

Ordinance 2019-1

An Ordinance Authorizing the Establishment of a Tax Increment Financing “Interested Parties Registry” and Adopting Registration Rules for the Registry

Passed by the Board of Trustees, 1/8/2019
Printed and Published 1/9/2019

Printed and Published in Pamphlet Form
by Authority of the
President and Board of Trustees
VILLAGE OF NORTHBROOK
COOK COUNTY, ILLINOIS

I hereby certify that this document
was properly published on the date
stated above.

/s/ Debra J. Ford
Village Clerk

Ordinance 2019-1

BE IT ORDAINED by the President and Board of Trustees of the Village of Northbrook, County of Cook and State of Illinois THAT:

An Ordinance Authorizing the Establishment of a Tax Increment Financing “Interested Parties Registry” and Adopting Registration Rules for the Registry

shall be, and is hereby, adopted as follows:

Section 1. RECITALS.

The Village of Northbrook is an Illinois home rule municipal corporation operating in accordance with Article VII, Section 6 of the Illinois Constitution, and with the Illinois Municipal Code, 65 ILCS 5/1-1-1 *et seq.*

The Village is considering establishing a tax increment financing district over the real property at 1515 Lake Cook Road on the western end of the Northbrook Court shopping center, generally located on the south side of Lake Cook Road at Red Oak Lane ("**Redevelopment Area**") to induce the redevelopment of the Redevelopment Area.

Pursuant to Section 11-74.4-4.2 of the Illinois Tax Increment Allocation Redevelopment Act ("**TIF Act**"), the Village is required to establish an "interested parties registry" ("**Registry**") in connection with any redevelopment project area and to adopt registration rules for the Registry.

In accordance with the TIF Act, the Village President and Board of Trustees desire to adopt this Ordinance authorizing the establishment of an interested parties registry and adopting registration rules for the registry.

Section 2. INTERESTED PARTIES REGISTRY.

In accordance with Section 11-74.4-4.2 of the TIF Act, the Village Clerk, or the Village Clerk's designee, is hereby authorized and directed (i) to create an interested parties registry for each redevelopment project area created by the Village, whether now existing or created and established after the adoption of this Ordinance, and (ii) to cause notice of the creation of the Registry to be published in the manner provided by law in substantially the form attached hereto as **Exhibit A**.

Section 3. REGISTRATION RULES.

In accordance with Section 11-74.4-4.2 of the TIF Act, the Village hereby adopts the registration rules for the Registry that are attached to this Ordinance as **Exhibit B**. The Village Manager, with the approval of the Village Attorney as to form and substance, has the authority to amend the registration rules from time to time as may be necessary or desirable to comply with and carry out the purposes intended by the TIF Act.

Section 4. AUTHORIZATION OF OTHER RELATED ACTIVITIES.

In accordance with Section 11-74.4-5 of the TIF Act, the Village Board hereby authorizes the Village Manager, or the Village Manager'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. EFFECTIVE DATE.

This Ordinance will be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

Adopted: 1/8/2019

RESULT:	ADOPTED BY CONSENT VOTE [UNANIMOUS]
MOVER:	Bob Israel, Trustee
SECONDER:	Muriel Collison, Trustee
AYES:	A.C. Buehler, Kathryn Ciesla, Bob Israel, Muriel Collison
ABSENT:	Sandra Frum, James Karaganis, Jason Han

ATTEST:

A.C. Buehler
Village President Pro Tem

/s/ Debra J. Ford
Village Clerk

EXHIBIT A

PUBLIC NOTICE OF INTERESTED PARTIES REGISTRY

The Village of Northbrook has established a Tax Increment Financing (TIF) District Interested Parties Registry pertaining to a proposed Redevelopment Project Area located at 1515 Lake Cook Road, Northbrook, Illinois. Residents of the Village and organizations active in the Village may register with the Village to receive information on any proposed designation of a TIF redevelopment project area or the approval of a TIF redevelopment plan, as well as information regarding certain changes proposed for existing TIF redevelopment plans. Registration forms are available from the Village Clerk, at the Northbrook Village Hall, 1225 Cedar Lane, Northbrook, Illinois, 60062 between the hours of 9:00 a.m. and 4:30 p.m., Monday through Friday, except on Holidays. Rules to implement the registration process have been adopted by the Village Board of Trustees and may be obtained at the same location.

EXHIBIT B

REGISTRATION RULES

VILLAGE OF NORTHBROOK TIF INTERESTED PARTIES REGISTRY REGISTRATION RULES

A. Definitions. As used in these Registration Rules, the following terms shall have the definitions set forth below.

“*Act*” means the Tax Increment Allocation Redevelopment Act, 65 ILCS 5/11-74.4-1 *et seq.*, as amended from time to time.

“*Interested Party(ies)*” means: (a) any organization(s) active within the Village; (b) any resident(s) or taxpayer(s) of the Village; and (c) any other entity or person otherwise entitled under the Act to register in a specific Registry, who has registered in such Registry and whose registration has not been terminated in accordance with these Registration Rules.

“*Redevelopment Project Area*” means a redevelopment project area that (a) is intended to qualify (or has subsequently qualified) as a “redevelopment project area” under the Act, and (b) is subject to the “interested parties” registry requirements of the Act.

“*Registration Form*” means the form appended to these Registration Rules or a revised form as may be approved by the Village Manager consistent with the requirements of the Act.

“*Registry*” means the interested parties registry for the applicable Redevelopment Project Area established by the Village pursuant to Section 11-74.4-4.2 of the Act.

“*Village*” means the Village of Northbrook, an Illinois home rule municipal corporation.

B. Establishment of Registry. The Village hereby establishes an Interested Parties Registry for each Redevelopment Project Area, whether now existing or hereafter established. The Village will establish a new registry whenever it has identified an area for study and possible designation as a Redevelopment Project Area. In any event, the process for establishing the new registry must be completed prior to the deadline for sending any of the notices required by Section J of these Registration Rules or any other notices required by the Act with respect to the proposed Redevelopment Area that are to be sent to those on an applicable Registry.

C. Maintenance of Registry. The Registry will be maintained by the Village Clerk. In the event the Village Manager determines that an official or employee other than the Village Clerk should maintain the Registry, the Village Manager may transfer the responsibility for maintaining the Registry to the other official or employee; provided that the Village Manager: (i) provides at least 45 days prior notice to the Village Council; (ii) gives prior written notice to all Interested Parties not less than 30 days prior to such transfer; and (iii) publishes notice of the transfer in a newspaper of general circulation in the Village.

D. Registration by Residents and Taxpayers.

1. Residents. A person seeking to register as a resident Interested Party with respect to a Redevelopment Project Area must complete and submit a Registration Form to the Village Clerk, and must also submit a copy of a current driver’s license, lease, utility bill, financial statement or other evidence as may be acceptable to the Village Clerk to establish the individual’s current residency within the Village.

2. Taxpayers. A person seeking to register as a taxpayer Interested Party with respect to a Redevelopment Project Area must complete and submit a Registration Form to the Village Clerk, and must also submit a copy of a current tax bill to the Village Clerk to establish the person’s status as a taxpayer within the Village of Northbrook.

E. Registration by Organizations. An organization seeking to register as an Interested Party with respect to a Redevelopment Project Area must complete and submit a Registration Form to the Village Clerk, and must also submit a one-page statement describing the organization's current operations in the Village and the manner or extent those operations are affected by the Redevelopment Project Area.

F. Determination of Eligibility. All individuals and organizations whose Registration Form and supporting documentation comply with these Registration Rules will be registered in the applicable Registry within 10 business days after the Village Clerk's receipt of all documents. The Village Clerk will provide written notice to the registrant confirming registration. Upon registration, Interested Parties will be entitled to receive all notices and documents required to be delivered under these Rules or as otherwise required under the Act with respect to the Redevelopment Project Area. If the Village Clerk determines that a registrant's Registration Form and/or supporting documentation is incomplete or does not comply with these Registration Rules, the Village Clerk will give written notice to the registrant specifying the defect(s). The registrant will be entitled to correct any defects and resubmit a new Registration Form and supporting documentation.

G. Renewal and Termination. An Interested Party's registration will remain effective for a period of three years. At any time after the three-year period, the Village Clerk may provide written notice by regular mail to the Interested Party stating that the registration will terminate unless the Interested Party renews the registration within 30 days after the mailing of written notice. To renew the registration, the Interested Party must, within such 30 day period, complete and submit the same Registration Form and supporting documentation then required of initial registrants in order to permit the Village Clerk to confirm such person's residency or such organization's operations in the Village. The registration of all individuals and organizations whose Registration Form and supporting documentation is submitted in a timely manner and complies with these Regulation Rules will be renewed for an additional, consecutive three-year period. If the Village Clerk determines that a registrant's renewal Registration Form and/or supporting documentation is incomplete or does not comply with these Registration Rules, the Village Clerk will give written notice to the registrant at the address specified in the renewal Registration Form submitted by the registrant, specifying the defect(s). The registrant will be entitled to correct any defects and resubmit a new Registration Form and supporting documentation within 30 days after receipt of the Village Clerk's notice. If all defects are not corrected within 30 days after the Interested Party's receipt of the Village Clerk's notice, the Interested Party's registration will be terminated. Any Interested Party whose registration is terminated will be entitled to register again as if a first-time registrant.

H. Amendment to Registration. An Interested Party may amend its registration by giving written notice to the Village Clerk by certified mail of any of the following: (i) a change in address for notice purposes; (ii) in the case of organizations, a change in the name of the contact person; and (iii) a termination of registration. Upon receipt of notice, the Village Clerk will revise the applicable Registry accordingly. In the absence of notice of an amendment to a registrant's information, the Village Clerk will be entitled to rely on the information on file with respect to any registrant and has no duty to seek corrected information in the event that the registrant provided erroneous information or if the information of the registrant becomes inaccurate in any way or for any reason.

I. Registers Available for Public Inspection. Each Registry will be available for public inspection during the Village's normal business hours. The Registry will include the name, address and telephone number of each Interested Party and for organizations, the name and phone number of a designated contact person.

J. Notices to be Sent to Interested Parties. Interested Parties will be sent the following notices and any other notices required under the Act with respect to the applicable Redevelopment Project Area:

- (i) Pursuant to Section 3(n)(9) of the Act, notice of amendments to redevelopment plans for Redevelopment Project Areas designated prior to November 1, 1999, to authorize the Village to expend tax increment revenues for redevelopment project costs defined by paragraphs (5) and (7.5), subparagraphs (E) and (F) of paragraph (11), and paragraph (11.5) of subsection (q) of Section 11-74.4-3 of the Act, so long as the changes do not increase the total estimated redevelopment project costs set out in the redevelopment plan by more than 5% after adjustment for inflation from the date the plan was adopted.
- (ii) Pursuant to Section 5(a) of the Act, notice of the availability of a proposed

redevelopment plan and eligibility report, including how to obtain this information, which notice will be sent by mail within a reasonable period of time after the adoption of the ordinance fixing the public hearing for the proposed redevelopment plan;

- (iii) Pursuant to Section 5(a) of the Act, notice of changes to proposed redevelopment plans that do not: (1) add additional parcels of property to the proposed redevelopment project area; (2) substantially affect the general land uses proposed in the redevelopment plan; (3) substantially change the nature of or extend the life of the redevelopment project; or (4) increase the number of inhabited residential units to be displaced from the redevelopment project area, as measured from the time of creation of the redevelopment project area, to a total of more than 10, which notice will be sent by mail not later than 10 days following the Village's adoption by ordinance of such changes;
- (iv) Pursuant to Section 5(c) of the Act, notice of amendments to previously approved redevelopment plans that do not: (1) add additional parcels of property to the redevelopment project area; (2) substantially affect the general land uses in the redevelopment plan; (3) substantially change the nature of the redevelopment project; (4) increase the total estimated redevelopment project costs set out in the redevelopment plan by more than five percent after adjustment for inflation from the date the plan was adopted; (5) add additional redevelopment project costs to the itemized list of redevelopment project costs set out in the redevelopment plan; or (6) increase the number of inhabited residential units to be displaced from the redevelopment project area, as measured from the time of creation of the redevelopment project area, to a total of more than 10, which notice will be sent by mail not later than 10 days following the Village's adoption by ordinance of any such amendment;
- (v) Pursuant to Section 5(d)(9) of the Act, for redevelopment plans or projects that would result in the displacement of residents from 10 or more inhabited residential units or that contain 75 or more inhabited residential units, notice of the availability of the annual report described by Section 5(d) of the Act, including how to obtain the annual report, which notice will be sent by mail within a reasonable period of time after completion of the certified audit report; and
- (vi) Pursuant to Section 6(e) of the Act, notice of the preliminary public meeting required under the Act for a proposed Redevelopment Project Area that will result in the displacement of 10 or more inhabited residential units or which will contain 75 or more inhabited residential units; the notice will be sent by certified mail not less than 15 days before the date of the preliminary public meeting.

K. Non-Interference. These Registration Rules will not be used to prohibit or otherwise interfere with the ability of eligible organizations and individuals to register for receipt of information to which they are entitled under the Act.

L. Amendment of Registration Rules. These Registration Rules may be amended by the Village subject to and consistent with the requirements of the Act. In addition, the Village Manager is authorized to promulgate supplemental rules that are not inconsistent with these Rules or the Act.

M. Continuing Effect. Notwithstanding Sections A-J above, these Registration Rules will be given effect consistent with the Act, whether or not amended as provided in Section L.

VILLAGE OF NORTHBROOK
TIF INTERESTED PARTIES REGISTRATION FORM

Registration for Village of Northbrook Residents: If you are a Village of Northbrook resident and would like to register on the Interested Parties Registry for the Village's tax increment financing ("TIF") redevelopment project area, please complete *Part 1* of this form. Proof of residency is required. Please attach a photocopy of one of the following to this form: driver's license, lease, utility bill, financial statement or other evidence as may be suitable to establish your residency in the Village of Northbrook.

Registration for Village of Northbrook Taxpayers: If you are a real estate taxpayer of the Village of Northbrook and would like to register on the Interested Parties Registry for the Village's tax increment financing ("TIF") redevelopment project area, please complete *Part 1* of this form. Proof of taxpayer status is required in the form of the most recently issued real estate tax bill suitable to establish your taxpayer status in the Village of Northbrook.

Registration for Organizations: If your organization is active in the Village of Northbrook and would like to register on the Interested Parties Registry for the Village's redevelopment project areas, please complete *Part 2* of this form. Please attach to this form a one-page statement that describes your organization's current operations in the Village and how these operations would be affected by the redevelopment project area. (Note: existing organizational documents that provide this information will also be accepted).

PART 1: REGISTRATION FOR VILLAGE RESIDENTS/TAXPAYERS (Please Print)

Name: _____

Street Address: _____

Zip Code: _____ Home Telephone: _____

I have attached a copy of _____ as proof that I am a resident/taxpayer of the Village of Northbrook as of the date of this registration form.

PART 2: REGISTRATION FOR ORGANIZATIONS (Please Print)

Organization Name: _____

Contact Name: _____

Street Address: _____

Village: _____ State: _____ Zip Code: _____

Telephone: _____ Fax: _____

Check here _____ if a statement describing your organization's current operations in the Village of Northbrook is attached.

Please return this form to: TIF Interested Parties Registry
1225 Cedar Lane
Northbrook, Illinois 60062
ATTN: Village Clerk

Signature/Title: _____