



DEPT. OF COMMUNITY DEVELOPMENT SERVICES
PLANNING AND ECONOMIC DEVELOPMENT DIVISION

m e m o r a n d u m

TO: Bruce K. Walden, CAO

FROM: Reed Berger, Economic Development Coordinator

DATE: September 19, 2001

SUBJECT: TIF Interested Parties Registry

Introduction

The purpose of the attached Council Ordinance is to authorize the establishment of Tax Increment Financing Interested Parties Registries, publication of Notice, and adopt registration rules for such registries so that the City complies with State laws regarding the amendment and creation of TIF districts.

Background & Discussion

On November 1, 1999 The 91st Illinois General Assembly passed into law SB 1032. This bill set forth that municipalities that utilize Tax Increment Finance districts (TIF) must establish an Interested Persons Registry and rules to guide its management for all existing and proposed TIF districts. These actions are required by State law.

Urbana has 3 existing TIF Districts:

- The core Downtown Area TIF #1 established 1980
- The greater Downtown Area TIF #2 established 1986
- The King Park Area TIF #3 established 1991

A new TIF district is now proposed for Council consideration and therefore will require the TIF Interested Persons Registry to be established.

The list of interested parties must include all persons who own property within a TIF district. Also any other Urbana resident, business, or organization may be included on the list as an interested party at their own discretion. Filling out a form and providing a valid City of Urbana address is required to be included on the Interested Parties Registry. Copies of the forms are attached to this memo.

Options

The City Council has the following options:

- a. The Council may approve this ordinance to comply with State law; or

- b. The Council may amend this ordinance and then approve it to comply with State law; or
- c. The Council may deny this ordinance and be in violation of State law.

Recommendation

Staff recommends City Council approve the attached ordinance in order to comply with State law and permit future amendments and adoption of TIF districts in Urbana.

Prepared by: _____
Reed A. Berger, AICP, Economic Development Coordinator

Attachments: TIF Interested Parties Registry Registration Rules
TIF Interested Parties Registration Form
TIF Interested Parties Registry Notice
TIF Interested Parties Registry Ordinance

EXHIBIT A

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 amended from time to time.

“City” shall mean the City of Urbana, a home rule unit of government under Section 6(a), Article VII of the 1970 Constitution of the State of Illinois.

“Department” shall mean any department, division, or administrative subdivision of the City.

“Interested Party or Parties” shall mean (a) any organization(s) active within the City, (b) any resident(s) of the City, 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” shall mean a redevelopment project area that (a) is intended to qualify (or that 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 City consistent with the requirements of the Act.

“Registry” or “Registries” shall mean each Interested Parties Registry, and all such registries, collectively, established by the City pursuant to Section 11-74.4-4.2 of the Act for a Redevelopment Project Area.

- B. Establishment of Registry. The City shall establish a separate Interested Parties Registry for each Redevelopment Project Area, whether existing as of the date of the adoption of these Rules or hereafter established. 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 Director of Community Development Services, or his or her designee. In the event the City determines that a Department other than the Community Development Services Department should maintain the Registries, the City may transfer the responsibility for maintaining the Registries to such other Department, provided that the City (a) gives prior written notice to all Interested Parties not less

than thirty (30) days prior to such transfer, and (b) publishes notice of such transfer in a newspaper of general circulation in the City.

- D. Registration by Residents.** An individual seeking to register as an Interested Party with respect to a Redevelopment Project Area shall complete and submit a Registration Form to the Community Development Services Department. 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 Director to establish the individual's current residency.
- E. Registration by Business or Organizations.** An organization seeking to register as an Interested Party with respect to a Redevelopment Project Area shall complete and submit a Registration Form to the Community Development Services Department. 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 having indicated interest as an interested party in the Registry must submit a completed registration form as a pre-condition of eligibility to be registered in the applicable Registry. Upon registration, the interested parties shall 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 applicable Redevelopment Project Area. If the Community Development Services Department determines that a registrant's registration form is incomplete or does not comply with these Registration Rules, the Community Development Services Department 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.
- 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 Director 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 Director'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 Director 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 Director determines that a registrant's renewal Registration Form and/or supporting documentation is incomplete or does not comply with these Registration Rules, the Director 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 Director's notice. If all defects are not corrected within thirty (30) days of the Interested Party's receipt of the Director'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 the Registration.** An Interested Party may amend its registration by giving written notice to the Community Development Services Department on any of the following: (a) a change in address for notice purposes; (b) in the case of organizations, a change in the name of the contact person; (c) a change in the interested TIF, and (d) a termination of registration. Upon receipt of such notice, the Community Development Services Department shall revise the applicable Registry accordingly.
- I. Registries Available for Public Inspection.** Each Registry shall be available for public inspection during normal City business hours. The Registry shall include the name, address and telephone number of each Interested Party and, for organizations, the name and telephone 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 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 public hearing for the proposed redevelopment plan:
 - (ii) pursuant to Section 74.4-5(a) of the Act, notice of changes to the 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 the household will exceed 10; such notice shall be sent by mail not later than 10 days following the City's adoption by ordinance of such changes:
 - (iii) pursuant to Section 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 adjustments 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 the household will exceed 10; such notice shall be sent by mail not later than 10 days following the City's adoption by ordinance of any such amendment:
 - (i) pursuant to Section 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 certified audit report described in Section 74.4-5(d)(9), including how to obtain the certified audit report; such notice shall be sent by mail within a reasonable period of time after completion of the certified audit report:

- (ii) pursuant to Section 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, such notice shall be sent by 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.

L. Amendment of Registration Rules. These Registration Rules may be amended by the Chief Administrative Officer, with the consent of the City Attorney as to form and legality, subject to and consistent with the requirements of the Act.

NOTICE – CITY OF URBANA
TAX INCREMENT FINANCING REDEVELOPMENT PROJECT AREA
REGISTRATION FOR INTERESTED PARTIES REGISTRY

Pursuant to Section § 5/11-74.4-4.2 of the Tax Increment Allocation Redevelopment Act, 65 ILCS § 5/11-74.4-1 et seq. (the “Act”) the City of Urbana (the “City”) is required to establish an interested parties registry (“Registry” or “Registries”) for each Tax Increment Financing (“TIF”) redevelopment project area created pursuant to the Act (a “Redevelopment Project Area”) whether existing as of the date of this notice or hereafter established. On _____ the Corporate Authorities “City Council” adopted an ordinance authorizing the establishment of Registries by the Director of Community Development Services (“Director”) and adopting registration rules for such Registries. The purpose of this notice is to inform interested parties of the Registries and registration rules for the Registries and to invite Interested Parties (as defined below) to register in the Registry for any Redevelopment Project Area.

Any organization active within the City and any resident of the City (an “Interested Party”) is entitled to register in the Registry for any Redevelopment Project Area. Organizations include, but are not limited to, businesses, business organizations, civic groups, not-for-profit corporations and community organizations.

An organization seeking to register as an Interested Party with respect to a Redevelopment Project Area must also complete and submit a registration form to the Director. Such individual must also submit a copy of a current driver’s license, lease, voter registration card, utility bill, financial statement or such other evidence as may be acceptable to the Director to establish the individual’s current City residency.

Interested Party Registries are being established for the following TIF Redevelopment Project Areas, which have either been adopted by the City or which the City has decided to consider establishing:

- TIF 1 (Core Downtown Redevelopment Project Area) or
- TIF 2 (Greater Downtown Redevelopment Project Area) or
- TIF 3 (King Park Redevelopment Project Area) or
- TIF 4 (Proposed North Cunningham Avenue Corridor Redevelopment Project Area)

The Director upon request will provide the applicable registration form and registration rules.

All individuals and organizations whose registration form and supporting documentation comply with the registration rules and who submit such documentation, either in person or by mail, to the Director of Community Development Services, 400 S. Vine Street, Urbana, Illinois 61801-0946, will be registered in the applicable Registry within ten (10) business days of the Director’s receipt of all such documents. The Director will provide written notice to the registrant confirming such registration. Upon registration, Interested Parties will be entitled to receive all notices and documents required to be delivered under the Act with respect to the applicable

Redevelopment Project Area. If the Director determines that a registrant's registration form and/or supporting documentation is incomplete or does not comply with the registration rules adopted by the City Council the Director will give written notice to the registrant specifying the defects. The registrant will be entitled to correct any defects and resubmit a new registration form and supporting documentation. An Interested Party's registration will remain effective for a period of three years. Rules for the renewal or amendment of an Interested Party's registration are included with the registration form that may be obtained as described herein.

Each Registry will be available for public inspection at the office of the Director during normal City business hours. The Registry will include the name, address and telephone number of each Interested Person and, for organizations, the name and phone number of a designated contact person.

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 § 5/11-74.4-5(a) of the Act, notice of the availability of a proposed redevelopment plan and eligibility report, including how to obtain this information; such notice 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;

(ii) pursuant to § 5/11-74.4-4(a) of the Act, notice of changes to proposed redevelopment plans that do not (1) add additional parcels of property to the proposed development 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 inhabited households will exceed 10; such notice will be sent by mail not later than 10 days following the City Council's adoption by ordinance of such changes;

(iii) pursuant to § 5/11-74.4-5 (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 inhabited households will exceed 10; such notice will be sent by mail not later than 10 days following the City Council adoption by ordinance of such amendment;

(iv) pursuant to § 5/11-74.4-5 (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 this information, including how to obtain the report, required by subsection (d) of Section 5/11-74.4-5 of the Act; such notice will be sent by mail within a reasonable period of time after completion of the certified audit report.

(v) Pursuant to § 5/11-74.4-6(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, such notice will be sent by certified mail not less than 15 days before the date of such preliminary public meeting.

Registration forms can be picked up at the office of the Director of Community Development Services, 400 S. Vine Street, Urbana, Illinois. Registration forms can be obtained by Interested Parties in person or by their representatives. Registration forms will not be mailed or faxed. If you require additional information, please call the office of the Director of Community Development Services at 217-384-2444.

AN ORDINANCE AUTHORIZING THE ESTABLISHMENT OF TAX INCREMENT FINANCING "INTERESTED PERSONS" REGISTRIES AND ADOPTING REGISTRATION RULES FOR SUCH REGISTRIES

WHEREAS, the City of Urbana (the "Municipality") is a home rule municipality as described in Section § 6(a). Article VII of the 1970 Constitution of the State of Illinois, and as such may exercise any power and function pertaining to its government and affairs;

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 "TIF Act"), the Municipality is required to establish certain "interested persons" registries and adopt registration rules for such registries;

WHEREAS, the Municipality desires to adopt this ordinance in order to comply with such requirements of the TIF Act; now, therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF URBANA, as follows;

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

SECTION 2. The Chief Administrative Officer or his or her designee, is hereby authorized and directed to publish Notice of an Interested Parties Registry in the News-Gazette, a newspaper having general circulation in the City of Urbana, Illinois, and to create an "interested persons" registry in accordance with Section § 11-74.4-4.2 of the Act for each redevelopment project area created under the Act, 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 City of Urbana hereby adopts the registration rules attached hereto as Exhibit A as registration rules for each such "interested persons" registry.

SECTION 4. The Chief Administrative Officer or his or her designee, with the consent of the City Attorney as to form and legality, shall have the authority to amend such registration rules as may be necessary or desirable to comply with and carry out the purposes intended by the Act.

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 this ordinance are hereby repealed to the extent of such conflict.

SECTION 7. This ordinance shall be in full force and effect immediately upon its passage.

This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called, of a majority of the members of the Council of the City of Urbana, Illinois, at a regular meeting of said Council on the _____ day of _____, 2001, A.D.

PASSED by the City Council this _ _ day of _____, 2001.

AYES:

NAYS:

ABSTAINS:

Phyllis D. Clark, City Clerk

APPROVED by the Mayor this _____ day of _____, 2001.

Tod Satterthwaite, Mayor