



St. Bernard Parish Council

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

#15

Kerri Callais
Councilmember
at Large

Richard "Richie" Lewis
Councilmember
at Large

Gillis McCloskey
Councilmember
District A

Nathan Gorbaty
Councilmember
District B

Howard Luna
Councilmember
District C

Wanda Alcon
Councilmember
District D

**Manuel "Monty"
Montelongo III**
Councilmember
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, APRIL 4, 2017 AT SEVEN O'CLOCK P.M.

On motion of Mr. Luna, seconded by Ms. Callais, it was moved to **adopt** the following resolution

RESOLUTION SBPC #1706-04-17

A RESOLUTION AUTHORIZING THE PARISH PRESIDENT TO EXECUTE A MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN ST. BERNARD PARISH GOVERNMENT AND THE OLD ARABI NEIGHBORHOOD ASSOCIATION IN REGARD TO THE AYCOCK STREET BARN.

WHEREAS, it is the intention of the St. Bernard Parish Government to enter into the Memorandum of Understanding in connection with the Aycock Street Barn, and;

WHEREAS, St. Bernard Parish President Guy McInnis, is hereby authorized and directed to do, or cause to be done, all such acts and things and to execute and deliver or cause to be executed Memorandum of Understanding (as attached in Exhibit "A"), in the name of and on behalf of St. Bernard Parish Government, as they may deem necessary or appropriate to carry out the intent of the foregoing resolution.

NOW, THEREFORE BE IT RESOLVED, that the St. Bernard Parish Council, the Governing Authority, does hereby authorize Parish President Guy McInnis to sign and to execute the Memorandum of Understanding regarding the use of the Aycock Street Barn by the Old Arabi Neighborhood Association.

BE IT FURTHER RESOLVED that 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 of this Resolution with the invalid portions omitted.



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Kerri Callais
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April 4, 2017

Richard "Richie" Lewis
Councilmember
at Large

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

Gillis McCloskey
Councilmember
District A

YEAS: Gorbaty, Luna, Alcon, Montelongo, Callais

Nathan Gorbaty
Councilmember
District B

NAYS: McCloskey

Howard Luna
Councilmember
District C

ABSENT: None

Wanda Alcon
Councilmember
District D

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

And the motion was declared **adopted** on the 4th day of April, 2017.

Manuel "Monty" Montelongo III
Councilmember
District E

CERTIFICATE

Roxanne Adams
Clerk of Council

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 4, 2017.

Witness my hand and the seal of the Parish of St. Bernard on this 4th day of April, 2017.

ROXANNE ADAMS
CLERK OF COUNCIL

MEMORANDUM OF UNDERSTANDING
By and Between
ST. BERNARD PARISH GOVERNMENT
and
OLD ARABI NEIGHBORHOOD ASSOCIATION

THIS ____ DAY OF ____, 2017 appeared *ST. BERNARD PARISH GOVERNMENT* represented by its president, the *Honorable Guy McInnis*, and the *OLD ARABI NEIGHBORHOOD ASSOCIATION*, represented by its president, *Michael Pechon*, who forthwith mutually agree to the following terms and conditions relative to the use of the Aycock Street Barn:

Whereas, *St. Bernard Parish Government* (hereinafter *Parish Government*) owns the facility designated as the Aycock Street Barn, located at 409 Aycock Street, Arabi, Louisiana and has established the facility as the St. Bernard Parish Tourist Welcome Center under the daily administration of the St. Bernard Parish Department of Tourism; and

Whereas, the *Old Arabi Neighborhood Association* (hereinafter *Arabi Association*) is a non-profit corporation domiciled in the Parish of St. Bernard organized according to the laws governing non-profit corporations in the State of Louisiana; and

Whereas, the *Arabi Association* has partnered with *Parish Government* in the development and preservation of the Old Arabi Neighborhood; and

Whereas, the *Arabi Association* regularly sponsors community programs which enhance the quality of life in the Old Arabi Neighborhood;

ARTICLE I

Parish Government agrees to:

1. Allow the Aycock Street Barn to be utilized by the *Arabi Association* for "Sippin in the Sunset" and the Sugar Fest. Both events enhance the quality of life in Old Arabi and the Parish of St. Bernard. St. Bernard Parish Council, the governing authority, reserves the right to charge a fee to be mutually negotiated for the events listed herein.
2. Use *Parish Government* personnel to open and close the facility for events hosted by the *Arabi Association*.
3. Physically maintain the Aycock Street Barn making available exterior and interior spaces including restrooms for use by the *Arabi Association* during scheduled events.
4. Provide use of the Aycock Street Barn on a first come first serve basis.

ARTICLE II

Arabi Association agrees to:

1. Produce a certificate of insurance. Schedule use of the Aycock Street Barn through the St. Bernard Parish Department of Tourism.
2. Designate the president of the Arabi Association as the official representative of the organization, responsible for scheduling use of the Aycock Street Barn in writing.

ARTICLE III

1. This agreement will become effective upon the date of acceptance by the St. Bernard Parish President.
2. The program conducted under this agreement will be reviewed annually by Parish Government, through the Department of Tourism and the Arabi Association for the purpose of evaluating its effectiveness and desirability of its continuation.

ARTICLE IV

1. This agreement may be terminated in whole or in part on ninety (90) days written notice by either party to the agreement.
2. Nothing herein shall be construed as obligating *Parish Government* or the *Arabi Association* to expend funds or as involving either in any contract or other obligation for the future payment of money unless specifically provided for herein by contract.

ARTICLE V

1. Arabi Association agrees to protect, defend, indemnify, save, and hold harmless, the St. Bernard Parish Government, all departments, Agencies, Boards and commissions, its officers, agents, servants, employees and volunteers, from and against any and all claims, damages, expenses, 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 Arabi Association, its agents, servants, and employees, or any and all costs, expense and/or attorney fees incurred by Arabi Association as a result of any claims, demands, suits or causes of action, except those claims, demands, suits or causes of action arising out of the negligence of the St. Bernard Parish Government , Departments, Agencies, Boards, Commissions, its officers, agents, servants, employees and volunteers.

IN WITNESS THEREOF, the parties hereto have subscribed their names on the day, month and year aforementioned.

ST. BERNARD PARISH GOVERNMENT

By _____
The Honorable Guy McInnis, President

OLD ARABI NEIGHBORHOOD ASSOCIATION

By _____
Michael Pechon, President