
4	006523	58 E. Chalmette Circle
5	079146	48 E. Claiborne Square
6	040727	77 E. Claiborne Square
7	044372	8601 Livingston
8	040589	8713 Livingston
9	037219	8904 Livingston
10	093083	19 Old Hickory
11	400040	24 Old Hickory
12	055539	36 Keane

**Zone 1 - St. Claude Heights**

1	071837	1917 Karl
2	091886	1912 Karl
3	400250	1916 Karl
4	610252	1926 Karl
5	620252	1930 Karl
6	400258	1923 Karl
7	400259	1920 Center
8	084606	1909 Karl
9	016381	1906 Karl
10	099533	1904 Karl
11	400213	1832 Karl
12	400212	1824 Karl

**Zone 2 - St. Claude Heights**

1	610188	1836 Benjamin
2	102382	1900 Benjamin
3	610183	1833 Alexanedr
4	620183	1837 Alexanedr
5	620188	1832 Benjamin
6	400189	1828 Benjamin
7	400199	1831 Benjamin
8	610196	1815 Benjamin
9	620196	1819 Benjamin
10	620201	1825 Benjamin
11	031248	1822 Benjamin
12	400191	1810 Benjamin
13	610184	1811 Alexaneder
14	620184	1815 Alexaneder
15	400185	1817 Alexaneder
16	610201	1821 Benjamin

**Zone 3 - Carolyn Park**

1	233555	405 Mink
2	143205	112 Seal
3	006115	124 Seal
4	017471	117 Beaver
5	067698	101 Nutria
6	610311	305 Mink
7	620311	313 Mink
8	007581	312 Mink
9	400335	105 Seal
10	610334	113 Seal
11	620334	121 Seal
12	106060	137 Seal

**Zone 4 - Carolyn Park**

1	400331	304 Ocelot
2	400330	312 Ocelot
3	063024	400 Ocelot
4	125753	408 Ocelot
5	400325	409 Llama
6	400324	321 Llama
7	098151	313 Llama
8	144747	305 Llama
9	400322	304 Llama
10	400323	316 Llama
11	610485	400 Llama
12	620485	408 Llama
13	145140	413 Ocelot

**Zone 5 - Buccaneer Villa**

1	400390	3800 Dominique
2	400403	3812 Dominique
3	610402	3820 Dominique
4	620402	3828 Dominique
5	400398	3836 Dominique
6	400396	3908 Dominique
7	400397	3912 Dominique
8	620401	3825 Norwood
9	610401	3817 Norwood
10	400400	3829 Norwood
11	400399	3837 Norwood
12	049221	3913 Norwood

**Zone 6 - Buccaneer Villa**

1	400438	4037 Hamlet
2	610439	4008 Kings
3	620439	4016 Kings
4	012474	4000 Kings
5	400440	8537 Benjamin
6	009776	3928 Kings
7	610442	8536 Benjamin
8	620442	8544 Benjamin
9	400443	8541 Squadron
10	400444	8545 Squadron
11	610447	8536 Squadron
12	620447	8544 Squadron
13	400446	8548 Squadron

**Zone 7 - Val Reis (Valero)**

1	136223	3816 Lena
2	400539	3900 Lena
3	400537	3912 Lena
4	124511	3801 Blanchard
5	400547	3817 Blanchard
6	032716	3905 Blanchard
7	004477	3917 Blanchard
8	217230	3817 Despaux
9	400538	3909 Lena
10	015231	3821 Lena
11	400540	3908 Ventura
12	610542	3912 Ventura
13	620542	3920 Ventura

**Zone 8 - Val Reis (Valero)**

1	620097	3508 Lena
2	400557	3528 Lena
3	400558	3533 Blanchard
4	610559	3513 Blanchard
5	620559	3521 Blanchard
6	010185	3516 Blanchard
7	199101	3524 Blanchard
8	610562	3513 Ventura
9	400099	3509 Lena
10	400560	3525 Lena
11	610561	3512 Ventura
12	620561	3520 Ventura
13	033850	3504 Ventura

**128 Total Properties**



# *St. Bernard Parish Council*

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**#14**

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

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 3, 2013 AT SEVEN O'CLOCK P.M.

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

## **RESOLUTION SBPC #1079-09-13**

A RESOLUTION TO AUTHORIZE PARISH PRESIDENT DAVID E. PERALTA TO SIGN AN EXTENSION FOR THE COOPERATIVE ENDEAVOR AGREEMENT WITH THE STATE OF LOUISIANA DIVISION OF ADMINISTRATION FACILITATING THE PRODUCTION OF THE INTEGRATED WATER MANAGEMENT/RESILIENCY CATEGORY 1 PROGRAM MANAGEMENT PLAN.

WHEREAS, the Parish, OCD/DRU entered into a Cooperative Endeavor Agreement wherein they agreed to certain matters concerning implementing a grant under the Community Development Block Grant Disaster Recovery Program to produce the Integrated Water Management Plan (the "CEA") that requires an extension of time.

NOW THEREFORE, BE IT RESOLVED, that the St. Bernard Parish Council, the governing authority, does hereby authorize Parish President David E. Peralta to sign the 1st Amendment to OCR# 107-001664, CFMS #709364, CFDA #14.228, Grant #B-08-DI-22-001, Year 2009, DUNS #612127423 (attached) to the Cooperative Endeavor Agreement between St. Bernard Parish and the Louisiana Office of Community Development/Disaster Recovery Unit to extend the end date to September 30, 2015.

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

**YEAS:**                    Lauga, Gorbaty, Lewis, Montelongo, McInnis

**NAYS:**                    None

**ABSENT:**                Hunnicutt

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

And the motion was declared **adopted** on the 3<sup>rd</sup> day of September, 2013.





# *St. Bernard Parish Council*

8201 West Judge Perez Drive    Chalmette, Louisiana, 70043  
(504) 278-4228    Fax (504) 278-4209  
[www.sbp.org](http://www.sbp.org)

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

Page-2-  
Extract #14 continued  
September 3, 2013

## 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 3, 2013.

Witness my hand and the seal  
of the Parish of St. Bernard on  
the 3<sup>rd</sup> day of September, 2013.

ROXANNE ADAMS  
CLERK OF COUNCIL

1st AMENDMENT TO:

OCR # 107-001664  
CFMS # 709364  
AMENDMENT # 1  
CFDA # 14.228  
Grant # B-08-DI-22-001  
Year 2009  
DUNS # 612127423

COOPERATIVE ENDEAVOR AGREEMENT  
IMPLEMENTING GRANT UNDER  
COMMUNITY DEVELOPMENT BLOCK GRANT  
DISASTER RECOVERY PROGRAM

BY AND BETWEEN  
STATE OF LOUISIANA, DIVISION OF ADMINISTRATION  
OFFICE OF COMMUNITY DEVELOPMENT, DISASTER RECOVERY UNIT (OCD)

AND

ST. BERNARD PARISH (GRANTEE)

EFFECTIVE AUGUST 1, 2013

AMENDMENT PROVISIONS:

CHANGE AGREEMENT FROM:

Page 4:

## I. SCOPE OF AGREEMENT

### **D. Statement of Work**

#### **2. The Budget**

The "Budget" for the Program shall be as follows:

Project Delivery	\$40,000
Part 1: Water System Analysis	\$94,950

Part 2: Design and Site Strategy Development	\$90,050
Part 3: Institutional and Land Use Implementation Mechanisms	\$45,000
Part 4: Integrated Land Water Research Mgmt Plan	\$35,000
<b>Total</b>	<b>\$305,000</b>

Use of the Grant Funds provided under this Agreement is contingent upon verification by the OCD of the initial and continued availability of the committed resources of Grantee. In the event that any portion of the committed resources of Grantee is deemed by the OCD to be unavailable or thereafter become unavailable, the OCD may in its discretion deem as acceptable alternate sources of funding for the Project, which the Grantee demonstrates are available to it for completion of the Project.

Grantee may increase the size of the Project with the OCD's written approval; such approval shall not be deemed to entitle Grantee to any additional funds under this Agreement.

The parties may agree, in writing, to a revision of the Budget or a reallocation of funds between categories within the Budget without the need to amend this Agreement; provided however, that in no case shall any such revisions or reallocations exceed the total allocation under the Agreement.

#### CHANGE AGREEMENT TO:

Page 4:

#### I. SCOPE OF AGREEMENT

##### **D. Statement of Work**

##### **2. The Budget**

The "Budget" for the Program shall be as follows:

Consultants	\$280,000
Staff	\$25,000
<b>Total</b>	<b>\$305,000</b>

Use of the Grant Funds provided under this Agreement is contingent upon verification by the OCD of the initial and continued availability of the committed resources of Grantee. In the event that any portion of the committed resources of Grantee is deemed by the OCD to be unavailable or thereafter become unavailable, the OCD may in its discretion deem as acceptable alternate sources of funding for the Project, which the Grantee demonstrates are available to it for completion of the Project.

Grantee may increase the size of the Project with the OCD's written approval; such approval shall not be deemed to entitle Grantee to any additional funds under this Agreement.

The parties may agree, in writing, to a revision of the Budget or a reallocation of funds between categories within the Budget without the need to amend this Agreement; provided however, that in no case shall any such revisions or reallocations exceed the total allocation under the Agreement.

#### CHANGE AGREEMENT FROM:

Page 7:

### **III. TERM OF AGREEMENT; TERMINATION OR SUSPENSION OF AGREEMENT**

#### **A. Term of Agreement**

The term of this Agreement, subject to all requisite consents and approvals as provided herein, shall commence on June 24, 2010 and terminate on the earlier of September 30, 2013 or the completion of all requirements under this Agreement in accordance with, and subject to, the terms and conditions of this Agreement.

CHANGE AGREEMENT TO:

Page 7:

**III. TERM OF AGREEMENT; TERMINATION OR SUSPENSION OF AGREEMENT**

**A. Term of Agreement**

The term of this Agreement, subject to all requisite consents and approvals as provided herein, shall commence on June 24, 2010 and terminate on the earlier of September 30, 2015 or the completion of all requirements under this Agreement in accordance with, and subject to, the terms and conditions of this Agreement.

CHANGE AGREEMENT FROM:

APPENDIX A, GRANTEE STATEMENT OF ASSURANCES

CHANGE AGREEMENT TO:

Revised APPENDIX A, STATEMENT OF ASSURANCES, attached hereto and made a part hereof.

Reason for amendment:

To extend the end date to September 30, 2015 and revise budget to allow for completion of services and closeout. Also to update budget and assurances.

The Parties have executed and delivered this Agreement on the date set forth next to their respective signatures below, but effective as of the date set forth above.

Baton Rouge, LA 70802

## St. Bernard Parish

**REVISED APPENDIX A**  
**GRANTEE STATEMENT OF ASSURANCES**

This Applicant/Grantee/Subrecipient hereby assures and certifies that:

1. It possesses legal authority to apply for a Community Development Block Grant (“CDBG”) and to execute the proposed CDBG program.
2. Its governing body has duly adopted, or passed as an official act, a resolution, motion, or similar action authorizing the filing of the CDBG application and directing and authorizing the person identified as the official representative of the Applicant/Grantee/Subrecipient to act in connection with the application, sign all understandings and assurances contained therein, and to provide such additional information as may be required.
3. It has facilitated citizen participation by providing adequate notices containing the information specified in the program instructions and by providing citizens an opportunity to review and submit comments on the proposed application.
4. Its chief executive officer, or other officer or representative of Applicant/Grantee/Subrecipient approved by the State:
  - a. Consents to assume the status of a responsible federal official under the National Environmental Policy Act of 1969 (**42 U.S.C.A. §4331, et seq.**) insofar as the provisions of such Act apply to the proposed CDBG Program; and
  - b. Is authorized and consents, on behalf of the Applicant/Grantee/Subrecipient and himself, to submit to the jurisdiction of the federal courts for the purpose of enforcement of Applicant/Grantee/Subrecipient’s responsibilities and his or her responsibilities as an official.
5. It will develop the CDBG program and use CDBG funds so as to give maximum feasible priority to activities that will benefit low and moderate income families, aid in the prevention or elimination of slums or blight, or meet other community development needs having a particular urgency.
6. It will comply with the following applicable federal grant management regulations, policies, guidelines, and/or requirements as they relate to the application, acceptance, and use of federal funds: OMB Circular A-87 (Cost Principles for State, Local and Indian Tribal Governments) as amended and made part of State regulations; A-102 (Grants and Cooperative Agreements with State and Local Governments), as amended and made part of State regulations; OMB Circular A-133 (Audits of States, Local Governments, and Non-Profit Organizations), revised; OMB Circular A-21 (Cost Principles for Educational Institutions); A-122 (Cost Principles for Non-Profit Organizations); 24 CFR Part 85 (Administrative Requirements for Grants and Cooperative Agreements to State, Local and Federally Recognized Indian Tribal Governments) and 24 CFR Part 84 (Uniform Administrative Requirements For Grants and Agreements With Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations).
7. It will administer and enforce the labor standards requirements set forth in 24 CFR §570.603 and any other regulations issued to implement such requirements.

8. It will comply with the provisions of Executive Order 11988, as amended by Executive Order 12148, relating to evaluation of flood hazards, and Executive Order 12088, as amended by Executive Order 12580, relating to the prevention, control and abatement of water pollution.
9. It will require every building or facility (other than a privately owned residential structure) designed, constructed, or altered with funds provided to Applicant/Grantee/Subrecipient to comply with any accessibility requirements, as required by Title III of the Americans with Disabilities Act of 1990 (42 U.S.C.A. § 12101 et seq.). The Applicant/Grantee/Subrecipient will be responsible for conducting inspections to ensure compliance with these specifications by the contractor.
10. It will comply with:
  - a. Title VI of the Civil Rights Acts of 1964, 42 U.S.C. §2000d et seq., as amended, and the regulations issued pursuant thereto (24 CFR Part 1), which provide that no person in the United States shall on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the Applicant/Grantee/Subrecipient receives federal financial assistance and will immediately take any measures necessary to effectuate this assurance. If any real property or structure thereon is provided or improved with the aid of federal financial assistance extended to the Applicant/Grantee/Subrecipient, this assurance shall obligate the Applicant/Grantee/Subrecipient, or in the case of any transfer of such property, any transferee, for the period during which the property or structure is used for another purpose involving the provision of similar services or benefits.
  - b. Section 104 (b) (2) of Title VIII of the Civil Rights Act of 1968 (**42 U.S.C.A. §3601, et seq.**), as amended, which requires administering all programs and activities relating to housing and community development in a manner to affirmatively further fair housing. Title VIII further prohibits discrimination against any person in the sale or rental of housing, or the provision of brokerage services, including in any way making unavailable or denying a dwelling to any person, because of race, color, religion, sex, national origin, handicap or familial status.
  - c. Section 109 of Title I of the Housing and Community Development Act of 1974 (42 U.S.C. §5309), and the regulations issued pursuant thereto (24 CFR Part §570.602), which provides that no person in the United States shall, on the grounds of race, color, national origin, or sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under, any program or activity funded in whole or in part with funds provided under that Part. Section 109 further prohibits discrimination to an otherwise qualified individual with a handicap, as provided under Section 504 of the Rehabilitation Act of 1973, as amended, and prohibits discrimination based on age as provided under the Age Discrimination Act of 1975. The policies and procedures necessary to ensure enforcement of section 109 are codified in 24 CFR part 6.
  - d. Executive Order 11063, as amended by Executive Order 12259, and the regulations issued pursuant thereto, which pertains to equal opportunity in



housing and non-discrimination in the sale or rental of housing built with federal assistance.

- e. Executive Order 11246, as amended by Executive Orders 11375 and 12086, and the regulations issued pursuant thereto, which provide that no person shall be discriminated against on the basis of race, color, religion, sex or national origin in all phases of employment during the performance of federal or federally assisted construction contracts. Further, contractors and subcontractors on federal and federally assisted construction contracts shall take affirmative action to insure fair treatment in employment, upgrading, demotion, or transfer, recruitment or recruitment advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training and apprenticeship.
  - f. Section 504 of the Rehabilitation Act of 1973, as amended, which provides that no otherwise qualified individual shall, solely, by reason of his or her handicap be excluded from participation, denied program benefits or subjected to discrimination on the basis of age under any program or activity receiving federal funding assistance.
11. The work to be performed by Grantee is subject to the requirements of section 3 of the Housing and Urban Development Act of 1968, as amended, 12 U.S.C. 1701u (section 3). The purpose of section 3 is to ensure that employment and other economic opportunities generated by HUD assistance or HUD-assisted projects covered by section 3, shall, to the greatest extent feasible, be directed to low- and very low-income persons, particularly persons who are recipients of HUD assistance for housing.

Grantee agrees to comply with HUD's regulations in 24 CFR part 135, which implement section 3. Grantee also certifies that they are under no contractual or other impediment that would prevent it from complying with the part 135 regulations.

Grantee agrees to send to each labor organization or representative of workers with which the Grantee has a collective bargaining agreement or other understanding, if any, a notice advising the labor organization or workers' representative of the Grantee's commitments under this section 3 clause, and will post copies of the notice in conspicuous places at the work site where both employees and applicants for training and employment positions can see the notice. The notice shall describe the section 3 preference, shall set forth minimum number and job titles subject to hire, availability of apprenticeship and training positions, the qualifications for each; and the name and location of the person(s) taking applications for each of the positions; and the anticipated date the work shall begin.

Grantee agrees to include this section 3 clause in every subrecipient agreement and contract subject to compliance with regulations in 24 CFR part 135, and agrees to take appropriate action, as provided in an applicable provision of such contract or in this section 3 clause, upon a finding that the subrecipient or contractor is in violation of the regulations in 24 CFR part 135. Grantee will not contract with any subrecipient or contractor where the Grantee has notice or knowledge that the subrecipient or contractor has been found in violation of the regulations in 24 CFR part 135.

The Grantee will certify that any vacant employment positions, including training positions, that are filled (1) after the Grantee is selected but before the contract is executed, and (2) with persons other than those to whom the regulations of 24 CFR part 135 require employment opportunities to be directed, were not filled to circumvent the Grantee's obligations under 24 CFR part 135.

Noncompliance with HUD's regulations in 24 CFR part 135 may result in sanctions, termination of this Agreement for default, and debarment or suspension from future HUD assisted contracts.

With respect to work performed in connection with section 3 covered Indian housing assistance, section 7(b) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450e) also applies to the work to be performed under this Agreement. Section 7(b) requires that to the greatest extent feasible (i) preference and opportunities for training and employment shall be given to Indians, and (ii) preference in the award of contracts and subcontracts shall be given to Indian organizations and Indian-owned Economic Enterprises. Parties to this Agreement that are subject to the provisions of section 3 and section 7(b) agree to comply with section 3 to the maximum extent feasible, but not in derogation of compliance with section 7(b).

12. It will minimize displacement of persons as a result of activities assisted with CDBG funds. In addition, it will:

- a. Comply with Title II (Uniform Relocation Assistance) and Sections 301-304 of Title III (Uniform Real Property Acquisition Policy) of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. Chapter 61), and HUD implementing instructions at 24 CFR Part 42 and 24 CFR §570.606; and
- b. Inform affected persons of their rights and of the acquisition policies and procedures set forth in the regulations at 24 CFR Part 42; and
- c. Provide relocation payments and offer relocation assistance as described in Section 205 of the Uniform Relocation Assistance Act to all persons displaced as a result of acquisition of real property for an activity assisted under the CDBG Program. Such payments and assistance shall be provided in a fair, consistent and equitable manner that ensures that the relocation process does not result in different or separate treatment of such persons on account of race, color, religion, national origin, sex or source of income; and
- d. Assure that, within a reasonable period of time prior to displacement, comparable decent, safe and sanitary replacement dwellings will be available to all displaced families and individuals and that the range of choices available to such persons will not vary on account of their race, color, religion, national origin, sex, or source of income; and
- e. Assure that if displacement is precipitated by CDBG funded activities that require the acquisition (either in whole or in part) of real property, all appropriate benefits required by the Uniform Relocation Assistance and Real Property Acquisition

Policies Act of 1970 (42 U.S.C. 4601 et seq., Pub. L. 91-646) and amendments thereto shall be provided to the displaced person(s). Persons displaced by rehabilitation of "Non-Uniform Act" acquisition financed (in whole or in part) with CDBG funds shall be provided relocation assistance in accordance with one of the following: (1) the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as required under 24 CFR Section 570.606 (a) and HUD implementing regulations at 24 CFR Part 42; (2) the requirements in 24 CFR Section 570.606 (b) governing the Residential Antidisplacement and Relocation Assistance Plan under Section 104 (d) of the Housing and Community Development Act of 1974; (3) the relocation requirements of Section 104 (k) of the Act; (4) the relocation requirements of 24 CFR Section 570.606 (d) governing optional relocation assistance under Section 105 (a) (11) of the Act; and (5) the provisions of 24 CFR Part 511.10 (h) (2) (iii) rental Rehabilitation Program.

13. It will establish safeguards to prohibit employees from using positions for a purpose that is or gives the appearance of being motivated by a desire for private gain for themselves or others, particularly those with whom they have family, business, or other ties, in accordance with CDBG regulations.
14. It will comply with the provisions of the Hatch Act that limit the political activity of employees and the HUD regulations governing political activity at 24 CFR §570.207.
15. It will give the State and HUD, and any of their representatives or agents, access to and the right to examine all records, books, papers, or documents related to the grant.
16. It will ensure that the facilities under Applicant/Grantee/Subrecipient's ownership, lease or supervision utilized in the accomplishment of the CDBG Program are not listed on the Environmental Protection Agency's (EPA) list of violating facilities and that it will notify HUD of the receipt of any communication from the EPA Office of Federal Activities indicating that a facility to be used in the CDBG Program is being considered for listing by the EPA as a violating facility.
17. With regard to environmental impact, it will comply with the National Environmental Policy Act of 1969 (42 U.S.C. §4321-4347), and Section 104(f) of the Housing and Community Development Act of 1974 (42 U.S.C. §5304(d)).
18. It will comply with Section 106 of the National Historic Preservation Act of 1966 (16 U.S.C. 470 et seq.), as amended, Executive Order 11593, and the Preservation of Archaeological and Historical Data Act of 1966 (16 U.S.C. §469a-1 et. seq.), as amended, by:
  - a. Consulting with the State Historic Preservation Office to identify properties listed in or eligible for inclusion in the National Register of Historic Places that are subject to adverse effects (see 36 CFR Part 800) by the proposed activity; and
  - b. Complying with all requirements established by the State to avoid or mitigate adverse effects upon such properties.

19. It will comply with the provisions in 24 CFR §570.200(c) regarding special assessments to recover capital costs.
20. It will adopt and enforce a policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individual engaged in non-violent Civil Rights demonstrations and will enforce applicable state and local laws against physically barring entrance to or exit from a facility or location which is the subject of such nonviolent civil rights demonstrations within its jurisdiction.
21. It certifies that no federally appropriated funds will be used for any lobbying purposes regardless of the level of government.
22. It will abide by and enforce the conflict of interest requirement set forth in 24 CFR §570.489(h).
23. It will comply with HUD rules prohibiting the use of CDBG funds for inherently religious activities, as set forth in 24 CFR §570.200(j).
24. Activities involving new building construction, alterations, or rehabilitation will comply with the Louisiana State Building Code.
25. In relation to labor standards, it will comply with:
  - a. Section 110 of the Housing and Community Development Act of 1974, as amended and as set forth in 24 CFR §570.603.
  - b. Davis-Bacon Act, as amended (40 U.S.C. §3141 et seq.).
  - c. Contract Work Hours and Safety Standards Act (40 U.S.C. §327 et seq.).
  - d. Federal Fair Labor Standards Act (29 U.S.C. §201 et seq.)
26. It will comply with the flood insurance purchase requirement of Section 102(a) of the Flood Disaster Protection Act of 1973, 42 U.S.C. §4001 et seq., which requires the purchase of flood insurance in communities where such insurance is available as a condition for the receipt of any federal financial assistance for construction or acquisition purposes for use in any area that has been identified by the Secretary of the Department of HUD as an area having special flood hazards. The phrase “federal financial assistance” includes any form of loan, grant, guaranty, insurance payment, rebate, subsidy, disaster assistance loan or grant, or any other form of direct or indirect federal funding. It will comply with 42 USC § 4012a, which requires that if the federal financial assistance is provided in the form of a loan or an insurance or guaranty of a loan, the amount of flood insurance required need not exceed the outstanding principal balance of the loan and need not be required beyond the term of the loan. If the federal financial assistance is in the form of a grant, the requirement of maintaining flood insurance on any dwelling on any part of the property in an amount equal to the lesser of 1) the value of the property less land costs or 2) the maximum amount of flood insurance available under the National Flood Insurance Program to the extent coverage

can be obtained under the National Flood Insurance Program, shall apply during the life of the property, regardless of transfer of ownership of such property.

27. It will comply with the Farmland Protection Policy Act, 7 U.S.C.A. §4201 et seq., which requires recipients of federal assistance to minimize the extent to which their projects contribute to the unnecessary and irreversible commitment of farmland to nonagricultural uses.
28. It will comply with Sections 1012 and 1013 of Title X of the Housing and Community Development Act of 1992 (Public Law 102-550, as amended). The regulation appears within Title 24 of the Code of Federal Regulations as part 35 (codified in 24 CFR 35). The purpose of this regulation is to protect young children from lead-based paint hazards in housing that is financially assisted by the Federal government or sold by the government. This regulation applies only to structures built prior to 1978.
29. It will comply with the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act of 1976 (42 U.S.C. §6901, et seq.).
30. It will comply with the Clean Air Act (42 U.S.C. §7401, et seq.), which prohibits engaging in, supporting in any way, or providing financial assistance for, licensing or permitting, or approving any activity which does not conform to the State implementation plan for national primary and secondary ambient air quality standards.
31. In relation to water quality, it will comply with:
  - a. The Safe Drinking Water Act of 1974 (42 U.S.C. §§ 201, 300(f) et seq. and U.S.C. §349), as amended, particularly Section 1424(e) (42 U.S.C. §§ 300h-303(e)), which is intended to protect underground sources of water. No commitment for federal financial assistance can be entered into for any project which the U.S. Environmental Protection Agency determines may contaminate an aquifer which is the sole or principal draining water source for an area; and
  - b. The Federal Water Pollution Control Act of 1972, as amended, including the Clear Water Act of 1977, Public Law 92-212 (33 U.S.C. §1251, et seq.) which provides for the restoration and maintenance of the chemical, physical and biological integrity of the nation's water.
32. It will comply with HUD Environmental Standards (24 CFR, Part 51 and 44 F.R. 40860-40866).
33. With regard to wildlife, it will comply with:
  - a. The Endangered Species Act of 1973, as amended (16 U.S.C. §1531 et seq.). Federally authorized and funded projects must not jeopardize the continued existence of endangered and threatened species or result in the destruction of or

modification of habitat of such species which is determined by the U.S. Department of the Interior, after consultation with the state, to be critical; and

- b. The Fish and Wildlife Coordination Act of 1958, as amended, (16 U.S.C. §661 et seq.) which requires that wildlife conservation receives equal consideration and is coordinated with other features of water resource development programs.

Signing these assurances means that Applicant/Grantee/Sub recipient agrees to implement its program in accordance with these provisions. Failure to comply can result in serious audit and/or monitoring findings that require repayment of funds to the State or expending Applicant/Grantee/Sub recipient funds to correct deficiencies.

GRANTEE/SUBRECIPIENT

By: \_\_\_\_\_

Title: \_\_\_\_\_

This \_\_\_\_ day of \_\_\_\_\_, 20\_\_.



# *St. Bernard Parish Council*

8201 West Judge Perez Drive    Chalmette, Louisiana, 70043  
(504) 278-4228    Fax (504) 278-4209  
[www.sbpbg.net](http://www.sbpbg.net)

**#15**

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

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 3, 2013 AT SEVEN O'CLOCK P.M.

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

## **RESOLUTION SBPC #1080-09-13**

A RESOLUTION APPROVING THE PURCHASE OF EQUIPMENT THAT IS NEEDED TO CREATE A GOVERNMENT ACCESS CHANNEL FOR AT&T U-VERSE.

WHEREAS, the Cable Access Committee met and held a public meeting on August 21, 2013 and;

WHEREAS, the Cable Access Committee discussed the need for having a government access channel for AT&T U-Verse customers, and;

WHEREAS, the Cable Access Committee was presented with three (3) quotes to purchase the equipment necessary to create the Government Access Channel for AT&T U-Verse customers, and;

WHEREAS, the Cable Access Committee discussed and reviewed three (3) separate quotes that was presented, and;

WHEREAS, the Cable Access Committee voted upon submitting the quote received from CTG (Comprehensive Technical Group) for the amount of two-thousand six-hundred ninety-four dollars (\$2,694.00) to the full Council with a recommendation for approval.

NOW THEREFORE, BE IT RESOLVED, that the St. Bernard Parish Council, the Governing Authority, does hereby authorize the purchase of "Niagara 2200 Streaming Engine, Part #96-01277 for the amount of two-thousand six-hundred ninety-four dollars (\$2,694.00) from CTG (Comprehensive Technical Group) to establish a government access channel for AT&T U-Verse customers.



# *St. Bernard Parish Council*

8201 West Judge Perez Drive    Chalmette, Louisiana, 70043  
(504) 278-4228    Fax (504) 278-4209  
[www.sbpq.net](http://www.sbpq.net)

**Guy McInnis**  
*Councilman  
at Large*

**George Cavnac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

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Extract #15 continued  
September 3, 2013

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

**YEAS:**                    Lauga, Gorbaty, Lewis, Montelongo, McInnis

**NAYS:**                    None

**ABSENT:**                Hunnicutt

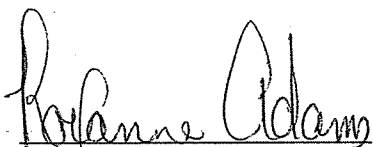
The Chairman, Mr. Cavnac, cast his vote as **YEA**.

And the motion was declared **adopted** on the 3<sup>rd</sup> day of September, 2013.

## 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 3, 2013.

Witness my hand and the seal  
of the Parish of St. Bernard on  
the 3<sup>rd</sup> day of September, 2013.

  
ROXANNE ADAMS  
CLERK OF COUNCIL



**Quote #1**

**CTG**

**Comprehensive Technical Group**

**\$2,694.00**

**Winning Quote**



# QUOTE

Viewcast

SOLD TO:
St. Bernard Parish Public Government Ryan Fink 8201 West Judge Perez Drive Chalmette, LA 70043 rfink@sbsp.net 5046500100

SHIP TO:
St. Bernard Parish Public Government Ryan Fink 8201 West Judge Perez Drive Chalmette, LA 70043 rfink@sbsp.net 5046500100

DATE	NUMBER	REV
08/13/2013	002165	1

TERMS	REP	SHIP METHOD
Net 30	Sandra Hernandez	UPS Ground- Prepaid & Add

## Hardware

	MANUFACTURE	PART#	DESCRIPTION	PRICE	QTY	EXTENDED
1	Viewcast	96-01277	Niagara 2200 Streaming Engine	\$2,694.00	1	\$2,694.00
Hardware Subtotal						\$2,694.00



# QUOTE

Viewcast

## Quote Totals

SECTION	TOTAL
Hardware	\$2,694.00
<b>Total</b>	<b>\$2,694.00</b>

Signature \_\_\_\_\_

Date \_\_\_\_\_

## CTG Terms and Conditions

**Warranties:** This Section sets forth the entire warranty obligation of CTG to the Owner. CTG makes no other warranties, express or implied or arising by custom or trade usage, and specifically, makes no warranty or merchantability or fitness for a particular use.

1. All labor performed by CTG is guaranteed to be free of defects for a period of ninety days beyond the date of completion. All workmanship shall be of a professional manner, as measured against industry standards.

2. In no event shall CTG be liable for loss of profits or other consequential damages as a result of providing service under this agreement.

3. Any additions or modifications performed by client to the system referenced in this agreement, without written approval by CTG, shall render any and all, explicit or implied warranties void.

4. All equipment warranties shall be subject to the terms and conditions set forth by the manufacturer.

5. CTG makes no other warranties and neither CTG nor its employees or agents shall have any other liability, including liability for consequential damages, in connection with this project.

6. Unless otherwise noted, Owner accepts the function of each component in the attached equipment list or any Owner provided equipment, "as is". CTG makes no guarantee of the ability or to the extent of the ability of any component to function with, control or be controlled by any other component. CTG will make every reasonable effort to install and configure the equipment to each manufacturer's specifications and recommendation.

**Cancellation:** Any or all of the equipment in this proposal may be cancelled by Owner provided: (a) Owner notifies CTG of the cancellation in writing (b) the equipment has not been shipped by the manufacturer or vendor (c) Owner shall be responsible for any and all fees or penalties charged by the manufacturer or vendor. If the equipment order is canceled within 30 days of order acceptance CTG shall be entitled to a fee of 15% of the quoted equipment price. Orders cancelled in accordance to the process above after 30 days, shall be at the discretion of CTG and may be subject to higher fees.

**Change Orders:** Owner may at any time request a Change Order to propose a change to the accepted drawings design or equipment. Owner accepts full responsibility for and liability for any delays to the schedule, labor, material or shipping charges.

**Taxes:** Owner will be responsible for all applicable use and property taxes connected with the purchase of the equipment listed in the agreement unless a certificate of sales and use tax exemption is provided to CTG prior to invoicing.

**Dispute Resolution:** This Agreement shall be governed by and construed and enforced in accordance with the laws of the State of Georgia.

1. In the event of a dispute arising out of or in connection with this Agreement or the performance of the Services, the parties shall attempt in good faith to resolve the dispute as follows. Upon the written request of either party to the other, each party shall designate a management representative with authority to resolve the dispute. The designated management representatives shall meet within thirty (30) days after the date of the request. At the initial meeting, the management representatives shall identify the nature and scope of the dispute and the information needed to attempt to resolve it. The designated management representatives shall then cause relevant information to be gathered and shall meet to discuss the issues and negotiate in good faith to resolve the dispute, on or before the thirtieth (30th) day following the first meeting. Nothing in this shall restrict the right of either party to institute arbitration, as provided below, or apply for injunctive relief at any time.

2. In any arbitration instituted under the above section, the non-prevailing party in such proceeding or counterclaim shall pay to the prevailing party the prevailing party's reasonable attorneys' fees incurred as a result of the assertion by the non-prevailing party of any claim or defense that is determined by the arbitrator to have been frivolous or asserted in bad faith, provided, however, that no award of attorney's fees shall exceed the amount in controversy in the proceeding.

3. Any dispute, claim, breach or controversy arising out of or relating to this Agreement, shall be decided by binding arbitration. The arbitrator shall be a

retired Superior Court or United States District Court or Court of Appeals judge, or an attorney. The arbitration shall be governed by the procedures set forth in the provisions of Georgia law. The losing party in such arbitration shall pay the arbitrator's fees. Judgment may be entered on the arbitrator's award in any court having proper jurisdiction.

4. Any notice or other communication hereunder shall be in writing and shall only be effective if sent by certified mail or air express, return receipt requested, or personally delivered to a party, addressed to a party as follows, or to such other address as such party may designate by written notice to the other party in accordance with the provisions of this Section.

**Non-Solicitation of Employees:** Buyer agrees that for a period of one (1) year from the date of the Statement of Work, Buyer will not, either directly or indirectly, for itself or for any other person, firm, corporation, partnership, association or other entity, solicit or induce, or attempt to solicit or induce, any person employed by Seller (with employment occurring within on (1) year before or after the date of the Statement of Work), to terminate his or her relationship with Seller and/or enter into an employment or agency relationship with Buyer or with any person or entity with who Buyer is affiliated.

**Security Interest:** Seller retains a purchase money security interest under the Uniform Commercial Code as enacted in the State of Georgia in goods sold to Buyer until payment in full has been made. In the event of default by Buyer under this Agreement, Seller shall have all the rights and remedies of a secured creditor under Georgia U.C.C. provisions. Buyer agrees to execute financing statements and other documents as Seller may request in order to perfect Seller's security interest.

**General:** If any provision of this Agreement is held by a court of competent jurisdiction to be contrary to law, then the remaining provisions of this Agreement or the application of such provision to persons or circumstances other than those as to which it is invalid or unenforceable shall not be affected thereby, and each such provision of this Agreement shall be valid and enforceable to the extent granted by law. This Agreement and the Exhibits shall be governed by and interpreted in accordance with the laws of the State of Georgia without regard to the conflict of laws provisions thereof.

**Limitations of Liability:** In no event shall either party be liable for any indirect, special, punitive, incidental or consequential damages of any kind or nature whatsoever arising out of or relating to this agreement, a statement of work, the services or any deliverables, including, without limitation, lost profits, lost goodwill, work stoppage or impairment or loss of other goods, software or data, and whether arising out of any breach of warranty, breach of contract, tort (including negligence), strict liability or otherwise, even if advised of the possibility of such damage or if such damage could have been reasonably foreseen, and notwithstanding any failure of essential purpose of any exclusive remedy provided herein.

**Force Majeure:** Neither party shall be liable for any failure to perform its obligations described in this agreement if such failure is the result of any act of Nature, riot, war, strike, flood, earthquake, or other cause beyond the party's reasonable control, (including mechanical, electronic, electrical or communications failure). This does not exclude failure caused by a party's financial condition or negligence.

**Indemnity:** Each party shall defend, indemnify and hold harmless the other from and against all liabilities, claims, damages and demands (including reasonable attorneys' fees) arising out of or in connection with the services, performance of services or any other activities in connection with the contracted services hereunder, including without limitation any claims by third parties arising from provision of services, claims arising from death or bodily injury, and claims arising from errors, omissions and misrepresentations.

**Entire Agreement:** Entire Agreement; This Agreement (including Statement(s) of Work) constitutes the entire agreement between the parties hereto relating to the subject matter hereof and supersedes all prior oral and written and all contemporaneous oral negotiations, commitments and understandings of the parties. The terms and conditions of this Agreement (including Statement(s) of Work) shall further supersede all pre-printed terms and conditions contained in any purchase order or other business form submitted hereafter by either party to the other. This Agreement may not be changed or amended except by a writing executed by the duly authorized representatives of both parties.

This report contains proprietary data and concepts. All information contained in this document is the intellectual property of Comprehensive Technical Group, Inc. and is not to be shared with any other Systems Integrator/Dealer. This document has been provided for the review of the client specifically and those parties directly connected to the client. Use of ideas, concepts and drawings contained within this document for any other purpose requires the written approval of Comprehensive Technical Group Inc.

Item #1



## Viewcast

Submitted by: Sandra Hernandez

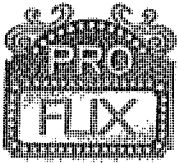
August 13, 2013

Version # 1

**Quote #2**

**ProFlixSales**

**\$2,800.00**



ProFlixSales

400 Northridge Road  
Suite 250  
Atlanta, GA 30350

## Quote

Date	Quote #
8/8/2013	213

Name / Address
St. Bernard Parish Government Christopher Brown 8201 W. Judge Perez Dr. Chalmette, La 70043 USA

			Rep	Project
Item	Description	Qty	Cost	Total
96-01277	Viewcast Niagara 2200	1	2,800.00	2,800.00T
	Sales Tax		0.00%	0.00
Total			\$2,800.00	

## **Quote #3**

**Visible Light**

**\$2,790.00**





3365 Shady Run Road  
 Melbourne, FL 32934  
 Ph: 407.327.5700  
 Fx: 407.327.5006  
 sales@visiblelight.com / www.visiblelight.com

## QUOTE #130808-A

(Quoted 8 Aug 2013)

Quoted For:  
**Chris Brown**  
**St Bernardus Parish Gov't**  
 8201 W Judge Perez Dr  
 Chalmette, LA 70043  
 504-355-4437 (phone)

[cbrown@sbgg.net](mailto:cbrown@sbgg.net)

Quoted By:  
**Steve Perlman**  
**Visible Light Digital, Inc.**  
 3365 Shady Run Road  
 Melbourne, FL 32934  
 +1-407-327-5700 (phone)  
 +1-407-327-5006 (fax)  
[visales@visiblelight.com](mailto:visales@visiblelight.com)

SKU	Description	Qty	Unit Price	Total
96-01277	Viewcast Niagara 2200 Streaming Video Appliance (MSRP \$2995)	1	\$2,790.00	\$2,790.00

SHIPPING: Fedex Ground

Sub Total 1	\$2,790.00
Florida Sales Tax (7%)	n/a
Sub Total 2	
Shipping Charges	included
Wire transfer fee	N/A
Total	\$2,790.00

### Notes:

- All prices quoted in US dollars. Quote is valid for 30 days.
- Price reflects gov't discount

### Terms:

- Net 30 Days with signed purchase order



# *St. Bernard Parish Council*

8201 West Judge Perez Drive    Chalmette, Louisiana, 70043  
(504) 278-4228    Fax (504) 278-4209  
[www.sbpq.net](http://www.sbpq.net)

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

**#11-2**

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 3, 2013 AT SEVEN O'CLOCK P.M.

On motion of Mr. McInnis, seconded by Mr. Gorbaty, it was moved to **adopt** the following resolution:

## **RESOLUTION SBPC #1081-09-13**

BE IT RESOLVED, that the St. Bernard Parish Council, the Governing Authority, does hereby approve the following permits as recommended by the Alcohol Beverage and Bingo Department:

### **Special Event**

2.    Name of Organization:    Old Arabi Neighborhood Association  
     Address:                847 Friscoville Avenue, Arabi, LA 70032  
     Name of Event:        Old Arabi Sugar Festival  
     Location of Event:     LeBeau Plantation, Bienvenue St, Arabi, LA 70032  
     Date and Time:         September 29, 2013 (11:00 a.m. - 7:00 p.m.)

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

**YEAS:**                    Gorbaty, Lewis, Montelongo, McInnis

**NAYS:**                    None

**ABSENT:**                Hunnicutt

**ABSTAIN:**              Lauga

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

And the motion was declared **adopted** on the 3<sup>rd</sup> day of September, 2013.



# *St. Bernard Parish Council*

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**Guy McInnis**  
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at Large*

**George Cavignac**  
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*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

Page -2-  
Extract #11-2 (continued)  
September 3, 2013

## 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 3, 2013.

Witness my hand and the seal  
of the Parish of St. Bernard on  
the 3<sup>rd</sup> day of September, 2013.

ROXANNE ADAMS  
CLERK OF COUNCIL



# St. Bernard Parish Council

8201 West Judge Perez Drive Chalmette, Louisiana, 70043  
(504) 278-4228 Fax (504) 278-4209  
www.sbpq.net

**Guy McInnis**  
Councilman  
at Large

**George Cavignac**  
Councilman  
at Large

**Ray Lauga, Jr.**  
Councilman  
District A

**Nathan Gorbaty**  
Councilman  
District B

**Richard "Richie" Lewis**  
Councilman  
District C

**Casey W. Hunnicutt**  
Councilman  
District D

**Manuel "Monty"  
Montelongo III**  
Councilman  
District E

**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 17, 2013 AT THREE O'CLOCK P.M.

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

## RESOLUTION SBPC #1082-09-13

BE IT RESOLVED, that the St. Bernard Parish Council, the Governing Authority, does hereby approve the following permits as recommended by the Alcohol Beverage and Bingo Department:

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

<u>Establishment</u>	<u>Beer</u>	<u>Liquor</u>
Renewals:		
a. Ben's Pizza #2, LLC d/b/a Ben's Pizza #2 2805 East Judge Perez Drive Meraux, LA 70075 Member(s): Addlee and Stacey Martin	X(only)	
Change in ownership:		
b. HMMM Services, LLC d/b/a Mooley's In & Out Mooley's In & Out 601 East Judge Perez Drive Chalmette, LA 70043 Member(s): Michael Moolekamp and Heather Scianneaux	X	X
New Business:		
c. Nap's Place, LLC d/b/a Speck's Bar 2603 Hopedale Highway St. Bernard, LA 70085 Member(s): Craig and Aline Napoli	X	X

### Special Event(s)

1. Name of Organization: Knights of Nemesis Social Club and Parade  
Address: P.O. Box 291, Arabi, LA 70032  
Name of Event: Knights of Nemesis Mardi Gras Parade  
Location of Event: Parade will start at Dr. Meraux Drive, West on Judge Perez Drive, u-turn at traffic light at



# *St. Bernard Parish Council*

8201 West Judge Perez Drive    Chalmette, Louisiana, 70043  
(504) 278-4228    Fax (504) 278-4209  
www.sbpq.net

Page -2-  
Extract #10 continued  
September 17, 2013

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

Walmart, East on Judge Perez Drive, u-turn at  
Campagna Drive, West on Judge Perez Drive, end  
at Jean Laffite Drive.

Date and Time: February 22, 2014 Starting Time: 1:00 p.m.

2. Name of Organization: Gethsemane Lutheran Church  
Address: 2825 Paris Road, Chalmette, LA 70043  
Name of Event: Oktober Fest  
Location of Event: 2825 Paris Road, Chalmette, LA 70043  
Date and Time: October 26, 2013 (11:00 a.m. - 5:00 p.m.)

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

**YEAS:** Lauga, Hunnicutt, Montelongo, McInnis

**NAYS:** None

**ABSENT:** Gorbaty, Lewis

The Chairman, Mr. Cavignac, cast his vote as **ABSTAINED**.

And the motion was declared **adopted** on the 17<sup>th</sup> day of September, 2013.

## 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 17, 2013.

Witness my hand and the seal  
of the Parish of St. Bernard on  
this 17<sup>th</sup> day of September, 2013.

ROXANNE ADAMS  
CLERK OF COUNCIL



# *St. Bernard Parish Council*

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**Guy McInnis**  
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at Large*

**George Cavignac**  
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*Councilman  
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**Richard "Richie" Lewis**  
*Councilman  
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**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**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 17, 2013 AT THREE O'CLOCK P.M.

On motion of Mr. Hunnicutt, seconded by Mr. McInnis, it was moved to **adopt** the following resolution:

## **RESOLUTION SBPC #1083-09-13**

A RESOLUTION AUTHORIZING THE TRAVEL EXPENSES TO ATTEND THE 2013 SUPER REGION CANVAS CONFERENCE.

WHEREAS, Councilman Hunnicutt, Councilman McInnis and Councilman Lewis would like to attend the 2013 Super Region Canvas Conference, and;

WHEREAS, by attending this conference they will gain information and knowledge regarding infrastructure and economic opportunities, development of digital media hub, regional transportation issues, crime reduction, and airports, ports and international trade that would benefit St. Bernard Parish, and;

WHEREAS, this conference is scheduled to be held in Tampa, Florida beginning November 3, 2013 and ending November 5, 2013, and;

WHEREAS, the total cost of the conference is two thousand two hundred dollars (\$2,200.00) per person which includes organized flights, transportation and lodging, and;

WHEREAS, this resolution upon passage will authorize the expenditure of six thousand six hundred dollars (\$6,600.00) from line item 545472, Travel, Training & Etc., and;

NOW THEREFORE, BE IT RESOLVED, that the St. Bernard Parish Council, the Governing Authority, does hereby approve the expenditure of six thousand six hundred dollars (\$6,600.00) which will allow Councilman Hunnicutt, Council McInnis and Councilman Lewis to represent St. Bernard Parish at the 2013 Super Region Canvas Conference.



# *St. Bernard Parish Council*

8201 West Judge Perez Drive    Chalmette, Louisiana, 70043  
(504) 278-4228    Fax (504) 278-4209  
[www.sbpq.net](http://www.sbpq.net)

**Guy McInnis**  
*Councilman  
at Large*

Page -2-  
Extract #11 continued  
September 17, 2013

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

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

**YEAS:**            Lauga, Hunnicutt, Montelongo, McInnis

**NAYS:**            None

**ABSENT:**        Gorbaty, Lewis

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

And the motion was declared **adopted** on the 17<sup>th</sup> day of September, 2013.

## 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 17, 2013.

Witness my hand and the seal  
of the Parish of St. Bernard on  
this 17<sup>th</sup> day of September, 2013.

ROXANNE ADAMS  
CLERK OF COUNCIL



# *St. Bernard Parish Council*

8201 West Judge Perez Drive    Chalmette, Louisiana, 70043  
(504) 278-4228    Fax (504) 278-4209  
[www.sbpj.net](http://www.sbpj.net)

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*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**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 17, 2013 AT THREE O'CLOCK P.M.

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

## **RESOLUTION SBPC #1084-09-13**

A RESOLUTION BY THE ST. BERNARD PARISH COUNCIL TO APPROVE THE REQUEST FOR PROPOSALS FOR THE BUILDER BUNDLE PROGRAM THAT WAS APPROVED AT THE SEPTEMBER 3, 2013 MEETING.

WHEREAS, St. Bernard Parish Government wishes to facilitate redevelopment of the Parish and dispose of the Louisiana Land Trust properties by putting them back into commerce for the construction of new homes, and;

NOW THEREFORE, BE IT RESOLVED, that the St. Bernard Parish Council does hereby approve the Request for Proposals to be used in the previously authorized Builder Bundle Program as proposed by the Louisiana Land Trust on September 12, 2013, said Request for Proposals attached as Exhibit A.

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

**YEAS:**            Lauga, Hunnicutt, Montelongo, McInnis

**NAYS:**            None

**ABSENT:**        Gorbaty, Lewis

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

And the motion was declared **adopted** on the 17<sup>th</sup> day of September, 2013.





# *St. Bernard Parish Council*

8201 West Judge Perez Drive    Chalmette, Louisiana, 70043  
(504) 278-4228    Fax (504) 278-4209  
[www.sbpj.net](http://www.sbpj.net)

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
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**Ray Lauga, Jr.**  
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*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

Page -2-  
Extract #12 continued  
September 17, 2013

## 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 17, 2013.

Witness my hand and the seal  
of the Parish of St. Bernard on  
this 17<sup>th</sup> day of September, 2013.

ROXANNE ADAMS  
CLERK OF COUNCIL

**Louisiana Land Trust - St. Bernard Parish  
Builder Bundle Development Packages  
Solicitation for Development Proposals**

September 18, 2013

**Proposal due date:  
October 21, 2013**

***Working draft (v7.2), VJF, 9/16/13, 12:00 noon***  
***(Incorporates comments from 9/13/13 meeting with St. Bernard, OCD, and LLT)***

# **Louisiana Land Trust - St. Bernard Parish Builder Bundle Development Packages Solicitation for Development Proposals**

**September 18, 2013**

## **Introduction**

To assist St. Bernard Parish Government (SBPG) with recovery and redevelopment efforts, Louisiana Land Trust (LLT) is soliciting proposals from interested parties to construct single family residential housing on properties designated by SBPG as priorities for new development. The objective is to stimulate the redevelopment and further resettlement of the parish through targeted development of bundled LLT lots. LLT is seeking qualified developers/builders to construct quality new homes to strengthen the housing market in St. Bernard Parish.

LLT (which is officially called Road Home Corporation) is a nonprofit organization chartered under the authority of La. R.S. 40:600.61, et seq. It is headquartered in Baton Rouge with an additional office in New Orleans. It is qualified as a Section 501(c)(3) nonprofit organization under the Internal Revenue Code. LLT has been charged with the acquisition, disposition, purchase, demolition, renovation, improvement, leasing, or expansion of housing stock, including but not limited to housing stock as described by Louisiana's Road Home Program and funded by the U.S. Department of Housing and Urban Development's Community Development Block Grant (CDBG) Program.

This solicitation includes the following attachments:

- Attachment 1: Property List and Prices
- Attachment 2: Purchase and Sale Agreement
- Attachment 3: Minimum Housing Quality Standards
- Attachment 4: Project Budget Form
- Attachment 5: Recent Zoning Ordinance Amendments

## **Calendar of Events for this Solicitation**

The solicitation process will be conducted according to the following calendar of events:

<b><u>Event</u></b>	<b><u>Date</u></b>
Solicitation for Development Proposals released	Wednesday, September 18, 2013
Pre-proposal conference St. Bernard Parish Council Chambers 8201 W. Judge Perez Dr. Chalmette, LA 70043	Tuesday, October 8, 2013 10:00 AM

<b><u>Event</u></b>	<b><u>Date</u></b>
Deadline for submitting questions about solicitation (Submit to <a href="mailto:info@lalandtrust.us">info@lalandtrust.us</a> , with copies to Daniela Rivero at LLT ( <a href="mailto:drivero@lalandtrust.us">drivero@lalandtrust.us</a> ) and Kevin Reichert at SBPG ( <a href="mailto:kreichert@sbpg.net">kreichert@sbpg.net</a> ))	Friday, October 11, 2013 5:00 PM
Responses to proposer questions (Will be published as an addendum on LLT's web site.)	Tuesday, October 15, 2013
Deadline for hard copy submission to: Louisiana Land Trust 1450 Poydras St., Suite 1441 New Orleans, LA 70112 504-799-4330 (Note: <i>This is a new address for LLT, which relocated from 1515 Poydras.</i> )	Monday, October 21, 2013 5:00 pm
Complete initial evaluation process	Monday, October 28, 2013
Oral presentations by short-listed proposers (if convened) St. Bernard Parish Council Chambers 8201 W. Judge Perez Dr. Chalmette, LA 70043	Friday, November 1, 2013 10:00 AM
Complete final evaluation process	Monday, November 4, 2013
Release notice of proposer selection	Tuesday, November 5, 2013
Execute Purchase and Sale Agreement	Wednesday, November 6, 2013
Closing	Friday, December 6, 2013

## Project Background and Scope

As a result of Hurricane Katrina's devastation in St. Bernard Parish, over 4,000 residential properties were sold by home owners to the Louisiana Land Trust (LLT) as part of Louisiana's Road Home Program. Since then, the levee protection system has been rebuilt, and extensive recovery work in the form of blight removal, infrastructure improvements, and neighborhood development has been completed.

After several years of implementing property disposition programs in St Bernard Parish, LLT continues to hold a significant number of properties in its St. Bernard inventory. These properties are in the process of being transferred to SBPG for further disposition. However, SBPG has identified 128 vacant lots in six (6) geographic areas/neighborhoods that have a high concentration of LLT lots in close proximity to each other. Additionally, the areas/neighborhoods have a significant opportunity for growth because of the availability of other privately-held vacant lots near and adjacent to the LLT lots.

LLT will continue to hold this set of 128 residential lots, grouped in “Builder Bundles,” and is issuing this solicitation to engage developers and/or builders interested in building homes for sale on these lots.

A “Builder Bundle” is a group of vacant lots in close proximity to each other, within a specific neighborhood or geographic area. Bundles have a minimum of 12 and a maximum of 16 properties. A total of ten (10) Builder Bundles are available for purchase at Fair Market Value (FMV) to qualified developers/builders via this solicitation. These properties are not available for purchase on an individual basis, and properties may not be substituted from bundle to bundle.

The Builder Bundles with individual property addresses are listed in Attachment 1, which also shows size and the FMV determined by a Broker’s Price Opinion (BPO). Proposers will be required to pay the FMV prices shown in Attachment 1.

Developers/builders may submit proposals for more than one bundle of properties. However, it is the intention of LLT to only award a total of up to 4 bundles of properties under this solicitation. LLT reserves the right to negotiate the final number of lots any selected proposer receives in a particular bundle.

## **Minimum Implementation Timeline**

LLT will require builders to adhere to the following minimum performance standards to implement this project:

- Developer must complete construction of at least two (2) houses within six (6) months of closing on a bundle.
- Upon either transfer of ownership or occupancy (whichever occurs first) of either of the initial two lots, the developer shall start construction of a new home within one (1) month thereafter, and shall complete each new house within six (6) months of transfer or occupancy. Subsequent new house construction shall start within one (1) month (and be completed within six (6) months) of each subsequent occupancy or transfer until all lots have homes constructed per the Developer’s proposal.

## **Purchase of Lots from LLT; Development Requirements**

A Purchase and Sale Agreement (PSA) will be signed between the developers awarded properties and LLT substantially in the form of Attachment 2. Each purchase will include a restrictive covenant which will prohibit selling the lots without construction for a period of five years of making a good faith effort to build homes on every lot in a Builder Bundle. Further, the terms of purchase include a reverter provision under which title to the property reverts to SBPG if the proposer fails to comply with the terms of this solicitation. LLT will subordinate the reverter provision to the mortgage of a bona fide lender, and will release the reverter as to each lot upon satisfaction of the requirements of this solicitation for each lot.

Successful proposers must comply with applicable CDBG requirements. These include compliance with the Fair Housing Act and the American with Disabilities Act. Further, homes built on

the properties in any FEMA-designated Special Flood Hazard Area must be covered by flood insurance under the National Flood Insurance Program.

Any re-subdividing of lots is subject to approval by the St. Bernard Planning and Zoning Commission.

Proposers should note recent changes in St. Bernard's zoning ordinance. On September 3, the Parish Council approved three ordinances to change the minimum floor area of a single-family residential dwelling to 1,600 square feet of living area (except in A-1, SBV and SA zones). At the time this solicitation was released, these recent changes had not been incorporated in the St. Bernard Code of Ordinances published by Municode (<http://library.municode.com/index.aspx?clientId=11497>). These recent ordinances are provided in Attachment 5 for the convenience of proposers.

Proposers are solely responsible for determining compliance with all local, state, and federal requirements. Neither Attachment 5 nor any materials in this solicitation are intended to describe such requirements comprehensively.

## Who May Respond

This solicitation is open to any properly licensed individual or company with development/construction experience in projects of similar size and scope. Within their proposals, respondents must demonstrate that they have the appropriate licensing, experience, infrastructure and financial capacity to fulfill the purpose of this program adequately.

LLT seeks proposers that have the follow characteristics

- a) Demonstrated experience in single-family residential construction
- b) Adequate equipment and personnel to perform the work properly and expeditiously
- c) A record of compliance with environmental regulations. (If a proposer's record reveals potential or actual violations, LLT will evaluate whether the proposer has satisfactorily resolved any environmental compliance notices, citations, adjudications, or similar actions
- d) A good record of performance on prior LLT projects or on contracts with other entities involved in recovery and redevelopment work.

LLT reserves the right to request additional information from proposers or from third parties as needed to determine whether a proposer possesses these characteristics. LLT reserves the right to reject any proposer (or any proposer subcontractor) that lacks one or more of these characteristics.

## Response Submission

Sealed Proposals will be accepted by the LLT in accordance with the schedule in the Calendar of Events (above). Five (5) hard copies must be submitted.

At a minimum, proposals must include the information described in the section entitled "Proposal Format." Proposers may include additional information or supportive materials as they see

fit. However, in the interest of facilitating the evaluation process, proposers are encouraged to be concise and to focus their proposal materials on the stated goals of the program and on the evaluation criteria described elsewhere in this solicitation.

It is solely the responsibility of each proposer to assure that its proposal is delivered at the specified place and prior to the deadline for submission.

## Evaluation and Respondent Selection

LLT will appoint an evaluation panel that will include a cross-section of individuals from LLT, the Louisiana Office of Community Development, and SBPG. The panel will evaluate each proposal individually according to the evaluation criteria below.

LLT may select one or more respondents, or may decide not to select any respondents.

The evaluation panel will review and score proposals according to the following evaluation factors and scoring system:

Criteria	Maximum Score
Proposer experience in developing single family housing	20
Proposed approach	45
Proposer financial strength	20
Support for affordable housing	10
Proposals submitted by or proposer use of subcontractors who are small or disadvantaged businesses	5
<b>Total Points for Proposal</b>	<b>100</b>

The evaluation panel will score the criteria above according to the following guidelines:

- Proposer experience in developing single-family housing:** This criterion will consider how long the proposer has been in business, the qualifications and experience of the proposer's key personnel, and the quality of the proposer's prior construction in terms of construction soundness and durability, features, visual quality, landscaping, and value. Proposers should provide examples of prior work (such as photographs and floor plans), specific addresses of prior work, and names and addresses of prior customers. The evaluation panel may visit sites for a visual inspection and may interview prior customers. The evaluation panel may independently investigate proposers' background, such as by inquiring of building inspectors, contractor licensing authorities, and regulatory agencies. Proposers should provide information demonstrating proper contractor licensing. As a minimum, proposers must have a Residential

Building Contractor's license issued by the Louisiana State Licensing Board for Contractors.

2. **Proposed approach:** This criterion will consider the specifics of a proposer's plan to implement the overall project, such as the type and quality of construction proposed (proposers are encouraged to submit renderings, floor plans and specs with the proposal), the suitability of the proposed construction for the market, features to be included in the new houses, visual quality, landscaping, energy efficiency provisions, value to the ultimate occupant and marketing strategy to sell the homes once built. Proposers should describe house size and price range they intend to construct. Scoring in this category will consider the extent to which the proposed construction will surpass minimum code standards (for example, construction that has a net zero fill, exceeds base flood elevations or extra strengthening for wind resistance). Additional points will be awarded for exceeding the Minimum Implementation Timeline described earlier in this solicitation. Proposals with components which improve and/or enhance neighborhood signage, landscaping, etc. will be awarded additional points, based on the elements they provide. Proposers should explain how their proposals will promote the parish's goals of repopulating the parish and helping to establish a sustainable tax base.
3. **Proposer financial strength:** This criterion will consider the proposer's financial ability to construct new homes in a timely fashion and to bear the carrying cost of newly constructed homes until they are occupied. Financial ability may be demonstrated by either the proposer's direct financial capacity, by financial commitments by lenders (such as a letter of credit) or by teaming with investment sources.
4. **Support for affordable housing:** Points will be awarded under this criterion for proposals that will provide affordable housing opportunities. For the purpose of this solicitation, LLT will evaluate affordability in light of the U.S. Department of Housing and Urban Development (HUD) HOME Investment Partnerships Program guidelines, rules, and regulations found at 24 CFR Part 92. More particularly, 24 CFR 92.252 and 92.254 describe the criteria and methods to determine affordability.
5. **Proposals submitted by or proposer use of subcontractors who are small or disadvantaged businesses:** LLT encourages the participation of small and disadvantaged businesses in all of its programs. Points will be awarded under this criterion based on the proposer's status (or the status of affiliated participants or subcontractors) as any of the following:
  - a) Louisiana Department of Economic Development's Certified Small Entrepreneurships (SE's)
  - b) Certified Small and Emerging Businesses (also known as the Hudson Initiative)
  - c) Louisiana Veteran Initiative (LaVet) Certified Vendors
  - d) Other disadvantaged business recognition programs operated by a public entity in Louisiana.



It is up to each proposer to demonstrate, through the formal submission, that the proposal merits points for each of the evaluation criteria. The evaluation panel is not obliged to collect information independently about a proposer to determine whether a proposal merits points under the evaluation criteria. However, the evaluation panel is free to make independent inquiries to assess the information presented in proposals.

## Inquiries

Inquiries should be directed to [info@lalandtrust.us](mailto:info@lalandtrust.us), with copies to Daniela Rivero at LLT ([drivero@lalandtrust.us](mailto:drivero@lalandtrust.us)) and Kevin Reichert at SBPG ([kreichert@sbpg.net](mailto:kreichert@sbpg.net)).

## Proposal Format

### 1. Cover Letter

State your understanding of the goals for the project, your approach to meeting those goals, and a summary of your proposed program.

### 2. Proposal

Prepare a narrative description of the key elements of your proposal. The proposal should include, at a minimum, the following elements:

- a) Conceptual redevelopment plan: this may include defining which lots to build on first, re-subdividing lots to be larger or smaller, landscape components for each property and/or dedicating any lots to neighborhood recreation. Proposals must conform to all local ordinances.
- b) Human resources dedicated to this project within the proposer's organization, their qualifications and involvement.
- c) Examples of the types of residences you are proposing to build. Examples should address square footage, number of bedrooms, baths, and pricing levels. Plans, elevations, renderings and technical specifications, including materials and finishes are preferred. See Attachment 3 of this document for **Minimum Housing Quality Standards**.
- d) Potential sources of and programs for individual buyer financing for the home sales. Describe any proposed use of soft second mortgage funding or other unconventional/innovative sources.
- e) Marketing plan and resources.
- f) Demonstrate a successful track record in new home construction and sales within the past five years. Disclose any past or ongoing history of home-building related litigation. Photos of past work and references from past customers may be included.
- g) Proposed project timeline if different from that described in the Project Background and Scope section of this document.

### 3. Project Budget Sources and Uses

Submit a completed Project Budget form in Attachment 4 of this document.

#### **4. Evidence of Financial Capacity**

Include evidence of financial capacity for the proposed development. This must include financial statements (balance sheet and income/expenditure statements) for the company or comparable financial statement for the proposer's principals. Proposers should also include performance and payment bond capabilities and a commitment letter or line of credit from a lender or other finance sources.

#### **5. Project Organization, Staffing and Related Experience**

- a) Summarize the qualifications of key personnel assigned to the redevelopment proposal indicating their ability to successfully complete the project.
- b) Include recent experience that is directly applicable to the redevelopment proposal.
- c) Provide an organizational chart, and resumes, of the key personnel assigned to the redevelopment proposal.
- d) Information, including name and address, of any partners that will have 20% or more interest in the redevelopment proposal.
- e) Provide a descriptive list of any vendors such as contractors and architects or designers that developer plans to contract for the project.

#### **6. Proposer Resources and Documentation**

- a) Provide Proof of liability insurance
- b) Provide General Contractor's License
- c) Provide any other construction related licenses for staff and sub-contractors related to the project
- d) Provide any Disadvantaged/Small Business Enterprise certifications

### **Post-Closing Lot Maintenance and Ownership Reversion Requirements**

The selected respondent will be required to maintain all lots as outlined in the St. Bernard Code of Ordinances.

If the selected respondent fails to maintain the vacant lots, or fails to comply with the requirements of this solicitation, the selected respondent shall make a Supplemental Payment of 25% of the purchase price to SBPG. In lieu of the Supplemental Payment, SBPG may elect to exercise its rights to claw back any property, in which event all sums paid by the selected developer, and any improvements made to the property shall become the property of SBPG.



# *St. Bernard Parish Council*

8201 West Judge Perez Drive    Chalmette, Louisiana, 70043  
(504) 278-4228    Fax (504) 278-4209  
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**#13**

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

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 17, 2013 AT THREE O'CLOCK P.M.

On motion of Mr. McInnis, seconded by Mr. Hunnicutt, it was moved to **adopt** the following resolution:

## **RESOLUTION SBPC# 1085-09-13**

A RESOLUTION REQUESTING ADMINISTRATION TO REFUND, BY CREDIT, THE THIRTY-TWO DOLLAR (\$32.00) FEE THAT WAS BILLED OR COLLECTED IN 2012 DUE TO THE CURRENT AUDIT FINDINGS AND IN FURTHERANCE OF RESOLUTION SBPC #985-01-12.

WHEREAS, Ordinance SBPC #1328-08-12 was adopted on August 21, 2012 in order to balance the 2012 Budget according to RS 39:1301-1315, imposing a operating fee of thirty-two dollars (\$32.00) per month in order to fund the Fire Department for the remainder of 2012, and;

WHEREAS, said fee appeared and was charged on residents' water and sewer bills beginning September 1, 2012 and ending October 31, 2012, and;

WHEREAS, said billing for the fee was requested to be ceased for the months of November and December 2012 by Resolution SBPC #985-11-12; and;

WHEREAS, due to the current audit findings and the monthly review set forth in Ordinance SBPC #1328-08-12 the Council is requesting Administration to refund, by credit, the thirty-two dollars (\$32.00) fee that was billed or collected, and;

WHEREAS, said refund, by credit, of thirty-two dollars (\$32.00) per month for two (2) months, will appear on residents' water and sewer bills beginning October 1, 2013, and;

NOW THEREFORE BE IT RESOLVED, by the Parish Council, the governing authority, in regular session convened, that the operating fee which was imposed on the residents of St. Bernard Parish which began on September 1, 2012 and ended on October 31, 2012, as detailed above, be credited back to the water and sewer bills which were originally charged, beginning September 1, 2013.



# *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

Page -2-  
Extract #13 continued  
September 17, 2013

**George Cavignac**  
*Councilman  
at Large*

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

**Ray Lauga, Jr.**  
*Councilman  
District A*

**YEAS:** Lauga, Hunnicutt, Montelongo, McInnis

**Nathan Gorbaty**  
*Councilman  
District B*

**NAYS:** None

**ABSENT:** Gorbaty, Lewis

**Richard "Richie" Lewis**  
*Councilman  
District C*

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

And the motion was declared **adopted** on the 17<sup>th</sup> day of September, 2013.

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

## 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 17, 2013.

Witness my hand and the seal  
of the Parish of St. Bernard on  
this 17<sup>th</sup> day of September, 2013.

ROXANNE ADAMS  
CLERK OF COUNCIL



# *St. Bernard Parish Council*

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**#14**

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

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 17, 2013 AT THREE O'CLOCK P.M.

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

## **RESOLUTION SBPC #1086-09-13**

A RESOLUTION APPOINTING SEVEN (7) MEMBERS TO THE ST. BERNARD PARISH HOUSING REDEVELOPMENT AND QUALITY OF LIFE COMMISSION.

WHEREAS, Ordinance SBPC #633-12-05 was adopted on December 6, 2005 that activated and appointed members to the Housing Redevelopment Quality of Life Commission, and;

WHEREAS, said ordinance states that nine (9) commissioners sit on said board and seven (7) of which commissioners are to be appointed by the St. Bernard Parish Council, and;

WHEREAS, the St. Bernard Parish Council does hereby appoint the following seven (7) members of the board,

Ray Lauga appointed by Self

Nathan Gorbaty appointed by Self

Richard "Richie" Lewis appointed by Self

Casey Hunnicutt appointed by Self

Manuel "Monty" Montelongo appointed by Self

Guy McInnis, Vice Chair appointed by Self

George Cavignac, Chairman appointed by Self

NOW THEREFORE, BE IT RESOLVED, that the St. Bernard Parish Council, the governing authority, does hereby appoint the above named persons to the Housing Redevelopment Quality of Life Commission.

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

**YEAS:**                    Lauga, Hunnicutt, Montelongo, McInnis



# *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

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Extract #14 continued  
September 17, 2013

**George Cavignac**  
*Councilman  
at Large*

**NAYS:**                None

**Ray Lauga, Jr.**  
*Councilman  
District A*

**ABSENT:**            Gorbaty, Lewis

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

**Nathan Gorbaty**  
*Councilman  
District B*

And the motion was declared **adopted** on the 17<sup>th</sup> day of September, 2013.

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*


**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

## 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 17, 2013.

Witness my hand and the seal  
of the Parish of St. Bernard on  
the 17<sup>th</sup> day of September, 2013.

  
ROXANNE ADAMS  
CLERK OF COUNCIL



# *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**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, OCTOBER 1, 2013 AT SEVEN O'CLOCK P.M.

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

## **RESOLUTION SBPC #1087-10-13**

BE IT RESOLVED, that the St. Bernard Parish Council, the Governing Authority, does hereby approve the following permits as recommended by the Alcohol Beverage and Bingo Department:

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

<u>Establishment</u>	<u>Beer</u>	<u>Liquor</u>
Renewals:		
1. Bayou Brothers Seafood, LLC d/b/a Bayou Brothers Seafood 1112 West Judge Perez Drive Chalmette, LA 70043 Member: Darrin Robin	X	X
2. Big Z H, LLC d/b/a Brother's of Chalmette 7400 West Judge Perez Drive Arabi, LA 70032 Member: Ziad Hamed	X	X
3. Café Riche, LLC d/b/a Café Riche 8117 East St. Bernard Highway Poydras, LA 70085 Member: Bryan Riche	X(only)	
4. CHC, LLC d/b/a Snoopy's 6701 North Peters Street Arabi, LA 70032 Member: Barbara Green	X	X
5. Churchill Downs Louisiana Horse Racing Co., LLC d/b/a Fair Grounds OTB and Casino 8700 West Judge Perez Drive, Suite B Chalmette, LA 70043 Member(s): Carey Loshbaugh, Eric Halstrom, William Carstanjen, Alan Kung Leung Tse, Michael Anderson, and Timothy Bryant	X	X



# *St. Bernard Parish Council*

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Extract #18 continued  
October 1, 2013

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

## **Special Event(s)**

1. Name of Organization: SoFAB Institute  
Address: 1609 O.C. Haley Blvd, New Orleans, LA 70113  
Name of Event: Calling it Home Festival  
Location of Event: Docville Farm, 5124 East St. Bernard Highway,  
Violet, LA 70092  
Date(s) and Time(s): November 2, 2013 (11:00 a.m. - 5:00 p.m.),  
November 3, 2013 (11:00 a.m. - 5:00 p.m.)
2. Name of Organization: Justice of the Peace and Constable's Association  
Address: 1828 Russell Place, St. Bernard, LA 70085  
Name of Event: Annual Car Show  
Location of Event: Islenos Museum, 1357 Bayou Road, St. Bernard,  
LA 70085  
Date and Time: October 19, 2013 (8:00 a.m. - 5:00 p.m.)
3. Name of Organization: The Arlene and Joseph Meraux Charitable Foundation  
Address: 417 Friscoville Avenue, Arabi, LA 70032  
Name of Event: Blues in Da Parish Festival  
Location of Event: Docville Farm, 5124 East St. Bernard Highway,  
Violet, LA 70092  
Date and Time: October 5, 2013 (11:00 a.m. - 6:00 p.m.)

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

**YEAS:** Lauga, Montelongo, McInnis

**NAYS:** None

**ABSENT:** Lewis

**DID NOT VOTE:** Gorbaty, Hunnicutt

The Chairman, Mr. Cavignac, cast his vote as, **ABSTAINED**.

And the motion was declared **adopted** on the 1<sup>st</sup> day of October, 2013.





# *St. Bernard Parish Council*

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Extract #18 continued  
October 1, 2013

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

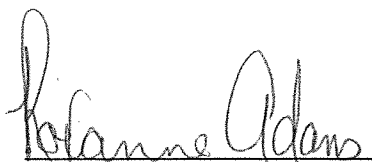
**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

## 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, October 1, 2013.

Witness my hand and the seal  
of the Parish of St. Bernard on  
this 1<sup>st</sup> day of October, 2013.

  
ROXANNE ADAMS  
CLERK OF COUNCIL



# *St. Bernard Parish Council*

8201 West Judge Perez Drive    Chalmette, Louisiana, 70043  
(504) 278-4228    Fax (504) 278-4209  
[www.sbpj.net](http://www.sbpj.net)

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**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, OCTOBER 1, 2013 AT SEVEN O'CLOCK P.M.

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

## **RESOLUTION SBPC #1088-10-13**

A RESOLUTION AUTHORIZING THE ST. BERNARD PARISH PRESIDENT TO ENTER INTO THE REQUIRED AMENDMENT #1 TO AGREEMENT WITH THE STATE OF LOUISIANA (DIVISION OF ADMINISTRATION) (OFFICE OF COMMUNITY DEVELOPMENT - DISASTER RECOVERY UNIT) TO INCREASE THE GUSTAV - IKE ALLOCATION BY \$500,000.00 FROM THE SUSTAINABLE COASTAL COMMUNITIES PROGRAM

WHEREAS, Amendment #1 to the Agreement with the State of Louisiana (Division of Administration) (Office of Community Development - Disaster Recovery Unit) Gustav - Ike Program increases the Grant Award amount by \$500,000.00 from the Sustainable Coastal Communities Program for the purpose of funding the implementation of the selected fisheries infrastructure recovery projects.

THEREFORE, BE IT RESOLVED, by the St. Bernard Parish Council, the governing authority, that the Parish President is authorized to enter into Amendment #1 to the Agreement between the State of Louisiana (Division of Administration) (Office of Community Development) and the St. Bernard Parish Government to increase the allocation by \$500,000.00 for the purpose of funding the implementation of the selected fisheries infrastructure recovery projects and for proper completion and closeout of the projects.

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

**YEAS:**                    Lauga, Montelongo, McInnis

**NAYS:**                    None

**ABSENT:**                Lewis



# *St. Bernard Parish Council*

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Extract #19 continued  
October 1, 2013

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

**DID NOT VOTE:**            Gorbaty, Hunnicutt

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

And the motion was declared **adopted** on the 1<sup>st</sup> day of October, 2013.

## 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, October 1, 2013.

Witness my hand and the seal  
of the Parish of St. Bernard on  
this 1<sup>st</sup> day of October, 2013.

ROXANNE ADAMS  
CLERK OF COUNCIL

OCR # 107-901451  
CFMS # 692007  
AMENDMENT # 1  
CFDA # 14.228  
Grant # B-08-DI-22-0001  
Year 2009

COOPERATIVE ENDEAVOR AGREEMENT  
IMPLEMENTING GRANT UNDER  
COMMUNITY DEVELOPMENT BLOCK GRANT  
DISASTER RECOVERY PROGRAM

BY AND BETWEEN  
STATE OF LOUISIANA, DIVISION OF ADMINISTRATION  
OFFICE OF COMMUNITY DEVELOPMENT

AND

ST. BERNARD PARISH

This First Amendment to the Agreement (the "First Amendment") is made and entered into on this 1st day of December, 2009 by and is entered into by and between the ST. BERNARD PARISH ("Grantee"), and the STATE OF LOUISIANA, DIVISION OF ADMINISTRATION, OFFICE OF COMMUNITY DEVELOPMENT ("OCD"), each represented herein by their duly undersigned authorized representatives. Grantee and the OCD may sometimes hereinafter be collectively referred to as the "Parties" and individually as a "Party."

**PREAMBLES**

WHEREAS, Grantee and the OCD entered into an Agreement effective March 19, 2009, which made available to Grantee up to two hundred fifty thousand, five hundred and forty nine and 00/100 (\$250,549.00) Dollars for the purpose of funding Grantee's activities under the Parish-Implemented Recovery Program in the Parish (the "Agreement"); and

WHEREAS, pursuant to 74 FR 41146-01, a second allocation of funds was appropriated to the HUD CDBG Program for use through the State of Louisiana for disaster recovery efforts from Hurricanes Gustav and Ike; and

WHEREAS, Action Plan Amendment Number 1 to Louisiana's initial Action Plan for the Utilization of CDBG Funds in Response to Hurricanes Gustav and Ike, which was approved by HUD on July 24, 2009, details the Parish-Implemented Recovery Program using funds from the first allocation and the anticipated second allocation; and

WHEREAS, Action Plan Amendment Number 2 to Louisiana's Action Plan for the Utilization of CDBG Funds in Response to Hurricanes Gustav and Ike, which provides for the use of funds from the second allocation within the guidelines originally set forth for the Parish-Implemented Recovery Program in Action Plan Amendment Number 1, was approved by HUD on December 1, 2009; and

**NOW, THEREFORE,** in consideration of the promises and the mutual representations, warranties, and covenants herein contained, the receipt and sufficiency of which are hereby acknowledged, the Parties hereby agree as follows:

CHANGE AGREEMENT FROM:

Page 2:

**I. SCOPE OF AGREEMENT**

**A. Grant Award**

Subject to the terms and conditions of this Agreement, the OCD, as administrator of the CDBG Disaster Recovery Program, shall make available to Grantee disaster recovery funds up to the gross amount of two hundred fifty thousand, five hundred forty-nine and 00/100 (\$250,549.00) Dollars (the "Grant Funds") for the purpose of funding the Parish-Implemented Recovery Program in the Parish (the "Program").

Grantee may elect, in a writing signed by Grantee and the OCD, to direct all or a portion of the Grant Funds to the State for use within the Parish through the "State-Implemented Recovery Program," as defined by the Action Plan and all current, pending and future applicable Action Plan Amendment(s) (available at <http://www.doa.louisiana.gov/cdbg/DRactionplans.htm>). If Grantee makes such an election, the Grant Funds available to Grantee under this Agreement shall be reduced by the amount directed to the State for use through the State-Implemented Recovery Program within the Parish. The OCD may require this Agreement to be amended to reflect the redirection of Grantee's Grant Funds from the Parish-Implemented Recovery Program to the State-Implemented Recovery Program.

## CHANGE AGREEMENT TO:

Page 2:

### **I. SCOPE OF AGREEMENT**

#### **A. Grant Award**

Subject to the terms and conditions of this Agreement, the OCD, as administrator of the CDBG Disaster Recovery Program, shall make available to Grantee disaster recovery funds up to the maximum amount of seven hundred fifty thousand, five hundred forty-nine and 00/100 (\$750,549.00) Dollars (the "Grant Funds") for the purpose of funding the Parish-Implemented Recovery Program and the Sustainable Coastal Communities Program<sup>1</sup> in the Parish (the "Program").

Grantee may elect, in a writing signed by Grantee and the OCD, to direct all or a portion of the Grant Funds to the State for use within the Parish through the "State-Implemented Recovery Program," as defined by the Action Plan and all current, pending and future applicable Action Plan Amendment(s) (available at <http://www.doa.louisiana.gov/cdbg/DRactionplans.htm>). If Grantee makes such an election, the Grant Funds available to Grantee under this Agreement shall be reduced by the amount directed to the State for use through the State-Implemented Recovery Program within the Parish. The OCD may require this Agreement to be amended to reflect the redirection of Grantee's Grant Funds from the Parish-Implemented Recovery Program to the State-Implemented Recovery Program.

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<sup>1</sup> Five hundred thousand (\$500,000) Dollars of Grantee's Grant Funds are for specific use under the Sustainable Coastal Communities Program and cannot be used by Grantee for any other program.

CHANGE AGREEMENT FROM:

Page 3:

**I. SCOPE OF AGREEMENT**

**C. Goals and Objectives**

The activities of the Program are expected to assist Grantee in the execution of the Parish-Implemented Recovery Program within the Parish, which is designed to promote the housing, infrastructure and economic recovery of the Parish with regard to damage caused by Hurricanes Gustav and Ike.

CHANGE AGREEMENT TO:

Page 3:

**I. SCOPE OF AGREEMENT**

**C. Goals and Objectives**

The activities of the Program are expected to assist Grantee in the execution of the Parish-Implemented Recovery Program and the Sustainable Coastal Communities Program within the Parish, which are designed to promote the housing, infrastructure, fisheries and economic recovery of the Parish and the State with regard to damage caused by Hurricanes Gustav and Ike.

CHANGE AGREEMENT FROM:

Page 3:

**I. SCOPE OF AGREEMENT**

**D. Statement of Work**

**1. The Proposal**

Grantee shall submit to the OCD for approval a Recovery Proposal (the "Proposal") designed to address the housing, infrastructure and/or economic recovery and revitalization needs of the Parish. The Proposal shall be submitted to the OCD on a form provided by the OCD and shall include the percentage of Grant Funds that will be used by the Parish for (1) the Housing Program, (2) the Infrastructure Program, (3) the Economic Development Program, and (4) for administration and planning. The Proposal must comply with all requirements of

the Parish-Implemented Recovery Program as set forth in the Action Plan and all current, pending and future application Action Plan Amendment(s) (available at <http://www.doa.louisiana.gov/cdbg/DRactionplans.htm>). The OCD shall make an approval determination of the Proposal pursuant to current OCD program guidelines (hereinafter "OCD policy"), HUD guidelines and regulations, and other applicable state and federal laws and regulations. If the Proposal is approved, the OCD shall provide Grantee with written notice of approval.

The budget for this Agreement shall be determined upon the approval of the Proposal by OCD through proration of the total amount of the Grant Funds as set forth in Section I(A) above according to the percentage allocation to the Housing Program, the Infrastructure Program, the Economic Development Program, and administration and planning, as set forth in the Proposal submitted by Grantee and approved by the OCD. Such approved budget shall be deemed to become a part of this Agreement without the need for amending this Agreement. The parties may thereafter agree in writing signed by both parties to a reallocation of funds between budget categories without the need to amend this Agreement.

The approved Proposal may be amended in a writing signed by both parties.

#### CHANGE AGREEMENT TO:

Page 3:

### **I. SCOPE OF AGREEMENT**

#### **D. Statement of Work**

##### **1. The Proposal**

Grantee shall submit to the OCD for approval a Recovery Proposal (the "Proposal") designed to address the housing, infrastructure and/or economic recovery and revitalization needs of the Parish. The Proposal shall be submitted to the OCD on a form provided by the OCD and shall include the percentage of Grant Funds that will be used by the Parish for (1) the Housing Program, (2) the Infrastructure Program, (3) the Economic Development Program, and (4) for administration and planning. The Proposal must comply with all requirements of the Parish-Implemented Recovery Program and the Parish-Implemented Rental Housing Program, as set forth in the Action Plan and all current, pending and future application Action Plan Amendment(s) (available at <http://www.doa.louisiana.gov/cdbg/DRactionplans.htm>). The OCD shall make an approval determination of the Proposal pursuant to current OCD program guidelines (hereinafter "OCD policy"), HUD guidelines and regulations, and other applicable state and federal laws and regulations. If the Proposal is approved, the OCD shall provide Grantee with written notice of approval.



The approved Proposal may be amended in a writing signed by both parties.

The "Budget" for the Program shall be as follows:

Planning	\$250,549
Sustainable Coastal Communities Program	\$500,000
<b>TOTAL</b>	<b>\$750,549</b>

The parties may agree, in writing, to a revision of the Budget or a reallocation of funds between categories within the Budget without the need to amend this Agreement; provided however, that in no case shall any such revisions or reallocations exceed the total allocation under the Agreement.

CHANGE AGREEMENT FROM:

Page 4:

**I. SCOPE OF AGREEMENT**

**D. Statement of Work**

**3. The Application Process for Activities under the Housing Program and the Economic Development Program**

Grantee shall comply with the application process as determined by the OCD for activities carried out through the Housing Program and the Economic Development Program. No Grant Funds shall be drawn by Grantee under this Agreement for activities under the Housing Program and/or the Economic Development Program unless approved by the OCD in writing. Grantee shall conduct all activities under the Housing Program and the Economic Development Program in compliance with current OCD policy and all applicable HUD regulations and guidelines.

**4. Implementation of the Program**

Upon approval by the OCD of projects and/or activities of Grantee through the Infrastructure Program, Housing Program and the Economic Development Program, the resulting award shall be implemented through this Agreement and subject to the terms and conditions thereof. The project schedule and budget accepted in writing by the OCD for each project and/or activity shall be final and may be changed only with the written consent of the OCD. Compliance and

cooperation by Grantee with the monitoring plan for all projects and/or activities as required by the OCD shall also be deemed a requirement of this Agreement.

CHANGE AGREEMENT TO:

Page 4:

**I. SCOPE OF AGREEMENT**

**D. Statement of Work**

**3. The Application Process for Activities under the Housing Program, the Economic Development Program and the Sustainable Coastal Communities Program**

Grantee shall comply with the application process as determined by the OCD for activities carried out through the Housing Program, the Economic Development Program and the Sustainable Coastal Communities Program. No Grant Funds shall be drawn by Grantee under this Agreement for activities under the Housing Program, the Economic Development Program and/or the Sustainable Coastal Communities Program unless approved by the OCD in writing. Grantee shall conduct all activities under the Housing Program, the Economic Development Program and the Sustainable Coastal Communities Program in compliance with current OCD policy and all applicable HUD regulations and guidelines.

**4. Implementation of the Program**

Upon approval by the OCD of projects and/or activities of Grantee through the Infrastructure Program, the Housing Program, the Economic Development Program and the Sustainable Coastal Communities Program, the resulting award shall be implemented through this Agreement and subject to the terms and conditions thereof. The project schedule and budget accepted in writing by the OCD for each project and/or activity shall be final and may be changed only with the written consent of the OCD. Compliance and cooperation by Grantee with the monitoring plan for all projects and/or activities as required by the OCD shall also be deemed a requirement of this Agreement.

ADD:

Page 6:

## **I. SCOPE OF AGREEMENT**

### **D. Statement of Work**

#### **12. Grantee's Activities under the Sustainable Coastal Communities Program**

Grantee shall submit to the OCD for approval an application for project(s) to be funded under the Sustainable Coastal Communities Program within the Parish. The application shall include a detailed final budget and a project schedule. The OCD, at its sole discretion, shall make approval determinations for projects funded under the Sustainable Coastal Communities Program pursuant to current OCD policy and CDBG and HUD guidelines and regulations. If a project is approved, the OCD shall provide Grantee with a written notice of approval. No Grant Funds shall be drawn by Grantee under this Agreement for activities under the Sustainable Coastal Communities Program unless approved by the OCD in writing. If a project is not approved by the OCD, Grantee shall submit a revised application to the OCD for consideration.

Grantee shall conduct all activities under the Sustainable Coastal Communities Program in compliance with current OCD policy, all applicable HUD regulations and guidelines and the Action Plan and all current, pending and future applicable Action Plan Amendments.

#### CHANGE AGREEMENT FROM:

Page 7:

## **II. PAYMENT PROCESS**

- A.** Grantee shall submit draw requests for payment of Eligible Expenses payable under this Agreement to the Deputy Executive Director of the OCD, or his designee, for approval.

Grantee shall submit with each draw request the related time sheets including, but not limited to, the name of the individual performing the work, the number of hours worked during the period, hourly rates, work completed, and such other information as the OCD deems necessary to process the request.

Following review and approval of the draw requests by the Deputy Executive Director of the OCD, or his designee, approved draw requests shall be submitted to the OCD Financial Manager, or his designee, for approval of payment. Draw requests not approved by the Deputy Executive Director of the OCD or the OCD Financial Manager, or their respective designees, shall not be paid, but returned to Grantee for further processing.

CHANGE AGREEMENT TO:

Page 7:

**II. PAYMENT PROCESS**

- A. Grantee shall submit draw requests for payment of Eligible Expenses payable under this Agreement to the Executive Director of the OCD, or his designee, for approval.

Grantee shall submit with each draw request the related time sheets including, but not limited to, the name of the individual performing the work, the number of hours worked during the period, hourly rates, work completed, and such other information as the OCD deems necessary to process the request.

Following review and approval of the draw requests by the Executive Director of the OCD, or his designee, approved draw requests shall be submitted to the OCD Financial Manager, or his designee, for approval of payment. Draw requests not approved by the Executive Director of the OCD or the OCD Financial Manager, or their respective designees, shall not be paid, but returned to Grantee for further processing.

CHANGE AGREEMENT FROM:

Page 8:

**III. TERM OF AGREEMENT; TERMINATION OR SUSPENSION OF AGREEMENT**

**A. Term of Agreement**

The term of this Agreement, subject to all requisite consents and approvals as provided herein, shall commence on the date hereof and continue in full force and

effect until Grantee has completed all requirements of this Agreement in accordance with, and subject to, the terms and provision hereof.

CHANGE AGREEMENT TO:

Page 8:

**III. TERM OF AGREEMENT; TERMINATION OR SUSPENSION OF AGREEMENT**

**A. Term of Agreement**

The term of this Agreement, subject to all requisite consents and approvals as provided herein, shall commence on the date hereof and continue in full force and effect until Grantee has completed all requirements of this Agreement in accordance with, and subject to, the terms and provision hereof, including the closeout of every project funded in whole or in part by this Agreement.

CHANGE AGREEMENT FROM:

Page 11:

**IV. ADMINISTRATIVE REQUIREMENTS, C. Documentation and Record-Keeping,  
5. Audits & Inspections**

It is hereby agreed that the OCD, the DOA, the Legislative Auditor of the State of Louisiana, HUD, Office of Inspector General, HUD monitors, and auditors contracted by any of them shall have the option of auditing all records and accounts of Grantee and/or its contractors and sub-recipients that relate to this Agreement at any time during normal business hours, as often as deemed necessary, to audit, examine, and make excerpts or transcripts of all relevant data upon providing Grantee, contractor or sub-recipient, as appropriate, with reasonable advance notice. Grantee and its contractors and sub-recipients shall comply with all relevant provisions of state law pertaining to audit requirements, including LA R.S. § 24:513 et seq. Any deficiencies noted in audit reports must be fully cleared within thirty (30) days after receipt by Grantee, contractor and/or sub-recipient, as appropriate.

Failure of Grantee and/or its contractors and sub-recipients to comply with the above audit requirements will constitute a violation of this Agreement and may, at the OCD's option, result in the withholding of future payments and/or return of funds paid under this Agreement. Grantee and its contractors hereby agree to have an annual audit conducted in accordance with current State policy concerning Grantee and its contractor's audits, OMB Circulars A-133 and A-128, and 24 CFR 85.26.

CHANGE AGREEMENT TO:

Page 11:

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Failure of Grantee and/or its contractors and sub-recipients to comply with the above audit requirements will constitute a violation of this Agreement and may, at the OCD's option, result in the withholding of future payments and/or return of funds paid under this Agreement. Grantee and its contractors hereby agree to have an annual audit conducted in accordance with current State policy concerning Grantee and its contractor's audits, OMB Circulars A-133 and A-128, and 24 CFR 85.26.

A quasi public agency or body as defined in LA R.S. 24:513 A(1)(b) shall comply with the provisions of LA R.S. 24:513 H(2)(a) by designating an individual who shall be responsible for filing annual financial reports with the legislative auditor and shall notify the legislative auditor of the name and address of the person so designated.

CHANGE AGREEMENT FROM:

Page 14:

**V. HUD/CDBG COMPLIANCE PROVISIONS**

**D. Section 3 Compliance in the Provision of Training, Employment and  
Business Opportunities**

The work to be performed under Grantee's contracts shall be subject to the requirements of section 3 of the Housing and Urban Development Act of 1968, as amended, 12 U.S.C. 1701u (section 3). The purpose of section 3 is to ensure that employment and other economic opportunities generated by HUD assistance or HUD-assisted projects covered by

section 3, shall, to the greatest extent feasible, be directed to low- and very low-income persons, particularly persons who are recipients of HUD assistance for housing.

The parties to Grantee's contracts shall agree to comply with HUD's regulations in 24 CFR part 135, which implements section 3. As evidenced by their execution of this contract, the parties to this contract certify that they are under no contractual or other impediment that would prevent them from complying with the part 135 regulations.

CHANGE AGREEMENT TO:

Page 14:

**V. HUD/CDBG COMPLIANCE PROVISIONS**

**D. Section 3 Compliance in the Provision of Training, Employment and Business Opportunities**

The work to be performed under this Agreement is subject to the requirements of section 3 of the Housing and Urban Development Act of 1968, as amended, 12 U.S.C. 1701u (section 3). The purpose of section 3 is to ensure that employment and other economic opportunities generated by HUD assistance or HUD-assisted projects covered by section 3, shall, to the greatest extent feasible, be directed to low- and very low-income persons, particularly persons who are recipients of HUD assistance for housing.

The parties to this Agreement agree to comply with HUD's regulations in 24 CFR part 135, which implement section 3. As evidenced by their execution of this Agreement, the parties to this Agreement certify that they are under no contractual or other impediment that would prevent them from complying with the part 135 regulations.

Grantee agrees to send to each labor organization or representative of workers with which Grantee has a collective bargaining agreement or other understanding, if any, a notice advising the labor organization or workers' representative of Grantee's commitments under this section 3 clause, and will post copies of the notice in conspicuous places at the work site where both employees and applicants for training and employment positions can see the notice. The notice shall describe the section 3 preference, shall set forth minimum number and job titles subject to hire, availability of apprenticeship and training positions, the qualifications for each; and the name and location of the person(s) taking

applications for each of the positions; and the anticipated date the work shall begin.

Grantee agrees to include this section 3 clause in every subcontract subject to compliance with regulations in 24 CFR part 135, and agrees to take appropriate action, as provided in an applicable provision of the subcontract or in this section 3 clause, upon a finding that the subcontractor is in violation of the regulations in 24 CFR part 135. Grantee will not subcontract with any subcontractor where Grantee has notice or knowledge that the subcontractor has been found in violation of the regulations in 24 CFR part 135.

Grantee will certify that any vacant employment positions, including training positions, that are filled (1) after Grantee is selected but before the Agreement is executed, and (2) with persons other than those to whom the regulations of 24 CFR part 135 require employment opportunities to be directed, were not filled to circumvent Grantee's obligations under 24 CFR part 135.

Noncompliance with HUD's regulations in 24 CFR part 135 may result in sanctions, termination of this Agreement for default, and debarment or suspension from future HUD assisted contracts.

With respect to work performed in connection with section 3 covered Indian housing assistance, section 7(b) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450e) also applies to the work to be performed under this Agreement. Section 7(b) requires that to the greatest extent feasible (i) preference and opportunities for training and employment shall be given to Indians, and (ii) preference in the award of contracts and subcontracts shall be given to Indian organizations and Indian-owned Economic Enterprises. Parties to this Agreement that are subject to the provisions of section 3 and section 7(b) agree to comply with section 3 to the maximum extent feasible, but not in derogation of compliance with section 7(b).



CHANGE AGREEMENT FROM:

Page 14:

**V. HUD/CDBG COMPLIANCE PROVISIONS**

**F. Use and Reversion of Assets**

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

1. Grantee shall transfer to the OCD any Grant Funds on hand and any accounts receivable attributable to the use of funds under this Agreement at the time of expiration, cancellation, or termination.
2. Immovable property under Grantee's control that was acquired or improved, in whole or in part, with funds under this Agreement in excess of \$25,000 shall be used to meet one of the CDBG National Objectives set forth in 24 CFR 570.208 until five (5) years after the expiration of this Agreement (or such longer period as the OCD deems appropriate). If Grantee fails to use such immovable property in a manner that meets a CDBG National Objective for the prescribed period of time, Grantee shall pay to the OCD an amount equal to the current fair market value of the property less any portion of the value attributable to expenditures of non-CDBG funds for the acquisition of, or improvement to, the property. Such payment shall constitute program income to the OCD. Grantee may retain real property acquired or improved under this Agreement after the expiration of the five-year period described above, or such longer period as the OCD deems appropriate.
3. In all cases in which equipment acquired, in whole or in part, with Grant Funds is sold, the proceeds shall be program income (prorated to reflect the extent to which funds received under this Agreement were used to acquire the equipment). Equipment not needed by Grantee for activities under this Agreement shall be (a) transferred to the OCD for the CDBG program or (b) retained by Grantee after compensating the OCD an amount equal to the current fair market value of the equipment less the percentage of non-CDBG funds used to acquire the equipment.

CHANGE AGREEMENT TO:

Page 14:

**V. HUD/CDBG COMPLIANCE PROVISIONS**

**F. Use and Reversion of Assets**

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

1. Grantee shall transfer to the OCD any Grant Funds on hand and any accounts receivable attributable to the use of funds under this Agreement at the time of expiration, cancellation, or termination.
2. Immovable property under Grantee's control that was acquired or improved, in whole or in part, with funds under this Agreement in excess of \$25,000 shall be used to meet one of the CDBG National Objectives set forth in 24 CFR 570.208 until five (5) years after the closeout of the individual projects associated with the particular immovable property or expiration of this Agreement, whichever occurs first (or such longer period as the OCD deems appropriate). If Grantee fails to use such immovable property in a manner that meets a CDBG National Objective for the prescribed period of time, Grantee shall pay to the OCD an amount equal to the current fair market value of the property less any portion of the value attributable to expenditures of non-CDBG funds for the acquisition of, or improvement to, the property. Such payment shall constitute program income to the OCD. Grantee may retain real property acquired or improved under this Agreement after the expiration of the five-year period described above, or such longer period as the OCD deems appropriate.
3. In all cases in which equipment acquired, in whole or in part, with Grant Funds is sold, the proceeds shall be program income (prorated to reflect the extent to which funds received under this Agreement were used to acquire the equipment). Equipment not needed by Grantee for activities under this Agreement shall be (a) transferred to the OCD for the CDBG program or (b) retained by Grantee after compensating the OCD an amount equal to the current fair market value of the equipment less the percentage of non-CDBG funds used to acquire the equipment.

ADD:

Page 18:

#### **IV. ADMINISTRATIVE REQUIREMENTS**

##### **Q. No Personal Liability of Individual Representatives**

No covenant or agreement contained in this Agreement shall be deemed to be the covenant or agreement of any official, trustee, officer, agent or employee of any corporate Party in his individual capacity, and neither the officers of any Party nor any official executing this Agreement shall be personally liable with respect to this Agreement or be subject to any personal liability or accountability under this Agreement by reason of the execution and delivery of this Agreement.

##### **R. Delay or Omission**

No delay or omission in the exercise or enforcement of any right or remedy accruing to a Party under this Agreement shall impair such right or remedy or be construed as a waiver of any breach theretofore or thereafter occurring. The waiver of any condition or the breach of any term, covenant, or condition herein or therein contained shall not be deemed to be a waiver of any other condition or of any subsequent breach of the same or any other term, covenant or condition herein or therein contained.

##### **S. Provision Required by Law Deemed Inserted**

Each and every provision of law and clause required by law to be inserted in this contract shall be deemed to be inserted herein and the contract shall be read and enforced as though it were included herein, and if through mistake or otherwise any such provision is not inserted, or is not correctly inserted, then upon the application of either Party the contract shall forthwith be amended to make such insertion or correction.

##### **T. Prohibited Activity**

Grantee is prohibited from using, and shall be responsible for its sub-contractors being prohibited from using, the funds provided herein or personnel employed in the administration of the program for political activities, inherently religious activities, lobbying, political patronage, nepotism activities, and supporting either directly or indirectly the enactment, repeal, modification or adoption of any law, regulation or policy at any level of government. Grantee will comply with the provision of the Hatch Act (5 U.S.C. 1501 *et seq.*), which limits the political activity of employees.

## **U. Safety**

Grantee shall exercise proper precaution at all times for the protection of persons and property and shall be responsible for all damages or property, either on or off the worksite, which occur as a result of his performance of the work. The safety provisions of applicable laws and building and construction codes, in addition to specific safety and health regulations described by 29 CFR 1926, shall be observed and Grantee shall take or cause to be taken such additional safety and health measures as Grantee may determine to be reasonably necessary.

## **V. Fund Use**

Grantee agrees not to use proceeds from this Agreement to urge any elector to vote for or against any candidate or proposition on an election ballot nor shall such funds be used to lobby for or against any proposition or matter having the effect of law being considered by the Louisiana Legislature or any local governing authority. This provision shall not prevent the normal dissemination of factual information relative to a proposition on any election ballot or a proposition or matter having the effect of law being considered by the Louisiana Legislature or any local governing authority.

Grantee and all of its sub-contractors shall certify that they have complied with the Byrd Anti-Lobbying Amendment (31 U.S.C. 1352) and that it will not and has not used Federal appropriated funds to pay any person or organization for influencing or attempting to influence an officer or employee of any agency, a member of Congress, officer or employee of Congress, or an employee or a member of Congress in connection with obtaining any Federal contract, grant or any other award covered by 31 U.S.C. 1352. Grantee and each of its sub-contractors shall also disclose any lobbying with non-Federal funds that takes place in connection with obtaining any Federal award.

## **W. Copyright**

No materials, including but not limited to reports, maps, or documents produced as a result of this Agreement, in whole or in part, shall be available to Grantee for copyright purposes. Any such material produced as a result of this Agreement that might be subject to copyright is the property of and all rights shall belong to the OCD.

All records, reports, documents, or other material or data, including electronic data, related to this Agreement and/or obtained or prepared by Grantee, and all repositories and databases compiled or used, regardless of the source of information included therein, in connection with performance of the services contracted for herein shall become the property of the OCD, and shall, upon request, be returned by Grantee to the OCD at termination or expiration of this Agreement. Cost incurred by Grantee to compile and transfer information for return to the OCD shall be billed on a time and materials basis, subject to the maximum amount of this Agreement. Software and other materials owned by Grantee prior to the date of this Agreement and not related to this Agreement shall be and remain the property of Grantee.

The OCD will provide specific project information to Grantee necessary to complete the services described herein. All records, reports, documents and other material delivered or transmitted to Grantee by the OCD shall remain the property of the OCD and shall be returned by Grantee to the OCD, upon request, at termination, expiration or suspension of this Agreement.

#### **X. Drug Free Workplace Compliance**

Grantee hereby certifies that it shall provide a drug-free workplace in compliance with the Drug-Free Workplace Act of 1988, as amended and with 24 CFR part 21. Further, there shall be a provision mandating compliance with the Drug-Free Workplace Act of 1988, as amended, in any contracts executed by and between Grantee and any third parties funded using Grant Funds under this Agreement in accordance with 48 FAR part 23.500, et seq, and 48 CFR part 52.223-6.

#### **Y. Taxes**

Grantee shall be responsible for payment of all applicable taxes from the funds to be received under this Agreement. Grantee's federal tax identification number is 72-6001193, DUNS# 612127423.

#### **Z. Controversies**

Any claim or controversy arising out of the Agreement shall be resolved by the provisions of LSA - R.S. 39:1524-1526.

#### **AA. No Third Party Beneficiaries**

This Agreement does not create, nor is it intended to create, any third party beneficiaries or contain any stipulations pour autrui. The State and the Contractor are and shall remain the only parties to this Agreement and the only parties with the right to enforce any provision thereof and shall have the right, without the necessity of consent of any third party, to modify or rescind this Agreement.

#### CHANGE AGREEMENT FROM:

APPENDIX A, GRANTEE STATEMENT OF ASSURANCES

#### CHANGE AGREEMENT TO:

Revised APPENDIX A, STATEMENT OF ASSURANCES, attached hereto and made a part hereof.

REASON FOR AMENDMENT:

To add \$500,000 for fisheries projects and add a budget for total grant funds. Also to add revised clauses and revised assurances to meet current CDBG contracting standards.

BALANCE OF THIS PAGE LEFT BLANK INTENTIONALLY.

ALL OTHER TERMS AND CONDITIONS REMAIN UNCHANGED.

St. Bernard Parish Government and the State of Louisiana, Division of Administration, Office of Community Development have caused this Amendment to be executed by their respective duly authorized representatives on the dates below but effective as of the date first set forth above.

\_\_\_\_\_  
Date

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Office of Community Development  
617 North Third Street, 6<sup>th</sup> Floor  
Baton Rouge, Louisiana 70802

\_\_\_\_\_  
Date

Name: \_\_\_\_\_

Title: \_\_\_\_\_

St. Bernard Parish Government

**REVISED APPENDIX A**  
**GRANTEE STATEMENT OF ASSURANCES**

This Applicant/Grantee/Subrecipient hereby assures and certifies that:

1. It possesses legal authority to apply for a Community Development Block Grant ("CDBG") and to execute the proposed CDBG program.
2. Its governing body has duly adopted, or passed as an official act, a resolution, motion, or similar action authorizing the filing of the CDBG application and directing and authorizing the person identified as the official representative of the Applicant/Grantee/Subrecipient to act in connection with the application, sign all understandings and assurances contained therein, and to provide such additional information as may be required.
3. It has facilitated citizen participation by providing adequate notices containing the information specified in the program instructions and by providing citizens an opportunity to review and submit comments on the proposed application.
4. Its chief executive officer, or other officer or representative of Applicant/Grantee/Subrecipient approved by the State:
  - a. Consents to assume the status of a responsible federal official under the National Environmental Policy Act of 1969 (42 U.S.C.A. §4331, et seq.) insofar as the provisions of such Act apply to the proposed CDBG Program; and
  - b. Is authorized and consents, on behalf of the Applicant/Grantee/Subrecipient and himself, to submit to the jurisdiction of the federal courts for the purpose of enforcement of Applicant/Grantee/Subrecipient's responsibilities and his or her responsibilities as an official.
5. It will develop the CDBG program and use CDBG funds so as to give maximum feasible priority to activities that will benefit low and moderate income families, aid in the prevention or elimination of slums or blight, or meet other community development needs having a particular urgency.
6. It will comply with the following applicable federal grant management regulations, policies, guidelines, and/or requirements as they relate to the application, acceptance, and use of federal funds: OMB Circular A-87 (Cost Principles for State, Local and Indian Tribal Governments) as amended and made part of State regulations; A-102 (Grants and Cooperative Agreements with State and Local Governments), as amended and made part of State regulations; OMB Circular A-133 (Audits of States, Local Governments, and Non-Profit Organizations), revised; OMB Circular A-21 (Cost Principles for Educational Institutions); A-122 (Cost Principles for Non-Profit Organizations); 24 CFR Part 85 (Administrative Requirements for Grants and Cooperative Agreements to State, Local and Federally Recognized Indian Tribal Governments) and 24 CFR Part 84 (Uniform Administrative Requirements For Grants and Agreements With Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations).



7. It will administer and enforce the labor standards requirements set forth in 24 CFR §570.603 and any other regulations issued to implement such requirements.
8. It will comply with the provisions of Executive Order 11988, as amended by Executive Order 12148, relating to evaluation of flood hazards, and Executive Order 12088, as amended by Executive Order 12580, relating to the prevention, control and abatement of water pollution.
9. It will require every building or facility (other than a privately owned residential structure) designed, constructed, or altered with funds provided to Applicant/Grantee/Subrecipient to comply with any accessibility requirements, as required by Title III of the Americans with Disabilities Act of 1990 (42 U.S.C.A. § 12101 et seq.). The Applicant/Grantee/Subrecipient will be responsible for conducting inspections to ensure compliance with these specifications by the contractor.
10. It will comply with:
  - a. Title VI of the Civil Rights Acts of 1964, 42 U.S.C. §2000d et seq., as amended, and the regulations issued pursuant thereto (24 CFR Part 1), which provide that no person in the United States shall on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the Applicant/Grantee/Subrecipient receives federal financial assistance and will immediately take any measures necessary to effectuate this assurance. If any real property or structure thereon is provided or improved with the aid of federal financial assistance extended to the Applicant/Grantee/Subrecipient, this assurance shall obligate the Applicant/Grantee/Subrecipient, or in the case of any transfer of such property, any transferee, for the period during which the property or structure is used for another purpose involving the provision of similar services or benefits.
  - b. Section 104 (b) (2) of Title VIII of the Civil Rights Act of 1968 (42 U.S.C.A. §3601, et seq.), as amended, which requires administering all programs and activities relating to housing and community development in a manner to affirmatively further fair housing. Title VIII further prohibits discrimination against any person in the sale or rental of housing, or the provision of brokerage services, including in any way making unavailable or denying a dwelling to any person, because of race, color, religion, sex, national origin, handicap or familial status.
  - c. Section 109 of Title I of the Housing and Community Development Act of 1974 (42 U.S.C. §5309), and the regulations issued pursuant thereto (24 CFR Part §570.602), which provides that no person in the United States shall, on the grounds of race, color, national origin, or sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under, any program or activity funded in whole or in part with funds provided under that Part. Section 109 further prohibits discrimination to an otherwise qualified individual with a handicap, as

provided under Section 504 of the Rehabilitation Act of 1973, as amended, and prohibits discrimination based on age as provided under the Age Discrimination Act of 1975. The policies and procedures necessary to ensure enforcement of section 109 are codified in 24 CFR part 6.

- d. Executive Order 11063, as amended by Executive Order 12259, and the regulations issued pursuant thereto, which pertains to equal opportunity in housing and non-discrimination in the sale or rental of housing built with federal assistance.
  - e. Executive Order 11246, as amended by Executive Orders 11375 and 12086, and the regulations issued pursuant thereto, which provide that no person shall be discriminated against on the basis of race, color, religion, sex or national origin in all phases of employment during the performance of federal or federally assisted construction contracts. Further, contractors and subcontractors on federal and federally assisted construction contracts shall take affirmative action to insure fair treatment in employment, upgrading, demotion, or transfer, recruitment or recruitment advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training and apprenticeship.
  - f. Section 504 of the Rehabilitation Act of 1973, as amended, which provides that no otherwise qualified individual shall, solely, by reason of his or her handicap be excluded from participation, denied program benefits or subjected to discrimination on the basis of age under any program or activity receiving federal funding assistance.
11. The work to be performed by Grantee is subject to the requirements of section 3 of the Housing and Urban Development Act of 1968, as amended, 12 U.S.C. 1701u (section 3). The purpose of section 3 is to ensure that employment and other economic opportunities generated by HUD assistance or HUD-assisted projects covered by section 3, shall, to the greatest extent feasible, be directed to low- and very low-income persons, particularly persons who are recipients of HUD assistance for housing.

Grantee agrees to comply with HUD's regulations in 24 CFR part 135, which implement section 3. Grantee also certifies that they are under no contractual or other impediment that would prevent it from complying with the part 135 regulations.

Grantee agrees to send to each labor organization or representative of workers with which the Grantee has a collective bargaining agreement or other understanding, if any, a notice advising the labor organization or workers' representative of the Grantee's commitments under this section 3 clause, and will post copies of the notice in conspicuous places at the work site where both employees and applicants for training and employment positions can see the notice. The notice shall describe the section 3 preference, shall set forth minimum

number and job titles subject to hire, availability of apprenticeship and training positions, the qualifications for each; and the name and location of the person(s) taking applications for each of the positions; and the anticipated date the work shall begin.

Grantee agrees to include this section 3 clause in every subrecipient agreement and contract subject to compliance with regulations in 24 CFR part 135, and agrees to take appropriate action, as provided in an applicable provision of such contract or in this section 3 clause, upon a finding that the subrecipient or contractor is in violation of the regulations in 24 CFR part 135. Grantee will not contract with any subrecipient or contractor where the Grantee has notice or knowledge that the subrecipient or contractor has been found in violation of the regulations in 24 CFR part 135.

The Grantee will certify that any vacant employment positions, including training positions, that are filled (1) after the Grantee is selected but before the contract is executed, and (2) with persons other than those to whom the regulations of 24 CFR part 135 require employment opportunities to be directed, were not filled to circumvent the Grantee's obligations under 24 CFR part 135.

Noncompliance with HUD's regulations in 24 CFR part 135 may result in sanctions, termination of this Agreement for default, and debarment or suspension from future HUD assisted contracts.

With respect to work performed in connection with section 3 covered Indian housing assistance, section 7(b) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450e) also applies to the work to be performed under this Agreement. Section 7(b) requires that to the greatest extent feasible (i) preference and opportunities for training and employment shall be given to Indians, and (ii) preference in the award of contracts and subcontracts shall be given to Indian organizations and Indian-owned Economic Enterprises. Parties to this Agreement that are subject to the provisions of section 3 and section 7(b) agree to comply with section 3 to the maximum extent feasible, but not in derogation of compliance with section 7(b).

12. It will minimize displacement of persons as a result of activities assisted with CDBG funds. In addition, it will:
  - a. Comply with Title II (Uniform Relocation Assistance) and Sections 301-304 of Title III (Uniform Real Property Acquisition Policy) of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. Chapter 61), and HUD implementing instructions at 24 CFR Part 42 and 24 CFR §570.606; and
  - b. Inform affected persons of their rights and of the acquisition policies and procedures set forth in the regulations at 24 CFR Part 42; and

- c. Provide relocation payments and offer relocation assistance as described in Section 205 of the Uniform Relocation Assistance Act to all persons displaced as a result of acquisition of real property for an activity assisted under the CDBG Program. Such payments and assistance shall be provided in a fair, consistent and equitable manner that ensures that the relocation process does not result in different or separate treatment of such persons on account of race, color, religion, national origin, sex or source of income; and
  - d. Assure that, within a reasonable period of time prior to displacement, comparable decent, safe and sanitary replacement dwellings will be available to all displaced families and individuals and that the range of choices available to such persons will not vary on account of their race, color, religion, national origin, sex, or source of income; and
  - e. Assure that if displacement is precipitated by CDBG funded activities that require the acquisition (either in whole or in part) of real property, all appropriate benefits required by the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4601 et seq., Pub. L. 91-646) and amendments thereto shall be provided to the displaced person(s). Persons displaced by rehabilitation of "Non-Uniform Act" acquisition financed (in whole or in part) with CDBG funds shall be provided relocation assistance in accordance with one of the following: (1) the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as required under 24 CFR Section 570.606 (a) and HUD implementing regulations at 24 CFR Part 42; (2) the requirements in 24 CFR Section 570.606 (b) governing the Residential Antidisplacement and Relocation Assistance Plan under Section 104 (d) of the Housing and Community Development Act of 1974; (3) the relocation requirements of Section 104 (k) of the Act; (4) the relocation requirements of 24 CFR Section 570.606 (d) governing optional relocation assistance under Section 105 (a) (11) of the Act; and (5) the provisions of 24 CFR Part 511.10 (h) (2) (iii) rental Rehabilitation Program.
13. It will establish safeguards to prohibit employees from using positions for a purpose that is or gives the appearance of being motivated by a desire for private gain for themselves or others, particularly those with whom they have family, business, or other ties, in accordance with CDBG regulations.
  14. It will comply with the provisions of the Hatch Act that limit the political activity of employees and the HUD regulations governing political activity at 24 CFR §570.207.
  15. It will give the State and HUD, and any of their representatives or agents, access to and the right to examine all records, books, papers, or documents related to the grant.
  16. It will ensure that the facilities under Applicant/Grantee/Subrecipient's ownership, lease or supervision utilized in the accomplishment of the CDBG Program are not

listed on the Environmental Protection Agency's (EPA) list of violating facilities and that it will notify HUD of the receipt of any communication from the EPA Office of Federal Activities indicating that a facility to be used in the CDBG Program is being considered for listing by the EPA as a violating facility.

17. With regard to environmental impact, it will comply with the National Environmental Policy Act of 1969 (42 U.S.C. §4321-4347), and Section 104(f) of the Housing and Community Development Act of 1974 ( 42 U.S.C. §5304(d)).
18. It will comply with Section 106 of the National Historic Preservation Act of 1966 (16 U.S.C. 470 et seq.), as amended, Executive Order 11593, and the Preservation of Archaeological and Historical Data Act of 1966 (16 U.S.C. §469a-1 et. seq.), as amended, by:
  - a. Consulting with the State Historic Preservation Office to identify properties listed in or eligible for inclusion in the National Register of Historic Places that are subject to adverse effects (see 36 CFR Part 800) by the proposed activity; and
  - b. Complying with all requirements established by the State to avoid or mitigate adverse effects upon such properties.
19. It will comply with the provisions in 24 CFR §570.200(c) regarding special assessments to recover capital costs.
20. It will adopt and enforce a policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individual engaged in non-violent Civil Rights demonstrations and will enforce applicable state and local laws against physically barring entrance to or exit from a facility or location which is the subject of such nonviolent civil rights demonstrations within its jurisdiction.
21. It certifies that no federally appropriated funds will be used for any lobbying purposes regardless of the level of government.
22. It will abide by and enforce the conflict of interest requirement set forth in 24 CFR §570.489(h).
23. It will comply with HUD rules prohibiting the use of CDBG funds for inherently religious activities, as set forth in 24 CFR §570.200(j).
24. Activities involving new building construction, alterations, or rehabilitation will comply with the Louisiana State Building Code.
25. In relation to labor standards, it will comply with:
  - a. Section 110 of the Housing and Community Development Act of 1974, as amended and as set forth in 24 CFR §570.603.

- b. Davis-Bacon Act, as amended (40 U.S.C. §3141 et seq.).
  - c. Contract Work Hours and Safety Standards Act (40 U.S.C. §327 et seq.).
  - d. Federal Fair Labor Standards Act (29 U.S.C. §201 et seq.)
26. It will comply with the flood insurance purchase requirement of Section 102(a) of the Flood Disaster Protection Act of 1973, 42 U.S.C. §4001 et seq., which requires the purchase of flood insurance in communities where such insurance is available as a condition for the receipt of any federal financial assistance for construction or acquisition purposes for use in any area that has been identified by the Secretary of the Department of HUD as an area having special flood hazards. The phrase "federal financial assistance" includes any form of loan, grant, guaranty, insurance payment, rebate, subsidy, disaster assistance loan or grant, or any other form of direct or indirect federal funding. It will comply with 42 USC § 4012a, which requires that if the federal financial assistance is provided in the form of a loan or an insurance or guaranty of a loan, the amount of flood insurance required need not exceed the outstanding principal balance of the loan and need not be required beyond the term of the loan. If the federal financial assistance is in the form of a grant, the requirement of maintaining flood insurance on any dwelling on any part of the property in an amount equal to the lesser of 1) the value of the property less land costs or 2) the maximum amount of flood insurance available under the National Flood Insurance Program to the extent coverage can be obtained under the National Flood Insurance Program, shall apply during the life of the property, regardless of transfer of ownership of such property.
  27. It will comply with the Farmland Protection Policy Act, 7 U.S.C.A. §4201 et seq., which requires recipients of federal assistance to minimize the extent to which their projects contribute to the unnecessary and irreversible commitment of farmland to nonagricultural uses.
  28. It will comply with Sections 1012 and 1013 of Title X of the Housing and Community Development Act of 1992 (Public Law 102-550, as amended). The regulation appears within Title 24 of the Code of Federal Regulations as part 35 (codified in 24 CFR 35). The purpose of this regulation is to protect young children from lead-based paint hazards in housing that is financially assisted by the Federal government or sold by the government. This regulation applies only to structures built prior to 1978.
  29. It will comply with the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act of 1976 (42 U.S.C. §6901, et seq.).
  30. It will comply with the Clean Air Act (42 U.S.C. §7401, et seq.), which prohibits engaging in, supporting in any way, or providing financial assistance for, licensing or permitting, or approving any activity which does not conform to the State implementation plan for national primary and secondary ambient air quality standards.

31. In relation to water quality, it will comply with:

- a. The Safe Drinking Water Act of 1974 (42 U.S.C. §§ 201, 300(f) et seq. and U.S.C. §349), as amended, particularly Section 1424(e) (42 U.S.C. §§ 300h-303(e)), which is intended to protect underground sources of water. No commitment for federal financial assistance can be entered into for any project which the U.S. Environmental Protection Agency determines may contaminate an aquifer which is the sole or principal draining water source for an area; and
- b. The Federal Water Pollution Control Act of 1972, as amended, including the Clear Water Act of 1977, Public Law 92-212 (33 U.S.C. §1251, et seq.) which provides for the restoration and maintenance of the chemical, physical and biological integrity of the nation's water.

32. It will comply with HUD Environmental Standards (24 CFR, Part 51 and 44 F.R. 40860-40866).

33. With regard to wildlife, it will comply with:

- a. The Endangered Species Act of 1973, as amended (16 U.S.C. §1531 et seq.). Federally authorized and funded projects must not jeopardize the continued existence of endangered and threatened species or result in the destruction of or modification of habitat of such species which is determined by the U.S. Department of the Interior, after consultation with the state, to be critical; and
- b. The Fish and Wildlife Coordination Act of 1958, as amended, (16 U.S.C. §661 et seq.) which requires that wildlife conservation receives equal consideration and is coordinated with other features of water resource development programs.

Signing these assurances means that Applicant/Grantee/Sub recipient agrees to implement its program in accordance with these provisions. Failure to comply can result in serious audit and/or monitoring findings that require repayment of funds to the State or expending Applicant/Grantee/Sub recipient funds to correct deficiencies.

GRANTEE/SUBRECIPIENT

By: \_\_\_\_\_

Title: \_\_\_\_\_

This \_\_\_\_ day of \_\_\_\_\_, 20\_\_.



# *St. Bernard Parish Council*

8201 West Judge Perez Drive    Chalmette, Louisiana, 70043  
(504) 278-4228    Fax (504) 278-4209  
[www.sbpq.net](http://www.sbpq.net)

**Guy McInnis**  
*Councilman  
at Large*

**George Cavnag**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**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, OCTOBER 1, 2013 AT SEVEN O'CLOCK P.M.

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

## **RESOLUTION SBPC #1089-10-13**

A RESOLUTION TO TEMPORARILY CHANGE THE POLLING LOCATION OF PRECINCTS 31, 33, 34 AND 35 FROM CHALMETTE HIGH SCHOOL CAFETERIA TO CHALMETTE HIGH SCHOOL GYM LOBBY.

WHEREAS, the St. Bernard Parish Council has been notified by the Clerk of Court that the polling location for Precincts 31, 33, 34 and 35, Chalmette High School Cafeteria, 1100 E. Judge Perez Drive, Chalmette, St. Bernard Parish, LA will be temporarily closed due to a previously scheduled event; and,

WHEREAS, this is a special election that was not called for at the time of the booking of the Chalmette High School Cafeteria; and,

WHEREAS, it shall be necessary to temporarily re-locate the polling place to the Chalmette High School Gym Lobby, 1100 E. Judge Perez Drive, Chalmette, St. Bernard Parish, LA which is located at the same address, in the same building approximately two hundred fifty (250) feet from the previous polling location; and

WHEREAS, it is anticipated that the aforementioned temporary change in polling location shall be effective through October 31, 2013; and

WHEREAS, this council shall in a timely manner comply with all provisions of R.S. 18:534 to duly notify all affected persons of the change.

NOW THEREFORE, BE IT RESOLVED, that the St. Bernard Parish Council, the governing authority, does hereby temporarily re-locate the polling location of Precincts 31, 33, 34 and 35 to Chalmette High School Gym Lobby, 1100 E. Judge Perez Drive, Chalmette, St. Bernard Parish, LA 70085.





# *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

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Extract #20 continued  
October 1, 2013

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the LA Secretary of State, LA Commissioner of Elections, the US Justice Department, the St. Bernard Parish Clerk of Court, the St. Bernard Parish Registrar of Voters, Director, Department of Recreation, St. Bernard Parish Government, the Superintendent of the St. Bernard Parish Schools and Bonding Attorney David Wolf.

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

**YEAS:**                      Lauga, Lewis, Montelongo, McInnis

**NAYS:**                      None

**ABSENT:**                      None

**DID NOTE VOTE:**        Gorbaty, Hunnicutt

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

And the motion was declared **adopted** on the 1<sup>st</sup> day of October, 2013.

## 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, October 1, 2013.

Witness my hand and the seal  
of the Parish of St. Bernard on  
this 1<sup>st</sup> day of October, 2013.

ROXANNE ADAMS  
CLERK OF COUNCIL



# *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
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District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**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, OCTOBER 15, 2013 AT THREE O'CLOCK P.M.

On motion of Mr. Hunnicutt, seconded by Mr. Gorbaty, it was moved to **adopt** the following resolution:

## **RESOLUTION SBPC #1090-10-13**

BE IT RESOLVED, that the St. Bernard Parish Council, the Governing Authority, does hereby approve the following permits as recommended by the Alcohol Beverage and Bingo Department:

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

<u>Establishment</u>	<u>Beer</u>	<u>Liquor</u>
Renewals:		
a. Celebration Fun-Games-Pizza, LLC d/b/a Celebration Fun-Games-Pizza 8700 West Judge Perez Drive, Suite K Chalmette, LA 70043 Member: Gail Russell	<b>X(only)</b>	
b. Chevron RB Marina, LLC d/b/a Chevron RB Marina 5303 Paris Road Chalmette, LA 70043 Member: Robert Berthelot	<b>X</b>	<b>X</b>
c. CJAM Enterprises, LLC d/b/a J & J Chicken and Seafood 2545 Paris Road, Suite C Chalmette, LA 70043 Member(s): Carlo James, III and Ken James	<b>X</b>	<b>X</b>
d. El Patron, Inc., d/b/a El Patron Mexican Restaurant 3109 Jean Lafitte Parkway Chalmette, LA 70043 Owner(s): Adilene Avalos and Irene Sanchez De Avalos	<b>X</b>	<b>X</b>
e. Gulf Outlet Marina Boat Launch, Inc., d/b/a Gulf Outlet Marina Boat Launch 255 Marina Road Chalmette, LA 70043 Owner(s): Robert Berthelot and Raymi Anderson	<b>X(only)</b>	



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Extract #16 continued  
October 15, 2013

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
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Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

## New Business:

f. Charlie's Restaurant and Catering, LLC d/b/a Charlie's Restaurant and Catering X    X  
6129 East St. Bernard Highway Violet, LA 70092  
Member: Chad P. Blanchard

g. Lacy's Cue, LLC d/b/a Lacy's Cue X    X  
701 West Judge Perez Drive Chalmette, LA 70043  
Member: Frank Haines

h. Café Central, LLC d/b/a The Palms Too X    X  
8001-B West St. Bernard Highway Arabi, LA 70032  
Member(s): Patrick Morrow and Joseph Morrow

## Special Event(s)

### Date Change:

1. Name of Organization: The Arlene and Joseph Meraux Charitable Foundation  
Address: 417 Friscoville Avenue, Arabi, LA 70032  
Name of Event: Blues in Da Parish Festival  
Location of Event: Docville Farm, 5124 East St. Bernard Highway  
Violet, LA 70092  
Date and Time: October 26, 2013 (11:00 a.m. - 6:00 p.m.)

2. Name of Organization: Chalmette High School  
Address: 1100 E. Judge Perez Drive, Chalmette, LA 70043  
Name of Event: Chalmette High Ring Day Parade  
Location of Event: Parade will line-up and start at IHOP on West Judge  
Perez Drive, travel east on Judge Perez Drive and end  
at Chalmette High School.  
Date and Time: October 23, 2013 (8:10 a.m. - 8:30 a.m.)

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

**YEAS:** Lauga, Gorbaty, Hunnicutt

**NAYS:** None



# *St. Bernard Parish Council*

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Extract #16 continued  
October 15, 2013

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
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*Councilman  
District D*

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Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

**ABSENT:** Lewis, Montelongo, Cavignac

The Vice-Chairman, Mr. McInnis, cast his vote as **YEA**.

And the motion was declared **adopted** on the 15<sup>th</sup> day of October, 2013.

## 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, October 15, 2013.

Witness my hand and the seal  
of the Parish of St. Bernard on  
the 15<sup>th</sup> day of October, 2013.

ROXANNE ADAMS  
CLERK OF COUNCIL



# *St. Bernard Parish Council*

8201 West Judge Perez Drive Chalmette, Louisiana, 70043  
(504) 278-4228 Fax (504) 278-4209  
[www.sbpj.net](http://www.sbpj.net)

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**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, OCTOBER 15, 2013 AT THREE O'CLOCK P.M.

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

## **RESOLUTION SBPC #1091-10-13**

A RESOLUTION STATING ST. BERNARD PARISH COUNCIL INTEREST IN PARTICIPATION IN THE LOUISIANA ENTERPRISE ZONE ACT LOUISIANA R.S. 51:1781-1791 DESIGNATES THE PORTIONS OF THE 2010 CENSUS TRACT AND BLOCK GROUPS AS LOUISIANA ENTERPRISE ZONE(S).

WHEREAS, the St. Bernard Parish Council is interested in participation in the Louisiana Enterprise Zone Act Louisiana R.S. 51:1781-1791 designating the following 2010 census tract and block groups as Louisiana Enterprise Zone(s):

Census Tract	Block Group	Census Tract	Block Group
301.03	1	302.09	3
301.03	3	302.09	4
301.03	4	303	1
301.04	1	304	1
301.04	2	304	2
301.05	2	305	2
302.03	3	306.01	1
302.04	2	306.01	2
302.04	5	306.02	1
302.07	1	306.03	1
302.07	2	307	2
302.08	1	308	1
302.09	1		

WHEREAS, in accordance with the Louisiana Enterprise Zone Program requirements of the St. Bernard Parish Council agrees:

1. To participate in the Enterprise Zone Program.
2. To assist the Department in evaluating progress made in any Enterprise Zone within its jurisdiction.



# *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

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Extract #17 continued  
October 15, 2013

**George Cavignac**  
*Councilman  
at Large*

BE IT RESOLVED, the St. Bernard Parish Council is due regular and legal session and convened on Tuesday, October 15, 2013 will participate in the Louisiana Enterprise Zone Program.

**Ray Lauga, Jr.**  
*Councilman  
District A*

BE IT FURTHER RESOLVED, if any provision or item of this resolution or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications 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.

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

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

**Casey W. Hunnicutt**  
*Councilman  
District D*

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

**Manuel "Monty" Montelongo III**  
*Councilman  
District E*

**YEAS:**                    Lauga, Gorbaty, Lewis, Hunnicutt

**NAYS:**                    None

**Roxanne Adams**  
*Clerk of Council*

**ABSENT:**                Montelongo, Cavignac

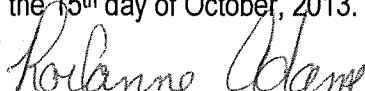
The Vice-Chairman, Mr. McInnis, cast his vote as **YEA**.

And the motion was declared **adopted** on the 15<sup>th</sup> day of October, 2013.

## 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, October 15, 2013.

Witness my hand and the seal  
of the Parish of St. Bernard on  
the 15<sup>th</sup> day of October, 2013.



ROXANNE ADAMS  
CLERK OF COUNCIL



# *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**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, OCTOBER 15, 2013 AT THREE O'CLOCK P.M.

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

## **RESOLUTION SBPC #1092-10-13**

RESOLUTION OF ST. BERNARD PARISH COUNCIL REQUESTING DESIGNATION OF ENTERPRISE ZONE AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

WHEREAS, the Louisiana Enterprise Zone Act, La. R.S. 51:1781-1791 offers significant incentives for economic development in the State and;

WHEREAS, the Louisiana Department of Economic Development has designated certain 2010 U.S. Census Block Groups in the State as Enterprise Zones eligible based on demographic and economic factors and;

WHEREAS, the St. Bernard Parish Council requests that the Census Tract/Block Group described below be designated as an Enterprise Zone in lieu of the original qualified Census Tract/Block Group and;

WHEREAS, this change is requested for (see below – population density) is due, regular and legal session convened on October 15, 2013 that it hereby requests the new zone location shown below be designated by the Louisiana Board of Commerce and Industry as an Enterprise Zone in lieu of the original zone location.

ORIGINAL ZONE LOOCATION		NEW ZONE LOCATION	
Census Tract	Block Group	Census Tract	Block Group
302.08	1	302.08	2

BE IT FURTHER RESOLVED that, in accordance with Ls. R.S. 51:1785, St. Bernard Parish Council agrees to:



# *St. Bernard Parish Council*

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*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

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Extract #18 continued  
October 15, 2013

1. Participate in the Enterprise Zone Program.
2. To assist the Louisiana Department of Economic Development in evaluating progress made in any Enterprise Zone within its jurisdiction.

BE IT FURTHER RESOLVED that all resolutions 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:** Lauga, Gorbaty, Lewis, Hunnicutt

**NAYS:** None

**ABSENT:** Montelongo, Cavignac

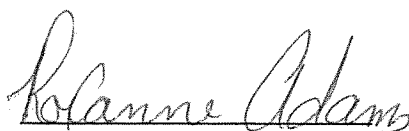
The Vice-Chairman, Mr. McInnis, cast his vote as **YEA**.

And the motion was declared **adopted** on the 15<sup>th</sup> day of October, 2013.

## 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, October 15, 2013.

Witness my hand and the seal  
of the Parish of St. Bernard on  
the 15<sup>th</sup> day of October, 2013.

  
ROXANNE ADAMS  
CLERK OF COUNCIL





# *St. Bernard Parish Council*

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*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

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**Nathan Gorbaty**  
*Councilman  
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**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**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, OCTOBER 15, 2013 AT THREE O'CLOCK P.M.

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

## **RESOLUTION SBPC #1093-10-13**

RESOLUTION STATING THE ST. BERNARD PARISH COUNCIL INTEREST IN PARTICIPATION IN THE LOUISIANA ENTERPRISE ZONE PROGRAM AND DESIGNATION OF ENTERPRISE ZONES AND ECONOMIC DEVELOPMENT ZONES AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

WHEREAS, the Louisiana Enterprise Zone Act La. R.S. 51:1781-1791 offers significant incentives for economic development in the State and;

WHEREAS, the Parish of St. Bernard Parish Council has a 2010 population of 75,000 or less is allowed by R.S. 51:1791 to designate one additional area that would not otherwise qualify as an Enterprise Zone, and;

WHEREAS, in accordance with the Louisiana Enterprise zone Program requirements the parish of St. Bernard agrees:

1. Participate in the Enterprise Zone Program.
2. To assist the Louisiana Department of Economic Development in evaluating progress made in any Enterprise Zone within its jurisdiction.

BE IT RESOLVED by the St. Bernard Parish Council in due, regular and legal session convened on this 15th day of October, 2013, that St. Bernard Parish will participate in the Louisiana Enterprise Zone Program and does request designation by the Louisiana Department of Economic Development of the Census Tract and Block Group shown below as an Enterprise Zone.

Census Tract	Block Group
303	2

BE IT FURTHER RESOLVED 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



# *St. Bernard Parish Council*

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*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
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District A*

**Nathan Gorbaty**  
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**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

Page -2-  
Extract #19 continued  
October 15, 2013

provisions, items or applications and to this end the provisions of this resolution are hereby declared severable.

BE IT FURTHER RESOLVED all resolutions 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:** Lauga, Gorbaty, Lewis, Hunnicutt

**NAYS:** None

**ABSENT:** Montelongo, Cavignac

The Vice-Chairman, Mr. McInnis, cast his vote as **YEA**.

And the motion was declared **adopted** on the 15<sup>th</sup> day of October, 2013.

## 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, October 15, 2013.

Witness my hand and the seal  
of the Parish of St. Bernard on  
the 15<sup>th</sup> day of October, 2013.

ROXANNE ADAMS  
CLERK OF COUNCIL



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**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**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, NOVEMBER 5, 2013 AT SEVEN O'CLOCK P.M.

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

## **RESOLUTION SBPC #1094-11-13**

BE IT RESOLVED, that the St. Bernard Parish Council, the Governing Authority, does hereby approve the following permits as recommended by the Alcohol Beverage and Bingo Department:

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

<u>Establishment</u>	<u>Beer</u>	<u>Liquor</u>
Renewals:		
1. Dingo's, LLC d/b/a Doug & Johnny's Rockin Rumors Nite Club 2029 Paris Road Chalmette, LA 70043 Member: John J. Vaccarella, Jr.	X	X
2. EMA, Inc., d/b/a South Lake Foods 7532 East Judge Perez Drive Violet, LA 70092 Owner(s): Manuel and Eva Nicosia	X	X
3. Frozen Fantasies, LLC d/b/a Frozen Fantasies 3120 East Judge Perez Drive Meraux, LA 70075 Member(s): Harry M. Fisher, III and Herbie M. Fisher	X	X
4. Guillory, Lura Mae d/b/a Guillory's 8317 East St. Bernard Highway St. Bernard, LA 70085 Owner: Lura Mae Guillory	X (beer only)	



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*Councilman  
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Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

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Extract #14 continued  
November 5, 2013

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

**YEAS:**            Gorbaty, Montelongo, McInnis

**NAYS:**            None

**ABSENT:**        Lauga, Lewis, Hunnicutt

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

And the motion was declared **adopted** on the 5<sup>th</sup> day of November, 2013.

## 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, November 5, 2013.

Witness my hand and the seal  
of the Parish of St. Bernard on  
the 5<sup>th</sup> day of November, 2013.

ROXANNE ADAMS  
CLERK OF COUNCIL



# *St. Bernard Parish Council*

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*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**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, NOVEMBER 5, 2013 AT SEVEN O'CLOCK P.M.

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

## **RESOLUTION SBPC #1095-11-13**

A RESOLUTION APPROVING THE PURCHASE OF PLAYGROUND EQUIPMENT FOR SIDNEY TORRES PARK.

WHEREAS, the current swings at the Sidney Torres Park playground are inoperative and;

WHEREAS, the Council is desirous to give back to the community and purchase new swings and;

NOW THEREFORE, BE IT RESOLVED, that the St. Bernard Parish Council, the Governing Authority, does hereby authorize the purchase of swings for the Sidney Torres Park playground for the amount of one thousand ninety-six dollars and ninety-one cents (\$1096.91) from Playgrounds by Leathers.

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

**YEAS:**            Gorbaty, Lewis, Montelongo, McInnis

**NAYS:**            None

**ABSENT:**        Lauga, Hunnicutt

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

And the motion was declared **adopted** on the 5<sup>th</sup> day of November, 2013.



# *St. Bernard Parish Council*

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at Large*

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*Councilman  
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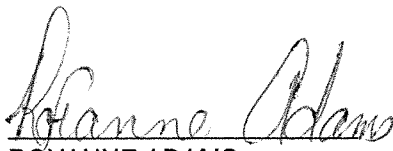
**Roxanne Adams**  
*Clerk of Council*

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Extract #15 continued  
November 5, 2013

## 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, November 5, 2013.

Witness my hand and the seal  
of the Parish of St. Bernard on  
the 5<sup>th</sup> day of November, 2013.

  
ROXANNE ADAMS  
CLERK OF COUNCIL



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*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**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, NOVEMBER 5, 2013 AT SEVEN O'CLOCK P.M.

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

## **RESOLUTION SBPC #1096-11-13**

A RESOLUTION TO DEDICATE AND OR RESTRICT THE REMAINING \$9.3 MILLION OF THE \$50 MILLION BOND PROCEEDS TO FUND THE PARISH'S RESPONSIBILITY RELATING TO SPECIFIC CAPITAL PROJECTS AS OUTLINED HEREIN.

WHEREAS, the attached spreadsheet outlines these dedications and or restriction and;

NOW THEREFORE, BE IT RESOLVED, that the St. Bernard Parish Council, the Governing Authority, does hereby authorize the dedication and or restriction of the remaining \$9.3 million of the \$50 million bond proceeds to fund the parish's responsibility relating to specific capital projects as outlined herein. All Capital Outlay Projects shall be amended to the current budget.

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

**YEAS:**            Gorbaty, Lewis, Montelongo, McInnis

**NAYS:**            None

**ABSENT:**        Lauga, Hunnicutt

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

And the motion was declared **adopted** on the 5<sup>th</sup> day of November, 2013.



# *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

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Extract #16 continued  
November 5, 2013

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
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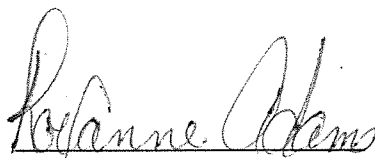
**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

## 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, November 5, 2013.

Witness my hand and the seal  
of the Parish of St. Bernard on  
the 5<sup>th</sup> day of November, 2013.

  
ROXANNE ADAMS  
CLERK OF COUNCIL



## Resolution SBPC #1096-11-13

Current Funding Obligations	
Munster Treatment Plant Retainage	\$1,600,000.00
DRAVO Force Main	\$500,000.00
Water Treatment Plant	\$800,000.00
Jackson/Pakenham Project	\$540,000.00
<b>TOTAL</b>	<b>\$3,440,000.00</b>

Current Projects Requiring Funding	
Water & Sewer Warehouse	\$551,000.00
Wet Well Lining Bypass Pump	\$50,000.00
Courthouse (Isaac Deductible)	\$726,000.00
Fire Station #3 (Isaac Deductible)	\$100,000.00
Fire Station #12 (Isaac Damage)	\$500,000.00
GIS Mapping	\$1,500,000.00
Val Riess Turf (4 Fields – Phase 1)	\$650,000.00
Misc. Debt	\$1,283,000.00
Isaac 25% Match (ineligible)	\$500,000.00
<b>TOTAL</b>	<b>\$5,860,000.00</b>

TOTAL from Current Funding Obligations	\$3,440,000.00
TOTAL from Current Projects Requiring Funding	\$5,860,000.00
<b>GRAND TOTAL</b>	<b>\$9,300,000.00</b>



# *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**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, NOVEMBER 5, 2013 AT SEVEN O'CLOCK P.M.

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

## **RESOLUTION SBPC #1097-11-13**

A RESOLUTION AUTHORIZING THE PARISH PRESIDENT TO ENTER INTO AN AGREEMENT TO REPLACE THOSE WATER SUPPLY LINES DEEMED BY ENGINEERING FIRMS TO REQUIRE IMMEDIATE REPLACEMENT AND SEEK ALTERNATIVE REVENUE SOURCES AND THE BEST FINANCING SOURCES AVAILABLE. THE ESTIMATED COST FOR THE WATER LINE REPLACEMENT PROJECT IS ESTIMATED AT \$21 MILLION.

WHEREAS, the Council is desirous to replace waterlines that are deemed necessary for immediate replacement and;

WHEREAS, the project schedule is as follows; January 13, 2014 hire consultants, February 7, 2014 release for bid, and March 18, 2014 award contracts.

NOW THEREFORE, BE IT RESOLVED, that the St. Bernard Parish Council, the Governing Authority, does hereby authorize the Parish President to enter into an agreement to replace those water supply lines deemed by Engineering Firms to require immediate replacement and seek alternative revenue sources and the best financing sources available. The estimated cost for the water line replacement project is estimated at \$21 million.

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

**YEAS:**            Gorbaty, Lewis, Montelongo, McInnis

**NAYS:**            None

**ABSENT:**        Lauga, Hunnicutt



# *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

Page -2-  
Extract #17 continued  
November 5, 2013

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

And the motion was declared **adopted** on the 5<sup>th</sup> day of November, 2013.

## 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, November 5, 2013.

Witness my hand and the seal  
of the Parish of St. Bernard on  
the 5<sup>th</sup> day of November, 2013.

ROXANNE ADAMS  
CLERK OF COUNCIL



# *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**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, NOVEMBER 19, 2013 AT THREE O'CLOCK P.M.

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

## **RESOLUTION SBPC #1098-11-13**

BE IT RESOLVED, that the St. Bernard Parish Council, the Governing Authority, does hereby approve the following permits as recommended by the Alcohol Beverage and Bingo Department:

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

<u>Establishment</u>	<u>Beer</u>	<u>Liquor</u>
Renewals:		
a. ES & A, Inc., d/b/a Daiquiri Paradise 201 West Judge Perez Drive Chalmette, LA 70043 Owner: George N. Ammari	X	X
b. GTN Convenience, LLC d/b/a Sammy's Discount Express 1609-11 East St. Bernard Highway Chalmette, LA 70043 Member: Mai Nguyen	X	X
c. Hoffer's Enterprises, LLC d/b/a Hoffer's Discount Stop 2545-B Paris Road Chalmette, LA 70043 Member(s): Susan Hoffer and Tracey Green	X	X
d. Hot Wok Buffet & Lounge, Inc., d/b/a Hot Wok Buffet & Lounge 8700 W. Judge Drive, Suite O Chalmette, LA 70043 Owner: Zhong Ruan Lin	X	X
e. I Zenith, Inc., d/b/a Super Serve #5 7571 West Judge Perez Drive Arabi, LA 70032 Owner(s): Indira Allam, Ramesh Gadde, Madhusudhana Allam, and Satyaveni Vaddevelli	X	X



**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

f.	J & R Quick Stop, Inc., d/b/a J & R Quick Stop 8245 West St. Bernard Highway Chalmette, LA 70043 Owner: Lawrence Bienvenu	X	X
----	---	---	---

**Ray Lauga, Jr.**  
*Councilman*  
*District A*

New Business:

a. Donut King Café, LLC d/b/a DK's Café X(only)  
3514 Paris Road Chalmette, LA 70043  
Member(s): Lance Johnston and Rachel Johnston

**Nathan Gorbaty**  
Councilman  
District B

b.	Moran Foods, LLC d/b/a Save-A-Lot #355 8700 West Judge Perez Drive Chalmette, LA 70043 Member(s): Ritchie Casteel, Robin Anderson, Doyle Troyer, Barbra Nunziato, and SuperValu, Inc. Manager: Edmund J. Fos, III	X	X
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**Richard "Richie" Lewis**  
Councilman  
District C

**Casey W. Hunnicutt**  
*Councilman*  
*District D*

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

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**YEAS:** Lauga, Gorbaty, Montelongo, McInnis

**NAYS:** None

**Roxanne Adams**  
*Clerk of Council*

**ABSENT:** Lewis

**DID NOT VOTE:** Hunnicutt

The Chairman, Mr. Cavignac, cast his vote as **ABSTAIN**.

And the motion was declared **adopted** on the 19<sup>th</sup> day of November, 2013



# *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

Page -3-  
Extract #16 continued  
November 19, 2013

## 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, November 19, 2013.

Witness my hand and the seal  
of the Parish of St. Bernard on  
the 19<sup>th</sup> day of November, 2013.

ROXANNE ADAMS  
CLERK OF COUNCIL



# *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
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**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**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, NOVEMBER 19, 2013 AT THREE O'CLOCK P.M.

On motion of Mr. Lauga, seconded by Mr. Gorbaty, it was moved to **adopt** the following resolution:

## **RESOLUTION SBPC #1099-11-13**

A RESOLUTION AUTHORIZING ADMINISTRATION TO SOLICIT FIRMS TO PERFORM A STUDY AS IT PERTAINS TO INDUSTRY STANDARDS REGARDING WATER AND SEWER.

WHEREAS, St. Bernard Parish Council is authorizing Administration to solicit firms that can perform a study in St. Bernard Parish as it pertains to water and sewer; and,

WHEREAS, this study will allow St. Bernard Parish to compare the findings of other municipalities to their current industry standings; and,

WHEREAS, St. Bernard Parish Council is also requesting that the firm that is solicited to perform this study provide all of its findings and results directly to the Water and Sewer Committee for their review; and,

WHEREAS, after the Water and Sewer Committee has reviewed the findings, they will then submit any recommended changes that they feel are necessary to the full Council for their consideration.

NOW, THEREFORE, BE IT RESOLVED by the St. Bernard Parish Council, acting as governing authority of said Parish does hereby authorize Administration to solicit firms that can perform a study in St. Bernard Parish as it pertains to water and sewer.



# *St. Bernard Parish Council*

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Extract #17 continued  
November 19, 2013

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
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District C*

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*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

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

**YEAS:**                Lauga, Gorbaty, Montelongo, McInnis

**NAYS:**                None

**ABSENT:**            Lewis

**DID NOT VOTE:** Hunnicutt

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

And the motion was declared **adopted** on the 19<sup>th</sup> day of November, 2013

## 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, November 19, 2013.

Witness my hand and the seal  
of the Parish of St. Bernard on  
the 19<sup>th</sup> day of November, 2013.

ROXANNE ADAMS  
CLERK OF COUNCIL





# *St. Bernard Parish Council*

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*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

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*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**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, NOVEMBER 19, 2013 AT THREE O'CLOCK P.M.

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

## **RESOLUTION SBPC #1100-11-13**

A RESOLUTION AUTHORIZING THE PARISH PRESIDENT TO SUBMIT A LOAN APPLICATION FORM 100A AND ACCOMPANYING DOCUMENTS TO THE DEPARTMENT OF HEALTH AND HOSPITALS ON BEHALF OF ST. BERNARD PARISH FOR THE PURPOSE OF PLACING IMPROVEMENTS TO THE ST. BERNARD PARISH WATER DISTRICT – PWS ID NO. 1087001 ON THE COMPREHENSIVE PRIORITY LIST FOR FUNDING THROUGH THE DRINKING WATER REVOLVING LOAN FUND PROGRAM.

WHEREAS, St. Bernard Parish is in need of improvements to the St. Bernard Parish Water District – PWS ID No. 1087001; and,

WHEREAS, loans for this project may be available through the Drinking Water Revolving Loan Fund program operated by the Louisiana Department of Health and Hospitals Office of Public Health.

NOW, THEREFORE, BE IT RESOLVED by the St. Bernard Parish Council, acting as governing authority of said Parish

SECTION 1. That David E. Peralta, Parish President, is hereby authorized to submit a Loan Application Form 100A and accompanying documents to the Department of Health and Hospitals on behalf of St. Bernard Parish for the purpose of placing Improvements to St. Bernard Parish Water District – PWS ID No. 1087001 - on the Comprehensive Priority List for funding through the Drinking Water Revolving Loan Fund Program.

SECTION 2. That David E. Peralta, Parish President, is further authorized to furnish such additional information as may reasonably be required in connection with the Loan Application.



# *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

Page -2-  
Extract #18 continued  
November 19, 2013

SECTION 3. That David E. Peralta, Parish President, is hereby designated as the Office Project Representative and is hereby given signature authority for all relative documents for St. Bernard Parish for any project that may result from the submission of the Loan Application Form 100A and accompanying documents. Furthermore, David E. Peralta, Parish President, representing St. Bernard Parish is hereby given the power and authority to do all things necessary to implement, maintain, amend, and renew such documents relative to any such project.

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

**YEAS:** Lauga, Gorbaty, Montelongo, McInnis

**NAYS:** None

**ABSENT:** Lewis

**DID NOT VOTE:** Hunnicutt

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

And the motion was declared **adopted** on the 19<sup>th</sup> day of November, 2013

## 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, November 19, 2013.

Witness my hand and the seal  
of the Parish of St. Bernard on  
the 19<sup>th</sup> day of November, 2013.

ROXANNE ADAMS  
CLERK OF COUNCIL



# *St. Bernard Parish Council*

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*Councilman  
at Large*

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*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

**#19**

**Tabled**

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, NOVEMBER 19, 2013 AT THREE O'CLOCK P.M.

On motion of Mr. Lauga, seconded by Mr. Lewis, it was moved to **table** the following resolution:

## **RESOLUTION SBPC #1101-11-13**

A RESOLUTION ESTABLISHING A MASTER PLAN AS PRIMARY PROJECT FOR GUSTAV – IKE FUNDING OF THE ST. BERNARD PARISH COUNCIL ST. BERNARD PARISH, LOUISIANA

WHEREAS, the Consolidated Security Disaster Assistance and Continuing Appropriations Act of 2009 (Public Law 110-329) enacted on September 30, 2008, made available CDBG funds for Hurricanes Gustav and Ike; and,

WHEREAS, St. Bernard Parish's 1<sup>st</sup> allocation is for \$ -0- and its 2<sup>nd</sup> allocation is for \$ 250,548.00 for a total allocation of CDBG funds for Hurricanes Gustav and Ike of \$ 250,548.00; and,

WHEREAS, on October 4, 2013, the St. Bernard Parish Government executed Amendment #1 to the Cooperative Endeavor Agreement with the State of Louisiana office of Community Development, Disaster Recovery Unit, increasing the allocation to \$750,549.00 to include \$500,000.00 for the sustainable Coastal Communities Program.

WHEREAS, St. Bernard Parish has held a separate public hearing to solicit responses from the citizens of St. Bernard Parish in order to submit the revisions to the Hurricanes Gustav and Ike Community Development Block Grant (CDBG) Application Recovery Proposal Form; and,

WHEREAS, officials and representatives from the St. Bernard Parish Council and Government participated in these public hearings to compile activities that meet the failure to function; and,



NOW, THEREFORE, BE IT RESOLVED, that the St. Bernard Parish Council does hereby adopt the Master Land Use and Zoning Plan, Safe Harbor Project and Yscloskey Ice House as the project to be submitted for funding through the Hurricanes Gustav and Ike Community Development Block Grant Application Recovery Proposal Form.



# *St. Bernard Parish Council*

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Extract #19 continued  
November 19, 2013

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
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*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

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

**YEAS:**                    Lauga, Gorbaty, Lewis, Hunnicutt, Montelongo, McInnis

**NAYS:**                    None

**ABSENT:**                None

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

And the motion was declared **adopted** on the 19<sup>th</sup> day of November, 2013

## 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, November 19, 2013.

Witness my hand and the seal  
of the Parish of St. Bernard on  
the 19<sup>th</sup> day of November, 2013.

ROXANNE ADAMS  
CLERK OF COUNCIL



# *St. Bernard Parish Council*

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**#20**

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
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**Roxanne Adams**  
*Clerk of Council*

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, NOVEMBER 19, 2013 AT THREE O'CLOCK P.M.

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

## **RESOLUTION SBPC #1102-11-13**

A RESOLUTION APPOINTING KATHERINE TOMMASEO TO THE STATE'S BATTLE OF NEW ORLEANS BICENTENNIAL COMMISSION.

WHEREAS, the Louisiana Legislature created the Battle of New Orleans Bicentennial Commission via Act 745 during the 2010 regular scheduled session, and;

WHEREAS, the aforementioned act was amended by Act 697 during the 2012 regular scheduled session of the Louisiana Legislature, and;

WHEREAS, Act 697 created additional members to the commission, including one member "appointed by the governing of St. Bernard Parish," and;

WHEREAS, the Governing Authority, through the authority granted to it by 2012 Louisiana Legislative Act 697, hereby appoints Katherine Tommaseo to the Battle of New Orleans Bicentennial Commission.

NOW THEREFORE, BE IT RESOLVED, that the St. Bernard Parish Council, the governing authority, does hereby appoint Katherine Tommaseo to the state's Battle of New Orleans Bicentennial Commission.

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

**YEAS:**                    Lauga, Gorbaty, Lewis, Hunnicutt, Montelongo, McInnis

**NAYS:**                    None

**ABSENT:**                None



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*Councilman  
at Large*

**George Cavignac**  
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*Councilman  
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**Roxanne Adams**  
*Clerk of Council*

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Extract #20 continued  
November 19, 2013

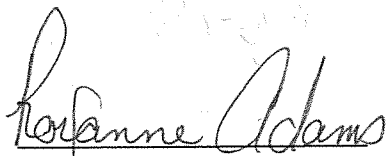
The Chairman, Mr. Cavignac, cast his vote as **YEA**.

And the motion was declared **adopted** on the 19<sup>th</sup> day of November, 2013

## 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, November 19, 2013.

Witness my hand and the seal  
of the Parish of St. Bernard on  
the 19<sup>th</sup> day of November, 2013.

  
ROXANNE ADAMS  
CLERK OF COUNCIL



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**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
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**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**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, NOVEMBER 19, 2013 AT THREE O'CLOCK P.M.

On motion of Mr. McInnis, seconded by Mr. Hunnicutt, it was moved to **adopt** the following resolution:

## **RESOLUTION SBPC #1103-11-13**

A RESOLUTION REQUESTING PARTIAL REIMBURSEMENT FOR EXPENSES INCURRED FOR THE 2013 SUPER REGION CANVAS CONFERENCE.

WHEREAS, Councilman Lauga attended the 2013 Super Region Canvas Conference in Tampa, Florida and;

WHEREAS, certain out-of-pocket expenses were incurred by Councilman Lauga for the 2013 Super Region Canvas, and;

WHEREAS, these expenses were incurred in an effort to gain information and knowledge regarding infrastructure and economic opportunities, development of digital media hub, regional transportation issues, crime reduction, and airports, ports and international trade that would benefit St. Bernard Parish, and;

WHEREAS, the total cost of the conference was two thousand two hundred dollars (\$2,200.00) which included organized flights, transportation and lodging, and;

WHEREAS, Councilman Lauga is only requesting partial reimbursement in the amount of one thousand one hundred dollars (\$1,100.00), and;

NOW THEREFORE RESOLVED that the St. Bernard Parish Council, governing authority, does hereby approve the reimbursement of one thousand one hundred dollars (\$1,100.00) and forward to the St. Bernard Parish Finance Director for payment pursuant to St. Bernard Parish Code of Ordinances Section 9-5 (h), Expense voucher on return, and Section 9-5 (j), Procedures for payment.





# *St. Bernard Parish Council*

8201 West Judge Perez Drive    Chalmette, Louisiana, 70043  
(504) 278-4228    Fax (504) 278-4209  
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**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

Page -2-  
Extract #21 continued  
November 19, 2013

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

**YEAS:**                    Gorbaty, Lewis, Hunnicutt, Montelongo, McInnis

**NAYS:**                    None

**ABSENT:**                None

**ABSTAINED:**        Lauga

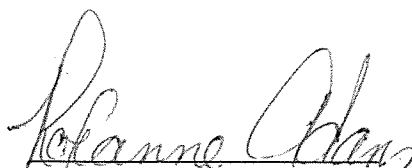
The Chairman, Mr. Cavignac, cast his vote as **YEA**.

And the motion was declared **adopted** on the 19<sup>th</sup> day of November, 2013

## 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, November 19, 2013.

Witness my hand and the seal  
of the Parish of St. Bernard on  
this 19<sup>th</sup> day of November, 2013.

  
ROXANNE ADAMS  
CLERK OF COUNCIL

Roxanne Adams

#21

**From:** Ray Lauga [councilmanlauga@gmail.com]  
**Sent:** Tuesday, November 19, 2013 3:07 PM  
**To:** Roxanne Adams  
**Subject:** Fwd: Baton Rouge Area Chamber Customer Receipt/Purchase Confirmation

See attached.

----- Forwarded message -----

**From:** "Veronica Young" <veronica@brac.org>  
**Date:** Oct 14, 2013 11:17 AM  
**Subject:** Baton Rouge Area Chamber Customer Receipt/Purchase Confirmation  
**To:** "Ray Lauga" <councilmanlauga@gmail.com>  
**Cc:**

**Thank you for your order!**

**Order Information**

**Merchant:** Baton Rouge Area Chamber  
**Description:** SRC Canvas Workshop  
**Invoice Number:** 122788375

**Billing Information**

Ray Lauga  
847 Friscoville Ave  
Arabi, LA 70032  
US  
councilmanlauga@gmail.com

**Shipping Information**

**Total: US \$2200.00**

**Discover**

**Date/Time:** 14-Oct-2013 10:17:28 MDT  
**Transaction ID:** 5611656059



# *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

**#43**

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, NOVEMBER 19, 2013 AT THREE O'CLOCK P.M.

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

## **RESOLUTION SBPC #1104-11-13**

A RESOLUTION REQUESTING THE CONTROLLING ENTITY OF THE CIVIC CENTER TO DONATE SPACE IN THE GRAND BALLROOM TO THE HOSPITAL SERVICE DISTRICT FOR USE ON DECEMBER 14, 2013 FOR THE ANNUAL CHRISTMAS PARTY.

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

**YEAS:** Hunnicutt, Montelongo

**NAYS:** Lewis

**ABSENT:** Gorbaty

**DID NOT VOTE:** Lauga, McInnis

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

And the motion was declared **adopted** on the 19<sup>th</sup> day of November, 2013

## **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, November 19, 2013.

Witness my hand and the seal  
of the Parish of St. Bernard on  
the 19<sup>th</sup> day of November, 2013.

**ROXANNE ADAMS**  
CLERK OF COUNCIL



# *St. Bernard Parish Council*

8201 West Judge Perez Drive Chalmette, Louisiana, 70043

(504) 278-4228 Fax (504) 278-4209

www.sbpbg.net

**Guy McInnis**

*Councilman  
at Large*

**George Cavignac**

*Councilman  
at Large*

**Ray Lauga, Jr.**

*Councilman  
District A*

**Nathan Gorbaty**

*Councilman  
District B*

**Richard "Richie" Lewis**

*Councilman  
District C*

**Casey W. Hunnicutt**

*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**

*Councilman  
District E*

**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, DECEMBER 3, 2013 AT SEVEN O'CLOCK P.M.

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

## **RESOLUTION SBPC #1105-12-13**

BE IT RESOLVED, that the St. Bernard Parish Council, the Governing Authority, does hereby approve the following permits as recommended by the Alcohol Beverage and Bingo Department:

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

<u>Establishment</u>	<u>Beer</u>	<u>Liquor</u>
Renewals:		
a. Aaron's Investments, Inc., d/b/a/ Aaron's, 2545 Paris Road, Suite A, Chalmette, LA 70043 Owner(s): Rolfe A. Barker and Janice A. Barker	X	
b. HALO 1, LLC d/b/a/ Meraux Quick Stop 3112 East St. Bernard Highway, Meraux, LA Member(s): Hamdi Jabbar and Abder Rahim Y. Askar	X	X
c. Jerome and Anthony, LLC d/b/a/ Quick Wok Chinese Restaurant 9212 W. Judhge Peres Drive, Chalmette, LA 70043 Member(s): Huan Nguyen, Nga Vu, Hao Nguyen and Huong Vu	X	X
d. Wimpy's Three, LLC d/b/a/ Wimpy's 800 East Judge Perez Drive, Chalmette, LA 70043 Member: Lori Cantrell	X	X



# *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

Page -2-  
Extract #18 continued  
December 3, 20123

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

**YEAS:**            Lauga, Gorbaty, Montelongo, McInnis

**NAYS:**            None

**ABSENT:**        Lewis, Hunnicutt

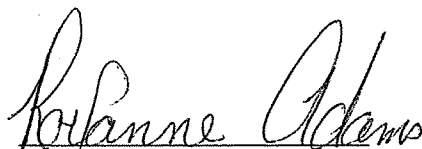
The Chairman, Mr. Cavignac, cast his vote as **ABSTAINED**.

And the motion was declared **adopted** on the 3<sup>rd</sup> day of December, 2013

## 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, December 3, 2013.

Witness my hand and the seal  
of the Parish of St. Bernard on  
the 3<sup>rd</sup> day of December, 2013.

  
ROXANNE ADAMS  
CLERK OF COUNCIL



# *St. Bernard Parish Council*

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**#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, DECEMBER 3, 2013 AT SEVEN O'CLOCK P.M.

On motion of Mr. Lauga, seconded by Mr. Gorbaty, it was moved to **adopt** the following resolution:

## **RESOLUTION SBPC #1106-12-13**

BE IT RESOLVED, that the St. Bernard Parish Council, the Governing Authority, does hereby adopt the following St. Bernard Parish Council Meeting dates for 2014:

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

January 7, 2014 @ 7:00 p.m.  
January 21, 2014 @ 3:00 p.m.

February 4, 2014 @ 7:00 p.m.  
February 18, 2014 @ 3:00 p.m.

March 5, 2014 @ 7:00 p.m.  
March 18, 2014 @ 3:00 p.m.

April 1, 2014 @ 7:00 p.m.  
April 15, 2014 @ 3:00 p.m.

May 6, 2014 @ 7:00 p.m.  
May 20, 2014 @ 3:00 p.m.

June 3, 2014 @ 7:00 p.m.  
June 17, 2014 @ 3:00 p.m.

July 1, 2014 @ 7:00 p.m.  
July 15, 2014 @ 3:00 p.m.

August 5, 2014 @ 7:00 p.m.  
August 19, 2014 @ 3:00 p.m.

September 2, 2014 @ 7:00 p.m.  
September 16, 2014 @ 3:00 p.m.

October 7, 2014 @ 7:00 p.m.  
October 21, 2014 @ 3:00 p.m.

November 4, 2014 @ 7:00 p.m.  
November 18, 2014 @ 3:00 p.m.

December 2, 2014 @ 7:00 p.m.  
December 16, 2014 @ 3:00 p.m.



# *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

Page -2-  
Extract #19 continued  
December 3, 2013

**George Cavignac**  
*Councilman  
at Large*

January 7, 2014 Council meeting will be held at the Old Beauregard Court House, 1201 Bayou Road, St. Bernard, LA.

**Ray Lauga, Jr.**  
*Councilman  
District A*

All other meetings will be held at 8201 W. Judge Perez Drive, Chalmette in the Council Chambers

**Nathan Gorbaty**  
*Councilman  
District B*

The minutes of each meeting are posted at [www.sbpq.net](http://www.sbpq.net) and in the St. Bernard Voice.

For more information call 504-278-4217 or 504-278-4228.

**Richard "Richie" Lewis**  
*Councilman  
District C*

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

**Casey W. Hunnicutt**  
*Councilman  
District D*

YEAS: Lauga, Gorbaty, Lewis, Montelongo, McInnis

NAYS: None

**Manuel "Monty" Montelongo III**  
*Councilman  
District E*

ABSENT: Hunnicutt

The Chairman, Mr. Cavignac, cast his vote as YEA.

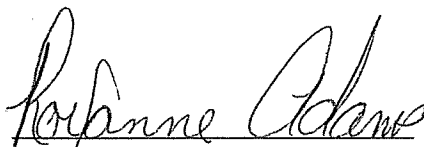
**Roxanne Adams**  
*Clerk of Council*

And the motion was declared adopted on the 3<sup>rd</sup> day of December, 2013

## 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, December 3, 2013.

Witness my hand and the seal  
of the Parish of St. Bernard on  
this 3<sup>rd</sup> day of December, 2013.

  
ROXANNE ADAMS  
CLERK OF COUNCIL



# *St. Bernard Parish Council*

8201 West Judge Perez Drive Chalmette, Louisiana, 70043

(504) 278-4228 Fax (504) 278-4209

www.sbpj.net

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

**#20**

**Tabled**

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, DECEMBER 3, 2013 AT SEVEN O'CLOCK P.M.

On motion of Mr. McInnis, seconded by Mr. Lauga, it was moved to **table** the following resolution until the December 17, 2013 Council meeting:

## **RESOLUTION SBPC #1107-12-13**

A RESOLUTION ESTABLISHING A MASTER PLAN AS PRIMARY PROJECT FOR GUSTAV – IKE FUNDING OF THE ST. BERNARD PARISH COUNCIL ST. BERNARD PARISH, LOUISIANA

WHEREAS, the Consolidated Security Disaster Assistance and Continuing Appropriations Act of 2009 (Public Law 110-329) enacted on September 30, 2008, made available CDBG funds for Hurricanes Gustav and Ike; and,

WHEREAS, St. Bernard Parish's 1<sup>st</sup> allocation is for \$ -0- and its 2<sup>nd</sup> allocation is for \$ 250,548.00 for a total allocation of CDBG funds for Hurricanes Gustav and Ike of \$ 250,548.00 ; and,

WHEREAS, on October 4, 2013, the St. Bernard Parish Government executed Amendment #1 to the Cooperative Endeavor Agreement with the State of Louisiana office of Community Development , Disaster Recovery Unit, increasing the allocation to \$750,549.00 to include \$500,000.00 for the sustainable Coastal Communities Program.

WHEREAS, St. Bernard Parish has held a separate public hearing to solicit responses from the citizens of St. Bernard Parish in order to submit the revisions to the Hurricanes Gustav and Ike Community Development Block Grant (CDBG) Application Recovery Proposal Form; and,

WHEREAS, officials and representatives from the St. Bernard Parish Council and Government participated in these public hearings to compile activities that meet the failure to function; and,





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**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman*  
*District A*

**Nathan Gorbaty**  
*Councilman*  
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*Councilman*  
*District C*

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**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

Page -2-  
Extract #20 continued  
December 3, 2013

WHEREAS, the following proposed projects were submitted for approval through the Hurricanes Gustav and Ike Community Development Block Grant (CDBG) Disaster Recovery Program; and,

### Primary Project

Master Land Use and Zoning Plan	\$250,548.00
---------------------------------	--------------

TOTAL PRIMARY PROJECT COST	\$ 250,548.00
----------------------------	---------------

Alternate Project

Safe Harbor Project	\$ 250,548.00
---------------------	---------------

TOTAL ALTERNATE PROJECT COST	\$ 250,548.00
------------------------------	---------------

WHEREAS, now the following projects are to be submitted to the Louisiana Office of Community Development, Disaster Recovery Infrastructure Program for approval:

### Primary Project

## Gustav- Ike

Master Land Use and Zoning Plan	\$250,549.00
---------------------------------	--------------

## Sustainable Coastal Communities Program

Safe Harbor Project	\$ 150,000.00
---------------------	---------------

Yscloskey Ice House	\$ 350,000.00
---------------------	---------------

TOTAL PRIMARY PROJECT COST	\$ 750,549.00
----------------------------	---------------

WHEREAS, \$750,549.00 of LCDBG Disaster Recovery Infrastructure funds are being provided in order to fund the projects that have been identified.

NOW, THEREFORE, BE IT RESOLVED, that the St. Bernard Parish Council does hereby adopt the Master Land Use and Zoning Plan, Safe Harbor Project and Yscloskey Ice House as the project to be submitted for funding through the Hurricanes Gustav and Ike Community Development Block Grant Application Recovery Proposal Form.



# *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

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*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

Page -3-  
Extract #20 continued  
December 3, 2013

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

**YEAS:**            Lauga, Gorbaty, Lewis, Montelongo, McInnis

**NAYS:**            None

**ABSENT:**        Hunnicutt

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

And the motion was declared **adopted** on the 3<sup>rd</sup> day of December, 2013

## 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, December 3, 2013.

Witness my hand and the seal  
of the Parish of St. Bernard on  
the 3<sup>rd</sup> day of December, 2013.

ROXANNE ADAMS  
CLERK OF COUNCIL



# *St. Bernard Parish Council*

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**#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, DECEMBER 3, 2013 AT SEVEN O'CLOCK P.M.

On motion of Mr. McInnis seconded by Mr. Lauga, it was moved to **adopt** the following resolution:

## **RESOLUTION SBPC #1108-12-13**

A RESOLUTION AUTHORIZING THE PARISH PRESIDENT TO SUBMIT A GRANT APPLICATION TO THE LOUISIANA OFFICE OF COMMUNITY DEVELOPMENT (DIVISION OF ADMINISTRATION) FOR THE PURPOSE OF SECURING \$124,800.00 FROM THE 2013-2014 LOUISIANA GOVERNMENTAL ASSISTANCE PROGRAM TO ACQUIRE VACANT LAND WITHIN THE VILLAGE SQUARE HAZARD MITIGATION FOOTPRINT.

WHEREAS, Saint Bernard Parish Government seeks to secure funding from the 2013-2014 Louisiana Governmental Assistance Program to acquire remaining pieces of property within the Village Square Hazard Mitigation Footprint, and;

WHEREAS, the acquisition of these lots would provide Saint Bernard Parish Government greater flexibility, contiguity and site control for future public use development of the Village Square area, and;

WHEREAS, the Governing Authority desires to apply for funds from the 2013-2014 Louisiana Governmental Assistance Program for the aforementioned purposes.

NOW THEREFORE, BE IT RESOLVED, that the St. Bernard Parish Council, the governing authority, does hereby authorize the Parish President to submit a grant application to the Louisiana Office of Community Development (Division of Administration) for the purpose of securing \$124,800.00 from the 2013-2014 Louisiana Governmental Assistance Program to acquire vacant land within the Village Square Hazard Mitigation Footprint.

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*



# *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

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**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

Page -2-  
Extract #21 continued  
December 3, 2013

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

**YEAS:**            Lauga, Gorbaty, Lewis, Montelongo, McInnis

**NAYS:**            None

**ABSENT:**        Hunnicutt


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

And the motion was declared **adopted** on the 3<sup>rd</sup> day of December, 2013

## 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, December 3, 2013.

Witness my hand and the seal  
of the Parish of St. Bernard on  
this 3<sup>rd</sup> day of December, 2013.

  
ROXANNE ADAMS  
CLERK OF COUNCIL



# *St. Bernard Parish Council*

8201 West Judge Perez Drive    Chalmette, Louisiana, 70043  
(504) 278-4228    Fax (504) 278-4209  
[www.sbpbg.net](http://www.sbpbg.net)

**#38**

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, DECEMBER 3, 2013 AT SEVEN O'CLOCK P.M.

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

## **RESOLUTION SBPC #1109-12-13**

A RESOLUTION TO RE-APPOINT ANDREW SERCOVICH TO THE HOSPITAL SERVICE DISTRICT OF ST. BERNARD PARISH, STATE OF LOUISIANA.

WHEREAS, the term of the aforementioned expired on December 3, 2013, and;

WHEREAS, the St. Bernard Parish Council advertised, in the official journal, that they would be accepting applications to fill an opening on the St. Bernard Parish Hospital Service District, and;

WHEREAS, this Council is desirous to re-appoint Andrew Sercovich to his position for the required six year term to expire on December 3, 2019.

NOW THEREFORE, BE IT RESOLVED, that the St. Bernard Parish Council, the Governing Authority, does hereby re-appoint Andrew Sercovich to the Hospital Service District of St. St. Bernard Parish, State of Louisiana, with his term to expire December 3, 2019.

BE IT FURTHER RESOLVED, that this re-appointment is effective immediately with the passage of this Resolution.

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

**YEAS:**            Lauga, Lewis, Montelongo, McInnis

**NAYS:**            None

**ABSENT:**        Gorbaty, Hunnicutt

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

And the motion was declared **adopted** on the 3<sup>rd</sup> day of December, 2013.

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*



# *St. Bernard Parish Council*

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Extract #38 continued  
December 3, 2013

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

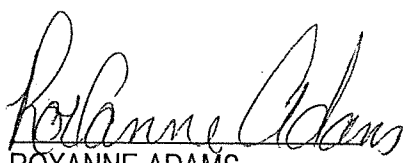
**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

## 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, December 3, 2013.

Witness my hand and the seal  
of the Parish of St. Bernard on  
this 3<sup>rd</sup> day of December, 2013.

  
ROXANNE ADAMS  
CLERK OF COUNCIL



# *St. Bernard Parish Council*

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**#14**

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

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, DECEMBER 17, 2013 AT THREE O'CLOCK P.M.

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

## **RESOLUTION SBPC #1110-12-13**

BE IT RESOLVED, that the St. Bernard Parish Council, the Governing Authority, does hereby approve the following permits as recommended by the Alcohol Beverage and Bingo Department:

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

<u>Establishment</u>	<u>Beer</u>	<u>Liquor</u>
Renewals:		
a. Hiren & Jatin, Inc., d/b/a Super Discount Store 3235 Paris Road Chalmette, LA 70043 Owner(s): Jatin Desai and Hiren Shah	X	X
b. HMMM Services, LLC d/b/a Mooley's In & Out 601 East Judge Perez Drive Chalmette, LA 70043 Member(s): Michael Moolekamp and Heather Scianneaux	X	X
c. Jaber and Son's, Inc., d/b/a Quick Check #6 5815 East Judge Perez Drive Violet, LA 70092 Owner: Abdallah A. Jaber	X	X
d. J. Fernandez, LLC d/b/a Julie's Tavern 8431 West St. Bernard Highway Chalmette, LA 70043 Member: Julie T. Fernandez	X	X
Change in Ownership:		
e. M & V Entertainment, LLC d/b/a The Remix 103 West St. Bernard Highway Chalmette, LA 70043 Member(s): Michael Carlton, Sr. and Vincent Ferrara	X	X



# *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

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Extract #14 continued  
December 17, 2013

**George Cavignac**  
*Councilman  
at Large*

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

**Ray Lauga, Jr.**  
*Councilman  
District A*

**YEAS:**            Lauga, Gorbaty, Hunnicutt, Montelongo

**Nathan Gorbaty**  
*Councilman  
District B*

**NAYS:**            None

**ABSENT:**        Lewis, Cavignac

**Richard "Richie" Lewis**  
*Councilman  
District C*

The Council Vice-Chair, Mr. McInnis, cast his vote as **YEA**.

**Casey W. Hunnicutt**  
*Councilman  
District D*

And the motion was declared **adopted** on the 17<sup>th</sup> day of December, 2013

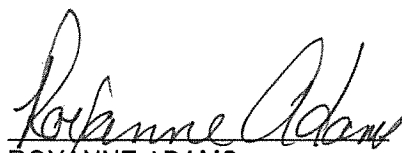
**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

## 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, December 17, 2013

Witness my hand and the seal  
of the Parish of St. Bernard on  
this 17<sup>th</sup> day of December, 2013

  
ROXANNE ADAMS  
CLERK OF COUNCIL





# *St. Bernard Parish Council*

8201 West Judge Perez Drive    Chalmette, Louisiana, 70043  
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**#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, DECEMBER 17, 2013 AT THREE O'CLOCK P.M.

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

## **RESOLUTION SBPC #1111-12-13**

A RESOLUTION GIVING PRELIMINARY APPROVAL TO THE ISSUANCE OF NOT EXCEEDING TWO MILLION TWO HUNDRED THOUSAND DOLLARS (\$2,200,000) OF LIMITED TAX CERTIFICATES OF INDEBTEDNESS OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA; PROVIDING CERTAIN TERMS OF SAID CERTIFICATES; MAKING APPLICATION TO THE STATE BOND COMMISSION FOR APPROVAL OF SAID CERTIFICATES; AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH.

WHEREAS, the Parish of St. Bernard, State of Louisiana (the "Parish" or the "Issuer") desires to incur debt and issue not exceeding Two Million Two Hundred Thousand Dollars (\$2,200,000) of its Limited Tax Certificates of Indebtedness (the "Certificates"), pursuant to Section 742.2 of Title 39 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority, for the purpose of acquiring, constructing and improving fire protection facilities and purchasing fire trucks and other fire fighting equipment in the Parish and paying the costs incurred in connection with the issuance thereof, as set out in the Proposition approved by the voters on December 8, 2012, said Certificates to be payable from the irrevocable pledge and dedication of the funds to be derived from the levy and collection of a special 20 mills tax (such rate being subject to adjustment from time to time due to reassessment) authorized to be levied each year through the year 2022 (the "Tax") within the corporate boundaries of the Issuer, to mature no later than March 1, 2023, and to bear interest at a rate or rates not to exceed 5% per annum; and

WHEREAS, prior to the issuance of the Certificates, the Issuer will not be a party to any contract pledging or dedicating the revenues of the Tax; and

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*



# *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

Page -2-  
Extract #15, continued  
December 17, 2013

**George Cavignac**  
*Councilman  
at Large*

WHEREAS, the Issuer desires to make formal application to the State Bond Commission for approval of the Certificates;

**Ray Lauga, Jr.**  
*Councilman  
District A*

NOW, THEREFORE, BE IT RESOLVED by the Parish Council of the Parish of St. Bernard, State of Louisiana (the "Governing Authority"), acting as the governing authority of the Parish of St. Bernard, State of Louisiana (the "Issuer"), that:

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

SECTION 1. Preliminary approval is given to the issuance of not exceeding \$2,200,000 aggregate principal amount of Limited Tax Certificates of Indebtedness of the Issuer (the "Certificates"), pursuant to Section 742.2 of Title 39 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority, to be issued for the purpose of acquiring, constructing and improving fire protection facilities and purchasing fire trucks and other fire fighting equipment in the Parish and paying the costs incurred in connection with the issuance thereof, as set out in the Proposition approved by the voters on December 8, 2012, said Certificates to be payable from the irrevocable pledge and dedication of the funds to be derived from the levy and collection of a special 20 mills tax (such rate being subject to adjustment from time to time due to reassessment) authorized to be levied each year through the year 2022 (the "Tax") within the corporate boundaries of the Issuer. The Certificates shall bear interest at a rate or rates not to exceed 5% per annum, to be determined by subsequent proceedings of this Governing Authority at the time of the sale of the Certificates, and shall mature no later than March 1, 2023. The Certificates shall be issued in fully registered form, shall be sold to the purchasers thereof at a price of not less than par, plus accrued interest, and shall have such additional terms and provisions as may be determined by this Governing Authority.

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

SECTION 2. The Parish President and the Clerk of Council of the Parish are each hereby further authorized and directed, for and on behalf of the Parish, to accept, receive, execute, seal, attest and deliver all such documents, certificates and other instruments as are required in connection with the borrowing authorized herein, and to take such further action as may be appropriate or required by law in connection therewith.

SECTION 3. Application be and the same is hereby formally made to the State Bond Commission, Baton Rouge, Louisiana, for its consent and authority to issue and sell the aforesaid issue of Certificates, and a certified copy of this



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**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

Page -3-  
Extract #15, continued  
December 17, 2013

resolution shall be forwarded to the State Bond Commission on behalf of the Issuer, together with a letter requesting the prompt consideration and approval of this application. By virtue of applicant/issuer's application for, acceptance and utilization of the benefits of the Louisiana State Bond Commission's approval(s) resolved and set forth herein, it resolves that it understands and agrees that such approval(s) are expressly conditioned upon, and it further resolves that it understands, agrees and binds itself, its successors and assigns to, full and continuing compliance with the "State Bond Commission Policy on Approval of Proposed Use of Swaps, or other forms of Derivative Products Hedges, Etc.", adopted by the Commission on July 20, 2006, as to the borrowing(s) and other matter(s) subject to the approval(s), including subsequent application and approval under said Policy of the implementation or use of any swap(s) or other product(s) or enhancement(s) covered thereby.

SECTION 4. This Governing Authority finds and determines that a real necessity exists for the employment of special counsel in connection with the issuance of the obligations, and accordingly, Foley & Judell, LLP, of New Orleans, Louisiana, as Bond Counsel, is hereby employed to do and perform work of a traditional legal nature as bond counsel with respect to the issuance and sale of said obligations. Said Bond Counsel shall prepare and submit to this Governing Authority for adoption all of the proceedings incidental to the authorization, issuance, sale and delivery of such obligations, shall counsel and advise this Governing Authority as to the issuance thereof and shall furnish their opinions covering the legality of the issuance of the obligations. The fee of Bond Counsel for each series of said obligations shall be fixed at a sum not exceeding the fee allowed by the Attorney General's fee guidelines for such bond counsel work in connection with the issuance of each such series of revenue obligations and based on the amount of said obligations issued, sold, delivered, plus "out-of-pocket" expenses, said fees to be contingent upon the issuance, sale and delivery of said notes. A certified copy of this resolution shall be submitted to the Attorney General of the State of Louisiana for his written approval of said employment and of the fees herein designated, and the Finance Director is hereby empowered and directed to issue vouchers in payment for the work herein provided for upon completion of the work herein specified and under the conditions herein enumerated.

SECTION 5. Prior to the delivery of the Certificates, the Issuer anticipates that it may pay a portion of the costs of the project from the General Fund. The project includes specifically paying the costs of acquiring, constructing and improving fire protection facilities and purchasing fire trucks and other fire fighting



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**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

Page -4-  
Extract #15, continued  
December 17, 2013

equipment in the Parish and paying the costs of issuance thereof. Upon the issuance of the Certificates, the Issuer reasonably expects to reimburse any such expenditures of other available funds from a portion of the proceeds of the Certificates. Any such allocation of proceeds of the Certificates for reimbursement will be with respect to capital expenditures (as defined in Reg. 1.150-1(b)) and will be made upon the delivery of the Certificates and not later than one year after the later of (i) the date such expenditure was paid or (ii) the date on which the project was placed in service. This Section is intended to be a declaration of official intent within the meaning of Reg. 1.150-2.

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

**YEAS:**            Lauga, Gorbaty, Lewis, Hunnicutt, Montelongo

**NAYS:**            None

**ABSENT:**        Cavignac

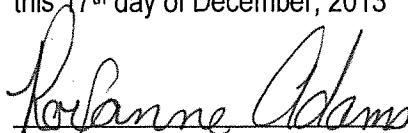
The Council Vice-Chair, Mr. McInnis, cast his vote as **YEA**.

And the motion was declared **adopted** on the 17<sup>th</sup> day of December, 2013

## 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, December 17, 2013

Witness my hand and the seal  
of the Parish of St. Bernard on  
this 17<sup>th</sup> day of December, 2013

  
ROXANNE ADAMS  
CLERK OF COUNCIL



# *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

STATE OF LOUISIANA

PARISH OF ST. BERNARD

I, the undersigned Clerk of Council of the Parish of St. Bernard, State of Louisiana, do hereby certify that the foregoing pages constitute a true and correct copy of a resolution giving preliminary approval to the issuance of not exceeding Two Million Two Hundred Thousand Dollars (\$2,200,000) of Limited Tax Certificates of Indebtedness of the Parish of St. Bernard, State of Louisiana; providing certain terms of said certificates; making application to the State Bond Commission for approval of said Certificates; and providing for other matters in connection therewith.

IN FAITH WHEREOF, witness my official signature on this, the 17<sup>th</sup> day of December, 2013.

  
Clerk of Council



# *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**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, DECEMBER 17, 2013 AT THREE O'CLOCK P.M.

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

## **RESOLUTION SBPC #1114-12-13**

A RESOLUTION TO PAY INVOICES NUMBERED 00019 AND 00017 BY PEREZ APC, THE TOTAL AMOUNT OF PAYMENT BEING THIRTY ONE THOUSAND FIVE HUNDRED DOLLARS (\$31,500). THE PAYMENT OF THE ABOVE INVOICES ARE TO BE PAID OUT OF THE \$1.3 MILLION CONTINGENCY FUNDING (MISCELLANEOUS DEBT) OF THE \$50 MILLION BOND.

WHEREAS, the Perez APC invoices are paid out of the contingency portion of the fifty million dollar bond fund. These payments represent St. Bernard parish's obligation to repair the civic center for hurricane Katrina damage.

WHEREAS, the total amount of invoice 00019 being seven thousand eight hundred and seventy five dollars \$7,875. (Attachment A)

WHEREAS, the total amount of invoice 00017 being twenty three thousand six hundred and twenty five dollars (\$23,625). (Attachment B)

NOW, THEREFORE BE IT RESOLVED that the St. Bernard Parish Council, the Governing Authority, does hereby authorize the Parish President to pay both Perez APC invoices numbered 00019 and 00017 dated 05/30/2013 out of the \$1.3 MILLION CONTINGENCY FUNDING (MISCELLANEOUS DEBT) OF THE \$50 MIL BOND.

SECTION 1. Effective Date. This Resolution shall become effective immediately upon authorizing signature by the Parish President.

SECTION 2. Severability. If any section, clause, paragraph, provision or portion of this Resolution shall be held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause,



# *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

Page -2-  
Extract #18, continued  
December 17, 2013

paragraph, provision or portion of this Resolution, the St. Bernard Parish Council hereby expresses and declares that it would have adopted the remaining portion this Resolution with the invalid portions omitted.

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

**YEAS:**            Lauga, Gorbaty, Lewis, Hunnicutt, Montelongo

**NAYS:**            None

**ABSENT:**        Cavignac

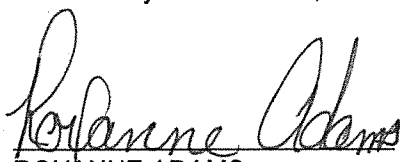
The Council Vice-Chair, Mr. McInnis, cast his vote as **YEA**.

And the motion was declared **adopted** on the 17<sup>th</sup> day of December, 2013

## 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, December 17, 2013

Witness my hand and the seal  
of the Parish of St. Bernard on  
this 17<sup>th</sup> day of December, 2013

  
ROXANNE ADAMS  
CLERK OF COUNCIL

# Perez.

Perez APC  
Attn: Accounts Receivable Dept.  
317 Burgundy St., Suite 11  
New Orleans, LA 70112  
(504) 584-5100

St. Bernard Parish Government  
8201 West Judge Perez Dr., Rm 240  
Chalmette, LA 70043  
Buster Lyons

Invoice number 00017  
Date 05/30/2013

Project 01-09-1011-00 ST. BERNARD PARISH,  
CIVIC CENTER RENOVATION

Professional Services as of July 30, 2010

Description	Contract Amount	Percent Complete	Prior Billed	Total Billed	Remaining	Current Billing
<b>BASIC SERVICES:</b>						
PROJECT REVIEW AND EVALUATION	126,000.00	100.00	126,000.00	126,000.00	0.00	0.00
CONSTRUCTION DOCUMENTS	252,000.00	100.00	252,000.00	252,000.00	0.00	0.00
BIDDING AND NEGOTIATION	31,500.00	100.00	31,500.00	31,500.00	0.00	0.00
CONSTRUCTION PHASE	189,000.00	100.00	189,000.00	189,000.00	0.00	0.00
CLOSE OUT	31,500.00	100.00	7,875.00	31,500.00	0.00	23,625.00
Subtotal	630,000.00	100.00	606,375.00	630,000.00	0.00	23,625.00
<b>AMENDMENTS:</b>						
AMENDMENT NO. 1 - RESIDENT INSPECTION	96,250.00	100.00	96,250.00	96,250.00	0.00	0.00
AMENDMENT NO. 2 - SPECIALTY SYSTEMS DESIGN & CONSTRUCTION ADMINISTRATION (Sound & Video Projection & Speakers)	8,000.00	100.00	8,000.00	8,000.00	0.00	0.00
AMENDMENT NO. 3	1,122.00	100.00	1,122.00	1,122.00	0.00	0.00
Subtotal	105,372.00	100.00	105,372.00	105,372.00	0.00	0.00
Total	735,372.00	100.00	711,747.00	735,372.00	0.00	23,625.00

Invoice total 23,625.00



# Perez.

Perez APC

Attn: Accounts Receivable Dept.

317 Burgundy St., Suite 11

New Orleans, LA 70112

(504) 584-5100

St. Bernard Parish Government  
8201 West Judge Perez Dr., Rm 240  
Chalmette, LA 70043  
Buster Lyons

Invoice number 00019  
Date 05/30/2013

Project 01-09-1011-00 ST. BERNARD PARISH,  
CIVIC CENTER RENOVATION

Professional Services as of October 27, 2012

Description	Contract Amount	Percent Complete	Prior Billed	Total Billed	Remaining	Current Billing
<b>BASIC SERVICES:</b>						
PROJECT REVIEW AND EVALUATION	126,000.00	100.00	126,000.00	126,000.00	0.00	0.00
CONSTRUCTION DOCUMENTS	252,000.00	100.00	252,000.00	252,000.00	0.00	0.00
BIDDING AND NEGOTIATION	31,500.00	100.00	31,500.00	31,500.00	0.00	0.00
CONSTRUCTION PHASE	189,000.00	100.00	189,000.00	189,000.00	0.00	0.00
CLOSE OUT	31,500.00	100.00	23,625.00	31,500.00	0.00	7,875.00
Subtotal	630,000.00	100.00	622,125.00	630,000.00	0.00	7,875.00
<b>AMENDMENTS:</b>						
AMENDMENT NO. 1 - RESIDENT INSPECTION	96,250.00	100.00	96,250.00	96,250.00	0.00	0.00
AMENDMENT NO. 2 - SPECIALTY SYSTEMS DESIGN & CONSTRUCTION ADMINISTRATION (Sound & Video Projection & Speakers)	8,000.00	100.00	8,000.00	8,000.00	0.00	0.00
AMENDMENT NO. 3	1,122.00	100.00	1,122.00	1,122.00	0.00	0.00
Subtotal	105,372.00	100.00	105,372.00	105,372.00	0.00	0.00
Total	735,372.00	100.00	727,497.00	735,372.00	0.00	7,875.00

Invoice total 7,875.00



# *St. Bernard Parish Council*

8201 West Judge Perez Drive    Chalmette, Louisiana, 70043  
(504) 278-4228    Fax (504) 278-4209  
www.sbpq.net

**#19**

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

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, DECEMBER 17, 2013 AT THREE O'CLOCK P.M.

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

## **RESOLUTION SBPC #1115-12-13**

A RESOLUTION RETAINING THE TONRY LAW FIRM, LLC AS LEGAL COUNSEL REPRESENTING ST. BERNARD PARISH COUNCIL AND TO AUTHORIZE A CONTRACT FOR SAID SERVICES.

WHEREAS, the St. Bernard Parish Council, the governing authority of St. Bernard Parish is desirous of retaining legal counsel and to authorize a contract, attached as "Exhibit A" for these legal services, and;

WHEREAS, the council further desires to retain the services of The Tony Law Firm, LLC to represent St. Bernard Parish Government for the hourly-fee of two hundred dollars (\$200.00) per hour with a monthly retainer of three thousand dollars (\$3,000.00) beginning in January 2014.

WHEREAS, The St. Bernard Parish Council will not sign the attached contract until they receive feedback from the Attorney General opinion that they will be seeking to ensure that the attached contract has been properly procured and also ensure that the rate of pay is adequate.

NOW THEREFORE BE IT RESOLVED that the St. Bernard Parish Council is hereby retaining the services of The Tony Law Firm, LLC beginning January of 2014 commencing upon the signing of the contract.

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

**YEAS:**            Lauga, Gorbaty, Lewis, Hunnicutt, Montelongo

**NAYS:**            None

**ABSENT:**        Cavignac



# *St. Bernard Parish Council*

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[www.sbpq.net](http://www.sbpq.net)

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

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Extract #19 continued  
December 17, 2013

The Council Vice-Chair, Mr. McInnis, cast his vote as YEA.

And the motion was declared **adopted** on the 17<sup>th</sup> day of December, 2013

## 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, December 17, 2013

Witness my hand and the seal  
of the Parish of St. Bernard on  
this 17<sup>th</sup> day of December, 2013

ROXANNE ADAMS  
CLERK OF COUNCIL

## HOURLY AGREEMENT

I/WE, collectively referred to as THE ST. BERNARD PARISH COUNCIL, the undersigned clients (hereinafter referred to as "I," "me" or the "Client"), do hereby retain and employ The Tonry Law Firm, LLC (hereinafter referred to as "Attorney"), as my Attorney to act in an advisory capacity, to assist in determining the legal ramifications of Council actions or proposed actions, and to assist in drafting ordinances as well as other miscellaneous projects. Clients hereby acknowledge that this contract for service does not include handling any matter in any court of competent jurisdiction or any litigation.

**HOURLY FEE:** Hourly-Fee is \$200.00 per hour with an initial retainer of \$3,000.00. This initial retainer is to be drawn down as work commences on behalf of the Parish Council. Time is billed in 20 minute increments until the retainer is exhausted. Upon the exhaustion of the initial retainer, Client will then submit another \$3,000.00 retainer to be drawn upon as work permits.

In addition to the above mentioned hourly rate, all costs expended by attorney will be reimbursed as billed. These costs include, but are not limited to copy costs, postage, computerized legal research, and courier fees.

Client agrees to pay by the hour at attorney's prevailing rates as set forth in the rate schedule for time spent on client's matter by attorney's legal personnel. Attorney will charge client for the time attorney spends on telephone calls relating to client's case, including calls with client, court personnel, or other parties relative to the work in progress. If more than one legal personnel assigned to client's case attends a meeting or other proceeding, each of them will charge for the time spent. Attorney will charge for waiting time as necessary.

In the event Client fails to pay Attorney's fees and/or costs and disbursements pursuant to this agreement, Attorney may withdraw as counsel upon written, timely notice to Client.

**COSTS:** To aid in the preparation, it may become necessary to hire experts, consultants, or investigators. Client agrees to separately retain and pay for any fees and charges for these services. Attorney will select, in consultation with Client, any expert, consultant, or investigators to be hired. You agree to pay for all actual out-of-pocket costs we incur on your behalf. Typical costs include: filing fees, service of process, depositions, expert fees, travel expenses, courier services, delivery charges, and photocopying (at \$0.15 per page).

**TERMINATION OF REPRESENTATION AND POST-REPRESENTATION MATTERS:** . Client may discharge Attorney at any time. Attorney may withdraw with Client's consent, or for good cause. Good cause includes Client's breach of this Agreement, making a material misrepresentation to Attorney relating to the subject matter of the representation or the representation itself, refusal to cooperate or to follow Attorney's advice on a material matter or any fact or circumstance that would render Attorney's continuing representation unlawful or unethical. After services conclude, Attorney will, upon Client's written request, deliver Client's file and any property in Attorney's possession.

Unless previously terminated, our representation will terminate upon completion of the legal services described in this agreement. You understand we have no continuing obligation to represent you unless you retain us to provide additional advice or services.

**CLIENT'S RESPONSIBILITIES:** We cannot effectively represent you without your cooperation and assistance. You agree to cooperate fully with us and to provide promptly all information known or available to you that is relevant to Firm's representation. Your obligations include timely providing requested information and documents, assisting in discovery, disclosure and trial preparation, cooperating in scheduling and related matters, responding timely to telephone calls and correspondence, and informing us of changes in your address and telephone numbers.

**NO GUARANTEE:** I acknowledge that Attorney has made no promise or guarantee regarding the outcome of legal advice. I further acknowledge that Attorney shall have the right to cancel this agreement and withdraw from this matter if, in Attorney's professional opinion, the matter does not have merit, I do not have a reasonably good possibility of recovery, I refuse to follow the recommendations of Attorney, I fail to abide by the terms of this agreement, and/or if Attorney's continued representation would result in a violation of the Rules of Professional Conduct.

**NO ADVICE REGARDING THIS FEE AGREEMENT:** We are not acting as your counsel with respect to this agreement. If you wish to be advised on whether you should enter into this agreement, we recommend you consult with independent counsel of your choice.

**ENTIRE AGREEMENT:** I have read this agreement in its entirety and I agree to and understand the terms and conditions set forth herein. I acknowledge that there are no other terms or oral agreements existing between Attorney and Client. This agreement may not be amended or modified in any way without the prior written consent of Attorney and Client.

*This agreement is executed by me, the undersigned Client,  
on this \_\_\_\_\_ day of December \_\_\_\_\_, 2013.*

\_\_\_\_\_  
Guy McInnis  
Councilman at Large East

\_\_\_\_\_  
George Cavignac  
Councilman at Large West

\_\_\_\_\_  
Ray Lauga, Jr.  
Councilman District A

\_\_\_\_\_  
Nathan J. Gorbaty  
Councilman District B

\_\_\_\_\_  
Richard J. Lewis  
Councilman District C

\_\_\_\_\_  
Casey Hunnicutt  
Councilman District D

\_\_\_\_\_  
Manuel "Monty" Montelongo  
Councilman District E

*The foregoing agreement is hereby accepted on this \_\_\_\_\_ day of December, 2013.*

\_\_\_\_\_  
THE TONRY LAW FIRM

*\*\*\*This contract is an hourly contract and client will be required to provide a retainer to be drawn upon as work commences. Client will also be liable for all court costs and expenditures mentioned above\*\*\**