



# *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)

**#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 16, 2020 AT THREE O'CLOCK P.M.

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

## **RESOLUTION SBPC #2059-06-20**

A RESOLUTION TO AUTHORIZE THE PARISH PRESIDENT TO SIGN A FEDERAL FUNDING CERTIFICATION AND AGREEMENT TO HOLD HARMLESS AND INDEMNIFY TO REQUEST DIRECT PAYMENTS FROM THE STATE OF LOUISIANA FROM THE ALLOCATION OF FUNDS FROM THE CORONA RELIEF ACT CREATED BY THE CARES ACT.

**WHEREAS**, it is vital to the citizens of St. Bernard Parish for the Parish to receive direct payments from the State of Louisiana from the allocation of funds to the State of Louisiana from the Corona Virus Relief Fund created by the CARES Act.

**NOW THEREFORE, BE IT RESOLVED**, that the Parish Council hereby authorizes the Parish President to sign a Federal Funding Certification and Agreement to Hold Harmless and Indemnify, a copy of which is attached as Exhibit A, and to sign any other documents necessary for St. Bernard Parish to request and receive direct payments from the State of Louisiana from the allocation of funds to the State of Louisiana from the Corona Virus Relief Fund created by the CARES Act or to request and receive any other funds from the CARES Act.

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

**YEAS:** McCloskey, Moran, Alcon, Everhardt, Lewis

**NAYS:** None

**ABSENT:** Luna

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

And the motion was declared **adopted** on the 16<sup>th</sup> day of June, 2020.

**Kerri Callais**  
Councilmember  
at Large

**Richard "Richie" Lewis**  
Councilmember  
at Large

**Gillis McCloskey**  
Councilmember  
District A

**Joshua "Josh" Moran**  
Councilmember  
District B

**Howard Luna**  
Councilmember  
District C

**Wanda Alcon**  
Councilmember  
District D

**Fred Everhardt, Jr.**  
Councilmember  
District E

**Roxanne Adams**  
Clerk of Council



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Extract #17 continued  
June 16, 2020

**Kerri Callais**  
*Councilmember  
at Large*

**Richard "Richie" Lewis**  
*Councilmember  
at Large*

**Gillis McCloskey**  
*Councilmember  
District A*

**Joshua "Josh" Moran**  
*Councilmember  
District B*

**Howard Luna**  
*Councilmember  
District C*

**Wanda Alcon**  
*Councilmember  
District D*

**Fred Everhardt, Jr.**  
*Councilmember  
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 16, 2020.

Witness my hand and the seal  
of the Parish of St. Bernard on  
this 16<sup>th</sup> day of June, 2020.

ROXANNE ADAMS  
CLERK OF COUNCIL



**FEDERAL FUNDING CERTIFICATION AND  
AGREEMENT TO HOLD HARMLESS AND INDEMNIFY**

I, \_\_\_\_\_, am the authorized representative of \_\_\_\_\_, (hereinafter "Local Government Unit") and I certify that:

1. I have the authority, on behalf of the Local Government Unit, pursuant to the attached Resolution by Local Government Unit,<sup>1</sup> to request direct payments from the State of Louisiana from the allocation of funds to the State of Louisiana from the Coronavirus Relief Fund created by the CARES Act.

2. I understand that the State of Louisiana will rely on this Certification as a material representation in making direct payments to the Local Government Unit.

3. I acknowledge that the Local Government Unit will use funds provided by the State to reimburse those actual expenditures that-

a. Are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19) ("necessary expenditures");

b. Were not accounted for in the budget most recently approved as of March 27, 2020, for the Local Government Unit; and

c. Were incurred during the period beginning March 1, 2020, and ending December 30, 2020.<sup>2</sup>

4. I acknowledge that funds provided as direct payment from the State of Louisiana pursuant to this Certification for eligible expenditures incurred and paid during the period beginning March 1, 2020, and ending December 30, 2020, must be submitted to the State of Louisiana on or before January 31, 2021.

5. I acknowledge that funds provided as a direct payment from the State of Louisiana pursuant to this Certification must adhere to the requirements of the Act as further explained in the official federal guidance issued or to be issued on what constitutes an eligible expenditure. Any funds received from the Relief Fund by the Local Government Unit or its subrecipient(s) not in strict compliance with the Act and as further explained in the associated federal guidance shall be returned to the State of Louisiana within 14 days of such a finding by any executive, administrative, legislative, or judicial body.

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<sup>1</sup> Local Government Unit must attach to this document the Resolution which conveys legal authority to the individual signing this *Federal Funding Certification and Agreement to Hold Harmless and Indemnify*.

<sup>2</sup> See Federal Guidance and Frequently Asked Questions for a more detailed explanation of eligible expenditures at <https://home.treasury.gov/system/files/136/Coronavirus-Relief-Fund-Guidance-for-State-Territorial-Local-and-Tribal-Governments.pdf> and <https://home.treasury.gov/system/files/136/Coronavirus-Relief-Fund-Frequently-Asked-Questions.pdf>

6. I acknowledge that if the Local Government Unit or its subrecipient(s) fail(s) to timely return the funds in accordance with sections 4 or 5 above, then the State of Louisiana shall have the right to seek judicial enforcement in the Nineteenth Judicial District Court, Parish of East Baton Rouge, for the return of such funds.
7. I acknowledge that, in order to receive funds from the State of Louisiana, the Local Government Unit shall submit documents sufficient to support each expenditure for which it is requesting reimbursement. These documents may include, but are not limited to, invoices and/or sales receipts. Such documentation shall be produced to the State of Louisiana at the time the Local Government Unit requests payment of the funds and anytime thereafter upon request by the State of Louisiana.
8. I acknowledge that the Local Government Unit shall retain documents sufficient to support each eligible expenditure for which it has received funds for a period of ten (10) years from final payment under this program, or December 31, 2031, whichever date is later.
9. The Local Government Unit is subject to the audit provisions of La. R.S. 24:513.
10. I acknowledge that the Local Government Unit has made, or will make, reasonable efforts to comply with all applicable federal, state, and/or local procurement laws and regulations and has or will use competitive procurement methods for all expenditures submitted pursuant to this agreement.
11. I acknowledge that Relief Fund payments cannot be used to replace lost revenue or offset shortfalls in revenue. That is, revenue replacement is not a permissible use of Relief Fund payments.
12. I acknowledge that Local Government Unit has an affirmative obligation to identify and report any duplication of benefits. Funds received pursuant to this Certification neither have nor will be used for expenditures for which the Local Government Unit has received or will receive any other supplemental funding, whether state, federal, or private in nature, for that same expenditure. I understand that the State of Louisiana has an obligation and the authority to recover, deobligate or offset any duplicated benefits.
13. I acknowledge the Local Government Unit may submit an application for reimbursement of eligible expenditures incurred by a unit of general government within its parish, i.e. a subrecipient. In such instance, the funds received by the Local Government Unit on behalf of the subrecipient shall be used solely for necessary expenditures incurred and paid by the subrecipient due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19), that were not accounted for in the budget most recently approved as of March 27, 2020, and that were incurred during the period beginning March 1, 2020, and ending December 30, 2020. The Local Government Unit submitting the application is responsible for the documentation requirements in section 7 of this Certification and must retain those documents in accordance with Section 8 of this Certification.



14. I agree that the Local Government Unit will indemnify, save, and hold harmless, the State of Louisiana from any and all claims brought against the State for the recovery of funds disbursed by the State of Louisiana to the Local Government Unit or to any subrecipient(s) that are misappropriated, converted, and/or spent for any purpose other than those authorized by and in accordance with the CARES Act as determined by any executive, administrative, or judicial body of competent jurisdiction.

**I certify under penalty of law that I have read the above Certification and my statements contained herein are true and correct to the best of my knowledge, information and belief.**

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

Signature: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Notary Public

My commission expires \_\_\_\_\_