



Lucas County Land Reutilization Corporation

Board of Directors Meeting

Friday, February 17, 2012 at 1:00 p.m.

EMS Training Center, 2127 Jefferson Ave, Toledo, OH 43604

1. Call to order by the Chairman Kapszukiewicz
2. Additions/Deletions to Agenda
3. Approval of the January 20, 2012 Minutes
4. Action Items
 - a. **2012-005: Updating Policies and Procedures related to Commercial/Industrial Properties, Listings, and Salvage**
 - b. **2012-006: Authorizing the Disposition of the "Taylor Properties" to Neighborhood Health Association, Inc.**
5. Reports
 - a. Treasurer's Report
 - i. Monthly Financial Report
 - ii. 2011 Audit Update
 - b. President's Report
 - i. AG Demolition Opportunity
 - ii. Update on City of Toledo matters
 - iii. Personnel Committee
 - iv. Challenges of a Weak Housing Market
 - c. Executive Director's Report
 - i. Property Acquisition / Disposition Update
6. New Business
7. Adjournment



Date: February 14, 2012

Resolution No. 2012-005

Title: Amending the Policies and Procedures

Summary/Background: In order to further clarify the priorities of the Board regarding the disposition of corporation property and the allocation of the corporation's resources, the Operating Policies and Procedures are being amended.

Specifically, amendments are contemplated regarding Commercial/Industrial properties, listing properties with realtors, and a policy regarding the salvage of individual fixtures or personal property within a structure the Land Bank owns.

Authority: Code of Regs. § 1.4(p)

Director Wozniak offered the following resolution:

WHEREAS, in consideration of the above, NOW, THEREFORE BE IT RESOLVED by the Board of Directors, Lucas County Land Reutilization Corporation, that:

Section 1. Amendments to the operating policies and procedures manual, attached to this resolution and incorporated by reference, is adopted.

Section 2. This Board finds and determines that all formal actions of this Board concerning and relating to the adoption of this resolution were taken in an open meeting of this Board and that all deliberations of this Board that resulted in those formal actions were in a meeting open to the public in compliance with the law.

Section 3. This resolution shall be in full force and effect from and immediately upon its adoption.

Action Taken:

Director Kapszukiewicz voted yes
Director Wozniak voted yes
Director Gerken voted yes via proxy
Director Kovacs voted yes
Director DeWitt was absent
Director Geronimo voted yes
Director Stanbery voted yes
Director Furney voted yes
Director Gardner was absent

A handwritten signature in cursive script that reads "Karen Poore".

Karen Poore, Secretary of the Board

Disposition Procedure

- To request a property that the Land Bank has acquired or may acquire based on its acquisition procedures, an end-user must provide a completed transfer application to the Land Bank. Applications will be posted on the Land Bank's website and available through regular mail.
- A completed transfer application will trigger the Land Bank's qualification process. Within 30 days of application, the Land Bank will notify the prospective end-user whether they have qualified based on the criteria described above.
- A qualified end-user that has requested the Land Bank acquire a particular property has first priority to receive that property post-acquisition, subject to limit only by the Disposition Priorities of this section.
- Listing Procedures
 - The Land Bank staff may list any property with a realtor if it determines that marketing it in such a way will afford the best opportunity for a long-term end user, owner occupancy, or redevelopment.
 - The Land Bank staff will compile a list of realtors who understand the mission of the Land Bank and who have experience in distressed properties and utilize the list on a rotating basis.
 - The Land Bank shall pay a standard market commission for any property that sells for a purchase price greater than \$35,000. For any property that sells for \$35,000 or below, the Land Bank shall pay not more than \$2,500 as commission.
 - A purchaser of a listed Land Bank property shall be subject to these Policies and Procedures.
- Consideration
 - The Land Bank will collect at sale, at a minimum, the fair market value of the property, including all acquisition costs (e.g., inspection costs, court fees, title work, etc.)
 - The Land Bank Board may, on a case-by-case basis, waive certain acquisition costs and/or accept non-monetary consideration for any transfer.
- Transfer Restrictions
 - Consistent the above general considerations, a development agreement, restrictive covenants, or deed restrictions may be required to facilitate a transfer to a qualified end-user, on a project-specific basis.

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Blight Elimination

Because the Land Bank will generally be on the receiving end of the most challenged and damaged property in Lucas County, the best use for many of the properties the Land Bank acquires will be blight elimination. As a result, many of these properties will be demolished.

Demolition may occur in conjunction with a transfer to a qualified end-user. Demolition may also occur while the Land Bank works to identify a side-lot end-user or users who will take title to the future unimproved land, or in coordination with land assembly for future use.

Demolition Procedure

- Post-Acquisition Property Inspection
 - For any property not acquired for a qualified end-user, the Land Bank, upon possession, will engage a property inspector who will evaluate the current condition of the property and the estimated cost of making the structure habitable and code compliant.
 - That inspection will be delivered to the Land Bank within 30 days of ownership. Upon return of the inspection, the Land Bank will coordinate its triage resources to make a final decision regarding demolition of the property.
- Demolition Partners
 - The Land Bank will partner with public-sector and private partners to facilitate the demolition of properties as swiftly as possible after a demolition decision has been made.
 - To coordinate resources efficiently, the Land Bank will offer the City of Toledo the right of first refusal on all demolitions.
 - For any demolition that the City of Toledo is unable to undertake, the Land Bank will request proposals from private contractors on a competitive basis.
 - The Land Bank will work with these partners to coordinate a check-list of demolition requirements, including utility kills, neighborhood notification, and environmental remediation.
- Quality of the Demolition
 - Every Land Bank demolition must will include a compacting of the substructure, a residential grading, quality fill, and top soil sufficient to support the long-term integrity of the land and side lot or other neighborhood use.

- o If the Land Bank is made aware of residential redevelopment of a demolition site, the total removal of the structure, including any substructures, may be undertaken.~~the total removal of the structure, including any foundation or substructure, unless impracticable.~~

e• Deconstruction and Salvage

- o Deconstruction of the structure may be permitted to recover important historic materials or architectural details. A nonprofit or community group with experience in deconstruction must contact the Land Bank a minimum of 30 days prior to the posting of a scheduled demolition on the Land Bank's website to undertake deconstruction. Where health and safety concerns or timely coordination of the demolition make deconstruction impracticable, a request may be denied.
- o Individual, non-historic items of personal property or fixtures of a property owned by the Land Bank may be acquired on a first-come, first-serve basis. An individual who wishes to salvage items from the property must notify the Land Bank staff as soon as possible, sign a waiver of liability, and pay a non-refundable \$50 salvage fee. The individual will be solely responsible for the deconstruction, transportation, and storage of any items recovered. The Land Bank staff reserves the right to deny a request, in whole or in part, for any reason.

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Commercial & Industrial Property Acquisition / Disposition

Consistent with its stated mission, the Land Bank Board has committed to focusing the Land Bank's resources on residential neighborhoods. However, from time to time, commercial and industrial properties will be available to the Land Bank through its normal acquisition procedures.

When this happens, the Lucas County Improvement Corporation (LCIC) shall be deemed a qualified end-user and may accept title to such property as outlined below. As Lucas County's economic development entity, the LCIC will negotiate transfers to entrepreneurial end users who are willing to make these properties productive again. The LCIC is in the best position to assess the long-term business plan of an end user, the economic potential of the property, and the fair market value of any deal. When presented with such an opportunity, the Land Bank shall first partner with the political subdivision where the property is located based on the following general operation procedure. In cases of properties located outside of the City of Toledo where the political subdivision has no interest in a partnership, the Land Bank may partner with the Lucas County Improvement Corporation on the disposition of the property or another qualified partner if so warranted.

Operating Procedure

- The acquisition and disposition of commercial and industrial properties shall be governed at all times by the general acquisition and disposition considerations of the Land Bank.
- When the Land Bank, the LCIC, or an end user identifies an available a commercial or industrial property is identified, the Land Bank will coordinate with the LCIC regarding the Land Bank's acquisition ability and timelinewill coordinate with the political subdivision where the property is located to determine potential redevelopment options for the property.
- Should the political subdivision (or another partner if the political subdivision declines) wish to jointly pursue the property with the Land Bank, the Land Bank shall negotiate an agreement with the partner related to the acquisition and disposition of the property.
- The agreement may be verbal in nature; however, if the Land Bank risks incurring significant long-term costs related to the property, the Land Bank staff shall not be authorized to acquire the property without an enforceable, written disposition agreement signed by the President and an authorized representative of the partner or a qualified end user.
- The Land Bank and its partner shall negotiate the terms of the agreement, including but not limited to:

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- The costs of evaluating a potential end user, including the end user's business plan, the redevelopment proposal for the property, the end user's financial wherewithal, and the end user's past development experience.
- The costs of listing and marketing the property.
- The costs of holding the property.
- The ultimate disposition of the property, and the sharing of any proceeds, and
- Any other matters relevant to the particular property in question.
- The Land Bank shall not acquire or dispose of a commercial or industrial property in a manner that may negatively impact the stability of any adjacent neighborhoods or the community at large, notwithstanding any offers received.
- The Land Bank's Board shall be required to authorize the disposition of any commercial or industrial property prior to closing by written resolution.
- ~~Prior to the Land Bank's acquisition of the property, the LCIC will evaluate the end user's long-term business plan, property redevelopment proposal, financial wherewithal, and past development experience.~~
- ~~Post evaluation, the LCIC shall make a written recommendation to the Land Bank to proceed with or cease acquisition of the property. The LCIC shall be obligated to take title to any property that it notifies the Land Bank to acquire.~~
- ~~Upon acquisition, the Land Bank Board shall transfer the property to the LCIC, through written agreement, for no upfront consideration.~~
- ~~Upon acquisition from the Land Bank, the LCIC shall negotiate a final sale of the property at its highest marketable value and pursuant to any other terms it deems in the best interest of the community at large.~~
- ~~Post closing and based on the written agreement of both parties, the LCIC shall share one-half of the net proceeds of the sale with the Land Bank, less all reasonable expenses incurred by the LCIC or the Land Bank in the course of the transaction.~~

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Date: February 17, 2012

Resolution No. 2012-006

Title: Authorizing the Disposition of the “Taylor Properties” to Neighborhood Health Association, Inc.

Summary/Background: The LCLRC agreed to accept 15 parcels in UpTown through donation from Stephen and Julie Taylor by resolution 2011-031. The donation was completed on December 28, 2011. The prior owner is still obligated to fully demolish or otherwise remove any structures on the parcels at their sole expense and work is ongoing to complete that requirement.

The LCLRC has been approached by Neighborhood Health Association, Inc., a community health non-profit, who is interested in acquiring all of these parcels for future development opportunities. Their strategic investment will serve as a catalyst to bring renewed life and interest to this portion of UpTown.

Authority: Policies and Procedures

Director Stanbery offered the following resolution:

WHEREAS, in consideration of the above, NOW, THEREFORE BE IT RESOLVED by the Board of Directors, Lucas County Land Reutilization Corporation, that:

Section 1. The President or his designee is authorized to take all steps necessary to effectuate a sale of the “Taylor parcels” (description attached and incorporated by reference) to Neighborhood Health Association, Inc. for a price and terms, determined in the President’s sole discretion, consistent with their public mission.

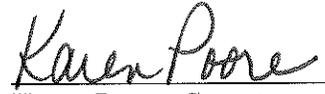
Section 2. This Board finds and determines that all formal actions of this Board concerning and relating to the adoption of this resolution were taken in an open meeting of this Board and that all deliberations of this Board that resulted in those formal actions were in a meeting open to the public in compliance with the law.

Section 4. This resolution shall be in full force and effect from and immediately upon its adoption.

Action Taken:

Director Kapszukiewicz voted yes
Director Wozniak voted yes
Director Gerken voted yes via proxy
Director Kovacs voted yes
Director DeWitt was absent

Director Geronimo voted yes
Director Stanbery voted yes
Director Furney voted yes
Director Gardner was absent

A handwritten signature in cursive script that reads "Karen Poore". The signature is written in black ink and is positioned above a horizontal line.

Karen Poore, Secretary of the Board

Lucas County Land Reutilization Corporation
2012 Budget to Actuals
 January - December 2012

	Total		
	Actual	Budget	\$ Remaining
Income			
Acquisition Reimbursement Income	90.50	2,000.00	1,909.50
Operating Income from Statutory DTAC		1,621,000.00	1,621,000.00
Property Sales Income	8,130.91	100,000.00	91,869.09
Total Income	\$8,221.41	\$1,723,000.00	\$1,714,778.59
Expenses			
Acquisition Costs	595.40	2,000.00	1,404.60
Advertising		1,500.00	1,500.00
Bank Charges		1,000.00	1,000.00
Conferences		2,000.00	2,000.00
County Administrative Services		91,484.00	91,484.00
Demolition Expense	7,500.00	1,240,000.00	1,232,500.00
Environmental Services		50,000.00	50,000.00
Field Services	12,529.42	221,250.00	208,720.58
Healthcare Expenses	3,585.04	20,523.00	16,937.96
Information Technology	8,985.00	50,000.00	41,015.00
Insurance	2,879.00	10,000.00	7,121.00
Office Expenses	108.25	4,000.00	3,891.75
Payroll Expenses		1,000.00	1,000.00
Taxes	2,621.59	12,908.00	10,286.41
Wages	24,153.89	157,000.00	132,846.11
Total Payroll Expenses	26,775.48	170,908.00	144,132.52
Professional & Testing Fees	116.63	20,000.00	19,883.37
Project Reinvestment Fund		150,000.00	150,000.00
Rehab Match Program		100,000.00	100,000.00
Rent or Lease		6,200.00	6,200.00
Title Work Fees		2,000.00	2,000.00
Travel & Mileage		500.00	500.00
Total Expenses	\$63,074.22	\$2,143,365.00	\$2,080,290.78
Net Operating Income	\$ -54,852.81	\$ -420,365.00	\$ -365,512.19
Other Expenses			
Miscellaneous Expenses		2,000.00	2,000.00
Total Other Expenses	\$0.00	\$2,000.00	\$2,000.00
Net Other Income	\$0.00	\$ -2,000.00	\$ -2,000.00
Net Income	\$ -54,852.81	\$ -422,365.00	\$ -367,512.19

Wednesday, Feb 15, 2012 04:55:49 PM GMT-5 - Cash Basis



Position Description

Position: **Executive Director**

Hours: **8:30 a.m. – 4:30 p.m., Monday – Friday**
 Will often require more than normal hours

Salary: **\$65,000 - \$75,000 annually**

FLSA: **Exempt**

General Summary

Under the direction of the President and Board of the Land Bank, the Executive Director is responsible for overall management and operations of the Lucas County Land Bank, including its financial and property assets, while ensuring compliance with Board directives and applicable federal, state and local requirements.

Essential Duties

- Directs the Land Bank’s ongoing programs, including the acquisition, disposition, demolition and maintenance of real property.
- Coordinates with the President, the Board, the officers, and staff to make thoughtful but expeditious decisions regarding strategic property acquisition, property maintenance matters, the demolition or remediation of a property, and other routine issues.
- Responsible for development agreement management including negotiating terms that reflect the needs of the Land Bank, coordinating with legal advisors to finalize agreement terms, monitoring progress of agreements, and maintaining agreement documentation to ensure fulfillment of agreement terms including receipt and expenditure of funds.
- Provides regular advice to the President and the Board regarding strategic investment of resources to maximize the Land Bank’s impact in the community, and coordinates the collection and maintenance of the Land Bank’s data management programs.
- Assists in the development of current and long-term organizational goals and objectives as well as policies and procedures for the Land Bank. Establishes plans to achieve goals set by the Board and implement policies, subject to approval by the Board.
- Coordinates with the Secretary of the Board regarding human resources management for employees and contracted consultants.
- Analyzes and evaluates vendor services, particularly for insurance, employee benefits and management of Land Bank funds, to determine programs and providers that best meet the needs of the Land Bank, and makes recommendations to the Board as appropriate.
- Oversees work done by private contractors and manages related project development and administrative tasks.

- Ensures compliance with federal, Ohio, and local policy on matters that directly affect the Land Bank's ongoing mission and programs.
- Represents the Land Bank throughout the community, including at neighborhood meetings, with CDC and non-profit entities, local and state government officials, and Land Bank property end-users.
- All additional duties as required.

Desired Qualities and Skills

- Significant knowledge of real estate, including acquisition, financial appraisal, market analysis, public and private financing, planning and zoning regulations, environmental review requirements, local/state/federal housing preservation programs and regulations.
- Knowledge of the history of Lucas County's communities, including neighborhoods within the City of Toledo, and its current real estate market. Ongoing experience working with people from all socio-economic classes and backgrounds.
- Direct experience with public sector entities, including the Lucas County administrative offices, the City of Toledo, and all political subdivisions within Lucas County.
- Exemplary interpersonal skills.
- Persistent and excellent follow-through.
- Willing and able to make public presentations to diverse audiences with and without a prior opportunity to prepare.
- Strong oral and written communication abilities, including an ability to make complicated written documents as accessible as possible for all readers.
- Resourceful problem solver with attention to details.
- Ability to meet deadlines, use time efficiently, prioritize work obligations, and work independently and effectively as a team member.
- Ability to handle difficult situations and conflicts with a positive attitude and professionalism.
- Ability to maintain a professional, positive image within the community and with clients, community residents, vendors, elected officials, and other staff members.
- Proficient skill with office software, including Microsoft Office and Excel, internet-based property management applications. Strongly prefer experience with web design, Microsoft Access, and Google Tools.
- Commitment to the mission of the Lucas County Land Bank.

Education

Minimum Qualifications: A Bachelor's degree in humanities, urban planning, community development, business administration, or other related field, and at least five years professional work experience in a non-profit, public sector or community development setting, with an orientation toward public policy.

Strongly Preferred:

A graduate degree or ongoing graduate coursework toward a degree in related Land Bank fields (MBA, MPA, J.D.), and at least five years experience in public policy roles and/or community development.

Unusual Working Conditions

- Often working around and within distressed properties.
- Extended working hours.
- Overnight travel.

The Lucas County Land Bank is an equal opportunity employer.