Omaha Municipal Land Bank Board

MINUTES

Wednesday, July 8, 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, July 8, 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, July 1, 2015.

Members Present: Tom McLeay, Chairman
Ken Johnson
Cathy Lang
Scott Semrad
Randy Lenhoff
John Heine
Julie Stavneak
Mike Riedmann (arrived at 9:05)

Members Not Present: Jamie Berglund, Vice Chair
Diane Battiato
Julia Plucker
James Thele, Planning Director

Staff Present: Alan Thelen, City Law Department
Jennifer Taylor, City Law Department
Debbie Hightower, 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 8 board members present (Mike Riedmann arrived at 9:05; Jamie Berglund, Diane Battiato, Julia Plucker and James Thele were absent).

McLeay informed the public that a notice of the meeting was published in the Daily Record on July 1, 2015 and was verified by Debbie Hightower, Recording Secretary.

Motion by Cathy Lang to approve the minutes from the June 10, 2015 meeting. Randy Lenhoff seconded the motion.

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

Semrad provided a summary of the process for the Executive Director search. He reported that in June a pool of six finalists was presented to the Search Committee and initial interviews were scheduled and completed on June 16, 17 and the 24th. The next step is to schedule interviews with the board at a public meeting. Semrad proposed to select a date prior to the August board meeting. McLeay added that the committee discussed the candidates and are asking the board to select the final candidates for a second interview. Semrad stated that the criteria used to conduct the search were: 1) land bank experience, 2) experience in community development, urban planning, real estate development and public administration, 3) the ability to manage, build and lead a team, 4) strong oral and written presentation skills, 5) entrepreneurial skills with knowledge of human resources, financial management, project management and contractual law, and 6) someone savvy enough to understand the political, cultural and social climate of the greater Omaha metropolitan area. McLeay summarized that the strong preference for land bank experience took the search national, as indicated, but other important criteria is fundamental real estate experience, community development experience, political and social climate as well as the ability to reach out to the philanthropic community being a key element.

Jennifer Taylor, City Law Department, stated that there has been a disposition letter recently issued from the Attorney General with some comments on the Open Meetings Act as it related to the Nebraska Board of Regents recent search for a President and how their search committee went about that process. She stated that the Land Bank has continued to operate from a committee prospective and without a quorum, the Search Committee has complied and has not taken any specific actions on behalf of the board therefore the Search Committee has gone through the process, the process has been explained to the board and the Search Committee now has a recommended finalist pool for the board. The board is free to evaluate the pool, add to the pool, shrink the pool, or the board can take the Search Committee’s recommendation and adopt it today. McLeay added that the Nebraska Board of Regents was very adamant about the
confidentiality of their candidates and the Search Committee is very sensitive to that as well. McLeay asked if the candidates can be referred to as A, B, C, or D until selection is final. In response to McLeay, Taylor answered that candidates can be referred to and discussed in a generic manner by assigning a number or a letter until there is a final candidate pool. The candidate names will become public once the board has adopted the finalists. McLeay added that the procedures and the steps of the process of the Search Committee were approved on a monthly basis at open meetings including the recommendation for the job description and the approval of the search consultant. Taylor agreed that the board has been transparent and has complied with the law and the spirit of the law.

McLeay stated that the board will have to decide on a limited number of candidates to select for final interviews. He described the four Executive Director candidates selected by the Search Committee that are interested in being a finalist as follows:

Candidate A – A woman from the State of Arkansas who has been working for a Land Bank organization for the past 5 years. She is an attorney with 10 years of experience as an attorney. She previously worked in the City Attorney’s office for the municipality of the Arkansas area. She was interviewed by the search consultant as well as the committee.

Candidate B – A man from upstate New York who has been working for the past 6 years with a county land banking organization. He has over 8 years of experience in the planning area and has worked with different organizations in upstate New York in the planning area. He also has private business experience for over 15 years in the private sector working for several different organizations in management positions as well as execution of operating plans for the different companies. He has a Master’s degree in Urban Planning and a Bachelors’ degree in mechanical engineering. He was interviewed by the committee and indicated a strong interest in the position.

Candidate C – A man from the Chicago area and has been working in the community development area for the past 7 years. Previously he was with a developer for several years in the urban development area and has various experiences with different community loan organizations, housing development corporations and public land trusts throughout the Chicago area over the past decade and prior to his experience with the community development group. He has an MBA as well as a Bachelor of Arts in sociology. He was interviewed by the committee and expressed a strong interest and would be interested as a finalist.

Candidate D – A woman from the State of Iowa and works for a non-profit organization building homes for the past 10 years; prior to that she was with various public relation firms for 7 years. She has a Bachelor of Science in communication with a concentration in the public relations area.

In response to Lenhoff, Stavneak responded that Candidate A is the only employee of the Land Bank in Arkansas and has been running it herself. McLeay stated that finding candidates with Land Bank experience is difficult. Semrad pointed out that all Land Banks also operate differently.
McLeay stated that Candidate B indicated that he would need to be on the upper range of salary but the board would need to decide if he would come back for a final interview. Lenhoff stated that it would be better to interview the candidate and not necessarily limit him as a candidate but let the board decide. McLeay agreed to bring the candidate back as a finalist. Semrad added that the search consultant informed each candidate that the range of salary is approximately $100-120,000. Semrad stated that the staffing budget for next year is $300,000 but there may be a need for less staff if the candidate is very strong.

In response to Lang, McLeay stated that Candidate A submitted an application from the first job posting and was outside from the search consultant. Johnson stated that each candidate has a unique skillset. Johnson further stated that the Executive Director will not only need to have the ability to operate the Land Bank, but to manage the Land Bank and the staff and be able to plan and implement and carry out those directions as well as have the ability to interface with the community and the philanthropic community in terms of raising funds.

Motion by Randy Lenhoff to select A, B, C, and D as finalists for the Executive Director position. Lang seconded the motion.

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

There was a discussion regarding a date to interview the final candidates.

Lang questioned the closed session requirements to discuss issues during an open meeting. Alan Thelen, City Law Department, answered that there can be a closed session but the state law is very narrow and in general, everything should be done in the open. He further stated that there is a procedure to go into closed session if the discussion is perceived to be damaging to the applicant and should not be public.

In response to Johnson, Thelen stated that a discussion of salary negotiations should be out in the open. With regard to both public meetings law and public records law, when the expenditure of public dollars is being discussed, there has to be a lot of transparency and would not be grounds to go into closed session. Thelen confirmed that the Land Bank is a political subdivision, a public entity created by the legislature.

Johnson questioned the process of negotiating salary and benefit packages with the candidates in an open format. McLeay stated that the board would need more time to determine the interview process and procedures before the next meeting. Thelen verified that salary expectations and benefits can be discussed during the public session and all candidates can be present for all interviews. Lang suggested that a salary and benefit package be offered to the candidate after being selected by the board.

McLeay suggested making the names public for the four final candidates through a public notice. Thelen stated that the finalists’ names would need to be revealed if there is a request according to public records law. In response to Johnson, Thelen stated that the items that would need to be
made available through a public records request would be job application materials; employment application, resumes, reference letters, and school transcripts.

McLeay suggested that final interviews take place on Wednesday, August 5, 2015 from 11:00am to 5:00pm.

Motion by Cathy Lang to set an Omaha Municipal Land Bank board meeting on Wednesday, August 5, 2015 from 11:00am to 5:00 pm to perform Executive Director interviews. Johnson seconded the motion.

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

Semrad stated that Ted Webb Ford, search consultant, will contact all finalists to insure that they are available for the final interviews. Lenhoff requested a copy of the resumes for the four finalists.

McLeay stated that a copy of the Peter Kiewit approved grant letter was provided for acceptance by the board. He stated that the grant will be $100,000 in year one (2015) and $100,000 in year two (2016). The Peter Kiewit Foundation has indicated verbally that they will be interested in two additional years after reviewing the progress of the first two years. Mutual of Omaha has recently been in contact and are interested in providing a grant agreement anticipating $200,000 for both 2015 and 2016 as well as $100,000 for both 2017 and 2018 for operational fund use. McLeay reported that the Walter Scott Foundation are waiting for the 501(c)(3) designation to be approved before formalizing funding for the next four years. The Robert Daugherty Foundation has made several inquiries with regard to the status of the Executive Director and the 501(c)(3) designation.

In response to McLeay, Thelen responded that the Mutual of Omaha grant would need to be approved at the next meeting. McLeay stated that copies of both agreements are available for the board to review.

Motion by Cathy Lang to authorize the Chairman to sign the Peter Kiewit grant acceptance document. Randy Lenhoff seconded the motion.

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

Lang stated that she has been in contact with representatives from the Center for Community Progress regarding strategic planning. She stated that it was recommended that the Executive Director be on board for any strategic planning and they would then be willing to do a session focused on policies, procedure development, organizational engagement, community engagement, and city engagement. Lang stated that the representatives would like to know the top five properties that would be of interest to the land bank. She indicated that a scope of work will be provided.
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There were no public comments.

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

Debbie Hightower, Planning Department  
Recording Secretary