

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

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

TO: PRESIDENT AND BOARD OF TRUSTEES
FROM: David A. Hulseberg, Village Manager
DATE: September 10, 2009 (COW)(B of T) Date September 17, 2009
TITLE: A Resolution Calling for Conversion of the Helen M. Plum Memorial Library to a Public Library District
SUBMITTED BY: Timothy Sexton, Director of Finance

BACKGROUND/POLICY IMPLICATIONS:

Attached is a resolution needed to convert the Helen M. Plum Memorial Library to a public library district. As part of this resolution, the Village will be transferring \$312,438 (subject to 2010 adjustments under the Property Tax Extension Limitation Law) of its tax levy to the Library, as this is the amount of IMRF/FICA/Medicare that the Village has been paying on the Library's behalf. In addition, the Library will receive \$2,868,520.79 of the tax levy that it had been levying for its own purposes. Also attached as Exhibit A is a resolution that was passed by the Library Board on September 8, 2009 calling for the conversion to a public library district. An executed copy of their resolution will be forwarded prior to the Village Board meeting. The Library will present these two resolutions to the court prior to December 31, 2009, requesting that the court grant the conversion to a public library district.

Review (as necessary):

Village Attorney X Date _____
Finance Director X Timothy Sexton Date 9/10/09
Village Manager X D. Hulseberg Date 9/10/09

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 NO. _____

**A RESOLUTION APPROVING THE CONVERSION OF
THE HELEN M. PLUM MEMORIAL LIBRARY
TO A PUBLIC LIBRARY DISTRICT**

WHEREAS, the Helen M. Plum Memorial Library (the "Plum Library") is currently a local village library pursuant to, and governed by, the provisions of the Illinois Local Library Act (75 ILCS 5/1-0.1 *et seq.*); and

WHEREAS, the Plum Library adopted Resolution No. 2009-1, on September 8, 2009, (the "Resolution"), pursuant to which the Plum Library has expressed its desire to convert to a public library district pursuant to 75 ILCS 16/10-15; a copy of said Resolution being attached hereto as Exhibit A and made part hereof; and

WHEREAS, the Resolution requests that the President and Board of Trustees (the "Village Board") of the Village of Lombard (the "Village") approve said conversion of the Plum Library to a public library district within sixty (60) days of the date of the Resolution, as required by 75 ILCS 16/10-15; and

WHEREAS, the Village Board has determined that it is in the best interests of the residents and taxpayers of the Village that the Plum Library convert to a public library district; and

WHEREAS, the Plum Library and the Village have previously entered into an Intergovernmental Agreement relative to the conversion of the Plum Library to a public library district, and the funding of certain Plum Library expenses in relation thereto;

NOW, THEREFORE, BE IT RESOLVED by the President and Board of Trustees of the Village of Lombard, DuPage County, Illinois, that the Village Board hereby approves of the Plum Library's request to convert to a public library district pursuant to 75 ILCS 16/10-15, subject to the following terms and conditions

1. The Plum Library, in establishing its aggregate tax extension base as a public library district pursuant to 75 ILCS 16/10-35 and 35 ILCS 200/18-215, shall be allowed to request the Court to transfer three hundred twelve thousand four hundred thirty-eight and no/100 dollars (\$312,438.00) of the Village's current aggregate tax extension base (the amount currently levied by the Village as part of its tax levy for the Plum Library's Illinois Municipal Retirement Fund, Social Security (FICA) and Medicare (Med FICA) obligations) to the new public library district, in addition to the transfer of the current library fund levy of the Plum Library (two million eight hundred sixty eight thousand five hundred twenty and 79/100 dollars (\$2,868,520.79)), thereby reducing the Village's aggregate tax extension base by three hundred twelve thousand four hundred thirty-eight and no/100 dollars (\$312,438.00), and establishing an aggregate tax extension base for the newly formed public library district in the total amount of three million one hundred eighty thousand nine hundred fifty-eight and 79/100 dollars (\$3,180,958.79); and

2. The Village shall be made a party to the Court proceedings that will be initiated by the Plum Library relative to the conversion, pursuant to 75 ILCS 16/10-35, so that the Village has input relative to, and can verify the correctness of, the order to be entered by the Court in regard to the Plum Library's conversion to a public library district.

ADOPTED this 17th day of September, 2009, pursuant to a roll call vote as follows:

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED by me this 17th day of September, 2009.

By: _____
William J. Mueller
Village President

ATTEST:

Brigitte O'Brien
Village Clerk

Exhibit A
Resolution
(attached)

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF LIBRARY TRUSTEES AS FOLLOWS:

1. The Board of Library Trustees, pursuant to Section 16/10-15 of the Public Library District Act of 1991, as amended (75 ILCS 16/1-1 *et seq.*) (the “Act”), resolves to convert and hereby calls for the conversion of the Plum Library to a Public Library District.
2. The Board of Library Trustees requests approval of such conversion by the Village within sixty (60) days of this Resolution.
3. In the event the proposed conversion is approved by the Village, the Board of Library Trustees will petition the Circuit Court of DuPage County to convert Plum Library to a Public Library District (Library District) in accordance with applicable laws.
4. The petition for conversion shall include a provision that, pursuant to 35 ILCS 200/18-215 (Property Tax Extension Limitation Law) (PTELL), \$3,180,958.79 (subject to applicable adjustments in 2010 under PTELL) of the aggregate tax extension base of the Village shall be transferred from the Village to the Library District, such amount being attributable to the services transferred from the Village and Plum Library and assumed by the Library District. The portion of the transferred tax extension base from the Village’s IMRF/FICA/MedFICA extension base is \$312,438.00. The remainder of the tax extension base shall be transferred from the Village’s Library Fund extension base.

THIS RESOLUTION is passed by the Board of Library Trustees of Plum Library
this 8th day of September, 2009.

BOARD OF LIBRARY TRUSTEES
HELEN M. PLUM MEMORIAL LIBRARY

By: _____
Cynthia Ward, President

ATTEST:

By: _____
Susan Wiggins, Secretary

STATE OF ILLINOIS)
) SS
COUNTY OF DUPAGE)

CERTIFICATION

I hereby certify that I am the duly qualified and acting Secretary of the Board of Library Trustees (Board) of the Helen M. Plum Memorial Library, DuPage County, Illinois (Plum Library) and as such official I am the keeper of the records and files of the Board.

I further certify that the meeting of the Board held on the 8th day of September, 2009, wherein a Resolution providing for the conversion of the Plum Library to a Public Library District, a copy of which is attached hereto, was considered and passed at a regular meeting of the Board convened and held in strict compliance with the provisions of the Illinois Open Meetings Act, 5 ILCS 120/1.01 et seq., and with the provisions of the Public Library District Act of 1991, as amended, and that the Board complied with all the provisions of said Acts and with all the procedural rules of the Board.

Attached hereto is a true and correct copy of the Resolution passed by the Board.

IN WITNESS WHEREOF, I hereunto affix my official signature this 8th day of September, 2009.

Susan Wiggins, Secretary
Board of Library Trustees

Bauer, Carol

From: Hulseberg, Dave
Sent: Thursday, September 03, 2009 10:50 AM
To: Bauer, Carol
Subject: FW: Conversion of the Helen M. Plum Memorial Library
Attachments: Res re Helen Plum Library Conversion 9_2_09.doc

Place on next agenda. Thanks.

David A. Hulseberg, AICP, ICMA-CM
Village Manager
Village of Lombard
630-620-5756 direct

hulsebergd@villageoflombard.org

From: Harkins, Anna [<mailto:Anna.Harkins@dupageco.org>]
Sent: Wednesday, September 02, 2009 1:38 PM
To: Tom P. Bayer; Hulseberg, Dave; Sexton, Tim; rritzman@psnrb.com; rkay@psnrb.com
Subject: RE: Conversion of the Helen M. Plum Memorial Library

Bob said (and the Clerk agrees) that the number was \$3,180,958.79. Anna

From: Jean Charpentier [<mailto:JCharpentier@KTJNET.com>] **On Behalf Of** Tom P. Bayer
Sent: Wednesday, September 02, 2009 12:15 PM
To: hulsebergd@villageoflombard.org; SextonT@villageoflombard.org; rritzman@psnrb.com; rkay@psnrb.com; Harkins, Anna
Subject: Conversion of the Helen M. Plum Memorial Library

Re: Conversion of the Helen M. Plum Memorial Library
to a Public Library District

Attached please find a draft of the Village's Resolution, relative to the above-captioned matter, for the September 17, 2009 Village Board meeting (assuming approval of the Library's Resolution on September 8, 2009, as referenced in Bob Kay's e-mail of August 31, 2009). Please provide me with any comments you may have, so I can put it in final form for the Village Board meeting packet by Wednesday, September 9, 2009. In this regard, Bob/Roger, can you provide me with the number for the Library's Resolution, and have Bob Harris deliver a fully executed copy of the Library's Resolution to the Village (Dave Hulseberg or Tim Sexton) for attachment to the Village's Resolution as Exhibit A.

Tom

<<Res re Helen Plum Library Conversion 9_2_09.DOC>>

9/3/2009

RESOLUTION NO. _____

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AYES: _____

NAYS: _____

ABSENT: _____

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By: _____
William J. Mueller
Village President

ATTEST:

Brigitte O'Brien
Village Clerk

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