Minutes

Omaha Municipal Land Bank Board

Wednesday, December 9, 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, December 9, 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, December 2, 2015.

Members Present: Chair - Tom McLeay/Jamie Berglund
Vice Chair – Jamie Berglund/Cathy Lang
Ken Johnson
Scott Semrad
Randy Lenhoff
John Heine
Julie Stavneak
Mike Riedmann
James Thele, Planning Director (arrived at 9:05)

Members Not Present: Julia Plucker
Diane Battiato

Director Present: Brittany Jefferson

Staff Present: Jennifer Taylor, City Law Department
Debbie Hightower, Recording Secretary
PUBLIC MEETING:

Tom McLeay, Chair, called the meeting to order at 9:00am, 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 ten board members present (Julia Plucker and Diane Battiato were absent).

McLeay informed the public that a notice of the meeting was published in the Daily Record on December 2, 2015 and was verified by Debbie Hightower, Recording Secretary.

Motion by Ken Johnson to approve the minutes from the November 4, 2015 meeting. Jamie Berglund seconded the motion.

AYES: Berglund, Johnson, Lenhoff, Semrad, Lang, McLeay
MOTION CARRIED: 6-0

Motion by Tom McLeay to nominate Jamie Berglund as Chair of the Land Bank. Cathy Lang seconded the motion.

AYES: Johnson, Lenhoff, Semrad, Lang, Berglund, McLeay
MOTION CARRIED: 6-0

Motion by Tom McLeay to nominate Cathy Lang as the Vice Chair of the Land Bank. Randy Lenhoff seconded the motion.

AYES: Johnson, Lenhoff, Semrad, Lang, Berglund, McLeay
MOTION CARRIED: 6-0

The board discussed the Treasurer position and the option to hold over the election of the Treasurer until the next meeting. Brittany Jefferson agreed to holding over the election of the Treasurer position and added that the 4th district board position will be filled by Antonio Zarazua and is scheduled to begin on December 11, 2015.

Jamie Berglund took over the duties of the Chair.

Motion by Tom McLeay to hold over the officer election for the Treasurer position until the January 2016 meeting. Scott Semrad seconded the motion.

AYES: McLeay, Johnson, Lenhoff, Semrad, Lang, Berglund
MOTION CARRIED: 6-0

Berglund pointed out that the present Audit/Finance Committee consists of Heine, Lenhoff and McLeay. The Governance Committee currently consists of Lang, Plucker and Heine. Lang
volunteered to remain on the Governance Committee. Heine asked to be removed from the Governance Committee. Johnson and Riedmann volunteered to be on the Governance Committee.

Motion by Tom McLeay to appoint Heine, McLeay and Lenhoff to the Audit/Finance Committee and Johnson, Lang, Plucker and Riedmann to be appointed to the Governance Committee. Ken Johnson seconded the motion.

AYES: McLeay, Johnson, Lenhoff, Semrad, Lang, Berglund
MOTION CARRIED: 6-0

Joel Cota, Mayor’s Office, reported that Antonio Zarazua was appointed by the Mayor’s Office to fill the District #4 vacancy of the Omaha Municipal Land Bank and was approved by the City Council on December 8, 2015. The term will officially begin on December 11, 2015.

Zarazua introduced himself and shared his qualifications and the desire to be on the board.

Jefferson reported that the Governance Committee met on December 3, 2015 to discuss policies including the procurement policy. She stated that the current policy for check writing is that one signature is required for any check written under $1,000.00 and two signatures for any check written for $1,000.00 or greater. Lang added that the practice has not been followed consistently and questioned if the existing bank signature policy should remain. Riedmann recommended that the policy remain in place but it is a good practice to have two signatures on each check when possible. The board agreed to keep the policy in place.

In response to Lenhoff, Jefferson stated that the financial reports are available along with all vendor invoices that can be reviewed by the Audit Committee. She pointed out that the accounting firm would be an external oversight.

Jefferson stated that the second policy discussed was for the sale of property adopted on March 11, 2015. The sale of property more than $25,000.00 requires board approval but the Executive Director is authorized to enter into agreements for the sale of property $25,000.00 or less and would not need board approval. The written policy needs to be corrected/amended from $50,000.00 to $25,000.00.

Jefferson distributed a draft of a procurement policy that was put together by the Governance Committee. She stated that she met with Public Works and reviewed the City’s procurement policy to determine what provisions were used and what might be beneficial. The Committee discussed dollar amounts, an RFP Selection Committee, whether there should be board approval requirements and the kind of bid requirements needed. She added that there was also discussion about the use of best and lowest language when dealing with written quotes and board approval requirements as well as the Audit/Finance Committee acting as the RFP Selection Committee. She added that for purchases less than $10,000.00 there would be no need for a bid process or formal documentation. She stated she would conduct an informal analysis and select a vendor based on qualifications. For purchases $10,000.00 to $25,000.00, a minimum of three competitive written quotes would be required. Verbal quotes would not be a good practice. The RFP process would be used for purchases greater than $25,000.00 and would not require a
minimum number of quotes. The Audit/Finance Committee would review the proposals before board approval for purchases greater than $25,000.00.

Lenhoff suggested that a certain level of liability insurance should be required for each vendor. Jefferson agreed to work on the insurance aspect.

Lang added that the procurement policy draft was very simple with the idea that it could be adopted. Lenhoff suggested having a purchase order system under $10,000.00 that defines a vendor with common language. Johnson asked if a contract under $10,000.00 should be reviewed by the Audit/Finance Committee. Lenhoff stated that a purchase order could have language regarding insurance and what the expectations would be. Jefferson added that a purchase order would be beneficial but in most instances, for purchases under $10,000.00, a proposal will be required with the scope of services.

In response to Berglund, Lang and Jefferson agreed that more work needs to be done on the procurement policy requirements.

Jefferson reminded everyone that the first Strategic Planning Session will be held on December 10, 2015 at DO Space at 7205 Dodge Street from 5pm to 8pm. She added that the planning session will be a workshop that will set out the guide and general framework to get from a vision to results.

Jefferson reported that annual reports to the City, State and Peter Kiewit will be due shortly and will be completed before the holidays. She stated that net revenue as of December 2015 was $329,262.01 which included expenses for the recruiter and strategic plan facilitator’s first payment. Berglund requested that the financial statement be submitted to board members before the monthly meeting to allow time to review. Lenhoff suggested that the financial statements submitted to the board could be one month behind. Jefferson added that she has asked Bland & Associates to extend accounting services to get through the first of 2016 and assist with the 2016 Operational Budget with all line items.

Berglund asked if donor contributions are coming in. Jefferson stated that she had one donor meeting left and are due the full amount from the Scott Foundation but an annual report needs to be submitted before half disbursement from the City and half disbursement from the Peter Kiewit Foundation will be received.

Trevor Fitzgerald, 10417 Y Street, legal counsel for Urban Affairs Committee of the Nebraska Legislature stated that the previous draft submitted made two changes: 1) providing flexibility with regard to membership affiliation with certain business groups which will not change; and 2) to change the recording date from the December 31st date to March 1st. He stated that at the board’s request, Senator Mello’s office has amended the bill draft to reflect a later date of March 1st and intends to introduce that amended draft. The legislature convenes on January 6, 2016 and will start committee hearings on January 19, 2016. Fitzgerald recommended that the board formally take a position on the legislation at the January 13th board meeting. At that point the bill should be introduced with a bill number for easy reference.
Spencer Danner, Human Rights and Relations Director, strongly encouraged the Land Bank to contact Maria Partida from his office regarding the City of Omaha’s SEB (Small Emerging Business) to ensure that startup and small businesses have opportunities for small contracts under $25,000.00. Danner recommended outlining what “best” means and have a policy in place and when looking at the best and lowest bids to look at how “responsive” and how “responsible” the contractor is to the contract. In response to Heine, Danner answered that there is a list of contractors on the website.

In response to Lenhoff regarding insurance, Jennifer Taylor, Law Department, City of Omaha, stated she would look into the insurance issue and protections relating to the Land Bank. Lenhoff suggested that insurance be in place before purchasing any property. McLeay agreed. Lenhoff questioned the need for worker’s comp insurance and volunteered to work with Jefferson on insurance issues.

Danner suggested talking to Habitat regarding an umbrella policy and worker’s comp.

Ryan Basye, stated that he lives in District 6 and would be interested in the upcoming position. Jefferson stated that any requests for a board position would be need to be submitted to the Mayor’s office.

Motion by Tom McLeay to go into Executive Session to discuss personnel issues at 9:52am. Cathy Lang seconded the motion.

AYES: McLeay, Johnson, Lenhoff, Semrad, Lang, Berglund
MOTION CARRIED: 6-0

Motion by Cathy Lang to end the Executive Session at 11:00am. Randy Lenhoff seconded the motion.

AYES: Johnson, Lenhoff, Semrad, Lang, McLeay, Berglund
MOTION CARRIED: 6-0

It was the consensus of the Board to adjourn the meeting at 11:00am.