

ORDINANCE NO. 7859

**AN ORDINANCE APPROVING CERTAIN TECHNICAL CHANGES
TO THE PROPOSED SECOND AMENDMENT TO THE
REDEVELOPMENT PLAN AND PROJECT
FOR THE LOMBARD BUTTERFIELD-YORKTOWN
TAX INCREMENT FINANCING DISTRICT
PURSUANT TO 65 ILCS 5/11-74.4-5(a)**

WHEREAS, pursuant to the Tax Increment Allocation Redevelopment Act, 65 ILCS 5/11-74.4-1 *et seq.* (hereinafter referred to as the “TIF Act”), the Village of Lombard (hereinafter referred to as the “Village”) authorized a study in regard to expanding the redevelopment project area for the Village's Butterfield-Yorktown Tax Increment Financing District (hereinafter referred to as the “B-Y TIF District”); and

WHEREAS, on June 18, 2020, the Village announced the availability of the draft second amendment to the redevelopment plan and project for the B-Y TIF District (hereinafter referred to as the “Second Amendment to the TIF Plan”), with said Second Amendment to the TIF Plan containing a first supplement to the eligibility study for the B-Y TIF District, addressing the tax increment financing eligibility of the area proposed for addition to the redevelopment project area for said B-Y TIF District (hereinafter the “First Supplement to the Eligibility Report”); and

WHEREAS, 65 ILCS 5/11-74.4-5(a) provides in pertinent part as follows, relative to changes to the Second Amendment to the TIF Plan:

“At the public hearing or at any time prior to the adoption by the municipality of an ordinance approving a redevelopment plan, the municipality may make changes in the redevelopment plan. * * * Changes which 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 inhabited residential units to be displaced from the redevelopment project area, as measured from the time of creation of the redevelopment project area, to a total of more than 10, may be made without further hearing, provided that the municipality shall give notice of any such changes by mail to each affected taxing district and registrant on the interested parties registry, . . . , and by publication in a newspaper of general circulation within the affected taxing district. Such notice by mail and by publication shall each occur not later than 10 days following the adoption by ordinance of such changes.”

; and

WHEREAS, the following technical changes need to be made to the Second Amendment to the TIF Plan, including the First Supplement to the Eligibility Report attached to the Second Amendment to the TIF Plan as Appendix 5, prior to the approval of the Second Amendment to the TIF Plan, by Ordinance, by the President and Board of Trustees of the Village:

1. **Cover Page**: The reference to “June 5, 2020” is revised to read “September 17, 2020.”
2. **Appendix 5, First Supplement to Original TIF Qualification Report, Cover Page**: The reference to “June, 2020” is revised to read, “September, 2020.”
3. **Appendix 5, First Supplement to Original TIF Qualification Report, Section IV, Findings for Conservation Area, on Page 8**: The first sentence thereof is revised to read as follows: “In the Original TIF District, an initial determination was made that nine (9) of twelve (12) structures (75 percent) were 35 years in age or greater.”

(the “TIF Plan Changes”); and

WHEREAS, the TIF Plan Changes were announced at the public hearing held by the President and Board of Trustees on September 17, 2020;

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

SECTION 1: That the recitals, as set forth above, are hereby incorporated herein.

SECTION 2: That the TIF Plan Changes are hereby approved, and the Second Amendment to the TIF Plan shall be so revised prior to formal adoption of the Second Amendment to the TIF Plan by Ordinance.

SECTION 3: That notice of the TIF Plan Changes shall be provided by publication and by mail as provided for in 65 ILCS 5/11-74.4-5(a), with a copy of the final Second Amendment to the TIF Plan to accompany the notices that are mailed to the taxing districts that are affected by the B-Y TIF District.

SECTION 4: That this Ordinance shall be in full force and effect from and after its adoption and approval, as provided by law.

SECTION 5: That if any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any of the other provisions of this Ordinance.

SECTION 6: That all ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

Passed on first reading this ____ day of _____, 2020.

First reading waived by action of the Board of Trustees this 17th day of September, 2020.

Passed on second reading this 17th day of September, 2020, pursuant to a roll call vote as follows:

AYES: Trustee Whittington, Puccio, Foltyniewicz, Honig, Militello and Ware

NAYS: None

ABSENT: None

APPROVED by me this 17th day of September, 2020.


Keith Giagnorio, Village President

ATTEST:


Sharon Kuderna, Village Clerk