

AMENDMENTS TO LB 339

Introduced by Urban Affairs.

1           1. Strike the original sections and insert the following  
2 new sections:

3           Section 1. Section 18-2102.01, Reissue Revised Statutes  
4 of Nebraska, is amended to read:

5           18-2102.01 Cities of all classes and villages of this  
6 state are hereby granted power and authority to create community  
7 redevelopment authorities and limited community redevelopment  
8 authorities.

9           (1) Whenever an authority or limited authority is created  
10 it shall bear the name of the city creating it and shall be  
11 legally known as the Community Redevelopment Authority of the City  
12 (or Village) of ..... (name of city or village) or the  
13 Limited Community Redevelopment Authority of the City (or Village)  
14 of ..... (name of city or village).

15           (2) When it is determined by the governing body of any  
16 city by ordinance in the exercise of its discretion that it is  
17 expedient to create a community redevelopment authority or limited  
18 community redevelopment authority, the mayor of the city or, if  
19 the mayor shall fail to act within ninety days after the passage  
20 of the ordinance, the president or other presiding officer other  
21 than the mayor of the governing body, with the approval of the  
22 governing body of the city, shall appoint five or seven persons  
23 who shall constitute the authority or the limited authority. The

1 terms of office of the members of ~~the~~ a five-member authority  
2 initially appointed shall be for one year, two years, three years,  
3 four years, and five years, as designated by the mayor, president,  
4 other presiding officer, or city manager in making the respective  
5 appointments. The terms of office of the members of a seven-member  
6 authority initially appointed shall be one member each for one  
7 year, two years, and five years, and two members each for three  
8 years and four years, as designated by the mayor, president,  
9 other presiding officer, or city manager in making the respective  
10 appointments. As the terms of the members of the authority expire  
11 in cities not having the city manager form of government, the  
12 mayor, with the approval of the governing body of the city, shall  
13 appoint or reappoint a member of the authority for a term of  
14 five years to succeed the member whose term expires. In cities  
15 having the city manager form of government, the city manager shall  
16 appoint or reappoint the members with the approval of the governing  
17 body. The terms of office of the members of a limited community  
18 redevelopment authority shall be for the duration of only one  
19 single specific limited pilot project authorized in the ordinance  
20 creating the limited community redevelopment authority, and the  
21 terms of the members of a limited community redevelopment authority  
22 shall expire upon the completion of the single specific limited  
23 pilot project authorized in the ordinance creating the limited  
24 community redevelopment authority.

25           A governing body may at its option submit an ordinance  
26 which creates a community redevelopment authority or a limited  
27 community redevelopment authority to the electors of the city

1 for approval by a majority vote of the electors voting on the  
2 ordinance. On submitting the ordinance for approval, the governing  
3 body is authorized to call, by the ordinance, a special or general  
4 election and to submit, after thirty days' notice of the time  
5 and place of holding the election and according to the manner  
6 and method otherwise provided by law for the calling, conducting,  
7 canvassing, and certifying of the result of city elections on the  
8 submission of propositions to the electors, the proposition to be  
9 stated on the ballot as follows:

10            Shall the City (or Village) of ..... (name of  
11 city or village) create a Community Redevelopment Authority of the  
12 City (or Village) of ..... (name of city or village)?

13            ... Yes

14            ... No.

15            When the ordinance submitted to the electors for approval  
16 by a majority vote of the electors voting on the ordinance is to  
17 create a limited community redevelopment authority the proposition  
18 shall be stated on the ballot as follows:

19            Shall the City (or Village) of ..... (name of  
20 city or village) create a Limited Community Redevelopment Authority  
21 of the City (or Village) of ..... (name of city or  
22 village)?

23            ... Yes

24            ... No.

25            Vacancies shall be filled for any unexpired term in the  
26 same manner as the original appointment. Members of the authority  
27 so appointed shall hold office until their successors have been

1 appointed and qualified. Members of a limited authority shall hold  
2 office as provided in this section. All members of the authority  
3 shall serve without compensation, but shall be entitled to be  
4 reimbursed for all necessary expenses incurred.

5 (3) Any authority established under this section shall  
6 organize by electing one of its members chairperson and another  
7 vice-chairperson, shall have power to employ counsel, a director  
8 who shall be ex officio secretary of the authority, and such other  
9 officers and employees as may be desired, and shall fix the term  
10 of office, qualifications, and compensation of each. The holder of  
11 the office of community redevelopment administrator or coordinator  
12 of the city may, but need not, be appointed the director but at no  
13 additional compensation by the authority. Community redevelopment  
14 authorities of cities of the first and second class and villages  
15 may secure the services of a director, community redevelopment  
16 administrator, or coordinator, and other officers and employees as  
17 may be desired through contract with the Department of Economic  
18 Development upon terms which are mutually agreeable. Any authority  
19 established under this section may validly and effectively act on  
20 all matters requiring a resolution or other official action by a  
21 ~~majority vote of its membership~~ the concurrence of three members of  
22 a five-member authority or four members of a seven-member authority  
23 present and voting at a meeting of the authority. ~~if a quorum~~  
24 ~~of four is present.~~ Orders, requisitions, warrants, and other  
25 documents may be executed by the chairperson or vice-chairperson or  
26 by or with others designated in its bylaws.

27 (4) No member or employee of any authority established

1 under this section shall have any interest directly or indirectly  
2 in any contract for property, materials, or services to be required  
3 by such authority.

4 (5) The authority shall keep an accurate account of all  
5 its activities and of all receipts and disbursements and make an  
6 annual report of such activities, receipts, and disbursements to  
7 the governing body of the city.

8 (6) The governing body of a city creating a community  
9 redevelopment authority or a limited community redevelopment  
10 authority is hereby authorized to appropriate and loan to the  
11 authority a sum not exceeding ten thousand dollars for the purposes  
12 of paying expenses of organizing and supervising the work of the  
13 authority at the beginning of its activities. The loan shall be  
14 authorized by resolution of the governing body which shall set  
15 forth the terms and time of the repayment of the loan. The loan may  
16 be appropriated out of the general funds or any sinking fund.

17 (7) All income, revenue, profits, and other funds  
18 received by any authority established under this section from  
19 whatever source derived, or appropriated by the city, or realized  
20 from tax receipts or comprised in the special revenue fund of the  
21 city designated for the authority or from the proceeds of bonds,  
22 or otherwise, shall be deposited with the city treasurer as ex  
23 officio treasurer of the authority without commingling the money  
24 with any other money under his or her control and disbursed by  
25 him or her by check, draft, or order only upon warrants, orders,  
26 or requisitions by the chairperson of the authority or other  
27 person authorized by the authority which shall state distinctly

1 the purpose for which the same are drawn. A permanent record shall  
2 be kept by the authority of all warrants, orders, or requisitions  
3 so drawn, showing the date, amount, consideration, and to whom  
4 payable. When paid, the same shall be canceled and kept on file  
5 by the city treasurer. The books of any authority established  
6 under this section shall from time to time be audited upon the  
7 order of the governing body of the municipality in such manner  
8 as it may direct, and all books and records of the authority  
9 shall at all times be open to public inspection. The authority  
10 may contract with the holders of any of its bonds or notes as to  
11 collection, custody, securing investment, and payment of any money  
12 of the authority or any money held in trust or otherwise for the  
13 payment of bonds or notes or in any way to secure bonds or notes.  
14 The authority may carry out the contract notwithstanding that  
15 such contract may be inconsistent with the previous provisions of  
16 this subdivision. All banks, capital stock financial institutions,  
17 qualifying mutual financial institutions, and trust companies are  
18 hereby authorized to give security for the deposits of money of any  
19 authority established under the provisions of this section pursuant  
20 to the Public Funds Deposit Security Act. Section 77-2366 applies  
21 to deposits in capital stock financial institutions. Section  
22 77-2365.01 shall apply to deposits in qualifying mutual financial  
23 institutions.

24           Sec. 2. Original section 18-2102.01, Reissue Revised  
25 Statutes of Nebraska, is repealed.