COOK COUNTY
Land Bank Authority

Board of Directors
Resource Binder

Toni Preckwinkle
President
Cook County Board

March 27, 2013

THE BOARD OF COMMISSIONERS
TONI PRECKWINKLE
PRESIDENT

EARLEAN COLLINS	1st Dist.	BRIDGET GAINER	10th Dist.
ROBERT STEELE	2nd Dist.	JOHN P. DALEY	11th Dist.
JERRY BUTLER	3rd Dist.	JOHN A. FRITCHEY	12th Dist.
WILLIAM M. BEAVERS	4th Dist.	LAWRENCE SUFFREDIN	13th Dist.
DEBORAH SIMS	5th Dist.	GREGG GOSLIN	14th Dist.
JOAN P. MURPHY	6th Dist.	TIMOTHY O. SCHNEIDER	15th Dist.
JESUS G. GARCIA	7th Dist.	JEFFREY R. TOBOLSKI	16th Dist.
EDWIN REYES	8th Dist.	ELIZABETH ANN DOODY GORMAN	17th Dist.
PETER N. SILVESTRI	9th Dist.		

BUREAU OF ECONOMIC DEVELOPMENT
DEPARTMENT OF PLANNING AND DEVELOPMENT

MARIA CHOCA URBAN
DIRECTOR

GEORGE W. DUNNE COOK COUNTY OFFICE BUILDING
69 W. WASHINGTON, SUITE 2900
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March 21, 2013

Dear Cook County Land Bank Authority Board Member:

Congratulations to all of you on your appointment to the Cook County Land Bank Authority Board of Directors! Your first Board meeting will be held on Wednesday, March 27, 2013 at:

George W. Dunne Cook County Office Building
69 West Washington Street
Chicago, IL 60602
in the
East Conference Room on the 35th floor
from 9:00 a.m. to 3:45 p.m.

A light continental breakfast will be served beginning at 8:30 a.m. for you to enjoy while you meet your fellow Board Members. You will also have a chance to socialize with each other over lunch, which will be delivered. Please RSVP to Madeline Ramos-Fabian and notify her if you have any dietary restrictions by email, at madeline.ramos-fabian@cookcountyil.gov, or by phone at 312-603-1033.

The enclosed binder includes the March 27th agenda, documents that will be discussed at the meeting and relevant background information. A few documents will be provided to you when you arrive next Wednesday including the Land Bank 101 PowerPoint from the Center for Community Progress and Ethics Ordinance reference documents. Please note that the Land Bank 101 presentation is not going to be a simple reprisal of past presentations by Community Progress. Instead, it will begin to delve into the nuts and bolts of starting a land bank so I would ask that all Board members be present for the entire day.

The most important task of the first meeting is the development of an Executive Director job description. The objective is to give our consultants, the Center for Community Progress, a good sense of the duties and responsibilities of this position as you see them and the requirements you would like to set forth for educational achievement, professional experience, knowledge, skills, and abilities that applicants should have as prerequisites for the job. Community Progress will then produce a job description tailored to the needs of the Cook County Land Bank Authority for your review and approval at the second Board meeting on April 25th. Staff anticipates that an executive search firm will be hired to assist in finding candidates qualified for this position.

In preparation for this task, the fifth tab in your binder includes a template land bank Executive Director job description as the first insert. This generic template is followed by descriptions currently in use by seven other land banks to give you a broad sample. This section also contains job descriptions for an array of other positions that may eventually comprise a more fully staffed organization. Please review these documents carefully in preparation for next week's meeting.

As it is common practice to include an organizational description along with a job description when conducting a search, I would ask you to think about how to best characterize the Cook County Land Bank Authority as an organization, along with its mission. Two cards have been placed in the front pocket of your binder where you can note your priorities for the Cook County Land Bank Authority and those of the Executive Director position. Staff will collect these cards at the beginning of the meeting to help in developing both a job and organizational narrative.

Once again, thank you for your commitment to ensuring that the Cook County Land Bank Authority is a successful venture for all. If you have any questions, please do not hesitate to contact me at 312-603-1033.

Sincerely,

María Choca Urban
Director

Comments on the Cook County Land Bank Authority

Comments on an Executive Director for the Cook County Land Bank Authority

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Sample Job Descriptions for Other Land Bank Positions

LAND Bank Team Proposal to the Illinois Attorney General for
Housing Counseling and Community Revitalization Funding

Land Bank Advisory Committee Report

Urban Land Institute Cook County Land Bank Technical Assistance Panel Report

Cook County Land Bank Authority Board of Directors
March 27, 2013
9:00 a.m. – 3:45 p.m.
69 W. Washington, 35th Floor Conference Room

Agenda

9:00 – 9:15 a.m.	Welcome and Introductions (Herman Brewer, Bureau of Economic Development)
9:15 – 9:30 a.m.	Cook County Land Bank Authority Background on Process (Commissioner Bridget Gainer)
9:30 – 11:00 a.m.	Land Bank 101 Presentation (Sara Toering, Center for Community Progress)
11:00 – 11:15 a.m.	Charge to the CCLBA Board (President Toni Preckwinkle)
11:15 – 12:00 p.m.	Open Meetings Act Training (Sara Hynes, States Attorney's Office)
12:00 – 12:30 p.m.	Ethics Training (MaryNic Foster, Board of Ethics)
12:30 – 1:15 p.m.	Lunch
1:15 – 2:00 p.m.	Board Organization Discussion a. Selection of a Chair and Possibly Other Officers (15 mins.) b. Committee Structure – Executive Search Committee (ad hoc) (15 mins.) c. Meeting Schedule – when/frequency, location, duration, time (15 mins.)
2:00 – 3:30 p.m.	Staffing Discussion a. Contract Employees vs. Cook County Employees (States Attorney's Office and Bureau of Human Resources) (15 mins.) b. Executive Director Job Description (30 mins.) c. Define Search Process/Identify Prospective Search Firms (15 mins.) d. Organization Description (30 mins.)
3:30 – 3:45 p.m.	Attorney General Proposal Presentation (María Choca Urban, Department of Planning and Development)
3:45 p.m.	Wrap-Up and Adjournment

Cook County Land Bank Authority
Start-up Timeline

January 16, 2013. Ordinance adopted by Cook County Commission.

February 8, 2013. Appointment of CCLBA Board of Directors.

March 27, 2013. First meeting of CCLBA Board of Directors.

[Full day meeting on March 27]

- 9-10 AM. Pre-Meeting. Immediately prior to the first meeting (), offer a Community Progress Land Bank 101 presentation reprise (the same basic presentation that Amy and Frank gave at the first LBAC meeting on 10/3/12). This pre-meeting is intended for those board members who did not serve on the LBAC. However, all board members are welcome. (CCP)
- 10 AM – 4 PM. 1st Meeting Agenda (CCP to take notes and produce minutes)
    - Board Organization (Board Discussion)
        - Officer Elections – Chair, Secretary, Treasurer Committee Structure/Chairs/Meeting Schedule – Executive Director Search (ad hoc), Development, Policy, Program, Publicity, etc.
        - Meeting Schedule – when, where, frequency
        -
    - Training/Orientation
        - Cook County Ethics Ordinance (Board of Ethics Staff)
        - Open Meetings Act (OMA) (State's Attorney's Office)
    - Staffing Discussion
        - Contract Employees vs Cook County Employees (State's Attorney?)
        - Executive Director Job Description (DPD facilitates)
        - Define ED Search Process and Identify Prospective Search Firms (DPD facilitates)
    - Presentation on AG Proposal (DPD)
- Materials for Meeting – to be emailed to board members one week prior (3/20)
    - Open Meetings Act Posting (DPD)
    - Cover Email (DPD)
    - March Agenda (DPD)
    - Land Bank 101 PPTs (CCP)
    - Ethics Ordinance PPT (Board of Ethics Staff)
    - Open Meetings Act PPT (SAO)
    - Executive Director Job Descriptions from four other land banks (CCP)
    - Executive Director Job Description Worksheet (CCP)
    - Binder with Background Documents: CCLBA Board List (with contact information), Land Bank Ordinance, LBAC Report, ULI Report, AG Proposal (sent USPS) (DPD)
    - Background materials for policies and procedures discussion (CCP) – to be handed out at end of the first meeting in preparation for second meeting (end of April?)
- Desired Outcomes
    - Understanding of Ethics and OMA Rules
    - Decision regarding contracting employees or hiring as Cook County staff

- Development of a draft CCLBA Executive Director Job Description (CCP)
- Define executive search process
- Identification of four executive search firms to receive CCLBA's solicitation
- Election of CCLBA Officers
- Establishment of priority committees and schedule
- Establishment of Board meeting schedule
- Understanding of AG Proposal

April 25, 2013 - Second Meeting of CCLBA Board of Directors.

[Half day meeting]

- 2nd Meeting Agenda
  - Approval of March Meeting Minutes
  - Finalize and approve CCLBA Executive Director job description (DPD)
  - Finalize and approve solicitation for Executive Search Firm
  - Start Policies and Procedures Discussion (The CCLBA will need to create policies and procedures for governing board activities, the hiring and contracting of staff, and the acquisition, disposition of property, among other things. There is great value in not just adopting other land banks' policies and procedures, but rather having a facilitated conversation to create specialized policies and procedures appropriate to the distinct circumstances, need, and goals of the CCLB.) (CCP)
  - Update on AG Proposal (DPD)
- Materials – to be sent one week in advance of meeting via email
  - Open Meetings Act Posting (DPD)
  - April Agenda (CCP)
  - March Minutes (CCP)
  - CCLBA Job Description (CCP)
  - Executive Search Firm Solicitation (Organization description, job description, etc) (DPD)
  - Background materials for policies and procedures discussion (CCP) – copies of materials handed out at first meeting
- Outcomes
  - Final CCLBA Executive Director Job Description
  - Final Request for Proposal for Executive Search Firm
  - Draft Policies and Procedures (partial)

Ad Hoc Search Committee Meeting [Three hour meeting in the third week of May?]
Meeting to review proposals submitted by executive search firms in response to CCLBA RFP. to schedule interviews of finalist firms to occur at the same meeting.

Materials (to be emailed 2 days before meeting): Overview of Executive Search Firm Proposals Received and Schedule of Interviews decided in conjunction with Committee Chair

Development Committee Meeting [May]
Begin developing a fundraising plan and strategies.

May ___, 2013. Third meeting of CCLBA Board of Directors.

[Three hour meeting]

- 3rd Meeting Agenda
  - Approval of April Meeting Minutes
  - Selection of Executive Search Firm (Executive Director Search Ad Hoc Committee Chair)
  - First consultation with representative of search firm (too rushed?)
  - Update from CCP on development of Policies and Procedures (CCP)
  - Development Committee Report (Development Committee Chair)
  - Update on AG Proposal (DPD)
- Materials – to be sent one week in advance of meeting via email
  - Open Meetings Act Posting
  - May Agenda (CCP)
  - April Minutes (CCP)
  - Search Committee Report (Search Committee Chair)
  - First consultation with representative of search firm (too rushed?)
  - Revised policies and procedures materials (CCP)
  - Development Committee Report (Development Committee Chair)
- Outcomes
  - Selection of Executive Search Firm
  - Agreement on Search Priorities
  - Draft Policies and Procedures (more complete)
  - Draft Fundraising Plan

June ___, 2013. Fourth meeting of CCLBA Board of Directors.

[Three hour meeting]

- 4th Meeting Agenda
  - Approval of May Meeting Minutes
  - Executive Search Update (Search Committee Chair/Search Firm)
  - Approve/adopt CCLBA Policies and Procedures (CCP)
  - Approve Fundraising Plan (Development Committee)
  - Update on AG Proposal (DPD)
- Materials – to be sent one week in advance of meeting via email
  - Open Meetings Act Posting
  - May Minutes (CCP)
  - Executive Search Report (Executive Search Firm/)
  - Final CCLBA Policies and Procedures (CCP)
  - Final Proposed Budget and Fundraising Plan ()
- Outcomes
  - Executive Search Update
  - Final Policies and Procedures

July ___, 2013. Fifth meeting of CCLBA Board of Directors.

[Three hour meeting]

- 5th Meeting Agenda
  - Approval of June Meeting Minutes
  - Executive Search Update (Search Committee Chair/Search Firm)
  - Implementation of Fundraising Plan (Development Committee Chair)
  - Update on AG Proposal (DPD)
- Materials – to be sent one week in advance of meeting via email
  - Open Meetings Act Posting
  - June Minutes (CCP)
  - Executive Search Report (Executive Search Firm/)
  - Report on Fundraising Activities (CCP/Development Committee Chair)
- Outcomes
  - Executive Search Update
  - Foundation Meetings Held/Fundraising Proposals Prepared

Ad Hoc Search Committee Meeting [July meeting? Better in August?]
Meeting to review resumes and interview finalists.

Materials (to be emailed 2 days before meeting): Spreadsheet of all candidates and highlights, resumes of finalists and schedule of interviews.

(Late) August or (early) September __, 2013. Sixth meeting of CCLBA Board of Directors.

[Three hour meeting]

- 6th Meeting Agenda
  - Approval of July Meeting Minutes
  - Hire Executive Director (Search Committee Chair/Full Board)
  - Report on Fundraising Activities (/Development Committee Chair)
  - Begin discussion of Pilot Program to clear title/extinguish taxes on municipal holdings
  - Update on AG Proposal (DPD)
- Materials – to be sent one week in advance of meeting via email
  - Open Meetings Act Posting
  - July Minutes (CCP)
  - Resume/References for Finalist (Executive Search Firm/Search Committee/)
  - Report on Fundraising Activities (/Development Committee Chair)
- Outcomes
  - Hiring of Executive Director
  - Foundation Meetings Held/Fundraising Proposals Prepared

Board of Directors
Cook County Land Bank Authority

Cook County Board of Commissioners
Bridget Gainer, 10th District (serving for the length of her Cook County Commissioner term)

Suburban Cook County Mayors, Presidents or Village Managers (3)
Nicholas J. Helmer, Mayor, City of Prospect Heights (through January 1, 2014)
John A. Ostenburg, Mayor, Village of Park Forest (through January 1, 2017)
Jeffrey Sherwin, President, City of Northlake (through January 1, 2014)

City of Chicago
Lawrence Grisham, Chicago Department of Housing and Economic Development (through January 1, 2014)

Cook County Bureau of Economic Development
Herman Brewer, Bureau Chief (through January 1, 2015)

Community Development Financial Institution
Calvin Holmes, Chicago Community Loan Fund (through January 1, 2015)

Banking Community
Carl A. Jenkins, Harris N.A. (through January 1, 2015)

Legal Community
Peter M. Friedman, Holland & Knight (through January 1, 2015)

Local or State Realtor Association
Sarah L. Ware, The Carter Ware Group, Inc. (through January 1, 2016)

Nonprofit Housing Development Community
Stephen Porras, Axia Development (through January 1, 2016)

Commercial/Industrial Development Community
James Planey, Lee and Associates (through January 1, 2016)

Open Space Community
Emy Brawley, Openlands (through January 1, 2017)

City of Chicago Community Organization
Julie Dworkin, Chicago Coalition for the Homeless (through January 1, 2017)

Suburban Cook County Community Organization
Reverend Dr. Reginald J. Saffo, United Faith Missionary Baptist Church (through January 1, 2014)

Cook County Land Bank Authority
Board of Directors Biographies

Cook County Board of Commissioners

Bridget Gainer is the Commissioner on the Cook County Board for the 10th District representing the North Lakefront and Northwest side. Commissioner Gainer has over 20 years of experience in the non-profit, public and private sectors and her career has provided her a strong foundation in finance, human services and the workings of local government.

Bridget began her career as an organizer in New York City; she continued that work in Uptown and Edgewater where she founded a community center at Senn High School. Bridget went to work for the City of Chicago and focused on budget, finance and public infrastructure projects. In 2001, she began working at Aon in a variety of financial and strategic roles with a focus on pension and healthcare policy as well as risk management in the public and private sectors.

Commissioner Gainer's joined the Cook County Board in 2009 and has focused on three areas: pension reform as Chair of the Cook County Pension Committee, foreclosure and vacant buildings, and women and children in the County's jail and juvenile detention center.

The focus on vacant housing arose from the assistance her office provided constituents going through foreclosure. However, it soon became apparent that more comprehensive solutions were needed. These efforts led to the development of court mediation in 2010, the passage of the County's Vacant Building Ordinance in 2011 and, most recently, the creation of the Cook County Land Bank Authority. The Land Bank ordinance was the result of two years of organizing and a collaborative process involving stakeholders across the real estate and housing sectors. The Land Bank will empower the County to address not just the vacant and abandoned homes, but the communities and businesses that surround them. As a member of the Land Bank Board of Directors, Commissioner Gainer looks forward to working with all the partners to insure the vision of the Land Bank becomes a successful reality.

A native of Chicago, Bridget lives on the North side with her husband and their three children.

Suburban Cook County Mayors, Presidents or Village Managers (3)

Nicholas J. Helmer, Mayor of the City of Prospect Heights, is the Chairman of Inland Great Lakes, L.L.C. (IGL Real Estate). Mr. Helmer first joined Inland Real Estate Corporation (Now the Inland Group of Companies) in 1969 initially as head of Property Management Operations and later as President of Inland Residential Sales Corporation, the predecessor of IGL. Mr. Helmer was responsible for the conversion, rehab, marketing and sale of condominium properties owned by Inland and its affiliates. He is a Certified Property Manager, a licensed real estate broker and holds a degree in Business Communications from Loyola University.

He has served two terms as president of the Institute of Real Estate Management, Chicago Chapter, as president of Chicago's West Side Real Estate Board, and as a Director of the Chicago Board of Realtors. Helmer was recently named "CPM of the Year" by the Chicago Chapter of the Institute of Real Estate Management. He has also served as Asset Manager for Palwaukee Municipal Airport, representing the City of Prospect Heights, and is a licensed pilot. He served with the United States Army in Europe as a newspaper reporter, photographer and radio broadcaster. Under Mr. Helmer's tenure as Chairman, IGL

continues in the conversion, construction, sales and management of condominiums throughout Northern Illinois and Southern Wisconsin having completed more than 5,000 units at 52 different properties to date. IGL has consistently been named to the "Top 50 Builders" by the Chicago Sun Times.

Mr. Helmer is a member of the Realtor Association of the Western Suburbs, the National Association of Realtors, the Northern Illinois Homebuilders Association, the Institute of Real Estate Management and the Palwaukee Airport Pilot's Association. IGL President, Nicholas J. Helmer, has received a Premier award for "CPM of the Year" for 2004.

John A. Ostenburg was elected Mayor of the Village of Park Forest, Illinois, in 1999 and was re-elected without opposition in 2003. He was elected to an unprecedented third four-year term in 2007 and to a record fourth four- year term in 2011. He previously served as a Village Trustee from 1985 to 1990 and from 1997 to 1999. He was elected to the Illinois House of Representatives from the 80th House District in 1992 and served until 1995. While a Representative in the Illinois General Assembly, he served on the Cities & Villages Committee, the Education Appropriations Committee, the Elementary-Secondary Education Committee, the Higher Education Committee, and the Housing/Economic & Urban Development Committee, and was chairperson for the Speaker's Task Force on Children.

Mr. Ostenburg retired from the staff of the 40,000-member Chicago Teachers Union (CTU) in July 2010 after having served as the Chief of Staff since 2007. He previously served several years as Editor for the award-winning Chicago Union Teacher, official publication of the Chicago Teachers Union, of which he subsequently became Editor Emeritus. Mr. Ostenburg was Director of University Relations at Governors State University from 1984 to 1993, Director of Communications and Executive Director of the College Foundation at Prairie State College from 1978 to 1984, and Director of Alumni Affairs and Sports Information Director at Lewis University from 1973 to 1978. He also taught journalism and communications at all three institutions. He earlier taught English and Latin at Providence High School in New Lenox, and previously had taught at two elementary parochial schools in Springfield. He is the Cook County representative on the Executive Committee and serves as a member of the Housing Committee and of the Legislative Committee of the South Suburban Mayors & Managers Association (SSMMA).

He and wife Jacqueline are parents of four children (one of whom is deceased) and grandparents of nine. They attend St. Irenaeus Church in Park Forest. Mr. and Mrs. Ostenburg owned and operated Changes Coffeehouse, Bookstore & Tea Room in Park Forest from 1992 until Mrs. Ostenburg's retirement in May of 2006.

Jeffrey Sherwin has served as Mayor of the City of Northlake since 1997. His service to Northlake began in 1983 when he was elected a Trustee of the Northlake Public Library District; his public service role expanded in 1985 when he became President of the Northlake Fire Protection District. Prior to his public sector experiences, Mayor Sherwin was an attorney in private practice focusing on real estate matters. As a public official, Mr. Sherwin has served as Chairman of the Metropolitan Mayors Caucus (2008-2009), President of the West Central Municipal Conference (2005-2009), Chairman of the North Central Council of Mayors (2005 – present) and Chairman of the Lower Des Plaines Advisory Committee (2008 – present). He graduated with honors from Northeastern Illinois University in 1975 and received his Juris Doctor from the Chicago-Kent College of Law in 1978.

City of Chicago Appointee

Lawrence Grisham manages the Housing Bureau of the City of Chicago Department of Housing and Economic Development. In that capacity, he co-manages the department and specifically oversees the Department's affordable housing programs and activities. This includes multi-family rental projects, single-family purchase and rehab assistance, foreclosure prevention and mitigation programs, and housing preservation efforts. Financing tools include Low Income Housing Tax Credits, Donations Tax Credits, New Markets Tax Credits, tax exempt bonds, HOME and CDBG funds, TIF Funds, and corporate funds. He also oversees the Chicago Low Income Housing Trust Fund, which administers the largest locally-funded rental subsidy program for very low income families in the country.

Prior to joining the Department, Mr. Grisham was a Senior Vice President at The Habitat Company, a private real estate development and property management company based in Chicago, with offices in Atlanta, St. Louis, and Detroit. He managed the Community Development Group, a team that focuses on developing affordable and mixed income housing. Among his duties was the day-to-day management of Habitat's duties as the court-appointed Gautreaux Development Manager for the development of all new family housing for the Chicago Housing Authority.

Prior to joining The Habitat Company, Mr. Grisham was Senior Vice President for Operations for Bethel New Life, a long-established community development corporation on Chicago's West Side. He also worked for the City of Chicago in health planning, and served as a Legislative Assistant to U.S. Senator Charles H. Percy and Congressman Ralph H. Metcalfe. While with Senator Percy, he was instrumental in the passage of legislation that created the U.S. Department of Education.

Education: Master of Science / Human Services Administration, Spertus College, Chicago, Illinois; and Bachelor of Arts / History, Northwestern University, Evanston, Illinois

Bureau of Economic Development

Herman Brewer joined the Cook County Bureau of Economic Development initially as the Director of Capital Planning & Community Development departments in the Spring of 2011 moving up to Bureau Chief in December of 2011. Before Cook County, Herman served as Executive Vice President of the Chicago Urban League, managing daily operations and all program areas, including its Entrepreneurship Center, Workforce Development, Housing, Education, marketing and communications. In September of 2009 Brewer was asked to serve as Acting President and CEO during the organization's leadership transition process.

Previously, Brewer was a Program Director at the John D. and Catherine T. McArthur Foundation serving also as Director of the Chicago Working Group for the Foundation, where he helped integrate grant making strategies in the Foundation's domestic Program on Human and Community Development in Chicago neighborhoods. Brewer served in several capacities with the Local Initiatives Support Corporation, (LISC), from 1994 through 2002: Program Vice President with the national office (1998-2002) and as a senior officer before that. Herman also served as Vice President for Investor Relations at the LISC-affiliate National Equity Fund (1996-1998) headquarter here in Chicago. Brewer began his tenure with LISC as Senior Program Officer in LISC's Chicago Office in 1994.

Brewer's earlier career was in the public sector as Director of Community Development for the *Village of Park Forest* (1991-1994) and prior to that as Senior Planner and then Assistant to the City Manager for the *City of Richmond, Virginia* (1984-1991). He has served on numerous volunteer boards across Chicago

and presently serves as a board member with St. Leonard's House Ministries on the near West Side. He is a graduate of the Illinois Institute of Technology with a degree in City and Regional Planning and has done graduate work at Virginia Commonwealth University and the University of Illinois, Chicago. Herman and his family reside in Chicago's Hyde Park community.

Community Development Financial Institution

Calvin L. Holmes has served as the President of the Chicago Community Loan Fund (CCLF) since 1998. Under his leadership, CCLF's lending has leveraged nearly $900 million in additional public- and private-sector capital in over 60 lower wealth Chicagoland communities, in turn supporting over 6,700 units of affordable housing, more than 2.4 million square feet of community facility and commercial/retail space as well as 2,000 jobs. In addition, CCLF has solidified its position as a leading early-stage lender for community developers, a primary lender for affordable housing cooperatives and social enterprises and a principal promoter of sustainable development in metropolitan Chicago. CCLF controls over $36 million in assets under management, making it one of the 10 largest nonprofit Community Development Financial Institutions (CDFIs) in Illinois, and was one of only eight organizations worldwide honored with the 2009 MacArthur Award for Creative and Effective Institutions.

Holmes' community development career spans 26 years, including work as a budget planner for a $140 million rapid-transit project and as property manager of a 200-unit assisted housing portfolio. He currently serves as an advisor to the Bank of America National Community Advisory Council, Citibank NMTC Corporation, Mercy Loan Fund CDE, Kroger Community Development Entity, LLC, Great Lakes Region Sustainability Funds LLC and The Law Project (Chicago). He serves on the boards of the Chicago Community Land Trust, Community Reinvestment Fund & NMTC CDE, Housing Partnership Network, South Suburban Land Bank and Development Authority and as secretary on the board of Interfaith Housing Development Corporation of Chicago. He also serves on the awards selection committee of the Chicago Neighborhood Development Awards. He is a recognized expert in community development finance, the Community Reinvestment Act and community issues involving housing and access to capital, and regularly presents at conferences and events on these topics.

Holmes has been honored individually with many community leadership awards, including from the Chicago CRA Coalition and Bank of America. In 2001, Holmes was distinguished as one of Crain's Chicago's *40 Under 40* young leaders, and was a 2002-2003 Leadership Greater Chicago fellow. He holds a master's degree in urban and regional planning, with a concentration in real estate development, from Cornell University and a bachelor's degree in African American Studies from Northwestern University. Holmes received further leadership and skills development from Stanford University and the National Development Council.

Banking Community

Carl A. Jenkins is Vice President and Director of Community Investments for Harris N.A., the $50 billion U.S. banking subsidiary of BMO Financial Group. He oversees investments through equity and debt partnerships to finance real estate development and business expansion in Harris markets. Currently, Carl manages over $100 million of third party investments in Arizona, Florida, Illinois, Indiana and Wisconsin. Prior to his current position, he served as a commercial real estate lender for BMO Capital Markets and Harris' Community Development team.

Carl has been with Harris since 2000. Prior to joining the bank, he spent eight years with Local Initiatives Support Corporation (LISC), a national community development lender. A Chicago native, Carl began his

professional career in 1986 as an architect. He earned his bachelor's degree in architecture from Washington University in St. Louis. Carl also holds a master's of business administration from the Kenan-Flagler School of Business at the University of North Carolina. He currently serves on the Board of Directors of the National Association of Affordable Housing Lenders, the Illinois Facilities Fund and the Chicago Low-Income Housing Trust Fund.

Legal Community

Peter M. Friedman has an accomplished and broad real estate practice and is the practice group leader of Holland & Knight's Chicago Real Estate and Local Government Group. Mr. Friedman represents private and public sector clients in all phases of real estate finance, acquisition, development, zoning and land use matters. He counsels property owners, pension funds, tenants and developers in a variety of real estate and transactional projects.

Mr. Friedman also represents numerous local and state government agencies, municipalities and counties on all aspects of real estate, development and government law. He regularly prepares comprehensive landmark and historic district rules and regulations, zoning and land use ordinances, tree protection regulations, sign regulations, bulk restrictions, personnel policy manuals, franchise agreements, annexation agreements, boundary agreements, tax incentive and abatement agreements, and business district redevelopment plans. He is village attorney for the villages of Lake Bluff and Oak Brook, Illinois, serves as general counsel to the Chicago Association of Realtors and is special outside counsel to the Illinois Emergency Management Agency. Mr. Friedman also has special knowledge in environmental law.

Mr. Friedman has argued cases in Federal District and Appellate Courts and at all levels of state court, including before the Illinois Supreme Court. Mr. Friedman served as a judicial clerk to The Honorable Suzanne B. Conlon, judge of the U.S. District Court for the Northern District of Illinois. Prior to that, Mr. Friedman worked for five years on the staff and as legislative director for Congressman John Porter (IL-10) in Washington, D.C. Mr. Friedman is an adjunct professor of law at John Marshall Law School, where he teaches Historic Preservation Law. He is a fellow in the 2012 class of Leadership Greater Chicago and a recent graduate of the Wexner Heritage Program.

Local or State Realtor Association

Sarah L. Ware is a principal and managing broker at The Carter Ware Group, Inc., a real estate firm that specializes in property sales, purchases and management; market research; and management consulting for investors or real estate assets, in Chicago where she has worked since 2007. In this capacity she represents private equity firms, non-profit institutions, public/government entities, and individual buyers and sellers of residential and commercial real estate and has developed and implemented creative sales techniques and innovative marketing strategies for Chicago's changing real estate market (i.e. market rate sales, short sales, foreclosures, auctions, etc.). Ms. Ware is also responsible for managing REO assets for Chase and Wells Fargo prior to redemption status through closing; represents various clients in all phases of short sale process as well as working with Chase and Bank of America as a Priority Partner; and heads one of the lead brokerage firms responsible for acquisition and disposition of real estate assets for Mercy Portfolio Services as part of the Neighborhood Stabilization Program (NSP I, II & III) in the City of Chicago through all phases.

Before founding The Carter Ware Group, Ms. Ware was employed by US Equities Realty, Inc. where she provided commercial leasing support for its retail leasing group. She conducted market research studies

to assist with potential investment strategies and developed property marketing packages for clients with space needs in excess of 50,000 square feet and leases in excess of five-year terms. Sarah's professional and civic involvement spans the Chicago Association of Realtors where she serves on the Board of Directors, the Public Policy Coordinating Committee, the Fair Housing Committee, Government Affairs Committee, Finance Committee and the Cultural Diversity Committee. She is an Illinois Licensed Real Estate Managing Broker, and belongs to the Illinois Association of Realtors and the National Association of Realtors. She serves on the Board of Directors of the Historical Chicago Bungalow Association and is a member of the Dearborn Real Estate Board (DREB) and Lambda Alpha International (Ely Chapter). She chairs Special Service Area (SSA) #49, is Secretary of the 7th Ward Real Estate Advisory Committee, is a Trustee of The Ancona School, and volunteers with the Future Founders Foundation.

Nonprofit Housing Development Community

Stephen Porras Since founding Axia Development, Inc. in late 2008, Mr. Porras has served in primary and sub-consulting roles to i) for-profit and non-profit developers and public housing authorities seeking to undertake affordable rental housing development, ii) urban planning firms engaged in developing neighborhood economic development strategies, and iii) municipal governments seeking to forge successful public-private partnerships for the development of workforce housing.

For eight years prior to founding Axia, Mr. Porras had lead responsibility for the planning, acquisition, financing and development of workforce housing and mixed-income/mixed finance properties at Related Midwest LLC (formerly LR Development Company LLC) of Chicago. Prior to that, Mr. Porras spent ten years with the National Equity Fund, a leading syndicator of the federal low-income housing tax credit where he headed up its New York and California acquisitions operations. Before joining the National Equity Fund, Mr. Porras worked six years as a lending officer and executive for the City of New York in its Housing Preservation and Development department. Mr. Porras practiced architecture in Texas for five years prior to working for the City of New York.

Mr. Porras graduated from Texas Tech University with a Bachelor of Architecture degree, received a Master of Science degree in Urban Planning from Columbia University in New York and completed a post-graduate, executive-level study program at the Anderson School of Management of the University of California at Los Angeles.

Commercial/Industrial Development Community

James Planey, an industrial real estate professional, is the founding principal of Lee & Associates of Illinois, LLC where he has worked since 2002. Prior to founding Lee & Assoc., Mr. Planey spent ten years (1992-2002) working for Collier Bennett & Kahnweiler, a premier Chicago-area commercial and industrial development firm. Before that he held positions with Midwest Realty Exchange/Grubb & Ellis (1982-92), Central Manufacturing District/CMD Realty (1976-1982) and William Kritt & Co. (1973-1976).

Jim is the Past President of the Association of Industrial Real Estate Brokers, past chair of their ethics panel, Past President of Chicago Chapter of the Society of Industrial and Office Realtors (still a member), and current member of Ely Chapter of Lambda Alpha, a national land fraternity

His real estate experience has been 100% in industrial buildings and land mainly as an independent contractor working only on commission. While he has done some development, this has not been a major portion of his work. Currently Jim is not developing focusing instead on sales and leasing.

He has always had a strong interest in Chicago and Cook County's economic health. Now, at the age of 66 he has more time to devote to a project such as the board of the Cook County Land Bank. He and his wife, Rita, reside in Glenview.

Open Space Community

Emy Brawley serves as Director of Land Preservation for Openlands, a regional leader in conservation. She joined Openlands in 2008. Prior to that she lived in Colorado, where she worked in local government and in private legal practice. Working for Boulder County, Colorado, she managed transactions and projects for the county's sales-tax-funded open space program. As an attorney, she has represented local governments, non-profit conservation organizations, and private individual and corporate landowners, primarily in real estate matters. Emy currently serves as Treasurer of the Prairie State Conservation Coalition, the statewide coalition of Illinois land trusts.

City of Chicago Community Organization

Julie Dworkin is the Director of Policy at the Chicago Coalition for the Homeless (CCH). CCH is an advocacy organization that works to address the root causes of homelessness. She has been with CCH since 1996. From 1998-2009, Dworkin worked on a statewide legislative campaign to prevent and reduce family homelessness called *It Takes a Home to Raise a Child.* The campaign succeeded in passing legislation that resulted in a statewide homelessness prevention program that has prevented more than 100,000 families in Illinois from becoming homeless, a statewide rental subsidy program to provide affordable housing for 2,500 households, and $134 million in the state capital budget for housing. She also co-lead a city-level housing campaign that resulted in the passage of an ordinance dedicating TIF funds for the redevelopment of foreclosed properties as affordable housing. Before coming to CCH, she worked for three years as a case manager in transitional housing programs for homeless families. She graduated from Vassar College in 1993 with a B.A. in sociology.

Suburban Cook County Community Organization

Reverend Dr. Reginald Saffo is the Pastor of United Faith Missionary Baptist Church in Maywood. His professional experiences include a distinguished term of five years' service in the United States Air Force as well as several years in transportation management with the BNSF Railway Company. As an advocate for people and communities, Bishop Saffo has assumed leadership positions in an array of community organizations and institutions including the Bellwood Library Board where he serves as President, member of the Chicago Neighborhood Initiative Advisory Board, and founder of the Proviso Township Business Association and the United Faith Christian Institute and Bible College. Bishop Saffo graduated from Governors State University with a B.A. and received his Masters and Doctoral degrees in Urban Ministry from Aspen Christian Seminary. He is married with two children and resides in Bellwood.

13-O-
ORDINANCE

Sponsored by

THE HONORABLE TONI PRECKWINKLE, PRESIDENT

AND BRIDGET GAINER, COUNTY COMMISSIONER

ORDINANCE CREATING THE COOK COUNTY LAND BANK AUTHORITY

BE IT ORDAINED, by the Cook County Board of Commissioners that Part II, Land Development Ordinances, Chapter 103, Land Bank Authority, Section 103-1 through 103-71 of the Cook County Code are hereby enacted as follows:

Division 1. General Provisions.

Sec. 103-1. Short title.

This Ordinance shall be known and may be cited as the "Ordinance Establishing the Cook County Land Bank Authority."

Sec. 103-2. Declaration.

The County Board hereby establishes the Cook County Land Bank Authority which shall be an agency of and funded by Cook County.

Sec. 103-3. Definitions.

The following words and terms shall have the meanings set forth in this section, except where otherwise specifically indicated:

Board of Commissioners or County Board means the Board of Commissioners for Cook County, Illinois.

Board of Directors means the Board of Directors of the Cook County Land Bank.

Chairperson means the chairperson of the Cook County Land Bank Board.

County means Cook County, Illinois.

Cook County Code means the Code of Ordinances of Cook County, Illinois.

Director means the Executive Director of the Cook County Land Bank.

Fiscal Year means the fiscal year of the Land Bank, which shall begin on December 1st of each year and end on the following November 30th .

Land Bank means the Cook County Land Bank Authority, created by this Ordinance pursuant to the County's home rule powers.

Member means a member of the Board of Directors.

Ordinance means this ordinance creating the Cook County Land Bank.

Person means any individual, corporation, limited liability corporation, organization, government, governmental subdivision or agency, business trust, estate, trust, partnership, association and any other legal entity.

President means the President of the Cook County Board of Commissioners.

Real Property means all land and the buildings thereon, all things permanently attached to land or to the buildings thereon and any interest existing in, issuing out of, or dependent upon land or the buildings thereon.

State means the State of Illinois.

Sec. 103-4. Purpose.

The purpose of this Ordinance is to create the Cook County Land Bank Authority that will use available resources to facilitate the return of vacant, abandoned and tax-delinquent properties to productive use thereby combating community deterioration, creating economic growth and stabilizing the housing and job market.

The Land Bank will acquire, hold and transfer interest in real property throughout Cook County as approved by the Board of Directors for the following purposes: to promote redevelopment and reuse of vacant, abandoned and tax-delinquent properties; support targeted efforts to stabilize neighborhoods; stimulate residential, commercial and industrial development; all in ways that are consistent with goals and priorities established by this Ordinance, local government partners and other community stakeholders.

Sec. 103-5. Creation and Legal Status of Land Bank.

The County Board hereby establishes the Cook County Land Bank Authority which shall be an agency of and funded by Cook County. All personnel, facilities, equipment and supplies within the Land Bank shall be governed by a Board of Directors as provided herein. The Board of Directors shall be accountable to the President and the County Board; the Land Bank shall be funded by the County Board.

Sec. 103-6. Principal Office.

The principal office of the Land Bank shall be at a location within the geographical boundaries of Cook County, as determined by the Board of Directors.

Sec. 103-7. Title to Land Bank Assets.

Except as otherwise provided in this Ordinance, Cook County shall hold title to all Real Property controlled by the Land Bank.

Sec. 103-8. Tax-exempt Status.

The County declares that the activities of the Land Bank are governmental functions carried out by an instrumentality or political subdivision of the State as described in Section 115 of Title 26 of the United States Internal Revenue Code, or any corresponding provisions of any future tax code. The County

also intends the activities of the Land Bank to be governmental functions carried out by a political subdivision of this State, exempt to the extent provided under Illinois law from taxation by this State, including, but not limited to, ad valorem property tax exemption pursuant to the Property Tax Code, 35 ILCS 200/1-1 *et seq.*

Sec. 103-9. Waiver of Special Assessments.

Upon the request of the Land Bank and for the purposes of fostering the goals and objectives of the Land Bank, the County, as permitted by law, may extinguish special assessments levied by it prior to the date of acquisition by the Land Bank against Real Property controlled by the Land Bank and may seek to exempt Real Property controlled by the Land Bank from the imposition of special assessments.

Sec. 103-10. Compliance with Law.

The Land Bank shall comply with all applicable federal and state laws, rules, regulations and orders.

Sec. 103-11. No Third-Party Beneficiaries.

Except as otherwise specifically provided, this Ordinance does not create in any Person, other than the County and is not intended to create by implication or otherwise, any direct or indirect benefit, obligation, duty, promise, right to be indemnified (such as contractually, legally, equitably, or by implication), right to be subrogated to the County's rights under this Ordinance, or any other right or benefit.

Sec. 103-12 – 103-16 Reserved.

Division 2. Land Bank Authority Board of Directors and Staff.

Sec. 103-17. Cook County Land Bank Board of Directors.

The Land Bank shall be governed by a Board of Directors that shall be appointed by the President, subject to approval by the Cook County Board of Commissioners, within 45 (forty-five) days of the adoption of this Ordinance. Board of Directors shall be residents of Cook County. The Board of Directors shall consist of 15 (fifteen) members.
(Amended 03-20-13; 13-O-18)

Sec. 103-18. Appointment of Members.

Candidates for the Board of Directors appointed by the President shall be selected from the following categories.

(a) One (1) Cook County Commissioner to serve as an Ex-Officio Member with voting rights. The Ex-Officio Member shall serve as a liaison between the County Board and the Board of Directors;

(b) Three (3) Suburban Cook County Mayors, Presidents or Village Managers;
(Amended 03-20-13; 13-O-18)

(c) One (1) representative from the City of Chicago as recommended by the Mayor of the City of Chicago;

(d) One (1) representative from the Cook County Bureau of Economic Development;

(e) One (1) representative from a community development finance institution;

(f) One (1) representative from the banking community;

(g) One (1) representative from a local or state Realtor Association;

(h) One (1) representative from the non-profit housing development community;

(i) One (1) representative from the commercial/industrial development community;

(j) One (1) representative from the open space community;

(k) One (1) representative from a City of Chicago community organization;

(l) One (1) representative from a Suburban Cook County community organization; and

(m) One (1) representative from the legal community.
(Amended 03-20-13; 13-O-18)

Sec. 103-19 Term of Office.

Except as otherwise provided in this section, the members of the Board of Directors appointed under Section 103-12 shall be appointed for a term of three (3) years.

(a) *Ex-Officio Member.* The ex-officio member shall be the appointed Cook County Commissioner who shall serve as the ex-officio member for the length of the Commissioner's term.

(b) *The remaining Members.* The remaining ~~twelve (12)~~ fourteen (14) members of the Board of Directors shall serve terms as follows:
(Amended 03-20-13; 13-O-18)

(1) For the initial Members,

a. ~~Three (3)~~ Four (4) of the Members, subject to the approval of the County Board, shall serve a term that expires on January, 1, 2014.
(Amended 03-20-13; 13-O-18)

b. ~~Three (3)~~ Four (4) of the Members, subject to the approval of the County Board, shall serve a term that expires on January, 1, 2015.
(Amended 03-20-13; 13-O-18)

c. Three (3) of the Members, subject to the approval of the County Board, shall serve a term that expires on January, 1, 2016.

d. Three (3) of the Members, subject to the approval of the County Board, shall serve a term that expires on January 1, 2017.

(2) Thereafter, the Members other than the ex-officio member appointed shall serve a term of

three (3) years.

a. Each Member, whether initial or subsequent, shall serve until a successor is appointed.

b. Any Member who is appointed to fill a vacancy, other than a vacancy caused by the expiration of the predecessor's term, shall serve until the expiration of his or her predecessor's term.

(3) Other than the Ex-Officio Commissioner, a Member may not serve more than two (2) consecutive full terms.

Sec. 103-20. Chairperson/Members of the Board of Directors.

(a) The Board of Directors shall select the initial Chairperson of the Board from among the initial members. The Chairperson shall serve one two (2) year term as Chairperson and, thereafter, the Board of Directors shall annually elect a Chairperson from among the members.

1. The Chairperson shall preside at meetings of the Board of Directors and is entitled to vote on all matters before the Board of Directors.

2. A Member may be elected to serve successive terms as Chairperson.

(b) The Board of Directors may appoint from its Members, a Member to serve as the Land Bank secretary and appoint such additional officers from its Members as it may deem appropriate.

Sec. 103-21. Removal.

A Member may be removed by the President of the Cook County Board prior to the expiration of the Member's term of appointment for good cause. Good cause includes inefficiency, neglect of duty, malfeasance, or any cause which renders the member unfit for the position or unable to perform the duties of the position. The President shall provide written notice to that Member, the Director and the County Board of the removal of that Member from the Board of Directors; such notice shall state the specific grounds which constitute cause for removal. The Member, in receipt of such notice, may request to appear before the County Board and present reasons in support of his or her retention. Thereafter, the County Board shall vote upon whether there are sufficient grounds to remove that Member from office. The President shall notify the Member of the final action of the County Board.

Sec. 103-22. Vacancies.

Any vacancy on the Board of Directors caused by death, resignation, disqualification, or removal shall be filled by the President as soon as practicable, but not to exceed 60 days following the occurrence of the vacancy. The vacancy shall be filled for the remainder of the unexpired term in the same manner as the original appointment. Expired terms shall be filled by the President within 60 days of the term's expiration in the same manner as the original appointment.

Sec. 103-23. Meetings.

The Board of Directors shall conduct its first meeting no later than sixty (60) days after the appointment of the Board of Directors. The place, date and time of the Land Bank meetings shall be

determined at the discretion of the Board of Directors. All meetings of the Board of Directors shall comply with the Illinois Open Meetings Act, 5 ILCS 120/1 et seq. (the "OMA").

Sec. 103-24. Bylaws, and Policies and Procedures.

The Board of Directors shall adopt bylaws, procedures and policies consistent with the provisions of this Ordinance within 120 days from the first meeting of the Board of Directors.

Sec. 103-25. Quorum and Voting.

A quorum shall be necessary for the transaction of any business by the Board of Directors. A majority of the Members of the Board of Directors shall constitute a quorum. The Board of Directors shall act by a majority vote of the Members at a meeting at which a quorum is present, except as otherwise provided in this Ordinance. Presence for both quorum and voting at a Land Bank shall be articulated by the Board of Directors in its bylaws or procedures in a manner consistent with the OMA.

Sec. 103-26. Records of Meetings.

Minutes of all meetings of the Board of Directors and its Committees shall be made and maintained as required by the OMA.

Sec. 103-27. Board of Directors Responsibilities.

The Board of Directors shall:

(a) ensure that all personnel matters are conducted free from any political interference and in accordance with the provisions of the Supplemental Relief Order and Consent Decree established in the federal civil litigation filed in the Northern District of Illinois under Case No. 69 C 2145 and titled Shakman, et al. v. Democratic Organization, et al. and all applicable laws;

(b) ensure that all operations including contractual matters are conducted free from any political interference; and

(c) ensure efficiency in service delivery and sound fiscal management of all aspects of the Land Bank including the collection of all revenues from all sources;

Sec. 103-28. Board of Directors Actions.

The Board of Directors shall do all of the following not inconsistent with Illinois law:

(a) adopt, amend and/or repeal rules and policies and procedures governing the Board of Directors and its actions and meetings, and adopt, amend and/or repeal policies and procedures to implement day-to-day operation of the Land Bank, including policies governing any staff of the Land Bank;

(b) elect additional officers, including, but not limited to, initial officers who shall be elected at the first meeting of the Board of Directors, in accordance with the bylaws;

(c) provide for a system of accounting;

(d) adopt or amend the Land Bank's budget to submit annually to the Cook County Board of Commissioners for approval and adoption in a time frame mandated by the Cook County Budget Director;

(e) adopt, amend and/or repeal policies and procedures for contracting and procurement which must be consistent with the provisions set forth in the County's Code; provided however, that approval of the County Board or County Procurement Officer is not required for procurement or contracts authorized by the Land Bank and the Board of Directors will act in place of the County Board in any contract, bylaws or agreement with the County which requires the approval or other action of the County Board unless expressly prohibited otherwise in this chapter and until such time as the Board of Directors adopts its own rules, regulations or procedures with regard to procurement and contracts, the existing provisions of the Cook County Code pertaining to Procurement and Contracts shall apply.

(f) commission, collect and receive data from public, private, professional and volunteer sources to compile an inventory and analysis of desirable properties for acquisition;

(g) establish banking arrangements for the Land Bank as per Section 103-58 of this Ordinance.

(h) organize and reorganize the executive, administrative, clerical and other departments of the Land Bank and fix the duties, powers and compensation of all employees, agents and consultants of the Land Bank as per Section 104-32 of this Ordinance.

Sec. 103-29. Fiduciary Duty.

The Members of the Board of Directors are under a fiduciary duty to conduct the activities and affairs of the Land Bank in the best interests of the residents of Cook County, including the safekeeping and use of all Land Bank monies and assets. The members of the Board of Directors shall discharge their duties in good faith, with the care an ordinarily prudent person in a like position would exercise under similar circumstances.

Sec. 103-30. Compensation.

The Members of the Board of Directors shall receive no compensation for the performance of their duties. A Member may engage in private or public employment, or in a profession or business, except to the extent prohibited by Illinois law or County ordinance. The Land Bank may reimburse members of the Board of Directors for actual and necessary expenses incurred in the discharge of their official duties as provided by the Board of Directors.

Sec. 103-31. Executive Director.

The Board of Directors shall be authorized to retain the professional services of an individual to perform the duties of an Executive Director on a contractual basis with the advice and consent of the President; the Executive Director shall not be an employee of the Land Bank or County. The Director shall administer the Land Bank in accordance with the operating budget approved by the Cook County Board of Commissioners, general policy guidelines established by the Board of Directors, other applicable governmental procedures and policies and this Ordinance. The Director shall be responsible for the day-to-day operations of the Land Bank, the control, management and oversight of the Land Bank's functions and supervision of all Land Bank contractual agreements. All terms and conditions of the Director's service shall be specified in a written contract between the Director and the Board of Directors. The Director may be removed by the President of the Cook County Board or the Board of

Directors for good cause, prior to the expiration of the Director's contract. Good cause includes inefficiency, neglect of duty, malfeasance, or any cause which renders the Director unfit or unable to perform the scope of work. The Board of Directors may delegate to the Director any powers or duties it considers proper, under such terms, conditions and to the extent that the Board of Directors may specify.

Sec. 103-32. Staffing Services.

(a) The Board of Directors may approve contracts for staffing as requested by the Executive Director that are deemed necessary to carry out the duties and responsibilities of the Land Bank and in accordance with the policies and procedures established by the Board. Such staff shall be retained pursuant to contracts entered into in accordance with the procurement rules established by the Board.

(b) Should the Board of Directors, elect to have employees, any staff employed by the Board of Directors for the Land Bank not otherwise retained through the Board of Directors procurement rules shall be recruited or employed via the County's employment plan and be deemed County employees.

Sec. 103-33. Ethics and Oversight.

The Land Bank and its Director, Board of Directors, employees and contractors shall be subject to the Cook County Ethics Ordinance and the Office of the Independent Inspector General Ordinance.

Sec. 103-34. Indemnification.

(a) The County shall defend and indemnify the Land Bank and its Members with respect to all claims or judgments arising out of their activities as Members with respect to all negligence claims and claims or judgments arising out of Land Bank activities performed on behalf of the County.

(b) The County shall not be obligated to indemnify the Land Bank or Member for:

(1) Punitive damages or liability arising out of conduct which is based upon willful or wanton conduct.

(2) Conduct which is outside of the scope of the Land Bank authority.

(3) Any settlement or judgment in which the County did not participate.

(4) The defense of any criminal or disciplinary proceeding.

(c) To be eligible for defense and indemnification, the Land Bank or Member shall be obligated to:

(1) Notify, within five days of receipt, the Cook County Department of Risk Management and the Civil Actions Bureau of the Cook County State's Attorney's Office of any claim made against the Member or Land Bank and deliver all written demands, complaints and other legal papers, received by the practitioner with respect to such claim to the Department of Risk Management.

(2) Cooperate with the State's Attorney's Office in the investigation and defense of any claim against the County or any Member, including, but not limited to, preparing for and attending depositions, hearings and trials and otherwise assisting in securing and giving evidence.

(3) Promptly notify the Cook County Department of Risk Management and the Civil Actions Bureau of the Cook County State's Attorney's Office of any change in the Member's address or telephone number.

(d) All actions shall be defended by the Cook County State's Attorney. Decisions to settle indemnified claims shall be made by the County or the State's Attorney's Office, as delegated by the County and shall not require the consent of the indemnified Member. If a Member declines representation by the State's Attorney's Office, the County shall have no obligation to defend or indemnify the Member.

Sec. 103-35 – 103-40 Reserved

Division 3. General Powers of Land Bank

Sec. 103-41. General Powers.

The County, to the full extent of its constitutional and statutory authority, confers upon the Land Bank the authority to do all things necessary or convenient to implement the purposes, objectives and provisions of this Ordinance, or the purposes, objectives and powers granted to the Land Bank by any federal, state or local government unit, consistent with the County's Annual Appropriation Ordinance, including, but not limited to, the following:

(a) to adopt, amend and repeal bylaws for the regulation of its affairs and the conduct of its business;

(b) to acquire by purchase, donation, or other transfers and to hold, lease, manage and dispose of Real Property of every kind and character, or any interest therein, in furtherance of the public purposes of the Land Bank;

(c) to discharge and extinguish Real Property taxes owed to the County or to a Party, pursuant to an Agreement with such Party, that encumber Real Property owned by the County through the Land Bank, as permitted by the Property Tax Code, 35 ILCS 200/1-1 *et seq.*, or other applicable law;

(d) to pay any tax or special assessment due on Real Property acquired or owned by the Land Bank;

(e) to acquire, accept, or retain equitable interests, security interests, or other interests in any Real Property or other fixtures by loan agreement, note, mortgage, deed to secure debt, trust deed, security agreement, assignment, pledge, conveyance, contract, lien, or other consensual transfer in order to secure the repayment of any moneys loaned or credit extended by the Land Bank;

(f) borrow money from private lenders, from cities or counties, from the state or from federal government funds, subject to the approval of the County Board, to further or carry out the Land Bank's public purpose by executing leases, trust indentures, trust agreements, agreements for the sale notes, loan agreements, mortgages, deeds to secure debt, trust deeds, security agreements, assignments and such other agreements or instruments as may be necessary or desirable, in the judgment of the Land Bank, to evidence and to provide security for such borrowing.

(g) to make application directly or indirectly to any federal, state, county, or municipal government or agency or to any other source, whether public or private, for loans, grants, gifts, guarantees, labor, or other aid or financial assistance in furtherance of the Land Bank's public purpose

and to accept and use the same upon such terms and conditions as are prescribed by such federal, state, county, or municipal government or agency or other source;

(h) to enter into agreements with the federal government or any agency thereof to use the facilities or services of the federal government or any agency thereof in order to further or carry out the public purposes of the Land Bank;

(i) to extend credit or make loans to any Person subject to limitations established by the County Board, for the costs of any Land Bank projects or any part of the costs of any Land Bank projects which credit or loans may be evidenced or secured by loan agreements, notes, mortgages, deeds to secure debt, trust deeds, security agreements, assignments, or such other instruments, or by rentals, revenues, fees, or charges, upon such terms and conditions as the Land Bank shall determine to be reasonable in connection with such extension of credit or loans, including provision for the establishment and maintenance of reserve funds and, in the exercise of powers granted by the County through this Ordinance in connection with any Land Bank projects, the Land Bank shall have the right and power to require the inclusion in any such loan agreement, note, mortgage, deed to secure debt, trust deed, security agreement, assignment, or other instrument such provisions or requirements, including but not limited to: guarantee any obligations, insurance, construction, use, operation, maintenance and financing and such other terms and conditions, as the Land Bank may deem necessary or desirable;

(j) as security for repayment of any note, or other obligations of the Land Bank, to pledge, mortgage, convey, assign, hypothecate, or otherwise encumber any property of the Land Bank, including, but not limited to, Real Property, fixtures and revenues or other funds and to execute any lease, trust indenture, trust agreement, agreement for the sale of the Land Bank's notes, or other obligations, loan agreement, mortgage, deed to secure debt, trust deed, security agreement, assignment, or other agreement or instrument as may be necessary or desirable, in the judgment of the Land Bank, to secure any such notes, or other obligations, which instruments or agreements may provide for foreclosure or forced sale of any Real Property of the Land Bank upon default in any obligation of the Land Bank, either in payment of principal, premium, if any, or interest or in the performance of any term or condition contained in any such agreement or instrument;

(k) to receive and administer gifts, grants and bequests of money and Real Property consistent with the purpose of the Land Bank;

(l) to use any Real Property or fixtures or any interest therein or to rent, license or lease such Real Property to or from others or make contracts with respect to the use thereof, or to sell, lease, exchange, transfer, assign, pledge, or otherwise dispose of or grant options for any such Real Property in any manner as it deems to be in the best interests of the Land Bank and the public purpose thereof;

(m) to procure insurance or guarantees from the State Legislature or federal government of the payments of any debts or parts thereof incurred by the Land Bank and to pay premiums in connection therewith;

(n) to procure, if required, insurance against losses in connection with the Real Property, assets, or activities of the Land Bank;

(o) to enter into contracts and other instruments necessary, incidental, or convenient to the performance of its duties and the exercise of its powers, including, but not limited to, an Agreement with a Party for the joint exercise of powers. An Agreement with a Party may include contracts for the performance of services by a Party on behalf of the Land Bank or by the Land Bank on behalf of a Party;

(p) to enter into partnerships, joint ventures and other collaborative relationships with municipalities and other public and private entities for the ownership, management, development and disposition of Real Property;

(q) to enter into contracts and other instruments necessary, incidental, or convenient to the performance of its duties and the exercise of its powers, including, but not limited to, agreements with a Party regarding the disposition of Land Bank properties located within their boundaries;

(r) to finance (by loan, grant, lease, or otherwise), refinance, construct, erect, assemble, purchase, acquire, own, repair, remodel, rehabilitate, modify, maintain, extend, improve, install, sell, equip, expand, add to, operate, or manage Real Property or rights or interests in Real Property and to pay the costs of any such project from the proceeds of revenue bonds, loans by persons, corporations, partnerships, whether limited or general, or other entities, all of which the Land Bank is authorized to receive, accept and use;

(s) to fix, charge and collect rents, fees, licenses and charges for the use of Real Property of the Land Bank and for services provided by the Land Bank;

(t) to grant or acquire a license, easement, lease (as lessor or lessee), or option with respect to Real Property of the Land Bank;

(u) to enter into contracts with nonprofit community land trusts, including, but not limited to, long-term lease contracts;

(v) to contract for goods and services and engage personnel as necessary, to be paid from the funds of the Land Bank. The Board shall determine the qualifications, duties and compensation of those it contracts with and employs;

(w) to organize and reorganize the executive, administrative, clerical and other departments of the Land Bank and to fix the duties, powers and compensation of all employees, agents and consultants of the Land Bank;

(x) to remediate environmental contamination on any Real Property held by the Land Bank;

(y) to acquire, hold and manage property pursuant to this Ordinance;

(z) to dispose of property pursuant to this Ordinance; and

(aa) to do all other things necessary or convenient to achieve the objectives and purposes of the Land Bank or other laws that relate to the purposes and responsibilities of the Land Bank.

Sec. 103-42. No Waiver of Governmental Immunity.

No provision of this Ordinance is intended, nor shall it be construed, as a waiver by the County of any governmental immunity provided under any applicable law.

Sec. 103-43. Non-Discrimination.

The Land Bank shall comply with all applicable laws prohibiting discrimination.

(a) The Land Bank shall not provide services in a manner that discriminates against an individual because of the actual or perceived status, practice, or expression of that person's race, color, sex, age, religion, disability, national origin, ancestry, sexual orientation, marital status, parental status, military discharge status, source of income, gender identity or housing status; or the actual or perceived association with such a person.

(b) The Land Bank shall not fail or refuse to hire, recruit, promote, demote, discharge, or otherwise discriminate against an individual with respect to employment, compensation, or a term, condition, or privilege of employment because of the actual or perceived status, practice, or expression of that person's race, color, sex, age, religion, disability, national origin, ancestry, sexual orientation, marital status, parental status, military discharge status, source of income, gender identity or housing status; or the actual or perceived association with such a person.

Sec. 103-44 – 103-48 Reserved.

Division 4. Real Property Acquisition, Management and Disposition.

Sec. 103-49. Acquisition of Real Property.

(a) The Land Bank may acquire Real Property or rights or interests in Real Property by gift, bequest, transfer, exchange, foreclosure, purchase, purchase contracts, lease purchase agreements, installment sales contracts, land contracts, tax sale, scavenger sale or otherwise, on terms and conditions and in a manner the Land Bank considers proper.

(b) The Land Bank may acquire any property conveyed to it by the State of Illinois, a foreclosing governmental unit, a unit of local government, an intergovernmental entity created under the laws of the State of Illinois, or any other public or private person, including, but not limited to, property without clear title.

(c) All deeds, mortgages, contracts, leases, purchases, or other agreements regarding property of the Land Bank, including agreements to acquire or dispose of real property, shall be approved by and executed by the Land Bank, in the name of the County.

(d) The Land Bank shall have the right to purchase properties, in the name of the County, at tax sales conducted in accordance with the Property Tax Code, 35 ILCS §200/1-1 *et seq*. The Land Bank may tender a bid at a tax sale that is a credit bid, consisting of the obligation of the Land Bank to satisfy the component parts of the bid by payments to the respective political subdivisions.

(e) The Land Bank shall have the right to make offers to purchase properties that are subject to a listing agreement; said offer or purchase of a property by the Land Bank that is subject to a listing agreement shall not extinguish any legal rights existing under the listing agreement.

Sec. 103-50. Execution of Legal Documents Relating to Property.

All deeds, mortgages, contracts, easements, leases, licenses, franchises, purchases, covenants or other agreements regarding Real Property of the Land Bank, including agreements to acquire or dispose of Real Property, shall be executed in the name of the County by the Land Bank and approved in accordance with the bylaws of the Land Bank.

Sec. 103-51. Holding and Managing Property.

The Land Bank may control, manage, maintain, operate, repair, lease as lessor, license, secure, prevent the waste or deterioration of, demolish and take all other actions necessary to preserve the value of the Real Property it controls on behalf of the County. The Land Bank shall maintain all such Real Property held by the Land Bank in accordance with applicable laws and codes. Such Real Property shall be inventoried and classified by the Land Bank according to suitability for use. The inventory shall be maintained as a public record and shall be filed electronically and in the principal office of the Land Bank.

Sec. 103-52. Property Disposition.

On terms and conditions and in a manner and for an amount of consideration the Land Bank considers proper, fair and reasonable, including for no monetary consideration if appropriate, the Land Bank may convey, sell, transfer, exchange, lease as lessor, or otherwise dispose of Real Property or rights or interests in Real Property which the Land Bank controls and the County holds a legal interest to any public or private Person. The transfer and use of property under this section and the exercise by the Land Bank of powers and duties under this Ordinance shall be considered a necessary public purpose and for the benefit of the public.

Sec. 103-53. Criteria for Conveyance.

Real Property shall be conveyed by the Land Bank in accordance with this Ordinance and according to criteria determined in the discretion of the Board and contained in the policies and procedures adopted by the Board. The Board may adopt policies and procedures that set forth priorities for a transferee's use of Real Property conveyed by the Land Bank, including, but not limited to, affordable housing.

Sec. 103-54. Transactions.

(a) Transactions shall be structured in a manner that permits the Land Bank to enforce contractual agreements, real covenants and the provisions of any subordinate financing held by the Land Bank pertaining to development and use of the Real Property.

(b) Notwithstanding any other provision of this Ordinance, any transaction involving property located within a municipality with a population over 100,000 shall only be made pursuant to an agreement between that municipality and the land bank.

Sec. 103-55. Disposition of Proceeds.

Any proceeds from the sale or transfer of Real Property by the Land Bank shall be retained, expended, or transferred by the Land Bank as determined by the Board in the best interests of the Land Bank and in accordance with applicable laws and Agreements.

Division 5. Intergovernmental Agreements

Sec. 103-56. Intergovernmental Agreements.

(a) The Board of Directors may negotiate and propose Agreements necessary, incidental, or convenient to the performance of its duties and the exercise of its powers with a local unit of government located in whole or in part within Cook County, subject to the approval of the County Board. Such an Agreement may include, but is not be limited to, contracts for the joint exercise of powers, contracts for the ownership, management, development and disposition of Real Property, or contracts for the

performance of services by a local unit of government on behalf of the Land Bank or by the Land Bank on behalf of a local unit of government.

(b) The parties to the intergovernmental agreements shall agree that no party to an intergovernmental agreement shall be responsible, in whole or in part, for the acts of the employees, agents and servants of any other party, whether acting separately or in conjunction with the implementation of an Agreement. The parties shall only be bound and obligated under an Agreement as expressly agreed to by each party.

(c) All agreements shall in all respects be interpreted, enforced and governed under the laws of the State of Illinois without regard to the doctrines of conflict of laws. The language of all parts of an Agreement shall in all cases be construed as a whole according to its plain and fair meaning and not construed strictly for or against any Party.

Division 6. Books, Records, Finances and Expenditures

Sec. 103-58. Land Bank Records.

The Land Bank shall keep and maintain at the principal office of the Land Bank all documents and records of the Land Bank. The records of the Land Bank, which shall be available to the public, shall include, but not be limited to, a copy of this Ordinance, the Land Bank's bylaws and any agreements, along with any amendments thereto. The records and documents shall be maintained and shall be delivered to any successor entity.

Sec. 103-59. Financial Statements and Reports.

The Land Bank shall cause to be prepared, at the Land Bank's expense, audited financial statements (balance sheet, statement of revenue and expense, statement of cash flows and changes in fund balance) on an annual basis. Such financial statements shall be prepared in accordance with generally accepted accounting principles and accompanied by a written opinion of an independent certified public accounting firm.

Sec. 103-60. Annual Budget.

(a) The Land Bank shall prepare an annual budget in a manner and under a time frame mandated by the Cook County Budget Director.

(b) For Fiscal Year 2014 and each Fiscal Year thereafter, the Board of Directors shall recommend, approve and submit an annual budget to be included in the President's Executive Budget Recommendation for approval by the County Board.

(c) The obligations and expenditures of the Board of Directors shall conform to the County's Annual Appropriation Ordinance; provided that the County Board retains the authority to impose additional limitations. Any commitment, contract or other obligation entered into by the Board in derogation of this Section shall be voidable by the County Board.

Sec. 103-61. Deposits and Investments.

The Land Bank shall deposit funds of the Land Bank in a special fund to be held by the Treasurer of the County, to be designated as the "Land Bank Fund" and to be expended exclusively for the operation of the Land Bank.

Sec. 103-62. Disbursements.

Expenditures of funds from the Land Bank Fund shall be in accordance with guidelines established by the Board of Directors.

Sec. 103-63. Performance Objectives.

Each Fiscal Year, the Director, or other individual designated by the Board of Directors, shall prepare, for review and approval by the Board of Directors, objectives for the Land Bank's performance.

Sec. 103-64. Annual Report.

(a) The Board of Directors shall submit to the President and the County Board, within six months after the end of each Fiscal Year, a report which shall set forth a complete and detailed operating and financial statement of the Land Bank during such Fiscal Year.

(b) Included in the report shall be any recommendations for additional legislation or other action which may be necessary to carry out the mission, purpose and intent of the Land Bank.

Sec. 103-65. Management of Funds.

The Director, or other individual designated by the Board of Directors, shall be authorized to make deposits and withdraw funds from the Land Bank Fund for the management of sales proceeds, revenue and other Land Bank funds as authorized by the Board of Directors. Standard accounting procedures shall be used in the management of accounts and approved by the Cook County Comptroller.

Sec. 103-66. Authorized Expenditures.

The Land Bank shall in its sole discretion and within its budget, expend such funds as necessary to carry out the powers, duties, functions and responsibilities of a land bank under this Ordinance.

Division 7. Dissolution, Distribution of Assets

Sec. 103-67. Dissolution.

Upon determining that the purposes of the Land Bank have been completed and that there is no longer a need for the Land Bank's continued existence, the Board of Commissioners may repeal this Ordinance and dissolve the Land Bank, provided however that the effective date of any such repeal shall provide sufficient time for the Land Bank to carry out the provisions set forth in Section 103-64.

Sec. 103-68. Distribution of Assets.

As soon as possible after notice of the repeal of this Ordinance, the Land Bank shall finish its affairs as follows:

(a) all of the Land Bank's debts, liabilities and obligations to its creditors and all expenses incurred in connection with the termination of the Land Bank and distribution of its assets shall be paid first; and

(b) the remaining Real Property and personal property owned by the Land Bank, if any, shall

be distributed to any successor entity, subject to approval by the County. In the event that no successor entity exists, the remaining Real Property and personal property and other assets of the Land Bank, shall become assets of the County, unless provided otherwise in any applicable Agreements.

Division 8. Miscellaneous

Sec. 103-69. Interpretation of Ordinance.

All powers granted to the Land Bank under this Ordinance shall be interpreted broadly to effectuate the intent and purposes of this Ordinance and not to serve as a limitation of powers.

Sec. 103-70. Severability of Provisions.

The invalidity of any clause, sentence, paragraph, subdivision, section, or portion thereof, shall not affect the validity of the remaining provisions of this Ordinance.

Sec. 103-71. Terminology.

All terms and words used in this Ordinance, regardless of the number, are deemed to include any other number as the context may require.

Effective date: This Ordinance shall be effective immediately upon approval and adoption.

Approved, adopted and enacted on the 16th day of January 2013. (13-O-07)
Amended, approved and adopted on the 20th day of March 2013. (13-O-18)

TONI PRECKWINKLE, President
Cook County Board of Commissioners

Attest: DAVID ORR, County Clerk

Open Meetings Act
Elected and Appointed Members

OMA Electronic Training

Effective January 1, 2012, elected or appointed members of a public body subject to OMA must complete the electronic training once during their term of election or appointment as follows:

- Any person who is an elected or appointed member of a public body subject to the Act **on** January 1, 2012, must complete the electronic training between January 1, 2012, and January 1, 2013.
- Any person who becomes an elected or appointed member of a public body subject to the Act **after** January 1, 2012, must complete the electronic training no later than the 90th day after taking the oath of office or, if not required to take an oath of office, after otherwise assuming responsibilities as a member of the public body.

Elected or appointed members need not complete the electronic training on an annual basis thereafter unless they are also designated to receive training on compliance with the Open Meetings Act.

The Public Access Counselor's Office's OMA electronic training is available free of charge at: http://foia.ilattorneygeneral.net/electronic_foia_training.aspx.

Illinois Open Meetings Act
Frequently Asked Questions for Public Bodies

The Illinois Open Meetings Act (OMA) is designed to ensure that the public has access to information about government and its decision-making process. As a public servant, you have a duty to ensure that Illinois residents can obtain information about their government.

In 2009, Attorney General Lisa Madigan worked with legislators and a diverse group of individuals and organizations to strengthen transparency laws in Illinois and hold government more accountable. On January 1, 2010, key changes to the Open Meetings Act took effect to provide Illinois residents with a more open and accountable government.

WHO'S WHO UNDER OMA

Public Access Counselor (PAC) – An attorney in the Attorney General's Office who works to ensure compliance with OMA and the Illinois Freedom of Information Act (FOIA). The Public Access Counselor oversees the Public Access Bureau in the Attorney General's Office, which includes several Assistant Attorneys General and professional support staff members working to respond to OMA and FOIA issues raised by the public and government officials. Working under the direction and supervision of the Attorney General, the PAC has the authority to determine whether a public body has violated the Open Meetings Act. The PAC also has the authority to review requests for documents under FOIA and determine whether those documents should have been disclosed. As part of this Public Access work, the Attorney General has subpoena power, may issue advisory opinions to guide public bodies, may issue binding opinions in OMA and FOIA disputes, and may sue to enforce binding opinions.

"Public Body" – The Open Meetings Act defines "public body" to include "all legislative, executive, administrative or advisory bodies of the State, counties, townships, cities, villages, incorporated towns, school districts and all other municipal corporations, boards, bureaus, committees or commissions of this State, and any subsidiary bodies of any of the foregoing including but not limited to committees and subcommittees which are supported in whole or in part by tax revenue, or which expend tax revenue, except the General Assembly and committees or commissions thereof."

Under OMA, "public body" also includes tourism boards and convention or civic center boards located in counties that are contiguous to the Mississippi River with populations of more than 250,000 but less than 300,000. OMA specifically provides that "public body" does not include a child death review team, the Illinois Child Death Review Teams Executive Council established under the Child Death Review Team Act, or an ethics commission acting under the State Officials and Employees Ethics Act.

"Meeting" – The Open Meetings Act defines a "meeting" to include "any gathering, whether in person or by video or audio conference, telephone call, electronic means (such

as, without limitation, electronic mail, electronic chat, and instant messaging), or other means of contemporaneous interactive communication, of a majority of a quorum of the members of a public body held for the purpose of discussing public business or, for a 5-member public body, a quorum of the members of a public body held for the purpose of discussing public business. Accordingly, for a 5-member public body, 3 members of the body constitute a quorum and the affirmative vote of 3 members is necessary to adopt any motion, resolution, or ordinance, unless a greater number is otherwise required."

GENERAL INFORMATION

What is the Open Meetings Act (OMA)?
The Open Meetings Act is a state law that requires that meetings of public bodies be open to the public except in certain specific, limited situations (discussed in more detail below) where the law authorizes the public body to close a meeting. OMA also provides that the public must be given advance notice of the time, place and subject matter of the meetings of public bodies.

What is the difference between the Freedom of Information Act (FOIA) and OMA?
FOIA applies when a member of the public is seeking access to public records. OMA is intended to ensure that the actions of public bodies are conducted in the open, through public meetings, and that the public is able to observe the deliberations behind those actions.

What type of "public body" is covered by OMA?
The "public bodies" covered by OMA include all legislative, executive, administrative or advisory bodies of:

- the State
- counties
- townships, cities, villages, or incorporated towns
- school districts
- all municipal corporations

"Public bodies" also includes all committees, subcommittees and subsidiary bodies of public bodies. Examples of "public bodies" include everything from park district boards to city councils to civic commissions. "Public bodies" includes, but is not limited to, any entity that is supported in whole or in part by tax revenue or which expends tax revenue.

What information is the public body required to provide to the Public Access Counselor?
Each public body must designate employees, officers and/or members to receive OMA electronic training provided by the Public Access Counselor. The public body must provide a list of these designated individuals to the Public Access Counselor.

TRAINING FOR EMPLOYEES, OFFICERS, AND MEMBERS

Who needs to complete the Public Access Counselor's electronic OMA training?
Each public body must designate employees, officers or members to receive training on compliance with the Open Meetings Act. The Public Access Counselor must provide an electronic training program for these individuals to take. These individuals must complete the Public Access Counselor electronic training annually.

In addition, beginning January 1, 2012, all elected or appointed members of a public body subject to OMA must also complete the electronic training and file a copy of the certificate of completion with the public body once during their term of election or appointment as follows:

- Any person who is an elected or appointed member of a public body subject to the Act **on** January 1, 2012, must complete the electronic training between January 1, 2012, and January 1, 2013.
- Any person who becomes an elected or appointed member of a public body subject to the Act **after** January 1, 2012, must complete the electronic training no later than the 90th day after taking the oath of office or, if not required to take an oath of office, after otherwise assuming responsibilities as a member of the public body.

Elected or appointed members need not complete the electronic training on an annual basis thereafter unless they are also designated to receive training on compliance with the Open Meetings Act.

What does the public body need to do if it designates additional individuals to take the Public Access Counselor training?
At any time, a public body may designate new or additional employees, officers or members to receive training on compliance with OMA. If a public body designates new or additional individuals, those individuals must complete the training within 30 calendar days of their designation.

PUBLIC MEETING

How many members of the public body have to be present at a "meeting" before OMA requirements apply?
A "meeting" under OMA is a gathering of a majority of a quorum of the members of a public body for the purpose of discussing public business. For example, for a 7-member board with a quorum of 4, a majority of the quorum would be 3. Under OMA, 5-member bodies have a 3-member quorum and require the affirmative vote of 3 members to adopt any motion, resolution, or ordinance, unless a greater number is otherwise required.

Before a public body takes a vote on an issue at a meeting, what must it do?
Any vote, or final action, must be preceded by a public recital of the nature of the matter being considered and any other information that will inform the public of the business being conducted.

If an item is not listed on the posted agenda for a regular meeting, is the public body prohibited from taking action on the item at that meeting?
Yes. OMA permits discussion during regular meetings of items not specifically set forth on the agenda. The Open Meetings Act, however, does not permit the taking of a vote on such a matter at that meeting.

Is a public body required to provide members of the public with a copy of its "board packet" at an open meeting?
No. At the time of an open meeting, a public body is not required to disseminate or provide the public with copies of its "board packet" or reference information. It is important to note, however, that the information contained within a "board packet" is subject to the Freedom of Information Act and a member of the public can request copies of that material through FOIA.

PUBLIC NOTICE OF A MEETING

What is public notice?
Giving public notice means providing the date, time and location of a meeting.

When and how does a notice of a regular meeting have to be provided by a public body?
At the beginning of each calendar or fiscal year, every public body must create and make available to the public the schedule for regular meetings that year, including the dates, times, and locations of the meetings. Notice shall be given by posting a copy of the notice at the principal office of the body holding the meeting or, if no such office exists, at the building in which the meeting is to be held. If the public body has a website maintained by its own full-time staff, then notice of all meetings must also be posted on that website.

If the public body changes the regular meeting schedule (as opposed to a particular meeting), it must give 10 calendar days notice of the change by publicizing the change in the newspaper and by posting information concerning the schedule change at the principal office of the public body.

The public body must post an agenda (see below) for the particular meeting at the principal office of the public body, at the location of the meeting, and on the public body's website (if it has a website maintained by its own full-time staff) at least 48 hours in advance of the meeting.

MEETING AGENDA

What is an agenda?
An agenda is a list of the items to be acted upon or discussed during a meeting.

Can the agenda be changed?
A public body cannot change the agenda less than 48 hours before the meeting.

Can the public body take action on items not on the agenda of regular meetings?
No. While the public body can discuss items that are not on the agenda of a regular meeting, the public body cannot take action or make any decision with regard to items or topics not on the agenda of a regular meeting. It is important to note that at a special or emergency meeting, unlike a regular meeting, a public body cannot even discuss items that did not appear on the agenda for the special or emergency meeting.

Is a public body required to allow a member of the public to speak at an open meeting?
The Open Meetings Act requires that public bodies give members of the public an opportunity to speak at a public meeting. Public bodies are authorized to adopt rules regarding the public comment portion of a meeting. Such rules may limit the time allotted for the public to speak.

TIME AND LOCATION OF A MEETING

When and where does an open public meeting need to be held?
A public body must hold a meeting at a specific time and place that is convenient and open to the public. A public body cannot hold a meeting on a public holiday, unless the regularly scheduled meeting falls on that holiday.

RECORDING OF A MEETING

May a member of the public record an open meeting?
Yes. Any member of the public can record the meeting by tape, film, or other means, subject to some reasonable restrictions.

Is the public body required to take minutes of its open meetings?
Yes. The minutes must include:

- the date, time and place of the meeting;
- a list of the members present and absent from the meeting, and whether they attended in person, by phone, or by video;
- a summary of the discussion of all matters proposed, deliberated, or decided; and
- a record of any votes taken.

It is important to note that subsidiary bodies of public bodies (such as committees and subcommittees) are also required to take minutes of meetings.

A public body must make minutes of the meeting available for public inspection and post them on the public body's website (if it has one) within 7 calendar days after the minutes are approved by the public body. Typically, the minutes are approved at the next board meeting.

EXCEPTIONS TO OPEN MEETINGS – CLOSED SESSIONS

When can a meeting be "closed"? Can a public body ever meet in private?
Section 2(c) of the Open Meetings Act provides that a public body can close a meeting to the public only when the following topics are to be considered:

- the appointment, employment, compensation, discipline, performance, or dismissal of a specific employee or legal counsel for the public body;
- collective negotiating matters or deliberations concerning salary schedules for one or more classes of employees;
- discipline or removal of an occupant of a public office or appointment of an individual to fill a vacant public office;
- evidence or testimony received in a hearing, provided that the body is a quasi-adjudicative body and prepares and makes available for public inspection a written decision setting forth its determinative reasoning;
- the purchase or lease of real property by the public body;
- the setting of a price for sale or lease of property owned by the public body;
- the sale or purchase of securities, investments, or investment contracts;
- security procedures;
- student disciplinary cases;
- the placement of individual students in special education programs and other matters relating to individual students;
- pending or probable litigation against, affecting or on behalf of the public body;
- the establishment of reserves or settlement of claims as provided in the Local Governmental and Governmental Employees Tort Immunity Act;
- conciliation of complaints of discrimination in the sale or rental of housing;
- ongoing, prior or future criminal investigations, when discussed by public bodies with criminal investigatory responsibilities;
- professional ethics or performance when discussed by an advisory body to a licensing or regulatory agency;
- discussions regarding self-evaluation, practices and procedures or professional ethics with representatives of statewide associations;
- the recruitment, credentialing, discipline or formal peer review of physicians or other health care professionals for a hospital or other health care center;
- deliberations for decisions of the Prisoner Review Board;
- review or discussion of applications received under the Experimental Organ Transplantation Procedures Act;
- classification and discussion of confidential matters of the State Government Suggestion Award Board;
- discussion of the minutes of a meeting that was lawfully closed under OMA;

- deliberations of the State Emergency Medical Services Disciplinary Review Board;
- the operation by a municipality of a municipal utility or power agency or natural gas agency regarding contracts relating to the purchase, sale or delivery of electricity or natural gas, or the results or conclusions of lead forecast studies;
- meetings of a residential health care facility resident sexual assault and death review team;
- discussions involving internal or external auditors and governmental audit committees, finance committees, and their equivalents, when the discussion involves internal control weaknesses, identification of potential fraud risk areas, known or suspected frauds, and fraud interviews conducted in accordance with generally accepted auditing standards of the United States of America; and
- correspondence and records that may not be disclosed under Section 11-9 of the Public Aid Code, 305 ILCS 5/1-1 *et seq.*, or that pertain to appeals under Section 11-8 of the Public Aid Code.

A public body can close a meeting to the public only if its members are discussing a topic that is listed in section 2(c) of the Open Meetings Act.

How can a public body "close" a public meeting?
If a public body wants to hold a closed session, the public body must first meet in a properly noticed open meeting, then vote to close the meeting by a majority vote of a quorum present. The public body must cite the specific exemption in the Open Meetings Act that applies and allows the closure of the meeting.

Who can attend a "closed" session?
Only the members of the public body and others who are directly involved in the matter which is the basis for the closed meeting may attend the meeting. For example, witnesses giving testimony regarding a complaint against an employee may attend a meeting that is closed for purposes of discussing discipline of an employee.

Can a public body take binding action in a closed session?
No. A public body may not take any final action in a closed session.

How must a public body record a closed meeting?
A public body must make a verbatim record, by audio or video, of any closed session and take minutes of the meeting. Semi-annually, the public body must meet to review the minutes of any closed sessions that occurred and determine whether the minutes of those closed sessions need to remain confidential. If the public body determines that it is no longer necessary to have the minutes remain confidential, it must make the minutes available to the public.

ATTENDING A MEETING BY PHONE OR VIDEO CONFERENCE

Can a member of a public body attend a meeting by telephone or video conference and not in person?

A member of a public body may attend a meeting by telephone or video conference only in accordance with and to the extent allowed by the rules of the public body. 5 ILCS 120/7(c). If a quorum of the members of the public body is physically present, then a majority of the public body may allow a member to attend by video or telephone conference if the member is prevented from physically attending because of (1) personal illness or disability; (2) employment purposes or the business of the public body; or (3) a family or other emergency. If a member wants to attend the meeting by video or telephone conference, he or she must notify the recording secretary or clerk of the public body before the meeting, unless advance notice is impractical.

IF A MEMBER OF THE PUBLIC BELIEVES THAT A PUBLIC BODY HAS VIOLATED THE OPEN MEETINGS ACT, HE OR SHE CAN TAKE ACTION. HERE IS WHAT YOU NEED TO KNOW.

What can a member of the public do if he or she thinks the public body has violated OMA?

Within 60 calendar days from when the alleged violation occurred, a member of the public can file a Request for Review of the matter with the Public Access Counselor at the Office of the Attorney General, or can bring a civil action in circuit court against the public body. In addition, the State's Attorney of the county in which the alleged violation occurred may bring a civil action in circuit court within 60 calendar days after the violation occurred or within 60 calendar days of the discovery of the violation by the State's Attorney.

What is a Request for Review?

A Request for Review is a letter sent to the Public Access Counselor which lays out the basis for an alleged violation of OMA. The request must be made in writing, must be signed by the requester and must include a summary of the facts supporting the allegation.

Is there a deadline for submitting a Request for Review?

Yes. A person seeking review of an issue by the PAC must send the Request for Review to the PAC within 60 calendar days after the date of the alleged OMA violation.

What happens if a member of the public submits a Request for Review to the PAC and what are the responsibilities of the public body?

When the PAC receives a written Request for Review from the member of the public, the PAC has seven working days to determine whether further action is warranted. 5 ILCS 120.3.5(b).

If the Public Access Counselor reviews the Request for Review and determines that further action is warranted, she must forward a copy of the Request for Review to the public body within 7 working days of receiving the request. At that time, the PAC can specify records or other documents that the public body must furnish to facilitate the PAC's review. The public body must provide the requested records within 7 working days of receiving the request from the PAC.

Within 7 working days of receiving the request from the PAC, the public body may, but is not required to, provide an answer to the allegations in the Request for Review. The answer may take the form of a letter, brief or memorandum.

The Public Access Counselor must forward a copy of the public body's answer (with any confidential information redacted) to the member of the public who requested the review of the alleged OMA violation. The requester then may, but is not required to, respond in writing to the public body's answer. If the requester decides to respond, he or she must do so within 7 working days of receiving the public body's answer. The requester must send a copy of his or her response to the public body.

Once she has all of the necessary information to analyze the OMA issue and determine whether the public body violated the law, the PAC may:

- Decide that no further review is necessary and that the allegations are unfounded.
- Mediate and work to resolve the dispute. The PAC can decide to work informally to try to mediate the dispute between the member of the public and the public body.
- Issue an opinion resolving the matter. If the PAC decides to issue a binding opinion, she must issue the opinion within 60 days after receiving all the documents necessary to make a determination of the issues raised in the Request for Review. Under OMA, the PAC may extend this time by up to 21 business days by sending written notice to the requester and the public body and including an explanation of the reasons for the need for an extension of time.

What kind of information can the PAC request as she reviews the Request for Review?

The PAC can request any information necessary to decide whether an OMA violation has occurred. Under OMA, the PAC has the same authority as a court to request and review any audio or video tapes of a closed meeting.

What are the penalties that a public body may incur if it violates the Open Meetings Act?

Criminal Penalties: Under the law, a State's Attorney may bring a criminal action for a violation of the Open Meetings Act. A violation of OMA is a Class C misdemeanor, which is punishable by up to 30 days in jail and a fine of up to $1,000.

Civil Penalties: In a civil lawsuit for a violation of OMA, a court may take a number of actions, including (1) ordering a public body to conduct an open meeting, (2) granting an injunction against future violations by the public body, (3) ordering the public body to make available to the public the minutes of a closed meeting, (4) declaring null and void any final action taken at a closed meeting in violation of OMA, or (5) awarding any other relief that the court deems appropriate. The court also may require the public body to pay the attorney's fees and costs of the person who filed the civil lawsuit alleging the OMA violation.

Information maintained by the Legislative Reference Bureau

Updating the database of the Illinois Compiled Statutes (ILCS) is an ongoing process. Recent laws may not yet be included in the ILCS database, but they are found on this site as Public Acts soon after they become law. For information concerning the relationship between statutes and Public Acts, refer to the Guide.

Because the statute database is maintained primarily for legislative drafting purposes, statutory changes are sometimes included in the statute database before they take effect. If the source note at the end of a Section of the statutes includes a Public Act that has not yet taken effect, the version of the law that is currently in effect may have already been removed from the database and you should refer to that Public Act to see the changes made to the current law.

GENERAL PROVISIONS
(5 ILCS 120/) Open Meetings Act.

(5 ILCS 120/1) (from Ch. 102, par. 41)

Sec. 1. Policy. It is the public policy of this State that public bodies exist to aid in the conduct of the people's business and that the people have a right to be informed as to the conduct of their business. In order that the people shall be informed, the General Assembly finds and declares that it is the intent of this Act to ensure that the actions of public bodies be taken openly and that their deliberations be conducted openly.

The General Assembly further declares it to be the public policy of this State that its citizens shall be given advance notice of and the right to attend all meetings at which any business of a public body is discussed or acted upon in any way. Exceptions to the public's right to attend exist only in those limited circumstances where the General Assembly has specifically determined that the public interest would be clearly endangered or the personal privacy or guaranteed rights of individuals would be clearly in danger of unwarranted invasion.

To implement this policy, the General Assembly declares:

(1) It is the intent of this Act to protect the citizen's right to know; and

(2) The provisions for exceptions to the open meeting requirements shall be strictly construed against closed meetings.

(Source: P.A. 88-621, eff. 1-1-95.)

(5 ILCS 120/1.01) (from Ch. 102, par. 41.01)

Sec. 1.01. This Act shall be known and may be cited as the Open Meetings Act.

(Source: P.A. 82-378.)

(5 ILCS 120/1.02) (from Ch. 102, par. 41.02)

Sec. 1.02. For the purposes of this Act:

"Meeting" means any gathering, whether in person or by video or audio conference, telephone call, electronic means (such as, without limitation, electronic mail, electronic chat, and instant messaging), or other means of contemporaneous interactive communication, of a majority of a quorum of the members of a public body held for the purpose of discussing public business or, for a 5-member public body, a

quorum of the members of a public body held for the purpose of discussing public business.

Accordingly, for a 5-member public body, 3 members of the body constitute a quorum and the affirmative vote of 3 members is necessary to adopt any motion, resolution, or ordinance, unless a greater number is otherwise required.

"Public body" includes all legislative, executive, administrative or advisory bodies of the State, counties, townships, cities, villages, incorporated towns, school districts and all other municipal corporations, boards, bureaus, committees or commissions of this State, and any subsidiary bodies of any of the foregoing including but not limited to committees and subcommittees which are supported in whole or in part by tax revenue, or which expend tax revenue, except the General Assembly and committees or commissions thereof. "Public body" includes tourism boards and convention or civic center boards located in counties that are contiguous to the Mississippi River with populations of more than 250,000 but less than 300,000. "Public body" includes the Health Facilities and Services Review Board. "Public body" does not include a child death review team or the Illinois Child Death Review Teams Executive Council established under the Child Death Review Team Act, an ethics commission acting under the State Officials and Employees Ethics Act, or the Illinois Independent Tax Tribunal.

(Source: P.A. 96-31, eff. 6-30-09; 97-1129, eff. 8-28-12.)

(5 ILCS 120/1.05)

Sec. 1.05. Training.

(a) Every public body shall designate employees, officers, or members to receive training on compliance with this Act. Each public body shall submit a list of designated employees, officers, or members to the Public Access Counselor. Within 6 months after the effective date of this amendatory Act of the 96th General Assembly, the designated employees, officers, and members must successfully complete an electronic training curriculum, developed and administered by the Public Access Counselor, and thereafter must successfully complete an annual training program. Thereafter, whenever a public body designates an additional employee, officer, or member to receive this training, that person must successfully complete the electronic training curriculum within 30 days after that designation.

(b) Except as otherwise provided in this Section, each elected or appointed member of a public body subject to this Act who is such a member on the effective date of this amendatory Act of the 97th General Assembly must successfully complete the electronic training curriculum developed and administered by the Public Access Counselor. For these members, the training must be completed within one year after the effective date of this amendatory Act.

Except as otherwise provided in this Section, each elected or appointed member of a public body subject to this Act who becomes such a member after the effective date of this amendatory Act of the 97th General Assembly shall successfully complete the electronic training curriculum developed and

administered by the Public Access Counselor. For these members, the training must be completed not later than the 90th day after the date the member:

(1) takes the oath of office, if the member is required to take an oath of office to assume the person's duties as a member of the public body; or

(2) otherwise assumes responsibilities as a member of the public body, if the member is not required to take an oath of office to assume the person's duties as a member of the governmental body.

Each member successfully completing the electronic training curriculum shall file a copy of the certificate of completion with the public body.

Completing the required training as a member of the public body satisfies the requirements of this Section with regard to the member's service on a committee or subcommittee of the public body and the member's ex officio service on any other public body.

The failure of one or more members of a public body to complete the training required by this Section does not affect the validity of an action taken by the public body.

An elected or appointed member of a public body subject to this Act who has successfully completed the training required under this subsection (b) and filed a copy of the certificate of completion with the public body is not required to subsequently complete the training required under this subsection (b).

(c) An elected school board member may satisfy the training requirements of this Section by participating in a course of training sponsored or conducted by an organization created under Article 23 of the School Code. The course of training shall include, but not be limited to, instruction in:

(1) the general background of the legal requirements for open meetings;

(2) the applicability of this Act to public bodies;

(3) procedures and requirements regarding quorums, notice, and record-keeping under this Act;

(4) procedures and requirements for holding an open meeting and for holding a closed meeting under this Act; and

(5) penalties and other consequences for failing to comply with this Act.

If an organization created under Article 23 of the School Code provides a course of training under this subsection (c), it must provide a certificate of course completion to each school board member who successfully completes that course of training.

(d) A commissioner of a drainage district may satisfy the training requirements of this Section by participating in a course of training sponsored or conducted by an organization that represents the drainage districts created under the Illinois Drainage Code. The course of training shall include, but not be limited to, instruction in:

(1) the general background of the legal requirements for open meetings;

(2) the applicability of this Act to public bodies;

(3) procedures and requirements regarding quorums,

notice, and record-keeping under this Act;

(4) procedures and requirements for holding an open meeting and for holding a closed meeting under this Act; and

(5) penalties and other consequences for failing to comply with this Act.

If an organization that represents the drainage districts created under the Illinois Drainage Code provides a course of training under this subsection (d), it must provide a certificate of course completion to each commissioner who successfully completes that course of training.

(e) A director of a soil and water conservation district may satisfy the training requirements of this Section by participating in a course of training sponsored or conducted by an organization that represents soil and water conservation districts created under the Soil and Water Conservation Districts Act. The course of training shall include, but not be limited to, instruction in:

(1) the general background of the legal requirements for open meetings;

(2) the applicability of this Act to public bodies;

(3) procedures and requirements regarding quorums, notice, and record-keeping under this Act;

(4) procedures and requirements for holding an open meeting and for holding a closed meeting under this Act; and

(5) penalties and other consequences for failing to comply with this Act.

If an organization that represents the soil and water conservation districts created under the Soil and Water Conservation Districts Act provides a course of training under this subsection (e), it must provide a certificate of course completion to each director who successfully completes that course of training.

(Source: P.A. 96-542, eff. 1-1-10; 97-504, eff. 1-1-12; 97-1153, eff. 1-25-13.)

(5 ILCS 120/2) (from Ch. 102, par. 42)

Sec. 2. Open meetings.

(a) Openness required. All meetings of public bodies shall be open to the public unless excepted in subsection (c) and closed in accordance with Section 2a.

(b) Construction of exceptions. The exceptions contained in subsection (c) are in derogation of the requirement that public bodies meet in the open, and therefore, the exceptions are to be strictly construed, extending only to subjects clearly within their scope. The exceptions authorize but do not require the holding of a closed meeting to discuss a subject included within an enumerated exception.

(c) Exceptions. A public body may hold closed meetings to consider the following subjects:

(1) The appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the public body or legal counsel for the public body, including hearing testimony on a complaint lodged against an employee of the public body or against

legal counsel for the public body to determine its validity.

(2) Collective negotiating matters between the public body and its employees or their representatives, or deliberations concerning salary schedules for one or more classes of employees.

(3) The selection of a person to fill a public office, as defined in this Act, including a vacancy in a public office, when the public body is given power to appoint under law or ordinance, or the discipline, performance or removal of the occupant of a public office, when the public body is given power to remove the occupant under law or ordinance.

(4) Evidence or testimony presented in open hearing, or in closed hearing where specifically authorized by law, to a quasi-adjudicative body, as defined in this Act, provided that the body prepares and makes available for public inspection a written decision setting forth its determinative reasoning.

(5) The purchase or lease of real property for the use of the public body, including meetings held for the purpose of discussing whether a particular parcel should be acquired.

(6) The setting of a price for sale or lease of property owned by the public body.

(7) The sale or purchase of securities, investments, or investment contracts. This exception shall not apply to the investment of assets or income of funds deposited into the Illinois Prepaid Tuition Trust Fund.

(8) Security procedures and the use of personnel and equipment to respond to an actual, a threatened, or a reasonably potential danger to the safety of employees, students, staff, the public, or public property.

(9) Student disciplinary cases.

(10) The placement of individual students in special education programs and other matters relating to individual students.

(11) Litigation, when an action against, affecting or on behalf of the particular public body has been filed and is pending before a court or administrative tribunal, or when the public body finds that an action is probable or imminent, in which case the basis for the finding shall be recorded and entered into the minutes of the closed meeting.

(12) The establishment of reserves or settlement of claims as provided in the Local Governmental and Governmental Employees Tort Immunity Act, if otherwise the disposition of a claim or potential claim might be prejudiced, or the review or discussion of claims, loss or risk management information, records, data, advice or communications from or with respect to any insurer of the public body or any intergovernmental risk management association or self insurance pool of which the public body is a member.

(13) Conciliation of complaints of discrimination in the sale or rental of housing, when closed meetings are authorized by the law or ordinance prescribing fair

housing practices and creating a commission or administrative agency for their enforcement.

(14) Informant sources, the hiring or assignment of undercover personnel or equipment, or ongoing, prior or future criminal investigations, when discussed by a public body with criminal investigatory responsibilities.

(15) Professional ethics or performance when considered by an advisory body appointed to advise a licensing or regulatory agency on matters germane to the advisory body's field of competence.

(16) Self evaluation, practices and procedures or professional ethics, when meeting with a representative of a statewide association of which the public body is a member.

(17) The recruitment, credentialing, discipline or formal peer review of physicians or other health care professionals for a hospital, or other institution providing medical care, that is operated by the public body.

(18) Deliberations for decisions of the Prisoner Review Board.

(19) Review or discussion of applications received under the Experimental Organ Transplantation Procedures Act.

(20) The classification and discussion of matters classified as confidential or continued confidential by the State Government Suggestion Award Board.

(21) Discussion of minutes of meetings lawfully closed under this Act, whether for purposes of approval by the body of the minutes or semi-annual review of the minutes as mandated by Section 2.06.

(22) Deliberations for decisions of the State Emergency Medical Services Disciplinary Review Board.

(23) The operation by a municipality of a municipal utility or the operation of a municipal power agency or municipal natural gas agency when the discussion involves (i) contracts relating to the purchase, sale, or delivery of electricity or natural gas or (ii) the results or conclusions of load forecast studies.

(24) Meetings of a residential health care facility resident sexual assault and death review team or the Executive Council under the Abuse Prevention Review Team Act.

(25) Meetings of an independent team of experts under Brian's Law.

(26) Meetings of a mortality review team appointed under the Department of Juvenile Justice Mortality Review Team Act.

(27) Confidential information, when discussed by one or more members of an elder abuse fatality review team, designated under Section 15 of the Elder Abuse and Neglect Act, while participating in a review conducted by that team of the death of an elderly person in which abuse or neglect is suspected, alleged, or substantiated; provided that before the review team holds a closed meeting, or closes an open meeting, to discuss the confidential information, each participating review team member seeking

to disclose the confidential information in the closed meeting or closed portion of the meeting must state on the record during an open meeting or the open portion of a meeting the nature of the information to be disclosed and the legal basis for otherwise holding that information confidential.

(28) Correspondence and records (i) that may not be disclosed under Section 11-9 of the Public Aid Code or (ii) that pertain to appeals under Section 11-8 of the Public Aid Code.

(29) Meetings between internal or external auditors and governmental audit committees, finance committees, and their equivalents, when the discussion involves internal control weaknesses, identification of potential fraud risk areas, known or suspected frauds, and fraud interviews conducted in accordance with generally accepted auditing standards of the United States of America.

(d) Definitions. For purposes of this Section:

"Employee" means a person employed by a public body whose relationship with the public body constitutes an employer-employee relationship under the usual common law rules, and who is not an independent contractor.

"Public office" means a position created by or under the Constitution or laws of this State, the occupant of which is charged with the exercise of some portion of the sovereign power of this State. The term "public office" shall include members of the public body, but it shall not include organizational positions filled by members thereof, whether established by law or by a public body itself, that exist to assist the body in the conduct of its business.

"Quasi-adjudicative body" means an administrative body charged by law or ordinance with the responsibility to conduct hearings, receive evidence or testimony and make determinations based thereon, but does not include local electoral boards when such bodies are considering petition challenges.

(e) Final action. No final action may be taken at a closed meeting. Final action shall be preceded by a public recital of the nature of the matter being considered and other information that will inform the public of the business being conducted.

(Source: P.A. 96-1235, eff. 1-1-11; 96-1378, eff. 7-29-10; 96-1428, eff. 8-11-10; 97-318, eff. 1-1-12; 97-333, eff. 8-12-11; 97-452, eff. 8-19-11; 97-813, eff. 7-13-12; 97-876, eff. 8-1-12.)

(5 ILCS 120/2.01) (from Ch. 102, par. 42.01)

Sec. 2.01. All meetings required by this Act to be public shall be held at specified times and places which are convenient and open to the public. No meeting required by this Act to be public shall be held on a legal holiday unless the regular meeting day falls on that holiday.

A quorum of members of a public body must be physically present at the location of an open meeting. If, however, an open meeting of a public body (i) with statewide jurisdiction, (ii) that is an Illinois library system with jurisdiction over

a specific geographic area of more than 4,500 square miles, or (iii) that is a municipal transit district with jurisdiction over a specific geographic area of more than 4,500 square miles is held simultaneously at one of its offices and one or more other locations in a public building, which may include other of its offices, through an interactive video conference and the public body provides public notice and public access as required under this Act for all locations, then members physically present in those locations all count towards determining a quorum. "Public building", as used in this Section, means any building or portion thereof owned or leased by any public body. The requirement that a quorum be physically present at the location of an open meeting shall not apply, however, to State advisory boards or bodies that do not have authority to make binding recommendations or determinations or to take any other substantive action.

A quorum of members of a public body that is not (i) a public body with statewide jurisdiction, (ii) an Illinois library system with jurisdiction over a specific geographic area of more than 4,500 square miles, or (iii) a municipal transit district with jurisdiction over a specific geographic area of more than 4,500 square miles must be physically present at the location of a closed meeting. Other members who are not physically present at a closed meeting of such a public body may participate in the meeting by means of a video or audio conference.

(Source: P.A. 96-664, eff. 8-25-09; 96-1043, eff. 1-1-11.)

(5 ILCS 120/2.02) (from Ch. 102, par. 42.02)

Sec. 2.02. Public notice of all meetings, whether open or closed to the public, shall be given as follows:

(a) Every public body shall give public notice of the schedule of regular meetings at the beginning of each calendar or fiscal year and shall state the regular dates, times, and places of such meetings. An agenda for each regular meeting shall be posted at the principal office of the public body and at the location where the meeting is to be held at least 48 hours in advance of the holding of the meeting. A public body that has a website that the full-time staff of the public body maintains shall also post on its website the agenda of any regular meetings of the governing body of that public body. Any agenda of a regular meeting that is posted on a public body's website shall remain posted on the website until the regular meeting is concluded. The requirement of a regular meeting agenda shall not preclude the consideration of items not specifically set forth in the agenda. Public notice of any special meeting except a meeting held in the event of a bona fide emergency, or of any rescheduled regular meeting, or of any reconvened meeting, shall be given at least 48 hours before such meeting, which notice shall also include the agenda for the special, rescheduled, or reconvened meeting, but the validity of any action taken by the public body which is germane to a subject on the agenda shall not be affected by other errors or omissions in the agenda. The requirement of public notice of reconvened meetings does not apply to any case where the meeting was open to the public and (1) it is to

be reconvened within 24 hours, or (2) an announcement of the time and place of the reconvened meeting was made at the original meeting and there is no change in the agenda. Notice of an emergency meeting shall be given as soon as practicable, but in any event prior to the holding of such meeting, to any news medium which has filed an annual request for notice under subsection (b) of this Section.

(b) Public notice shall be given by posting a copy of the notice at the principal office of the body holding the meeting or, if no such office exists, at the building in which the meeting is to be held. In addition, a public body that has a website that the full-time staff of the public body maintains shall post notice on its website of all meetings of the governing body of the public body. Any notice of an annual schedule of meetings shall remain on the website until a new public notice of the schedule of regular meetings is approved. Any notice of a regular meeting that is posted on a public body's website shall remain posted on the website until the regular meeting is concluded. The body shall supply copies of the notice of its regular meetings, and of the notice of any special, emergency, rescheduled or reconvened meeting, to any news medium that has filed an annual request for such notice. Any such news medium shall also be given the same notice of all special, emergency, rescheduled or reconvened meetings in the same manner as is given to members of the body provided such news medium has given the public body an address or telephone number within the territorial jurisdiction of the public body at which such notice may be given. The failure of a public body to post on its website notice of any meeting or the agenda of any meeting shall not invalidate any meeting or any actions taken at a meeting.

(c) Any agenda required under this Section shall set forth the general subject matter of any resolution or ordinance that will be the subject of final action at the meeting. The public body conducting a public meeting shall ensure that at least one copy of any requested notice and agenda for the meeting is continuously available for public review during the entire 48-hour period preceding the meeting. Posting of the notice and agenda on a website that is maintained by the public body satisfies the requirement for continuous posting under this subsection (c). If a notice or agenda is not continuously available for the full 48-hour period due to actions outside of the control of the public body, then that lack of availability does not invalidate any meeting or action taken at a meeting.

(Source: P.A. 97-827, eff. 1-1-13.)

(5 ILCS 120/2.03) (from Ch. 102, par. 42.03)

Sec. 2.03. In addition to the notice required by Section 2.02, each body subject to this Act must, at the beginning of each calendar or fiscal year, prepare and make available a schedule of all its regular meetings for such calendar or fiscal year, listing the times and places of such meetings.

If a change is made in regular meeting dates, at least 10 days' notice of such change shall be given by publication in a newspaper of general circulation in the area in which such

body functions. However, in the case of bodies of local governmental units with a population of less than 500 in which no newspaper is published, such 10 days' notice may be given by posting a notice of such change in at least 3 prominent places within the governmental unit. Notice of such change shall also be posted at the principal office of the public body or, if no such office exists, at the building in which the meeting is to be held. Notice of such change shall also be supplied to those news media which have filed an annual request for notice as provided in paragraph (b) of Section 2.02.
(Source: Laws 1967, p. 1960.)

(5 ILCS 120/2.04) (from Ch. 102, par. 42.04)
Sec. 2.04. The notice requirements of this Act are in addition to, and not in substitution of, any other notice required by law. Failure of any news medium to receive a notice provided for by this Act shall not invalidate any meeting provided notice was in fact given in accordance with this Act.
(Source: Laws 1967, p. 1960.)

(5 ILCS 120/2.05) (from Ch. 102, par. 42.05)
Sec. 2.05. Recording meetings. Subject to the provisions of Section 8-701 of the Code of Civil Procedure, any person may record the proceedings at meetings required to be open by this Act by tape, film or other means. The authority holding the meeting shall prescribe reasonable rules to govern the right to make such recordings.
If a witness at any meeting required to be open by this Act which is conducted by a commission, administrative agency or other tribunal, refuses to testify on the grounds that he may not be compelled to testify if any portion of his testimony is to be broadcast or televised or if motion pictures are to be taken of him while he is testifying, the authority holding the meeting shall prohibit such recording during the testimony of the witness. Nothing in this Section shall be construed to extend the right to refuse to testify at any meeting not subject to the provisions of Section 8-701 of the Code of Civil Procedure.
(Source: P.A. 94-1058, eff. 1-1-07.)

(5 ILCS 120/2.06) (from Ch. 102, par. 42.06)
Sec. 2.06. Minutes; right to speak.
(a) All public bodies shall keep written minutes of all their meetings, whether open or closed, and a verbatim record of all their closed meetings in the form of an audio or video recording. Minutes shall include, but need not be limited to:
(1) the date, time and place of the meeting;
(2) the members of the public body recorded as either present or absent and whether the members were physically present or present by means of video or audio conference; and
(3) a summary of discussion on all matters proposed,

deliberated, or decided, and a record of any votes taken.

(b) A public body shall approve the minutes of its open meeting within 30 days after that meeting or at the public body's second subsequent regular meeting, whichever is later. The minutes of meetings open to the public shall be available for public inspection within 10 days after the approval of such minutes by the public body. Beginning July 1, 2006, at the time it complies with the other requirements of this subsection, a public body that has a website that the full-time staff of the public body maintains shall post the minutes of a regular meeting of its governing body open to the public on the public body's website within 10 days after the approval of the minutes by the public body. Beginning July 1, 2006, any minutes of meetings open to the public posted on the public body's website shall remain posted on the website for at least 60 days after their initial posting.

(c) The verbatim record may be destroyed without notification to or the approval of a records commission or the State Archivist under the Local Records Act or the State Records Act no less than 18 months after the completion of the meeting recorded but only after:

(1) the public body approves the destruction of a particular recording; and

(2) the public body approves minutes of the closed meeting that meet the written minutes requirements of subsection (a) of this Section.

(d) Each public body shall periodically, but no less than semi-annually, meet to review minutes of all closed meetings. At such meetings a determination shall be made, and reported in an open session that (1) the need for confidentiality still exists as to all or part of those minutes or (2) that the minutes or portions thereof no longer require confidential treatment and are available for public inspection. The failure of a public body to strictly comply with the semi-annual review of closed session written minutes, whether before or after the effective date of this amendatory Act of the 94th General Assembly, shall not cause the written minutes or related verbatim record to become public or available for inspection in any judicial proceeding, other than a proceeding involving an alleged violation of this Act, if the public body, within 60 days of discovering its failure to strictly comply with the technical requirements of this subsection, reviews the closed session minutes and determines and thereafter reports in open session that either (1) the need for confidentiality still exists as to all or part of the minutes or verbatim record, or (2) that the minutes or recordings or portions thereof no longer require confidential treatment and are available for public inspection.

(e) Unless the public body has made a determination that the verbatim recording no longer requires confidential treatment or otherwise consents to disclosure, the verbatim record of a meeting closed to the public shall not be open for public inspection or subject to discovery in any administrative or judicial proceeding other than one brought to enforce this Act. In the case of a civil action brought to enforce this Act, the court, if the judge believes such an examination is necessary, must conduct such in camera

examination of the verbatim record as it finds appropriate in order to determine whether there has been a violation of this Act. In the case of a criminal proceeding, the court may conduct an examination in order to determine what portions, if any, must be made available to the parties for use as evidence in the prosecution. Any such initial inspection must be held in camera. If the court determines that a complaint or suit brought for noncompliance under this Act is valid it may, for the purposes of discovery, redact from the minutes of the meeting closed to the public any information deemed to qualify under the attorney-client privilege. The provisions of this subsection do not supersede the privacy or confidentiality provisions of State or federal law.

(f) Minutes of meetings closed to the public shall be available only after the public body determines that it is no longer necessary to protect the public interest or the privacy of an individual by keeping them confidential.

(g) Any person shall be permitted an opportunity to address public officials under the rules established and recorded by the public body.

(Source: P.A. 96-1473, eff. 1-1-11.)

(5 ILCS 120/2a) (from Ch. 102, par. 42a)

Sec. 2a. A public body may hold a meeting closed to the public, or close a portion of a meeting to the public, upon a majority vote of a quorum present, taken at a meeting open to the public for which notice has been given as required by this Act. A single vote may be taken with respect to a series of meetings, a portion or portions of which are proposed to be closed to the public, provided each meeting in such series involves the same particular matters and is scheduled to be held within no more than 3 months of the vote. The vote of each member on the question of holding a meeting closed to the public and a citation to the specific exception contained in Section 2 of this Act which authorizes the closing of the meeting to the public shall be publicly disclosed at the time of the vote and shall be recorded and entered into the minutes of the meeting. Nothing in this Section or this Act shall be construed to require that any meeting be closed to the public.

At any open meeting of a public body for which proper notice under this Act has been given, the body may, without additional notice under Section 2.02, hold a closed meeting in accordance with this Act. Only topics specified in the vote to close under this Section may be considered during the closed meeting.

(Source: P.A. 88-621, eff. 1-1-95; 89-86, eff. 6-30-95.)

(5 ILCS 120/2b)

Sec. 2b. (Repealed).

(Source: Repealed by P.A. 88-621, eff. 1-1-95.)

(5 ILCS 120/3) (from Ch. 102, par. 43)

Sec. 3. (a) Where the provisions of this Act are not complied with, or where there is probable cause to believe

that the provisions of this Act will not be complied with, any person, including the State's Attorney of the county in which such noncompliance may occur, may bring a civil action in the circuit court for the judicial circuit in which the alleged noncompliance has occurred or is about to occur, or in which the affected public body has its principal office, prior to or within 60 days of the meeting alleged to be in violation of this Act or, if facts concerning the meeting are not discovered within the 60-day period, within 60 days of the discovery of a violation by the State's Attorney.

Records that are obtained by a State's Attorney from a public body for purposes of reviewing whether the public body has complied with this Act may not be disclosed to the public. Those records, while in the possession of the State's Attorney, are exempt from disclosure under the Freedom of Information Act.

(b) In deciding such a case the court may examine in camera any portion of the minutes of a meeting at which a violation of the Act is alleged to have occurred, and may take such additional evidence as it deems necessary.

(c) The court, having due regard for orderly administration and the public interest, as well as for the interests of the parties, may grant such relief as it deems appropriate, including granting a relief by mandamus requiring that a meeting be open to the public, granting an injunction against future violations of this Act, ordering the public body to make available to the public such portion of the minutes of a meeting as is not authorized to be kept confidential under this Act, or declaring null and void any final action taken at a closed meeting in violation of this Act.

(d) The court may assess against any party, except a State's Attorney, reasonable attorney's fees and other litigation costs reasonably incurred by any other party who substantially prevails in any action brought in accordance with this Section, provided that costs may be assessed against any private party or parties bringing an action pursuant to this Section only upon the court's determination that the action is malicious or frivolous in nature.
(Source: P.A. 96-542, eff. 1-1-10.)

(5 ILCS 120/3.5)

Sec. 3.5. Public Access Counselor; opinions.

(a) A person who believes that a violation of this Act by a public body has occurred may file a request for review with the Public Access Counselor established in the Office of the Attorney General not later than 60 days after the alleged violation. The request for review must be in writing, must be signed by the requester, and must include a summary of the facts supporting the allegation.

(b) Upon receipt of a request for review, the Public Access Counselor shall determine whether further action is warranted. If the Public Access Counselor determines from the request for review that the alleged violation is unfounded, he or she shall so advise the requester and the public body and no further action shall be undertaken. In all other cases, the

Public Access Counselor shall forward a copy of the request for review to the public body within 7 working days. The Public Access Counselor shall specify the records or other documents that the public body shall furnish to facilitate the review. Within 7 working days after receipt of the request for review, the public body shall provide copies of the records requested and shall otherwise fully cooperate with the Public Access Counselor. If a public body fails to furnish specified records pursuant to this Section, or if otherwise necessary, the Attorney General may issue a subpoena to any person or public body having knowledge of or records pertaining to an alleged violation of this Act. For purposes of conducting a thorough review, the Public Access Counselor has the same right to examine a verbatim recording of a meeting closed to the public or the minutes of a closed meeting as does a court in a civil action brought to enforce this Act.

(c) Within 7 working days after it receives a copy of a request for review and request for production of records from the Public Access Counselor, the public body may, but is not required to, answer the allegations of the request for review. The answer may take the form of a letter, brief, or memorandum. Upon request, the public body may also furnish the Public Access Counselor with a redacted copy of the answer excluding specific references to any matters at issue. The Public Access Counselor shall forward a copy of the answer or redacted answer, if furnished, to the person submitting the request for review. The requester may, but is not required to, respond in writing to the answer within 7 working days and shall provide a copy of the response to the public body.

(d) In addition to the request for review, and the answer and the response thereto, if any, a requester or a public body may furnish affidavits and records concerning any matter germane to the review.

(e) Unless the Public Access Counselor extends the time by no more than 21 business days by sending written notice to the requester and public body that includes a statement of the reasons for the extension in the notice, or decides to address the matter without the issuance of a binding opinion, the Attorney General shall examine the issues and the records, shall make findings of fact and conclusions of law, and shall issue to the requester and the public body an opinion within 60 days after initiating review. The opinion shall be binding upon both the requester and the public body, subject to administrative review under Section 7.5 of this Act.

In responding to any written request under this Section 3.5, the Attorney General may exercise his or her discretion and choose to resolve a request for review by mediation or by a means other than the issuance of a binding opinion. The decision not to issue a binding opinion shall not be reviewable.

Upon receipt of a binding opinion concluding that a violation of this Act has occurred, the public body shall either take necessary action as soon as practical to comply with the directive of the opinion or shall initiate administrative review under Section 7.5. If the opinion concludes that no violation of the Act has occurred, the requester may initiate administrative review under Section

7.5.

(f) If the requester files suit under Section 3 with respect to the same alleged violation that is the subject of a pending request for review, the requester shall notify the Public Access Counselor, and the Public Access Counselor shall take no further action with respect to the request for review and shall so notify the public body.

(g) Records that are obtained by the Public Access Counselor from a public body for purposes of addressing a request for review under this Section 3.5 may not be disclosed to the public, including the requester, by the Public Access Counselor. Those records, while in the possession of the Public Access Counselor, shall be exempt from disclosure by the Public Access Counselor under the Freedom of Information Act.

(h) The Attorney General may also issue advisory opinions to public bodies regarding compliance with this Act. A review may be initiated upon receipt of a written request from the head of the public body or its attorney. The request must contain sufficient accurate facts from which a determination can be made. The Public Access Counselor may request additional information from the public body in order to facilitate the review. A public body that relies in good faith on an advisory opinion of the Attorney General in complying with the requirements of this Act is not liable for penalties under this Act, so long as the facts upon which the opinion is based have been fully and fairly disclosed to the Public Access Counselor.

(Source: P.A. 96-542, eff. 1-1-10.)

(5 ILCS 120/4) (from Ch. 102, par. 44)

Sec. 4. Any person violating any of the provisions of this Act, except subsection (b), (c), (d), or (e) of Section 1.05, shall be guilty of a Class C misdemeanor.

(Source: P.A. 97-504, eff. 1-1-12; 97-1153, eff. 1-25-13.)

(5 ILCS 120/5) (from Ch. 102, par. 45)

Sec. 5. If any provision of this Act, or the application of this Act to any particular meeting or type of meeting is held invalid or unconstitutional, such decision shall not affect the validity of the remaining provisions or the other applications of this Act.

(Source: Laws 1957, p. 2892.)

(5 ILCS 120/6) (from Ch. 102, par. 46)

Sec. 6. The provisions of this Act constitute minimum requirements for home rule units; any home rule unit may enact an ordinance prescribing more stringent requirements binding upon itself which would serve to give further notice to the public and facilitate public access to meetings.

(Source: P.A. 78-448.)

(5 ILCS 120/7)

Sec. 7. Attendance by a means other than physical presence.

(a) If a quorum of the members of the public body is physically present as required by Section 2.01, a majority of the public body may allow a member of that body to attend the meeting by other means if the member is prevented from physically attending because of: (i) personal illness or disability; (ii) employment purposes or the business of the public body; or (iii) a family or other emergency. "Other means" is by video or audio conference.

(b) If a member wishes to attend a meeting by other means, the member must notify the recording secretary or clerk of the public body before the meeting unless advance notice is impractical.

(c) A majority of the public body may allow a member to attend a meeting by other means only in accordance with and to the extent allowed by rules adopted by the public body. The rules must conform to the requirements and restrictions of this Section, may further limit the extent to which attendance by other means is allowed, and may provide for the giving of additional notice to the public or further facilitate public access to meetings.

(d) The limitations of this Section shall not apply to (i) closed meetings of (A) public bodies with statewide jurisdiction, (B) Illinois library systems with jurisdiction over a specific geographic area of more than 4,500 square miles, or (C) municipal transit districts with jurisdiction over a specific geographic area of more than 4,500 square miles or (ii) open or closed meetings of State advisory boards or bodies that do not have authority to make binding recommendations or determinations or to take any other substantive action. State advisory boards or bodies, public bodies with statewide jurisdiction, Illinois library systems with jurisdiction over a specific geographic area of more than 4,500 square miles, and municipal transit districts with jurisdiction over a specific geographic area of more than 4,500 square miles, however, may permit members to attend meetings by other means only in accordance with and to the extent allowed by specific procedural rules adopted by the body.

(Source: P.A. 96-664, eff. 8-25-09; 96-1043, eff. 1-1-11.)

(5 ILCS 120/7.3)

Sec. 7.3. Duty to post information pertaining to benefits offered through the Illinois Municipal Retirement Fund.

(a) Within 6 business days after an employer participating in the Illinois Municipal Retirement Fund approves a budget, that employer must post on its website the total compensation package for each employee having a total compensation package that exceeds $75,000 per year. If the employer does not maintain a website, the employer must post a physical copy of this information at the principal office of the employer. If an employer maintains a website, it may choose to post a physical copy of this information at the principal office of the employer in lieu of posting the information directly on the website; however, the employer must post directions on the

website on how to access that information.

(b) At least 6 days before an employer participating in the Illinois Municipal Retirement Fund approves an employee's total compensation package that is equal to or in excess of $150,000 per year, the employer must post on its website the total compensation package for that employee. If the employer does not maintain a website, the employer shall post a physical copy of this information at the principal office of the employer. If an employer maintains a website, it may choose to post a physical copy of this information at the principal office of the employer in lieu of posting the information directly on the website; however, the employer must post directions on the website on how to access that information.

(c) For the purposes of this Section, "total compensation package" means payment by the employer to the employee for salary, health insurance, a housing allowance, a vehicle allowance, a clothing allowance, bonuses, loans, vacation days granted, and sick days granted.

(Source: P.A. 97-609, eff. 1-1-12.)

(5 ILCS 120/7.5)

Sec. 7.5. Administrative review. A binding opinion issued by the Attorney General shall be considered a final decision of an administrative agency, for purposes of administrative review under the Administrative Review Law (735 ILCS 5/Art. III). An action for administrative review of a binding opinion of the Attorney General shall be commenced in Cook or Sangamon County. An advisory opinion issued to a public body shall not be considered a final decision of the Attorney General for purposes of this Section.

(Source: P.A. 96-542, eff. 1-1-10.)

WHAT IF I SUSPECT A COUNTY EMPLOYEE OR OFFICIAL OF ETHICAL MISCONDUCT?

County employees and officials should contact the Board of Ethics if they suspect any possible violation of the Code of Conduct. All requests for an investigation of a suspected violation of the Code of Conduct are completely confidential. No official or employee can be discharged, threatened or otherwise discriminated against because he or she reports, or is about to report, a violation, or suspected violation, of the Ethics Ordinance. No official or employee can be disciplined, or threatened with discipline, for cooperating with an investigation, hearing or inquiry held pursuant to the Ethics Ordinance, or in any related court action.

HOW CAN I LEARN MORE ABOUT ETHICS AND THE CODE OF CONDUCT?

A top priority of the Board of Ethics is to familiarize all Cook County officials and employees with the Ethics Ordinance and its specific applicability to each department. Training sessions provide the attendees with a hypothetical set of ethical circumstances which they may confront in their daily work experiences. Exercises are designed to demonstrate how employees should, through careful analysis, consider ethical issues an integral part of their daily decision-making process.

Each elected official, members of each official's personal staff and each employee holding a senior administrative service position with the County, are required by state law and the Cook County Ordinance to attend an Ethics Education Seminar within 120 days of employment. There is a $500 fine for failing to attend mandatory ethics training in a timely manner.

- The Board of Ethics conducts regularly scheduled ethics training the first Tuesday of every month at 69 W. Washington, 34th Floor Conference Room.
- Contact the Board of Ethics at (312) 603-4304 to schedule a training session.

ADDITIONAL INFORMATION

PURSUANT TO EXECUTIVE ORDER 2010-2, ALL EMPLOYEES AND OFFICERS UNDER THE JURISDICTION OF THE COUNTY BOARD PRESIDENT, THE COOK COUNTY HEALTH AND HOSPITALS SYSTEMS ("CCHHS") AND THE FOREST PRESERVE DISTRICT OF COOK COUNTY ("DISTRICT") WILL BE REQUIRED TO COMPLETE, AT LEAST ANNUALLY, ETHICS TRAINING OFFERED BY THE COOK COUNTY BOARD OF ETHICS.

AS A CONDITION OF HIRE, ALL NEW EMPLOYEES OR RE-HIRES UNDER THE JURISDICTION OF THE COUNTY BOARD PRESIDENT, CCHHS AND THE DISTRICT WILL BE REQUIRED TO COMPLETE ETHICS TRAINING WITHIN 90 DAYS OF THEIR EFFECTIVE DATE OF HIRE.

Any questions regarding the Cook County Ethics Ordinance should be addressed to the Cook County Board of Ethics. Copies of the Cook County Ethics Ordinance are available at:

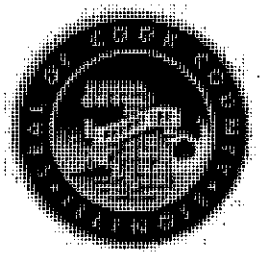
COOK COUNTY BOARD OF ETHICS
69 WEST WASHINGTON STREET, SUITE 3040
CHICAGO, ILLINOIS, 60602
WWW.COOKCOUNTYIL.GOV
OFFICE: (312) 603-4304
FAX: (312) 603-3760

BOARD OF ETHICS MEMBERS

Roseann Oliver, Chair
Pastor Samuel E. Hinkle III
Anne I. Shaw
Juan Calixto
Maribeth Vander Weele

To the extent that this brochure differs from the language of the Cook County Ethics Ordinance, the language of the Cook County Ethics Ordinance is controlling.

COOK COUNTY BOARD OF ETHICS



A GUIDE FOR COOK COUNTY OFFICIALS AND EMPLOYEES

TONI PRECKWINKLE, PRESIDENT
COOK COUNTY BOARD OF COMMISSIONERS

COOK COUNTY BOARD OF ETHICS
69 WEST WASHINGTON STREET, SUITE 3040
CHICAGO, ILLINOIS, 60602
WWW.COOKCOUNTYIL.GOV
OFFICE: (312) 603-4304
FAX: (312) 603-3760

MARYNIC U. FOSTER, EXECUTIVE DIRECTOR

WHAT IS THE BOARD OF ETHICS?

The Cook County Board of Commissioners enacted the Ethics Ordinance to establish the Cook County Board of Ethics, a volunteer five member Board, and to set forth a Code of Ethical Conduct for all County employees and officials. The Cook County Board of Ethics is responsible for the implementation and enforcement of the following directives of the Ethics Ordinance:

- Fiduciary Duty: Trust and Loyalty to the Public
- Improper Influence: Use of County Business for personal gain
- Dual Employment
- Inappropriate Gifts and Favors
- Compensation in exchange for advice or assistance in County Business
- Unlawful Use of County-Owned Property
- Disclosure of Confidential Information
- Conflicts of Interest
- Representation of Persons other than the County
- Post-Employment Restrictions
- Interest in County Business
- Employment of Relatives
- Prohibited Political Activity
- Campaign Contribution Limitations

DOES THE BOARD OF ETHICS CONDUCT INVESTIGATIONS?

Yes. The Board of Ethics investigates reports of suspected ethical misconduct. The Board of Ethics may also conduct an investigation on its own initiative.

HOW IS AN ETHICS INVESTIGATION CONDUCTED?

Ethics investigations are conducted by the Board of Ethics staff. A formal set of Rules and Regulations governs investigation procedures. The Rules include safeguards for individuals' due process rights. The Ethics Ordinance requires all County employees and officials to fully cooperate with any inquiries made by the Board of Ethics.

WHAT TYPES OF RECOMMENDATIONS MAY COME AFTER AN INVESTIGATION?

Recommendations after an investigation are dependent upon the rulings of the Board. If the Board determines no violation has occurred, the Board may recommend that no further action is required and the investigation be terminated. If the Board determines a violation has occurred, the Board may recommend ethics training, disciplinary warning, suspension, termination, fines, criminal charges, and the voiding of contracts.

DOES THE BOARD GIVE ETHICS ADVICE?

Yes. The Board of Ethics' staff may answer routine questions and inquiries. However, if, the inquiry requires interpretation of the Ethics Ordinance, the individual mnst request an official Advisory Opinion issued by the Board of Ethics.

WHAT IS AN ADVISORY OPINION?

Advisory opinions are designed to counsel County employees and officials on appropriate behavior in a particular fact situation, real or hypothetical, which they may confront during the normal course of their County employment. Requests for advisory opinions are confidential.

All requests for advisory opinions are reviewed and researched by the Board of Ethics' staff, amended as necessary, and adopted by the Board of Ethics.

WHO CAN REQUEST AN ADVISORY OPINION?

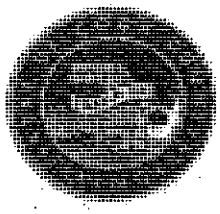
The Board has the authority to render Advisory Opinions based on requests from:

- County officials and employees or candidates for County office
- Former officials or employees who are governed by the Ordinance
- Attorneys making requests on behalf of their clients who are persons governed by the Ordinance
- County contractors
- Any other person who has personal and direct involvement in the subject matter of the request
- Campaign contributors

Individuals may review Board of Ethics Advisory Opinions Monday - Friday 8:30 a.m. to 4:30 p.m. at the Board of Ethics office. All Advisory Opinions open to public inspection are altered to preserve the confidentiality provision established in the Ethics Ordinance.

TONI PRECKWINKLE
PRESIDENT, COOK COUNTY
BOARD OF COMMISSIONERS

MARYNIC U. FOSTER
EXECUTIVE DIRECTOR



COOK COUNTY BOARD OF ETHICS
69 W. WASHINGTON STREET, SUITE 3040
CHICAGO, ILLINOIS 60602
312/603-4304 OFFICE
312/603-3760 FAX 312/603-1011 TT/TDD

BOARD OF ETHICS MEMBERS
ROSEANN OLIVER
PASTOR SAMUEL E. HINKLE III
ANNE I. SHAW
JUAN CALIXTO
MARIBETH VANDER WEELE

COOK COUNTY BOARD OF ETHICS
GIFT DISCLOSURE FORM INSTRUCTIONS

Under the Cook County Ethics Ordinance, all Cook County officials and employees must disclose to the Board of Ethics the receipt of certain gifts. This form is to be used for disclosing gift information. If you have received a gift that must be disclosed, you must complete and file this disclosure form with the Cook County Board of Ethics within ten (10) business days of receiving the gift. Failure to file is a violation of the Cook County Ethics Ordinance.

Please contact the Board of Ethics with any questions about the gift ban or gift disclosure forms.

COOK COUNTY ETHICS ORDINANCE GIFT DISCLOSURE REQUIREMENTS

I. DEFINITION OF A "GIFT"

Any gratuity, discount, entertainment, hospitality, loan, forbearance, or other tangible or intangible item having monetary value including, but not limited to, cash, food and drink, and honoraria for speaking engagements related to or attributable to government employment or the official position of an official or employee.

II. WHEN GIFTS MUST BE DISCLOSED

All Cook County officials and employees must disclose to the Board of Ethics within ten (10) business days of receipt of any gift with a value greater than $100 (or a series of gifts in a twelve month period with a value greater than $100) when the gift is received under any of the following circumstances.

A. The gift is received from a "prohibited source," defined as:

1. A person/entity who is seeking official action by the official or employee who receives the gift, or in the case of an employee, by the official or agency for whom the employee works; or

2. A person/entity who does business or is seeking to do business with the official or employee who receives the gift, or in the case of an employee, by the official or agency for whom the employee works; or

3. A person/entity who conducts activities regulated by the official or employee who receives the gift, or in the case of an employee, by the official or agency for whom the employee works; or

4. A person/entity who has interests that may be substantially affected by the performance or non-performance of the official duties of the official or employee; or

5. A person/entity who is registered or required to be registered pursuant to the County Lobbyist Ordinance.

B. The gift received for participating in:

1. Speaking engagements; or

2. Lectures; or

3. Debates; or

4. Organized discussion forums related to County position.

COOK COUNTY ETHICS ORDINANCE GIFT BAN RULES AND EXCEPTIONS

I. GENERAL RULE

Section 2-574(a) of the Cook County Ethics Ordinance bans any Cook County official or employee from soliciting or accepting any gift from any "prohibited source" or in violation of any federal or state statue, rule, or regulation, or any County ordinance, rule or regulation. This bans applies to and includes spouses and immediate family members living with the official or employee.

II. EXCEPTIONS TO THE GENERAL RULE

A. Opportunities and benefits that are available to the general public.

B. Any gift for which the recipient pays the market value.

C. Political contributions or activities associated with a fundraising event.

D. Educational materials and missions.

E. Travel expenses for a meeting to discuss County business.

F. A gift from a relative.

G. A gift based on personal friendship, unless there is a belief the gift was given because of the official position or employment of the recipient.

H. Food or refreshments not exceeding $75/person/day that are consumed on premises from which they were purchased, prepared, or catered.

I. Food, refreshments, lodging, transportation and other benefits resulting from outside business or employment activities not connected to official duties if customarily provided in connection with bona fide employment discussions.

J. Intra-office and inter-office gifts.

K. Bequests, inheritances and death benefits.

L. Any item or items from any one prohibited source during any calendar year having a cumulative total value less than $100.

III. CURING A POTENTIAL VIOLATION

An official or employee does not violate the Ordinance if the official or employee promptly takes reasonable action to:

A. Return the prohibited gift to its source; or

B. Donate the prohibited gift, or an amount equal to the gift's value, to a charity exempt from taxation under Section 501(c)(3) of the Internal Revenue Code.

COOK COUNTY BOARD OF ETHICS
GIFT DISCLOSURE FORM

I. RECIPIENT INFORMATION

Name of official or employee, spouse or family member, receiving gift (if spouse, domestic partner or civil union partner or family member, please specify relationship to official or employee):

_____

County department/agency of official or employee: _____

Title or position of official or employee: _____

Address: _____

Phone: _____

II. GIFT INFORMATION

Description of the gift: _____

Value of the gift (based on a receipt
or verification from the donor or the estimated market value): _____

Date of receipt of the gift: _____

III. DONOR INFORMATION

Donor's Name: _____

Occupation and Employer: _____

Address: _____

Phone: _____

IV. IF RECEIVED IN CONNECTION WITH PARTICIPATING IN AN EVENT

Name of event: _____

Sponsoring Organization(s): _____

Date of event: _____

Subject of event: _____

Subject of presentation (if applicable): _____

Please attach brochures, invitations, agenda, program books or other relevant information.

V. **USE OR DISPOSITION OF GIFT** **(Check all that apply and complete related information)**

☐ Gift will be retained/used by the recipient. If relevant, please identify which exception to the gift ban applies to acceptance of the gift.

_____

☐ Gift has been donated to a charity exempt from income taxation under Section 501(c)(3) of the Internal Revenue Code.

Name of charity: _____

Address: _____

Date of Donation: _____

Please attach documentation of the donation, including the receipt or acknowledgment of the donation.

☐ An amount equal to the value of the gift has been donated to a charity exempt from income taxation under Section 501(c)(3) of the Internal Revenue Code.

Name of charity: _____

Address: _____

Date of Donation: _____

Please attach documentation of the donation, including the receipt or acknowledgment of the donation.

☐ Gift has been returned by the recipient. Please attach documentation of gift's return (e.g., a letter accompanying the return of the gift or an acknowledgment from the donor that the gift was returned).

☐ Recipient has paid/reimbursed the donor for the market value of the gift. Please attach documentation of such payment, including the receipt or acknowledgment of receipt of payment.

VERIFICATION: To the best of my knowledge the information I have provided on this form is accurate and complete.

_____ _____
Signature of Recipient Date

SUBMIT COMPLETED FORM TO: Cook County Board of Ethics
69 West Washington Street, Suite 3040
Chicago, Illinois 60602
(312) 603-4304; (312) 603-3760 -fax-

Executive Director/President
Job Description

Summary

Under the direction of the Board of Directors, the executive director is responsible for overall management and operation of the _____ County Land Reutilization Corporation (CLRC) and protection of the organization's financial assets while ensuring compliance with board directives.

Essential Duties and Responsibilities

The executive director/president is responsible for overall operations for CLRC, a county-created corporation which manages the disposition of the tax reverted and other acquired properties. The president also:

- Oversees all financial functions including those necessary for auditing, budgeting, financial analysis, capital asset and property management and payroll and supervises the controller who is responsible for these tasks in accordance with generally accepted accounting principles, board and CLRC policies and procedures.

- Oversees all aspects of human resources management for approximately 10-15 employees and contracted consultants including, but not limited to, hiring and termination, developing position descriptions, setting compensation, and applying board-approved employee policies and benefits in accordance with board requirements; regularly supervises CLRC administrative staff.

- Is responsible for overseeing grants and contracts management including negotiating agreement terms that reflect the needs of CLRC; coordinates with legal advisors to finalize agreement terms; monitors progress of agreements and maintains agreement documentation to ensure fulfillment of agreement terms including receipt and expenditure of funds.

- Assists in the development of current and long-term organizational goals and objectives as well as policies and procedures for CLRC operations. Establishes plans to achieve goals set by the Board of Directors and implements policies, subject to approval by the Board of Directors.

- Works closely with staff members to ensure they are provided with appropriate support systems and responsive, quality service in the areas of sales, property management, planning, project accounting, human resources, purchasing and related administrative functions.

- Analyzes and evaluates vendor services, particularly for insurance, employee benefits and management of CLRC funds, to determine programs and providers that best meets the needs of CCLRC and makes recommendations to the Board, as appropriate; negotiates or oversees negotiation of services, terms and premiums and executes contracts with benefit plan providers, supply and service vendors, auditors and consultants; manages payroll and benefits programs.

Education and/or Experience

Bachelor's degree required in business administration, community development, public administration, urban planning, real estate attorney or other substantially related field. Master's degree or juris doctorate and licensed attorney preferred. The executive director must possess at least five years experience in business, real estate and financial management, or related areas.

Knowledge, Skills and Abilities

- Knowledge of leadership and management principles
- Knowledge of current community challenges and opportunities relating to the mission of the organization
- Knowledge of human resources management
- Knowledge of financial management
- Knowledge of project management

Proficiency in the use of computers for

- Word Processing
- E-mail
- Internet

Travel

The executive director must be able to travel to attend conferences, training and other events as required to acquire and maintain proficiency in fulfilling the responsibilities of the position.

Regional Samples

Updated 10/03/12

DeKalb Regional Land Bank Authority

Job Title: **Executive Director**

Reports To: Chairperson of the Board

Salary: [$65,000 - $75,000]

Purpose of Job:

The purpose of this job is to manage the day to day operations of the DeKalb Regional Land Bank Authority ("Land Bank Authority") and to plan and implement comprehensive public and private housing policies and redevelopment plans converting non-revenue generating; tax delinquent parcels back to a productive use and on the tax roll. Additional duties include, but not limited to: preparing annual budgets and strategic plans; interacting with elected officials, private and public professionals; directing and coordinating all activities of the Land Bank Authority; and performing additional tasks as assigned by the Board of Directors.

Essential Duties and Responsibilities:

The following duties are normal for this job.

Planning and Organizing:

- Supervises and evaluates assigned staff, handling all employee concerns, directing work assignments, counseling and disciplining employees when necessary, and completing employee performance appraisals.
- Prepares regulations, procedures and instructions for facilitating the implementation of housing and commercial projects based on analysis of redevelopment proposal.
- Develops policy, standards and instructions for guidance of non-profit Community Development Corporations and for-profits developers in establishing and maintaining uniformity in operations.
- Attends stakeholder meetings as the Representative of the Land Bank Authority.
- Develops and prepares management plans for redevelopment activities; assists with developing goals and objectives for redevelopment projects.
- Oversees all programs and projects within the Land Bank Authority.
- Coordinates and provides oversight over activities that involve the banking of residential and commercial properties by the Land Bank Authority.

- Take appropriate action to ensure that all policies, procedures, and direction set forth by the Land Bank Authority Board are implemented in a professional and timely manner.
- Coordinates all legal matters with City, County and external counsel as necessary.
- Prepares budgetary and cash flow management plans.
- Designs, develops and implements annual strategic plan.
- Researches and prepares legislation as applicable.
- Assists in the creation of new public/private partnerships.
- Designs, develops and implements marketing and training programs.
- Provides oversight over content and design of website and collateral materials.

Communication:

- Excellent oral, written and interpersonal skills; communicates effectively with City, County State and Federal personnel, elected officials, outside professionals and stakeholders.
- Proficiency in the preparation of reports and presentations.
- Effective negotiating skills.
- Responds to questions, complaints and requests for information and utilizes professional and Board assistance as needed.
- Proficiency with email communication and internet navigation and research.

Employee Development:

- Responsible for development and implementation of annual employee development objectives.
- Coordinates day to day work activities of employees.

Administrative Duties:

- Reviews and evaluates all reports prepared for internal and external distribution regarding any aspect of the operation of the Land Bank Authority.
- Utilizes computer and software to design, develop and implement reports, presentations, and data base management.

Fiscal Responsibilities:

- Responsible for the expenditure and accountability of all funds utilized by the Land Bank Authority.
- Responsible for the accurate projection of both short and long term cost factors in regard to housing and commercial redevelopment projects.
- Responsible for oversight of all budgetary functions and City, County and Federal reporting requirements.

- Responsible for ensuring the preparation of an annual audit by a licensed, independent accounting firm.

Additional Job Functions:

- Performs other related duties as required.

Knowledge of Job:

*Has extensive knowledge of the applicable principles, and procedures of Land Bank Authorities and functions of Land Bank Authorities.
* Has extensive knowledge of management, human resources management/personnel, and financial practices, contractual law, policies and procedures, as necessary in the completion of daily responsibilities.
*Able to develop and administer policies, procedures, plan, and activities and to monitor performance of subordinates against measured established goals.
*Knows how to develop and administer operations and staff plans and objectives to maximize the effectiveness of specific duties of the Land Bank Authority.
*Must be able to develop and implement long-term goals for the Land Bank Authority in order to promote effectiveness and efficiency.
*Has extensive knowledge of all applicable laws, ordinances, policies, standards and regulations pertaining to the specific duties and responsibilities of the job.
*Maintain current knowledge of any changes in policies, methods, operations, budgetary and equipment needs, etc. as they pertain to the Land Bank Authority and human resources/personnel operations and activities.
*Assemble information and make written reports that are documented in a concise, clear and effective manner. *Good organizational, management, human relations and technical skills. *Use independent judgment and discretion in management, human relations and handling emergency situations, determining and deciding upon procedures to be implemented, setting priorities, maintaining standards, and resolving problems. *Has the ability to comprehend, interpret and apply regulations, procedures and related information. *Has the mathematical ability to handle required calculations using statistical calculations Knowledgeable and proficient with computers and standard business software. *Able to read, understand and interpret personnel and financial reports and related materials.

Minimum Training an Experience Required to Perform Essential Job Functions

Bachelor's degree in Finance, Urban Planning, Business/Public Administration or Accounting required; MBA, MPA or JD preferable. Three years of supervisory experience in management and administration of housing development and rehabilitation, development and rehabilitation , development financing and public/private housing initiatives; three years of management experience in the processes of budgeting, personnel management, planning, and reporting in a public sector agency; three years small business operations experience; three years of transactional

experience involving residential and/or commercial real estate in a private or public agency; or any equivalent combination of education, training and experience that provides the requisite knowledge, skills and abilities for this job. Must possess and maintain a valid Georgia driver's license.

(ADA) MINIMUM QUALIFICATIONS OR STANDARDS REQUIRED TO PERFORM ESSENTIAL JOB FUNCTIONS

PHYSICAL REQUIREMENTS: Must be physically able to operate a variety of job related machines and office equipment. Must be able to move or carry related objects or materials.

DATA CONCEPTION: Requires the ability to interpret, compare and/or judge the functional, technical, structural, compositional or identifiable characteristics (whether similar to or divergent from obvious standards) of data.

INTERPERSONAL COMMUNICATION: Requires the ability to communicate with people to convey or exchange professional information.

LANGUAGE ABILITY: Requires the ability to comprehend a variety of professional, technical, and administrative documents, directions, instruction, methods and procedures. Required to create and produce reports with proper format, punctuation, grammatical correctness and all applicable language arts skills and techniques.

INTELLIGENCE: Requires the ability to learn and understand subject mater principles and techniques; to make independent judgments in the absence of the supervision within the scope of respective job duties and task; to acquire and expound on knowledge of topics related to all aspects of the job.

NUMERICAL APTITUDE: Requires the ability to interpret mathematical applications; conduct budgetary analysis, forecast and projections; determine percentages, time and weight and other calculations as appropriate.

MOTOR COORDINATION: Requires the ability to utilize job related equipment in the course of accomplishing job duties and task associated with all functions of the job.

INTERPERSONAL TEMPERAMENT: Requires the ability to interact with people, such as staff, board of directors, general public, professional and elected officials.

The DeKalb Regional Land Bank Authority is an Equal Opportunity Employer. In compliance with the Americans with Disabilities Act, the Land Bank Authority may provide reasonable accommodations to qualified individuals with disabilities and encourage both prospective and current employees to discuss potential accommodations with the employer.

Position Opening – Executive Director
Detroit Land Bank Authority

The City of Detroit, under the provisions of the State Act 258 of 2003, has established a Land Bank Authority for the purpose of assembling and clearing properties, returning vacant property to productive use, accelerating development activity, promoting economic growth, supporting the planning process and reducing neighborhood blight.

The Detroit Land Bank Authority (DLBA) is governed by an active and knowledgeable seven-member board appointed by the Mayor and City Council. With the current assistance of temporary administrative staff, the Board intends to have a fully-functioning office by the end of the year, with some properties already entered into a portfolio. The board now seeks applicants for the permanent Executive Director position to ensure successful implementation and execution of the Authority's program objectives.

Position Description

The Executive Director will have primary responsibility for overseeing the day-to-day activities of the DLBA, including the following:

- Ensure successful implementation of program elements in consultation with the Board of Directors
- Prepare an annual budget and cash flow projections.
- Oversee financial systems for budget monitoring and oversight.
- Maintain existing and make new contacts with funders.
- Manage the hiring and performance evaluation of staff.
- Work with the board on establishing priorities, policies and procedures for the acquisition, management and disposition of properties.
- Work with property owners in the public and private sectors to identify appropriate properties for transfer to the DLBA.
- Interface with the State and County land bank authorities on the transfer of properties to the DLBA.
- Oversee systems for organizing and managing properties under DLBA control.
- Interface with developers, non-profits, community development corporations, businesses and neighborhood residents on their plans and proposals, as directed by the board.
- Prepare reports of program activities and outcomes, including an annual report to the Mayor and City Council.
- Annually prepare objectives for performance, in conjunction with the Board.
- Provide staff support to Board committees.
- Represent the Authority at local meetings.
- Oversee the preparation of an annual audit.
- Manage other operational aspects of the Authority.

Skill Requirements and Preferred Qualifications

- Master's degree in Business, Urban Planning, Community Development or related field.
- At least 10 years experience in the areas of community development, real estate and finance.
- Extensive land use planning experience, with direct experience with vacant property systems preferred.
- Proven leader adept at providing organizational leadership, including internal and external collaboration and administration of operations.
- Familiarity with the establishment and function of land banks.
- Knowledge of national best practices for addressing vacant properties.
- Demonstrated understanding of real estate transactions and other community development business and financial considerations.
- Experience in working with community development groups, grassroots organizations and the nonprofit sector.
- Experience in the areas of policy analysis and advocacy.
- Strong organizational and time management skills.
- Strong communication skills.

This is a full-time position. Competitive salary negotiable, based on qualifications and experience. Interested persons should submit a cover letter and resumé, including salary expectations and three references, by Friday, November 20, 2009 to:

Marsha Bruhn, Chairperson
Detroit Land Bank Authority
c/o Community Legal Resources
615 Griswold, Suite 1400
Detroit, MI 48226
or via email to DLBA@clronline.org

For more information, please contact 313-962-3171, Ext. 222.

Detroit residency preferred at time of hire.
The Detroit Land Bank Authority is an equal opportunity employer.

October 8, 2009

GENESEE COUNTY
LANDBANK

Executive Director Job Description

Summary

Under the direction of the Board of Directors, the executive director is responsible for overall management and operation of the Genesee County Land Bank Authority (GCLBA) and protection of the organization's financial assets while ensuring compliance with board directives and applicable grantor, federal and state requirements.

Essential Duties and Responsibilities

The executive director is responsible for overall operations for GCLBA, a public corporation who manages the disposition of the tax reverted properties. The incumbent also:

- Oversees all accounting functions including those necessary for auditing, budgeting, financial analysis, capital asset and property management and payroll in accordance with generally accepted accounting principles, board and GCLBA policies and procedures, and all other applicable rules and guidelines.

- Handles all aspects of human resource management for approximately 15 employees and contracted consultants including but not limited to hiring and termination, developing position descriptions, setting compensation, and applying board-approved employee policies and benefits in accordance with federal and state requirements; regularly supervises GCLBA administrative staff.

- Is responsible for grants and contracts management including negotiating agreement terms that reflect the needs of GCLBA; coordinates with legal advisors to finalize agreement terms; monitors progress of agreements and maintains agreement documentation to ensure fulfillment of agreement terms including receipt and expenditure of funds.

- Assists in the development of current and long-term organizational goals and objectives as well as policies and procedures for GCLBA operations. Establishes plans to achieve goals set by the Board of Directors and implements policies, subject to approval by the Board of Directors.

- Works closely with staff members to ensure they are provided with appropriate support systems and responsive, quality service in the areas of sales, property management, planning, project accounting, human resources, purchasing and related administrative functions.

- Analyzes and evaluates vendor services, particularly for insurance, employee benefits and management of GCLBA funds, to determine programs and providers that best meets the needs of GCLBA and makes recommendations to the Board, as appropriate; negotiates services, terms and premiums and executes contracts with benefit plan providers, supply and service vendors, auditors and consultants; manages payroll and benefits programs.

Education and/or Experience

Bachelor's degree required in business administration, community development, public administration, urban planning or other related field. Master's degree preferred. The executive director must possess at least five years experience in business, non-profit operational and financial management, or related areas.

Knowledge, skills and abilities

- Knowledge of leadership and management principles
- Knowledge of current community challenges and opportunities relating to the mission of the organization
- Knowledge of human resources management
- Knowledge of financial management
- Knowledge of project management

Proficiency in the use of computers for:

- Word processing
- Excel
- E-mail
- Internet

Travel

The executive director must be able to travel to attend conferences, training and other events as required to acquire and maintain proficiency in fulfilling the responsibilities of the position.

LAND BANK EXECUTIVE DIRECTOR

General Summary: The Executive Director is a full-time position responsible for planning and directing the organization to ensure the mission, polices, philosophies and goals of the Land Bank Board of Directors are fulfilled. Oversees the Board's efforts to further affordable housing goals and economic development opportunities while protecting the organization's financial assets.

Essential Functions:

1. Responsible for the day-to-day operations of the Corporation, with the control, management and oversight of the Corporation's function as well as supervision of all Corporation employees.

2. Provides opportunities to individuals and businesses interested in the development of foreclosed, vacant and distressed real estate properties.

3. Establishes and maintains cooperative working relationships with local units of government, community organizations and agencies (private and public) to create rental options, home & business ownership prospects and economic development opportunities.

4. Oversees the process of acquiring, holding and marketing properties obtained through various recovery efforts. Develops strategies to reduce the investing and holding costs of such properties.

5. Provides planning assistance and guidance for properties use such as zoning ordinances and land use plans.

6. Promotes best practices in the planning and design of properties including energy efficiency as well as "green" land and construction standards.

7. Promotes community services available to potential property buyers.

8. Directs economic development opportunities in an effort to link equitable housing opportunities and community development goals.

9. Coordinates and performs media relations activities. Formulates and implements a comprehensive communication strategy regarding Land Bank activities. Educates the public about the Land Bank's opportunities and activities.

10. Represents the Land Bank at various internal and eternal meetings. Acts as liaison for committees at the neighborhood, community and regional level. Ensures the integrity and effectiveness of the Land Bank information as it is presented to internal and external audiences.

11. Manages and supervises Land Bank staff. Monitors staff performance and makes final employment decisions regarding hiring, corrective actions and terminations. Oversees training and development of all staff.

Other Functions:

- Performs other duties as assigned.
- Must adhere to departmental standards in regard to HIPAA and other privacy issues.
- During a public health emergency, the employee may be required to perform duties similar to but not limited to those in his/her job description.

(An employee in this position may be called upon to do any or all of the above tasks. These examples do not include all of the tasks which the employee may be expected to perform.)

Employment Qualifications:

Education: A Bachelor's Degree is required. A strong preference is given for a degree in Business Administration, Public Administration, Community Development, Urban Planning or a similar field.

Experience: Five years of related experience is required with 2 years of specific experience managing real estate transactions and or tax foreclosure properties.

Other Requirements: None

(The qualifications listed above are intended to represent the minimum skills and experience levels associated with performing the duties and responsibilities contained in this job description. The qualifications should not be viewed as expressing absolute employment or promotional standards, but as general guidelines that should be considered along with other job-related selection or promotional criteria)

Physical Requirements:

- Sitting, walking, standing, bending over and lifting/holding/carrying objects found in an office environment.
- Ability to communicate and respond to co-worker and customer inquiries both in person and over the phone.
- Ability to operate a PC/laptop and to enter & retrieve information from a computer.
- Ability to handle varying and often high levels of stress.

(This job requires the ability to perform the essential functions contained in this description. These include, but are not limited to, the requirements listed above. Reasonable accommodations will be made for otherwise qualified applicants unable to fulfill one or more of these requirements.)

Working Conditions:

- The work environment varies. Work is typically performed in an office setting but some tasks require work to be performed at external (outside) sites. Time spent traveling to, and

being at, these external sites results in occasional exposure to unusual elements such as temperature, unpleasant odors, loud noises, etc.

Compensation & Benefits:

- Salary range between $60,000-$70,000 per year, depending upon qualifications.
- The Land Bank will pay the employer's share of Social Security and Medicare taxes.
- Thirteen paid holidays per year scheduled to coincide with Ingham County Operations.
- Paid sick and vacation.

Application Procedure:

Interested individuals should send a cover letter and resume to: Ingham County Land Bank, 422 Adams Street, Lansing, Michigan 48906 no later than February 22, 2013. Resumes must show relevant experience. Incomplete submissions will not receive further review.

KALAMAZOO COUNTY
LANDBANK

Executive Director Job Description

Summary

Under the direction of the Board of Directors, the executive director is responsible for overall management and operation of the Kalamazoo County Land Bank Authority (KCLBA) and protection of the organization's financial assets while ensuring compliance with board directives and applicable grantor, federal and state requirements.

Essential Duties and Responsibilities

The executive director is responsible for overall operations for KCLBA, a public corporation who manages the disposition of the tax reverted properties. The incumbent also:

- Oversees all accounting functions including those necessary for auditing, budgeting, financial analysis, capital asset and property management and payroll in accordance with generally accepted accounting principles, board and KCLBA policies and procedures, and all other applicable rules and guidelines.

- Is responsible for grants (15 million NSP II) and contracts management including negotiating agreement terms that reflect the needs of KCLBA; coordinates with legal advisors to finalize agreement terms; monitors progress of agreements and maintains agreement documentation to ensure fulfillment of agreement terms including receipt and expenditure of funds.

- Assists in the development of current and long-term organizational goals and objectives as well as policies and procedures for KCLBA operations. Establishes plans to achieve goals set by the Board of Directors and implements policies, subject to approval by the Board of Directors.

- Works closely with staff members to ensure they are provided with appropriate support systems and responsive, quality service in the areas of sales, property management, planning, project accounting, human resources, purchasing and related administrative functions.

- Analyzes and evaluates vendor services, particularly for insurance, employee benefits and management of KCLBA funds, to determine programs and providers that best meets the needs of KCLBA and makes recommendations to the Board, as appropriate; negotiates services, terms and premiums and executes contracts with benefit plan providers, supply and service vendors, auditors and consultants; manages payroll and benefits programs.

Education and/or Experience

Bachelor's degree required in business administration, community development, public administration, urban planning or other related field. Master's degree preferred. The executive director must possess at least five years of progressive experience in supervision, business, non-profit operational and financial management, or related areas. Has a clear understanding of real estate law/transactions and the tax foreclosure process.

Knowledge, skills and abilities

- Knowledge of leadership and management principles
- Knowledge of current community challenges and opportunities relating to the mission of the organization
- Knowledge of human resources management
- Knowledge of financial management
- Knowledge of project management

Proficiency in the use of computers for:

- Microsoft Office Word
- Excel
- E-mail
- Internet

Travel

The executive director must be able to travel to attend conferences, training and other events as required to acquire and maintain proficiency in fulfilling the responsibilities of the position.

Salary Range

26.95 – 38.71 per hour

Executive Director
Mahoning County Land Reutilization Corporation

BACKGROUND

The Mahoning County Land Reutilization Corporation (MCLRC) is a newly-created non-profit corporation which manages the disposition of the tax foreclosed and other acquired properties through a county wide land bank. The MCLRC is seeking to hire its first Executive Director to manage operations and help guide the organization.

POSITION OVERVIEW

The Executive Director is the Chief Executive of the MCLRC. The Executive Director reports to the Board of Directors; will have overall strategic and operational responsibility for the MCLRC, its staff, programs, expansion, and execution of its mission. The Executive Director will be responsible for the day-to-day operations, including strategic land assembly, demolition and vacant lot reuse, housing and real estate development, preservation, collaborations and partnerships, and implementation of long term plans of the organization. As this is a start-up organization, initial responsibilities will be administrative, program development and planning related.

QUALIFICATIONS

1. Bachelor's degree in business administration, nonprofit management, urban planning, or related field from an accredited college or university. Master's degree in Business Administration, Public Administration, Urban Planning or related field is preferred.
2. Seven plus years of increasingly responsible experience in strategic land assembly, vacant land reuse, neighborhood development or a related field.
3. Proven ability to create innovative resource solutions and maximize the unique powers of county land reutilization corporations to demolish homes and address blight.
4. Strong verbal and written communication skills, including public speaking and grant writing.
5. Strong conflict resolution and decision making skills.
6. Proven experience in organizational development, human resource management, strategic planning and program development.
7. Proven experience in fundraising and managing various funding sources.
8. Proven experience in working with neighborhood constituencies in urban neighborhoods.
9. Understanding of nonprofit organizational structure and related material.
10. Strong understanding of City of Youngstown and its neighborhoods.

MAJOR RESPONSIBILITIES

1. Assist in the development of current and long-term organizational goals and objectives as well as policies and procedures for MCLRC operations. Establish plans to achieve goals set by the Board of Directors and implements policies, subject to approval by the Board of Directors.

2. Responsible for program development, implementation, and fundraising. Conducts community outreach, including the development of programs with municipalities, Community Development Corporations, and other county agencies.
3. Oversee all financial functions including those necessary for auditing, budgeting, financial analysis, capital asset and property management in accordance with generally accepted accounting principles, board and MCLRC policies and procedures. Ensure timely financial reports for board use.
4. Responsible for overseeing grants and contracts management including negotiating agreement terms that reflect the needs of MCLRC; coordinates with legal advisors to finalize agreement terms; monitors progress of agreements and maintains agreement documentation to ensure fulfillment of agreement terms including receipt and expenditure of funds.
5. Analyze and evaluate vendor services, particularly for insurance and management of MCLRC funds, to determine programs and providers that best meet the needs of MCLRC and makes recommendations to the Board, as appropriate; negotiate or oversee negotiation of services, terms and premiums and execute contracts with supply and service vendors, auditors and consultants.
6. Provide management and supervision of all programs developed for the MCLRC related to occupied properties and unoccupied properties that are suitable for alternative dispositions including rental, lease-option and land contract. Additionally, management services for all occupied properties such as lease negotiation and oversight of contractual services for custodial, security, maintenance and other related. Write and develop programs responsive to the need to creatively put vacant land to productive use.
7. Represent MCLRC to the public within the community, state, and nation, and maintains close working relationships with funders.

COMPENSATION

This position has an attractive salary and benefits package, consistent with other start-up nonprofit organizations of similar size, scope and mission.

TO APPLY

Qualified individuals may apply confidentially by submitting resume, cover letter and compensation requirements as MS Word attachments to: **dyemma@mahoningcountyoh.gov**. Or via mail to:

Dan Yemma, Chairman
Mahoning County Land Reutilization Corporation
c/o Mahoning County Treasurer's Office
Mahoning County Courthouse
120 Market Street, 1st Floor
Youngstown, OH 44503

Please reference the following in the subject line of your email: **Executive Director, MCLRC**
Candidates must submit materials no later than 5 PM on Monday, March 12, 2012.
NO PHONE CALLS PLEASE.

Mahoning County Land Reutilization Corporation is an Equal Opportunity Employer.

Twin Cities
Community Land Bank
Building Neighborhoods
Strengthening Communities

TWIN CITIES COMMUNITY LAND BANK

PRESIDENT

THE SEARCH

Twin Cities Community Land Bank (TCC Land Bank) seeks a dynamic, results-oriented president.

TCC Land Bank is a nonprofit limited liability company founded in 2009 by the Family Housing Fund as a strategic tool for government, neighborhood based organizations, community development corporations, and nonprofit and for-profit developers to further community-based economic development and affordable housing goals.

TCC Land Bank's operations and activities are guided by the following ten principles:

1. To be a nimble, flexible, and responsive organization that can respond to potential opportunities and meet urgent community needs while consistently implementing its core activities.
2. To enable the efficient, effective acquisition, holding, and marketing of properties acquired through various neighborhood recovery efforts.
3. To reduce the public cost of holding land through efficiencies of coordination and scale.
4. To efficiently and creatively aggregate public and private capital to support a very large scale property acquisition, disposition, and marketing effort.
5. To provide opportunities for community and neighborhood engagement in the development and disposition of foreclosed, vacant, and distressed properties, particularly among communities of color.
6. To promote best practice in planning and design including high architectural standards, energy efficiency, green land and construction standards, and linkage of housing development to transportation.
7. To coordinate internal policies and programs with broader community development objectives including jobs, economic opportunities, transportation, public safety, schools, human services, and homeownership counseling and support, particularly among communities of color.
8. To provide affordable, sustainable homeownership and rental opportunities for low and moderate-income families, and to reduce the disparity between ownership rates for whites and communities of color.
9. To provide business, developer, and contracting opportunities for communities of color.
10. To support commercial and transit corridor developments that link to equitable housing opportunities and community development goals.

The president oversees an annual budget of $1.6 million, a staff of 9, and a $20 million loan fund. The position calls for an energizing and collaborative leader and spokesperson, deeply committed to the TCC Land Bank mission, with proven strategic, communication, advocacy, management, and fundraising skills, as well as intellectual breadth, political savvy, and an enterprising spirit.

BACKGROUND

TCC Land Bank is a nonprofit Community Development Financial Institution (CDFI) founded in 2009 by the Family Housing Fund as a strategic tool for government, neighborhood based organizations, community development corporations, and nonprofit and for-profit developers to further community-based economic development and affordable housing goals. TCC Land Bank was founded to further the Family Housing Fund's mission by preserving and expanding the supply of sustainable affordable housing as ownership and rental opportunities, expanding lending opportunities for affordable housing, and supporting innovative initiatives that align resources to support transit oriented development activities.

TCC Land Bank coordinates policies and programs with broader community development objectives including affordable housing, jobs, business development, economic opportunities, transportation, public safety, education, human services, green building and design, and homeownership counseling and support. As a nonprofit limited liability company, it is designed to be highly flexible and responsive and is able to leverage public and private dollars to accomplish its goals of neighborhood revitalization and recovery. TCC Land Bank works in partnership with many entities, most notably government, community development corporations, socially responsible developers, and community organizations to achieve its goals.

TCC Land Bank is primarily a lender, although it also provides strategic property acquisition, development services, and property management services. TCC Land Bank's primary products are property acquisition and loans for affordable housing and commercial developers (nonprofit and for-profit) and public entities. As a land bank, it can also acquire and hold strategic properties for later resale to its network of developers. TCC Land Bank serves as a coordinating body to enable the efficient production of affordable housing, commercial development in transit and commercial corridors, and revitalization of low-income communities.

PRESIDENT

The president is the chief executive officer of TCC Land Bank, responsible to the Board of Governors.

The broad objectives for the incoming president are as follows:

Vision and Strategy. Building upon recent planning work that includes a 3-year strategic plan and a 3-year business plan, implement a bold, clear, and achievable vision for TCC Land Bank for the years ahead. Translate that vision into focused priorities and strategies, identifying the places and policies where TCC Land Bank expects its greatest impacts moving forward and articulating how it will track progress and measure success. Take into account current political, economic, and social realities, including the needs of communities of color. Ensure that TCC Land Bank is agile and strategically responsive to changing conditions and unexpected challenges.

Leadership. Communicate that vision widely and persuasively. Inspire and galvanize TCC Land Bank's staff, board, partners, supporters, and stakeholders. Represent the organization with the media and other audiences and raise its visibility and the relevance of its mission to a larger and broader public. Bridge competing interests and philosophical differences and provide decisive, timely leadership. Provide sound judgment to steer TCC Land Bank in challenging times. Engage in an entrepreneurial approach to

revenue generation and lines of business and creatively adapt TCC Land Bank's areas of focus to emerging needs and opportunities.

Management. Ensure a well structured and managed organization, with clear lines of authority and alignment around goals. Serve as a unifying and decisive staff leader, able to make tough, timely decisions. Delegate effectively while providing firm oversight. Attract, lead, and retain the strongest possible staff and hold them to clearly defined, high standards of excellence and accountability. Attend carefully to the organization's fiscal health and stability through rigorous budgetary planning and through close supervision of a strong financial team. Engage effectively with the Board of Governors, drawing upon members' knowledge and experience and involving them appropriately in strategy, policy, fund raising, and fiduciary oversight.

Fundraising. Lead TCC Land Bank's fundraising through personal efforts and through a strong and well supported team. Pursue creative new avenues for revenue generation.

Political Effectiveness. Drive successful community redevelopment outcomes through effective interaction with federal, state, and local elected officials and government agencies. Build coalitions and negotiate solutions.

Partnerships and Strategic Alliances. Support and deepen TCC Land Bank's effective collaborations with public and private partners, including local grassroots organizations and communities of color.

QUALIFICATIONS & EXPERIENCE

For this pivotal role, TCC Land Bank seeks a bold leader and spokesperson who is passionate about the organization's mission and legacy and farsighted about its future potential.

The greater a candidate's stature in the community development and finance community, the better, but overall leadership skills are most critical, and TCC Land Bank is open to considering non-traditional applicants. The president must be sufficiently fluent with community development issues to be a highly credible representative of TCC Land Bank among diverse audiences. There is an especially strong call for a president who can engage with diverse stakeholders and help TCC Land Bank build bridges to new constituents and partners. TCC Land Bank welcomes a leader who is prepared to be outspoken, take calculated risks, lead by example, and make hard choices. At the same time, TCC Land Bank requires a skilled internal leader who will ensure a well managed, finely tuned, and fiscally strong organization.

While no one candidate will embody every quality, the successful candidate will bring many of the following qualifications and attributes:

- Informed passion and sense of urgency for the mission of TCC Land Bank.

- Track record of effective senior leadership in a sizable private or public institution. Experience managing growth and change. Proven business acumen, including discipline and focus in setting realistic priorities, meeting or beating goals, and running a fiscally sound, resilient, and sustainable operation. Strengths in recruiting, developing, and retaining high potential staff and holding them to high standards. Experience working with or reporting to a volunteer board would be an advantage.

- Public presence and media savvy. Outstanding written and oral communication skills.

- Exceptional intellectual and strategic abilities and the capacity to translate big ideas and ideals into hard strategies and action and to contribute to public discourse. Keen grasp of the political, economic, social, and cultural issues that impact TCC Land Bank's mission.

- Fundraising ability. Ideally significant experience raising funds from a variety of sources. Without question, an enthusiasm for fundraising and willingness to be actively involved in development.

- Demonstrated political skills and a good sense of how policy is made locally and nationally and the role of the CDFI community in driving change. Skills in relationship building and negotiation and the ability to drive relentlessly toward positive outcomes in highly political environments.

- A network of contacts with funders, policy makers, and activists working at all levels. Demonstrated experience building effective partnerships. A reputation as a strategic collaborator with keen listening skills, and the ability to bridge philosophies.

- Demonstrated understanding of the principles and practices of real estate lending and experience with managing complicated loan funds.

- Entrepreneurial spirit and drive. An eye for creative opportunities tied to a commitment to accountability and results.

- An outgoing, open personality. Outstanding interpersonal skills. Decisiveness, tenacity, flexibility, and very high energy.

- An advanced degree in a relevant field (law, finance) would be an asset but is not required.

FOR MORE INFORMATION OR TO APPLY

All inquiries, nominations, and applications may be directed in confidence to:

Shana Wenger at shana.wenger@tcclandbank.org
612.238.8212

Applications must be received no later than Friday, January 20, 2012.

Applications should be submitted electronically and include a resume and cover letter of 1-3 pages. All applications will be kept confidential.

Learn more about TCC Land Bank and its activities at www.tcclandbank.org.

Twin Cities Community Land Bank is an Affirmative Action, Equal Opportunity Employer and encourages applications from a diverse pool of candidates.

December 12, 2011

Sample

Land Bank Program Director Job Description

Summary

Under the direction of the Board of Directors, the program director is responsible for overall management and operation of the XXXX Land Bank Authority (LBA) and protection of the organization's financial assets while ensuring compliance with board directives and applicable grantor, federal and state requirements.

Essential Duties and Responsibilities

The program director is responsible for overall operations for LBA, a public corporation (or private nonprofit) that manages the disposition of the tax reverted properties. The incumbent also:

- Oversees all accounting functions including those necessary for auditing, budgeting, financial analysis, capital asset and property management and payroll in accordance with generally accepted accounting principles, board and LBA policies and procedures, and all other applicable rules and guidelines.

- Manages acquisition, demolition and disposition programs, including negotiating agreement terms that reflect the needs of LBA; coordinates with legal advisors to finalize agreement terms; assure compliance with NSP regulations; monitors progress of agreements and maintains agreement documentation to ensure fulfillment of agreement terms including receipt and expenditure of funds.

- Responsible for development agreement management including negotiating agreement terms that reflect the needs of LBA; coordinates with legal advisors to finalize agreement terms; monitors progress of agreements and maintains agreement documentation to ensure fulfillment of agreement terms including receipt and expenditure of funds.

- Handles all aspects of human resource management for employees and contracted consultants including but not limited to hiring and termination, developing position descriptions, setting compensation, and applying board-approved employee policies and benefits in accordance with federal and state requirements; regularly supervises LBA administrative staff.

- Grants and contracts management including negotiating agreement terms that reflect the needs of LBA; coordinates with legal advisors to finalize agreement terms; monitors progress of agreements and maintains agreement documentation to ensure fulfillment of agreement terms including receipt and expenditure of funds.

- Assists in the development of current and long-term organizational goals and objectives as well as policies and procedures for LBA operations. Establishes plans to achieve goals set by the Board of Directors and implements policies, subject to approval by the Board of Directors.

- Manages the mortgage program including negotiating agreement terms that reflect the needs of LBA; coordinates with legal advisors to finalize agreement terms; monitors progress of agreements and maintains agreement documentation to ensure fulfillment of agreement terms including receipt and expenditure of funds.

- Works closely with staff members to ensure they are provided with appropriate support systems and responsive, quality service in the areas of sales, property management, planning, project accounting, human resources, purchasing and related administrative functions.

- Analyzes and evaluates vendor services, particularly for insurance, employee benefits and management of LBA funds, to determine programs and providers that best meets the needs of LBA and makes recommendations to the Board, as appropriate; negotiates services, terms and premiums and executes contracts with benefit plan providers, supply and service vendors, auditors and consultants; manages payroll and benefits programs.

Education and/or Experience

Bachelor's degree required in business administration, community development, public administration, urban planning or other related field. Master's degree preferred. The program director must possess at least five years experience in business, non-profit operational and financial management, or related areas.

Knowledge, skills and abilities

- Knowledge of leadership and management principles
- Knowledge of current community challenges and opportunities relating to the mission of the organization
- Knowledge of human resources management
- Knowledge of financial management
- Knowledge of project management

Proficiency in the use of computers for:

- Word processing
- Excel
- E-mail
- Internet

Travel

The program director must be able to travel to attend conferences, training and other events as required to acquire and maintain proficiency in fulfilling the responsibilities of the position.

Sample Position Descriptions for Land Bank

Director of Acquisition and Development
Position Description

Reporting to the Chief Operating Officer, the Director of Acquisition, is responsible for the intake negotiations and assessment of property, the contract monitoring of rehabilitation specification writers, demolition and field services contractors, and the planning and development of CLRC land, including brownfields remediation and redevelopment.

Basic Function: The Director of Acquisition, Disposition, and Development coordinates, implements, manages and supports the CLRC's acquisition, holding, disposition, and redevelopment of distressed properties. The Director assists in the annual departmental budget preparation and is responsible for overseeing and documenting departmental expenditures within budget requirements.

Principle Duties and Responsibilities:

In addition to the duties and responsibilities appearing below, all staff of the CLRC are expected to perform any tasks necessary to ensure the orderly, efficient operations of the CLRC. All staff must be able to travel and to attend conferences, training, and other events as required to acquire and maintain proficiency in fulfilling the responsibilities of the position. All staff must be available to attend evening and weekend meetings in order to represent the CLRC.

Intake and Assessment

- Create and administer protocols for evaluating the intake of properties from REO and non-foreclosure sources;
- Coordinate with other cities and implement working relationships
- Identify and manage spec writers for property evaluations;
- Negotiate transfers with REOs and non-foreclosure property owners;
- Create and administer protocols for evaluating the intake of foreclosed properties and Auditor properties.

Demolition

- Create and administer protocols for evaluating and qualifying demolition contractors;
- Maintain various city demolition and board-up specifications and permit requirements;

- Work with other staff and cities to coordinate identification of properties to be demolished;
- Manage all demolition contracts;
- Promote strategic planning and strategic demolition strategies both to reduce costs and to achieve highest neighborhood impact.

Field Services

- Create and administer protocols for evaluating and qualifying field services contractors;
- Maintain various city demolition and board-up specifications and permit requirements;
- Work with other staff and cities to coordinate identification of properties to be field serviced;
- Manage all field services contracts;
- Maintain extensive contact with field services contractors to make sure properties are expeditiously serviced and that all complaints are addressed in an expedited manner.

Rehabilitation of Property

- Create and administer protocols for evaluating and qualifying rehab contractors;
- Work with other staff and cities to coordinate identification of properties to be rehabbed;
- Oversee all rehab contracts whether internal to the CLRC or transfers to qualified rehabbers;
- Negotiate terms, specifications and partnerships with rehabbers on terms desirable for rehabbers and the CLRC;
- Identify and manage spec writers for property evaluations and rehabber compliance.

Planning and Development

- Evaluate LRC portfolio for development partnerships with other public or private developers, investors and owners;
- Develop and secure project financing through public or private sources;
- Engage in land use planning with other cities and the CLRC for strategic partnerships, and creation of development revenue streams for the CLRC;
- Work with cities to identify high impact development projects in which the CLRC can invest, lend or contribute and work with County Planning Departments and other Regional Departments, and agencies on environmental land reclamation projects and partnerships.

Special Knowledge/Skills Requirements:

Ability to work well under pressure; outstanding organizational and communication skills; strong attention to detail; good judgment, strong decision-making instincts, and total

discretion; ability to function autonomously, yet effective as a member of a coordinated team; excellent proofreading/editing skills; familiarity with diplomatic protocol, a plus.

Education and Experience:
Masters Degree in business, urban planning and/or accounting or public/private financing. Experience in public and private procurements; city planning, development and real estate finance is preferred.

DIRECTOR OF PROGRAMS & PROPERTY MANAGEMENT

Job Description: Management of and program development for properties owned by the _____ County Land Reutilization Corporation ("CLRC"); develop and manage CCLRC programs as described below

Basic Function: Employee provides management and supervision of all programs developed for the CLRC related to occupied properties and unoccupied properties that are suitable for alternative dispositions or uses than demolition and property rental. Additionally, management services for all occupied properties such as lease negotiation and oversight of contractual services for custodial, security, maintenance and other related services are under the direct supervision of the employee. The employee, under general or administrative supervision, works within general methods and procedures and exercises considerable independent judgment to select proper courses of action. The work requires knowledge of property policies, procedures, and supervisory techniques, collection activities and contact with residential tenants. Employee assists in annual departmental budget preparation and is responsible for overseeing departmental expenditures within budget requirements. Employee writes and develops programs responsive to the need to creatively put vacant land to productive use. Such programs will include:

- Adopt-a-Lot
- Side Yard
- Recycling and Deconstruction of demolition materials
- Workforce Development and job training partnerships
- Urban gardening, urban forestry and urban agriculture
- Greenhouse and green-space development
- Grant-writing for the foregoing and other programs

The position also requires management of occupied property including rentals, lease option, and land contracts.

Principle Duties and Responsibilities:

Rental/lease-option/land contract:

- Maintain all documents and files for the rental/lease-option/land contract programs.
- Ensure proper collection of all payments in a timely manner.
- Ensure proper maintenance of property is maintained on a scheduled basis.
- Prepare, negotiate and maintain rental/lease-option/land contract agreements and forms.
- Show units for rental/lease-option/land contract programs.
- Pre-qualify both rental/lease-option/land contract occupants and the properties they are to occupy

Alternative Programs:

- Work with CDC's, other non-profits to coordinate and implement alternative land use as described above;
- Investigate availability of grants and write and submit grant applications for alternative programs;
- Coordinate with other cities having alternative programs and develop mutually supportive relationships and partnerships.
- Prepare, negotiate and maintain agreements for alternative land use relationships; seek revenue streams to help fund the CLRC mission; track and report financial impact.

Logistical Support:

- Acts as general contractor in coordinating work done with contractors for repairs and improvements to occupied properties as needed.
- Ensure the contractors and subcontractors properly file all required permits and documents in accordance with state and local ordinances for occupied properties.
- Ensure the contractors and subcontractors properly file submit all certificates of insurance consistent with land bank risk management and insurance policies.
- Initiate legal action for uncollected rents and tenant eviction for properties held by the CLRC.
- Oversight of CLRC staff and outside contractors in property management.
- Maintain rental management software and coordinate with Controller to export and properly manage all property income and expense streams

Correspondence:

- Provide customer service to tenants and public.
- Respond to staff and public inquiries concerning property information and availability.
- Send out notices of delinquent accounts as needed.

Lank Bank Programs:

- Maintain and update forms, policies and procedures manuals for occupied property files and documents.
- Develop formalized project review processes.
- Establish forms and policy manuals for the various alternative Programs;
- Create methods to evaluate success of various programs as a function of neighborhood impact and costs.
- Work with Courts, Disability Community, Faith Based Community to establish jobs, workforce, and public service relationships to assist distressed communities and families.

Special Knowledge/Skill Requirements:

Ability to work well under pressure; outstanding organizational and communication skills; strong attention to detail; good judgment, strong decision-making instincts, and total discretion; ability to function autonomously, yet effective as a member of a coordinated team; excellent proofreading/editing skills; client relations and diplomatic protocol a plus.

Education and Experience:

Bachelor's degree in urban studies, real estate, law and/or general contracting/architecture. Experience to include government or foundations grant implementation such as Workforce and job training programs, urban planning, environmental reclamation; excellent writing skills. Experience or education in property management, and experience with accounting and/or property management software a plus.

CLRC Chief Operating Officer
Position Description

The Chief Operating Officer (C.O.O.) reports to the Chief Executive Officer and assists the Chief Executive Officer in all aspects of the management and operations of the CLRC. The C.O.O. works closely with the Chief Executive Officer in the overall formation and development of the CLRC's mission and policies. The C.O.O. will oversee and make recommendations regarding CLRC policies, procedures, and staffing structure. The C.O.O. will work closely with the Chief Executive Officer to ensure compliance with all CLRC policies and procedures. The C.O.O. is responsible for making recommendations to the Chief Executive Officer regarding the hiring and termination of staff

With the Chief Executive Officer and the CLRC Controller, the C.O.O. is responsible for overseeing and making recommendations regarding the operating, real estate development, and program budgets of the CLRC. The C.O.O. will routinely evaluate the program activities and budget of the CLRC and prepare proposed budgets and priorities for the Chief Executive's review and approval. The Chief Executive Officer will finalize budget recommendations for presentation and approval of the CLRC Board of Directors.

The C.O.O. is responsible for the successful integration of green, sustainable practices into all CLRC property management, real estate development, and programming. These practices will include, but are not limited to; the creation of green space, deconstruction activities, the development and utilization of alternative energy systems, and the incorporation of green, sustainable building practices. In this regard the C.O.O. will work closely with the Director in charge of these activities to provide support and/or guidance.

The C.O.O. is responsible for the successful implementation of all activities undertaken by the Property Management/Acquisition/Disposition, Development and Program Sections, including but not limited to:

- Program development, implementation, and fundraising.
- Community Outreach, including the development of programs with municipalities, Community Development Corporations, and other county agencies.
- Property management, including the issuance and administration of third party contracts.
- Property acquisition and disposition, including the development of necessary policies and procedures, and including negotiations regarding the purchasing of REO properties.
- Demolition and Field Services activities and contracts.
- Overseeing the real estate project development and implementation activities of the Property Management/Acquisition/Disposition Section.
- The preparation of all internal reports, and preparation with Controller of reporting to the Board and the Legislature as required by the CLRC's governing statutes.
- In this regard the C.O.O. will work closely with the Director in charge of these activities to provide support and/or guidance.

Special Knowledge/Skills Requirements:
Ability to work well under pressure; outstanding organizational and communication skills; strong attention to detail; good judgment, strong decision-making instincts, and total discretion; ability to function autonomously, yet effective as a member of a coordinated team; excellent proofreading/editing skills; familiarity with diplomatic protocol, and experience with Microsoft Office a plus.

Education and Experience:
Masters Degree in business, urban planning and/or accounting or public/private financing. Experience in public and private procurements; city planning, development and real estate finance is a plus. Past experience as a Chief Operating Officer of a non-profit or a strong Community Development Corporation Director-level experience is a plus.

ACCOUNT CLERK/OFFICE MANAGER/PROGRAM SUPPORT

GENERAL STATEMENT OF DUTIES:

Receives training from, and acquires a good understanding of the tasks and duties of the controller, and serves as an assistant to the Controller.

Performs difficult and highly responsible clerical tasks in keeping financial accounts and records.

Establishes and maintains financial procedures established by the controller and outside certified public accountants for both the _____ County Land Reutilization Corporation ("CLRC") generally, but also provides account support for other staff and particularly the Director responsible for property management of occupied properties (rental, land contract and lease option programs).

Work involves bookkeeping, cashiering, payroll administration, and related bookkeeping tasks to assist customers, answer phones and provide general office support to staff.

Along with the Controller, statements of specific tasks, include, but are not limited to:

1. Customer service, daily cash receipting;
2. Maintain general and subsidiary records and legers according to established account classifications, posting entries and supporting records, making/adjusting entries as needed, balancing against other records and preparing reports from such records;
3. Distributes income to proper accounts, preparing cash receipt journals;
4. Reconciliation of daily cash receipts with cash received;
5. Prepares and posts vouchers, checks and payroll;
6. Prepare payroll and all associated reporting functions, unless service is provided by an outside vendor (then Account Clerk supervises and manages this vendor);
7. Prepare customer invoices and related financial statements;
8. Reconciles customer accounts and collections;
9. Reconciles check register and bank accounts;
10. Schedule board meetings and take minutes at those meetings as needed;
11. Office management and general support to staff;
12. Utilizes computers and associated software to perform job
13. Works closely with operational staff (COO, Director of Programs and Director of Acquisition, Disposition and Development) to support their activities and interface with the Controller.
14. Maintains Basic office supplies, helps schedule meetings, receptionist, logs staff expenses, travel and entertainment.
15. Extensive data entry for accounting system and CLRC property data base.

16. Typing letters, documents and proposals for all staff; coordinates with office Executive Assistant to coordinate typing assignments.

REQUIRED KNOWLEDGE, SKILLS AND ABILITIES:

1. Knowledge of the principles, methods and practices of generally accepted accounting principles;
2. Knowledge of office methods and procedures;
3. Ability to use standard office equipment, computers and associated software;
4. Ability to prepare and complete an accounting report;
5. Ability to perform detailed accounting functions involving written and numerical data;
6. Ability to make arithmetical calculations rapidly and accurately;
7. Ability to attend work regularly and work under often stressful conditions;

Qualified applicants will have at least two years of college, with four years of either bookkeeping-related experience and/or office management procedures coursework or experience.

Housing Specialist
Position Description

Reporting to the Director of Programs & Property Management (the Director), the Housing Specialist is responsible for managing the _____ County Land Reutilization Corporation in house, for-profit and non-profit renovation program. In addition, this position shall, at times, work at the direction of, or in coordination with, the members of the Acquisition Division to evaluate and monitor the quality of work performed by the CLRC's field service vendors.

Basic Functions:
The Housing Specialist manages the CLRC's renovation program; this includes facilitating the work associated with properties that are to be renovated, in house (via contractors) - transferred to non-profit or for-profit developers. Additionally, this position may work at the direction of, or in coordination with, members of the Acquisition Division on a host of activities including construction specification development, energy *efficiency* (green standards), initial property assessments, and financial draw inspection services and monitoring the quality of work performed by the CLRC's field service vendors. This position requires the ability to make accurate assessments and recommendations to the Director relative to a property renovation approach.

Principle Duties and Responsibilities:
In addition to the duties and responsibilities appearing below, all staff of the CLRC are expected to perform any tasks necessary to ensure the orderly, efficient operations of the CLRC. Furthermore, all CLRC staff must be available to attend some evening and weekend meetings in order to represent the CLRC. The Housing Specialist must be able to travel to and attend conferences, training and other events as required to acquire and maintain proficiency in fulfilling the responsibilities (included but not limited to inspections, specification development, building codes, building rehabilitation standards and organizations comparable to the CLRC) of the position.

Rehabilitation Management:

- Supervise all rehabilitation work done on properties, to the degree necessary, (residential) in the CLRC inventory
- Initiate various levels of inspection of properties that the CLRC intends to renovate or transfer to a 3rd party for development
- Review financial draw requests and recommend specification variances for CLRC properties as necessary

Specification Development:

- Develop construction specifications needed for CLRC owned properties

- Develop bid packages for contractors who seek to provide renovation services to the CLRC
- Review bid packages and recommend contractors for CLRC renovation program

Field (Preservation) Service Monitoring & Evaluation:

- Monitor and evaluate the quality of work performed by all field service vendors to ensure compliance with the CLRC's quality standards
- Maintain and submit forms, reports and files as needed to the Director for review and presentation internally and externally

Interaction with Contractors:

- Attend meetings with contractors to discuss, review and give preliminary approval of work done on CLRC owned properties
- Recommend corrective action for work performed incorrectly or below standard on CLRC properties

Special Knowledge/Skills Required:

Ability to work well under pressure, organizational skills, strong attention to detail, good judgment, strong decision making skills, ability to work as part of a team, engaging other staff at various levels of input and output and total discretion. Willingness to take on other duties as requested or required by the organization.

Education and Experience:

A Bachelor's degree in planning, public administration, business, or real estate is preferred. A minimum of 5 years experience in project management, construction, specification writing, and rehabilitation supervision is required. Candidates must possess a demonstrated history of practical application of residential specification writing skills.

CONTROLLER OFFICER JOB DESCRIPTION

The controller will work with the outside certified public accountants to establish the appropriate accounting systems, monitoring, controls and financial reporting procedures for the _____ County Land Reutilization Corporation (CLRC).

Provides strategic and operational direction to the CLRC's financing and accounting departments. Assists other departments and executive director in developing financial objectives, operating policies and procedures to ensure attainment of the CLRC objectives. Evaluates program area results to determine if financial objectives are being met. Establishes and coordinates responsibilities and procedures among other divisions and departments. Reports to the chief operating officer and executive director:

1. Business and financial strategy and planning, monitoring, management and reporting, including management and development of policies, systems, processes, and personnel involved.

2. Reporting and accounting as per regulatory and legal requirements including taxation, annual report, legislative reporting and accounts.;

3. Financial staff management, motivation, training, recruitment, selection and retention;

4. Coordinate all fiscal responsibilities including vendor payments, receivables, payables, payroll and deposits;

5. Develop and implement the CLRC's annual budget process in conjunction with the chief operating officer, executive director and board of directors;

6. Provide oversight to all audit activities within the CLRC;

7. Contribute to strategic planning and development as a member of the departmental team;

8. Plan, develop, and implement strategy for office operational management and development so as to meet agreed organizational performance plans within agreed budgets and time scales;

9. Manage and develop direct reporting staff;

10. Manage and control developmental expenditures within agreed budgets;

11. Contribute to the evaluation and development of operational strategy and performance in cooperation with the departmental team;

12. Ensure timely financial reports for managements and or board use.

13. Coordinate with county political offices to identify manage and properly administer funds to the CLRC as prescribed in Senate Bill 353;

14. Coordinate with the _____ County Treasurer's office and other county departments as necessary;

15. Insure consistency with _____ County financial and accounting systems and procedures;

16. Administer risk management accounts and tracking of claims, billings, insurance premiums and needed modifications thereto;

17. Administer payroll benefits, or oversight of outside payroll service to assure proper management of CLRC benefit package and/or other retirement programs;

18. Administer, monitor and maintain record keeping for human resource related issues pertaining to employee vacation, sick leave, bereavement or other non-health/retirement related office benefits;

19. Work with outside certified public accountants to set up procedures, systems and controls for the foregoing duties and to assure timely monthly, semi-annual and annual reporting;

20. Coordinate with other departments involving property management revenue streams and other revenue streams derived from grants, other government funded programs, lease option agreements, land contracts and rental income;

This position requires at least seven years of relevant financial management experience as a controller, full charge bookkeeper and/or Certified Public Accountant. A minimum bachelor's degree in accounting is required. Qualified applicants will have a solid understanding of the following:

Financial and fund accounting and reporting systems using generally accepted accounting principles;

Funding and revenue procedures created under Senate Bill 353;

Controller experience in the area of real estate property management, development or financing;

Software experience with Peachtree, Quickbooks, Yardi, Microsoft Office, Peoplesoft and similar software preferred.

LAND Bank

Team Proposal

Cook County Land Bank Authority

South Suburban Land Bank Development Authority

Toni Preckwinkle

President

Cook County Board

SSMMA

SOUTH SUBURBAN MAYORS & MANAGERS ASSOCIATION

Dr. Robert Donaldson

President

South Suburban Mayors & Managers Association

National Foreclosure Settlement Awards

Housing Counseling and Community Revitalization

Office of Attorney General

Lisa Madigan

State of Illinois

February 15, 2013

OFFICE OF THE PRESIDENT
BOARD OF COMMISSIONERS OF COOK COUNTY
118 NORTH CLARK STREET
CHICAGO, ILLINOIS 60602
(312) 603-6400
TDD (312) 603-5255

TONI PRECKWINKLE
PRESIDENT

February 14, 2013

The Honorable Lisa Madigan
Attorney General
500 South Second Street
Springfield, IL 62706

Dear Attorney General Madigan,

On behalf of the Cook County Land Bank Authority and the South Suburban Land Bank and Development Authority, we are pleased to submit this Land Acquisition for Neighborhood Development (LAND) Bank Team Proposal for National Foreclosure Settlement funds to underwrite start-up activities and build capacity at both authorities. Many Cook County communities have experienced disinvestment and declining budgets resulting from a shrinking property tax base. These conditions have been aggravated by the foreclosure crisis, which has exacted a high price in the form of vacant and abandoned properties. Vacancies increase crime, reduce property values and erode quality of life. They also hinder economic development, weaken the tax base and impose significant costs on already-struggling local governments. In Illinois, Cook County is the county hardest hit by foreclosure and vacant properties.

Our conversations with Chicago and suburban elected and appointed officials have revealed that municipalities of all shapes and sizes struggle to return vacant properties to their tax rolls because they lack the resources and expertise to carry out the basic tasks essential to putting them back in the hands of private owners who will care for, improve and pay taxes on them. The Cook County and South Suburban land banks can fill that void and have already received universal support from banks, realtors and affordable housing advocates, as well as city and suburban municipal leaders. These two land banks, the first two in the state of Illinois, will work in collaboration to develop the expertise to bring abandoned properties back into productive use. This strategic coordination will maximize resources, prevent duplication and give each land bank a more effective reach.

Funding from the Attorney General's office is critical to the creation of the permanent land bank infrastructure necessary to address these enormous challenges. We urge you to fund this much needed enterprise at a sufficient scale to meaningfully address the problem.

Sincerely,

Toni Preckwinkle
President
Cook County

Robert B. Donaldson
Mayor, Hazel Crest, Illinois
Chair, South Suburban Mayors and Managers Association

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LAND Bank Team Application
(Land Acquisition for Neighborhood Development)

Overview

According to the 2010 U.S. Census, 214,000 housing units are currently vacant in Cook County, many as a result of the foreclosure crisis. These properties have a devastating effect on neighbors, businesses and local governments: Vacant properties increase crime, reduce property values and erode quality of life. They also hinder economic development, weaken the tax base, which drives up taxes for other homeowners and businesses, and impose significant costs on already-struggling local governments. In Illinois, Cook County is the county hardest hit by foreclosure and vacant properties.

Following the lead and learning from the experience of more than 80 local governments in 23 states who have created land banks to combat foreclosure, the Cook County Board of Commissioners created the Cook County Land Bank Authority and South Suburban Mayors and Managers Association established the South Suburban Land Bank and Development Authority to address the challenges of vacant and foreclosed properties. Land banks are a national best practice for reversing the downward cycle of neighborhood decline and decay, facilitating the transfer of vacant property and promoting economic development and neighborhood stabilization. They achieve this by acquiring and maintaining vacant properties, addressing impediments to their productive re-use, adopting intermediate uses and transferring them to new owners who put them back on the tax rolls.

Historically, these tasks have been spread across multiple offices and levels of government that struggle to integrate their operations. Because land banks are granted specific tools, hire staff with specialized skills and bring a distinct focus on transforming vacant properties into opportunities, they perform more effectively. They are better able to develop coordinated strategies, leverage resources, act quickly and seize opportunities than their multi-mission counterparts. Moreover, land banks take advantage of economies of scale and a higher degree of specialization to maintain, demolish, rehabilitate and dispose of vacant properties as a service to other units of local government, thereby saving resources.

Land banking is a flexible tool that can be shaped to meet the needs of each participating community. In stronger market areas, land banks can facilitate immediate housing development or redevelopment, or commercial or industrial growth by speeding the transfer of vacant property to new owners, collaborating with individuals and organizations to renovate viable properties and assembling larger sites for private redevelopment. In harder hit communities, land banks provide a degree of stability that plants the seeds for economic revitalization in the near- or mid-term. In the hardest hit communities, land banks implement strategies that stop the downward spiral that, if left unchecked, would leave them decimated for generations. In such communities, demolition of nuisance properties may be the best short-term strategy, eliminating properties that drag down property values and promote blight. When the most troubled buildings have been cleared, the land can be used for new safe play areas or expanded side- or backyards. Cleared land also provides opportunities for urban agriculture and community-based food system practitioners to secure the access to land that is so essential to nurturing local food systems. Targeted demolition has proven to be an essential part of neighborhood stabilization efforts and lays the foundation for revitalization.

Land banks must act quickly and at substantial scale given the severity of the vacant property problem and the fact that inaction is destructive for fragile communities. The LAND Bank Team submitting this proposal is comprised of members who have been collaborating for years to address these challenges. Both land banks have already engaged major banks and local municipalities that are ready to start

transferring properties as soon as the infrastructure is in place. With sufficient funding, the Cook County and South Suburban land banks can begin their vitally important work and expand from there. They will build on the examples set by the Cuyahoga County/Cleveland, Ohio land bank, which quintupled its land acquisition activity in its second year, and the Genesee County land bank (Flint, Michigan), which has quadrupled its activity and now sometimes acquires more than 2,000 properties a year.

Serving a population that is four times greater than Cuyahoga's and ten times greater than Genesee's, the two land banks are the only entities in Illinois with the skills, tools and resources to take on the dual challenges of foreclosed and vacant properties at a meaningful scale. Though it will take time to build to full capacity, the land banks will be instrumental in acquiring thousands of properties, returning a significant percentage to productive use, stabilizing neighborhoods burdened by large numbers of empty lots and structures, and supporting economic development across Cook County.

Supporting the two land banks represents a long-term investment in the health and vitality of our neighborhoods, region and state. Both land banks will become self-sustaining but require start-up resources at a sufficient level to begin their work. Funding from the Attorney General's office will create the permanent land bank infrastructure to address these enormous challenges far into the future.

The LAND Bank Team seeks $20 million to build this needed infrastructure and to support the critical first three-to-four years of operations as the land banks become self-sustaining. Under this proposal, the Cook County Land Bank Authority will receive $15 million and the South Suburban Land Bank Development Authority, $5 million. The Cook County Land Bank Authority will serve as the LAND Bank Team Leader and act as the fiscal agent.

1) **Into which of the four eligible respondent categories listed on pages 2 and 3 do you fall? Please briefly describe your organization, or each organization on your team, including an explanation of your track record (including successes, challenges, lessons learned, and capacity building needs) related to primary outcomes proposed in Appendix A.**

The LAND Bank Team submits this proposal under Eligibility Category (1), Teams. The Cook County Land Bank Authority and the South Suburban Land Bank Development Authority combined their applications to achieve strategic and geographic coordination and make efficient use of limited resources. All funding received under this RFQ/RFP will go exclusively to the two land banks. The two organizations are joined by a broad and diverse team that will bring critical in-kind resources to bear to ensure the land banks' success. Though the land banks are new entities, their sponsors and board members and the other team members have lengthy and extensive experience addressing residential, community and economic development needs and challenges. The LAND Bank Team consists of the following entities:

Cook County Land Bank Authority (CCLBA)
The CCLBA was created on January 16, 2013 by a unanimous vote of the Cook County Commissioners. The land bank ordinance was developed following the recommendations of two advisory groups that consulted over 100 stakeholders. As an independent quasi-governmental agency of Cook County, the CCLBA will be governed by a Board of Directors comprised of thirteen leaders in the fields of real estate development, marketing, banking, local government and community representatives.

South Suburban Land Bank and Development Authority (SSLBDA)
The South Suburban Land Bank and Development Authority (SSLBDA) was conceived of and shaped by the South Suburban Mayors and Managers Association (SSMMA) and created in September 2012

through an intergovernmental agreement among three municipalities: Blue Island, Oak Forest and Park Forest. The three municipalities have been among the most innovative and effective in addressing these challenges in the region and have long histories of inter-jurisdictional collaboration. The SSLBDA is governed by a Board of Directors made up of seven leading professionals one from each of the three jurisdictions and the remainder from SSMMA, Applegate & Thorne-Thomsen, the Chicago Community Loan Fund (CCLF) and BRicK Partners, LLC, who together have decades of experience developing and implementing land use, community and economic development programs. With the benefit of this support and expertise, the SSLBDA has adopted policies and procedures and interviewed candidates for Executive Director with the expectation of filling this position by March 1, 2013.

With the agreement of the local municipality, the SSLBDA can acquire land in all 42 communities in the southern suburbs. This enables the SSLBDA to target areas that have suffered from the economic downturn and are still experiencing a growing number of foreclosures. Many of the 42 municipalities hardest hit by the foreclosure crisis, have expressed a strong interest in becoming members.

Cook County Bureau of Economic Development (CCBED)

The Cook County Bureau of Economic Development (CCBED) was established to foster economic development and job growth within Cook County to promote sustainable community investment; business growth, attraction and retention; affordable housing; regional planning; and workforce development. Within the Bureau, the Department of Planning and Development (DPD) has a long track record of relevant experience, having administered approximately $485 million in grants from the U.S. Department of Housing and Urban Development (HUD) to rehabilitate 580 owner-occupied units, develop 2,535 rental units and provide down payment assistance to 300 first-time homebuyers in low- and moderate-income suburban communities. DPD also runs the County's "No Cash Bid" programs, whereby interested taxing districts can acquire tax delinquent properties, and processes tax incentive resolutions for properties that do not meet the threshold conditions required by ordinance. Cook County's track record exemplifies its ability to act swiftly and efficiently in partnership with municipalities, developers, lenders, housing counseling agencies and realtors—the same stakeholders who will be critical to the land banks' success—to stabilize many County communities.

City of Chicago

The City of Chicago, the site of the largest number of vacant properties in the state, has vast experience addressing vacant property challenges, through numerous programs in the Department of Housing and Economic Development (DHED), the Department of Buildings, the Police and Fire Departments and others. One of the most relevant is the Micro-Market Recovery Program (MMRP), which helps to coordinate stabilization and revitalization activities across City departments, not-for-profit intermediaries and non-profit and for-profit capital sources to improve conditions, strengthen property values, and create environments supportive of private investment in targeted communities. The City will partner with the CCLBA in MMRP areas to extinguish eligible back taxes, clear title and secure private owners for priority parcels. DHED administers the same array of HUD grants as the County although at higher allocation levels. Working with its citywide and community partners in the MMRP areas, DHED expects to spell out the details of its working relationship with the CCLBA via an intergovernmental agreement.

South Suburban Mayors and Managers Association (SSMMA)

The South Suburban Mayors and Managers Association (SSMMA) is a council of governments (COG) with a 35-year track record of providing technical assistance and joint services to its 42 municipal members encompassing a population of more than 650,000 in Cook and Will counties. SSMMA has prioritized

helping its members—municipalities with a mix of incomes that include some of the poorest in the Chicago metropolitan region—achieve community and economic sustainability by being the only COG in the region to articulate a redevelopment framework founded upon its housing, transportation, real estate, industry and workforce strengths. In recent years, SSMMA has been awarded $24 million in federal and private grants to support sustainable transit-oriented development (TOD), establish the SSLBDA and perform brownfield assessments and clean-up. SSMMA is a lead partner in the Regional Home Ownership Preservation Initiative (RHOPI) and will make sure that the land banks support its goals of strengthening suburban capacity to respond to the foreclosure crisis.

Suburban Governments throughout Cook County

More than 130 municipalities exist in Cook County so finding the right CCLBA target areas can be a challenge. CCBED has laid a foundation for the CCLBA by working through established housing collaboratives to identify strategic areas that need help. To date, CCBED has reached out to the West Cook Housing Collaborative, which has secured a $2.9 million HUD grant to advance residential rehabilitation and development in TOD zones, and hopes to include other hard hit municipalities in west Cook like Cicero, Franklin Park and Willow Springs. CCBED has also engaged six CDBG entitlement towns in northwest Cook and the Northwest Housing Collaborative to identify opportunity areas there. In the north, Evanston has agreed to help the County expand affordable housing to Skokie and, possibly, areas further north. Both land banks will enter into formal agreements with participating municipalities.

Financial Institutions

Banks have partnered with SSMMA and the County to help ensure that bank-owned and other vacant properties are well-maintained and secured and to help stabilize real estate markets. Most of the largest national banks already have extensive experience collaborating with land banks in markets where they exist. Both land banks will partner with financial institutions as a source of properties to be donated and of developer and homebuyer financing. CCBLA and SSLBDA will coordinate with Enterprise Community Partners and CCLF who have applied to the Attorney General for a loan fund that will help finance development in many of the same neighborhoods where the LAND Bank Team will operate.

Chicago Association of Realtors

The Chicago Association of Realtors is a trade association representing 11,500 members from all real estate specialties including commercial sales, development, property management, appraisal, auctions and residential sales. Realtors have partnered with local and county government to develop programs to help stabilize the local real estate market and ensure that those programs function effectively.

Developers

A broad range of for-profit and non-profit developers have collaborated closely with local and county government to develop programs to help stabilize the local real estate market and to ensure that those programs work effectively. Many were active in developing the CCLBA through membership on the Land Bank Advisory Committee (LBAC) and participation in the Urban Land Institute's Technical Assistance Panel (ULI TAP). They include Neighborhood Housing Services (NHS), Chicago Metropolitan Housing Development Corporation, Mercy Housing and Hispanic Housing Development Corporation. Collectively, they have decades of experience in a wide range of residential markets and economic conditions.

Housing Counselors and Fair Housing Groups

CCLBA and SSLBDA will partner with housing counselors to assure there is a strong buyers market going forward and that everyone has a fair opportunity to purchase homes. The Chicago Area Fair Housing

Alliance, NHS and the West Cook Collaborative have lent their expertise by training other entities and prospective homebuyers in south and west Cook.

Technical Assistance Providers

The Metropolitan Planning Council (MPC), the Center for Neighborhood Technology (CNT), Business and Professional People for the Public Interest (BPI) and the Metropolitan Mayors Caucus (MMC) each have experience in housing and land use, economic development, policy analysis, program development and research and advocacy and will continue to provide technical assistance in these areas as part of this grant. The Woodstock Institute (WI) is a leading non-profit research and policy organization in the areas of fair lending, wealth creation and financial systems reform whose data will guide and inform the selection of target areas. Center for Community Progress (CCP) is the nation's premier land bank expert. CCP staff has participated in the development and implementation of all of the largest and most effective land banks in the country and will be instrumental in the formation of these two land banks.

Lessons Learned

It is impossible in a relatively brief document to capture even a small fraction of the specific lessons learned from the collective experiences of such a large and diverse team—though the land banks will draw on these innumerable lessons every single day.

The single biggest lesson learned, which is reflected in both the process that resulted in the creation of the two land banks and in the team that will help implement this proposal, is that the foreclosure and vacant property crises have created extraordinarily deep and complicated problems that can only be addressed through the well-coordinated efforts of a wide range of actors. This Team includes partners from organizations and individuals with the knowledge and expertise to frame problems and define solutions in actionable ways, the capacity and resources to implement them and a proven track record. The Team is comprised of seasoned professionals that represent an interdisciplinary and inter-jurisdictional approach essential to stabilization and redevelopment activities in hardest hit communities.

2) **Describe how the team already works together (or intends to work more closely using these resources) description of current and proposed roles and responsibilities, capacity building philosophy and relationship between team leader and partners.**

Past Teamwork

The creation of the CCLBA and SSLBDA brought together a wide range of stakeholders to assess the region's foreclosure crisis. Two advisory groups, LBAC and the ULI TAP, convened multi-disciplinary teams to advise the County on whether and how land banking could serve as a tool to address the large and growing supply of vacant properties, stabilize neighborhoods and support economic development.

All LAND Bank Team members (see Letters of Support in Appendix B) were deeply involved in these land bank activities, building on years of similar collaboration. Through these public planning processes, they partnered over the last two years on the CCLBA and SSLBDA, shaping their missions and scopes, defining powers and identifying land bank priorities. Many have worked together in various combinations over the last four years to address foreclosure and vacant building challenges in other policy arenas.

Present Working Relationships

The CCLBA will act as the lead applicant and fiscal agent for the LAND Bank Team. In this capacity, CCLBA will be responsible for facilitating clear and frequent communications among Team members to ensure

the coordinated execution of tasks consistent with a single county-wide vision and the plans of local communities. CCLBA will direct and carry out all land bank activities under its direct jurisdiction and make certain that all major objectives are accomplished within established timeframes.

Ten of the CCLBA's Board of Directors were formally approved by the Cook County Board on February 8, 2013 (Appendix C). The CCLBA Board will immediately begin a nationwide search for an executive director using a recruiter to ensure the most qualified candidate is selected. The CCLBA will be supported by staff from CCBED/DPD until its own staff has been hired. Even then, CCBED/DPD staff will continue working closely with CCLBA staff to ensure that their programs are integrated with and able to easily access existing County programs and offices.

Proposed Partnerships

The most important collaboration will be between the LAND Bank Team and local governments that lack the resources and, in some cases, the authority to deal with their development challenges. The land banks can handle the day-to-day challenges of maintaining and securing properties, extinguishing unpaid property taxes, clearing title and navigating the cumbersome process for transferring government-owned land to private owners. Since all land bank activities must be in the service of locally-developed plans and priorities, the land banks will execute memoranda of understanding with each participating municipality which will establish the ground rules for the working relationship between a specific land bank and that municipality, clearly defining roles and responsibilities and identifying local priorities for land bank action.

Other Team members will play critical roles. Banks in partnership with the land banks will establish policies and procedures for the efficient and fair transfer of vacant properties from banks to either CCLBA or SSLBDA. Realtors and developers will help to ensure that the land banks operate in ways that support the efforts of for-profit and non-profit developers and real estate professionals, in part by helping to develop procedures for property transfer that operate as much as possible like the private market. Realtors will participate in the marketing of land bank properties.

Cook County agencies will ensure that a wide range of County programs and services are well-coordinated with land bank activities. Through the CCBED, the County will bring its considerable legal, financial and development expertise to ensure the success of this venture for the benefit of communities that lack them. DPD's programs will be essential to the land banks' acquisition and disposition of properties and will need to be well coordinated with land bank operations.

Non-profit agencies like BPI, CNT, MPC, ULI and WI will provide technical assistance to the land banks as they develop policies and procedures and as they execute them. CCP will provide expert advice to the land bank boards and staff in developing the systems so essential to their successful operation.
Team members bring a rich history of collaborating with each other in current and prior positions—experience that will serve the Team well as it launches this land bank initiative. For example, strong bonds already exist via Cook County's CDBG, NSP and HOME programs with SSMMA, Park Forest, Blue Island, developers in west Cook and the Northwest Housing Partnership. Through these relationships, partners have helped stabilize neighborhoods, upgrade infrastructure, and deliver residential and economic development improvements to low- and moderate-income populations. Similar affiliations exist with the potential target communities of Berwyn, Calumet City, Cicero, Dolton, Harvey, Maywood, Palatine, Schaumburg and Skokie, all of which have been identified by WI as having significant numbers of foreclosures.

SSMMA will deploy the resources at its disposal such as its GIS Suburban Atlas and $6 million development loan fund to help the SSLBDA resolve issues associated with strategic acquisitions and finance redevelopment of key parcels. Expert board members of and technical assistance providers to the SSLBDA such as BPI, CCLF and BRicK Partners, LLC, have independent working relationships with city, county and suburban counterparts that will reinforce the partnership. These bonds are further strengthened by collaborations between current County staff and current and proposed Team members that occurred as part of previous positions held by key County staff.

Capacity Building Philosophy

A primary goal of the land banks and a primary use of the requested funding is to build the capacity to return vacant property to productive use far more efficiently than local governments can today and at much greater scale. The land banks provide a framework for collaboration among the diverse team members previously described. By creating policies and procedures for the acquisition, maintenance and disposition of property, with well-defined roles for all parties and clearly-articulated goals and priorities, the land banks will develop the economies of scale needed to address this regional problem. And by taking property that currently has little or no market value and engaging in activities that release the underlying value (like clearing title and addressing back taxes), the land banks will generate revenue that will support expanded capacity. Both the Cuyahoga County and Genesee County land banks substantially increased their capacity in their first several years. This ability to expand to address the scale of the challenge by creating a platform for collaboration among a wide range of partners and developing a highly specialized set of skills is at the core of the land bank approach. This proposal is about building long-term capacity—creating permanent infrastructure for addressing vacant properties throughout the County—long after the last dollar in funding from the Attorney Generals' settlement is spent.

3) **What is proposed service or strategy and the outputs identified to achieve the primary outcomes listed in Appendix A. Is there a minimum or maximum number proposed? Why?**

Proposed Services

In order to achieve the goals of redevelopment, stabilization and stimulating residential, commercial and industrial development, the CCLBA and SSLBDA, like other effective land banks around the country, will offer three key services: acquiring properties, managing them and returning them to productive use.

Acquisition

Initially, property acquisition will primarily involve transfers of vacant properties from local governments and banks to the land banks. Property acquisition will also involve tax foreclosure, transfers from other private owners and open market purchases. The CCLBA will establish target areas as part of developing their programs and SSLBDA will begin implementing its existing development strategy in order to acquire and assemble adjoining parcels to create larger, more marketable properties and help promote economic development.

Management

Land bank properties will be secured, maintained and prepared for return to productive use. Vacant and abandoned properties will be made more marketable by performing pre-development tasks such as extinguishing qualifying delinquent taxes, clearing titles, remediating environmental problems and demolishing dangerous buildings. As a result, properties that now have little or no market value—and no appeal to potential owners—will become much more desirable. By maintaining and securing properties as they await transfer, harmful effects on surrounding communities will be reduced.

Sale or Transfer

Once these tasks are complete, the land banks will transfer title to responsible new owners. As agencies of municipal or County government with independent boards, they will be able to operate more flexibly and nimbly than government entities limited by existing government practices, creating an easier, more transparent process for potential buyers—a process that would function much more like the private market. The land banks will hold properties for only a portion of the development process, which would reduce risk and costs for investors and facilitate redevelopment that might otherwise be infeasible. Along with private sector interests, non-profits and neighboring owners can be among the end users of land bank property if they have a plan for the property and the resources to take care of it.

Proposed Outcomes and Timeline

The LBAC and the ULI TAP drew on extensive expertise to develop several models specifying possible outcomes for the first several years of operations. The extent to which the land banks will be able to meet these goals will depend on the funding that is made available to put the land bank structure in place and deliver services. If the land banks receive the full amount requested, we anticipate the following outcomes in the first three years:

First Six Months:

- CCLBA: Hire an Executive Director and expert staff;
- CCLBA: Develop policies, procedures and programs;
- CCLBA: Creation of a database management system for strategic acquisitions and dispositions;
- CCLBA: Through CCT grant funds, establish pilot program to assist municipalities clearing and transferring title.

Second Six Months:

- CCLBA: 275-325 properties donated, 145-155 properties acquired, 70-80 properties demolished;
- SSLBDA: Acquisition of 60 properties, demolition of ten properties, and the construction or rehabilitation of six to twelve housing units in transit zones.

Year Two:

- CCLBA: 550-650 properties donated, 175-225 properties acquired, 130-150 properties demolished.
- SSLBDA: 200 properties donated*, 84 properties acquired, ten properties demolished, six to twelve housing units built.

Year Three:

- CCLBA: 550-650 properties donated, 225-275 properties acquired, 130-150 properties demolished.
- SSLBDA: 200 properties donated*, 117 properties acquired, ten properties demolished, six to twelve housing units built/rehabilitated, and 14-22 acres redeveloped.

(*Donations and associated bank financial contributions not yet in SSLBDA budget

4) **Describe the challenges faced in your targeted area, clarifying a) proposed geographic boundaries of technical assistance and b) relevant data informing (and still needed) for the proposed strategy (i.e. related to foreclosures, vacant/abandoned property, mortgage loan delinquencies, local assets guiding development priorities and/or demand for your technical assistance.**

Geographic Scope/Target Areas

The CCLBA has been enacted to operate county-wide as a tool to help municipalities with local stabilization and redevelopment efforts. Vacant property challenges and redevelopment needs are widespread in the current economic climate; but, resources to respond to these challenges are not. Consequently, the land banks' resources must be thoughtfully targeted to maximize effectiveness.

For the most recent year for which foreclosure filings are available (2012), Chicago reported 18,407 foreclosure filings followed by the South Cook at 6,584, West Cook with 5,423 and Northwest Cook with 5,398. In Chicago, the nine communities that comprise the City's MMRP represent agreed-upon priorities from which LAND Bank Target Areas can be drawn. Three of the nine MMRP communities: Belmont-Cragin, Chicago Lawn and Humboldt Park appear on the WI's list of community areas with a high number of foreclosures.

South suburban targets are a foregone conclusion given that (1) the Southland has the highest number of foreclosures of any subarea in the metropolitan region except Chicago; and (2) the SSLBDA represents an opportunity to pursue a shared agenda of returning abandoned properties to productive use. SSLBDA's initial focus will be to redevelop foreclosed homes in areas which are rich with economic opportunity, with a primary focus on the half-mile transit zones surrounding existing public transportation and/or commuter rail lines. Priority will be given to acquiring parcels within the target area that also have the potential to provide workforce housing within six to nine months of acquisition. Acquisition of ancillary parcels that will provide commercial and industrial opportunities to the region will also be a priority. Finally, the CCLBA will hold similar discussions with COGs and not for profits in west and northwest Cook during its start-up year and will use municipal and census tract data to identify initial targets.

The Challenges of Foreclosed and Vacant Properties

The challenges now confronting Cook County are formidable: according to the U.S. Census, nearly ten percent of the housing units in the County are vacant; more than 85,000 foreclosure cases are pending in the Circuit Court of Cook County and home foreclosure activity in the Chicago area jumped 28 percent in the first half of 2012 from the prior six months (Crain's Real Estate Daily, July 26, 2012 citing a report from RealtyTrac). With one foreclosure filing for every 55 housing units in the metro area, the number of vacant properties is likely to continue to increase.

The challenge of foreclosed and vacant property also extends to commercial and industrial properties. In southern Cook County, SSMMA and CNT have identified 1,200 acres of vacant and underutilized industrial property within three miles of Canadian National's (CN) Gateway Terminal in Harvey. In West Cook, CNT has indicated that comparable industrial acreage exists with concentrations in the communities of Bedford Park, Cicero, Franklin Park, and McCook.

Vacant property, improved or unimproved, contributes measurably to neighborhood decline, driving up crime, driving down property values and eroding quality of life. A Federal Reserve Bank study of Cleveland, Ohio estimated that foreclosed, vacant and delinquent properties lower the values of neighboring properties within 500 feet by 9.4 percent.

Some communities—particularly in the south suburbs—have been hard hit by both residential foreclosures and industrial abandonment. Their economies have spiraled downward as tax collections shrink and the burden on remaining residents and businesses grows. Even communities with lower foreclosure and abandonment rates have struggled to address these trends. Most local governments have limited capacity and resources to deal with many aspects of this mounting challenge: adequately maintaining properties until new owners can be found, delivering clear title, erasing unpaid property taxes or navigating the often cumbersome processes for transferring public land to private owners. The following table presents WI's recent foreclosure data by subarea within Cook County:

Subareas within Cook County	Number of Completed Foreclosures (2012)	Number of Foreclosure Filings (2012)
North Suburbs	1,037	2,155
Northwest Suburbs	3,049	5,398
West Suburbs	2,772	5,423
Southwest Suburbs	1,756	3,797
South Suburbs	2,951	6,584
Chicago	9,632	18,407
Cook County Total	21,197	41,764

Tax liens, faulty title, municipal and other regulatory liens and property ownership restrictions, as well as the difficulty of assembling multiple vacant properties as part of an overall revitalization plan, often deter private sector entities from redeveloping many abandoned properties. The land banks can serve as conduits for clearing these barriers to future development.

5) **Describe readiness to proceed, including resources you have secured, or intend to secure, and proposed implementation timeline, explain where the resources available through this RFP are uniquely needed.**

Both land banks will begin work by April 2013 with existing funding, though their scope will be greatly enhanced by increased funding. Both land banks can begin to evaluate and receive properties in their first year through transfers and donations from local governments, servicers and banks. Using previously secured funds from HUD and building upon past studies, the SSLBDA, together with SSMMA, has already begun to research parcels within the target areas. Once additional funding is secured, the SSLBDA can begin the process of acquiring properties, maintaining them, facilitating intermediate uses and returning them to the tax rolls.

The Illinois Attorney General's $20 million LAND Bank award will leverage an additional $13 million in private and other public funds. Based on the experience of other land banks around the country and conversations with local financial institutions, the CCLBA and SSLBDA expect to receive cash contributions to help defray expenses when banks transfer properties to them. The CCLBA has already received a $149,000 grant from The Searle Funds at The Chicago Community Trust to help underwrite start-up costs, a pilot program to assist municipalities in clearing and transferring title on properties they already own, and to retain the services of CCP. The land banks will also pursue funding from area foundations and the new foreclosure filing fee administered by the Illinois Housing Development Authority, which specifically called out counties as recipients. In the long run the land banks, like others around the country, will be self-sustaining through a combination of revenue generated from the sale of land bank-owned property, rental and service fees, and other proven land bank revenue sources that the Board will pursue.

In Ohio, $75 million in Settlement Funds were allocated to all 88 counties on a formula that looked at population, foreclosures and vacancies. Thirteen organized land banks were the designated fund recipients for their county; county government received the funds where land banks did not exist. The Attorney General for the State of Illinois has been at the forefront of the national effort to redress the fraudulent practices that characterized the foreclosure crisis. The LAND Bank Team urges the Office of the Attorney General to provide the lead public and private sector investment in Illinois' first two land banks so they can help communities recover.

Appendix A – Outcomes, Budgets and Map 2

LAND Bank Team's Proposed Outcomes
Cook County Land Bank Authority Budget
South Suburban Land Bank Development Authority Budget
Map of Potential LAND Bank Team Target Areas

Request for Qualifications and Proposals for National Foreclosure Settlement (NFS)Awards: Housing Counseling and Community Revitalization
Appendix A - LAND Bank Team

Eligibility Category

1) Teams	Organization Name (include "type of entity", such as counselor, developer, CDFI, data expert, organizational capacity expert, foundation, public official, etc.)	Seeking NFS Funds? (Yes/No)*	Contact Person	Phone / Email
Organizational or Lead Team* Applicant	Cook County Land Bank Authority	Yes	Toni Preckwinkle	312-603-2818
Team Member/Land Bank	South Suburban Land Bank Dev Authority	Yes	Ed Paesel	708-206-1155 X4670
Team Member/County Agency	Cook County Bureau of Economic Devmt	No	Herman Brewer	312-603-1077
Team Member/City Agency	City of Chicago Dept. of Housing & Econ Dev	No	Andrew Mooney	312-744-9476
Team Member/Council of Governments	South Suburban Mayors and Managers	No	Janice Morrissy	708-922-4672
Team Member/TA Provider	Metropolitan Planning Council	No	MarySue Barrett	312-863-6001
Team Member/TA Provider	Center for Neighborhood Technology	No	Kathy Tholin	773-269-4030
Team Member/TA Provider	Business and Professional People Pub Int	No	Hoy McConnell	312-793-7300
Team Member/Assoc of Municipal Govrnmts	Metropolitan Mayors Caucus	No	David Bennett	312-201-4505

**It is anticipated that there may be team members contributing to applications rather than seeking NFS funds.*

Budget

If this proposal already has a total budget, please attach including Sources, Uses and cost justifications for all major categories and status of Sources (e.g. committed, applied, secured, etc.). **See attached CCLBA and SSLBDA budgets.**

Primary Outcomes and Costs/Outcome

Question	Response (Number and Type of Outcome)	Agency Responsible	Total costs	Costs per outcome
Primary outcomes (s) proposed:				
Establishment of CCLBA	Hire an Executive Director and staff Develop & adopt policies, procedures & programs Develop & implement fundraising strategy	CCLBA	$1,235,000	$100,000 $900,000 $235,000
Creation of database management system		CCLBA	$350,000	$350,000
Refinement of GIS-based planning strategy		SSLBDA	$258,300	$258,300
Intergovernmental agreements with target municipalities	Execution of four MOUs	CCLBA	$800,000	$200,000
Property acquisition and demolition	1,500 properties donated & maintained 600 properties acquired & maintained 378 properties demolished (subset of above) 137 units rehabbed	CCLBA	$25,295,800	$5,400 $10,588 $16,000 $35,000
Property acquisition, demolition and housing rehab/construction	460 properties donated and maintained 261 properties acquired and maintained 30 properties demolished 32 housing units built/rehabbed	SSLBDA	$5,081,792	$5,400* $9,050 $16,000 $72,000
Total Project Costs:	$33 million		$33,020,892	
Amount to be leveraged from other sources:	$13 million			
Proposed request from NFS Funds	$20 million			
		Explanation		
Minimum Request, if applicable:				
Maximum Request, if applicable:				

*Bank donation fee not part of SSLBDA budget.

CCLBA 3-Year Budget Expense	Year 1 (Start-up)	YEAR 2	YEAR 3	ASSUMPTIONS
Executive Director	$ 175,000	$ 178,500	$ 182,070	Est. market rate for seasoned leader
CFO/Accountant	$ 127,500	$ 173,400	$ 176,868	Est. market rate for seasoned CPA
General Counsel	$ 123,750	$ 168,300	$ 171,666	Est. market rate for seasoned lawyer
3 Portfolio Managers	$ 150,000	$ 306,000	$ 312,120	Est. @ 100K each for seasoned staff
2 Acquisition Specialists	$ 66,000	$ 204,000	$ 208,080	Est. @100K each for seasoned staff
2 Demolition Specialists	$ 52,800	$ 163,200	$ 166,464	Est. @ 80K each for seasoned staff
Administration Assistant	$ 50,000	$ 51,000	$ 52,020	Est. market rate
Fringe (Total FTE's 11)	$ 223,515	$ 373,320	$ 380,786	@30%
Sub-total Salary/Fringe	$ 968,565	$ 1,617,720	$ 1,650,074	COLA projected @ 2% per annum
Training and Education	$ 50,000	$ 51,000	$ 52,020	Estimate
Furniture	$ 40,000	$ 10,000	$ -	
Supplies	$ 20,000	$ 20,000	$ 20,000	
Office Space Rent	$ 110,250	$ 110,250	$ 110,250	
D&O Insurance	$ 10,000	$ 10,200	$ 10,404	Estimate
Sub-total Overhead	$ 230,250	$ 201,450	$ 192,674	Non In-kind expenses escalate @ 2% per annum
Total Administration	$ 1,198,815	$ 1,819,170	$ 1,842,748	
Legal	$ 300,000	$ 300,000	$ 300,000	Outside legal fees est. from other landbanks
Professional Services/Consultants	$ 450,000	$ 450,000	$ 450,000	Program dev, MKTG, fundraising, MIS, IT, Audit, Appraisals, CAD, etc.
Insurance	$ 200,000	$ 200,000	$ 200,000	Est. from other landbanks(umbrella policy on R.E.)
Acquisition	$ 1,050,000	$ 1,400,000	$ 1,750,000	$7K per unit
Advertising & Web design	$ 50,000	$ 50,000	$ 50,000	Estimate
Environmental	$ 158,700	$ 300,000	$ 300,000	Estimate for some Phase I & IIs
Maintenance	$ 325,000	$ 500,000	$ 525,000	R.E. Owned by CCLBA; est. from other landbanks
Rehabilitation	$ 644,588	$ 1,750,000	$ 1,750,000	Est. based on ltd. # of rehabs - TBD
Demolition/Deconstruction	$ 1,260,000	$ 2,240,000	$ 2,380,000	$16K per unit, CHGO Bldg Dept. Oct. 12
Predevelopment Expenses	$ 625,897	$ 1,200,000	$ 1,400,000	Pass-thru grants to assist NFP developers
Inventory Management Software	$ 87,000	$ 87,000	$ 87,000	Estimate
Total Operating Costs	$ 5,151,185	$ 8,477,000	$ 9,192,000	
Total Expense	**$ 6,350,000**	**$ 10,296,170**	**$ 11,034,748**	
Revenue				
National Mort. Set. Grant	$ 5,000,000	$ 5,000,000	$ 5,000,000	Requesting $15M from Atty Gen. Office
Other Grants/Income	$ 300,000	$ 2,500,000	$ 3,000,000	Federal, State, Local Funds & Foundations
Sales	$ -	$ 400,000	$ 600,000	Sales TBD, assumed low for this budgget
Rental Income	$ -	$ 100,000	$ 100,000	Rental income TBD, assumed low for this budget
Transaction Fees	$ -	$ 200,000	$ 200,000	Fee for clearing title for developer, est., TBD
Property donation fee	$ 1,000,000	$ 2,100,000	$ 2,100,000	Estimated
Total Revenue	**$6,300,000**	**$10,300,000**	**$11,000,000**	
Surplus/Gap	-$50,000	$3,830	-$34,748	

Year 1 Salaries as follows: Executive Director and Administrative Asst. for a full year, CFO and General Counsel for 3/4 year, Portfolio Managers for 1/2 year, and Acquisition/Demolition Specialists for 1/3 year.

Assumptions	YR 1	YR 2	YR 3
Total Properties Donated*	300	600	600
Total Properties Acquired	150	200	250
Total Inventory	**450**	**800**	**850**
Properties Demolished (17.5%)	79	140	149
Demolition per unit	$ 16,000	$ 16,000	$ 16,000
Maintenance (complex site)	$ 1,500	$ 1,500	$ 1,500
Maintenance (Simple site)	$ 500	$ 500	$ 500
Acquisition per unit	$ 7,000	$ 7,000	$ 7,000

Total Number of Properties in 3 Years

Total Properties Donated	1,500
Total Properties Acquired	600
Total Properties in 3 Years	2,100

Other Relevant Notes:
There were 22,365 foreclosure filings, 10,821 auctions and 9,985 REOs in the first half of 2012 per the Woodstock Institute.

Revenues:

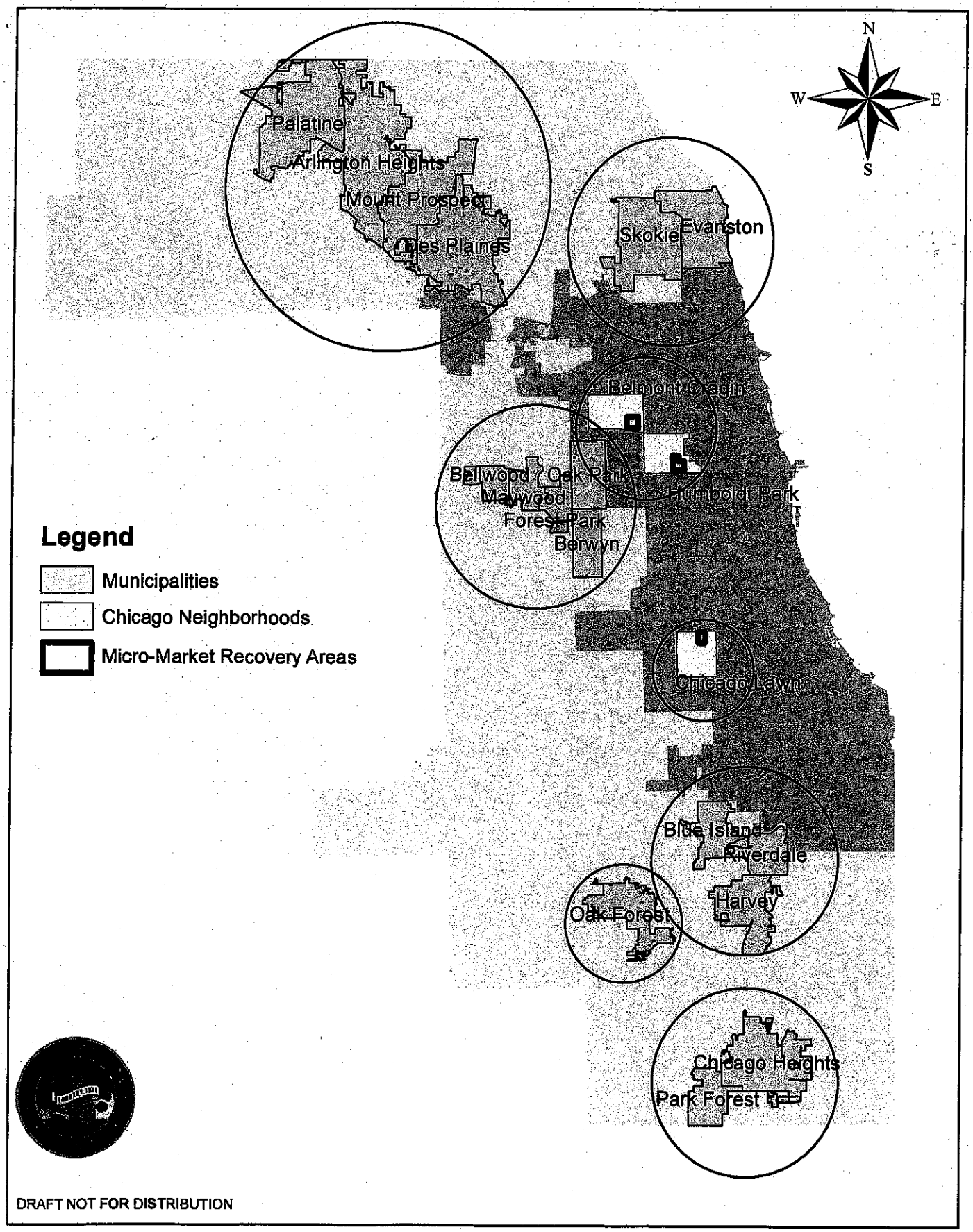
SOUTH SUBURBAN LAND BANK AND DEVELOPMENT AUTHORITY

Proposed

January 28, 2013

YEAR 1	YEAR 2	YEAR 3		
SSMMA HUD Grant		**$152,802**	**$0**	**$0**
Sales		**$25,000**	**$62,500**	**$100,000**
Donations/Banks/ Grants/Agency/Found ations/Investments				
$1,473,673	**$1,708,044**	**$1,818,283**		
TOTAL REVENUES		**$1,651,275**	**$1,770,544**	**$1,916,283**
Expenditures:				
Salaries & Fringes		**$215,900**	**$222,377**	**$229,048**
YR 1: Executive Director base at $120,000 and fringes at $32,400 YR 2: Staff support base at $50,000 and fringes at $13,500				
Training & Education		**$12,000**	**$12,000**	**$12,000**
Covers conference registrations for staff, Board development costs, and conference registrations and travel for Board.				
Staff Travel		**$3,000**	**$3,000**	**$3,000**
Rent		**$6,000**	**$6,180**	**$6,365**
Assumes $500 a month to SSMMA or member municipality where SSLBDA office is located.				
Supplies		**$3,500**	**$3,605**	**$3,713**
Equipment & Furniture		**$10,000**	**$3,000**	**$3,090**
Contractual Services		**$361,100**	**$346,140**	**$364,040**
Contractual Services for YR1 include:				
Contractual Services for YR 2 include:				
Contractual Services for YR 3 include:				
$25,000 Book Keeping and Compliance			$25,000	$25,000 Book Keeping and Compliance
$86,100 SSMMA GIS Services			$86,100	$86,100 SSMMA GIS Services
$10,000 Inspections			$10,000	$10,000 Inspections
$10,000 Human Resources			$10,000	$10,000 Human Resources
$10,000 Website Development and Maintenance			$10,000	$10,000 Website Maintenance
$35,000 Land Banking Software Initial Cost			$7,000	$7,000 Software Yrly Maintenance
$15,000 Consultant (Center for Community Progress)			$15,000	$15,000 Consultant
$50,000 Development Consultant			$50,000	$50,000 Development Consultant
$35,000 Property Management			$47,040	$65,940 Property Management
$85,000 Security and Board-Up			$85,000	$85,000 Security and Board-up
$361,100			$345,140	$364,040
Professional Services		**$84,000**	**$101,100**	**$124,125**
YR 1: Legal at 60 closings/property transfers at $650 and $30,000 for general counsel, brownfield assistance, leasing, etc. Audit at $15,000. YR 2: Legal at 84 closings/property transfers at $650 and $30,000 for general counsel, brownfield assistance, leasing, etc. Audit at $15,000. YR 3: Legal at 117 closings/property transfers at $650 and $30,000 for general counsel, brownfield assistance, leasing, etc. Audit at $15,000.				
Demolition		**$160,000**	**$160,000**	**$160,000**
Assumes 10 demolitions at $16,000				
Rehabilitation		**$610,673**	**$610,672**	**$610,672**
Assumes an average of 8 homes at approximately $75,000 per home.				
Acquisition costs				
Insurance (Liability and D&O)				
Advertising				
$105,000	**$154,000**	**$169,000**		
$5,000	**$5,150**	**$5,305**		
$5,000	**$5,150**	**$5,305**		
Repairs & Maintenance		**$60,000**	**$134,000**	**$195,000**
YR 1: 60 properties at $1,000 YR 2: 134 properties at $1,000 YR 3: 195 properties at $1,000				
Other		**$10,102**	**$5,170**	**$7,620**
Total Expenditures		**$1,651,275**	**$1,770,544**	**$1,918,263**
Excess / (Shortage)				
$0	**$0**	**$0**		

Potential LAND Bank Team Target Areas



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Cook County Land Bank Advisory Committee Report

REVISED EDITION DECEMBER 2012

Recent articles like "What to do about all the 'empties'?" (Chicago Tribune, 9/30/12) serve as reminders that a perfect storm of vacant, abandoned and foreclosed properties creates the potential for extraordinary decline in Cook County if left unaddressed. The already formidable challenges of vacant and abandoned properties that were once limited to the inner city have rippled outward as foreclosures associated with the housing crisis broaden the number and types of communities affected by disinvestment.

Most local governments find they have limited capacity and resources to deal with the intricacies of this mounting challenge; on their own, they simply cannot deal with adequately maintaining and securing properties until new owners can be found, delivering clear title, erasing unpaid property taxes or navigating the often cumbersome processes for transferring government land to private owners who will return them to productive use. Across the country, land banks have become an effective tool to address these challenges, reversing the cycle of decline and decay, facilitating the transfer of vacant property, and promoting economic development and neighborhood stabilization. More than 80 local governments in 23 states have created land banks or other entities with similar powers to turn the liability of vacant properties into community assets.

Extraordinary times call for extraordinary measures. The Land Bank Advisory Committee calls on Cook County government to join the growing list of communities with land banks by implementing the primary recommendations contained in this report:

1. ***Create a land bank that would operate in accordance with the mission, powers, and principles outlined herein.***

2. ***Establish the Land Bank as an agency of Cook County, governed by an independent board, to promote redevelopment and reuse of vacant, abandoned, foreclosed or tax-delinquent properties at the request of, or with the approval of, local municipalities.***

3. ***Appoint a 13-member governing Board of Directors with the diverse skills and perspectives required for effective operation of the Land Bank.***

4. ***Provide seed funds for a start-up period during which the Land Bank would establish itself as a high-functioning organization guided by a strategic plan to operate in accordance with the proposed mission, powers and principles.***

A Cook County Land Bank can deliver added value and the experience that is essential to returning strategic properties to productive use. Urgency exists for the Cook County Board to act now to create a land bank with that singularity of purpose.

MarySue Barrett
Chair, Cook County Land Bank Advisory Committee

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Vacant Properties: A Growing Problem

In July 2012, the Cook County Board of Commissioners unanimously authorized Cook County Board President Toni Preckwinkle to create a Land Bank Advisory Committee (LBAC) and directed the Committee to explore land banking as a tool to address the large and growing supply of vacant property, stabilize neighborhoods and support economic development in Cook County, and to prepare a report within 60 days of its appointment. The Resolution (12-R-320) was co-sponsored by President Preckwinkle and Commissioner Bridget Gainer.

On September 21, 2012 President Preckwinkle appointed a roster of civic, governmental, financial, legal, and development professionals to serve on the LBAC. The LBAC consulted with civic leaders, local and regional government agencies, community stakeholders and leading national authorities to inform their deliberations. The committee carefully examined the challenges and tools available in Cook County as well as the experiences of land banks around the country to understand the range of options and identify best practices.

The LBAC benefitted greatly from several complementary activities. Of particular note was the effort of Cook County Commissioner Bridget Gainer (10th District), one of the region's earliest and most committed land bank advocates, who laid much of the groundwork for Cook County's land bank exploration. At Commissioner Gainer's request, the Urban Land Institute (ULI) of Chicago convened a Technical Assistance Panel (TAP), which recruited more than a dozen experts who studied the land bank mechanism and interviewed community leaders and representatives from banking, real estate and development to provide strategic advice. The recommendations and many of the specific ideas in this report were informed by the ULI TAP process.

Another important partner is the South Suburban Mayors and Managers Association (SSMMA), which recently created a sub-regional land bank. An important component of Cook County's land bank efforts will involve strategic coordination with this sub-regional land bank to maximize resources and avoid duplication while providing appropriate regional accountability and leadership that ensures a sound, effective and comprehensive countywide solution.

The Challenges of Vacant and Foreclosed Property

The challenges now confronting the County are formidable: according to the U.S. Census, nearly 10 percent of the housing units in Cook County are vacant; more than 85,000 foreclosure cases are pending in the Circuit Court of Cook County and home foreclosure activity in the Chicago area jumped 28 percent in the first half of 2012 from the prior six months (Crain's Real Estate Daily, July 26, 2012 citing a report from RealtyTrac). With one foreclosure filing for every 55 housing units in the metro area, the number of vacant properties is likely to continue to increase.

The challenge of vacant property also extends to commercial and industrial properties. In southern Cook County, SSMMA and the Center for Neighborhood Technology (CNT) have identified 1,200 acres of vacant and underutilized industrial property within five miles of Canadian National's (CN) Gateway Terminal in Harvey. In west Cook, CNT has indicated that comparable industrial acreage exists with concentrations in the communities of Bedford Park, Cicero, Franklin Park, and McCook.

Vacant property, improved or unimproved, contributes measurably to neighborhood decline, driving up crime, driving down property values, and eroding quality of life. A Federal Reserve Bank study of Cleveland estimated that foreclosed, vacant, and delinquent properties lower the values of neighboring properties within 500 feet by 9.4 percent.

Vacant properties also become liabilities for local governments. As the Cook County Board noted in its resolution, vacant properties hinder economic development, weaken the tax base and impose substantial costs on local governments that must maintain and secure them.

Some communities have been hard hit by both residential foreclosures and industrial abandonment. Their economies have spiraled downward as tax collections shrink and the burden on remaining residents and businesses grows. Even communities with lower foreclosure and abandonment rates have struggled to address these trends. Most local governments find they have limited capacity and resources to deal with many aspects of this mounting challenge: adequately maintaining and securing properties until new owners can be found, delivering clear title, erasing unpaid property taxes or navigating the often cumbersome processes for transferring government land to private owners who will return them to productive use.

While in theory, it would be desirable for the private sector to address these obstacles to redevelopment, it has limited ability to take them on. Tax liens, faulty title, municipal and other regulatory liens, and property ownership restrictions as well as the inability to assemble multiple vacant properties as part of an overall revitalization plan, restricts private sector entities from entering this space. Using the land bank as a conduit to clear these barriers for future use allows the ultimate solutions to be brought forth by the for-profit and non-profit sectors of Cook County seeking to return these properties to productive use and the tax rolls.

Land Banks as a Solution

Across the country, land banks have become an effective tool to address these specific challenges, reversing the downward cycle of decline and decay, facilitating the transfer of vacant property, and promoting economic development and neighborhood stabilization. More than 80 local governments in 23 states have created land banks or other entities with similar powers to turn the liability of vacant properties into community assets. Cook County government should join that growing list and establish a Cook County Land Bank.

How a Cook County Land Bank Would Help

In order to achieve the goals of redevelopment, stabilization and stimulating residential, commercial and industrial development, a Cook County Land Bank, like other effective land banks around the country, should offer three primary services: acquiring properties, managing them, and returning them to productive use.

Acquisition

A Cook County Land Bank should acquire property in several ways: through tax foreclosure, transfers from municipalities with an inventory of vacant properties, transfers from banks or other private owners, and open market purchases. Many existing land banks acquire properties through the tax foreclosure process, although financial institutions and other private owners are increasingly looking for ways to transfer ownership of properties they are not equipped to manage. A Cook County Land Bank should meet that need in a targeted way consistent with its priorities. The Land Bank should also acquire and assemble adjoining parcels to create larger, more marketable properties, and help promote economic development.

Management

After the Land Bank acquires properties, it should maintain and secure them and prepare to return them to productive use. The Land Bank should make vacant and abandoned properties more marketable by performing pre-development tasks such as extinguishing qualifying delinquent taxes, clearing titles, performing maintenance, remediating environmental problems and demolishing dangerous buildings. As a result, it would take properties that now have little or no market value—and have no appeal to potential owners—and make them much more desirable. And by ensuring that the properties are maintained and secured as they await transfer, the Land Bank would reduce harmful effects on surrounding communities.

Sale or Transfer

A Cook County Land Bank should act as quickly as possible to transfer title of land bank properties to responsible new owners. A Cook County Land Bank established as an agency of the County, with an independent board of directors, should operate more flexibly and nimbly than entities limited by existing government practices, creating an easier, more transparent process for potential buyers—a process that would work much more like the private market. It should also hold properties for a portion of the development process, which would reduce risk and costs for investors and facilitate redevelopment that might otherwise be infeasible. Along with private sector interests, non-profits and neighboring owners can be among the end users of land bank property if they have a plan for the property and the resources to take care of it.

The Mission of a Cook County Land Bank

A Cook County Land Bank should be established with a clearly-defined mission that articulates its broad goals and the key services it will offer to address the problem of vacant properties. The mission should clarify that the Land Bank is only empowered to act in ways that are consistent with local goals and priorities.

RECOMMENDATION: The Cook County Land Bank should adopt the following mission statement:

The Land Bank will acquire, hold, and transfer interest in real property throughout Cook County for the following purposes: to promote redevelopment and reuse of vacant, abandoned, foreclosed or tax-delinquent properties; support targeted efforts to stabilize neighborhoods; stimulate residential, commercial and industrial development; all in ways that are consistent with goals and priorities established by local government partners and other community stakeholders.

Land Bank Powers

The Cook County Land Bank should be vested with a broad range of powers sufficient to ensure that it can fulfill its mission and carry out the work described above, without having to revisit and amend the enacting legislation. These powers should be granted even if the Land Bank initially may not prioritize or have the capacity to exercise the full range of powers, and even though it may never have cause to exercise some of them. The alternative would be to create an entity that is limited from its inception and that risks being ineffective in pursuing its mission.

Among the essential land bank powers, the LBAC identified two as being particularly important in the long-term: the power to hold properties tax exempt and the power to extinguish back taxes and clear title.

While the Land Bank's ultimate goal is to return properties to productive use and put them back on the tax rolls, it may sometimes be necessary to hold properties for extended periods of time. If the Land Bank were required to pay taxes on the properties it owned, the cost could be enormous and the Land Bank's ability to carry out its mission would be severely constrained. As long as the Land Bank is holding properties for a public purpose, it should not be required to pay property taxes. If the Land Bank fulfills its mission, the short-term "cost" of holding properties tax exempt will be more than offset by the taxes generated when the properties are returned to productive use.

Property tax delinquency can be an enormous barrier to the productive reuse of vacant and abandoned properties. Some properties are encumbered by unpaid back taxes and interest that exceed the fair market value of the property. Even if the property has some underlying value, that value will not be realized unless the outstanding taxes are extinguished. Similarly, properties which lack clear title are effectively valueless when they have been transferred from one owner to another without following the required legal steps. Some properties, including commercial and industrial, can present special problems when a property is owned by a corporation or partnership that no longer exists or cannot be located. When such title problems exist, the property cannot be insured and is of very limited interest to potential buyers. Dealing with title problems can be time-consuming. But, if the Land Bank does the work, it could transform an undesirable

property into a much more desirable one and can catalyze private investment on properties and in communities that private buyers might otherwise avoid.

RECOMMENDATION: The Cook County Land Bank should be invested with the following powers:

The Land Bank should be authorized with all the powers the County can legally bestow with regard to real estate acquisition, ownership, and disposition, including the ability to:

1) Acquire residential, commercial, industrial and vacant properties through purchase, donation and other transfers including but not limited to the Annual Tax Sale, the Scavenger Sale, the Forfeiture Sale and the No Cash Bid Program;
2) Acquire liens, notes or deeds through purchase, donation and other transfers;
3) Hold title to properties on a tax exempt basis;
4) Clear title, extinguish delinquent taxes and liens as permitted by law, and, in some cases, demolish buildings, and remediate environmental issues;
5) Convey properties to purchasers and transferees;
6) Manage and maintain properties, including leasing on an interim basis, and, when feasible, adopting interim uses including but not limited to green space, storm water management, community gardens or other community spaces;
7) Borrow, lend and invest funds, as may be necessary, for the operation and work of the Land Bank;
8) In response to a request from or with the approval of a municipal body or its delegated representative, participate in development, including but not limited to acting as a general partner, limited partner, investor or lender;
9) Apply for and accept grants, loans and other sources of revenue, including government grants;
10) Enter into partnerships, joint ventures and other collaborative relationships with municipalities and other public and private entities, and create subsidiaries; and
11) Carry out all necessary administrative functions including but not limited to hiring and contracting.

Land Bank Principles

The LBAC identified key principles that should guide the operation of a land bank as it exercises these powers. Of those key principles, one was emphasized frequently throughout the process: any activity undertaken by the Land Bank must be consistent with goals and priorities established by local governments and other community stakeholders. The Land Bank is intended to be a tool to help municipalities with local stabilization and redevelopment efforts. It must not compete with, replace or in any way supersede local communities, or act in ways that conflict with their objectives.

Another key principle is that land bank resources must be thoughtfully targeted to maximize effectiveness. Vacant property challenges and redevelopment needs are widespread in the current economic climate. A land bank will have limited resources and must be a strategic steward of them.

A land bank's primary focus should be on properties that have been rejected by the open market and where private efforts alone are insufficient to advance stabilization and redevelopment goals. However, a land bank should not focus exclusively focus on undesirable properties which would spread land bank resources too thin and make it far less likely that the Land Bank would successfully support stabilization and redevelopment activities.

All of the proposed land bank powers should be understood within the context of the enumerated principles. For example, though the Land Bank should be granted broad power to acquire properties, there should be limitations on the exercise of that power. The Land Bank would only acquire properties in ways consistent with locally-established goals and priorities, at the request of or with the approval of local municipalities, and should only acquire as many properties as it can effectively manage and maintain.

RECOMMENDATION: The Cook County Land Bank should operate in accordance with the following principles:

1) Acquire, maintain and transfer properties in a manner consistent with plans and priorities developed by local and municipal officials, other municipal bodies and community stakeholders;
2) Work to get properties back into productive use as quickly as possible, consistent with the mission;
3) Consistent with locally-established plans and priorities, maximize the number of transactions that increase affordable housing, generate jobs, and prevent the displacement of residents and businesses;
4) Establish an efficient property disposition process for transferring properties to responsible parties who will return them to productive use in a timely manner and consistent with the mission;
5) Establish controls to ensure that properties are transferred only to responsible parties and are used in a manner consistent with the mission; and
6) Acquire only as many properties as can be effectively managed and maintained.

The Land Bank Model and Governance

The resolution authorizing the creation of the LBAC and outlining the scope of its work calls for the committee to consider alternative models for a Cook County Land Bank. The range of options explored included creating an entity that would be an arm of County government; working through an existing governmental entity, such as the Housing Authority of Cook County; and creating a new, independent, not-for-profit entity.

Once the powers essential to a land bank's operations were identified, the Cook County State's Attorney's Office examined the extent to which each of the models under consideration could exercise these essential powers. The national land banking experience suggests that the powers most critical to a land bank's success are the power to clear tax liens and deliver clean title, and the power to hold property on a tax exempt basis. The State's Attorney's Office concluded that a land bank could exercise these paramount powers under only one of the models it analyzed: a land bank established as an agency of Cook County. However, committee members believed that the Land Bank could operate most effectively and efficiently and would have the easiest time gaining trust and building credibility if it operated with an independent board of directors. Thus, the Committee concluded that a land bank should be created using a model similar to Cook County's Health and Hospitals Systems—an agency of Cook County, governed by an independent board of directors. It should be noted that under this model, Cook County will hold title to the properties within the Land Bank.

RECOMMENDATION: The Land Bank should be established as an agency of the County and governed by an independent board of directors.

Balancing Representation and Skills on the Board

The Land Bank's work will require oversight and guidance from a Board with specialized areas of expertise and sensitivity to the priorities and concerns of the local governments and other community stakeholders to be served. To ensure that Land Bank leadership embodies a blend of multiple skill sets, the Board of Directors should include the following types of individuals:

1. Cook County Commissioner
2. Cook County Presidential Representative
3. City of Chicago Mayoral Representative
4. Suburban Mayor
5. Suburban Mayor
6. Community Development Finance Institution Representative
7. Banking/Finance Representative
8. Realtor Representative
9. Non-Profit Housing Representative
10. Commercial and/or Industrial Representative
11. Open Space/Natural Resource Representative
12. City of Chicago Community Representative
13. Suburban Community Representative

The process for identifying strong candidates to fill these slots should be open, transparent and inclusive, allowing for Cook County stakeholders to submit nominations. The term of service should allow sufficient time for Board Members to become knowledgeable about the issues and make effective contributions. Limited terms ward

against entrenched interests and ensure the infusion of new ideas and energy. Terms should be staggered to ensure continuity.

RECOMMENDATION: Following an outreach process that is transparent and engages local, civic and community members to nominate candidates for the specific seats on the governing board, the Cook County Board President will select qualified individuals and present a slate to the Cook County Board of Commissioners for approval. Terms should be staggered and each member should serve no more than two, three-year terms.

Budgeting for Impact

Most land banks start off relatively small and build the capacity to operate effectively and demonstrate their value as they grow. Because of the threat that vacant properties present, the need to expand neighborhood stabilization and economic development efforts, and near-term opportunities, the Land Bank should receive enough start-up funding to develop the necessary organizational infrastructure, and to begin its neighborhood stabilization and economic development work.

Start Up Phase
Based on information from existing land banks, a high-level budget scenario for the start-up phase of the Cook County Land Bank was developed that assumes directors and a skeletal staff spending the first year on organizational, programmatic and operational activities including: legal incorporation, recruiting staff, developing a business plan, establishing board committees, creating program and operating policies and procedures, procuring and integrating all IT, MIS and accounting infrastructure, building a website, establishing formal partner and affiliate relationships and conducting community outreach and education.

Under this proposed scenario, the start-up staff would consist of four full time equivalents (FTEs)—an Executive Director, Chief Financial Officer/Accountant, Portfolio Manager and Administrative Assistant. With payroll taxes and fringe benefits, the estimated personnel costs would be approximately $553,500. Overhead and other administrative line items including professional services, consulting, Directors and Officers Insurance, land bank portfolio management software and a contingency fund would cost approximately $435,000. Together, these personnel and administration expenses total just under $1 million (i.e., $988,500).

Start-up funding must be sufficient to allow the Land Bank to build the capacity to begin to demonstrate its effectiveness, and to sow the seeds for work that will have a wider, deeper impact. Additional funding would allow the Land Bank to engage in more neighborhood stabilization and economic development work.

RECOMMENDATION: The Cook County Board of Commissioners should provide seed funding, leveraged by other sources, to create a $1 million start-up budget for Land Bank staff, administration and some services.

Small vs. Large Portfolio in the Operating Phase
Following the first year, two separate operating scenarios, based largely on the ULI TAP's budget exercise, were considered. Under a hypothetical scenario that assumes a modest land bank operation in the first full year after start-up, the Land Bank could manage a portfolio that might address approximately 850 properties, or 4 percent of the potential foreclosure filings in Cook County, with a total staff of five (5) FTEs. This scenario assumes that approximately 70 percent of the properties would be donated (mostly by banks) with the remaining sites acquired at minimal costs. Based on data from other land banks, it is anticipated that 18 percent of land bank properties would need to be demolished.

Alternatively, a larger scale operating scenario would strive to stabilize up to 7 percent of the potential foreclosure fillings in Cook County in its first year of operations. This budget assumes that the Land Bank, post start-up phase, would manage a much larger

portfolio of 1,500 properties in the first full year of operations with a total staff of 25 FTEs.

In both operating scenarios, administrative expenses represent approximately 20 percent of the Land Bank's budget, while 80 percent is attributable to portfolio expenses.

Due Diligence to Inform Budget Development
The Board of Commissioners and Board of Directors will need to make a series of threshold decisions about the Land Bank's activities and priorities that will affect its budget. For example, to what extent will the Land Bank handle improved real estate, which will require far more human and financial capital than the acquisition of vacant, unimproved real estate? Similarly, whether the Land Bank demolishes donated properties or requires banks to demolish before donating will also have cost implications. The Land Bank must also determine what percentage of donated properties will be returned to productive use in the near-term and what percentage will involve ongoing maintenance and other costs over a longer time horizon in order to accurately estimate its revenue needs. These and many other questions regarding staffing plans, cost estimation, and environmental indemnification for acquired properties must be answered as part of the Land Bank's planning during its first year.

Revenue Ideas
During the start-up phase, the Land Bank will likely rely on support from public and private sources, including banks and private foundations. But one of the Land Bank's top priorities should be to become largely or entirely self-supporting in the long term. Land banks around the country have developed a range of funding models, many of which could be incorporated here, though some would first require state legislative action.

Given that Southland municipalities have taken the initiative to create a South Suburban Land Bank, the Cook County Land Band will make best efforts to ensure that the two entities work cooperatively to ensure that both are successful in securing funding and conducting their operations.

Next Steps

The following are among steps that must be taken to establish a Cook County Land Bank; the time frames are offered to create and sustain a sense of urgency about this initiative:

1) *Introduce and Pass Enabling Ordinance* – An enabling ordinance should be adopted by the Cook County Board. ***{Jan/Feb 2013}***

2) *Board Nominations* – Nominees to be submitted to the President for consideration in accordance with established process. ***{Within 30 days of approval and adoption of the enabling ordinance}***

3) *Board Appointments* – The President shall select individuals from the pool of nominations and submit them to the Cook County Board of Commissioners for approval. ***{Within 60 days of approval and adoption of the enabling ordinance }***

4) *Full Board Approval of Independent Board of Directors* – The Cook County Board of Commissioners to approve President's selection of individual members of the Land Bank's board. ***{Within 30 days of submission of selected individuals }***

5) *First Meeting of the Cook County Land Bank Board of Directors* – The Board of Directors shall hold their first meeting. ***{Within 45 days of approval of Board of Directors}***

6) *Hire Executive Director* – The Board of Directors shall hire an Executive Director responsible for day to day operations of the Land Bank. ***{Within 3 to 6 months of the Board's first meeting}***

7) *Establish Resource Development Group* – In collaboration and with the consent of the Board of Directors, a fundraising group should be established whose role is to fundraise for general Cook County Land Bank operations. ***{Within 60 days of the Board's first meeting}***

8) *Establish Agency* – The Land Bank agency should publicly signal the formal start of operations with an announcement and/or event that serves as the first highly visible marketing effort to aid in public awareness of the Land Bank. ***{Within 9 to 12 months of the Board's first meeting}***

9) *Establish Reporting & Measurement System* – Leveraging the performance management systems and protocols established by Cook County government in its operations, staff and organizational success/failure will be evaluated on a system of metrics and deliverables tied directly to the mission and principles of the Land Bank. Quarterly and annual reporting on performance will guide budgeting, planning and other critical management decisions for the organization—establishing an important culture of accountability and transparency from the Land Bank's inception. ***{Within 12 months of the Board's first meeting}***

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12-R-320
RESOLUTION

Sponsored by

THE HONORABLE TONI PRECKWINKLE, PRESIDENT

AND BRIDGET GAINER, COUNTY COMMISSIONER

ESTABLISHING A COOK COUNTY LAND BANK ADVISORY COMMITTEE

WHEREAS, the current housing and economic crisis has deep and wide-ranging consequences in Cook County; and

WHEREAS, the growing incidence of vacant, abandoned, tax-delinquent, and foreclosed properties in neighborhoods throughout the region have had a chilling effect on economic development and cause harm to overall economic health; and

WHEREAS, the problem only threatens to deepen as more than 85,000 foreclosure cases are currently pending in Cook County which may lead to the lowering of neighbors' property values, weakening the tax base, and imposing additional costs on local government; and

WHEREAS, foreclosure and vacant buildings cannot be contained by suburban borders, ward boundaries or districts; we must tackle vacant and abandoned properties throughout the County by repurposing the tools and resources that reside in our home rule authority; and

WHEREAS, we must employ these resources in partnership with other local governments and agencies to preserve communities, spur growth and development; and

WHEREAS, creating a Countywide Land bank as a revitalization tool would have the ability to provide redevelopment and revitalization services to participating municipalities in Cook County; and

WHEREAS, to help address the further increase and threat of vacant and abandoned property, Cook County proposes the creation of a Land Bank that could be applied countywide; and

WHEREAS, the formation of a Land Bank could assist in returning vacant and foreclosed property in Cook County back to active tax paying status, but also to be a catalyst to foster quality economic development, increase affordable housing and provide long-term community stabilization, revitalization and preservation; and

WHEREAS, across the country, Land Banks have been a successful tool in creating and maintaining affordable housing including through the transformation of vacant buildings into rental and viable commercial properties; and

WHEREAS, we must explore the formation of a Cook County Land Bank and recommend additional ways to reduce the financial and social cost to our communities and local governments by reducing and re-purposing vacant, abandoned, and non-tax-producing properties; and

NOW, THEREFORE BE IT RESOLVED, that the President of the Cook County Board assemble a Cook County Land Bank Advisory Committee ("Advisory Committee") that may include but not be limited to representatives from the President's Office, Cook County Bureau of Economic Development, City of Chicago, Housing Authority of Cook County, Office of the Cook County State's Attorney, Suburban Elected

Officials, Suburban Mayors and Managers Associations, regional planning agencies, civic leaders, affordable housing developers, and local realtors within 60 days of the passage of this Resolution; and

BE IT FURTHER RESOLVED, that the Advisory Committee shall consider potential models for a Cook County Land Bank, including but not limited to: (1) creation of a not-for-profit redevelopment authority established under the County's charter in partnership with the Bureau of Economic Development; (2) creation of a permanent Countywide Advisory Board established by the Cook County President to work with a designated not-for-profit development authority or the Cook County Bureau of Economic Development to approve the placement of property into a Land Bank Authority created by the Cook County; or (3) creation of a not-for-profit redevelopment authority established under the Housing Authority of Cook County in partnership with Cook County; and

BE IT FURTHER RESOLVED, in determining the recommended Cook County Land Bank model, the Advisory Committee shall consider at a minimum the following goals: (1) ability to eliminate harms caused by vacant, abandoned, and tax-delinquent properties by returning them to productive use; (2) ability to eliminate barriers to returning properties to productive use, such as cloudy title; and (3) ability to hold properties for a limited duration until they can be effectively conveyed to new owners in accordance with redevelopment plans; and

BE IT FUTHER RESOLVED, in determining the recommended Cook County Land Bank model, the Advisory Committee shall at a minimum consider the following benefits of creating a Countywide Land Bank: (1) vacant, abandoned, and tax-delinquent properties that have been allowed to become growing liabilities to communities could be returned to productive use; (2) the tax base could be strengthened by returning unproductive properties to productive use; (3) planning capacity available to local communities could be increased; and (4) property targeted for redevelopment could be held in trust, reducing the number of repeated transfers of low value property by speculators; and

BE IT FURTHER RESOLVED, the Advisory Committee should take into consideration the potential budget, target areas, scope of services and governance of a Cook County Land Bank with the goals stated above; and

BE IT FUTHER RESOLVED, the Advisory Committee shall further evaluate methods and recommend initiatives to further market existing tax credit classes via the Cook County Bureau of Economic Development which would allow for the conveyance of various tax exemptions upon the authorization of the Cook County Board that could lead to revitalization, incentivize economic growth, facilitate affordable housing and increase open space; and

BE IT FURTHER RESOLVED, the Advisory Committee shall make recommendations within 60 days of appointment of the Advisory Committee, to the President and Board of Commissioners of Cook County recommending a model or models for a countywide Cook County Land Bank; and

BE IT FURTHER RESOLVED, the Advisory Committee shall make recommendations within 90 days of appointment of the Advisory Committee, to the President and Board of Commissioners of Cook County recommending additional ways to market and benefits of marketing existing tax credit classes.

Approved and adopted this 24th day of July 2012.

TONI PRECKWINKLE, President
Cook County Board of Commissioners

Attest: DAVID ORR, County Clerk

Land Bank Powers and Models Matrix

Land Bank Powers	Cook County Agency	Housing Authority of Cook County (HACC)	Not for Profit (NFP)
Acquire residential, commercial, industrial and vacant properties through purchase, donation and other transfers including but not limited to the Annual Tax Sale, the Scavenger Sale, the Forfeiture Sale and the No Cash Bid Program	County can participate in scavenger sale but not annual sale on behalf of municipalities pursuant to County Ord. 74-42 "No cash bid program;" can participate in both on own behalf or for other entities pursuant to PTC 21-90; can appoint agent for sales. County also has eminent domain powers.	HACC may request County to enter no cash bid on its behalf and assign property so acquired; property so acquired must be used for "project." 35 ILCS 200/21-90; 310 ILCS 10/8.2, 8.3, 8.16. HACC also has eminent domain powers for statutory purpose. 310 ILCS 10/9.	NFP may request County to enter no cash bid on its behalf and assign property so acquired. 35 ILCS 200/21-90.
Acquire liens, notes or deeds through purchase, donation and other transfers	Yes (on behalf of the County)	Yes, for statutory purposes only (310 ILCS 10/8.16)	Yes
Hold title to properties on a tax exempt basis	Yes, provided property is used for a public purpose or is being held for future development; if used/ leased for non-public or commercial purpose; no exemption. 35 ILCS 200/15-60.	Yes, but only if property is used for low rent housing and related uses. 35 ILCS 200/15-95.	No, unless property is used for charitable purposes as set forth in PTC 15-65, or for agricultural, horticultural, school, religious or cemetery purposes. 1970 Ill. Const., art. IX, § 6.
Clear title, extinguish delinquent taxes and liens as permitted by law, and, in some cases, demolish buildings, and remediate environmental issues	Yes, County has a wide range of powers pursuant to home rule, can delegate these powers to an agent; PTC 21-95 authorizes county to abate taxes when acquiring property through foreclosure of lien, but need to comply with demolition requirements as well as federal, state and local environmental regulations.	Not authorized to abate taxes pursuant to PTC 21-95; authorized by statute to provide for elimination of any unsafe building, etc. 310 ILCS 10/8.2. Need to comply with local demolition and environmental requirements, 310 ILCS 10/10, as well as federal and state environmental regulations.	Not authorized to abate taxes pursuant to PTC 21-95, full property owner rights and responsibilities; need to comply with demolition requirements as well as federal, state and local environmental regulations.

Convey properties to purchasers and transferees	Yes	Can only convey for statutory purpose, pursuant to statutorily prescribed procedures. *See,* 310 ILCS 10/9	Yes
Manage and maintain properties, including leasing on an interim basis, and, when feasible, adopting interim uses including but not limited to green space, storm water management, community gardens or other community spaces	Yes, but need to comply with local government 's zoning, building, sewer, electrical, plumbing and landscaping ordinances, including permit fees, unless exempted by ordinance.	Yes, but renters must meet statutorily established criteria (low income). 310 ILCS 10/25. Authorized by statute to provide for construction, reconstruction, improvement, alteration or repair of any project. 310 ILCS 10/8.2. Need to comply with local government 's zoning, building, sewer, electrical, plumbing and landscaping ordinances 310 ILCS 10/10.	Yes, but need to comply with local government 's zoning, building, sewer, electrical, plumbing and landscaping ordinances, including permit fees, unless exempted by ordinance.
Participate in development, either as a general or a limited partner as appropriate	Yes	Yes but only for statutorily authorized development. 310 ILCS 10/8.2	Yes
Apply for and accept grants and other sources of revenue, including government grants	Yes	Yes	Yes
Carry out all necessary administrative functions including hiring and contracting	Yes	Yes, but only for statutorily authorized purpose	Yes

Land Bank Case Studies

Case Study 1:
Cuyahoga County Land Reutilization Corporation

- Year founded: 2009
- State enabling legislation: Yes
- Board composition: 7 Total, 3 elected officials, 4 government employees

The Cuyahoga County Land Reutilization Corporation, also known as the Cuyahoga Land Bank, is located in Cuyahoga County Ohio and was authorized in 2009 by state statute SB 343 to address a growing number of foreclosed properties and a shrinking population in the county. They often partner with the City of Cleveland and other municipalities and maintain a Memoranda of Understanding (MOU) with more than half the jurisdictions in the county. Abandoned properties are acquired from many sources including, banks, government sponsored enterprises such as Fannie Mae, federal and state agencies such as HUD, and donated properties. Most significantly, properties are acquired through an expedited tax foreclosure process. As of February 2012, there were 26,000 vacant properties located in Cuyahoga County and the City of Cleveland. Only 7,300 of these properties are bank owned.

Programs
The land bank acquires and maintains blighted properties and returns them to productive use through several strategies. It assembles smaller parcels of land together, creating larger lots that can be more easily utilized by developers or as green space. The land bank also accelerates the demolition of buildings identified as abandoned nuisance properties. During this process, it prioritizes the re-use and recycling of building materials to decrease waste and provide low-cost materials to contractors and developers. The land bank also collaborates with individuals and organizations seeking to renovate and rehab existing homes by selling available properties to responsible private rehabbers and allowing for in-house renovations. However, it only sells to homeowners, landlords, and rehabbers that are deemed responsible, meet professional standards and submit detailed rehabilitation plans. Properties that do not get demolished, rehabbed, or sold are maintained by the land bank through the employment of field service contractors who continuously work to secure the properties and perform general maintenance. The Land Bank also maintains a listing of all properties acquired by the land bank, details of which include the PIN, address, and current status of the property. The city in which the property is located has first refusal of sale, which expires 30 days after the property is posted.

Operations
The Cuyahoga Land Bank is funded by the collective penalties and interest on delinquent real estate taxes and assessments. This is further augmented by grants from partner organizations, the sale of acquired properties to rehabbers and housing developers, as well as donations and fund recoupment from banks. Its Board of Directors consists of nine members and is comprised of the Cuyahoga County Executive or designee, Cuyahoga County Treasurer or designee, County Council appointment, and two representatives from Cleveland. The four remaining members are selected by the County Executive, County Treasurer, and County Council representatives.

The Cuyahoga Land Bank is a nonprofit community improvement corporation governed under Chapter 17 of the Ohio Revised Code. In August 2009, the organization developed a six-month business plan that focused on determining criteria to create its acquisition policy and process. The initial goal for the first year was to acquire a total of 120 properties. Thirty of these properties contained structures with half slated for demolition and half for rehabilitation. Funding was initially received via the federal Neighborhood Stabilization Program (NSP) program, which provided for limited acquisition and demolition in particular municipalities. From August 2009 through March 2010, the land bank acquired 64 properties and by the end of March had 98 properties pending acquisition. This was in line with their goal to acquire 120 properties by the end of the first year. By March 2010, the 2010-2011 business plan was developed, which sought to begin scaling and stabilizing its process with an emphasis on demolition. Targets for the second year were as follows: 612 acquisitions, 33 self-funded rehabs, 22 NSP rehabs, 496 demolitions, and four to ten NSP deconstructions. It also received 41 million in NSP funding from HUD and increased staff to 18 people by the end of 2010. Independent from NSP funding, by November 2010, the land bank had achieved revenues of $6,749,697. Of this total, $6,128,349 was acquired from penalties and interest collected by the County Treasurer on delinquent real estate taxes and provided to the land bank to fund operations and programs. The remainder of the money came from recoupment for demolition fees from Fannie Mae property sales and other sources.

In December 2010, the land bank managed the sale of a tax exempt bond of $9 million through private placement with a term of seven years and an interest rate of 3.75 percent to be serviced from annual collection of penalties and interest. By the end of 2010, 495 properties had been acquired, mostly from Fannie Mae, HUD and major lenders like JP Morgan Chase, through agreed upon deals with both HUD and Fannie Mae to sell bulk properties for a nominal fee. In 2010, the land bank forged an agreement with HUD to transfer the low-value, vacant, and abandoned properties the agency possessed as a result of mortgage foreclosures in 2010 to the land bank for $100. This agreement was renewed in 2011. In addition, in 2011 the land bank struck deals with lenders such as Bank of America, Citibank, and Wells Fargo to acquire the distressed vacant properties in exchange for having the lenders pay the demolition costs. The land bank demolished 167 properties with 140 contracts outstanding. 80 properties had been transferred to cities and developers.

By summer 2011, the land bank had an inventory of 900 properties with a total of 279 properties demolished and 138 under contract. 91 properties were being redeveloped through NSP-2 program, in-house rehabilitation, or sales to qualified private investors. In March 2012, the land bank reached two important milestones, acquiring more than 1500 properties and demolishing 750 properties since it began in 2009. On average, approximately, 80 to 140 acquisitions occur monthly so the number of land bank properties is constantly changing.

Case Study 2:
Twin Cities Community Land Bank

- Year founded: 2009
- State enabling legislation: No
- Board composition: 16 Total, 4 elected officials, 4 government employees, 8 nonprofit representatives

The Twin Cities Community Land Bank LLC (TCC Land Bank) is a nonprofit Community Development Financial Institution (CDFI) created in 2009 by the Family Housing Fund, a nonprofit established in 1980 to produce and preserve affordable housing in Minnesota. In creating TCC Land Bank, the Family Housing Fund used the Minnesota Foreclosure Partners Council, a regional, collaborative effort to address the foreclosure crisis as a precursor to forming TCC Land Bank. TCC Land Bank includes the cities of Minneapolis and St. Paul as well as the surrounding cities and counties in the seven-county metropolitan area. The land bank is the community coordinator for the National Community Stabilization Trust (NCST), a national nonprofit organization that helps communities access solutions to rebuild strong and stable neighborhoods. It operates through providing efficient and streamlined access to vacant and abandoned properties from financial institutions and flexible financing for neighborhood stabilization activities. Minneapolis has approximately 15,000 vacant housing units according to U.S. Census Bureau.

Programs

As part of its strategy to encourage neighborhood recovery, TCC Land Bank supports a property acquisition program in coordination with the NCST that facilitates the transfer of distressed properties at reduced prices to approved developers. In addition, TCC Land Bank also holds properties for both short and long periods of time for future development and provides property maintenance according to a set agreement. The land bank also is involved in community lending. As a CDFI, the land bank collaborates with other organizations to provide a variety of loan products (see below) and grants. It provides loans to finance nonprofit and for-profit developer partners in the construction of sustainable, affordable housing in low-income communities. In addition, loans are also made for the purchase and rehab of single-family and multifamily properties. TCC Land Bank also provides homebuyers with financial assistance to purchase homes. Grants are provided to community groups and nonprofit organizations for environmental assessments and remediation. The land bank also advances mixed-use development and transit-oriented development by providing loans to developers to help fund the expansion and growth of transit corridors.

Operations

Maintaining sufficient lending capital is a concern for the land bank as much of this capital is borrowed. Funding for TCC Land Bank is also provided by several revenue streams: interest and fees from loans, property acquisition fees, operating grants and contracts for service. In the future, it would like to derive funding from land banking and property management fees. The Board of Directors is comprised of representatives from nonprofit, government, and financial organizations. TCC Land Bank acquires foreclosed properties by purchasing from banks or receiving donations.

TCC Land Bank acquired and disposed of 271 single and multifamily properties on behalf of 60 developers and city and county governments by June 2011. Its loan products helped finance a variety of developments:

- Nonprofit Neighborhood Recovery Loan Program committed $2.64 million to 3 developers with 23 properties financed.
- Foreclosure Recovery Loan Program committed $6.7 million to five developers with 50 properties financed.
- Mini-perm Loan Program committed $450,000 to one developer to finance five multifamily affordable rental properties

- New Construction Loan Program committee $200,000 to one developer to finance LEED-certified single-family home.
- Interim Acquisition Loan Program committed eight interim acquisition loans and two land banking loans for six developers and one city.
- Commercial Loan Program committed $500,000 for three projects along transit/commercial corridors in the Twin Cities
- 11 properties were land banked on behalf of three nonprofit developers, 2 for-profit developers, and one city

Case Study 3:
Atlanta/Fulton County Land Bank Case Study

- Year founded: 1991
- State enabling legislation: Yes
- Board composition: 4 Total, 4 private sector representatives

In 1990, the Georgia General Assembly passed enabling legislation for local governmental land bank authorities, prompted by the growing inventory of abandoned tax-delinquent properties in inner-city Atlanta. The state legislation, modeled after similar in Kentucky, authorized execution of an interlocal cooperation agreement and creation of an independent legal corporation. Fulton County, Georgia and the city of Atlanta entered into the original Interlocal Cooperation Agreement in June of 1991. The most significant feature of the Atlanta Land Bank is that it possesses the power to extinguish all delinquent property taxes on parcels of land it acquires and conveys, a power no other land bank currently has. Initially, the power did not extend to property taxes levied by the school board, but a 1990 statutory amendment gave it the authority to waive those taxes as well with the school board's consent. Local school districts were given advisory members on the land bank board of directors following a 1994 amendment to the Interlocal Cooperation Agreement. In addition, the Atlanta Land Bank does not automatically receive title to properties that are not successfully sold at a tax foreclosure sale. It has the option to bid at the sales, but in practice it only exercises that option when it anticipates an immediate re-conveyance to a developer.

According to its website, the Fulton County/City of Atlanta Land Bank currently has an inventory of approximately 119 properties totaling some 49,000 acres with an appraised value of $3 million and a tax assessed value of $1.2 million.

Operations
Since 1994, the Atlanta Land Bank is a legal corporation separate from the governments of both Fulton County and the city of Atlanta. As such, it has an independent Board of Directors and its own full-time staff. Participating local governments each appoint two members to the Board. Under the Georgia structure, a land bank authority may consist of two or more municipalities in a county, together with the county in which they are located, so the size of the board is limited only by the number of parties to the interlocal agreement. The city and county school districts may appoint a representative to the board in an advisory capacity. All members of the board are required to be residents of the local jurisdictions served and to have demonstrated special interest, experience or education in urban planning, community development, finance or related areas.

General operating budget support is proved through annual appropriations of the participating local governments, which draw upon Community Development Block Grant

funding for the allocations, and the land bank derives little, if any, funding from its operations. Proceeds from sales are required to be distributed back to the participating governments to cover the original tax delinquency, with any excess allocated for operational expenses. This funding structure reflects the policy decision that the land bank's activities should be focused on immediately transferring properties at nominal prices to facilitate development in the manner most consistent with the land bank's stated goals, such as the creation of affordable housing.

Property Acquisition
The Atlanta Land Bank has the authority but not the obligation to tender the minimum bid at a tax foreclosure sale (by agreeing to assume responsibility for the amount of taxes that it subsequently extinguishes), and acquires the property only if there is no higher bid. The land bank also has the authority to direct the tax commissioner to initiate tax foreclosure proceedings on specific parcels of property, as well as the authority to receive properties acquired by the local government as the result of drug law forfeitures, and any and all properties in addition to tax-foreclosed properties that the local governments may wish to convey. The land bank may receive property via donation, and it has the power to exchange property for the purpose of land assembly.

In 2007, in response to the collapse of the housing market, the Atlanta Land Bank in partnership with Atlanta's CDCs developed a depository agreement program that allowed the organizations to transfer properties from their inventories to the land bank. Due to economies of scale, property maintenance costs are better controlled by the land bank. The program proved to be a perfect vehicle to assist local governments and other non-profits as they are faced with the glut of foreclosed and other REO properties in the wake of the economic collapse. The program allowed non-profits to better utilize NSP funds to acquire and bank properties suited for future redevelopment and neighborhood stabilization.

Asset Management
The Atlanta Land Bank is required by law to inventory, appraise and classify according to potential uses all properties it holds and make such records publicly available. It is granted the authority to "manage, maintain, protect, rent, lease, repair, insure, alter, sell, trade, exchange or otherwise dispose of any property."

Property Disposition
The Atlanta Land Bank's main function, rather than holding properties to which it acquires title, is to waive delinquent property taxes if the property is acquired by an approved party to be used for a specific purpose. Any person or entity interested in acquiring a tax-delinquent piece of property from its current owner can enter into an agreement with the land bank providing that if the purchaser acquires the property subject to the outstanding taxes, it will convey the property to the land bank, which will extinguish the taxes and simultaneously re-convey the property to the purchaser. This conduit transfer structure has the advantage of allowing nonprofit CDCs and for-profit entities to identify and acquire tax delinquent parcels at relatively low cost, knowing that the taxes will be extinguished. The land bank is able to facilitate transfers of properties without the need to own them for extended periods of time and with no costs for property maintenance. Thus, no title questions arise about the adequacy of a tax foreclosure procedure because no tax foreclosure takes place. The conduit transfer process functionally uses the existence of delinquent taxes as a subsidy to encourage private-market transfers.

The Atlanta Land Bank gives first priority to "neighborhood non-profit entities obtaining the property for the production or rehabilitation of housing for persons with low incomes," with second priority given to all other entities seeking to use the property for low income housing. On a regular basis, the land bank establishes applicable definitions of "low income" and "moderate income" to guide its preference for affordable housing. Habitat for Humanity and its affiliates has been the primary recipient of properties processed by the land bank, and the land bank processes an average of 100 to 150 properties per year. In addition, the land bank requires comments from Neighborhood Planning Units, which are politically established planning units, on proposed dispositions of property to remain accountable to the local people.

Cook County Tax Incentive Addendum

The Assessor's Office is under the direction of the Cook County Assessor, a county-wide elected official, and is responsible for setting fair and accurate values for 1.8 million parcels of property in Cook County. The Assessor reassesses one-third of the properties located in the county each year, alternating assessments among the northern suburbs, the southern suburbs and the City of Chicago.

The Assessor's Office has a variety of tax incentives which are designed to promote commercial and industrial redevelopment for parcels that are struggling to attract new occupants or retain existing business that "but for" the tax incentive, would not be feasible.

The range of incentive programs and the qualifying projects are summarized from the Cook County Assessor's Website and listed below. For required Eligibility Bulletins, Applications, Affidavit Forms and other documents, please contact the Cook County Assessor's Office. The Cook County Bureau of Economic Development should also be contacted when there are "special circumstances" which inhibit reuse and redevelopment.

The LBAC met with the Assessor's Office to discuss the role of tax incentives in supporting the Cook County Land Bank's disposition strategy. There is a potential of tax incentive benefits increasing a property's chance of returning to productive use. Since benefits are applied to properties after they have bee redeveloped, the Tax Incentive Program complements the land bank's front-end ability to clear taxes; clean title and assemble properties.

Tax Incentive Descriptions

Class 6b
To attract new manufacturing businesses and industrial development to Cook County, the Assessor's Office provides a Class 6b Tax Incentive for new construction, substantial rehabilitation and reoccupation of an industrial building which has been vacant for over twenty-four (24) months. The steps for application are addressed on the Assessor's website; but some nuances include: application before construction/rehabilitation commences and/or structure is re-occupied; securing municipal ordinance/resolution in support of the tax incentive and filing an "Incentives Appeal Form" and a Real Estate Assessed Valuation Appeal upon completion of structure or rehab and re-occupation of structure.

The Class 6b reduces the general industrial assessment level from twenty-five percent (25%) of market value to an assessment level of ten percent (10%) for ten (10) years; fifteen percent (15%) in the eleventh year and twenty percent (20%) in the twelfth year. While the lower assessment level is only calculated for the portion of the facility which receives approved rehabilitation, the incentive is applied to the whole structure and land of newly constructed buildings and properties that have been vacant upon re-occupation. Following proper procedures, the Class 6b tax incentive may be approved for renewal. The Assessor's Office notes that the value added in rehabilitation may be lower than the cost of the project. Cook County's Living Wage Ordinance must be complied with to continue to receive the Class 6b Tax Incentive. A Triennial Affidavit must also be

completed verifying the use of the property and the number of workers employed at the incentivized location.

Class 7a
In areas where commercial business is lacking in Cook County, the Assessor's Office administers a Class 7a Tax Incentive for new construction, substantial rehabilitation and reoccupation of buildings which have been vacant for over twenty-four (24) months and which will provide an expected increase in property tax revenue and employment opportunities through the sale and purchase of goods and services. Class 7a commercial projects may not exceed the $2 million cap and must submit evidence of the presence of all five (5) eligibility factors. The five factors include: designation of area; real estate tax analysis; viability and timeliness; assistance and necessity; and increased tax revenue and employment. The steps for application are addressed on the Assessor's website; but nuances include: application before construction/rehabilitation starts and/or structure is re-occupied; detailing the evidence of all five (5) eligibility factors; securing municipal ordinance/resolution in support of the tax incentive and filing an "Incentives Appeal Form" upon completion of structure or rehab and re-occupation of structure or completion of construction/rehab.

The Class 7a reduces the general commercial assessment level from twenty-five percent (25%) of market value to an assessment level of ten percent (10%) for ten (10) years; fifteen percent (15%) in the eleventh year and twenty percent (20%) in the twelfth year. While the lower assessment level is only calculated for the portion of the facility which receives approved rehabilitation, the incentive is applied to the whole structure and land of newly constructed buildings and properties that have been vacant upon re-occupation. The Assessor's Office notes that the value added in rehabilitation may be lower than the cost of the project. A Triennial Affidavit must be completed verifying the use of the property and the number of workers employed at the incentivized location.

Class 7b
Commercial projects which total over $2 million dollars may apply for the Class 7b Tax Incentive. Similar to the Class 7a in most steps, these higher cost projects must receive approval by the Economic Development Advisory Committee of Cook County (EDAC) to verify existence of the five eligibility factors. The resolution in approval of the tax incentive is then submitted to the Assessor's Office.

Class 8
Upon application from a local governing body and certification by the Assessor's Office, areas around Cook County which are experiencing a lack of industrial and commercial growth, may become reutilized when applicants receive a Class 8 Tax Incentive. Geared for both commercial and industrial use, a parcel in a Class 8-designated area throughout Cook County, or a parcel acquired through the Cook County Tax Reactivation Project, or a parcel located within Bloom, Bremen, Calumet, Rich or Thornton Township, may qualify for a reduction in assessment level for new construction, substantial rehabilitation or re-occupation of a building that has been vacant for over twenty-four (24) months. The steps for application are addressed on the Assessor's website; but nuances include: commences and/or structure is re-occupied; securing municipal ordinance/resolution in support of the tax incentive and filing an "Incentives Appeal Form" upon re-occupation of structure or completion of construction/rehab.

The Class 8 reduces the general commercial or industrial assessment level from twenty-five percent (25%) of market value to an assessment level of ten percent (10%) for ten (10) years; fifteen percent (15%) in the eleventh year and twenty percent (20%) in the twelfth year. While the lower assessment level is only calculated for the portion of the facility which receives approved rehabilitation, the incentive is applied to the whole structure and land of newly constructed buildings and properties that have been vacant upon re-occupation. Following proper procedures, both types of incentives may be renewed. The Assessor's Office notes that the value added in rehabilitation may be lower than the cost of the project. Cook County's Living Wage Ordinance must be complied with in order to continue to receive the Class 8 Industrial Tax Incentive. A Triennial Affidavit must also be completed verifying the use of the property and the number of workers employed at the incentivized location.

Class C

Polluted land and structures inhibit economic growth in many parts of Cook County. Contamination affects the safety of surrounding properties and the health of neighboring residents. Site clean-up costs can be prohibitive for prospective owners. To promote remediation and new development, the Class C Tax Incentive reduces property tax assessment levels for both land and entire buildings which have participated in the Illinois Environmental Protection Agency's Site Remediation Program. After completing environmental testing and remediation, the Illinois Environmental Protection Agency (ILEPA) will produce a "No Further Remediation Letter" for successful projects. If the costs for site investigation, testing, removal and legal fees total at least twenty-five percent (25%) of the market value of the real estate or at least $100,000 and a municipal ordinance or resolution in support of the tax incentive, along with other required documents, are submitted within one year of receipt of the letter, the property may qualify for a Class C Tax Incentive.

To participate in the ILEPA program and receive the tax incentive, owners must also be able to prove they were not directly or indirectly responsible for the contamination. After receipt of a "No Further Remediation Letter" and upon completion of program or re-occupancy, an "Incentives Appeal Form" must be submitted to the Assessor's Office. The reduction in assessment value for commercial or industrial projects will be from twenty-five percent (25%) of market value to ten percent (10 %) for the first ten (10) years, fifteen percent (15%) in the eleventh year and twenty percent (20%) in the 12th year. Industrial Class C Tax Incentives are renewable while commercial Class Cs may not be renewed.

Class L

When substantial rehabilitation is needed for a building which is a historic structure or within a landmark or historic district the Class L Tax Incentive may help to promote the renovation of the structure in order to house new not-for-profit, commercial, industrial or multi-family residential project(s). When owner investments for rehabilitation costs to major building systems are equal to at least fifty percent (50%) of the full market value of the building and required steps are taken and documentation submitted to the Assessor's Office such as local government certification, ordinance or resolution and Preservation Commission Review, such building may receive a Class L designation which leads to a ten percent (10%) assessment level of fair market value for the first ten years, fifteen percent (15%) in the eleventh year and twenty percent (20%) in the twelfth year.

Incentives for commercial use of historic buildings are the only subset not eligible for renewal. Application must be made before substantial rehabilitation has begun and an "Incentives Appeal Form" must be submitted after project completion. Triennial affidavits are required to continue tax incentive.

Class S

Retaining affordable housing for low/moderate-income households is accomplished through the Class S Tax Incentive. Project-based Section 8 multi-family housing properties which receive approval from the U.S. Department of Housing and Urban Development (HUD) are eligible to apply for and request renewals of the incentive's five year term in which the residential portions will be assessed at 10 percent (10%) of fair market value. Twenty percent (20%) of the living units must be rented to persons meeting the low-moderate income level for Section 8 housing. Annual statements of continued compliance are required to continue receiving the incentive. Sale or transfer of property during the Class S term will require the new owner to comply with all requirements or the structure will be terminated from the incentive program. If a Class S incentive expires or is terminated, the assessment level will return to the current ten percent (10%) Class 3 level.

Open Space Valuation

Land which is to be used as open space and has been used for such in the preceding three (3) years may be eligible for the Open Space Land Valuation. The parcel must be more than ten (10) acres in area and be used for the specific purposes outlined below. Land used primarily for residential purposes will not be considered.

1) Land must be used for maintaining or enhancing natural or scenic resources.
2) Land must protect air or streams or water supplies.
3) Land must promote conservation of soil, wetland, beaches or marshes, including ground cover or planted perennial grasses, trees and shrubs and other natural perennial growth, including any body of water, whether man-made or natural.
4) Land must conserve landscaped areas, such as public or private golf courses.
5) Land must enhance the value to the public of abutting or neighboring parks, forests, wildlife preserves, nature reservations, sanctuaries or other open spaces.
6) Land must preserve historic sites.

Open space land will be valued at an estimated voluntary fair cash sales price to a buyer who would continue similar use. Parties responsible for tax payment must submit a verified open space valuation application to the Assessor's Office by January 31 of each desired year.

When property is transferred to a new owner, if the open space use is to be continued, the seller shall inform a prospective buyer of a change of owner application along with the annual application requirements. If the open space use is not to be continued, the seller must notify the Assessor's Office in writing of the discontinuation of use. If the whole or portion of the open space land is to be sold for use other than open space, taxes will be owed according to the difference in taxes paid for the preceding three (3) years with the open space valuation and the tax that would have been due without the valuation along with a five percent (5%) interest fee. It is the responsibility of the seller to set up an escrow account at the closing to cover the difference in taxes paid which will be due the following September 1st.

Living Wage Ordinance
The Incentives Class Living Wage Ordinance Affidavit applies to Class 6b, Class 8 – industrial incentives and Class 9. It states that in order to receive and continue to receive these specific tax incentives, an owner-occupied property must pay each employee a Living Wage, as set by the County's Chief Procurement Officer.

Triennial Affidavit
The Triennial Affidavit for Incentive Properties form must be completed for property owners receiving a Class L, Class 6b, Class 7 or Class 8 tax incentive. Failure to submit proper and accurate information could result in a loss of tax incentive.

Special Circumstances
The Bureau of Economic Development – Department of Planning and Development administers the "special circumstances" component of the Cook County Real Property Assessment Classification Ordinance. "Special circumstances" are noted as, but not limited to, abandonment under twenty-four (24) months; no purchase for value and/or property located in unincorporated Cook County.

To qualify for a tax incentive with "special circumstances", a resolution in support of the tax incentive must be passed by the Cook County Board of Commissioners. Tax incentive applications must be submitted to both the Assessor's Office and the Department of Planning and Development for review of the "special circumstances".

LBAC Recommendations

The Land Bank should develop a marketing campaign to inform business located in Cook County, or those wanting to relocate to the area, of the various options available for residential, commercial and industrial redevelopment.

> The marketing campaign should contain resources available to projects through Cook County, such as the Tax Incentive Program, and advertise other local, state, federal, private and not-for-profit programs which will help current and new business owners grow in their specific field while also stabilizing local economies, increasing employment opportunities and improving quality of life for the residents of Cook County. The marketing campaign should begin with the first announcement of the Land Bank to ensure that all interested parties are aware of opportunities at the appropriate time during project planning.

The Land Bank should develop seamless relationships with the various departments and agencies of Cook County, along with other governmental, public and private ventures, that may be able to provide incentives and assistance for redevelopment projects of land bank holdings.

> Working closely with entities involved with development support will ensure that properties within the Land Bank continue on to the phases of disposition and redevelopment more efficiently. It will also ensure that developers do not miss opportunities because of early stage requirements in certain programs or funding.

The Land Bank Advisory Committee recommends that a study should be completed exploring whether new classifications for scattered-site residential and a certificate of land bank participation leading to a tax incentive should be created. As the Assessor's Office looks for market solutions to market problems, the effect of changes to incentive programs needs to be analyzed. White papers with research data on the outcomes of suggested changes would help validate the rationale for any modifications.

Contact Information

Cook County Assessor's Office
Incentives Department
118 North Clark, 3rd Floor
Chicago, IL 60602
www.cookcountyassessor.com

Incentives Department 312-603-7529
Open Spaces 312-603-3430
Specific Properties Department 312-603-7529

Cook County Bureau of Economic Development
Department of Planning and Development
69 West Washington Street, Suite 2900
Chicago, IL 60602
http://blog.cookcountyil.gov/economicdevelopment/

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Affiliations are listed solely for informational purposes and do not imply organizational endorsement of this report.

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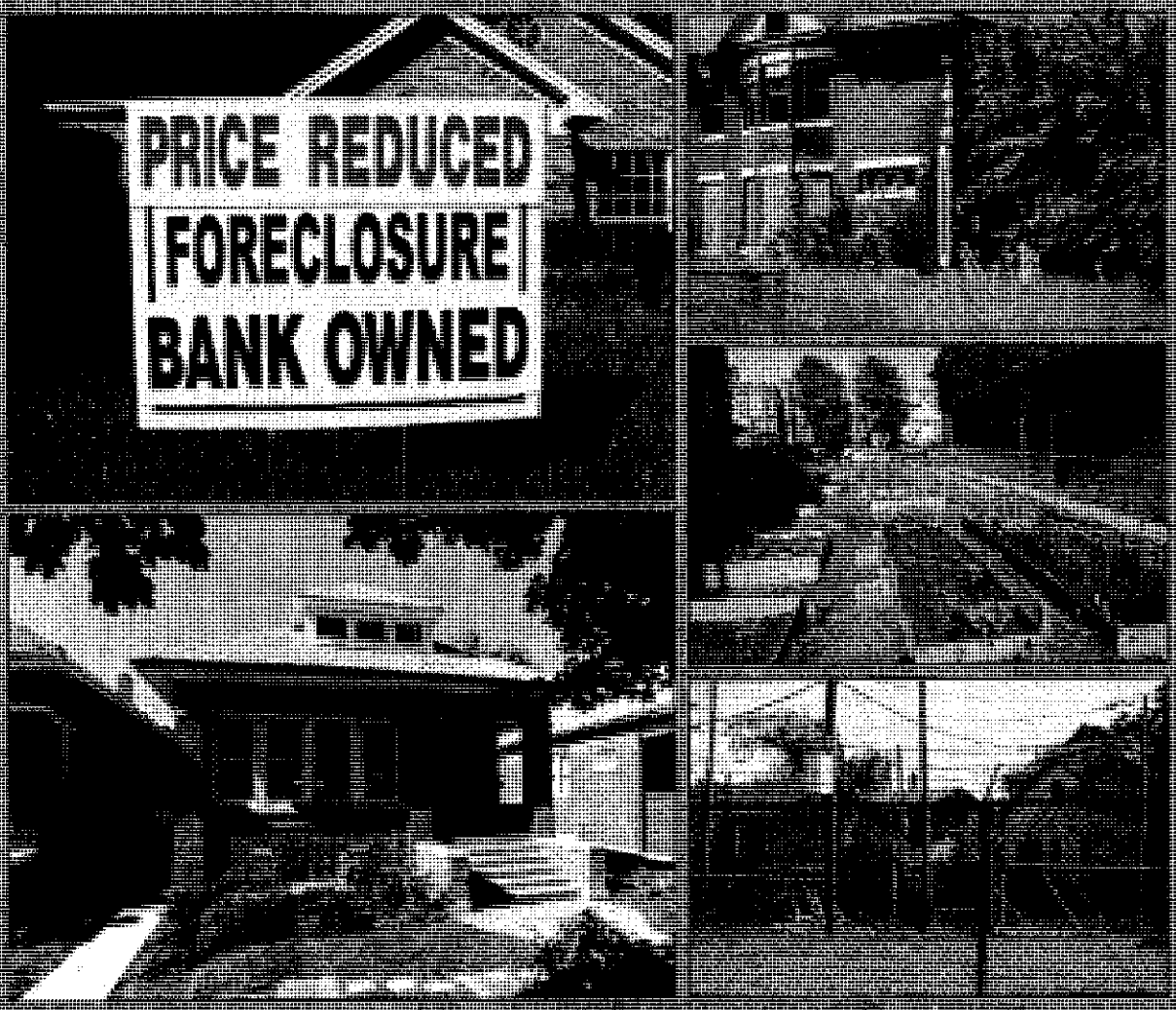
A TECHNICAL ASSISTANCE PANEL REPORT

Cook County Land Bank TAP

Chicago, IL

October 23-24, 2012



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Urban Land Institute Chicago

The mission of the Urban Land Institute is to provide leadership in the responsible use of land and in creating and sustaining thriving communities worldwide.

ULI Chicago, a District Council of the Urban Land Institute, has more than 1,000 members in the Chicago region spanning the land use industry including developers, builders, engineers, attorneys, planners, investors, financial advisors, academics, architects and public officials.

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This Technical Assistance Panel was sponsored by Cook County Commissioner Bridget Gainer, in partnership with Cook County President Toni Preckwinkle and the Cook County Land Bank Advisory Committee.

Technical Assistance Panel Program

The Technical Assistance Panel (TAP) allows local communities or government agencies an opportunity to access strategic advice from experts in development that they could not obtain through any other process.

The goal of the panel program is to convene a multidisciplinary ULI-member team of experts to examine complex land use challenges and help sponsors find creative, practical and implementable solutions based on community realities and best practices.

The panel process brings together perspectives from current market, land use and design, financing and development strategies. TAPs are typically two-day intensive working sessions addressing land challenges proposed by the sponsoring organization, a local government, non-profit organization, or developer, about a specific development issue or policy barrier within a defined geographic area.

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Cook County Land Bank TAP

Chicago, IL

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The Challenge: Foreclosure & Vacancy in Cook County

Vacant and distressed properties have become a growing problem for metropolitan areas following the foreclosure crisis of 2008 and the ongoing deep recession and slow recovery. Foreclosures have left many communities bereft of neighbors, facing declining property values, and with growing numbers of vacant and boarded up properties that draw crime and reduce nearby home values.[1]

In Cook County, nearly 200,000 housing units are currently vacant, and according to the Circuit Court of Cook County, an estimated 85,014 foreclosure cases are currently pending in its court. In 2005, there were only 14,442. While many are in the city of Chicago, the suburbs are far from immune to the problem (see Figures 1 and 2 on opposite page). In addition to the immediate impact on a neighborhood, foreclosures also leave municipalities with a declining tax base, delinquent property tax rolls, and growing maintenance issues. In Chicago, if a foreclosed property is quickly put back on the market, the average cost to local governments is only about $430. If the home languishes and is abandoned and requires demolition, the cost to the local municipality is $34,199.[2]

Properties that are vacant and abandoned are sometimes tax delinquent, which is an added drain on public resources with their upkeep costs (boarding up, mowing lawns) and loss of tax revenue. Outstanding tax liens or other liens, such as unpaid water bills, are a major hurdle for private or public-sector developers who might be interested in rehabbing the property. The complicated process of clearing the liens can take up to two and a half years at times.

Combined with the real estate crisis, the severe loss of jobs and income during the economic crisis has set back progress in community and economic development more than 20 years in Chicago and Cook County. The region had made tremendous strides at the local, city-wide, and county-wide levels to rebuild distressed communities in the 1990s and early 2000s. This progress has been threatened, but leadership exists in local communities to tackle the challenges and rebuild their economic and residential markets.

Without intervention, foreclosure and abandonment will continue to be a deteriorating spiral for many communities. The eyesores sit empty, and vandals move in and strip the homes of copper pipes and other valuable material. Eventually, the municipality must step in - if it can afford to - and demolish the home or business. The vacant land becomes a harbinger of disinvestment, and the community slides downhill.

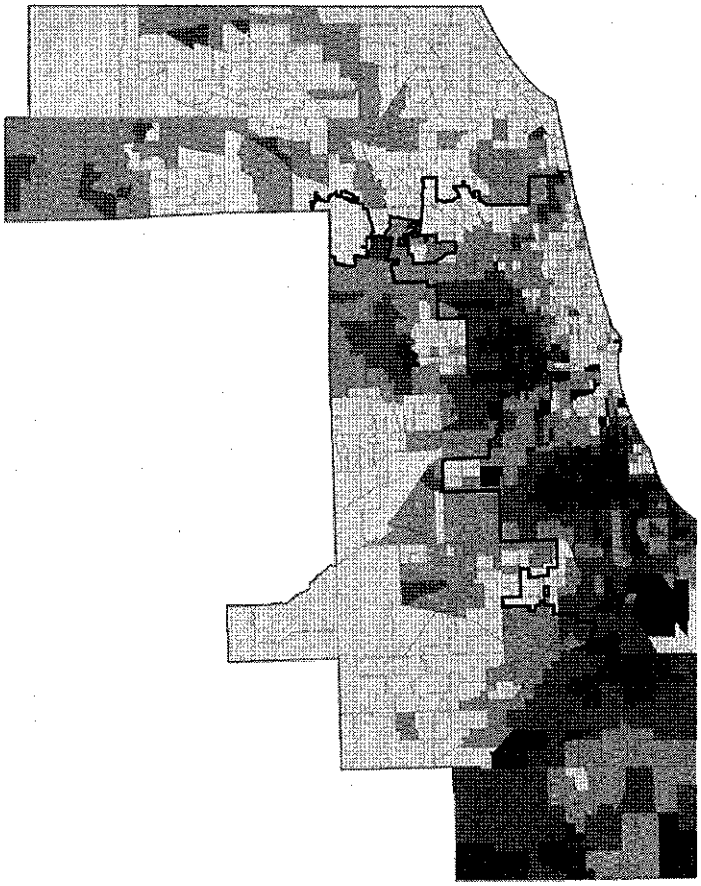
The challenges facing Cook County are not only in the realm of housing. Issues of land assemblage, encumbered titles, and distressed commercial and industrial properties are equally important with respect to economic opportunities for Cook County residents and a stable tax base for local communities.

1. Studies have shown that each foreclosure causes homes within about an eighth of a mile to lose from 0.5% to 2% of their value. See Todd Swanstrom, "Resilience in the Face of Foreclosures: How National Actors Shape Local Responses." In Urban and Regional Policy and Its Effects, ed. By Margaret Weir et al. (Washington, DC: Brookings Institution, 2012). A study in Chicago found that for each 1 percentage point increase in the foreclosure rate, violent crime ticked up by about 2% in the area. See Dan Immergluck and Geoff Smith, "The Impact of Single-family Mortgage Foreclosures on Neighborhood Crime," Housing Studies, vol. 21 (2006).
2. William C. Apgar and Mark Duda, "Collateral Damage: The Municipal Impact of Today's Mortgage Foreclosure Boom." (Minneapolis: Homeownership Preservation Foundation, May 11, 2005).

Foreclosure by Census Tract

Figure 1: Foreclosures are facing virtually all Cook County communities.

Percent of Residential Properties with a Foreclosure Between 2005 and 2011, by Census Tract



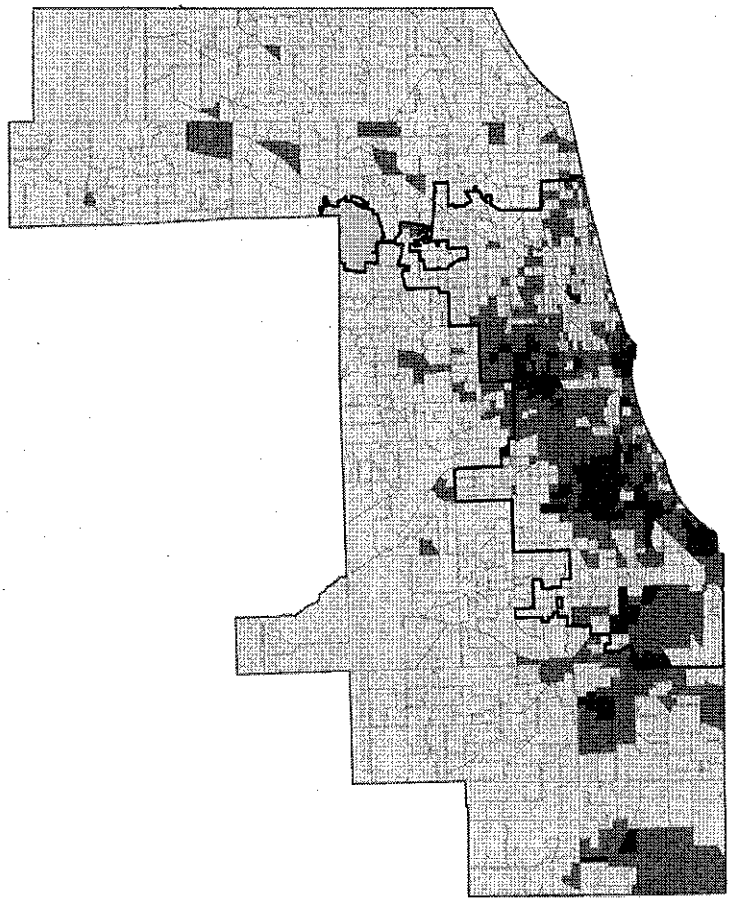
Less than 10%
11 to 20%
21 to 30%
Greater than 30%
N/A (Tract has fewer than 20 residential parcels)
City of Chicago

Foreclosure Map Source: Record Information Services, Cook County Assessor. Prepared by Institute for Housing Studies at DePaul University.

Vacancy by Census Tract

Figure 2: While housing vacancies tend to concentrate in certain areas of the County, nearly all communities are facing higher levels of vacancies than in the past.

Overall Vacancy Rate in 2010 Census, by Census Tract



Less than 10%
10.1 to 20%
Greater than 20.1%
N/A (No Housing Units)
City of Chicago

Vacancy Map Source: Record Information Services, Cook County Assessor. Prepared by Institute for Housing Studies at DePaul University.

The Response: A County-Wide Land Bank

As the problem has grown, local leaders and stakeholders have begun seeking innovative solutions. The Cook County Board recently formed an Advisory Committee to explore a land bank for Cook County. A land bank is an entity that can acquire, hold, manage, and develop foreclosed or tax-delinquent vacant properties. It can provide communities with a legal tool to hold, sell, or develop these properties with the long-term interest of the community and surrounding property owners in mind.[3]

As the Center for Community Progress explains: "Land banks often provide marketable title to properties previously impossible to develop due to complicated liens and confused ownership histories. While land banks are generally associated with older urban communities that have significant abandonment, they are potentially just as useful to safeguard healthy communities from deterioration."[4]

On July 24, 2012, the Cook County Board passed a resolution sponsored by President Toni Preckwinkle and Commissioner Bridget Gainer to establish an Advisory Committee to investigate the establishment of a Cook County land bank.

To complement the Advisory Committee, Cook County Commissioner Gainer engaged ULI Chicago to organize a Technical Assistance Panel (TAP). Chaired by Scott Goldstein of Teska Associates, Inc., the panel brought together a diverse set of real estate experts to provide objective industry expertise and pragmatic recommendations for the land bank. Members of the panel included industry experts on real estate law, affordable housing, community development, private-sector development, and land planners, as well as leaders of three of the most successful land banks in the nation from Minneapolis/St. Paul; Flint, Michigan;

Questions for the Panel

- Mission: What is the central mission of the land bank, and how does it intersect with existing county initiatives and the private market? What are the roles of the county, the municipality, and the prospective developer in acquiring, holding and disposing of property?
- Acquisition: What is the process or criteria to be used to identify and acquire or accept properties? What is the process or criteria in evaluating the acquisition of improved properties? What are the criteria or process in identifying the economic feasibility of improving properties or in making decisions about demolition?
- Asset Management: How should the land bank interface with asset management? Where should the private sector or partners enter in providing the necessary maintenance, property management, and redevelopment services? What resources will be needed to successfully manage the property?
- Disposition: What is the process or criteria for disposing of a property? What marketing and disposition strategies should be employed? How does long-term municipal planning impact or impede private market acquisition of properties owned by the land bank?
- Finance and Operations: How will the land bank be capitalized in the short- and long-term? Given the recommended mission and familiarity with existing land bank models, what resources should be developed and how should they be deployed?
- Governance: In addition to statutory oversight required by Cook County, what is the best governance structure to ensure objective and transparent decision-making and management around property acquisition, disposition and operations?

3. Frank Alexander, "Land Banks and Land Banking," (New York: Center for Community Progress, 2011).
4. Ibid.

and Cleveland. The TAP coordinated with the Cook County Land Bank Advisory Committee, timing the TAP's deliberations to provide expertise to the Advisory Committee and Cook County Board early in the process.

During two days of deliberations, the panel provided extensive opportunities to collect input from stakeholders, experts, and elected officials. TAP panelists benefited from briefings with Cook County President Preckwinkle and Commissioner Gainer, interviewed more than 40 local housing and community development experts, and held a working session with more than 50 representatives from municipalities, community groups, and the banking and real estate industries. The panel delivered initial recommendations on the afternoon of October 24 to Commissioner Gainer, Cook County President Toni Preckwinkle's administration, and MarySue Barrett, president of the Metropolitan Planning Council and chair of the Advisory Committee. Panel members then worked throughout the remainder of the week to fine-tune the recommendations and develop a presentation for the October 29 meeting of the Cook County Land Bank Advisory Committee.

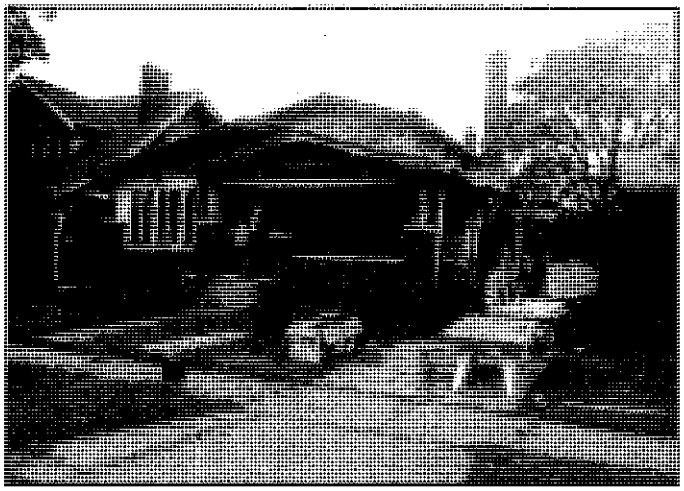
Panel Recommendations

The TAP panelists agreed there is a strong need to establish a land bank in Cook County to:

- Assemble land for commercial, industrial, and residential redevelopment
- Stabilize communities by acquisition and disposition of key parcels
- Clear title to properties
- Strategically repurpose land and vacant buildings
- Support local priorities
- Ensure there is a county-wide tool

The recommendations that follow are organized by mission (the purpose and parameters of a land bank in Cook County); governance structure and finance (how the land bank would be organized and governed, and its operations funded); and acquisition and disposition (criteria for acquiring property, managing it while held, and goals for its reuse).

Vacancy and foreclosure effect both multifamily and single family homes, decreasing the value of neighboring homes and reversing community development goals. (Photos courtesy of NHS Chicago.)



A strategic, collaborative land bank has the potential to reverse the impacts of vacancy and foreclosure through rehab, redevelopment and re-occupancy. (Photos courtesy of NHS Chicago, Center for Community Progress and Mecca Companies, Inc.)

The Mission of a Cook County Land Bank

The TAP recommended the following mission for a land bank:

The land bank will acquire, hold, and transfer properties throughout Cook County for the following purposes: to promote redevelopment and reuse of vacant, abandoned, and tax-delinquent properties; support targeted efforts to stabilize communities; stimulate residential, commercial, and industrial development; all in ways that are consistent with goals and priorities established by its local government partners and other community stakeholders.

In establishing a land bank, the panel recommended foremost that it be a strategic, collaborative, proactive catalyst for redevelopment based on local priorities, rather than an entity to accept all available properties. The latter would stretch the capacity of the land bank to provide staffing, legal support, maintenance, and the ability to return properties to productive use. The land bank should support local governments and the plans and priorities they have established in their communities. It can partner with intermediaries, nonprofit and community-based developers to reduce costs and the time needed to redevelop and reuse distressed properties. Doing so will help stabilize communities and position their residential, commercial, and industrial properties for redevelopment and reuse.

Governance Structure & Finance

A land bank can be structured in a variety of ways. After examining best practices with land banks from around the country, the TAP focused on three possible operating structures: 1) using an existing governmental authority to sponsor the land bank (the Housing Authority of Cook County or Cook County), 2) creating a new independent, nonprofit entity, or 3) using the County's authority as a "home rule" county to create a quasi-governmental entity with some delegated powers of the County.

Although there could be many benefits to using the Housing Authority to operate the land bank, its "non-home rule authority" (which only gives it powers specifically granted by the Illinois legislature) would prevent it from operating as a land bank without first obtaining legislative authority to do so. Alternatively, the TAP was advised that Cook County as a home rule entity has broader powers to operate a land bank.

However, the County is not currently well equipped to acquire, hold, and dispose large portfolios of land. Furthermore, the TAP found in consulting with stakeholders (municipalities in Cook County, real estate professionals, property owners, and financial institutions) and members of the public, it was critical that the land bank be independent and its governance transparent. While an independent entity would be nimble and flexible, and be able to respond to the challenges facing local communities, the TAP determined having a certain amount of governmental authority would be clearly beneficial with the critical tasks of clearing title, liens, and other important matters.

Although some existing land banks are structured as independent nonprofit corporations, the TAP concluded that this structure would not be as desirable in Cook County. A nonprofit entity could only hold land tax free if it were putting the property to active charitable use. The TAP was concerned it would be difficult to satisfy the conditions of tax exemption if the land were vacant. The TAP determined being able to hold land and be exempt from property taxes were essential to fostering redevelopment with the ultimate goal of returning properties to productive and taxable uses.

The TAP settled on recommending a quasi-governmental structure that would effectively leverage Cook County's existing home rule authority. The primary reason the TAP recommended the quasi-governmental option was, as noted above, this structure can hold land over time without being subject to property taxes and still allow the entity to be flexible and responsive to market conditions. A quasi-governmental entity would also provide the land bank with the essential powers of a governmental entity while also instilling in stakeholders and the general public the confidence that the land bank is independent and not simply another layer of government.

The home rule authority of Cook County should be used to establish the land bank and establish an independent Board of Directors to lead and oversee its activities. The Board will set policy and direction for all matters, including for acquisition, management, and disposition policies.

The land bank should:

- Be independent and a trustworthy partner with communities throughout Cook County
- Hold land tax-free
- Assist in scrubbing title
- Have the ability to acquire properties such as through negotiated agreements with banks and a "No Cash Bid" process (through the home rule status of Cook County or municipalities)
- Be nimble, flexible, responsive, efficient, and decisive

The role of the land bank Board would be to set policy that is executed by staff. It would set the budget and develop acquisition, asset management, and disposition policies. The Board should not have to approve each individual acquisition or disposition.

The TAP panelists recommended a two-tiered governance structure, with a main nine-member operating Board, a short-term Implementation Task Force, and a permanent Advisory Committee.

The nine-member land bank Board would include five governmental appointees and four nongovernmental appointees. They would hold staggered three-year terms, with a two-term limit.

Implementation Task Force

An initial and temporary Implementation Task Force focused on legal and technical issues would meet monthly for the first three months, and quarterly as

needed for up to two years. The Task Force would include one Assessor's Office designee, one Treasurer's Office designee, a County Clerk Office designee, a state representative, a State's Attorney representative, the Cook County Commissioner, one mayor, a state tax expert (not a property tax lawyer), and an individual from a title company. The purpose of the Task Force would be to set up processes and procedures for the acquisition and disposition of property.

The five government appointees would include:

- One City of Chicago Mayor designee
- One Alderman (chosen by City Council)
- One Cook County designee
- Two suburban mayors (one south suburban, one representative from the Metropolitan Mayors Caucus)

Advisory Committee

A permanent Advisory Committee, which would be appointed by the Board, would commence six to nine months after the land bank is established. It would be tasked with keeping the project on course and providing an opportunity among important stakeholders and experts for continuous input. The Committee would not make individual property decisions. It would include community representatives from the south suburbs and other suburban areas, a realtor, members of the banking and real estate community, for-profit and nonprofit residential developers, a regional planning organization, a representative from a building or housing association, and a commercial or institutional banker.

The four nongovernment appointees would include:

- One Community Development Financial Institution (CDFI), designated by the Cook County President's office
- One private bank with REO servicing expertise, designated by a local chapter of the Mortgage Bankers Association
- One nonprofit developer, designated by the Illinois Housing Council
- One commercial/industrial developer with large-scale national or significant regional experience, appointed by the Urban Land Institute Chicago

Staffing and Budget of the Land Bank

Staffing capacity will depend on the initial scope of work and the funding availability for a period until the land bank achieves self-sufficiency. To ensure adequate start-up funding, the TAP panel recommends a $10.5 million budget to acquire, manage, and reuse up to 850 properties in the first year with a target of 2,550 properties over the first three years. Initial seed funds of approximately $4 million per year over a three-year commitment should be provided and might include contributions from Attorney General settlements, grants, banks, and support from philanthropic institutions.

Staff would include:

- An executive director (with the power to implement strategies of the Board without having to go back to the Board for approval for each transaction)
- General counsel
- A portfolio manager to direct acquisition and disposition strategy
- Two asset managers
- Two acquisition managers
- A demolition specialist
- An administrative assistant

Other contractual services in the budget include web development, development officer, property management, CAD experts, accounting, design, legal services, and insurance. The TAP also recommends predevelopment grants be made available through intermediaries to nonprofit developers to ensure that there is capacity, especially in targeted acquisition areas, to redeploy these lands into new uses.

EXPENSES	
Salary and fringe	$1,260,000
Professional services, supplies, rent, etc.	1,310,000
Insurance	200,000
Acquisition	1,750,000
Maintenance	475,000
Rehabilitation	1,750,000
Demolition/deconstruction	2,400,000
Predevelopment grants through intermediaries for nonprofit developers	1,200,000
TOTAL EXPENSES	$10,345,000
REVENUE	
Initial investment (per year, for three years)	$4,000,000
Sales	200,000
Rental income	100,000
Transaction fees	200,000
Property donation fees	6,000,000
TOTAL REVENUE	$10,500,000
Gap/Surplus	$155,000

Assumptions used in developing the budget include:

Total properties donated	600
Total properties acquired	300
Properties demolished (of those acquired)	150
Demolition per property	$16,000
Maintenance (50 complex sites)	$1,500
Maintenance (500 simple sites)	$500
Property donation fee per property	$10,000
Acquisition per property	$7,000
Rehab fund per property	$75,000

Acquisition & Disposition

Land banks can range in their mission from a model of "accept everything," which entails owning all the problem properties and controlling all of their outcomes, to a purely transactional approach of acquiring property only when there is a defined end use and an identified partner.

The TAP panel recommended a proactive, targeted approach. This strategy would position the land bank, upon request, to acquire property in targeted geographic areas on the basis of agreements with municipal government or agencies and with local priorities and plans at the forefront. The strategy would focus on immediate and early impact (Phase 1: within the first 18 months), with a growing scale of operations over time (Phase 2). The strategy would also include responding quickly and nimbly on the basis of opportunities presented by municipalities and end users.

In Phase 1, the criteria for property selection should be that the property is vacant, abandoned, or tax delinquent, and unoccupied. Acquisitions should be based on local or regional plans and strategies in place for community stabilization and/or economic development, or priorities determined by local agencies and end users.

In Phase 2, the land bank should be willing to consider more complex projects, such as occupied buildings or properties with environmental challenges. The land bank will continue to work closely with local municipalities in identifying and considering these properties.

Criteria for Acquisition

Properties can be donated through abandonment proceedings (in Chicago), a direct purchase, a transfer of properties from municipal governments or other land banks (such as the south suburban land bank), a scavenger sale, annual tax sale, no-cash bids, or temporary transfers of property for predevelopment purpose (for example, a Community Development Corporation (CDC) that needs time to complete regulatory procedures).

The TAP panel recommended the focus of initial acquisition be to: 1) facilitate purchases with the south suburban land bank; 2) explore purchases for other municipalities that have identified other properties for land bank acquisition; and 3) reach out to LISC, CIC, CCLF, NHS and other intermediaries in the community development field that know of opportunities and local capacity to execute redevelopment.

The TAP also warned the land bank to be cautious, but smart, in its initial transactions. Isolated, irregular properties are that way for a reason. While the land bank can provide a needed function of connecting interested buyers with available land, the goal of the

Once a property has been acquired, the land bank would work with third-party, local management groups to accomplish the necessary redevelopment. (Photos courtesy of Center for Community Progress (left), and NHS Chicago.)

For properties acquired under a long-term hold strategy, the land bank might employ intermediate uses, like urban agriculture or gardens. (Photo courtesy of ULI Chicago.)

land bank should not be to amass the largest number of properties, but to stabilize the market by being a catalyst for reuse, redevelopment, and repurposing of properties.

The panel noted it is imperative when identifying properties, the land bank work closely with residents and others who own property in the area. The TAP recommended community input be secured in "letters of agreement" between the land bank and property owners or municipalities. The letters would spell out the types of properties the municipality and the land bank want to pursue.

Asset Management

Once distressed properties or vacant land is acquired, they must be maintained and improved if they are to be returned to the community as an asset. The TAP recommended a third-party management group for the job. It also recommended the maintenance crew and services be local businesses and be well versed in local ordinances and other requirements. That said, while local hires are preferable, competence is better.

In a geographic span as large as Cook County, it will also be important to formally or informally involve local community groups, who can help keep track of problems or issues on the properties. It will also be imperative to have a centrally located team who can respond quickly to problems. It will be critical to have an inventory management system as a reporting tool. The data-driven system must be robust and provide "real time" reporting, both on problems but also on land bank holdings. Developers can use the data to identify where new housing or retail may be needed.

Asset Disposition Strategies

A land bank does not hold properties forever. Its goal is to see the properties rehabbed or reused in ways that benefit communities.

Ultimately, asset management is a portfolio management question: what can the land bank hold, what should it move out quickly, and when can it bring in cash? As such, the TAP recommended three disposition strategies for properties: a long-term, medium-term, and short-term strategy.

A long-term asset management and disposition strategy may call for the land bank to hold a property for months or even several years until the market rebounds or a reuse materializes. An intermediate use might include "adopt a lot" programs, urban agriculture and gardens, or storm water management. While holding the properties, the land bank should hold an umbrella insurance policy to protect itself from liability. A short-term strategy would be to sell the properties to sound developers with a proven track record.

Any strategy, whether short, medium, or long-term, should:

- Coordinate with local and regional plans and strategies for stabilization and/or economic development
- Prioritize areas with local development capacity
- Prioritize areas with local government requests

Not all property can be saved, and demolition is sometimes the only option. Community engagement will be critical to this process.

To be effective, the TAP panel recommended a disposition process that should:

- Be consistent and transparent
- Resist being too bureaucratic
- Respect local context
- Include negotiated sales, either fair market value or less than fair market value with a rationale for the sale
- Include qualified purchasers only (to weed out speculators)
- Keep end use preferences center (such as affordable housing)

Ultimately, it is critical that the land bank not be viewed as a development organization. A land bank's purpose is to complement, not supplant, the hard work of the local grassroots organizations, municipalities, and the private market.

Conclusion

In summary, the panelists strongly believed there is a need for the establishment of a Cook County land bank. An independent, quasi-governmental entity that is flexible and responsive to current challenges will be able to facilitate the redevelopment and repurposing of vacant land and buildings in Cook County in partnership with local governments and organizations.

The land bank would fulfill a critical purpose – to return valuable resources to productive use, whether new housing, economic development, open space, or other uses.

The land bank could complement existing local efforts, and stabilize communities throughout the county. (Photo courtesy of Center for Community Progress.)

Stakeholder Appreciation

ULI Chicago thanks the sponsors, panelists, and stakeholders who participated in this process.

TAP Working Session Participants
Jeff Bartow, *Southwest Organizing Project (SWOP)*
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