



AGENDA
LAND BANK MEETING
7651 E. Central Park Ave, Bel Aire, KS
January 21, 2025 6:30 PM



I. CALL TO ORDER: By Chairman Jim Benage

II. ROLL CALL

Jim Benage ____ Greg Davied ____ Tyler Dehn ____

Emily Hamburg ____ Tom Schmitz ____ John Welch ____

III. MINUTES

A. Minutes of the February 20, 2024 Bel Aire Land Bank meeting.

Action: Motion to (approve / deny / table) the February 20, 2024 Bel Aire Land Bank Minutes as (presented / amended).

Motion ____ Second ____ Vote ____

IV. PUBLIC COMMENTS

V. EXECUTIVE SESSION

Action: Motion to go into executive session for the sole purpose of discussing the subject of: Consultation with Attorney about proposed contract negotiations pursuant to the KSA 75-4319 exception for: Attorney-Client Privilege. Invite Land Bank Treasurer and Land Bank Attorney. The meeting will be for a period of ____ minutes, and the open meeting will resume at ____ PM.

Motion: ____ Second: ____ Vote: ____

VI. RESOLUTIONS AND FINAL ACTIONS

A. Consideration of approving the Bel Aire Land Bank 2024 ending sales and financial report.

Action: Motion to (accept and file / deny / table) the Bel Aire Land Bank 2024 Ending Sales and Financial Report.

Motion ____ Second ____ Vote ____

B. Consideration of approving the Property Inventory List for the Bel Aire Land Bank for 2024 and authorize publication.

Action: Motion to (approve / deny / table) the Property Inventory List for the Bel Aire Land Bank for 2024 as (presented / amended) and authorize publication.

Motion _____ Second _____ Vote _____

C. Consideration of approving reimbursement to the City in the amount of \$2,672,597 for special assessments previously paid and financed by the City on property owned by the Land Bank and for the pay off of debt associated with acquisition of property sold by the Land Bank.

Action: Motion that, pursuant to K.S.A. 12-5910 and Ordinance No. 572 of the City of Bel Aire, the Land Bank reimburse the City \$2,672,597 for special assessments previously paid and financed by the City on property owned by the Land Bank and for the pay off of debt associated with acquisition of property sold by the Land Bank.

Motion _____ Second _____ Vote _____

D. Consideration of appointing Jim Benage as Land Bank Chairman for 2025.

Action: Motion to appoint Jim Benage as Land Bank Chairman for 2025.

Motion _____ Second _____ Vote _____

E. Consideration of appointing Land Bank Vice Chairman for 2025.

Action: Motion to appoint Greg Davied as Land Bank Vice Chairman for 2025.

Motion _____ Second _____ Vote _____

F. Consideration of appointing Ted Henry as Land Bank Treasurer for 2025.

Action: Motion to appoint Ted Henry as Land Bank Treasurer for 2025.

Motion _____ Second _____ Vote _____

G. Consideration of appointing Maria Schrock as Land Bank Attorney for 2025.

Action: Motion to appoint Maria Schrock as Land Bank Attorney for 2025.

Motion _____ Second _____ Vote _____

VII. OTHER ITEMS

VIII. ADJOURNMENT

Action: Motion to adjourn.

Motion _____ Second _____ Vote _____

City of Bel Aire, Kansas

LAND BANK ANNUAL REPORT

DATE: January 14, 2025

TO: Land Bank

FROM: Finance Director, City Attorney

RE: 2024 Land Bank Ending Sales



SUMMARY:

Included in your packet is a report showing receipts and disbursements from funds under Bel Aire Land Bank control and including all Land Bank property transactions occurring in 2024.

RECOMMENDATION:

Land Bank recommend Governing Body accept and file the reports at their next meeting.



City of Bel Aire, KS

Section VI, Item A.

Detail Report Account Detail

Date Range: 01/01/2024 - 12/31/2024

Account		Name				Beginning Balance	Total Activity	Ending Balance
Fund: 400 - Land Bank Fund								
400-400-400-4700		INTEREST ON INVESTMENTS				0.00	-293,367.13	-293,367.13
Post Date	Packet Number	Source Transaction	Pmt Number	Description	Vendor	Project Account	Amount	Running Balance
02/29/2024	GLPKT00007	JN00147		Monthly Activity Conversion			-71,276.32	-71,276.32
05/31/2024	GLPKT00010	JN00219		Monthly Activity Conversion			-69,606.79	-140,883.11
07/17/2024	GLPKT00014	JN00277		MONTHLY ACTIVITY CONVERSION			0.00	-140,883.11
08/31/2024	BRPKT00011	KMIP90-LAND AUG KM..		90-LAND AUG KMIP INTEREST			-72,103.57	-212,986.68
08/31/2024	BRPKT00011	KMIPLAND OMIP AUG ...		LAND OMIP AUG INTEREST			-8,658.65	-221,645.33
09/30/2024	BRPKT00013	KMIPLAND OMIP SEP ...		LAND OMIP SEP INTEREST			-19,452.52	-241,097.85
10/31/2024	BRPKT00015	KMIPOCT KMIP LAND		OCT KMIP LAND			-18,266.75	-259,364.60
11/30/2024	BRPKT00018	KMIPNOV LAND OMIP...		NOV LAND OMIP KMIP INTEREST			-17,249.76	-276,614.36
12/31/2024	GLPKT00399	JN00432		December KMIP Interest - Land Fund			-16,752.77	-293,367.13
400-400-400-6700		LAND BANK SPECIAL ASSESSMENTS				0.00	719.69	719.69
Post Date	Packet Number	Source Transaction	Pmt Number	Description	Vendor	Project Account	Amount	Running Balance
12/05/2024	APPKT00110	2024-CITY SPECIALS	72020	2024 CITY SPECIALS	0276 - SEDGWICK COUNTY TREASURER		719.69	719.69
Total Fund: 400 - Land Bank Fund:				Beginning Balance:	0.00	Total Activity:	-292,647.44	Ending Balance: -292,647.44
Grand Totals:				Beginning Balance:	0.00	Total Activity:	-292,647.44	Ending Balance: -292,647.44

Fund	Beginning Balance	Total Activity	Ending Balance
400 - Land Bank Fund	0.00	-292,647.44	-292,647.44
Grand Total:	0.00	-292,647.44	-292,647.44

(Published in *The Ark Valley News* on January 23, 2025)

Public Notice

Pursuant to K.S.A. 12-5903(f), the City of Bel Aire Land Bank holds in its inventory the following parcels:

KANSAS WARRANTY DEED TO CITY OF BEL AIRE LAND BANK

KEY #	PIN #	LEGAL DESCRIPTION
PY - BA - 01304	600667	SE 5 FT LOT 5 BLOCK D CP 4TH
KE- BA - 02110	513575	LOT 3 BLOCK 2, KAPPELMANS BEL AIRE HEIGHTS 2ND ADD.
KE- BA - 02111	513576	LOT 1 BLOCK 2, KAPPELMANS BEL AIRE HEIGHTS 2ND ADD.
KE- BA - 02112	513577	LOT 2 BLOCK 2, KAPPELMANS BEL AIRE HEIGHTS 2ND ADD.
PY - BA - 00910	540929	W1/2 NE1/4 SEC 17-26-2E (FRONTAGE SOUTH OF K254 BETWEEN ROCK AND WEBB)
PY - BA - 00911	540930	E1/2 NW1/4 SEC 17-26-2E (FRONTAGE SOUTH OF K254 BETWEEN ROCK AND WEBB)
PY - BA - 9120002	30018352	W 1/2 NW 1/4 SEC 17-26-2E (FRONTAGE SOUTH OF K254 BETWEEN ROCK AND WEBB)
PY - BA - 01261	598564	RESERVE C TIERRA VERDE
PY - BA - 01262	598565	RESERVE D TIERRA VERDE
PY - BA - 01263	598566	RESERVE E TIERRA VERDE
PY - BA - 01264	598567	RESERVE F TIERRA VERDE
PY - BA - 01265	598568	RESERVE G TIERRA VERDE
PY - BA - 01266	598569	RESERVE H TIERRA VERDE
PY - BA - 01267	598570	RESERVE I TIERRA VERDE
PY - BA - 01268	598571	RESERVE J TIERRA VERDE

STAFF REPORT

DATE: 1/14/25

TO: City Council

FROM: Ted Henry, City Manager

SUB: Authorizing Land Bank Transfer

SUMMARY

In April 2023, the City of Bel Aire was awarded a BASE Grant to support improvements at Sunflower Commerce Park. Shortly after the grant application was submitted, Integra Technologies announced its planned expansion in Bel Aire. This project is contingent on Integra receiving a federal "CHIPS Act" grant aimed at reshoring the semiconductor supply chain to the United States. The status of the CHIPS Act grant and Integra's expansion remains uncertain.

Given this uncertainty and the timeline for utilizing BASE Grant funds, city staff determined that the use of our grant funding should be revised. The Kansas Department of Commerce approved the building of a new utilities and public works facility as the revised project. This facility will enhance the reliability and service capabilities of critical infrastructure, supporting the area and economic development within Sunflower Commerce Park. Key improvements include an equipment storage facility, additional administrative space, and upgraded cybersecurity measures.

With grant deadlines approaching, the city has taken key steps to ensure the project's progress. These steps include hiring an owner's representative and architect, completing architectural and engineering designs, and conducting a bidding process to secure contractors.

DISCUSSION

Current estimates are based on the following:

Construction	\$ 5,648,000
A&E (6.5%)	\$ 418,490
OR (4%)	\$ 257,532
Equipment	\$ 500,000
10% Contingency	\$ 564,800
Total	\$ 7,388,822
BASE	\$ 4,716,225
BASE (25% CITY MATCH)	\$ 1,572,075
	\$ 6,288,300
AMOUNT OVER MATCH	\$ 1,100,522
TOTAL CITY	\$ 2,672,597

The City of Bel Aire was awarded \$4,716,225 in grant proceeds, requiring a \$1,572,075 match from the City. This leaves an additional \$1,100,522 to be funded, bringing the total City contribution to \$2,672,597.

This project supports public utilities, economic development, and every citizen in Bel Aire. We have three primary reserves that address these areas: the Water, Sewer, and Land Funds. The largest reserve account to consider is the Land Fund, which has accumulated over \$6,000,000 from land sales and interest in recent years. The Water Reserve account is projected to end FY25 with \$1,873,153, and the Sewer Reserve account is projected to end FY25 with \$3,055,307.

Looking ahead, the City's water and sewer needs are expected to grow significantly over the next five years. On the water side, we are currently expanding our sewer treatment plant. On the water side, two significant risks are anticipated: the need for a future water tower and potential short-term impacts from water restrictions.

Timing is another critical factor. The grant funds of \$4,716,225 and the City's match of \$1,572,075 must be expended by July 1, 2025. While I am working with the Department of Commerce to request an extension, even with additional time, the timeline will remain tight. The remaining \$1,100,522 serves as a helpful buffer to complete the project without being tied to a strict deadline.

After a brief discussion at the January 7, 2025, City Council meeting, I recommend utilizing our Land Funds by transferring \$2,672,597 from the Land Bank to the General Fund, followed by a further transfer to the special projects account established for the Public Works Facility Project.

Since 2005, we have spent \$29.7 million in debt payments to purchase land for growth purposes. In 2016, we established the Land Bank Fund, allocating another \$2.7 million to cover special assessments related to land acquisitions.

Staff recommends approving the motion as presented.

(First published in The Ark Valley News on August 6, 2015.)

ORDINANCE NO: 572

AN ORDINANCE CONCERNING THE ADOPTION OF CHAPTER 2, ARTICLE 10, OF THE MUNICIPAL CODE OF BEL AIRE, KANSAS, ESTABLISHING A LAND BANK IN CONFORMANCE WITH K.S.A. 12-5901 ET SEQ., WITHIN THE CITY OF BEL AIRE, KANSAS.

WHEREAS, Pursuant to K.S.A. 12-5901 et seq., the Governing Body may establish a city land bank by adoption of an ordinance, into which city land bank any property acquired by the city may be transferred; and

WHEREAS, Pursuant to K.S.A. 12-5907 the Board of such land bank may manage, maintain and protect or temporarily use for a public purpose such property in the manner the Board deems appropriate, and plan for and use the Board's best efforts to consummate the sale or other disposition of such property at such times and upon such terms and conditions deemed appropriate.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF BEL AIRE, KANSAS:

SECTION 1: Chapter 2, Article 10 shall be adopted into the Municipal Code of the City of Bel Aire, Kansas, as follows:

2.10.1. Purpose. The purpose of creating the City of Bel Aire, Kansas, Land Bank is to implement the authority granted through K.S.A. 12-5901 et seq., to establish or dissolve a City Land Bank. The City Land Bank will be a quasi-governmental entity with all statutory authority, but with the primary responsibility and authority for maintaining and selling real property located within the City of Bel Aire to help achieve the City's goal of returning municipally owned property to private ownership, cost effectively maintain the property, conformance with the goals of the City's Comprehensive Plan, and the encouragement of economic development. The Land Bank is intended to assist in the elimination of barriers to returning properties to private ownership and productive use, and to help facilitate the strategic conveyance of property.

2.10.2. Definitions. As used in this Article:

- A. "City" means the City of Bel Aire, Kansas, unless otherwise specifically stated.
- B. "Board" means the Board of Trustees of the City Land Bank.
- C. "Bank" means the City of Bel Aire, Kansas, Land Bank.
- D. "Governing body" means the Governing Body of the City.

2.10.3. Land Bank Board of Trustees; Appointment, Terms and Dissolution.

A. There is hereby established a Land Bank Board of Trustees. The Board shall be composed of the entire membership of the Governing Body of the City, ex officio, who shall be the voting members, and one additional member appointed by the Mayor who shall be a non-voting member and who shall be a City staff member.

B. The term of office of each voting member of the Board of Trustees shall be coterminous with that member's term of office on the Governing Body of the City. The non-voting member of the Board of Trustees shall serve at the pleasure of the Mayor.

C. The Bank may be dissolved by ordinance of the Governing Body of the City. In such case, all property of the Bank shall be transferred to and held by the City and may be disposed of as otherwise provided by law.

2.10.4. Land Bank Board of Trustees; Powers and Duties.

A. To sue and be sued.

B. To enter into contracts.

C. To appoint and remove staff and provide for the compensation thereof.

D. To acquire, by purchase, gift or devise, and convey any real property, including easements and reversionary interests, and any personal property, subject to the provisions of this Ordinance and state law. Any property acquired by the City, Sedgwick County or any other city or taxing subdivision within Sedgwick County may be transferred to the Bank. The Board may accept or refuse to accept any property authorized to be transferred pursuant to this Ordinance or state law. The transfer of any property pursuant to this Subsection shall not be subject to any bidding requirements and shall be exempt from any provisions of law requiring a public sale.

E. The fee simple title to any real estate which is sold to Sedgwick County in accordance with the provisions of K.S.A. 79-2803 and 79-2804, and amendments thereto, and upon acceptance by the Board may be transferred to the Bank by a good and sufficient deed by the County Clerk upon a written order from the Board of County Commissioners.

F. To rebate all, or any portion thereof, the taxes on any property sold or conveyed by the Bank.

G. The Board shall assume possession and control of any property acquired by it under this Ordinance or state law and shall hold and administer such property. In the administration of property, the Board shall:

1. Manage, maintain and protect or temporarily use for a public purpose such property in the manner the Board deems appropriate;
2. Compile and maintain a written inventory of all such property. The inventory shall be available for public inspection and distribution at all times;
3. Study, analyze and evaluate potential, present and future uses for such property which would provide for the effective utilization of such property;
4. Plan for and use the Board's best efforts to consummate the sale or other disposition of such property at such times and upon such terms and conditions deemed appropriate;
5. Establish and maintain records and accounts reflecting all transactions, expenditures and revenues in relation to the Bank's activities, including separate itemizations of all transactions, expenditures and revenues concerning each individual parcel of property acquired; and
6. Thirty days prior to the sale of any property owned by the Bank, publish a notice in the official City newspaper announcing such sale. To encourage sales within a competitive commercial market, land to be sold must be identified in the notice, but the name of the purchasing party need not be publicly announced if such announcement is not required under KORA or KOMA.

H. To exercise any other power which may be delegated to the Bank by the Governing Body, by Ordinance, Resolution, or regular motion.

I. To exercise any other incidental power which is necessary to carry out the purposes of the Land Bank, this Article and state law.

J. The Board may establish separate neighborhood or City advisory committees consisting of persons living or owning property within the City, Sedgwick County or the neighborhood, and determine the boundaries of each neighborhood committee. In the absence of a Resolution by the Board providing otherwise, each advisory committee shall consist of not less than five and no more than nine persons, to be appointed by the Board for two-year overlapping terms. The Board shall consult with each advisory committee as needed to

review the operations and activities of the bank and to receive the advice of the members of the advisory committee concerning any matter which comes before the committees.

2.10.5. Land Bank Board; Organization.

A. The Board officers shall consist of: 1) a chairperson who shall be the Mayor, 2) a vice-chairperson who shall be the President of the Council, and 3) a treasurer who shall be the non-voting appointee. Each officer shall be appointed annually, but may serve in such office for less than one year as the term of office of the chairman and vice-chairperson shall be coterminous with that member's term as Mayor or President of the Council of the Governing Body of the City. The treasurer shall be removed from membership of the Land Bank if no longer serving as a member of City Staff. The treasurer shall be bonded in such amounts as the Governing Body may require.

B. The Board may appoint such officers, agents and employees as it may require for the performance of its duties, and shall determine the qualifications and duties and fix the compensation of such officers, agents and employees.

C. The Board shall fix the time and place at which its meetings shall be held. Meetings shall be held within the City and shall be subject to the Kansas Open Meeting Act, K.S.A. 754317 et seq., and amendments thereto.

D. A majority of the Board shall constitute a quorum for the transaction of business. No action of the Board shall be binding unless taken at a meeting at which at least a quorum is present.

E. The members of the Board shall be subject to the provisions of the laws of the State of Kansas which relate to conflicts of interest of county officers and employees, including, but not limited to, K.S.A. 75-4301 et seq., and amendments thereto.

F. Subject to the provisions of the Kansas Tort Claims Act, K.S.A. 75-6101 et seq., and amendments thereto, if any action at law or equity, or other legal proceeding, shall be brought against any member of the Board for any act or omission arising out of the performance of duties as a member of the Board, such member shall be indemnified in whole and held harmless by the Board for any judgment or decree entered against such member and, further, shall be defended at the cost and expense of the Bank in any such proceeding.

2.10.6. Land Bank; Operational Requirements.

The Land Bank shall be subject to the following requirements:

A. The Bank shall be subject to the provisions of the Cash Basis Law, K.S.A.10-1101 et seq., and amendments thereto.

B. The budget of the Bank shall be prepared, adopted and published as provided by law for other political subdivisions of the State of Kansas. No budget shall be adopted by the Board until it has been submitted to, reviewed and approved by the Governing Body. If the Governing Body elects not to ratify the budget, it must reject the plan in its entirety and remand it back to the Board with specific recommendations for reconsideration.

C. The Board shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of the Board shall be audited yearly by a certified or licensed public accountant and the report of the audit shall be included in and become part of the annual report of the Board.

D. All records and accounts shall be subject to public inspection pursuant to K.S.A. 45-216 et seq., and amendments thereto.

E. Any moneys of the Bank which are not immediately required for the purposes of the Bank, such requirements including but not limited to paying debt associated with the acquisition of such land, shall be invested in the manner prescribed by K.S.A. 12-1675, and amendments thereto.

F. The Bank shall make an annual report to the Governing Body on or before January 31 of each year, showing receipts and disbursements from all funds under its control and showing all property transactions occurring in each year. Such report shall include an inventory of all property held by the Bank. A copy of such inventory shall also be published in the official City newspaper on or before January 31 of each year.

G. The Bank shall be subject to the statutory requirements for the deposit of public money as provided in K.S.A. 9-1401 et seq., and amendments thereto.

H. The Board, without competitive bidding, may sell any property acquired by the Board at such times, to such persons, and upon such terms and conditions, and subject to such restrictions and covenants deemed necessary or appropriate to assure the property's effective utilization.

I. The sale of any real property by the Board, under the provisions of this ordinance or state law, on which there are delinquent special assessments to finance public improvements shall be conditioned upon the approval of the Governing Body.

J. The Board, for the purpose of land disposition, may consolidate, assemble or subdivide individual parcels of property acquired by the Bank.

K. Until sold or otherwise disposed of by the Bank, and except for special assessments levied by the City to finance public improvements, any property acquired by the Bank shall be exempt from the payment of ad valorem taxes levied by the State of Kansas and any other political or taxing subdivision of the state.

L. Except for special assessments levied by the City to finance public improvements, when the Board acquires property pursuant to this Ordinance and state law, the Sedgwick County Treasurer shall be notified by the Board to remove from the tax rolls all taxes, assessments, charges, penalties and interest that are due and payable on the property at the time of acquisition by the Board.

M. Property held by the Bank shall remain liable for special assessments levied by the City for public improvements, but no payment thereof shall be required until such property is sold or otherwise conveyed by the Bank. The Bank and the City may enter into any such Agreements regarding collection of special assessments which are lawful.

N. The Governing Body may abate part or all of any special assessments which it has levied on property acquired by the Bank, and the Bank and the Governing Body may enter into agreements related thereto. Any special assessments that are abated shall be removed from the tax rolls by the Sedgwick County Treasurer as of the effective date of the abatement.

O. The Governing Body which has levied special assessments on property acquired by the Bank may enter into an agreement with the Bank to defer or reamortize part or all of the special assessments. The Governing Body shall provide for such deferral or reamortization by passage of an ordinance. Any special assessments that are deferred or reamortized shall be corrected on the tax rolls by the county treasurer as of the effective date of the ordinance or resolution providing for such deferral or reamortization.

P. Any moneys derived from the sale of property by the Bank shall be retained by the Bank for the purposes and operations thereof; provided, however, that the Board may use all or part of the proceeds from such sale to reimburse the City for delinquent special assessments due on such property, or to pay off any debt associated with the acquisition of the property by either the City or the Bank.

SECTION 2: The provisions of this Ordinance shall take effect and be in force from and after the publication of the summary in the Ark Valley News, the official city newspaper.

Passed by the City Council this 4th day of August, 2015.

Approved by the Mayor this 4th day of August, 2015.


MAYOR David Austin

ATTEST:


CITY CLERK, Jamie Hayes

SEAL

BYLAWS OF
CITY OF BEL AIRE, KANSAS, LAND BANK
(LAND BANK)

ARTICLE ONE

MISSION AND OFFICES

Section 1: Name. The name of this City Land Bank is the City of Bel Aire, Kansas, Land Bank, hereinafter “Bank.”

Section 2: Nature. The Land Bank is established by Ordinance of the City of Bel Aire pursuant to K.S.A. 12-5901 et seq., as a quasi-municipal body: a public agency authorized by the State Legislature, and created by the City of Bel Aire, to aid the City in achieving the mission of a Land Bank, and such Ordinance has been incorporated into the Bel Aire Municipal Code at Chapter 2, Article 10.

Section 3. Mission. The mission of the Land Bank is to take charge of, acquiring, maintaining and selling abandoned, foreclosed, or similarly distressed property, including easements and reversionary interests, and personal property subject to the provisions of the Kansas Land Bank Act, to help achieve the elimination of blight, the enhancement of neighborhood viability and stability, the creation of opportunities for affordable and mixed income home ownership and rental, maintenance of property values throughout the City, conformance with the goals of the City’s Comprehensive Plan, and the encouragement of economic development.

Section 4: Offices. The principal office of the Land Bank in the State of Kansas shall be the Bel Aire City Hall, 7651 East Central Park Ave., Bel Aire, KS 67226, Sedgwick County, Kansas. Phone: 316-744-2451.

ARTICLE TWO

MEMBERSHIP: LAND BANK BOARD OF TRUSTEES

Section 1: Membership: The Land Bank Board of Trustees, “Board”, shall be composed of the entire membership of the City Council ex officio, who shall be the voting members, and also the Mayor, who shall be the Chairperson ex officio. The Mayor shall perform the role of Land Bank Chairperson in a consistent manner with that of the role of Mayor, as to running the meeting, voting, vetoing, and breaking a tie. The term of office of each ex officio member of the Board of Trustees shall be coterminous with that member's term of office on the Governing Body of the City.

Section 2: City Staff Member: The non-voting staff member shall be the City Manager. This member may be authorized to sign documents in association with land transactions on behalf of the board, including land transaction documents, financial documents, and other documents necessary to carry out the directives of the Board. The non-voting member’s membership on the Board shall automatically terminate upon termination of such individual’s status as the City Manager of the City of Bel Aire.

Section 3: Officers: The Board officers shall consist of: 1) a chairperson who shall be the Mayor, 2) a vice-chairperson who shall be the President of the Council, and 3) a treasurer who shall be the City staff member. Each officer shall be appointed annually, but may serve in such office for less than one year as the term of office of the chairman and vice-chairperson shall be coterminous with that member's term as Mayor or President of the Council of the Governing Body of the City. The treasurer shall be bonded in such amounts as the Board may require.

ARTICLE THREE

MEETINGS

Section 1: Meetings: Meetings shall be held to conduct the business affairs of Bank at such time and place as designated by the Board and as stated in the notice of meeting. Meetings shall be held within the City and shall be subject to the Kansas Open Meeting Act, K.S.A. 75-4317 et seq., and amendments thereto.

Section 2: Electronic Meetings: The Board, or any committee designated by the Board, may participate in a meeting by means of a telephone conference, or similar real time communications equipment, all in conformance with the Kansas Open Meetings Act, by any electronic means of which all persons participating in the meeting can hear each other. Such participation in a meeting shall constitute presence at the meeting..

Section 3: Notice of Meetings: Notice stating the place, day and hour of the meeting and, the purpose or purposes for which the meeting is called, shall be provided not more than one week prior to a meeting and not less than four hours before the time of the meeting by, or at the direction of, the Chairperson, or his or her designee. Notice can be delivered by Mail, E-mail, by hand in person, other electronic device or by phone. Notice shall be publicly posted on the City's website, and may be physically posted at the Board's offices.

Section 4: Quorum: A quorum to convene a meeting shall be a majority of the total members of the Board excepting the non-voting member. Actions before the Board shall pass upon majority approval of the total members of the Board present, excepting the non-voting members.

Section 5: Compensation: Members shall serve without compensation. Members may be reimbursed for expense incurred, if any, on behalf of the Land Bank.

Section 6: Conflict of Interest: A member of the Board shall not, in his or her capacity as such member, make or participate in the making of any contract with any person or business by which such member is employed or in whose business such member has a substantial interest. Nothing in this section, however, shall prohibit the Board from participating in the making of a contract or agreement with the City. For purposes of this section only, words and terms shall have the meanings ascribed to them in the Kansas Conflict of Interest Act for Public Officers, K.S.A. 75-4301 et seq., and amendments thereto.

ARTICLE FOUR
AUTHORITY

Section 1: Powers:

- (a) To sue and be sued.
- (b) To enter into contracts.
- (c) To appoint and remove staff and provide for the compensation thereof.
- (d) To acquire, by purchase, gift or devise, and convey any real property, including easements and reversionary interests, and any personal property, subject to the provisions of this Ordinance and state law. Any property acquired by the City, Sedgwick County or any other city or taxing subdivision within Sedgwick County may be transferred to the Bank. The Board may accept or refuse to accept any property authorized to be transferred pursuant to this Ordinance or state law. The transfer of any property pursuant to this Subsection shall not be subject to any bidding requirements and shall be exempt from any provisions of law requiring a public sale.
- (e) The fee simple title to any real estate which is sold to Sedgwick County in accordance with the provisions of K.S.A. 79-2803 and 79-2804, and amendments thereto, and upon acceptance by the Board may be transferred to the Bank by a good and sufficient deed by the County Clerk upon a written order from the Board of County Commissioners.
- (f) To rebate all, or any portion thereof, the taxes on any property sold or conveyed by the Bank.
- (g) The Board shall assume possession and control of any property acquired by it and shall hold and administer such property. In the administration of property, the Board shall:
 - 1. Manage, maintain and protect or temporarily use for a public purpose such property in the manner the Board deems appropriate;
 - 2. Compile and maintain a written inventory of all such property. The inventory shall be available for public inspection and distribution at all times;
 - 3. Study, analyze and evaluate potential, present and future uses for such property which would provide for the effective reutilization of such property;

4. Plan for and use the Board's best efforts to consummate the sale or other disposition of such property at such times and upon such terms and conditions deemed appropriate;

5. Establish and maintain records and accounts reflecting all transactions, expenditures and revenues in relation to the Bank's activities, including separate itemizations of all transactions, expenditures and revenues concerning each individual parcel of property acquired;

6. Thirty days prior to the sale of any property owned by the Bank, publish a notice in the official City newspaper announcing such sale;

7. Work in concert with the Governing Body of the City of Bel Aire regarding abatement deferral or reamortization of part or all of the special assessments levied by the Governing Body. The treasurer of the Band shall notify the county treasurer of any special assessments that are deferred or reamortized so that such special assessments may be corrected on the tax rolls.

(h) To exercise any other power which may be delegated to the Bank by the Governing Body of the City of Bel Aire, by Ordinance, Resolution, or regular motion, or as authorized within the enabling Ordinance of the Bank.

(i) The Board may establish separate neighborhood or City advisory committees consisting of persons living or owning property within the City, Sedgwick County or the neighborhood, and determine the boundaries of each neighborhood committee. In the absence of a Resolution by the Board providing otherwise, each advisory committee shall consist of not less than five and no more than nine persons, to be appointed by the Board for two-year overlapping terms. The Board shall consult with each advisory committee as needed to review the operations and activities of the bank and to receive the advice of the members of the advisory committee concerning any matter which comes before the committees.

(j) To exercise any other powers set forth in law or in Ordinance, or any incidental power which is necessary to carry out the purposes of the Land Bank, this Article and state law.

Section 2: The Chairperson shall:

- (a) Serve as head of the Land Bank and shall preside at all meetings of the Board;
- (b) Determine the need for any ad hoc committees pertinent to the operation of the Land Bank and, with approval of the Board, select the ad hoc committee members and chairmen;

- (c) Sign required documents associated with land transaction, including financial documents;
- (d) Perform such other duties as may be incidental to the office of the Chairperson.

Section 3: The Vice Chairperson shall: In the event of the absence or disability of the Chairperson, perform the duties of the Chairperson. The Vice Chairperson, shall also perform such other duties as shall from time to time be imposed by the Board or Chairperson.

Section 4: The Treasurer shall: Either directly, or by designating to a member of the Bel Aire City Staff:

- (a) Certify all the proceedings taken by a recording secretary of the meetings of the Land Bank and Directors in a file to be kept for that purpose, and attest to all formal actions of the Board;
- (b) See that all notices are given in accordance with the provisions of these bylaws or as required by law;
- (c) See that the books, reports, statements, certificates, and all other documents and records required by law are properly made, kept, and filed.
- (d) Have charge and custody of all funds and securities of the Land Bank and shall deposit the same in such bank as shall be designated by the Board;
- (e) Render a statement of the condition of the finances of the Land Bank at each meeting and a complete financial report annually;
- (f) Receive, and give receipt for, monies due and payable to the Land Bank;
- (g) Pay, and receive receipt for, monies owed and payable by the Land Bank;
- (h) In general, perform all the duties incident to the office of Treasurer and such other duties as from time to time may be assigned by the Board or the Chairperson of the Board; and
- (i) When the Board acquires property, notify the Sedgwick County Treasurer to remove from the tax rolls all taxes, assessments, charges, penalties and interest that are due and payable on the property at the time of acquisition by the Board.

ARTICLE FIVE

FISCAL YEAR

Section 1: Fiscal Year: The fiscal year of the Land Bank shall begin on the 1st day of January and terminate on the 31st day of December, until and unless otherwise provided by resolution of the Board.

ARTICLE SIX
CONTRACT, CHECKS, DEPOSIT, GIFTS

Section 1: Contracts: Contracts for execution of services or purchases of merchandise may be entered into in the name of and on behalf of the Land Bank by an officer or agent authorized by the Board. Such authority may be general or confined to specific instances. Any information concerning such contracts and purchases may be treated in a confidential manner.

Section 2: Checks, Drafts or Orders: All checks, drafts or other orders for payment of money, notes, or other evidence of indebtedness issued in the name of the Land Bank shall be signed by the Chairperson or Treasurer, or as otherwise provided for by resolution of the Board.

Section 3: Depositories: The Board shall designate the bank(s) in which shall be deposited from time to time the money or securities of the Land Bank. The Bank is authorized to create a bank account as a quasi-municipal agency, under the authority of the City of Bel Aire. The Bank may also maintain finances as a line item within the City's regular budget. The Board shall be audited annually as a quasi-municipal agency, and such separate audit presented to both the Board and the Governing Body of the City.

Section 4: Gifts: The Board may accept, or decline to accept, on behalf of the Land Bank any contribution, gift, bequest or devise for any purpose of the Land Bank.

Section 5: Monetary Policy: The Bank shall be subject to the statutory requirements for the deposit of public money as provided in K.S.A. 9-1401 et seq., and amendments thereto. The Bank shall be subject to the provisions of the Cash Basis Law, K.S.A. 10-1101 et seq., and amendments thereto.

ARTICLE SEVEN
AMENDMENTS

These bylaws may be altered, amended or repealed or new bylaws may be adopted by the affirmative vote of two-thirds of the Board at any meeting of the Board, if notice of such alteration, amendment, repeal or adoption of new bylaws is contained in the notice of such meeting.

IN TESTIMONY WHEREOF, I, the undersigned, do hereby certify that I am the duly elected and acting Chairperson of the Land Bank and that the foregoing bylaws constitute the bylaws of the Land Bank duly adopted by the Board on the 30th day of September 2020.


Jim Benage,
Chairman of the Board

Orig 2015
Rev: September 2020