

**ORDINANCE NO. \_\_\_\_\_**

**PASSED: AUGUST 24, 2015**

**AN ORDINANCE ESTABLISHING A DATE, TIME AND PLACE FOR A PUBLIC MEETING, A PUBLIC HEARING AND A JOINT REVIEW BOARD MEETING PERTAINING TO THE DOWNTOWN AND SOUTH GATEWAY TAX INCREMENT FINANCING DISTRICT**

WHEREAS, the City of Rochelle is an Illinois municipal corporation duly organized and operating pursuant to the laws of the State of Illinois; and

WHEREAS, pursuant to 65 ILCS 5/11-74.4-5(a) of the Tax Increment Allocation Redevelopment Act (“TIF Act”), the City of Rochelle is required to fix a time and place for a public hearing prior to proposing designation of a redevelopment project area or approving adoption of any ordinance designating any redevelopment project area pursuant to 65 ILCS 5/11-74.4-4; and

WHEREAS, pursuant to 65 ILCS 5/11-74.4-5 and 65 ILCS 5/11-74.4-6 of the TIF Act, the City must comply with certain notice requirements prior to this public hearing; and

WHEREAS, at least ten (10) days prior to this day, the City of Rochelle has made available for public inspection a TIF Act Redevelopment Plan and Program; and

WHEREAS, pursuant to 65 ILCS 5/11-74.4-5(b) of the TIF Act, prior to holding a public hearing, the City must convene a Joint Review Board (“JRB”) in order to consider a proposed redevelopment project area and redevelopment plan; and

WHEREAS, the City Council of the City of Rochelle desires to conduct a public hearing and to convene a JRB described above in order to comply with the requirements of the TIF Act; and

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Rochelle as follows:

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

Section 2: The Mayor and City Council of the City of Rochelle hereby fix the date of November 19, 2015, at the hour of 7:00 p.m. at the Rochelle City Hall, 420 N. 6<sup>th</sup> St., Rochelle, Illinois, 61068, for the purpose of conducting a public hearing to hear from any interested persons, taxpayers, or affected tax districts regarding the proposed redevelopment project area and redevelopment plan for the area generally described and actually depicted on **EXHIBIT A**, attached hereto and incorporated herein by reference. The public hearing shall be conducted in accordance with the TIF Act. A copy of the proposed redevelopment plan and project area shall be on file in the Community Development Department of the City of Rochelle and shall be available for public inspection during regular business hours.

Section 3: 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. Notice shall be mailed by certified mail not later than November 9, 2015, 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 proposed Redevelopment Project Area. In the event taxes for the last preceding year were not paid, the notice shall 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 City for that information in accordance with the registration guidelines herein established by the City. 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 Community Development Department, Rochelle City Hall, 420 N. 6<sup>th</sup> St., Rochelle, Illinois, 61068, concerning the subject matter of the Hearing. Each such mailed notice 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.

Section 4. At the public hearing described in Section 2, above, any interested person, taxpayer, or affected taxing district may file with the City written comments and/or objections to, and may be heard orally with respect to any issues embodied in the notice given for the public hearing.

Section 5. A Joint Review Board (“JRB”) is hereby established for the purposes set forth in the TIF Act. The JRB shall consist of one representative selected by each community college district, high school district, elementary school district, park district, library district, township and county that has authority to directly levy taxes on the property within the redevelopment project area; a representative selected by the City, and a public member. The public member and the JRB’s chairperson shall be selected by a majority of the other members of the JRB. The JRB shall meet October 20, 2015, at 10:00 a.m., at the Rochelle City Hall, 420 N. 6<sup>th</sup> St., Rochelle, Illinois, 61068.

Section 6. The JRB shall act in accordance with the TIF Act. Its actions shall include, but not be limited to the following:

- a. The JRB shall decide whether to recommend that the City approve or deny the proposed redevelopment plan and project area;

b. In making its decision, the JRB shall review the public record, planning documents, and proposed ordinances approving the redevelopment plan and project area to be adopted by the City before concluding its deliberations.

c. As part of its deliberations, the JRB may hold additional hearings on the proposed redevelopment plan and project area.

d. The JRB shall make its decision to recommend approval or denial of the redevelopment plan and project area on the basis of whether or not the area at issue in the redevelopment plan and project satisfy the eligibility criteria defined in 65 ILCS 5/11-74.4-3 of the TIF Act.

e. The JRB's recommendation shall be adopted by a majority vote.

f. The JRB's recommendation shall be an advisory, non-binding recommendation.

g. The JRB's recommendation shall be reduced to a written report.

h. This report shall be submitted to the City a maximum of thirty (30) days after the convening of the JRB. Failure of the JRB to submit its report on a timely basis shall not be cause to delay the public hearing described in Section 2, above, nor any other step in the process of creation of a redevelopment project area contemplated by this ordinance. In the event the JRB does not file its report/recommendation, it shall be presumed that the taxing bodies represented on the JRB find the redevelopment project area to satisfy the eligibility criteria defined in the TIF Act.

i. If the JRB recommends rejection of the matters before it, the City Council will have thirty (30) days within which to resubmit the plan or project area. During this

period, the City will meet and confer with the JRB and attempt to resolve those issues set forth in the JRB's written report that led to the rejection of the plan or area.

Section 7: The City's representative on the JRB shall be the Mayor or his designee.

Section 8: Pursuant to § 5/11-74.4-6(e) of the Act, a preliminary public meeting shall be held on September 15, 2015 at the Rochelle City Hall, 420 N. 6<sup>th</sup> St., Rochelle, Illinois, 61068 at 7:00 o'clock p.m. Notice of the preliminary public meeting will be sent by certified mail not later than August 31, 2015, to all taxing districts having real property in the proposed redevelopment project area and to all entities requesting that information that have registered with the City in accordance with the guidelines established by the City. The City shall make a good faith effort to notify all residents and the last known person who paid property taxes on real estate in the redevelopment project area in accordance with §6(e) of the Act. Notice shall be in languages other than English when appropriate. The notice shall include the following:

- (1) The time and place of the meeting.
- (2) The boundaries of the area to be studied for possible designation as a redevelopment project area by street and location.
- (3) The purpose or purposes of establishing a redevelopment project area.
- (4) A brief description of tax increment financing.
- (5) The name, telephone number, and address of the person who can be contacted for additional information about the proposed redevelopment project area and who should receive all comments and suggestions regarding the development of the area to be studied.
- (6) Notification that all interested persons will be given an opportunity to be heard at the public

meeting.

(7) Such other matters as the municipality deems appropriate.

At the public meeting, any interested person or representative of an affected taxing district may be heard orally and may file, with the person conducting the meeting, statements that pertain to the subject matter of the meeting.

Section 9. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of the conflict.

Section 10: This ordinance shall be in full force and effect after its passage, approval and publication as provided by law.

PASSED AND APPROVED by the Mayor and City Council of of the City of Rochelle this 24<sup>th</sup> day of August, 2015.

Ayes:\_\_\_\_\_ Nays:\_\_\_\_\_ Abstain:\_\_\_\_\_

APPROVED this \_\_\_\_ day of \_\_\_\_\_, 2015

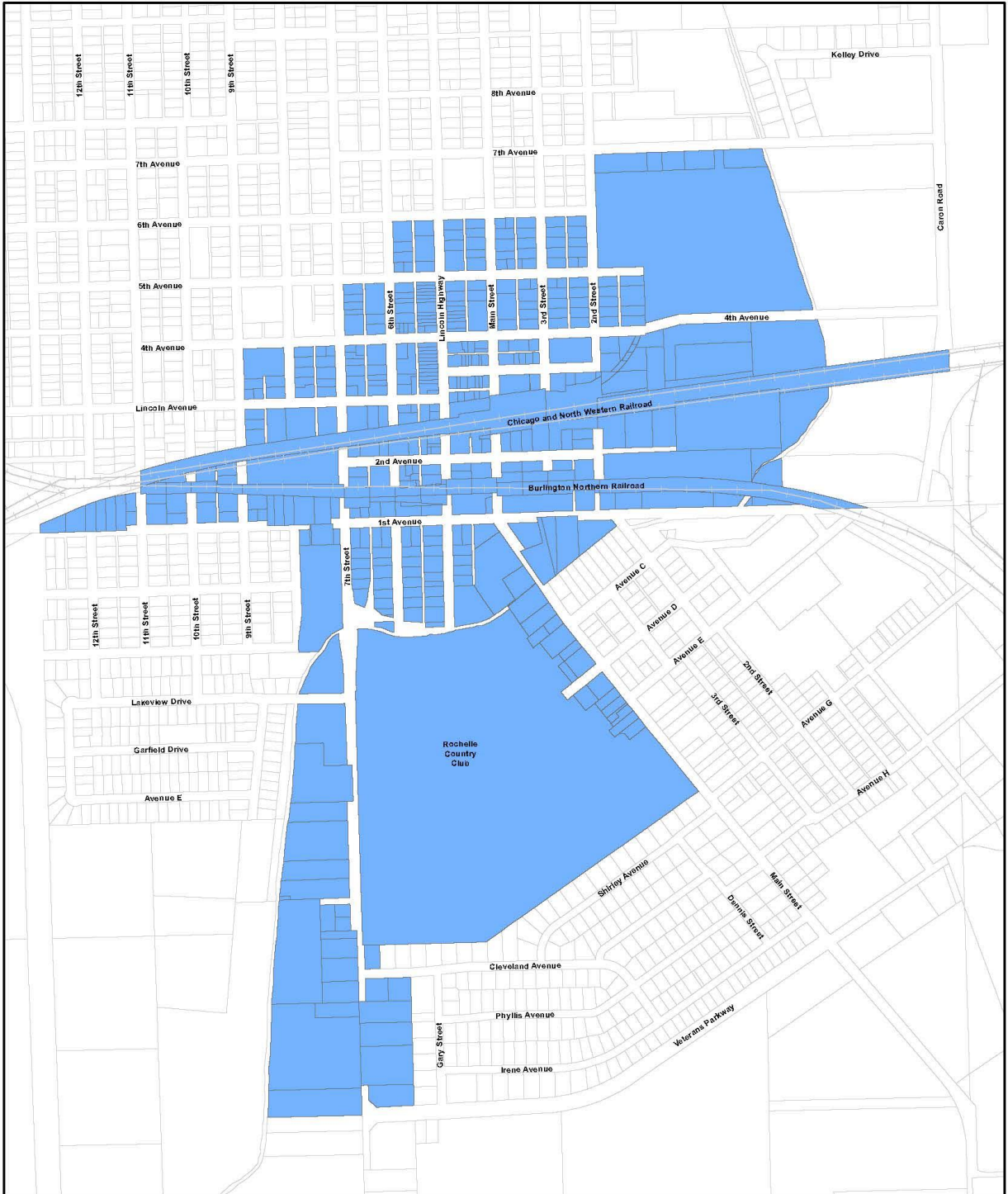
\_\_\_\_\_  
Mayor

ATTEST:  
\_\_\_\_\_  
City Clerk

**EXHIBIT "A"**

**GENERAL DESCRIPTION  
OF THE AREA WITH A MAP OF THE AREA**

The area generally bounded by 7<sup>th</sup> Avenue on the North, Kyte River and South Main Street on the East, Cleveland Avenue and Veterans Parkway on the South, and Kyte River, 8<sup>th</sup> Street and 9<sup>th</sup> Street on the West.



### TIF Boundary Map

 TIF Boundary
  TIF Parcels





**EXHIBIT “B”**  
**FORM OF PUBLIC NOTICE**  
**PUBLIC NOTICE – CITY OF ROCHELLE**

**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 Rochelle (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 August 24, 2015 the City Council adopted an ordinance authorizing the establishment of an Interested Parties Registry which is to be administered by the Community Development Department of the City and, further, adopted registration rules for such Registry. The purpose of this notice is to inform interested parties of the Registry 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 individual or organization requiring information pertaining to activities within a Redevelopment Project Area is entitled to register. 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 Community Development Department. 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 City to establish the individual’s current residency.

An Interested Party Registry is being established for the following TIF Redevelopment Project Area, which has either been adopted by the City or which the City has decided to consider establishing: **Downtown and South Gateway District TIF Area**

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 City of Rochelle Community Development Department, 420 N. 6<sup>th</sup> St., Rochelle, Illinois, 61068, will be registered in the applicable Registry within ten (10) business days of the City’s receipt of all such documents. The Community Development Department 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 City 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, the Community Development Department 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 (3) 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 Community Development Department pursuant to the Freedom of Information Act during normal business hours. The Registry will include the name, address and telephone number of each Interested Person and, for organizations, additional information with regard to 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'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's adoption by ordinance of such amendment;

Registration forms can be picked up at City Hall, 420 N. 6<sup>th</sup> St., Rochelle, Illinois 61068 or may be found online at the City's website.

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 Community Development Department at (815) 561-2073.