

ORDINANCE NO. 2016-05-041

AN ORDINANCE OF THE CITY OF URBANA, CHAMPAIGN COUNTY, ILLINOIS AUTHORIZING THE ESTABLISHMENT OF TAX INCREMENT FINANCING “INTERESTED PARTIES” REGISTRIES AND ADOPTING REGISTRATION RULES FOR SUCH REGISTRIES

WHEREAS, pursuant to Section 11-74.4-4.2 of the Tax Increment Allocation Redevelopment Act, 65 ILCS 5/11-74.4-1, *et seq.* (the “**Act**”), the City of Urbana, Champaign County, Illinois (the “**Municipality**”) is required to establish certain “**interested parties**” registries and adopt registration rules for such registries; and

WHEREAS, the Municipality desires to adopt this Ordinance in order to comply with such requirements of the Act.

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF URBANA, CHAMPAIGN COUNTY, ILLINOIS, as follows:

Section 1. The above recitals are incorporated into this Section 1 and made a part hereof by this reference.

Section 2. The City Clerk is hereby authorized and directed to create an “**interested parties**” registry in accordance with Section 11-74.4-4.2 of the Act for each redevelopment project area created and established under the Act and not terminated by the Municipality, whether now existing or created and established after the adoption of this Ordinance.

Section 3. In accordance with Section 11-74.4-4.2 of the Act, the Municipality hereby adopts the registration rules attached as an exhibit hereto (the “**Registration Rules**”) as registration rules for each such “**interested parties**” registry. The Municipality, with the written consent of the City Attorney as to form and legality, shall have the authority to amend such Registration Rules from time to time as may be necessary or desirable to comply with and carry out the purposes intended by, and not inconsistent with, the Act.

Section 4. The appropriate officers of the Municipality will do, execute, acknowledge and deliver or cause to be done, executed and delivered, such agreements, instruments and documents supplemental hereto and such further acts, instruments, and other actions as may be reasonably required or desirable for better clarifying, assuring, confirming and giving effect to this Ordinance and the Registration Rules.

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

Section 6. All ordinances, resolutions, motions or orders in conflict with the provisions of this Ordinance are hereby superseded to the extent of such conflict.

Section 7. This ordinance shall be in full force and effect immediately upon its adoption.

Upon motion by Council Member _____, seconded by Council Member _____, adopted this 23rd day of May, 2016 by roll call vote, as follows:

“Ayes” _____

“Nays” _____

“Absent” _____

PASSED this 23rd day of May, 2016.

City Clerk

APPROVED this 23rd day of May, 2016.

Mayor

City of Urbana, Champaign County, Illinois

**TAX INCREMENT FINANCE INTERESTED PARTIES
REGISTRY REGISTRATION RULES**

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

“**Act**” shall mean the Tax Increment Allocation Redevelopment Act (65 ILCS 5/11-74.4-1 et seq.), as supplemented and amended from time to time.

“**Interested Party(s)**” shall mean (a) any organization(s) active within the Municipality (b) any resident(s) of the Municipality, 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.

“**Municipality**” shall mean City of Urbana, Champaign County, Illinois, a home rule unit of local government under Section 7 (Powers of Home Rule Units) of Article VII (Local Government) of the Constitution of the State of Illinois.

“**Redevelopment Project Area**” shall mean 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**” shall mean the form appended to these Registration Rules or such revised form as may be approved by the Municipality consistent with the requirements of the Act.

“**Registry**” or “**Registries**” shall mean each interested parties registry, and all such registries, collectively, established or authorized to be established by the Municipality pursuant to Section 11-74.4-4.2 of the Act for the applicable Redevelopment Project Area.

- B. **Establishment of Registry.** The Municipality shall establish a separate interested parties registry for each Redevelopment Project Area, whether now existing or hereafter established. The Municipality shall 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 of establishing the new registry must be completed prior to the deadline for sending any of the notices required by paragraph J. of these Registration Rules or any other notices required by the Act with respect to the proposed Redevelopment Project Area which are to be sent to those on an applicable Registry.

- C. **Maintenance of Registry.** The Registries shall be maintained by the office of the City Clerk or his or her designee. In the event the Municipality determines that an officer other than the City Clerk should maintain the Registries, the Municipality may transfer

the responsibility for maintaining the Registries to such other office provided that the Municipality (i) gives prior written notice to all Interested Parties not less than thirty (30) days prior to such transfer and (ii) publishes notice of such transfer in a newspaper of general circulation in the Municipality.

- D. Registration by Residents.** An individual seeking to register as an Interested Party with respect to a Redevelopment Project Area must complete a Registration Form and submit the Registration Form to the City Clerk. Such individual must also submit a copy of a current driver's license, lease, utility bill, financial statement or such other evidence as may be acceptable to the City Clerk to establish the individual's current residency.
- E. Registration by Organizations.** An organization seeking to register as an Interested Person with respect to a Redevelopment Project Area must complete and submit a Registration Form to the City Clerk. Such organization must also submit a copy of a one-page statement describing the organization's current operations in the Municipality.
- F. Determination of Eligibility.** All individuals and organizations whose Registration Form and supporting documentation complies with these Registration Rules shall be registered in the applicable Registry within ten (10) business days of the City Clerk's receipt of all such documents. The City Clerk shall provide written notice to the registrant confirming such registration. Upon registration Interested Parties shall be entitled to receive all notices and documents required to be delivered under these Regulation Rules or as otherwise required under the Act with respect to the applicable Redevelopment Project Area. If the City Clerk determines that a registrant's Registration Form and/or supporting documentation is incomplete or does not comply with these Registration Rules, the City Clerk shall give written notice to the registrant specifying the defect(s). The registrant shall be entitled to correct any defects and resubmit a new Registration Form and supporting documentation.
- G. Renewal and Termination.** An Interested Party's registration shall remain effective for a period of three (3) years. At any time after such three (3)-year period the City Clerk may provide written notice by regular mail to the Interested Party stating that such registration shall terminate unless the Interested Party renews such registration within thirty (30) days of the City Clerk's mailing of written notice. To renew such registration, the Interested Party shall, within such thirty (30)-day period, complete and submit the same Registration Form and supporting documentation then required of initial registrants in order to permit the City Clerk to confirm such person's residency or such organization's operations in the Municipality. 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 shall be renewed for an additional, consecutive three (3)-year period. If the City Clerk determines that a registrant's renewal Registration Form and/or supporting documentation is incomplete or does not comply with these Registration Rules, the City Clerk shall give written notice to the registrant at the address specified in the renewal Registration Form submitted by such registrant, specifying the defect(s). The registrant shall be entitled to correct any defects and resubmit a new Registration Form and supporting documentation within thirty (30) days of receipt of the City Clerk's notice. If all defects are not corrected within thirty

(30) days of the Interested Party's receipt of the City Clerk's notice, the Interested Party's registration shall be terminated. Any Interested Party whose registration is terminated shall be entitled to register again as if a first-time registrant.

- H. Amendment to Registration.** An Interested Party may amend his, hers or its registration by giving written notice to the City Clerk by 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 such notice, the City Clerk shall revise the applicable Registry accordingly.
- I. Registries Available for Public Inspection.** Each Registry shall be available for public inspection during normal business hours of the Municipality. The Registry shall 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 shall 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 11-74.4-5(a) of the Act, notice of the availability of a proposed redevelopment plan and eligibility report, including how to obtain this information, such notice shall be sent by mail within a reasonable period of time after the adoption of the ordinance fixing the date, time and place for the public hearing for the proposed redevelopment plan;
 - (ii) pursuant to Section 11-74.4-5(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 low or very low income households to be displaced from the redevelopment project area, provided that measured from the time of creation of the redevelopment project area the total displacement of households will exceed 10; and such notice shall be sent by mail not later than ten (10) days following the Municipality's adoption by ordinance of such changes;
 - (iii) pursuant to Section 11-74.4-5(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 5% 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 low or very low income households to be displaced from the Redevelopment Project Area, provided that measured from the time of creation of the redevelopment project area the total displacement of households will exceed 10; and such notice shall be sent by mail not later than 10 days following the Municipality's adoption by ordinance of any such amendment.

- (iv) pursuant to Section 11-74.4-5(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 74.4-5(d), including how to obtain the annual report; and such notice shall be sent by mail within a reasonable period of time after completion of the certified audit report.
- (v) pursuant to sub-section 11-74.4-6(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; and such notice shall be sent by certified mail not less than 15 days before the date of such preliminary public meeting.

K. Non Interference. These Registration Rules shall 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.

I. Amendment of Registration Rules. These Registration Rules may be amended by the Municipality subject to and consistent with the requirements of the Act.

TAX INCREMENT FINANCE

TIF INTERESTED PARTIES REGISTRATION FORM

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

Registration for Organizations: If your organization is active in the City of Urbana, Illinois and would like to register on the Interested Parties Registry for one or more tax increment financing (TIF) redevelopment project areas, please complete Part B of this form. Please attach to this form a one-page statement which describes the organization's current operations in the City of Urbana, Illinois. (Note: existing organizational documents that provide this information will also be accepted)

PART A: REGISTRATION FOR MUNICIPAL RESIDENTS (Please Print or Type)

Name _____

Street Address _____

Zip Code _____ Home Telephone _____ Work Telephone _____

I have attached a copy of _____ as proof that I am a resident of the City of Urbana, Illinois as of the date of this registration form.

Please list the TIF(s) you are interested in below:

Signature _____

PART B: REGISTRATION FOR ORGANIZATIONS (Please Print or Type)

Organization Name _____

Signature _____

Contact Name _____

Street Address _____

City _____ State _____ Zip Code _____

Telephone (____) _____ Fax (____) _____

Check here _____ if a statement describing your organization's current operations in the City of Urbana, Illinois is attached.

Please list the TIF(s) you are interested in below:

Signature/Title _____ Date _____

Please return this form to: TIF Interested Parties Registry / Attn: City Clerk
City Building
400 South Vine Street
Urbana, Illinois 61801

STATE OF ILLINOIS)
COUNTY OF CHAMPAIGN) SS.
CITY OF URBANA)

CERTIFICATION OF ORDINANCE

I, Phyllis Clark, do hereby certify that I am the duly selected, qualified and acting City Clerk of the City of Urbana, Champaign County, Illinois (the “**Municipality**”), and as such official I am the keeper of the records and files of the Municipality and of its City Council (the “**Corporate Authorities**”).

I do further certify that the attached ordinance constitutes a full, true and correct excerpt from the proceedings of the Municipality’s Corporate Authorities held on May 23, 2016, insofar as same relates to the adoption of Ordinance No. _____, entitled:

AN ORDINANCE OF THE CITY OF URBANA, CHAMPAIGN COUNTY, ILLINOIS AUTHORIZING THE ESTABLISHMENT OF TAX INCREMENT FINANCING “INTERESTED PARTIES” REGISTRIES AND ADOPTING REGISTRATION RULES FOR SUCH REGISTRIES,

a true, correct and complete copy of which ordinance as adopted at such meeting appears in the minutes of such meeting and is hereto attached. Such ordinance was adopted and approved on the date thereon set forth by not less than a affirmative vote of a majority of the Corporate Authorities and approved by the Mayor on the date indicated thereon.

I do further certify that the deliberations of the Corporate Authorities on the adoption of the above ordinance were taken openly, that the vote on the adoption of such ordinance was taken openly and was preceded by a public recital of the nature of the matter being considered and such other information as would inform the public of the business being conducted, that such meeting was held at a specified time and place convenient to the public, that notice of such meeting was duly given to all of the news media requesting such notice, that such meeting was called and held in strict compliance with the provisions of the Illinois Municipal Code, as amended, and that the Corporate Authorities have complied with all of the applicable provisions of such laws and such Code and their procedural rules in the adoption of such ordinance.

IN WITNESS WHEREOF, I hereunto affix my official signature and the seal of the City of Urbana, Champaign County, Illinois, this ____ day of _____, 2016.

City Clerk

(SEAL)