



St. Bernard Parish Council

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

#27

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 18, 2018 AT SEVEN O'CLOCK P.M.

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

Summary No. 3626

Introduced by: Administration on 8/21/18

Public Hearing held on 9/18/18

ORDINANCE SBPC #2090-09-18

AN ORDINANCE ORDERING AND CALLING A SPECIAL ELECTION TO BE HELD IN THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, ON DECEMBER 8, 2018 TO AMEND ARTICLE II, SEC. 2-01.1 OF THE ST. BERNARD PARISH HOME RULE CHARTER; MAKING APPLICATION TO THE STATE BOND COMMISSION IN CONNECTION THEREWITH; AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH.

BE IT ORDAINED 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 "Parish"), that:

SECTION 1. Election Call. Under the authority conferred by Article VI, Sections 5 and 22 of the Constitution of the State of Louisiana of 1974, the applicable provisions of Chapter 5, Chapter 6-A and Chapter 6-B of the Louisiana Election Code, and other constitutional and statutory authority, a special election is hereby called and ordered to be held in the Parish on **SATURDAY, DECEMBER 8, 2018**, between the hours of seven o'clock (7:00) a.m., and eight o'clock (8:00) p.m., in accordance with the provisions of La. R.S. 18:541, and at the said election there shall be submitted to all registered voters qualified and entitled to vote at the said election under the Constitution and laws of this State and the Constitution of the United States, the following proposition, to-wit:

CHARTER AMENDMENT PROPOSITION

Shall Article II, Section 2-01.1 of the Home Rule Charter of the Parish of St. Bernard, State of Louisiana, be amended to read as follows:

- (a) A person who has served as a councilman representing a councilmanic district for more than two and one-half (2 ½) terms in three (3) consecutive terms may not qualify for the office of councilman representing a councilmanic district for the next succeeding term.



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Extract #27 continued
September 18, 2018

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- (b) A person who has served as a councilman-at-large for more than two and one-half (2 ½) terms in three (3) consecutive terms shall not qualify for the office of councilman-at-large for the next succeeding term.
- (c) This section shall apply to each initial persons elected as councilmen or councilmen-at-large and to all subsequent persons elected to the aforesaid offices under this charter?

SECTION 2. Publication of Notice of Election. A Notice of Special Election shall be published in The St. Bernard Voice, a newspaper of general circulation within the Parish, published in Arabi, Louisiana, and being the official journal of the Parish, once a week for four consecutive weeks, with the first publication to be made not less than forty-five (45) days nor more than ninety (90) days prior to the date of the election, which Notice shall be substantially in the form attached hereto as "Exhibit A" and incorporated herein by reference the same as if it were set forth herein in full.

Notwithstanding the foregoing, prior to the publication of the Notice of Special Election, the Council Chair is authorized and directed to make any amendments to the foregoing proposition that may be required to comply with any state or federal regulatory agencies.

SECTION 3. Canvass. This Governing Authority shall meet at its regular meeting place, the Council Chambers of St. Bernard Parish Government Complex, 8201 West Judge Perez Drive, Chalmette, Louisiana, on **TUESDAY, DECEMBER 18, 2018, at THREE O'CLOCK (3:00) P.M.**, and shall then and there in open and public session proceed to examine and canvass the returns and declare the result of the said special election.

SECTION 4. Polling Places. The polling places for the precincts in the Parish are hereby designated as the polling places at which to hold the said election, and the Commissioners-in-Charge and Commissioners, respectively, will be the same persons as those designated in accordance with law.

SECTION 5. Election Commissioners; Voting Machines. The officers designated to serve as Commissioners-in-Charge and Commissioners pursuant to Section 4 hereof, or such substitutes therefor as may be selected and designated in accordance with La. R.S. 18:1287, shall hold the said special election as herein provided, and shall make due returns of said election for the meeting of the Governing Authority to be held on Tuesday, December 18, 2018, as provided in Section 3 hereof. All registered voters in the Parish will be entitled to vote at the special election, and voting machines shall be used.



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SECTION 6. Authorization of Officers. The Clerk of the Governing Authority is hereby empowered, authorized and directed to arrange for and to furnish to said election officers in ample time for the holding of said election, the necessary equipment, forms and other paraphernalia essential to the proper holding of said election and the Council Chair and/or Clerk of the Governing Authority are further authorized, empowered and directed to take any and all further action required by State and/or Federal law to arrange for the election.

SECTION 7. Furnishing Election Call to Election Officials. Certified copies of this ordinance shall be forwarded to the Secretary of State, the Clerk of Court and Ex-Officio Parish Custodian of Voting Machines of St. Bernard Parish and the Registrar of Voters of St. Bernard Parish, as notification of the special election, in order that each may prepare for said election and perform their respective functions as required by law.

SECTION 8. Application to State Bond Commission. Application is made to the State Bond Commission for consent and authority to hold the special election as herein provided and in the event said election carries for further consent and authority to amend the Home Rule Charter, and a certified copy of this ordinance shall be forwarded to the State Bond Commission on behalf of this Governing Authority, together with a letter requesting the prompt consideration and approval of this application.

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

YEAS: Gorbaty, Luna, Alcon, Lewis

NAYS: McCloskey

ABSENT: None

ABSTAIN: Montelongo

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

And the motion was declared **adopted** on the 18th day of September, 2018.



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Extract #27 continued
September 18, 2018


ROXANNE ADAMS
CLERK OF COUNCIL


KERRI CALLAIS
COUNCIL CHAIR


Delivered to the Parish President 9/19/2018 11:33am
Date and Time

Received by 

Approved  _____ Vetoed _____

Parish President 
Guy McInnis

Returned to Clerk of the Council 9/19/2018 11:35am
Date and Time

Received by 



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EXHIBIT "A"

Richard "Richie" Lewis
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NOTICE OF SPECIAL ELECTION

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District A*

Nathan Gorbaty
*Councilmember
District B*

Howard Luna
*Councilmember
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Roxanne Adams
Clerk of Council

Pursuant to the provisions of an ordinance adopted 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 "Parish"), on September 18, 2018, NOTICE IS HEREBY GIVEN that a special election will be held within the Parish on **SATURDAY, DECEMBER 8, 2018**, and that at the said election there will be submitted to all registered voters in the Parish qualified and entitled to vote at the said election under the Constitution and Laws of the State of Louisiana and the Constitution of the United States, the following proposition, to-wit:

CHARTER AMENDMENT PROPOSITION

Shall Article II, Section 2-01.1 of the Home Rule Charter of the Parish of St. Bernard, State of Louisiana, be amended to read as follows:

- (a) A person who has served as a councilman representing a councilmanic district for more than two and one-half (2 ½) terms in three (3) consecutive terms may not qualify for the office of councilman representing a councilmanic district for the next succeeding term.
- (b) A person who has served as a councilman-at-large for more than two and one-half (2 ½) terms in three (3) consecutive terms shall not qualify for the office of councilman-at-large for the next succeeding term.
- (c) This section shall apply to each initial persons elected as councilmen or councilmen-at-large and to all subsequent persons elected to the aforesaid offices under this charter?

Said special election will be held at each and every polling place in the Parish of St. Bernard, which polls will open at seven o'clock (7:00) a.m., and close at eight o'clock (8:00) p.m., in accordance with the provisions of La. R.S. 18:541.

The polling places at the precincts in the Parish are hereby designated as the polling places at which to hold the said election, and the Commissioners-in-Charge and Commissioners, respectively, shall be those persons designated according to law.

The said special election will be held in accordance with the applicable provisions of Chapter 5, Chapter 6-A and Chapter 6-B of Title 18 of the Louisiana



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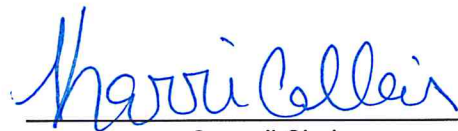
Roxanne Adams
Clerk of Council

Revised Statutes of 1950, as amended, and other constitutional and statutory authority, and the officers appointed to hold the said election, as provided in this

Notice of Special Election, or such substitutes therefor as may be selected and designated in accordance with La. R.S. 18:1287, will make due returns thereof to said Governing Authority, and NOTICE IS HEREBY FURTHER GIVEN that the Governing Authority will meet at its regular meeting place, the Council Chambers of St. Bernard Parish Government Complex, 8201 West Judge Perez Drive, Chalmette, Louisiana, on TUESDAY, DECEMBER 18, 2018, at THREE O'CLOCK (3:00) P.M., and shall then and there in open and public session proceed to examine and canvass the returns and declare the result of the said special election. All registered voters of the Parish are entitled to vote at said special election and voting machines will be used.

THUS DONE AND SIGNED at Chalmette, Louisiana, on this, the 18th day of September, 2018.

ATTEST:



Council Chair



Clerk of Council



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STATE OF LOUISIANA

PARISH OF ST. BERNARD

I, the undersigned Clerk of the Parish Council of the Parish of St. Bernard, State of Louisiana (the "Governing Authority"), 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 the proceedings taken by the Governing Authority on September 18, 2018, ordering and calling a special election to be held in the Parish of St. Bernard, State of Louisiana, on December 8, 2018, to amend Article II, Sec. 2-01.1 of the St. Bernard Parish Home Rule Charter; making application to the State Bond Commission in connection therewith; and providing for other matters in connection therewith.

IN FAITH WHEREOF, witness my official signature of the Parish at
Chalmette, Louisiana, on this, the 18th day of September, 2018.


Clerk of Council