

PART I - GENERAL ORDINANCES
Chapter 2 - ADMINISTRATION
ARTICLE VI. - BOARDS, COMMISSIONS, COMMITTEES, AUTHORITIES AND OTHER AGENCIES

DIVISION 3. COMMUNITY DEVELOPMENT AGENCY

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Sec. 2-217. Findings of council.

It is hereby found and declared that there exists in the city areas which have deteriorated and become substandard and blighted because of the unsafe, unsanitary, inadequate or overcrowded condition of the dwellings therein; because of inadequate planning of the area, or excessive land coverage by the buildings thereon, or the lack of proper light and air and open space; or because of the defective design and arrangement of the buildings thereon, or faulty street and lot layout, or congested traffic conditions, or economically and socially undesirable land uses. Such conditions or a combination of some or all of them have resulted and will continue to result in making such areas economic or social liabilities harmful to the social and economic well-being of the entire community needlessly increasing public expenditures, imposing onerous municipal burdens, decreasing the tax base, reducing tax revenue, substantially impairing or arresting the sound growth of city, aggravating traffic problems, substantially impairing or arresting the elimination of traffic hazards and the improvement of traffic facilities, and depreciating general communitywide values. The existence of such areas contributes substantially and increasingly to the spread of disease and crime, necessitating excessive and disproportionate expenditures of public funds for the preservation of the public health and safety, for crime prevention, correction, prosecution, punishment and the treatment of juvenile delinquency, and for the maintenance of adequate police, fire and accident protection and other public services and facilities. These conditions are beyond remedy and control solely by regulatory process in the exercise of the police power and cannot be dealt with effectively by the ordinary operations of private enterprise without the aids herein provided. The elimination of such conditions and the acquisition and preparation of land in or necessary to the renewal of substandard and blighted areas and its sale or lease for development or redevelopment in accordance with general plans and redevelopment plans of communities and any assistance which may be given by any state public body in connection therewith are public uses and purposes for which public money may be expended and private property acquired. The necessity in the public interest for the provisions of the community development law is hereby declared to be a matter of legislative determination.

(Code 1990, § 2-26; Ord. No. 1294, § 1; Ord. No. 2312, § 1(2-26), 2-28-2012)

Sec. 2-218. Created; membership; appointment of members; powers and authority.

- (a) There is hereby established pursuant to R.R.S. 1943, § 18-2101.01 as a new municipal division of the City of Lexington, Nebraska, a Community Development Agency of Lexington, Nebraska, the governing body of which shall be composed of seven members, to be appointed by the city manager with the approval of the governing body.

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- (b) The term of office of the members shall be for five years, except, that the members of the agency governing body initially appointed shall be one member each for one year, two years, and five years, and two members each for three years and four years, as designated by the city manager in making the respective appointments. In making these appointments, the city manager shall select two then-current members of the city council as members of the agency governing body. In the event a member, who was appointed by virtue of being a city council member, ceases to be a city council member, that member's term of office shall end concurrent with the end of his or her city council term, and the city manager shall appoint a replacement member from among the then-current members of the city council. All appointments to the agency governing body shall be subject to the approval of the city council.
- (c) The agency shall organize by electing one of its members chairperson and another vice-chairperson, the city manager shall be the executive director and the city clerk shall be the secretary. The agency shall adopt by-laws at their first organizational meeting.
- (d) The community development agency shall have the power and authority to exercise those powers and authority granted to a community redevelopment authority under R.R.S. 1943, §§ 18-2101—18-2144. The community development agency shall also have the power and authority to do all community development activities, and to do all things necessary to cooperate with the federal government in all matters relating to community development program activities as a grantee, or as an agent or otherwise, under the provisions of the Federal Housing and Community Development Act of 1974, as amended through the Housing and Community Development Amendments of 1981. The community development agency may levy taxes for the exercise of such jurisdiction and authority and may issue general obligation bonds, general obligation notes, revenue bonds, and revenue notes including those general obligation and revenue refunding bonds and notes for the purposes set forth in such sections and under the powers granted to any community redevelopment authority described therein.

(Code 1990, § 2-28; Ord. No. 1294, § 3; Ord. No. 2312, § 1(2-27), 2-28-2012; [Ord. No. 2329, § 1, 4-9-2013](#))

Sec. 2-219. Rights; abolishment of community redevelopment authority.

All of the rights and property, both real and property of the existing community redevelopment authority of the city and all obligations including leases, bonds, redevelopment contracts, agreements and other evidence of debt of such authority are hereby transferred to the community development agency created pursuant to this division. On February 28, 2012, the community redevelopment authority shall be dissolved.

(Code 1990, § 2-28; Ord. No. 1294, § 3; Ord. No. 2312, § 1(2-27), 2-28-2012)

Sec. 2-220. State law adopted by reference.

The community redevelopment law, R.R.S. 1943, §§ 18-2101 to 18-2144 shall, so far as applicable, be a part of this division, and by reference are incorporated in this section.

(Code 1990, § 2-29; Ord. No. 1294, § 4; Ord. No. 2312, § 1(2-29), 2-28-2012)

Secs. 2-221—2-248. Reserved.

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FOOTNOTE(S):

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State Law reference— Community Redevelopment Law, R.R.S. 1943, § 18-2101 et seq. (Back)