



# St. Bernard Parish Council

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

**#32**

**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, SEPTEMBER 20, 2016 AT THREE O'CLOCK P.M.

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

## **ORDINANCE SBPC #1815-09-16**

### **Summary No. 3410**

Introduced by: Administration on 8/16/16  
Public hearing held on 9/6/16  
Tabled on 9/6/16 until 9/20/16

AN ORDINANCE TO DECLARE AS SURPLUS 3024-3026 PAKENHAM, WHICH IS OWNED BY THE PARISH, AND TO AUTHORIZE THE DONATION OF SAID PROPERTY ACCORDING TO LAW AND PURSUANT TO THE RENTAL LAND GRANT PROGRAM.

ST. BERNARD PARISH COUNCIL, THE GOVERNING AUTHORITY, DOES HEREBY FIND IT NECESSARY AND IN THE PUBLIC INTEREST TO ORDAIN:

**WHEREAS**, the property located at 3024-26 Pakenham was donated to the Parish and recorded on or about October 23, 2015; and,

**WHEREAS**, the Parish considers this property surplus and it is not needed for a public purpose; and,

**WHEREAS**, the Parish is required to donate property as part of the Rental Land Grant Program as provided for in the Settlement Agreement between the United States and St. Bernard Parish Government in United States of America vs. St. Bernard Parish, U.S.D.C., Eastern District of Louisiana No. 12:00321.

**SECTION 1.** The following donated property is surplus and is not needed for any public purpose:

LOT 16 BATTLEGROUND GARDENS 50X110=5500

The property bears the municipal address of 3024-26 Pakenham.

This property will be referred to hereinafter in this ordinance as "3024-26 Pakenham".



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Extract #32 continued  
September 20, 2016

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*Clerk of Council*

**SECTION 2.** 3024 Pakenham and 3026 Pakenham shall be donated to RTV, LLC in accordance with law as part of the Rental Land Grant Program as provided for in the Settlement Agreement between the United States and St. Bernard Parish Government in United States of America vs. St. Bernard Parish, U.S.D.C., Eastern District of Louisiana No. 12:00321 (hereinafter referred to as "the Settlement Agreement".)

**SECTION 3.** The President of St. Bernard Parish Government or his designee is hereby authorized to execute and record all documents necessary to complete the donation of 3024-26 Pakenham.

**SECTION 4.** This donation shall not occur if St. Bernard Parish Government has already fulfilled its' annual donation requirement in the Settlement Agreement prior to an Act of Sale being executed.

**SECTION 5.** Effective Date. This Ordinance shall become effective immediately upon authorizing signature by the Parish President. In the event of a presidential veto, this Ordinance shall become effective upon a two-thirds favorable vote of the total membership of the Council pursuant to Sections 2-11 and 2-13 of the St. Bernard Parish Home Rule Charter.

**SECTION 6.** Severability. If any section, clause, paragraph, provision or portion of this ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, paragraph, provision or portion of this Ordinance, the St. Bernard Parish Council hereby expresses and declares that it would have adopted the remaining portion this Ordinance with the invalid portions omitted.

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

**YEAS:** Gorbaty, Luna, Alcon, Montelongo, Lewis

**NAYS:** None

**ABSENT:** McCloskey

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

And the motion was declared adopted on the 20<sup>th</sup> day of September, 2016.



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Clerk of Council

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

And the motion was declared **adopted** on the 20<sup>th</sup> day of September, 2016.

ROXANNE ADAMS  
CLERK OF COUNCIL

KERRI CALLAIS  
COUNCIL CHAIR

Delivered to the Parish President 9/22/2016 4:00pm  
Date and Time

Approved

Vetoed \_\_\_\_\_

Parish President

Guy McInnis

Returned to Clerk of the Council

9/22/2016 4:23pm  
Date and Time

Received by