



Agenda Item Summary

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Submitted By

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Reviewed By

AMZ

Agenda Item Title

A Resolution Approving the Third Amended And Restated Operating Agreement Between the Village of Oak Park and the Oak Park Economic Development Corporation (Oak Park EDC) and Authorizing its Execution

Overview

Staff prepared Third Amendment to the Operating Agreement with Oak Park EDC and to the organization's By-Laws to reflect changes to the operating relationship between the Village and Oak Park EDC that have been identified as beneficial improvements and reflect the current economic realities due to the Covid 19 Pandemic.

Staff Recommendation

Approve the Resolution.

Fiscal Impact

The 2022 budget requests funding to the Oak Park EDC in the amount of \$571,500 which is a \$50,000 increase from 2021 but represents the historical funding level for the Oak Park EDC. The extra funds will be used to purchase consumer data analytics to be used for a targeted marketing campaign to support existing businesses as well as general operating support for the organization. The contract also provides that any unspent funds must be returned to the Village.

Background

The proposed By-Laws and Third Amended Operating Agreement were developed in collaboration with the Oak Park River Forest Chamber of Commerce (Chamber) and the OPEDC Board of Directors.

Over the past several weeks Village staff and representatives from the Oak Park EDC and the Chamber have met to clarify the roles of each entity and to establish a clear outline of the roles and responsibilities of each entity. See attached Partner Outline and Business checklist. After approval of the Oak Park EDC contract, Village staff will update the Village website to reflect the clear delineation of responsibility between the entities which will provide more transparency to the public regarding the respective roles of each entity. As part of the 2022 budget, Village staff will be recommending that the Village Board authorize an enhanced membership to the Chamber. In addition to the traditional membership benefits received by the Village from joining the Chamber, each new business in the Village will receive a three-month membership to the Chamber. Each new business will also be able to receive a ribbon-cutting as part of their membership benefits.

The Third Amended Operating Agreement amends Exhibit A to more accurately reflect the services that the Oak Park EDC will provide to the community under the contract. The amendment removes language related to the prior history of the Village payments under the agreement and moves that to Exhibit E. Additionally, the Third Amended Operating Agreement changes the termination date to September 30, 2025.

The Third Amended Bylaws provides that the Governmental Directors are non-voting members of the Board. The Amendment also clarifies the terms of new Board members and removes a requirement that no matter when in the year a new Board member is appointed that their term started the prior January. The change enables Board members to serve a full 3-year term. The Board of the Oak Park EDC voted to approve the amended bylaws and is now requesting Village Board approval of the changes.

Alternatives

The Village Board could defer action and seek additional information.

Previous Board Action

On February 3, 2014, the Village Board authorized the execution of an agreement with the Oak Park EDC. The Agreement incorporated and reflected the Village Board's consensus established at a Study Session held January 13, 2014, including:

- The agreement is for approximately a three and one-half year term thru August 31, 2017. This timing accomplishes the Board's direction for a multi-year agreement and is also compatible with the Village's annual budget cycle.
- Funding parameters for 2014 as well as future years to allow for hiring ramp-up and a contribution requirement for the Oak Park EDC from the existing entity's fund balance.
- Multi-year funding commitment of \$721,500 for FY15, \$721,500 FY16, and \$481,000 for the eight months of the contract in FY17 (which is the annualized amount of the two prior years).
- The Agreement incorporates the Mission Statement and key activities to establish that the economic development efforts are for the purpose of: Enhancing the quality of life and economic health of Oak Park by expanding its property tax base, increasing sales tax revenue, and creating and retaining jobs in the Village.

On December 7, 2015, the Village Board approved the Second and Amended Bylaws of the Oak Park EDC to remove the provision that the Governmental Directors are non-voting members and allowing them to vote as full members of the Board of Directors.

On July 17, 2017, the Village Board adopted the Second Amended and Restated Operating Agreement with the Oak Park EDC to extend the contract term from August 31, 2017, to December 31, 2018, and updated the payment schedule to reflect the extension and to update key economic development activities.

On August 2, 2021, the Village Board extended the Second Amended and Restated Operating Agreement to December 31, 2021.

Citizen Advisory Commission Action

N/A.

Anticipated Future Actions/Commitments

N/A.

Intergovernmental Cooperation Opportunities

N/A.