



AGENDA ITEM # 9E

AGENDA ITEM EXECUTIVE SUMMARY

Village Board Meeting

November 11, 2019

Item Title: **Ordinance Establishing a Tax Increment Financing District – “Interested Parties” Registry and Adopting Registration Rules for the East Irving Park Road TIF District**

Staff Contact: Patrick N. Watkins, Community Development Director

VILLAGE BOARD ACTION

Pass an Ordinance establishing a Tax Increment Financing District Interested Parties Registry and adopting Registration Rules for the East Irving Park TIF District.

Executive Summary:

Attached is the ordinance establishing the Interested Parties Registry while adopting registration rules. This is a statutorily required ordinance for a jurisdiction looking to create a TIF District. It is also the first ordinance passed in the process of creating a district. The registry is kept by the Village Clerk and is utilized as a means to keep interested parties informed concerning the district (i.e. notices, feasibility studies, and plans).

Implications:

Is this item budgeted? NA

Any other implications to be considered? None

Attachments:

Ordinance

**AN ORDINANCE ESTABLISHING A TAX INCREMENT FINANCING
DISTRICT-“INTERESTED PARTIES” REGISTRY AND ADOPTING
REGISTRATION RULES**

WHEREAS, the Village of Roselle (“Village”) is an Illinois municipal corporation exercising such powers as is authorized by statute, the Illinois Constitution and pertaining to its government and affairs; and

WHEREAS, Section 11-74.4-4.2 of the Tax Increment Allocation Redevelopment Act (65 ILCS 5/11-74.4-1, hereinafter the “Act”) requires the Village to establish an interested party registry and adopt registration rules and regulations for the registry; and

WHEREAS, the Corporate Authorities for the Village have decided to adopt this Ordinance to comply with such requirements of the Act.

NOW THEREFORE BE IT ORDAINED, by the Mayor and Board of Trustees for the Village of Roselle, DuPage and Cook Counties, Illinois as follows:

SECTION 1: The above recitals are incorporated herein and made part hereof.

SECTION 2: The Village Clerk or her designee is hereby authorized and directed to create an “Interested Parties” registry in accordance with Section 11-74.4-4.2 of the Act for the redevelopment project known as the proposed “East Irving Park Road Tax Increment Financing District” whether now existing or created after the date of the adoption of this Ordinance.

SECTION 3: In accordance with Section 11-74.4-4.2 of the Act the Village hereby adopts the registration rules attached hereto as “Exhibit A” as the registration rules for each such “interested party” of the registry. The Village Clerk, with the consent of the Village’s corporation counsel, as to form and legality shall have the authority to amend such registration rules from time to time as may be necessary and desirable to comply with or carry out the purposes intended by the Act.

SECTION 4: In accordance with Section 11-74.4-5 of the TIF Act, the Mayor and Board of Trustees hereby authorizes the Village Administrator, or the Village Administrator’s designee, to take such further actions as may be reasonably required or desirable for implementing and giving effect to this Ordinance and the registration rules.

SECTION 5: If any provision of this Ordinance is held to be invalid or unenforceable for any reason the invalidity or unenforceability of any such provision shall not affect any other provisions of this Ordinance.

SECTION 6: All ordinances, resolutions, motions or orders in conflict with this Ordinance are repealed to the extent of such conflict.

SECTION 7: If a court of competent jurisdiction sets aside any portion of this Ordinance as unconstitutional or unlawful, it shall not affect the validity of the remainder of the Ordinance.

SECTION 8: Any ordinance which is inconsistent with this Ordinance is repealed to the extent of such inconsistency including preemptive Federal and State regulations.

SECTION 9: That this Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as is hereby authorized and directed to be done by the Mayor and Board of Trustees.

AYES:
NAYES:
ABSTAIN:
ABSENT:

PASSED AND APPROVED THIS 11th DAY of NOVEMBER, 2019.
PUBLISHED in pamphlet form this _____ DAY of _____, 2019.

Mayor, Village of Roselle

ATTEST:

Village Clerk

EXHIBIT A

VILLAGE OF ROSELLE “INTERESTED PARTIES” TAX INCREMENT FINANCING PLAN REGISTRATION RULES

1. Any resident of the Village of Roselle or organization active within the municipality is qualified to be placed upon the Village of Roselle interested parties tax increment financing registry.
2. Every registered interested party shall be entitled to receive copies of all notices, feasibility studies and plans by mail at the address provided by the registrant in the Village’s registration form.
3. The resident or organization for which is part of the registry shall remain on the registry initially for a period of three years from the anniversary date of the adoption of the ordinance establishing these registration rules and shall be entitled to renew their registration for a period of three years upon written notice from the Village Clerk’s office that the resident or organization registration will expire unless renewed. Unless notices of expiration are sent out by the Village Clerk members of the registry shall remain registered through the duration of any tax increment financing plan approved for a redevelopment project area.
4. The interested parties’ registry shall be maintained by the Village Clerk. Three years after the adoption of the resolution approving the registry the Village Clerk, shall inquire of the Corporate Authorities, whether they wish to send out notices of termination of registration or simply continue the interested parties registry as constituted. The Clerk shall follow the direction of the Corporate Authorities in making this determination. The Village Clerk may send out notices of termination without the approval of the Corporate Authorities when a resident is no longer a resident of the Village of Roselle or the organization active within the municipality is no longer active within the municipality.
5. All members of the registry may specify on the registration form what tax increment financing documents and notifications the registrant requests during the period of time the registrant remains on the interested parties registry. The Village Clerk will refer registrants to online documents by email communication when those documents have been posted on the Village’s website. Any interested party registrant who does not have an email address may secure copies of the documents in paper form by paying a fee to the Village consistent with the amounts charged under the Illinois Freedom of Information Act.
6. Nothing in the document request category shall constitute a waiver by the Village of documents subject to exemptions under the Freedom of Information Act.

7. Nothing in these rules shall be interpreted to prohibit or otherwise effect with the ability of eligible organizations and individuals to register for receipt of information to which they are entitled to under the Tax Increment Financing Act including the information required by:
 - (i) Subsection (a) of Section 11-74.4-5;
 - (ii) Paragraph (9) of Subsection (d) of Section 11-74.4-5;
 - (iii) Subsection (e) of Section 11-74.4-6

REGISTRATION FORM

Full Name of Resident or Organization:

Mailing Address:

E-mail Address:

If an Organization, the identity of the person and address to whom interested registry documents should be directed:

If an Organization, briefly summarize in what respect the organization is "active" within the Village of Roselle:

In consequence of My/Our registration as a "interested party" for activities related to the development of TIF Project Areas, I/We request access to the following documents (check boxes):

- Any tax increment feasibility study, plan or project documents;
- All notices of public hearings related to a proposed TIF district or amendment of existing TIF redevelopment project and plan
- Notice of any Village of Roselle Board Agenda in which an item related to an improved TIF project or plan appears as an Agenda item.
- Documents referenced in 65 ILCS 5/11-74.4-5(a); Section 11-74.4-5(9 of subsection (d)); Subsection (c) of Section 11-74.4-6
- Other (specify in detail): _____

Signature of Applicant

Date

Patty Burns, Village Clerk
31 S. Prospect
Roselle, Illinois 60172

** If the registrant has an e-mail address the Village Clerk will refer the registrant to the Village's website for the documents. If a registrant prefers paper copies they will be provided upon written request.