



The Economic Sustainability Commission provides information and makes recommendations to Council regarding economic development for the Village of Yellow Springs, identifying primary opportunities for economic development in the Village and strategies to support these efforts and facilitating a forum for incubating ideas and networking among diverse groups working on economic development in the Village.

ESC Meeting Agenda
Wednesday, July 03, 2018, 5:30 pm
Council Chambers, John Bryan Community Center

7:00 Approval of June 06, 2018 Minutes

7:10 Citizen Concerns

7:20 Old Business

1) Localization Initiative – update from Susan Jennings, Steve MacQueen, Karen Wintrow, and, perhaps guest, Brian Housh, in regards to Shuman Consultation visit, especially regarding D-CIC, School District, and, Incubator, but, also other relevant topics developed by various interests areas.

2) Review DCIC position statement, re-conceptualized as, “Considerations for Developing a Purpose Statement for a Designated Community Improvement Corporation”. – Lisa, Karen, Emily.

8:05 New Business

1) Sub-committee assignments for D-CIC designated tasks.

2)

8:20 PM – Setting agenda for next meeting

8:30 Adjournment

Next meeting is August 01, 5:30 or 7:00 pm ?, in Council Chambers



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Economic Sustainability Commission Minutes

Wednesday June 6, 2018; 7 pm

Council Chambers, John Bryan Community Center

Attendees: Saul Greenberg, Henry Myers, Lisa Kreeger, Emily Seibel, Gerry Simms, Sammy Saber, Karen Wintrow, Susan Jennings (alternate), Steve McQueen, Mark Crockett; Guest: Brian Housh

The meeting was called to order at 7:06 by Greenberg.

Minutes

Minutes from May accepted with the following amendments. (Myers/Jennings)

DCIC, Add 2nd paragraph: Myers expressed concerns that the DCIC is undemocratic and he is also concerned with transparency.

DCIC, Add 4th paragraph: McQueen expressed concerns with power dynamics and membership.

Unanimous Approval of amended minutes (Seibel/Kreeger)

Citizen Concerns

No citizen concerns.

Old Business

Localization Initiative

Susan Jennings reviewed the visit of localization economist Michael Shuman June 26-28 thanks to a grant received by the YS Credit Union. The YSCU has received Community Development Financial Institution (CDFI) designation and they're interested to develop a local investment program and are looking to Shuman for advice. Other discussions will include the DCIC and strategies for impact investing.

There will be two brainstorming sessions regarding the DCIC being coordinated by Housh. He has requested input on the deliverables we should request from Shuman such as a broader mission statement for the DCIC. Housh is also coordinating a discussion on a possible incubator project. Other brainstorming sessions will be focused on non-profits, education, foundation investments and SpringsNet.

Designated Community Improvement Corporation

Kreeger reported that Council is interested in the input of the ESC into the DCIC discussion. She reported on the updated Purpose Statement prepared by Wintrow, Greenberg and herself that stepped back from the previous document to lay out a more general view of DCIC's, how they might operate in Yellow Springs and how it could move forward.

To focus the discussion, she asked for input from ESC members as to what parts of the document ESC members liked and what parts they had concerns about.

Seibel expressed concern over a lack of community input and feedback to the DCIC.

Jennings expressed concern that the role as a strategic planning body would place too much power with a select group. Simms also expressed concern later in the discussion about the strategic planning role.

Myers is concerned that the DCIC can receive and sell village-owned real estate without a public bid process. He believes those transactions should be made by Council in an open meeting with citizen input. Wintrow pointed out that Council could not transfer land to a DCIC without a public process. He would also like there to be strong Council oversight of the DCIC.

Housh has heard concerns from other government entities that they will be relinquishing their sovereignty with the DCIC. Also, there seems to be a lack of clarity on why the schools and township would be involved in the DCIC because their work seems only pertinent to the Village.

Kreeger suggests that DCIC meetings operate exactly like Council meetings with an open meeting and Executive Session only when allowed by the Open Meetings Act. She also points out that the DCIC will only have the level of power granted in the Code of Regulations.

Housh suggests starting the DCIC slowly with easy decisions like the Revolving Loan Fund with steps taken to ensure continuing citizen input.

Wintrow pointed out an essential flaw to the purpose statement is no mention of increasing the tax base as being one of the goals of the DCIC. It is that aspect of their work that connects the government entities because all benefit from increased property and/or income taxes.

Seibel suggests that the DCIC act as a land bank to acquire foreclosed real estate prior to going to a Sheriff's auction. In that way, real estate for affordable housing and other public purposes could be controlled by a quasi-governmental entity. She suggests adding a bullet point to the powers/tasks of the DCIC to be "Power to purchase real estate for a public purpose."

The ESC agreed that it was important to push forward with the proposed schedule and have a final Purpose Statement ready for the June 18 Council packet. It was agreed that at that meeting, Council would not be ready to approve but only review the document.

The following changes were agreed to by the ESC and it was also agreed that Kreeger, Seibel and Wintrow would prepare the final document for submission to Council:

1. Recommendation from Housh to change the name of the document to Considerations for Developing a Purpose Statement for a Designated Community Improvement Corporation
2. Recommendation from Wintrow to add reference to the goal of increasing the tax base as a major reason to create a DCIC
3. Add specific language that the DCIC will operate under the Open Meetings Act and provide for citizen input to decision-making to ensure adherence to community values
4. Remove "act as a strategic planning body" from tasks and include it in the mission narrative
5. Add to tasks "Acquiring real estate for a public purpose; i.e. land bank"
6. Include a statement about the sovereignty of government bodies

Seibel believes that grassroots buy-in from the community is necessary for the DCIC to move forward and be successful. She believes this more open discussion will be helpful.

There was also a discussion of prioritizing the strategic planning piece as a necessary exercise for the community. Per Seibel, Vision Yellow Springs Miami Township is nearly 10 years old and it is time for a review/reboot to kick off the DCIC process and get the community through some difficult discussions. Wintrow suggested going directly into strategic planning since Vision YSMT captured the major issues that we are facing and articulated a solid and still relevant vision for the community.

New Business

Because the next meeting date falls on a holiday, the July meeting has been rescheduled to July 3 at 5:30. Kreeger will advise staff of the change for appropriate notification.

Adjournment at 8:45 pm (Kreeger/Wintrow)

Next meeting July 3, 2018 at 5:30 pm in Council Chambers

DRAFT



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Economic Sustainability Commission Considerations for Developing A Purpose Statement for a Designated Community Improvement Corporations

Members: Saul Greenberg (Chair), Lisa Kreeger (Council Rep), Gerry Simms, Karen Wintrow (Secretary), Henry Myers, Sammy Saber, Emily Seibel, Susan Jennings (alternate), Mark Crockett (Township Ex Officio Rep), Steve McQueen (School Board Ex Officio Rep).

The Village of Yellow Springs finds itself on the precipice of housing, business and economic development opportunities but without a unifying organization to pull projects and constituencies together for collaboration, planning, and funding. It is the view of the Economic Sustainability Commission that a Designated Community Improvement Corporation (DCIC) could be the organization that provides the platform for broad and inclusive representation, overall strategic planning and innovative funding approaches.

The purpose of a DCIC, an organization recognized under section 501(c)(3) of the Internal Revenue Code, is to advance the economic, community and civic development of a community per Ohio Revised Code section 1724.10. DCICs are viewed primarily as economic development organizations to support new business development. However, DCIC's have broad powers that can be defined by the local community to support their specific goals. DCICs are governed by Code of Regulations (bylaws), must be chartered as a corporation in the State of Ohio and must receive 501(c)(3) status from the Internal Revenue Service.

The proposed mission of a DCIC established in Yellow Springs would be to serve as a coordinating and planning entity providing funding and oversight for projects that ensure the economic and cultural vitality of the Village of Yellow Springs for businesses, non-profits, residential and infrastructure development. The goal of increasing the tax base as a major reason to create a DCIC. The DCIC should be inclusive of the entire community and *support the Village Values and annual goals* established by the Village of Yellow Springs.

DCIC's are established by single or multiple political subdivisions (e.g. Village Council, School Board). Not less than two-fifths of the governing board of a DCIC must be elected officials representing the participating political subdivisions. Consideration should be given to maintaining less than a majority of elected officials from any single political subdivision so the Corporation can operate independently of a specific public body. It is critical that the DCIC maintain trust and transparency in the community so record-keeping and communication protocols will be established in the Code of Regulations. The DCIC will operate under the Open Meetings Act and provide for citizen input to decision-making to ensure adherence to community values.

Building the DCIC starts with appointment of the representatives from the governmental entities. Those individuals then recommend the remaining members who must live in, work in, or otherwise support the

economic and cultural vitality of the Village of Yellow Springs. The elected officials will continue to appoint their own representatives but after the initial appointment of at-large community members, those at-large members will be appointed by the DCIC.

Possible DCIC membership is as follows with total membership not to exceed 11:

- Up to four persons representing the Village of Yellow Springs, appointed by the Village (2 elected Council members / 2 staff);
- One representative of the Miami Township Trustees appointed by the MTT;
- One representative of the Yellow Springs Exempted School District appointed by the YSESD board;
- Five to seven at-large members from business and non-profit organizations that support economic and community development and bring skills or expertise to bear on the success of the corporation.

The inclusion of a diverse set of stakeholders supports better coordination of action and aligned strategic planning across entities.

The ESC has examined the broad powers of a DCIC which include accepting, purchasing, leasing and selling real estate; insuring and incurring debt; financing improvements to land or structures within zoning regulations; and more as can be constructed for the enhancement of the Village Values and Goals.

Brainstorming at the April ESC Meeting elicited the following **possible** tasks for a Yellow Springs DCIC:

1. Administer the Revolving Loan Fund and other grant programs
2. Collect and distribute net profits taxes anticipated from the Cresco operation
3. Market the CBE and promote Yellow Springs as a business location
4. Fund new infrastructure projects (e.g.: the fiber network)
5. Provide technical assistance to local businesses including development of an incubator/co-working space
6. Fund residential and commercial development
7. Function as a land bank to facilitate the transition of foreclosed and/or abandoned properties into viable, marketable properties

Commented [LK1]: The Council does not see this as the role of the DCIC. The Council may choose to set aside some funds from the Cresco operation for the DCIC but not all.

Commented [LK2]: The Council asked that we clarify the scope of infrastructure projects. Specifically, there was a request to specify that we weren't thinking about repairs to existing (e.g. sidewalks)

The ESC has identified the following concerns for continued consideration as the DCIC is formed:

1. To what extent do the participating political subdivisions (e.g. School Board, Village Council) give up their power or sovereignty over decision making by forming a DCIC?
2. Can the DCIC act unilaterally on all or will the Village Council have oversight over some decisions?

The Process to form a Designated Community Improvement Corporation for Yellow Springs:

1. Develop a Code of Regulations including the DCIC name (ESC reps, Village Council and Village Solicitor)
2. Incorporate in the State of Ohio (Village Manager)
3. File with the IRS to become a 501c3 (ESC reps, Village Manager and Village Solicitor)
4. Begin operation as a DCIC

Timeline:

Goal Date	Who	What
April 16	Village Council Meeting	Village Council to discuss and decide on path forward for a DCIC
May 2	ESC Meeting	ESC to review feedback from VC and assign tasks with a schedule for each.
June 6	ESC Meeting	ESC to review / provide feedback on the Purpose Statement and timeline for June 18 Council meeting.
June 18	Village Council Meeting	Council provides feedback of the DCIC Purpose Statement and timeline
July 3	ESC Meeting	ESC revises the Purpose Statement as needed. ESC develops a plan for outreach to elected officials in MT, YSESD and community
July 16	Village Council Meeting	Council approves the Purpose Statement and outreach plan
July 17- July 31	ESC Activity	ESC implements outreach to elected officials in MT, YSESD and community regarding a YS DCIC. Develop draft Code of Regulations for August 1 ESC meeting
August 1	ESC Meeting	ESC approves summary of outreach activities. Chris Conard to attend ESC meeting to discuss Code of Regulations, 501c3 status, etc. ESC determines work assignments to develop the Code of Regulations.
August 20	Village Council Meeting	DCIC Update - Review summary of outreach activity
September 5	ESC Meeting	ESC approves draft of Code of Regulations
September 17	Village Council Meeting	Feedback on Code of Regulations
October 3	ESC Meeting	ESC makes modifications to Code of Regulations
October 15	Village Council Meeting	Approves Code of Regulations

After Code of Regulations are approved –

- Develop Articles of Incorporation and File for State of Ohio Incorporation
- Begin 501c3 filing process which can take between 2-12 months