

VILLAGE OF LOMBARD
REQUEST FOR BOARD OF TRUSTEES ACTION
For Inclusion on Board Agenda

 X Resolution or Ordinance (Blue) *Waiver of First Requested*
 Recommendations of Boards, Commissions & Committees (Green)
 Other Business (Pink)

TO: PRESIDENT AND BOARD OF TRUSTEES

FROM: Scott Niehaus, Village Manager

DATE: October 26, 2016 (COW)(B of T) November 3, 2016

TITLE: Legal Representation for Lombard Tax Consortium

SUBMITTED BY: Timothy Sexton, Director of Finance

BACKGROUND/POLICY IMPLICATIONS:

The Village has participated for over 20 years in a consortium with District 44, Lombard Park District and the Helen Plum Library to intervene in property tax appeals where the taxpayer is seeking a reduction in the assessment of property of at least \$100,000. The law firm that represents the consortium, Robbins, Schwartz, Nicholas, Lifton & Taylor, Ltd., has requested approval of the attached resolution. This resolution must be submitted to the Illinois Property Tax Appeal Board and the DuPage County Board or Review in order for this firm to represent the consortium. As a reference, the Village has paid anywhere between \$200 and \$700 on an annual basis, depending on the number of cases, for legal services for the consortium, as the costs are in proportion to each district's tax rate. Therefore, staff is requesting approval of the attached resolution.

Review (as necessary):

Village Attorney X _____ Date _____
Finance Director X Timothy Sexton _____ Date 10/26/16
Village Manager X _____ Date _____

NOTE: All materials must be submitted to and approved by the Village Manager's Office by 12:00 noon, Wednesday, prior to the Agenda Distribution.

RESOLUTION

R _____ 16

A RESOLUTION AUTHORIZING INTERVENTION IN CERTAIN
TAX APPEAL CASES

WHEREAS, the Taxing District receives statutory notice from the Board of Review of DuPage County of property tax assessment appeals filed by taxpayers with the DuPage County Board of Review or the Property Tax Appeal Board ("PTAB") regarding the assessed valuation of property which comprises part of the assessed valuation of the Taxing District;

WHEREAS, the Taxing District has a revenue interest in such property tax assessment appeals and finds that intervention as a party in such proceedings is in the best interests of the Taxing District; and

WHEREAS, the Taxing District has a right to intervene in proceedings before the Board of Review and the PTAB in order to protect its revenue interests in the assessed valuation of the subject properties;

WHEREAS, the Corporate Authorities deem it to be in the best interest of the Village of Lombard to approve such agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LOMBARD, DU PAGE COUNTY, ILLINOIS as follows:

SECTION 1: The Board of Trustees finds that all of the recitals contained above are true and correct and that the same are hereby incorporated herein by reference.

SECTION 2: The law firm of Robbins, Schwartz, Nicholas, Lifton & Taylor, Ltd. is authorized, as of the postmarked date of the Board of Review notice of property tax assessment appeals, to file as legal representative on the Taxing District's behalf a request to intervene in the property tax assessment appeals.

SECTION 3: All motions and resolutions or parts thereof in conflict with the provisions of this Resolution are, to the extent of such conflict, hereby repealed.

SECTION 4: This Resolution shall take effect immediately upon its passage.

Adopted this _____ day of _____, 2016.

Ayes: _____

Nays: _____

Absent: _____

Approved this _____ day of _____, 2016.

Keith Giagnorio
Village President

ATTEST:

Sharon Kuderna
Village Clerk

APPROVAL AS TO FORM:

Thomas P. Bayer, Village Attorney

I, Sharon Kuderna, hereby certify that I am the duly qualified Village Clerk of the **Village of Lombard**, DuPage County, Illinois, as authorized by Statute and provided by local Ordinance, and as such Village Clerk, I maintain and am safekeeper of the records and files of the President and Board of Trustees of said Village.

I further certify that attached hereto is a true and correct copy of _____

of the said Village as it appears from the official records of said Village duly passed on _____.

In Witness Whereof, I have hereunto affixed my official signature and the Corporate Seal of said **Village of Lombard**, Du Page County, Illinois this ____ day of _____, 2016.

Sharon Kuderna
Village Clerk
Village of Lombard
DuPage County, Illinois