

## LEGISLATIVE BILL 825

Approved by the Governor April 15, 1974

Introduced by Fowler, 27

AN ACT relating to community development; to define terms; to grant powers to cities of the primary class having a community development agency; to grant powers; to provide procedures; to provide concurrent and independent jurisdiction; and to provide for supplementary powers.

Be it enacted by the people of the State of Nebraska,

Section 1. As used in this act, unless the context otherwise requires:

(1) City shall mean any city of the primary class;

(2) Federal government shall mean the United States of America, or any agency or instrumentality, corporate or otherwise, of the United States of America; and

(3) Community development activity shall mean any activity authorized in sections 18-2101 to 18-2144, Reissue Revised Statutes of Nebraska, 1943, and amendments thereto, construction of community facilities, conservation and rehabilitation of property, neighborhood development, code enforcement and all of the jurisdiction and authority granted a housing authority under Chapter 71, article 15, Reissue Revised Statutes of Nebraska, 1943, and amendments thereto.

Sec. 2. A city which has a community development agency as authorized by law is hereby granted power and authority to:

(1) Do all community development activities;

(2) Do all things necessary to cooperate with the federal government in all matters relating to community development activities as a grantee, or as agent or otherwise; and

(3) Exercise the jurisdiction and authority granted under Chapter 71, article 15, Reissue Revised Statutes of Nebraska, 1943, and amendments thereto, acting independently, concurrently or by assisting or cooperating with any existing housing authority within

the territorial jurisdiction of the city.

Sec. 3. Whenever a city proposes to exercise the power conferred in this act, the city shall certify that it has afforded adequate opportunity for citizen participation in the development of the annual application and has provided for the meaningful involvement of the residents of areas in which community development activities are to be concentrated in the planning and execution of these activities, including the provision of adequate information and resources.

Sec. 4. Whenever the city exercises the power conferred in this act, it shall have the power to levy taxes for the exercise of such jurisdiction and authority, and it shall also have the power to issue general obligation bonds, general obligation notes, revenue bonds and revenue notes including general obligation and revenue refunding bonds and notes for a community development activity under the power granted to any authority described or as otherwise authorized by home rule charter or state law.

Sec. 5. Whenever any city shall exercise the jurisdiction and authority granted in this act with respect to Chapter 71, article 15, Reissue Revised Statutes of Nebraska, 1943, and amendments thereto, it shall have the jurisdiction and authority concurrent with and independent of any existing housing authority for such purposes within the city and its area of jurisdiction; Provided, that in order to coordinate the actions of the local housing authority and the community development agency, the local housing authority shall submit to the city council of such city, prior to the date it submits its annual budget request to the federal government, a complete report of its activities during the past calendar year and a complete description of its proposed actions for the coming calendar year. Such report shall include the number of units added to or removed from the authority's programs, the number of families housed by the authority, the number applying who were not housed and the reasons for their not being housed, the sources and amounts of all funds spent or to be spent and the amounts available for use in its housing programs that have not been used, and the policies of the authority on eligibility, admissions, occupancy, termination of tenancies, and grievance procedures. Such report shall be made available to the public upon its delivery to the city council, and shall be subject to public hearing prior to its formal acceptance by the council.

Sec. 6. Whenever any city shall exercise the jurisdiction and authority granted in this act it shall comply with Chapter 76, article 12, Reissue Revised Statutes of Nebraska, 1943, and amendments thereto, regarding the acquisition of property for publicly-financed projects.

Sec. 7. The provisions of this act are supplementary to existing laws relating to cities of the primary class and confer upon such cities powers not heretofore granted.