



St. Bernard Parish Council

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

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

#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, APRIL 3, 2018 AT SEVEN O'CLOCK P.M.

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

ORDINANCE SBPC #2047-04-18

Summary No. 3574

Introduced by: Administration on 3/20/18
Public Hearing held on 4/3/18

AN ORDINANCE AUTHORIZING CONVEYANCE OF FORMER ROAD HOME OPTION 1 PROPERTY UNDER THE ROAD HOME OPTION CHANGE BUYBACK PROGRAM.

WHEREAS, the purpose of this ordinance is to encourage Road Home Program compliance through an option change. The St. Bernard Parish Council finds that guaranteeing former owners right of first refusal when transferring Road Home Option 1 property to the State.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. The St. Bernard Parish Council, as the Governing Authority of the Parish, does hereby authorize the St. Bernard Parish Government to convey former Road Home Option 1 properties listed in Exhibit "A" to the previous owner who received a Road Home Option 1 grant. SBPC #1821-10-16 authorized the Road Home Option Change Buyback Program with an amendment to the State of Louisiana Office of Community Development approved LLT Disposition Plan.

SECTION 2. The Parish President and the Chief Administrative Officer each is hereby authorized to execute all instruments necessary to effectuate the conveyances authorized by this ordinance, and are further authorized to execute any and all additional instruments necessary to implement the program. It is recognized and agreed the Parish President and/or Chief Administrative Officer may nominate a designee by use of a power of attorney to transfer, sell, or auction, the properties in Exhibit "A" in accordance with the laws of Louisiana.



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April 3, 2018

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SECTION 3. The Road Home Option Change Buyback program shall be administered by the Department of Community Development.

SECTION 4. The Road Home Option Change Buyback program shall observe the following minimum standards as stated in the Disposition Plan:

- I. Qualified Properties: Parcels of property eligible for inclusion in the program shall meet the following criteria listed in the Disposition Plan:

"In the event that a Road Home grantee who has defaulted on their Road Home Option 1 obligations wishes to modify their Road Home award to Option 2 or 3, OCD will require the grantee to pay the outstanding balance (difference between the initial award and modified award) and demonstrate the ability to transfer clear title back to the State. In such instances, SBPG will provide the grantee with an opportunity to purchase the property directly back from LLT/SBPG for fair market value plus any additional costs incurred by SBPG, OCD, and LLT as a result of the default and subsequent title transfers. Such costs shall include a new 1004 appraisal. SBPG shall exclude grantees from directly purchasing a property back in this manner if the grantee has any code enforcement violations associated with the subject property within the past three years of the Post Closing Option Change closing."

- II. Transfer Of Property:

4. When the property is transferred from the State to SBPG, qualifying former property owners have right of first refusal to purchase the property under the following process:
 - a. Interested property owners shall submit their name, the property address, and mailing address where SBPG can send official notification.
 - b. Once the property is transferred from OCD to SBPG, SBPG will send a certified letter to the mailing address provided by the former owner. It is the former owner's responsibility to update any changes to the mailing address. To retain right of first refusal, the former owner has ninety (90) days to place a deposit and order an appraisal through SBPG.



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Once the appraisal is completed, the applicant has thirty (30) days to sign a purchase agreement, and then another sixty (60) days to close on the property.

- c. Properties not sold by within six (6) months of the certified letter being sent may be placed into another disposition program.
 - d. Properties transferred under the Road Home Option Change Buyback Program, are not required to build a new home.
5. Properties shall be conveyed at fair market value, as determined in accordance with the Community Development Block Grant program requirements and Action Plan Amendments.

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.

SECTION 7. Other Ordinances and Codes Unaffected. Nothing herein shall be interpreted to repeal or otherwise diminish the powers of the Parish or its employees, officers, or agents under any other ordinance or code, including but not limited the Zoning Ordinance, the Building Code, and the Minimum Housing Code, all of which shall apply to the Road Home Option Change Buyback Program properties in addition to the provisions of this ordinance.

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

YEAS: McCloskey, Alcon, Lewis



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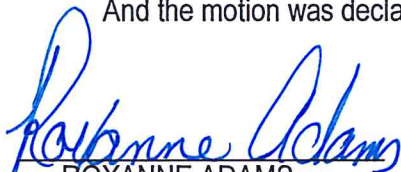
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NAYS: None
ABSENT: Luna, Montelongo
ABSTAIN: Gorbaty

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

And the motion was declared **adopted** on the 3rd day of April, 2018.


ROXANNE ADAMS
CLERK OF COUNCIL


KERRI CALLAIS
COUNCIL CHAIR


Delivered to the Parish President 4/5/2018 2:15pm
Date and Time

Received by Maegen Camps

Approved ✓

Vetoed _____

Parish President


Guy McInnis

Returned to Clerk of the Council

4/6/2018 10:24am
Date and Time

Received by



EXHIBIT "A"		
Summary No. 3574		
Ordinance SBPC #2047-04-18		
TaxID	Address	Mailing Address for Certified Letter
302700800044	2416 Jackson Blvd	39200 Ashwood Ln., Pearl River, LA 70452