

ORDINANCE NO. 5684 of 2017

BY THE CADDO PARISH COMMISSION:

AN ORDINANCE TO ENACT CHAPTER 19 OF THE CODE OF ORDINANCES HOUSING & ECONOMIC DEVELOPMENT, RELATIVE TO ESTABLISHING PROGRAMS TO PROVIDE PROPERTY FOR HOUSING DEVELOPMENT THROUGH THE USE OF ADJUDICATED PROPERTY, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO

WHEREAS, there are an excess of 7,199 adjudicated properties amounting to 1,586 acres in the Parish of Caddo of which 6,838 of these are within the city limits;

WHEREAS, revitalization efforts within the most distressed neighborhoods have been faced with many challenges such as vacancy, blight, inadequate or poorly maintained infrastructure, crime and perception of crime, and uncompetitive housing stock.

WHEREAS, the United Way of Louisiana's Asset Limited Income Constrained Employed (ALICE) has identified lack of affordable housing as a leading cause to family instability and financial hardship throughout the state of Louisiana.

WHEREAS, in Caddo Parish, Affordable Housing received a score of 36 out of 100 on Housing Affordability index.

WHEREAS, to address this issue, the Community Build Program will offer nonprofits and for profit developments non cash incentives to invest in inner city development.

WHEREAS, the traditional method of acquiring lots of adjudicated property has proven inadequate and often leaves vulnerable neighborhoods the victim of absent landowners and speculating property owners not looking to invest and revitalize the neighborhood.

WHEREAS, this program will offer priority to local nonprofits and for profit developers to directly acquire property free of liens utilizing existing Louisiana law.

WHEREAS, to ensure return on investments, organizations and developers will be required to submit plans consistent with the 2030 Shreveport-Caddo Master Plan and to enter to agreements that encourage ownership and mix use development.

NOW, THEREFORE, BE IT ORDAINED, by the Caddo Parish Commission in due, legal and regular session convened, that Chapter 19. Housing is hereby enacted as follows:

"Chapter 19 HOUSING AND ECONOMIC DEVELOPMENT

Article I. In General.

Sections 1-20. Reserved.

Article II. Adjudicated Property Program

Division 1 – Generally

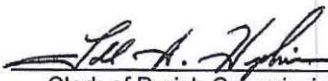
Section 19 - 21. Definitions.

- a. Applicant means a person or organization who applies to acquire property from the Parish under the provisions of this Article.
- b. Adjudicated property means property which has been adjudicated to the Parish by the Sheriff as *ex officio* tax collector under the provisions of La. R.S. 48:2196.
- c. Property means for the purpose of this Article property which has been adjudicated under La.R.S. 47:2196 to the Parish by the Sheriff as *ex officio* tax collector for the Parish.

Sections 19-22 – 19-30. Reserved.

I, Todd Hopkins, Clerk to the Caddo Parish Commission, hereby certify that the foregoing is a true copy of the transaction of said body in regular session convened on the 20th day of April, 2017, and is so recorded in Minute Book No. 67, at Page 271.

Given under my hand and seal of office this 8th day of May, 2017.


Clerk of Parish Commission
Caddo Parish, Louisiana

Division 2 - Acquisition by purchase.

Section 19 - 31. Application to acquire by purchase. Any person interested in acquiring property from the Parish under this Article shall submit an application to the Department of Public Works containing the following information:

- (a) Name of applicant;
- (b) Address, telephone number, and email address for applicant;
- (c) Description of property sought to be acquired (including correct street address or legal description);
- (d) Attach a signed original appraisal performed by a Louisiana licensed real estate appraiser; and
- (e) Attach a plan of work that:
 - (i) clearly states what redevelopment efforts will be made utilizing the property
 - (ii) demonstrates the applicant's financial and organizational ability to execute the plan, and
 - (iii) is approved by the City of Shreveport's Office of Community Development.

Section 19-32. Appraisal. On receipt of an application which complies with the preceding section, the Department of Public Works shall:

- (a) Review the application for accuracy and sufficiency;
- (b) Determine if the property has been adjudicated to the Parish and is not subject to an existing request for sale; and
- (c) Prepare an estimate of the costs of obtaining full ownership under La.R.S. 47:2236 and selling under La.R.S. 33:4712.

Section 19-33. Agreement. Following notification that the property is adjudicated and not subject to an existing request for sale, the applicant shall execute an agreement to purchase the property for the appraised value. The applicant shall pay a non-refundable deposit to the Parish which equals the appraised value of the property plus the estimate of costs under Section 19-32(b).

Section 19-34. Acquisition of full ownership by the Parish. On receipt of a signed agreement and non-refundable deposit from the applicant, the Department of Public Works shall initiate the process of acquiring full ownership for the Parish under La.R.S. 47:2236.

Section 19-35. Sale of full ownership by the Parish. On completion of the process under Section 19-34 and La.R.S. 47:2236, the Department of Public Works will initiate the process of selling the property to the applicant under La.R.S. 33:4712. Any property acquired by the Parish under this Article shall be deemed surplus and not required for a public purpose. The Parish will transfer ownership of the property to the applicant on successful completion of the process under this section. Should the tax debtor or anyone else redeem the property under La.R.S. 47:2246, the Parish will return to the applicant the purchase price and any portion of the estimated costs under Section 19-23 which are paid by the tax debtor under La.R.S. 47:2246.

Sections 19-36 -- 19-50. Reserved.

Division 3. Acquisition by donation.

Section 19-51. Application to acquire by donation. Any person interested in acquiring property from the Parish under this Article shall submit an application to the Department of Public Works containing the following information:

- (a) Name of applicant;
- (b) Address, telephone number, and email address for applicant;
- (c) Verification of status as a not-for-profit entity including proof of qualification under IRC 501(c)(3).
- (d) Description of not less than four properties sought to be acquired (including correct street address or legal description);
- (e) Attach a plan of work that:

- (i) clearly states what redevelopment efforts will be made utilizing the property
- (ii) demonstrates the applicant's financial and organizational ability to execute the plan,
- (iii) Ranks the requested properties in order of preference, and
- (iv) Is approved by the City of Shreveport Office of Community Development.

Section 19-52. Review. On receipt of an application which complies with the preceding section, the Department of Public Works shall:

- (a) Review the application for accuracy and sufficiency;
- (b) Determine if the property has been adjudicated to the Parish and is not subject to an existing request for sale; and
- (c) Prepare an estimate of the costs of obtaining full ownership under La.R.S. 47:2236 and donating under La.R.S. 33:4712.

Section 19-53. Agreement. Following notification that the property is adjudicated and not subject to an existing request for sale, the applicant shall execute an agreement to acquire property by donation. The applicant shall pay a non-refundable deposit to the Parish which equals the estimate of costs under Section 19-52(b). If the applicant proposes to include the properties in an Affordable Rental Housing program, the agreement will include the applicant's agreement to a Payment in Lieu of Taxes equal to 40% of the amount of *ad valorem* taxes which would have been assessed on the property were the property to be owned by a for profit entity.

Section 19-54. Acquisition of full ownership by the Parish. On receipt of a signed agreement and non-refundable deposit from the applicant, the Department of Public Works shall initiate the process of acquiring full ownership for the Parish under La.R.S. 47:2236.

Section 19-55. Donation of full ownership by the Parish. On completion of the process under Section 19-54 and La.R.S. 47:2236, the Department of Public Works will initiate the process of donating the property to the applicant under La.R.S. 33:4712. Any property acquired by the Parish under this Article shall be deemed surplus and not required for a public purpose. The Parish will transfer ownership of the property to the applicant on successful completion of the process under this section. Should the tax debtor or anyone else redeem the property under La.R.S. 47:2246, the Parish will return to the applicant any portion of the estimated costs under Section 19-52 which are paid by the tax debtor under La.R.S. 47:2246.

Sections 19-56 —19-70. Reserved.

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BE IT FURTHER ORDAINED, that if any provision or item of this ordinance or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications which can be given effect without the invalid provisions, items or applications, and to this end the provisions of this ordinance are hereby declared severable.

BE IT FURTHER ORDAINED, that this ordinance shall take effect upon adoption.

BE IT FURTHER ORDAINED, that all ordinances or parts thereof in conflict herewith are hereby repealed.

Approved as to legal form:

Donna J. Grazier
Parish Attorney

4/24/17
Date