

DIVISION 5. - OMAHA MUNICIPAL LAND BANK

Sec. 2-235. - Established.

Pursuant to the Nebraska Municipal Land Bank Act, as amended, there is hereby created an Omaha Municipal Land Bank.

(Ord. No. 40052, § 1, 7-22-14)

Sec. 2-236. - Definitions.

For the purposes of this division, the following terms shall have the following meanings:

Act: The Nebraska Municipal Land Bank Act, also known as Neb. Rev. Stat. sections 19-5201 et seq. (2013 Supp.), as it may be amended from time to time.

Board: The board of directors of the land bank.

Land bank: The Omaha Municipal Land Bank, established pursuant to this division.

(Ord. No. 40052, § 1, 7-22-14)

Sec. 2-237. - Nature.

The land bank shall be deemed to be a public corporation acting in a governmental capacity and a political subdivision of the state, and shall have permanent and perpetual duration until terminated and dissolved in accordance with the Act. The land bank, and all of its assets, liabilities, bond obligations, employees, rights, and duties, shall be separate from the city. The land bank shall have and possess all of the powers, rights, and duties provided by the Act. The land bank's records and documents shall be considered public records under the state public records laws.

(Ord. No. 40052, § 1, 7-22-14)

Sec. 2-238. - Board of directors.

- (a) The land bank shall be governed by a board of directors, as provided in the Act.
- (b) The board shall consist of:
 - (1) Seven voting members appointed by the mayor and confirmed by a two-thirds vote of the city council;
 - (2) The planning director, or his or her designee, serving as a non-voting, ex-officio member;
 - (3) One member of the city council, appointed by the city council, as a non-voting, ex-officio member;
 - (4) Such other non-voting members as are appointed by the mayor.
- (c) Persons to be appointed as voting members of the board shall meet the following qualifications:
 - (1) Each city council district shall be represented by one resident of such district who shall serve as a voting member of the board.
 - (2) The voting members of the board shall have, collectively, verifiable skills, expertise, and knowledge in market rate and affordable residential, commercial, industrial, and mixed-used real estate development, financing, law, purchasing and sales, asset management, economic and community development, and the acquisition of tax sale certificates.

- (3) The seven voting members of the board shall include:
 - a. At least one member with experience as a realtor;
 - b. At least one member with experience in banking;
 - c. At least one member with experience in real estate development;
 - d. At least one member representing a chamber of commerce;
 - e. At least one member with experience in nonprofit or affordable housing;
 - f. At least one member with experience in large-scale residential or commercial property rental.
- (d) A single voting member may satisfy more than one of the requirements provided in subdivision (1)(e) of this section if he or she has the required qualifications. It is not necessary that there be a different member to fulfill each such requirement.
- (e) The initial members of the board, and their initial respective terms of office shall be determined by an ordinance approved by two-thirds vote of the city council.
- (f) After the initial term of an initial board member, the term of the subsequent board members shall be three years. A board member shall continue to serve until his or her successor is appointed and confirmed.
- (g) Meetings of the board shall be publicized and conducted as public meetings.

(Ord. No. 40052, § 1, 7-22-14; Ord. No. 41014, § 1, 12-20-16)

Sec. 2-239. - Bylaws.

The board shall adopt bylaws, by a majority vote of the voting members. The bylaws shall govern the general organizational structure and meeting rules for the land bank.

(Ord. No. 40052, § 1, 7-22-14)

Sec. 2-240. - Policies and procedures.

The board shall adopt policies and procedures, by a majority vote of the voting members, unless a greater vote is otherwise required in this division or the Act. Policies and procedures shall include, but not be limited to, the following items:

- (a) Policies and procedures to specify the conditions that must be met in order for the land bank to give an "automatically accepted bid" at a sale of real property, as authorized in the Act. Such policies and procedures shall comply with the requirements set forth in section 19-5205(11) of the Act. Such policies and procedures referred to in this subsection (a) shall require approval by affirmative vote of at least two-thirds of the voting members.
- (b) The general terms and conditions for consideration to be received by the land bank for the transfer of real property and interests in real property, which consideration may take the form of monetary payments and secured financial obligations, covenants and conditions related to the present and future use of the property, contractual commitments of the transferee, and such other forms of consideration as determined to be in the best interest of the land bank.
- (c) Rules addressing potential conflicts of interests for board members or employees of the land bank.
- (d) Ethical guidelines for board members and employees of the land bank.

- (e) Policies and procedures for ensuring effective communication between the land bank and citizens and community groups interested in land bank issues. Such policies shall provide procedures for the board and land bank staff to keep the public informed of land bank activities and to solicit input and advice from citizens and community groups such as neighborhood alliance groups and neighborhood associations affected by land bank operations.

(Ord. No. 40052, § 1, 7-22-14)

Sec. 2-241. - Disposition of real property.

In determining the proposed transferee, and the content of any covenants, conditions, or contractual commitments to be required regarding the present and future use of real property to be conveyed by the land bank, the land bank shall comply with the Act, and shall consider the following factors and priorities, which are not listed in any particular order:

- (a) Consistency with the existing land use characteristics of the surrounding neighborhood;
- (b) Whether the use will terminate or mitigate current harmful effects on the surrounding neighborhood caused by the property;
- (c) Whether the use will prevent future harmful effects on the neighborhood caused by the property;
- (d) Whether the eventual long-term user of the property is identified and is the same as, or has some contractual or other close relationship to, the proposed transferee.

(Ord. No. 40052, § 1, 7-22-14)

Secs. 2-242—2-250. - Reserved.