



AGENDA ITEM EXECUTIVE SUMMARY

Title:	Motion to approve An Ordinance Proposing the Second Amendment to the Redevelopment Plan and Project for the First Street Redevelopment Project Area, and the Confirmation of Tax Increment Allocation Financing Therefore, Convening a Joint Review Board and Calling a <u>Public Hearing in Connection Therewith</u>
Presenter:	Rita Tungare, Director of Community & Economic Development

Please check appropriate box:

<input type="checkbox"/> Government Operations	<input type="checkbox"/> Government Services
<input type="checkbox"/> Planning & Development	<input checked="" type="checkbox"/> City Council – New Business (11/17/14)

Estimated Cost:	N/A	Budgeted:	<input type="checkbox"/> YES	<input type="checkbox"/> NO	
-----------------	-----	-----------	------------------------------	-----------------------------	--

If NO, please explain how item will be funded:

Executive Summary:

Per the Tax Increment Allocation Redevelopment Act, Illinois Compiled Statutes, chapter 65, Section 5/11-74.4-1 et. seq. (the “TIF Act”), as amended, the City Council is required to approve an Ordinance that formally states that the City is proposing amendments to an established TIF District and outline the following procedural requirements:

- Confirming an interested parties list has been created.
- Convene a Joint Review Board meeting of all required Taxing Districts, ***(December 16th, 2014, at 4:30 PM in the City Council Chambers)***.
- Establish a time and place for the required public hearing in front of the City Council, ***(January 20, 2015 at 6:50 PM in the City Council Chambers)***.
- State that a Redevelopment Plan for the amended TIF District has been placed on file.
- State the procedures for mailing the required notices for the public hearings.

The required Ordinance is being presented to the City Council for their approval to proceed with the formal process for the Second Amendment to the First Street TIF.

Attachments: *(please list)*

Ordinance Proposing the Second Amendment to the Redevelopment Plan and Project for the First Street Redevelopment Project Area, and the Confirmation of Tax Increment Allocation Financing Therefore, Convening a Joint Review Board and Calling a Public Hearing in Connection Therewith

Recommendation / Suggested Action *(briefly explain):*

Motion to approve Proposing the Second Amendment to the Redevelopment Plan and Project for the First Street Redevelopment Project Area, and the Confirmation of Tax Increment Allocation Financing Therefore, Convening a Joint Review Board and Calling a Public Hearing in Connection Therewith.

For office use only

Agenda Item Number: ID

City of St. Charles
Ordinance No. 2014-M-_____

**An Ordinance Proposing the Second Amendment to the
Redevelopment Plan and Project for the First Street Redevelopment
Project Area, and the Confirmation of Tax Increment Allocation
Financing Therefore, Convening a Joint Review Board and Calling
a Public Hearing in Connection Therewith**

WHEREAS, pursuant to the Tax Increment Allocation Redevelopment Act, as supplemented and amended (the "*TIF Act*"), the Mayor and City Council (the "*Corporate Authorities*") of the City of St. Charles, DuPage and Kane Counties, Illinois (the "*Municipality*"), has heretofore determined and does hereby determine that it is advisable and in the best interests of the Municipality and certain affected taxing districts that the Municipality amend a redevelopment plan (the "*Redevelopment Plan*") and project (the "*Project*") for and amend the redevelopment project area known as the First Street Redevelopment Project Area (the "*Redevelopment Project Area*") as further described in EXHIBIT A attached hereto and that the Municipality confirm tax increment allocation financing for the amended Redevelopment Project Area; and

WHEREAS, pursuant to Section 11-74.4-4.2 of the TIF Act the Municipality is required to create an interested parties registry for activities related to the Redevelopment Project Area, to adopt reasonable registration rules, and to prescribe requisite registration forms for residents and organizations active within the Municipality that seek to be placed on said interested parties registry, and the Corporate Authorities have heretofore, and it hereby expressly is, determined that the Municipality has created such registry, adopted such registration rules and prescribed such requisite registration forms and give public notice thereof; and

WHEREAS, the TIF Act requires the Municipality also to convene a joint review board and conduct a public hearing prior to the adoption of ordinances amending a redevelopment plan and project, amending the redevelopment project area, and confirming tax increment allocation financing therefor, at which hearing any interested person or affected taxing district may file with the Municipal Clerk written objections to and may be heard orally with respect to the amended Redevelopment Plan and Project; and

WHEREAS, the TIF Act further requires that such joint review board consist of a representative selected by each community college district, local elementary school district and high school district or each local community unit school district, park district, library district, township, fire protection district and county that will have authority to directly levy taxes on the property within the amended Redevelopment Project Area at the time that the amended Redevelopment Project Area is approved, a representative selected by the Municipality and a public member to consider the subject matter of the public hearing; and

WHEREAS, the TIF Act further requires that the time and place of such public hearing be fixed by ordinance or resolution adopted by the Corporate Authorities; and

WHEREAS, the TIF Act further requires that not less than 10 days prior to adopting such ordinance or resolution fixing the time and place of a public hearing, the Municipality must make available for public inspection the amended redevelopment plan or a separate report that provides in reasonable detail the basis for the proposed amendments to the Redevelopment Project Area's qualifying as a "redevelopment project area" under the Act; and

WHEREAS, the firm of Kane, McKenna & Associates, Inc., has conducted an eligibility survey of the proposed amendment to the Redevelopment Project Area and has prepared its report (the "*Report*") that said proposed area qualifies as a "redevelopment project area" as defined in the TIF Act, which survey and findings have been presented to the Corporate Authorities and are now on file in the official files and records of the Municipality; and

WHEREAS, the Report has heretofore been on file and available for public inspection for at least 10 days in the offices of the Municipal Clerk as required under the TIF Act; and

WHEREAS, the TIF Act requires that notice of the public hearing be given by publication and mailing; and

WHEREAS, the Corporate Authorities have heretofore and it hereby is determined that it is advisable to convene a joint review board and hold a public hearing to consider the proposed approval of the proposed amendments to the Plan and Project; and

WHEREAS, the Corporate Authorities have heretofore and it hereby expressly is found that the amended Redevelopment Plan and Project does not contain 75 or more inhabited residential units and will not displace residents from 10 or more inhabited residential units:

NOW THEREFORE, BE IT ORDAINED by the Mayor and the City Council of the City of St. Charles, DuPage and Kane Counties, Illinois, as follows:

1. Preambles. The Corporate Authorities hereby adopt by reference the foregoing preamble clauses as if fully set forth herein.

2. Redevelopment Plan and Project Amendments. The approval of the amended Redevelopment Plan and Project, the amended Redevelopment Project Area and the confirmation of tax increment allocation financing therefor are hereby proposed.

3. Interested Persons Registry Created. There has been created an interested persons registry (the "*Registry*") for the amended Redevelopment Project Area. The City Clerk was hereby expressly authorized and directed to maintain the Registry for the Redevelopment Project Area.

4. *Registration Rules and Forms.* The registration rules for the Registry have been previously approved by the City and are available from the City Clerk.

5. *Joint Review Board Convened.* A joint review board as set forth in the TIF Act is hereby convened and the board shall meet, review such documents and issue such report as set forth in the TIF Act. The first meeting of said joint review board shall be held at 4:30 p.m. on the 16th day of December, 2014, at City Council Chambers, 2nd Floor, St. Charles City Hall, 2 East Main Street, St. Charles, Illinois. The Municipality hereby expressly finds and determines that said date is at least 14 days but not more than 28 days after the notice to affected taxing districts hereinafter authorized in Section 7 of this ordinance will be mailed.

6. *Time and Place of Public Hearing Fixed.* A public hearing (the "Hearing") shall be held by the Mayor and the City Council of the Municipality at 6:50 p.m. on the 20th day of January, 2015, at City Council Chambers, 2nd Floor, St. Charles City Hall, 2 East Main Street, St. Charles, Illinois, for the purpose of hearing from any interested persons or affected taxing districts regarding the proposed amendment to the Redevelopment Plan and Project, amendment of the Redevelopment Project Area, and confirmation of tax increment allocation financing therefor.

7. *Publication of Notice of Hearing.* Notice of the Hearing, substantially in the form attached hereto as EXHIBIT B, shall be published at least twice, the first publication to be not more than 30 nor less than 10 days prior to the Hearing, in a newspaper of general circulation within the taxing districts having property in the proposed Redevelopment Project Area.

8. *Mailing of Notice of Hearing Authorized.* (a) Notice shall be mailed by certified mail not less than 10 days prior to the date set for the Hearing, addressed to the person or persons in whose name the general taxes for the last preceding year were paid on each lot, block, tract or parcel of land lying within the amended Redevelopment Project Area. In the event taxes for the last preceding year were not paid, the notice shall also be sent to the persons last listed on the tax rolls within the preceding three years as the owners of such property. Notice shall also be given within a reasonable time after the adoption of this ordinance by first class mail to all residential addresses located outside the proposed Redevelopment Project Area and within 750 feet of the boundaries of the proposed Redevelopment Project Area and to those organizations and residents that have registered with the Municipality for that information in accordance with the registration guidelines herein established by the Municipality. Notice shall also be given by certified mail to all taxing districts of which taxable property is included in the proposed Redevelopment Project Area and to the Illinois Department of Commerce and Economic Opportunity not less than 45 days prior to the Hearing, and such notice (i) shall advise the taxing bodies represented on the joint review board of the time and place of the first meeting of the joint review board and (ii) shall also include an invitation to each taxing district and the Illinois Department of Commerce and Economic Opportunity to submit written comments prior to the date of the Hearing to the City, to the attention of the City Clerk, City Hall, 2 East Main Street, St. Charles, Illinois 60174 concerning the subject matter of the Hearing. Each such mailed notice to the taxing districts shall include a copy of the Report, the name of an appropriate person to contact for additional information, and a copy of the proposed Redevelopment Plan.

9. *Superseder; Effective Date.* All ordinances, resolutions, motions or orders in conflict with the provisions of the Ordinance are, to the extent of such conflict, hereby repealed. This Ordinance shall become effective upon its adoption.

10. This Ordinance shall become effective upon its adoption and passage in accordance with law.

Presented to the City Council of the City of St. Charles, Illinois, this 17th day of November, 2014.

Passed by the City Council of the City of St. Charles, Illinois, this 17th day of November, 2014.

Approved by the Mayor of the City of St. Charles, Illinois, this 17th day of November, 2014.

Raymond P. Rogina, Mayor

ATTEST:

Nancy Garrison, City Clerk

Council Vote:

Ayes:

Nays:

Absent:

Abstain:

APPROVED AS TO FORM:

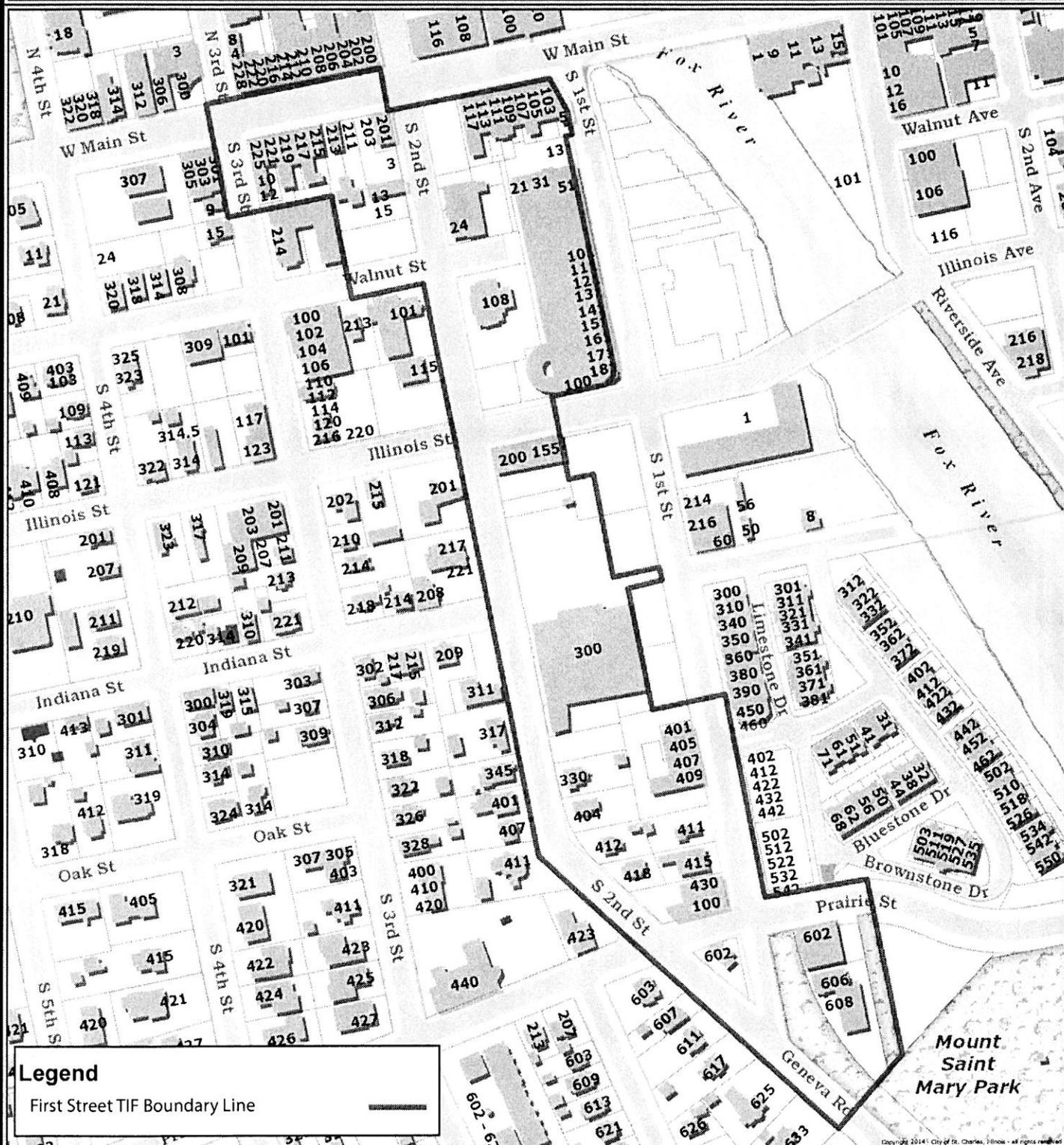
City Attorney

DATE: _____

Exhibit A**Legal Description of First Street TIF Redevelopment Project Area, As Amended**

That part of the South Half of Section 27 and the North Half of Section 34 in Township 40 North, Range 8 East of the Third Principal Meridian in the City of St. Charles, Kane County, Illinois, described as follows: Beginning at the southeast corner of Block 48 in the Original Town of St. Charles, recorded May 8, 1837, in Book 19, page 2; thence northeasterly, 324 feet along the northerly line of Illinois Route 64 (Main Street) to the southeast corner of Block 45 in said subdivision; thence southeasterly, 80 feet to the northeast corner of Block 44 in said subdivision; thence northeasterly, along the southerly line of Illinois Route 64 (Main Street) to the westerly line of 1st Street, according to the plat recorded January 25, 1844, in Book 4, page 342; thence southeasterly, 59.15 feet along said right-of-way to an angle point in said line; thence southeasterly, 37.52 feet along said right-of-way to the easterly extension of the north line of Lot 13 in the Amended Phase II First Street Redevelopment Subdivision, recorded July 8, 2008, as Document No. 2008K056095; thence South 78 degrees 29 minutes 30 seconds West, 12.31 feet along said extension to the northeast corner of said Lot 13; thence South 11 degrees 54 minutes 23 seconds East, 441.52 feet along the east line of Lots 13 and 3 in said subdivision to a curve in said line; thence southwesterly, 44.24 feet along said curve having a radius of 28.00 feet, the chord of said curve bears South 33 degrees 21 minutes 37 seconds West, 39.78 feet to the southerly line of said Lot 3; thence South 78 degrees 37 minutes 37 seconds West along said southerly line to the northerly extension of the westerly line of Lot 6 in Phase I of First Street Redevelopment Subdivision, recorded March 29, 2007, as Document No. 2007K035551; thence South 11 degrees 13 minutes 55 seconds East, along said extension and said westerly line to a jog in said westerly line; thence North 78 degrees 20 minutes 40 seconds East, 41.90 feet along said jog; thence South 11 degrees 39 minutes 20 seconds East, 197.00 feet along said westerly line to the southwest corner of said Lot 6; thence North 78 degrees 35 minutes 36 seconds East, 84.96 feet along the south line of said Lot 6 to the southeast corner thereof; thence South 11 degrees 30 minutes 41 seconds East, 25.00 feet along an east line of Lot 5 in said subdivision to the northeast corner of Lot 14 thereof; thence South 78 degrees 35 minutes 36 seconds West, 66.48 feet along the north line of said Lot 14 to the northwest corner thereof; thence South 11 degrees 17 minutes 02 seconds East, 231.95 feet along the west line of Lots 14 and 7 in said subdivision to the southwest corner of said Lot 7; thence North 78 degrees 42 minutes 53 seconds East along the south line of said Lot 7 and the easterly extension thereof to the westerly line of Brownstone, recorded January 2, 2001, as Document No. 2001K000149; thence southeasterly, along said westerly line to the southwest corner thereof; thence northeasterly, 128.91 feet along the northerly line of Prairie Street; thence continuing northeasterly along the northerly line of Prairie Street, being a curve to the right having a radius of 340.0 feet, to the intersection with the northwesterly extension of the westerly line of Parcel 10 in said Brownstone; thence southeasterly, along said extension and said westerly line, to the south

corner of said Parcel 10; thence southwesterly, along the southwesterly extension of the easterly line of said Parcel 10, to the southwesterly line of Illinois Route 31 (Geneva Road); thence northwesterly, along said right-of-way line to an angle point in said line as described in Warranty Deed recorded as Document No. 97K057468; thence northwesterly along said right-of-way line to the northeast corner of Block 43 in the Original Town of St. Charles; thence southwesterly, 132 feet along the southerly line of Walnut Street, to the northeast corner of Lot 2 in said Block 43; thence northwesterly, 192 feet along the southeasterly extension of the easterly line of Lot 6 and the easterly line of Lot 6 in Block 44 of said subdivision, to the northeast corner of said Lot 6; thence southwesterly, 192 feet along the north line of Lots 6 and 5 and the westerly extension thereof, to the southeast corner of Lot 4 in Block 49 in said subdivision; thence northwesterly, 212 feet along the easterly line of said Lot 4 and the northerly extension thereof, to the Point of Beginning.



Legend

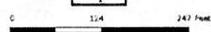
First Street TIF Boundary Line 



Data Source:
City of St. Charles, Illinois
Kane County, Illinois
DuPage County, Illinois

Coordinate System: Illinois State Plane East
Projection: Transverse Mercator
North American Datum: 1983

Printed on: September 26, 2014 10:59 AM



Copyright 2014: City of St. Charles, Illinois - all rights reserved

The work was created for planning purposes only and is provided as is, without warranty of any kind, either expressed or implied. The information represented may contain proprietary and confidential property of the City of St. Charles, Illinois, under United States Copyright protection laws you may not use, reproduce, or distribute any part of this document without prior written permission. To obtain written permission please contact the City of St. Charles at Two East Main Street, St. Charles, IL 60174

Exhibit B
Notice of Public Hearing

City of St. Charles, Kane and DuPage Counties, Illinois
Second Amendment To The First Street TIF Redevelopment Project Area

Notice is hereby given that on the 20th day of January, 2015, at 6:50 p.m. at the St. Charles City Hall, Two East Main Street, St. Charles, Illinois, a public hearing will be held to consider the approval of an amendment of the First Street TIF Redevelopment Plan (the "*Redevelopment Plan*") and the amendment of that redevelopment project area known as the First Street TIF Redevelopment Project Area (the "*Redevelopment Project Area*"). The Redevelopment Project Area consists of the territory legally described in Exhibit 1 attached and is generally described below:

The Redevelopment Project Area is generally bounded by South 3rd Street on the west, South 2nd Street on the east, Walnut Street on the south and Main Street on the north.

There will be considered at the hearing amendment of the Redevelopment Plan and Project for and the amendment of the Redevelopment Project Area and confirmation of tax increment allocation financing therefor. The amended Redevelopment Plan and Project is on file and available for public inspection at the office of the City Clerk, City Hall, 2 East Main Street, St. Charles, Illinois. Pursuant to the amended Redevelopment Plan and Project the City proposes to alleviate blighted area conditions in the amended Redevelopment Project Area and to enhance the tax base of the City and the taxing districts having taxable property within the Redevelopment Project Area by utilizing tax increment financing to fund various eligible project costs to stimulate private investment within the Redevelopment Project Area. These eligible project costs may include, but may not be limited to, studies, surveys, professional fees, property rehabilitation and assembly costs, construction of public improvements and facilities, financing, administrative and other professional costs, all as authorized under the Tax Increment Allocation Redevelopment Act, as amended. The Redevelopment Plan objectives include promoting and protecting the health, safety, morals and welfare of the public by establishing a public/private partnership, establishing economic growth, and development in the City, encouraging private investment while conforming with the City's comprehensive plan, restoring and enhancing the City's tax base, enhancing the value of the amended Redevelopment Project Area, improving the environmental quality of the amended Redevelopment Project Area, and retaining and attracting employment opportunities within the proposed Redevelopment Project Area. To achieve these objectives, the Redevelopment Plan proposes to provide assistance by paying or reimbursing costs related to the acquisition, construction and installation of public facilities, property rehabilitation and assembly, site preparation and improvement, environmental remediation, job training and other eligible redevelopment project costs, the execution of one or more redevelopment agreements, and the payment of financing, administrative and other professional costs.

Prior to the date of the hearing, each taxing district having property in the Redevelopment Project Area and the Illinois Department of Commerce and Economic Opportunity may submit written comments to the Village, to the attention of the City Clerk, City Hall, 2 East Main Street, St. Charles, Illinois 60174.

There is hereby convened a joint review board to consider the amended Redevelopment Plan and Project for and the designation of the proposed Redevelopment Project Area and the confirmation of tax increment allocation financing therefor. The joint review board shall consist of a representative selected by each community college district, local elementary school district and high school district or each local community unit school district, park district, library district, township, fire protection district and county that will have the authority to directly levy taxes on the property within the amended Redevelopment Project Area at the time that the amended Redevelopment Project Area is approved, a representative selected by the City, and a public member. The first meeting of said joint review board shall be held at 4:30 p.m. on the 16th day of December, 2014, at the City Hall, 2 East Main Street, St. Charles, Illinois.

At the hearing, all interested persons or affected taxing districts may file written objections with the City Clerk and may be heard orally with respect to any issues regarding the amendment of the Redevelopment Plan and Project for and the amendment of the Redevelopment Project Area and the confirmation of tax increment allocation financing therefor. The hearing may be adjourned by the Mayor and the City Council of the City without further notice other than a motion to be entered upon the minutes of the hearing fixing the time and place of the subsequent hearing.

/s/ Nancy Garrison

City Clerk
City of St. Charles
DuPage and Kane Counties, Illinois