Omaha Municipal Land Bank Board

MINUTES

Wednesday, April 13, 2016

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 the Public Hearing and Administrative meeting held on Wednesday, April 13, 2016.

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, April 6, 2016.

Members Present: Jamie Berglund, Chair
Cathy Lang, Vice Chair (arrived at 9:05)
Tom McLeay
Ken Johnson
Rob Woodling
John Heine
James Thele, Planning Director

Members Not Present: Randy Lenhoff
Antonio Zarazua
Diane Battiato
Mike Riedmann
Julie Stavneak
Julia Plucker

Director Present: Marty Barnhart, Interim Director

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

Jamie Berglund, Chair, called the meeting to order at 9:00am.

Roll call was taken with six (6) board members present (Cathy Lang, Randy Lenhoff, Antonio Zarazua, Diane Battiato, Mike Riedmann, Julie Stavneak and Julia Plucker were absent). Cathy Lang arrived late.

Berglund informed the public that a notice of the meeting was published in the Daily Record. Berglund stated that the Nebraska Open Meetings Law is in effect and a copy is available in the room for review. She further stated that copies of the agenda are located in the corner of the room.

Motion by Rob Woodling to approve the minutes from March 9, 2016 and the March 30, 2016 special meeting as submitted. Tom McLeay seconded the motion.

AYES: McLeay, Johnson, Woodling, Berglund
MOTION CARRIED: 4-0

Marty Barnhart stated that the Budget and Finance Committee met and reviewed and revised the 2016 budget as distributed. He summarized that there are monies available for communication and marketing, data base system and the consultant that was hired. He further stated that the budget included monies, as well, for insurance and liability for properties that will be owned by the Land Bank.

Motion by Tom McLeay to approve the 2016 budget as presented. Ken Johnson seconded the motion.

AYES: McLeay, Johnson, Woodling, Berglund
MOTION CARRIED: 4-0

Cathy Lang arrived at the meeting at 9:05am.

Barnhart stated that the statement of activity for February 2016 included the total expenditure of $61,199.67.

Motion by Tom McLeay to approve the February 2016 financial report. Ken Johnson seconded the motion.

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

Barnhart referred to several properties that the Land Bank has been in contact with through individuals, the public or non-profits. He stated that two of the listed properties, including a fire damaged house, are owned by Council Bluffs Savings Bank and are both free and clear and could move toward the Land Bank. Neither Abide Network nor Habitat for Humanity are interested in obtaining the properties therefore the properties would move into the public
inventory and made available to the public and as the operational procedures and methodology are set up for people to make an offer and if approved, seek title for those properties thereafter.

Thele pointed out that the properties are within a redevelopment area where the style of new housing is encouraged to fit into the neighborhood so it looks like one neighborhood rather than have unfortunate housing styles in the older neighborhoods. He encouraged the board, as policies are looked at, to take some of the softer issues into consideration when working with organizations.

As requested by Berglund, Barnhart walked through each of the additional possible properties on the list provided. Barnhart stated that an adjacent neighbor to the property located at 4302 Dayton Street notified him and was concerned because he had been taking care of the property for a number of years and wanted to know how he could acquire the property. Barnhart stated that he explained to the property owner that the Land Bank is a public agency, the property would be made available to the public but he was welcome to put a down payment on the property and, if necessary, there may be a competitive bidding process. Barnhart stated that the Land Bank will need to look toward hiring an appraiser or at least someone who would do drive by appraisals.

Thele stated that he views the Land Bank as a public entity that is looking out for the best interest of the neighborhood and the community. What does it do for the neighborhood when a house is torn down and the neighbor wants to purchase the property? It is generally better off to wait until a developer is ready to develop the property by building a home. There have been instances where people have almost created farms for themselves which is not favorable for a neighborhood. One of the biggest problems the City has is depopulation in neighborhoods, especially areas in North Omaha. These areas need to be built up if there is ever going to be an attraction to economic development in the area. Thele cautioned the board to be careful about the disposition until there has been a process at deciding what the policy will be and how the properties will be evaluated. He concluded that unfortunately there will be value judgments made along the way where the board members may obviously disagree but should be done as a public entity.

Barnhart stated that a covenant that may be attached to the deed could require that: 1) a person buying from the Land Bank would not have delinquent taxes, 2) would not be involved in an active code and condemnation proceeding with properties that they currently own, and 3) the property would need to be developed within a specific number of months/years after purchasing. The kind of development would need to be determined on a given property, if they are an adjacent owner, such as a garage, further development or would it be necessary to repopulate that area with a house, a structure or some other building.

Berglund pointed out the need to get the data management system in place where the value judgment could be completely and totally informed by the data within the neighborhood. Barnhart agreed to work together with the City Planning Department and others.

Barnhart further discussed various community engagements and stated that he plans to reach out to board members and non-profits. The future of the Land Bank is very positive by virtue of the inventory that will be acquired and good things are in motion.
Berglund updated the board with regard to the Executive Director search and interviews were held with the final three candidates (Brian Dusek, Jim Rieker and Oscar Duran). She asked the board to respond through e-mail with a date that will work to interview the candidates.

Barnhart stated that 4 out of the 78 properties from the 2016 Tax Certificate Sale list have been redeemed.

Barnhart stated that the Depository Policy and Depository Agreement was a document patterned from a Land Bank out of Cleveland.

In response to Barnhart, Jennifer Taylor, Law Department, City of Omaha, asked for more time to research special assessments with regard to the Depository Policy.

Lang suggested that the approval of the Depository Policy and Depository Agreement be laid over until the May meeting to allow the board members time to review and make suggestions.

Barnhart stated that the strategic plan includes a mission statement that will be made available for board approval - “Seeking to transform distressed properties into community assets”. He further added that a set of values could be used by the Land Bank such as pillars that will revolve around community, fund development, marketing and operational details. The goal is to make a presentation at the May 2016 board meeting.

Barnhart discussed the data system Request for Proposal (RFP). He stated that there are three main systems he has looked at: 1) E-Property Plus, 2) Cuyhoga’s Land Bank system, and 3) Accela system used by the City of Omaha that has a Land Bank module. He added that he could move forward with the evaluation of a property management system if the RFP is approved.

Motion by Cathy Lang to approve the Data Management System Request for Proposal (RFP) with the following provisions: 1) strategically plan around acquisition, disposition and development of properties, and 2) the proposals are subject to the public records law with a citation of the exclusion related to proprietary information. Rob Woodling seconded the motion.

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

A presentation regarding Phase 1 Environmental Assessment was presented by Patrick Sward, Biologist.

No public comments.

It was the consensus of the Board to adjourn the meeting at 10:15am.