

6-2-02

2002-0068

**INTRODUCED BY: ALBERT D. LAQUE, PARISH PRESIDENT
DEPARTMENT OF COMMUNITY SERVICES**

ORDINANCE NO. 02-3-2

An ordinance to approve and authorize the execution of the Home Investment Partnership Act Consortium Cooperation Agreement for Fiscal Year 2003, 2004 and 2005 with the Parish of Jefferson and The City of Kenner.

WHEREAS, the Parish of St. Charles does not qualify for direct funding through the Federal Housing and Urban Development allocation formula; and,

WHEREAS, the Federal Department of Housing and Urban Development recognizes consortia as a vehicle for funding small communities; and,

WHEREAS, the Jefferson Parish Community Development Department has agreed to apply on behalf of the Parish of St. Charles; and,

WHEREAS, it is in the best interest of the Parish to take advantage of this program.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That the Home Investment Partnership Act Consortium Agreement for Fiscal Year 2003, 2004 and 2005 among the Parish of Jefferson, The City of Kenner and the Parish of St. Charles is hereby approved.

SECTION II. That the Parish President is hereby authorized to execute said Agreement and documents necessary to implement said program on behalf of the Parish of St. Charles.

The foregoing ordinance having been submitted to a vote, the vote thereon was as follows:

YEAS: RAMCHANDRAN, FAUCHEUX, HILAIRE, FABRE, ABADIE, AUTHEMENT,
BLACK, MARINO, MINNICH
NAYS: NONE
ABSENT: NONE

And the ordinance was declared adopted this 11th day of March, 2002 to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: [Signature]
SECRETARY: [Signature]
DLVD/PARISH PRESIDENT March 12, 2002
APPROVED: DISAPPROVED:

PARISH PRESIDENT: [Signature]
RETD/SECRETARY: March 13, 2002
AT. 4:00 pm RECD BY. [Signature]

HOME INVESTMENT PARTNERSHIP ACT
CONSORTIUM COOPERATION AGREEMENT
FOR FISCAL YEAR 2003, 2004 AND 2005

AMONG

THE PARISH OF JEFFERSON
THE CITY OF KENNER
AND
THE PARISH OF ST. CHARLES

The following Agreement is entered into on this 10th day of April, 2002 by and among the Parish of Jefferson, herein represented by the Parish President, Tim P. Coulon, duly authorized by Resolution No 95707 of the Jefferson Parish Council, and the City of Kenner herein represented by the Honorable Louis J. Congemi, its Mayor, duly Authorized by Resolution No 10579 of the City Council of Kenner, and the Parish of St. Charles, herein represented by Parish President, Albert Laque, duly authorized by Ordinance No. 02-3-2 of the St. Charles Parish Council:

1. That the parties hereto have the authority to carry our activities which will be funded from the annual HOME Investment Partnership Program for Fiscal Years 2003, 2004 and 2005 appropriations and from any program income generated from the expenditure of such funds, and are fully authorized under the laws of the State of Louisiana.
2. That the parties hereto, in order to obtain the benefits of the HOME Investment Partnership Act, as amended, do hereby enter into an Agreement to cooperate to undertake, or to assist in undertaking housing assistance activities through the HOME Investment Partnership Program to alleviate housing problems within the consortium's geographical area.
3. That this Agreement does not provide for and does not allow for a veto or other restriction which would allow any party to the Agreement to obstruct the implementation of the approved Consolidated Plan during the three program years and for such additional time as may be required for the expenditure of funds granted to the Consortium for such period.
4. That this Agreement is binding on all three parties of the Consortium referred above and contains no provision for termination or withdrawal by any party during the three program years for which the parties are seeking to qualify as a HOME participating jurisdiction.
5. That the Parish of Jefferson is hereby authorized as the single unit of general government to act in a representative capacity for both the City of Kenner and the Parish of St. Charles for the purposes of the HOME Program.
6. That the Parish of Jefferson is hereby being recognized as the representative member and referred to as the lead entity and shall be responsible for ensuring that the Consortium's HOME Program is carried out in compliance with the requirements of the program, including requirements of the approved Consolidated Plan for the respective membership of the Consortium, in accordance with HUD Regulations in 24 CFR Part 92 and 91, respectively, and the requirements of 24 CFR 92.350.
7. That this Agreement is authorized by the Jefferson Parish Council, and the City Council of Kenner, and the St. Charles Parish Council and shall be executed for the Parish of Jefferson by the Parish President, acting as chief executive officer of Jefferson Parish, and by the Mayor of the City of Kenner, acting as chief executive officer of the City of Kenner, and for the Parish of St. Charles by the Parish President, acting as chief executive officer of St. Charles Parish.

8. The determination by the Jefferson Parish Attorney's Office that the term and provisions of this Agreement are fully authorized under state and local law (i.e., LSA R.S. 33:1324, LSA R.S. 33:1236 and Section 1.103 of the Jefferson Parish Charter) and that this Agreement provides full legal authority for the Consortium to undertake or assist in undertaking housing assistance activities for the HOME Investment Partnership Program, is hereby attached and made part of this Agreement.
9. That it is the intention and understanding of the parties hereto to affirmatively further fair housing, and to conform to the directives contained in the aforesaid HOME Investment Partnership Act of Congress and to take all required actions necessary to assure compliance with Jefferson Parish's certification required by Section (104) (b) for Title I of the Housing and Community Development Act of 1974, as amended, including the provisions of Title VI of the Civil Rights Act of 1964, the Fair Housing Act, and other applicable laws which are made part of this Agreement by reference. Non-compliance by the City of Kenner and/or the Parish of St. Charles may constitute noncompliance by the HOME Program Consortium and may provide cause for funding sanctions or other remedial actions.
10. That this Agreement sets forth the following provisions in regard to program income:
 - a. That the City of Kenner and the Parish of St. Charles will inform the Parish of Jefferson of any income generated by the expenditure of HOME Investment Partnership funds received by either jurisdiction.
 - b. The City of Kenner or the Parish of St. Charles may retain any such program income subject to the following requirements:
 1. Any program income the City of Kenner or the Parish of St. Charles is authorized to retain by the Parish of Jefferson will only be used for eligible activities in accordance with all HOME Investment Partnership Act requirements as may then apply.
 2. That the Parish of Jefferson will have the responsibility for monitoring and reporting to HUD on the use of any such program income thereby requiring appropriate record keeping and reporting by the City of Kenner and Parish of St. Charles as may be required under OMB Circular A-102 for this purpose.
 3. That in the event of close-out or change in status of the City of Kenner or Parish of St. Charles, any program income that is on hand or received subsequent to the close-out or change in status shall be paid to the Parish of Jefferson.
11. That the Parish of Jefferson has final responsibility for filing annual program descriptions and annual reports to HUD.
12. That the City of Kenner and the Parish of St. Charles will participate by formal response to all Jefferson Parish inquiries initiated by the Jefferson Parish Department of Community Development Programs as it applies to the HOME Program.
13. That the City of Kenner and the Parish of St. Charles do assure to the Parish of Jefferson and to the Department of Housing and Urban Development (HUD) compliance with the current HOME Investment Partnership Act Program certifications, as modified, which are made part of this Agreement by reference.

14. That the City of Kenner and the Parish of St. Charles endorse the Relocation Policy and Procedure for Non-Acquisition Activities under the Community Development Block Grant Program for Jefferson Parish which is made part of this Agreement by reference.
15. That the Parish of Jefferson will prohibit HOME Investment Partnership Program funding for activities in or in support of the City of Kenner or the Parish of St. Charles if the City or Parish fails to affirmatively further fair housing within its own jurisdictions or impedes Jefferson Parish's actions to comply with its fair housing certification.
16. The terms of this Agreement shall be for the HOME Fiscal Years 2003, 2004 and 2005 and this agreement shall remain in effect until the HOME funds from each of the Federal fiscal years of the qualification period are closed out pursuant to 24 CFR 92.507. No member may withdraw from the agreement while the agreement remains in effect.
17. Jefferson Parish will act as the lead entity to amend this agreement on behalf of the entire consortium to add new members to the consortium should the occasion arise for increasing membership.
18. That the parties hereto confirm that they all operate on the same program year for CDBG, HOME, Emergency Shelter Grants (ESG) and Housing Opportunities for Persons with AIDS (HOWPA), which has a start date of July 1.

PARISH OF JEFFERSON

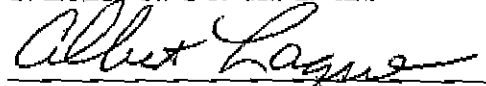


Tim P. Coulon
PARISH PRESIDENT

CITY OF KENNER


LOUIS J. CONGEM
MAYOR

PARISH OF ST. CHARLES


ALBERT LAQUE
PARISH PRESIDENT