

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: William T. Lichter, Village Manager

DATE: December 19, 2006 (B of T) Date: January 4, 2007

TITLE: Downtown Lombard TIF District Extension --
Ordinance Approving Second TIF District Extension

SUBMITTED BY: Department of Community Development *WTL*

BACKGROUND/POLICY IMPLICATIONS:

The Department of Community Development transmits for your consideration its recommendation regarding the above-referenced matter relative to a proposed extension of the life of the existing Downtown Lombard TIF District.
(DISTRICTS 1 and 4)

Staff recommends approval of this request.

Fiscal Impact/Funding Source:

Review (as necessary):

Village Attorney X _____ Date _____
Finance Director X _____ Date _____
Village Manager X *W. T. Lichter* _____ Date 12/20/06

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.

ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE NO. 3121, ADOPTED FEBRUARY 2, 1989, AS AMENDED BY ORDINANCE NUMBER 5145, ADOPTED JUNE 6, 2002, AND THE REDEVELOPMENT PLAN AND PROJECT ATTACHED THERETO AS EXHIBIT "B," IN REGARD TO THE TERMINATION DATE FOR THE VILLAGE OF LOMBARD'S DOWNTOWN TAX INCREMENT FINANCING DISTRICT AND REDEVELOPMENT DURING THE EXTENDED LIFE OF SAID TAX INCREMENT FINANCING DISTRICT BEYOND ITS ORIGINAL TERMINATION DATE

BE IT ORDAINED by the President and Board of Trustees of the Village of Lombard, DuPage County, Illinois, as follows:

SECTION 1: The President and Board of Trustees of the Village of Lombard, DuPage County, Illinois, hereby find as follows:

- A. Pursuant to Ordinance Numbers 3121, 3122 and 3123, adopted February 2, 1989, the Village approved a tax increment redevelopment plan and project (hereinafter referred to as the "TIF Plan"), designated the tax increment redevelopment project area (hereinafter referred to as the "Redevelopment Project Area") and adopted tax increment financing relative to Village's downtown area tax increment financing district (hereinafter referred to as the "Downtown TIF District"); said Downtown TIF District being legally described and depicted as set forth in Exhibits "A-1", "A-2" and "A-3" attached hereto and made a part hereof.
- B. Pursuant to Sections 1f and 1g of Ordinance No. 3121, adopted February 2, 1989, and Section V(J) of Exhibit "B" attached thereto (the TIF Plan), the Downtown TIF District was originally established as a sixteen (16) year tax increment financing district, with real estate taxes for 2004, as collected during 2005, being the last year of real estate taxes subject to the Downtown TIF District, (hereinafter referred to as the "Original Termination Date"), notwithstanding the fact that the State statutes authorized up to a twenty-three (23) year life for tax increment financing districts at the time of the formation of the Downtown TIF District.
- C. Pursuant to Ordinance Number 5145, adopted June 6, 2002, the Village approved an amendment to Ordinance Number 3121, adopted February 2, 1989, and the TIF Plan that was attached thereto, pursuant to which the life of the Downtown TIF District was extended for an additional seven (7) years, with real estate taxes for 2011, as collected during 2012, being the

last year of real estate taxes subject to the Downtown TIF District (the TIF Plan as amended by said Ordinance Number 5145 being hereinafter referred to as the "Amended TIF Plan").

- D. Pursuant to Public Act 94-0783, effective May 19, 2006, the Tax Increment Allocation Redevelopment Act, 65 ILCS 5/11-74.4-1 et seq. (hereinafter referred to as the "TIF Act") was amended to allow the Village to extend the life of the Downtown TIF District to thirty-five (35) years, with real estate taxes for 2023, as collected during 2024, being the last year of real estate taxes subject to the Downtown TIF District.
- E. It has become evident to the Village that the full redevelopment value of the Downtown TIF District will not be achieved without extending the life of the Downtown TIF District for an additional twelve (12) years, so as to have said Downtown TIF District exist for the full time period authorized by the State statutes, and amending the Amended TIF Plan to address and accommodate redevelopment during the extended life of the Downtown TIF District beyond its Original Termination Date (hereinafter referred to as the "Second Amendment").
- F. That the TIF Act authorizes municipalities with existing tax increment financing districts to amend the ordinances and the redevelopment project and plan in relation thereto, subject to first complying with specific notice, public meeting, joint review board meeting and public hearing requirements.
- G. That the Village has complied with the specific notice, public meeting, joint review board meeting and public hearing requirements provided for in the TIF Act as a prerequisite to amending the ordinances and the Amended TIF Plan in relation to the Downtown TIF District, in that the Village has taken the following actions:

	<u>ACTION</u>	<u>DATE TAKEN</u>
1.	Announced the availability of the Second Amendment at a Village Board meeting	August 17, 2006
2.	Mailed notices of a Public Meeting to all taxing districts, all parties who are registered on the Village's TIF Interested Parties Registry, all residential addresses within the Downtown TIF District and all taxpayers of record within the Downtown TIF District	August 21, 2006
3.	Held the Public Meeting	September 6, 2006

4.	Adopted Ordinance No. 5923 calling for a Joint Review Board meeting and a public hearing relative to the proposed extension of the life of the Downtown TIF District and the amendment of the Amended TIF Plan in relation thereto	September 21, 2006
5.	Mailed notices relative to the availability of the Second Amendment to all residential addresses within 750 feet of the boundaries of the Downtown TIF District	September 28, 2006
6.	Mailed a copy of Ordinance No. 5923 and the Second Amendment, along with a notice of the Joint Review Board meeting and the public hearing, to all taxing districts impacted by the Downtown TIF District, the Illinois Department of Commerce and Economic Opportunity, and the Public Member of the Joint Review Board	September 28, 2006
7.	Mailed notice relative to the availability of the Second Amendment to all parties who are registered on the Village's TIF Interested Parties Registry	October 4, 2006
8.	Held a Joint Review Board meeting	October 19, 2006
9.	Published notice of the public hearing in the newspaper twice	November 15, 2006 and November 17, 2006
10.	Mailed notice of the public hearing to each residential address and taxpayer of record within the Downtown TIF District, and to each person on the Village's TIF Interested Parties Registry	November 17, 2006
11.	Held a public hearing	December 7, 2006

H. On October 19, 2006, the Joint Review Board, relative to the Downtown TIF District, recommended the approval of the Village's twelve (12) year Downtown TIF District extension proposal and approval of the Second Amendment in relation thereto.

I. Pursuant to the TIF Act, the Village has waited at least fourteen (14) days, but not more than ninety (90) days, from the public hearing date to take action on this Ordinance approving the amendment to the ordinances and the Amended TIF Plan for the Downtown TIF District to provide for a twelve (12) year extension of the life of the Downtown TIF District and the approval of the Second Amendment in relation thereto.

SECTION 2: That Section 1f of Ordinance No. 3121, adopted on February 2, 1989, as amended by Ordinance No. 5145, adopted June 6, 2002, is amended to read in its entirety as follows:

"f. The estimated date for final completion of the Project is December 31, 2023, subject to the receipt of 2023 incremental real estate tax revenues during 2024."

SECTION 3: That Section 1g of Ordinance No. 3121, adopted on February 2, 1989, as amended by Ordinance No. 5145, adopted June 6, 2002, is amended to read in its entirety as follows:

"g. The estimated date for retirement of obligations incurred to finance Project costs is not later than December 31, 2023, subject to the receipt of 2023 incremental real estate tax revenues during 2024."

SECTION 4: That Exhibit "B" to Ordinance No. 3121, adopted February 2, 1989, as amended by Ordinance No. 5145, adopted June 6, 2002, is hereby further amended as set forth in the Second Amendment attached hereto as Exhibit "B-1" and made part hereof.

SECTION 5: That all other provisions of Ordinance No. 3121, adopted February 2, 1989, and Exhibit "B" thereto, as amended by Ordinance No. 5145, adopted June 6, 2002, not amended hereby, as well as the provisions of Ordinance Nos. 3122 and 3123, adopted February 2, 1989, as referenced above, shall remain in full force and effect.

SECTION 6: That a certified copy of this Ordinance shall be filed with the DuPage County Clerk's Office by the Village's Department of Community Development.

SECTION 7: That this Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

Passed on first reading this ____ day of _____, 2007.

First reading waived by action of the Board of Trustees this ____ day of _____, 2007.

Passed on second reading this ____ day of _____, 2007.

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED by me this ____ day of _____, 2007.

William J. Mueller
Village President

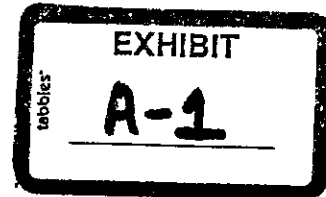
ATTEST:

Brigitte O'Brien
Village Clerk

Published by me in pamphlet form this ____ day of _____, 2007.

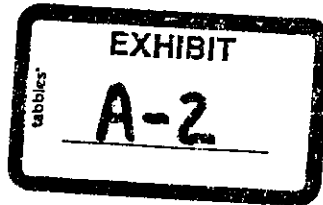
Brigitte O'Brien, Village Clerk

DOWNTOWN LOMBARD
TIF DISTRICT ORIGINAL
LEGAL DESCRIPTION
REDEVELOPMENT PROJECT AREA



Lots 1 and 2 of the Resubdivision of Lot 6 of Block 27 of the Original Town of Lombard, Lots 1, 2, 3, and 4 of the Original Town of Lombard, Lots 1, 2, 3, the North 25 ft. of Lot 4, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20 and 21 in Caverno's Subdivision, Lot 1 in Lombard Bible Church Consolidation Plat, Lots 1, 2, 3, 4, and 5 in Owner's Subdivision in Block 18 of the Original Town of Lombard, Lots 1, 2, 3, 4, 5, 6, and 7 in Block 11 of the Original Town of Lombard, Lots 8, 9, 10, 11, and 12 in J. B. Hull's Subdivision of part of Block 11 and part of outlot 4 of the Original Town of Lombard, Lots 7, 8, 9, 12, 13, 14, 15, 16, 17 and 18 of Grove Park Subdivision, Lots 2, 3, 4, 5, 6, 19, 20, 21, 22, 23, 24, 25, 26, 27, and 28 in Grove Park Subdivision, Lots 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, and 18 in Grove Park Subdivision First Addition, Lots 11 and 12 in W. H. Maple's Subdivision, Lots 3, 4, 5, 6, 7, 8, 9, 10, and 11 in Block 10 of the Original Town of Lombard, Lots 1, 2, and 3, in the Subdivision of Outlot 10 in the Original Town of Lombard, Lot 1 of the Belfast Consolidation Plat, Lots 1, 2, 4, and 5 of Block 19 in the Original Town of Lombard, Lots 1, 2, 3, 4, 5, 6, 7, 8, of J. B. Hull's Subdivision of Lot 3 of Block 19 of the Original Town of Lombard, Lot 43 excepting the North 20 feet thereof in Orchard Subdivision, Lots 1 and 2 of Timke's Resubdivision, all of Park Manor Condominium, including all Chicago & Northwestern Railroad right-of-way and all public rights-of-way adjacent to the above-described property all being in the Northeast Quarter of Section 7, Township 39 North, Range 11, East of the Third Principal Meridian in DuPage County, Illinois.

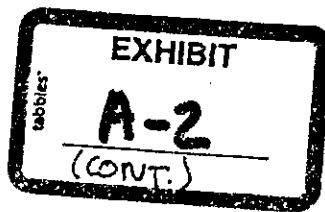
Of that part of Block 22 of the Original Town of Lombard described by beginning at a point on the East line of Main Street, 499.0 feet North of the Southwest corner of said Block 22 and running thence Easterly to a point on the center line of said Block 22 that is 386.6 feet to the Southerly line of said Parkside Avenue; thence Southwesterly along the Southerly line of said Parkside Avenue to the East line of Main Street; thence South on the East line of Main Street, 291.85 feet to the place of beginning, Lots 1, 2, and 3 in James' Subdivision of Part of Block 22 of the Original Town of Lombard, Lots 28, 29, 30, and 31 of Part of Block 22 in N. Matson & Others Resubdivision, Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, and 13 in Block 17 of the Original Town of Lombard, Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, and 14 in Block 16 of the Original Town of Lombard, Lots 1, 2, the East 1/2 of Lot 3, Lots 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, and 18 in Block 12 of the Original Town of Lombard, Lots 1, 2, 3, 5, 6, 7, 8, 9, 10, 12, 13, 14, 15 in Block 18 of H. O. Stone & Company's Addition to Lombard, Lombard Tower Condominiums, Charlotte-Garfield Condominiums, including all Chicago & Northwestern Railroad right-of-way and all public rights-of-way adjacent to the above-described property all being in the Northwest Quarter of Section 8, Township 39 North, Range 11, East of the Third Principal Meridian all in DuPage County, Illinois.



**DOWNTOWN LOMBARD TIF DISTRICT
REDEVELOPMENT PROJECT AREA LEGAL DESCRIPTION
(as revised to take into account consolidations and
resubdivisions since the formation of the TIF District in 1989)**

LOTS 1 AND 2 OF THE RESUBDIVISION OF LOT 6 OF BLOCK 27 OF THE ORIGINAL TOWN TO LOMBARD, LOTS 1, 2, 3, AND 4 OF THE ORIGINAL TOWN OF LOMBARD, LOTS 1, 2, 3, THE NORTH 25 FEET OF LOT 4, 6, 7, 8, 9, 10, 11, 12, 13, 14 IN CAVERNO'S SUBDIVISION, LOT 1 IN LOMBARD BIBLE CHURCH CONSOLIDATION PLAT, LOT 1 IN THE VILLAGE OF LOMBARD MAPLE STREET PLAT OF CONSOLIDATION, LOTS 1, 2, 3, 4, AND 5 IN OWNER'S SUBDIVISION IN BLOCK 18 OF THE ORIGINAL TOWN OF LOMBARD, LOTS 1, 2, 3, 4, 5, 6, AND 7 IN BLOCK 11 OF THE ORIGINAL TOWN OF LOMBARD, LOTS 3, 4, 5, 6, 7, AND 11 IN BLOCK 10 OF THE ORIGINAL TOWN OF LOMBARD, LOTS 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, AND 18 IN GROVE PARK SUBDIVISION 1ST ADDITION, LOTS 2, 3, 4, 5, 6, 7, 8, 9, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, AND 28 IN GROVE PARK SUBDIVISION, LOTS 1 AND 2 IN TIMKE'S RESUBDIVISION, LOTS 1, 2, 3, 4, AND 5 IN GROVE STREET ASSESSMENT PLAT, LOT 1 OF THE BELFAST CONSOLIDATION PLAT, LOT 43 EXCEPTING THE NORTH 20 FEET THEREOF IN ORCHARD SUBDIVISION, ALL OF THE LINCOLN TERRACE CONDOMINIUM, LOTS 1, 2, AND 3 IN THE SUBDIVISION OF OUTLOT 10 IN BLOCK 19 IN THE ORIGINAL TOWN OF LOMBARD, LOTS 4 AND 5 OF BLOCK 19 OF THE ORIGINAL TOWN OF LOMBARD, LOTS 5, 6, AND 7 OF J.B. HULL'S SUBDIVISION OF LOT 3 OF BLOCK 19 OF THE ORIGINAL TOWN OF LOMBARD, LOTS 1 AND 2 OF BLOCK 19 OF THE ORIGINAL TOWN OF LOMBARD, LOTS 1, 2, AND 3 IN ZITTS RESUBDIVISION, LOT 2 IN PARK VIEW POINTE RESIDENTIAL CONDOMINIUM, ALL OF PARK VIEW POINTE COMMERCIAL CONDOMINIUM, LOT 1 IN PARK VIEW POINTE RESUBDIVISION, LOTS 8, 9, 10, AND 11 IN HULL'S J.B. SUBDIVISION PART OF BLOCK 11 AND PART OF OUTLOT 4 OF THE ORIGINAL TOWN OF LOMBARD, LOTS 10 AND 11 IN PARK MANOR CONDOMINIUM, ALL CHICAGO & NORTHWESTERN RAILROAD RIGHT-OF-WAY AND ALL PUBLIC RIGHTS-OF-WAY ADJACENT TO THE ABOVE-DESCRIBED PROPERTY ALL BEING IN THE NORTHEAST QUARTER OF SECTION 7, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN IN DUPAGE COUNTY, ILLINOIS.

OF THAT PART OF BLOCK 22 OF THE ORIGINAL TOWN OF LOMBARD DESCRIBED BY BEGINNING AT A POINT ON THE EAST LINE OF MAIN STREET, 499.0 FEET NORTH OF THE SOUTHWEST CORNER OF SAID BLOCK 22 AND RUNNING THENCE EASTERLY TO A POINT ON THE CENTER LINE OF SAID BLOCK 22 THAT IS 386.6 FEET TO THE SOUTHERLY LINE OF SAID PARKSIDE AVENUE; THENCE SOUTHWESTERLY ALONG THE SOUTHERLY,



LINE OF SAID PARKSIDE AVENUE TO THE EAST LINE OF MAIN STREET;
THENCE SOUTH ON THE EAST LINE OF MAIN STREET, 291.85 FEET TO THE
PLACE OF BEGINNING, LOTS 1, 2, AND 3 IN JAMES' SUBDIVISION OF PART
OF BLOCK 22 OF THE ORIGINAL TOWN OF LOMBARD, LOTS 28, 29, 30, AND
31 OF PART OF BLOCK 22 IN N. MATSON & OTHERS RESUBDIVISION, LOTS 1,
2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, AND 13 IN BLOCK 17 OF THE ORIGINAL TOWN OF
LOMBARD, LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, AND 14 IN BLOCK 16 OF
THE ORIGINAL TOWN OF LOMBARD, LOTS 1, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16,
17, AND 18 IN BLOCK 12 OF THE ORIGINAL TOWN OF LOMBARD, REGENCY
GROVE CONDOMINIUMS, LOTS 1, 2, 3, 5, 6, 7, 8, 9, 10, 12, 13, 14, 15 IN BLOCK
18 OF H. O. STONE & COMPANY'S ADDITION TO LOMBARD, LOMBARD
TOWER CONDOMINIUMS, CHARLOTTE-GARFIELD CONDOMINIUMS,
INCLUDING ALL CHICAGO & NORTHWESTERN RAILROAD RIGHT-OF-WAY
AND ALL PUBLIC RIGHTS-OF-WAY ADJACENT TO THE ABOVE-DESCRIBED
PROPERTY ALL BEING IN THE NORTHWEST QUARTER OF SECTION 8,
TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN
ALL IN DUPAGE COUNTY, ILLINOIS.

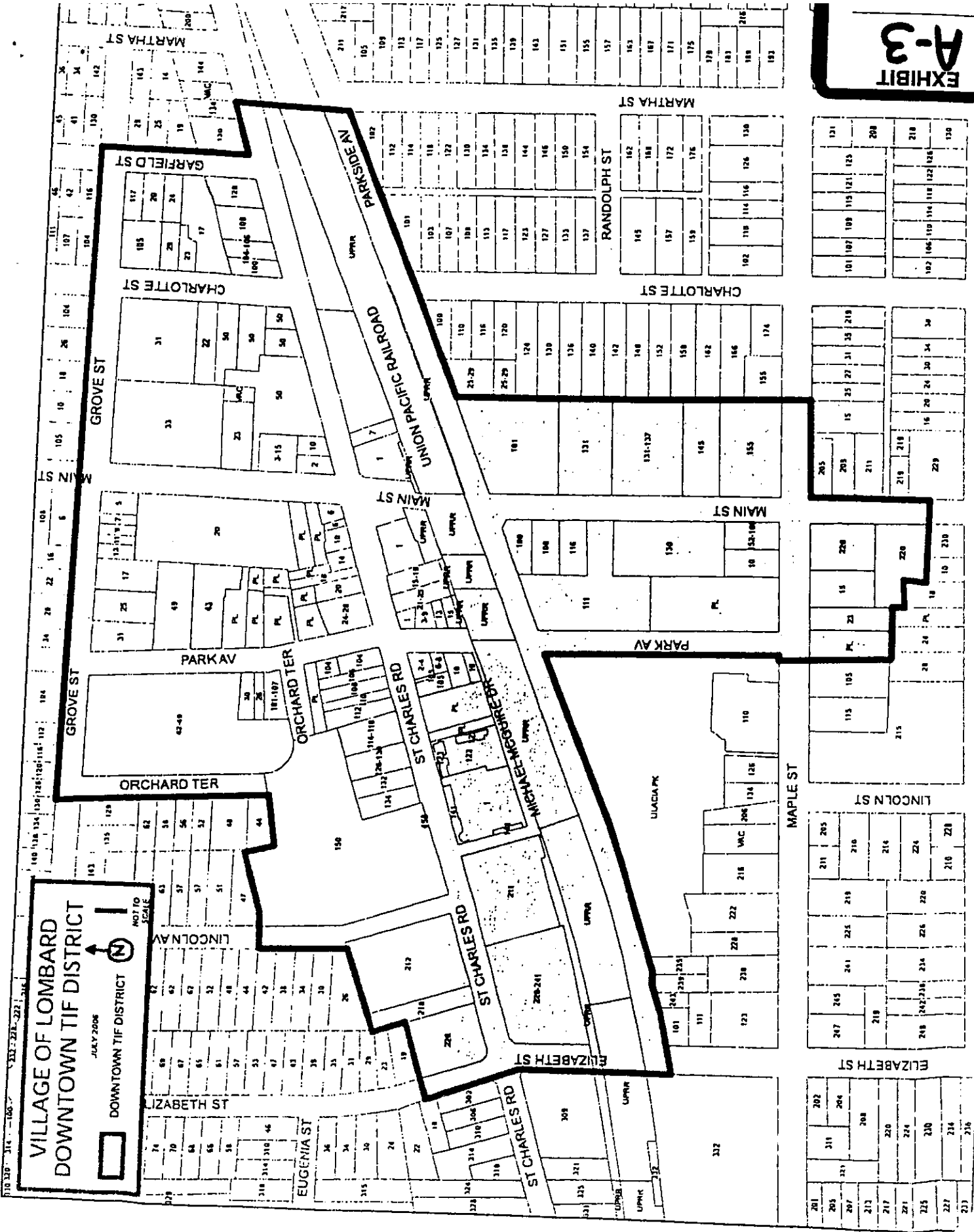
VILLAGE OF LOMBARD
DOWNTOWN TIF DISTRICT



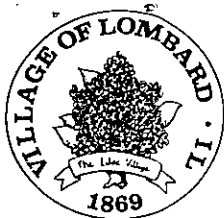
JULY 2006

DOWNTOWN TIF DISTRICT

NOT TO SCALE



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MEMORANDUM

TO: William T. Lichter, Village Manager

FROM: David A. Hulseberg, AICP *DCH*
Assistant Village Manager/Director of Community Development

DATE: January 4, 2007

**SUBJECT: DOWNTOWN LOMBARD TIF DISTRICT – ORDINANCE
APPROVING SECOND TIF DISTRICT EXTENSION**

With the completion of all required and necessary actions pursuant to State Statutes, please find a copy of an Ordinance amending Ordinances No. 3121 and 5145, and the redevelopment plan and project attached in regard to the termination date for the Village of Lombard's Downtown Tax Increment Financing District.

RECOMMENDATION:

Staff recommends approval of the attached Ordinance.

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