Omaha Municipal Land Bank Board

MINUTES

Wednesday, October 14, 2015

Regular Meeting:
9:00 AM, Jesse Lowe Conference Room – 3rd Floor
Omaha/Douglas Civic Center
1819 Farnam Street

Meeting Minutes: This document states the minutes before the Omaha Municipal Land Bank Board at their Public Hearing and Administrative meeting held on Wednesday, October 14, 2015.

Certification of Publication: Omaha Municipal Land Bank Board Administrator certifies publication of this agenda in the Daily Record, the official newspaper of the City of Omaha on Wednesday, October 7, 2015.

Members Present: Tom McLeay, Chairman
Jamie Berglund, Vice Chair
Ken Johnson
Cathy Lang
Randy Lenhoff
John Heine
Mike Riedmann
Julia Plucker

Members Not Present: Scott Semrad
James Thele, Planning Director
Julie Stavneak
Diane Battiato

Staff Present: Jennifer Taylor, City Law Department
Rikki Flott, Temporary Recording Secretary
PUBLIC MEETING:

Tom McLeay, Chair, called the meeting to order at 9:00 am, introduced the voting and non-voting board members, as well as the City staff. He stated that the Nebraska Open Meetings Law is in effect and a copy is available in the room for review. He further stated that copies of the agenda are located in the back of the room. McLeay explained the procedures of the meeting.

Roll call was taken with eight board members present (Scott Semrad, James Thele, Julie Stavneak and Diane Battiato were absent).

McLeay informed the public that a notice of the meeting was published in the Daily Record on October 7, 2015 and was verified by Rikki Flott, Temporary Recording Secretary.

Motion by Ken Johnson to approve the minutes from the September 9, 2015 meeting. Jamie Berglund seconded the motion.

AYES: Berglund, Johnson, Lenhoff, Lang, McLeay
MOTION CARRIED: 5-0

Berglund referred to the consulting proposal that was submitted by Nicole Bianchi, Resolution Partners who is experienced in coaching and strategic planning assistance. Berglund stated that the planning timeline could start next week by meeting with Brittany Jefferson and the Center for Community Progress (CCP) to assist with technical and on-going assistance.

In response to Lang, Berglund and Jefferson responded that they have not reached out to the CCP regarding the strategic planning process. Lang suggested that the CCP and Jefferson could contact each other.

Berglund indicated that Resolution Partners could be the facilitator for strategic planning and could reach out to the CCP for guidance on the land bank role. The timeline would include one-on-ones with voting, non-voting members and donors with Jefferson the beginning of November. In mid to late November there will be a half day strategic planning session based on input that was gathered before taking the framework to engage the community and stakeholders throughout the month of December. There could be a review in the beginning of January with a regroup in mid-January to finalize the strategic plan before presenting it to the board for final approval at the February meeting. There will be an on-going implementation February through July with assistance from Resolution Partners to guide Jefferson and the organization before a six month check in. There will be committee sub groups on various components of the plan: organizational operations, fund development, donor engagement, board development, accounting operations, types of functions that need to exist for the non-profit to thrive, and the real estate strategic piece of the plan.

In response to Lenhoff, Berglund stated that she would recommend Resolution Partners as the facilitator for the strategic planning process. Jefferson added that she felt comfortable with Nicole and Resolution Partners based on the ideas expressed and the timeline provided.
Motion by Randy Lenhoff to accept the strategic planning proposal from Resolution Partners. Cathy Lang seconded the motion.

Johnson questioned how much involvement the donors will need to have in the strategic planning process. Berglund answered that there are four groups of stakeholders: 1) the Land Bank board, 2) the donors because their input and guidance is important for future funding, 3) the community as a whole to include neighborhood residences and organizations working in the community that already have an impact in neighborhoods, and 4) non-profits, private developers, county and city. She further stated that presently there are four private donors and one public donor that will all be engaged.

AYES: Berglund, Johnson, Lenhoff, Lang, McLeay
MOTION CARRIED: 5-0

McLeay stated that the Daugherty grant agreement has been executed and returned to them. Jefferson added that she has scheduled an introduction meeting with the Daugherty group for November 9th.

McLeay explained that a budget was approved prior to Jefferson’s arrival but at this point the committee is expanding on the budget. Jefferson stated that she will be working with an accountant to bring in all line items and ensure that there is a system to account for everything. McLeay stated that he and Jefferson has a meeting scheduled with an accounting service, to work on a fee basis, to set up the initial accounting for the next three months. McLeay asked Jefferson to submit a proposal for fiscal year 2016 to provide services and scope within the next 30 days to the accounting community. The anticipated accounting services will be limited in nature therefore there should be a limited amount of fees because of the short time period.

Jefferson stated that all banking signatory documents at Mutual of Omaha Bank have been completed and checks have been received. McLeay stated that all checks will require two of three signatures (Jefferson, McLeay, Berglund). The expenditures that have been authorized in the previous budget i.e. travel expenses, payroll, IRS filing fees (McGrath North), and publications (Daily Record). The balance is in excess of $100,000.00 with more to come.

Berglund reported that the on-boarding committee met with Jefferson several times a week since her start date and have went through the historical perspective of the organization, scores of documents, talked about different contacts in the community and the entire scope of the land bank. Jefferson expressed how helpful everyone has been.

Jefferson stated she spoke with SONA (South Omaha Neighborhood Alliance) and explained the direction of the Land Bank and the upcoming strategic plan that would definitely involve the community. She stated that she also met with the Joslyn Castle Neighborhood Association and outlined the mission of the Land Bank. There will be follow-up presentations when there is more detail with regard to the real estate plan and where the Land Bank will be acquiring and working.

Lenhoff stated that he and Jefferson were present at the IN Conference held on October 3, 2015. He stated that there were very positive comments after a 50 minute presentation.
Berglund encouraged all board members to send any personal Outlook contacts that would be helpful for Jefferson to reach out to connections and relationships.

Jefferson stated that her e-mail address is now bjefferson@omlb.org.

Johnson asked Jefferson to contact Ben Gray and Willie Barney with Empowerment Network who is willing to set up a community reception and is asking what direction to go. Berglund stated that it should be the Land Bank’s responsibility and suggested coordinating a reception. Johnson stated that there is a community driven desire to have a reception for Jefferson therefore the board needs to be a part of that. Lenhoff added that there are certain neighborhoods that will have more of an interest in the Land Bank and we need to recognize that.

Joel Cota, Mayor’s office, stated that there is a candidate that works for Centris Federal Credit Union who has been recognized to fill District 4. He stated that he has provided the information to Cassie Paben, Deputy Chief of Staff for the Mayor’s office and will meet with Gerry Gernandt from District 4. The next step will be to submit the paperwork for the Mayor to appoint the individual before City Council approval. Lang suggested that the discussion of an Interim Treasurer be tabled until the new District 4 board member is appointed.

McLeay stated that there needs to be a restructuring of committees. Berglund suggested forming an Executive Committee to make sure that the Chair, Vice Chair and Treasurer are serving to act as another guidance or resource for the Executive Director.

Lang questioned if the Finance Committee performs all the duties of an Audit Committee. McLeay answered that it would make sense to possibly rename the Finance Committee as the Finance/Audit Committee. Jefferson stated that a Governance Committee and a Finance Committee are required and other committees can be appointed as needed. She stated that the Governance Committee will deal with policies and procedures of acquisition, disposition, etc. while being transparent when someone wants to collaborate with the Land Bank.

Berglund read the by-laws which state, “There shall be an Audit Committee, who shall be elected by the Members in December of every year, to serve through the next December. To the extent practicable, members of the Audit Committee should be familiar with corporate financial and accounting practices. The Audit Committee shall recommend to the Board the hiring of a certified independent accountant to conduct the annual independent audit, establish the compensation to be paid to the accountant and provide direct oversight of the performance of the annual independent audit. There shall be a Governance Committee, who shall be elected by the Members in December of every year, to serve through the next December. The Governance Committee shall keep the Board informed of current best governance practices, review corporate governance trends, update the Land Bank’s governance principles, and advise the Board on the skills and experience required of potential directors.” She stated that there are other standing committees which are not outlined.

McLeay stated that a Governance Committee should be established and can be changed at the December meeting.
Motion by Cathy Lang to disband the Policy and Procedures Committee, as previously structured, and create a Governance Committee to include Lang, Plucker, and Heine to serve between now and until the December 2015 election. Randy Lenhoff seconded the motion.

AYES: Berglund, Johnson, Lenhoff, Lang, McLeay
MOTION CARRIED: 5-0

Motion by Randy Lenhoff to disband the Finance Committee, as previously structured, and create an Finance/Audit Committee to include McLeay, Lenhoff, and Heine to serve between now and until the December 2015 election. Jamie Berglund seconded the motion.

AYES: Berglund, Johnson, Lenhoff, Lang, McLeay
MOTION CARRIED: 5-0

Motion by Jamie Berglund to form an Executive Committee to include the Chair, Vice Chair, and Treasurer and to serve as long as they are in the elected roles. Randy Lenhoff seconded the motion.

AYES: Berglund, Johnson, Lenhoff, Lang, McLeay
MOTION CARRIED: 5-0

Motion by Cathy Lang to abolish the Executive Search and On-Boarding Committee. Ken Johnson seconded the motion.

AYES: Berglund, Johnson, Lenhoff, Lang, McLeay
MOTION CARRIED: 5-0

There was further discussion regarding the Governance Committee. McLeay stated each committee can decide if a chair needs to be appointed.

Julia Plucker reported that Senator Mello has drafted legislation regarding the board make-up and the difficulties in finding a replacement for District 4. Rachel Meyer, legislative aide for Senator Mello, added that the Senator looks forward to getting feedback from the Land Bank. Trevor Fitzgerald, legal counsel for Urban Affairs Committee of the Legislature, further added that the draft will change the requirements for the board members of the Land Bank and will take it from seven voting members to six industry representatives to ensure that of those seven voting members that there is at least one person with experience in one of those industries. The key language is designed to provide the flexibility of the board to allow one person to wear more than one hat thus avoiding the situation as with former board member, Spencer Danner, Jr. Fitzgerald further added that the second legislative revision would be to change the reporting date that each Land Bank has to provide a report to the legislature from December 31st to January 31st. Plucker stated that in 2015 the report would need to be provided by December 31st. Fitzgerald speculated that there should not be any issues given the clean-up nature of the bill which would be a good candidate for the consent calendar which would ease the process.
Plucker stated another issue to address, which is the two years that a property would need to be held, is actually a constitutional provision which would have been a very controversial issue with a slim chance of passing in the short session.

In response to Lenhoff, Plucker stated that the Land Bank legislation (i.e. notice time of property, how long to hold property, board make up) was well debated and hotly contested. Fitzgerald stated that the bill was introduced in 2012 and was introduced again in 2013 before it ultimately passed 47-0.

Plucker asked that each board member read the draft of the bill and give thoughts at the next board meeting. It would also be helpful to send a letter and possibly show up at a hearing to testify. McLeay suggested that the amendment to the state legislature be added to the agenda for next month’s meeting so that there may be a discussion and/or vote. Meyer added that the bill will be introduced in January with a public hearing scheduled afterward.

In response to Jefferson, Lang responded that committee meetings are scheduled through e-mail.

There were no public comments.

It was the consensus of the Board to adjourn the meeting at 10:04am.

Debbie Hightower, Planning Department
Recording Secretary