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AN ORDINANCE AMENDING TITLE 1, CHAPTER 13 OF THE ORLAND PARK VILLAGE CODE IN REGARD TO THE ECONOMIC DEVELOPMENT ADVISORY BOARD

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WHEREAS, Act 5, Section 1-1-7.1 of the Illinois Municipal Code (65 ILCS 5/1-1-7.1) authorizes any municipality to establish “community based committees which shall consist of community leaders, and such committees shall coordinate all State and federal economic programs except where otherwise prohibited by federal law”; and

WHEREAS, the President and Board of Trustees of the Village have determined that it is in the best interest of the Village and its residents to amend Title I, Chapter 13 “Economic Development Advisory Board” to include new loan fund opportunities and update the current policies and procedures.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Orland Park, Cook and Will Counties, Illinois, as follows:

SECTION 1

The above recitals are incorporated herein by reference as though fully set forth herein.

SECTION 2

Section 1-13-2-1 of the Village Code of the Village of Orland Park is hereby amended to delete in its entirety the text of Section 1-13-2-1 “Establishment” and to substitute the following as new text for Section 1-13-2-1:

1-13-2-1: ESTABLISHMENT:

There is hereby established an Economic Development Advisory Board (the “Advisory Board”) of the Village of Orland Park. The Advisory Board shall consist of twelve (12) members: nine (9) voting and three (3) ex officio nonvoting members. The three (3) ex officio members shall include the Village President, the Director of Development Services and a Village Trustee who shall be appointed by the Village President. The voting members shall be appointed by the Village President with the consent of the Village Board.

The Economic Development Advisory Board shall elect one (1) of its members to serve as chairperson and one (1) of its members to serve as vice chairperson. All members shall serve without compensation, for one year terms, which shall begin on the first Monday in June and expire on the first Monday in June of the following year.

SECTION 3

Section 1-13-2-2 of the Village Code of the Village of Orland Park is hereby amended to delete in its entirety the text of Section 1-13-2-2 “Meetings and Minutes” and to substitute the following as new text for Section 1-13-2-2:

1-13-2-2: MEETINGS AND MINUTES:

The Advisory Board will establish its own schedule, which it will provide to the Village Board. It is anticipated that the Board will meet approximately six (6) times per year. Advisory Board members must be either physically present at the meeting or participate in the meeting through pre-arranged technologies, provided however, a quorum for meetings must be physically present.

Meetings of the Advisory Board shall be called by the Chair with notice of the meeting being forwarded to members with an agenda with at least fifteen (15) days’ notice. The Village Clerk shall also be given notice so that the Clerk can provide the appropriate Public Notice according to the Open Meetings Act.

The quorum for meetings shall be five (5) voting members.

Economic Development Advisory Board meeting minutes are to be approved for distribution by the Chair and confirmed at the next Ordinary Meeting of the Advisory Board. The Minutes will be distributed to Advisory Board members and the Village Clerk.

The Advisory Board shall submit a report of its activities to the Village Board at least annually.

SECTION 4

Section 1-13-3 of the Village Code of the Village of Orland Park is hereby amended to delete in its entirety the text of Section 1-13-3 “Advisory Board Duties and Powers” and to substitute the following as new text for Section 1-13-3:

1-13-3: ADVISORY BOARD DUTIES AND POWERS:

The Economic Development Advisory Board shall act as the advisory board to the Village of Orland Park Board on matters pertaining to economic development in the Village of Orland Park. These duties include:

1. Conduct economic policy discussions and make recommendations to the Village President and Board of Trustees on economic development issues, including, but not limited to, economic development goal setting, policy recommendations, strategic economic development planning, marketing and market analysis for future business recruitment and retention/expansion activities.
2. Review annual marketing/action plans and make recommendations during plan formulation.

3. Individual members of the Advisory Board may be asked to join the Village President, Board of Trustees Members or staff to participate in recruiting visits and/or economic development meetings.
4. Advise the Village President and the Director of Development Services and assist in identifying assets, resources and incentives appropriate for implementation of the Village of Orland Park's economic development strategy.
5. Serve as a community ambassador for persons or companies seeking to invest in, or relocate to, the Village of Orland Park.
6. Individual members of the Advisory Board may be asked to serve as representatives of the Village of Orland Park at state, regional and local economic development forums, conferences, and/or trade shows subject to the availability of funds and Village Board approval. This is an effort to provide enhanced economic development opportunities for the Village of Orland Park.
7. Support and encourage the location of new enterprises in the Village of Orland Park.
8. Support and encourage the development of tourist business in the Village of Orland Park.
9. Review regional, local, State and/or federal legislation and policy decisions in order to identify the impact they may have on the Village of Orland Park.
10. Establish two subcommittees, a Financial Assistance Review Subcommittee and an Economic Development Policy Subcommittee. Each subcommittee will report to the full Advisory Board at each Advisory Board meeting.
11. Adopt and amend bylaws and regulations for the Advisory Board and its subcommittees. Bylaws and regulations are subject to Village Board approval.
12. Review and evaluate applicable applications for economic development loan program of the Village of Orland Park and to recommend to the Village President and Board of Trustees approval of applications for economic development loan program.
13. Identify, submit and accept on the behalf of the Village, grants, loans, or gifts related economic development efforts subject to review and approval by the Village Board.
14. Assist with the Village's Business Retention Visit Program (VBRV), as needed, including the identification of Orland Park businesses who would benefit from the program.
15. Review revolving business development loan applications and make funding recommendations to the Village Board.

16. Assist the Village with identification and recruitment of business sponsorships and coordinate meetings between potential sponsors and Department Directors to discuss how funds can best be utilized for various Village initiatives and projects.

SECTION 5

Section 1-13-4 of the Village Code of the Village of Orland Park is hereby amended to delete in its entirety the text of Section 1-13-4 “Additional Uses of Economic Development Loan Program Funds” and to substitute the following as new text for Section 1-13-4:

1-13-4: ADDITIONAL USES OF ECONOMIC DEVELOPMENT LOAN PROGRAM FUNDS:

Funds currently available and designated for the Economic Development Loan Program may be utilized and expended for economic development purposes, other than loans to new and established businesses, at the discretion and approval of the Village Board of Trustees.

SECTION 6

Chapter 13 “Economic Development Advisory Board” of Title 1 “Administration” of the Village Code of the Village of Orland Park is hereby further amended to add a new Section 1-3-5 “Economic Development Revolving Loan Fund,” which shall read as follows:

1-13-5: ECONOMIC DEVELOPMENT REVOLVING LOAN FUND:

The Village of Orland Park's Economic Development Revolving Loan Fund (RLF) was established in 1987 as an incentive for targeted businesses to locate or expand in the Village. Maximum loan amounts are received on a case by case basis. Interest is charged at half of prime rate at either the time a complete application is received or at closing, whichever rate is lower at the time the closing papers are prepared. Legal and financial-analysis fees for loan initiation only incurred by the Applicant are paid by the Village, however, all other loan closing costs will be deducted from final loan disbursement.

Requests for loans are evaluated by the Village's Economic Development Advisory Board (EDAB) against public policy objectives established for the RLF program, including the level of private investment, job creation, and new tax generation. Eligible projects include acquisition of real property, installation of utility infrastructure, construction or expansion of commercial or industrial buildings, and purchase of equipment. Funds for construction activities are available as a permanent loan upon completion of construction. Village funds are not available for working capital.

SECTION 7

Chapter 13 “Economic Development Advisory Board” of Title 1 “Administration” of the Village Code of the Village of Orland Park is hereby further amended to add a new Section 1-3-6 “Qualifications for Revolving Loan Fund,” which shall read as follows:

1-13-6: QUALIFICATIONS FOR THE REVOLVING LOAN FUND:

To be eligible for a loan, a project must meet all of the following minimum qualifications:

1. The funds must be used for the purchase or construction of fixed assets such as land, buildings, and capital equipment. Funds cannot be used for working capital. Refinancing an existing RLF loan will be considered only when there is substantial benefit to the Village or if the applicant can demonstrate that a hardship exists.
2. The project must be located within the Village limits of Orland Park. Preference is given to non-retail projects located in designated industrial areas.
3. The project must create or retain permanent office, industrial, warehouse, distribution, or related jobs.
4. The developer or company must demonstrate firm lender and equity commitments, sign a letter of commitment regarding investment and job creation, and cooperate with Village staff and the EDAB.
5. Office, industrial, warehouse, distribution, and related businesses are given preference in reviewing loan requests. Retail establishments and restaurants will be considered but are given second priority.
6. The applicant must be able to demonstrate that the project would not be feasible without the Village loan. The project must not begin until the loan is given final approval by the Village Board or a preliminary Resolution of Intent is approved by the EDAB; commencement of the project prior to approval will disqualify the loan request from consideration.
7. The benefit to the Village in the form of tax dollars, jobs, or other measures must be significant enough to warrant Village participation.

SECTION 8

Chapter 13 “Economic Development Advisory Board” of Title 1 “Administration” of the Village Code of the Village of Orland Park is hereby further amended to add a new Section 1-3-7 “Review and Recommendation,” which shall read as follows:

1-13-7: REVIEW AND RECOMMENDATION:

Once a completed application has been received, the loan request will be scheduled for consideration at the next regularly scheduled EDAB meeting. Meetings are generally held once every quarter at Orland Park’s Village Hall.

In reviewing the merits of the request, the EDAB gives consideration to the following factors:

1. The enhancement of the overall tax base, including property taxes returned to the Village.

2. Diversification of the property tax base through construction of new office, industrial, warehouse, distribution, and related facilities.
3. A tax revenue/return analysis that insures the tax burden for residents will be favorable.
4. Encouragement of private investment through these public loan dollars.
5. Location of projects within areas of the Village targeted for industrial and commercial growth.
6. Creation or retention of quality full-time permanent jobs over the course of the project and beyond.
7. Adequate credit worthiness of the loan.
8. Conformance of the project to Village land-use and economic development goals, policies, and objectives.

SECTION 9

Chapter 13 “Economic Development Advisory Board” of Title 1 “Administration” of the Village Code of the Village of Orland Park is hereby further amended to add a new Section 1-3-8 “Approval of Loan Request,” which shall read as follows:

1-13-8: APPROVAL OF LOAN REQUEST:

Following review of the application, the EDAB will make a recommendation to the Board of Trustees to approve or deny the loan. If a request receives preliminary approval from the EDAB, a preliminary approval letter will be mailed to the applicant, stating the level of funding and any conditions of the loan. If the request is not approved, the applicant will be provided with an explanation of what changes should be made for reconsideration, or an indication that the application will receive no further consideration by the EDAB.

The loan request, along with the EDAB's recommendation, will be forwarded to the Village Board of Trustees, who will make a final determination to approve or deny the loan request at a regular Board meeting. The project must not commence until the Village Board gives final approval for the loan or the EDAB grants preliminary approval of a Resolution of Intent.

SECTION 10

All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed insofar as they conflict herewith.

SECTION 11

This Ordinance shall be in full force and effect from and after its passage and publication in pamphlet form as required by law.