

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

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

TO: President and Village Board of Trustees

FROM: Scott Niehaus, Village Manager

DATE: March 24, 2017 (COW)(B of T): April 6, 2017

TITLE: Ordinance to Rebate and Close out Special Service Area Number Seven

SUBMITTED BY: Timothy Sexton, Director of Finance

BACKGROUND/POLICY IMPLICATIONS:

Attached is an ordinance to rebate and close out Special Service Area Number Seven. The special service area was originally established to provide special municipal services to 300 West 22nd Street in addition to services provided to the Village generally. Included in said services is the funding of the Village's cost of providing emergency medical services to the residents of Special Service Area 7, at a call rate per residential unit above and beyond the call rate normally associated with high-density multi-family residential housing developments. In order to pay these costs, the Board of Trustees approved Ordinance No. 6859 that established the 2014 levy for Special Service Area Number 7.

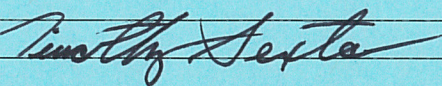
Based on the calculation provided in the Ordinance 6859, the call rate per residential unit above and beyond the call rate normally associated with high-density multi-family residential housing developments has not been significant enough to request an annual levy for 2015, 2016, and 2017.

Staff recommends the Village Board of Trustees approve the attached ordinance to rebate and close out Special Service Area Number Seven.

FISCAL IMPACT:

N/A

REVIEW (as needed):

Village Attorney XX	_____	Date	_____
Finance Director XX		Date	<u>3/27/17</u>
Village Manager XX	_____	Date	_____

ORDINANCE NO. _____

**AN ORDINANCE DECLARING A REBATE
IN REGARD TO, AND CLOSING OUT,
LOMBARD SPECIAL SERVICE AREA NUMBER 7**

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 find as follows:

- A. That Lombard Special Service Area Number 7 (hereinafter "Special Service Area Number 7") was established by Lombard Ordinance No. 6859, adopted September 5, 2013, with said Ordinance having been filed with the DuPage County Clerk's Office on September 13, 2013, and recorded on September 13, 2013, as document number R2013-131589, with the DuPage County Recorder's Office.
- B. That all special services, as contemplated by Special Service Area Number 7, have been provided.
- C. That all expenses and costs have been paid in full relative to Special Service Area Number 7.
- D. That there are no outstanding bonds in relation to Special Service Area Number 7.
- E. That there is no longer any need for a tax levy relative to Special Service Area Number 7.
- F. That a review of the Village of Lombard's (the "Village") account relative to Special Service Area Number 7 reveals that there are excess funds in said account.
- G. That, pursuant to 35 ILCS 200/27-93, if excess revenues exist in a special service area account, and if the ability to abate a future special service area tax levy no longer exists, the excess funds shall be refunded to the taxpayers of record for all parcels within the special service area, as of the date the refund is declared, on a pro rata basis based upon each parcel's proportionate share of the total equalized assessed valuation of all parcels within the special service area, subject to the Village's retention of not more than five percent (5%) of the amount to be refunded to cover the Village's costs and expenses of declaring and making the refund.

SECTION 2: A refund of the \$19,720.14 surplus, less the Village's administrative costs and expenses in declaring and making said refund in the amount of five percent (5%) thereof (\$986.01), for a net refund of \$18,734.13, is hereby declared, as of the date of this Ordinance, in relation to Special Service Area Number 7.

SECTION 3: That the Village's Finance Department is hereby directed to process the aforementioned refund based upon the formula as set forth in 35 ILCS 200/27-93 (see Section 1.G. above).

SECTION 4: In light of the findings set forth in Section 1 above, subject to the Finance Department's completion of the refund referenced in Section 2 above, Special Service Area Number 7 is hereby declared completed and closed.

SECTION 5: That the Village Clerk is hereby authorized and directed to file a certified copy of this Ordinance with the DuPage County Clerk's Office, and to record a certified copy of this Ordinance with the DuPage County Recorder's Office, with the cover sheet for said recording to reference the recording date and document number for the Ordinance that established Special Service Area Number 7.

SECTION 6: That this Ordinance shall be in full force and effect from and after its passage and approval as provided by law.

Passed on first reading this ____ day of _____, 2017.

First reading waived by action of the Board of Trustees this 6th day of April, 2017.

Passed on second reading this 6th day of April, 2017, pursuant to a roll call vote as follows:

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED by me this 6th day of April, 2017.

Keith Giagnorio, Village President

ATTEST:

Sharon Kuderna, Village Clerk