

## Substitute to 21-2677

### PROPOSED ORDINANCE AMENDMENT

#### MODIFICATION TO LAND BANK

**BE IT ORDAINED**, by the Cook County Board of Commissioners that Part II, Land Development Ordinances, Chapter 103, Land Bank Authority, Division 2. Sections 103-19, 103-28, 103-31 and 103-32 of the Cook County Code are hereby enacted amended as follows:

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

##### **Sec. 103-19. Term of office.**

Except as otherwise provided in this section, the members of the Board of Directors appointed under Section 103-18 shall be appointed for a term of three 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. Upon expiration, said appointment shall continue into a new term of office for the appointed Cook County Commissioner, until a successor Ex-Officio Member has been appointed with the advice and consent of the Board of Commissioners.
- (b) *The remaining Members.* The remaining 16 members of the Board of Directors shall serve terms as follows:
  - (1) For the initial Members:
    - a. Four of the Members, subject to the approval of the County Board, shall serve a term that expires on January 1, 2014.
    - b. Four of the Members, subject to the approval of the County Board, shall serve a term that expires on January 1, 2015.
    - c. Three of the Members, subject to the approval of the County Board, shall serve a term that expires on January 1, 2016.
    - d. Four of the Members, subject to the approval of the County Board, shall serve a term that expires on January 1, 2017.
    - e. One of the Members, subject to the approval of the County Board, appointed pursuant to subsection 103-18(o) shall serve a term that expires on January 1, 2022.
  - (2) Thereafter, the Members other than the ex-officio member appointed shall serve a term of three 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 consecutive full terms.

##### **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 consistent with the policies of the Cook County Bureau of Human Resources;

(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) Provide recommendations and requests pursuant to the Cook County Budget process regarding executive, administrative and clerical needs. ~~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 103-32 of this Ordinance.~~

\*\*\*\*

**Sec. 103-31. Executive Director.**

(a) Except as otherwise provided in subsection (b) of this Section, 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.

(b) Effective May 1, 2021, any subsequent Director shall be appointed by the President of the Cook County Board of Commissioners with the advice and consent of the Land Bank Board of Directors. The Director position shall be a an at-will employee of the County and in the Grade 24 salary classification. The Director shall administer the Land Bank in accordance with the operating budget approved by the Cook County Board of Commissioners, the general policy guidelines established by the Board of Directors, other applicable governmental procedures and policies, and this Chapter. 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. The Director shall report to the Land Bank Board of Directors and the President. As an at-will employee, and appointee of the President, the Director may be removed by the President of the Cook County Board.

**Sec. 103-32. Reserved. 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.~~

**Effective date:** This ordinance shall be in effect immediately upon adoption.