ORDINANCE NO. 2019 - 2321

AN ORDINANCE AUTHORIZING THE ESTABLISHMENT OF INTERESTED PARTIES REGISTRIES AND ADOPTING RULES FOR SUCH REGISTRIES FOR REDEVELOPMENT PROJECT AREAS IN THE VILLAGE OF WESTCHESTER

WHEREAS, the Village of Westchester, Cook County, Illinois (the "Village") is considering the designation of one or more "redevelopment project area(s)," as defined in the Tax Increment Allocation Redevelopment Act, 65 ILCS 5/11-74.4-1, *et seq.* (the "Act"); and

WHEREAS, pursuant to Section 11-74.4-4.2 of the Act, the Village is required to establish certain interested parties' registries (individually, a "Registry" and collectively, the "Registries") and adopt registration rules for such Registries; and

WHEREAS, the Village desires to adopt this Ordinance in order to comply with such requirements of the Act.

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

Section 1. The statements set forth in the preambles to this Ordinance are found to be true and correct and are adopted as part of this Ordinance.

Section 2. The Village Clerk or designee is hereby authorized and directed to create a Registry in accordance with Section 11-74.4-4.2 of the Act for each redevelopment project area (RPA) created under the Act and not terminated by the Village, whether now existing or created after the date of the adoption of this Ordinance.

Section 3. In accordance with Section 11-74.4-4.2 of the Act, the Village hereby adopts the registration rules attached hereto as Exhibit A and incorporated herein by reference (the "Rules") as the Rules for each Registry. The corporate authorities of the Village may amend such Rules from time to time as may be necessary or desirable to comply with and carry out the purposes intended by the Act.

Section 4. The Village Clerk or designee is hereby authorized and directed to cause the publication of the notice that Interested Parties may register with the Village in order to receive information about the proposed designation of a redevelopment project area (the "Notice"), said Notice being substantially in the form attached hereto as Exhibit B and

incorporated herein by reference, in a newspaper of general circulation within the Village and in accordance with the Act.

Section 5. All ordinances, resolutions, motions or orders in conflict with this ordinance are hereby repealed to the extent of such conflict.

Section 6. If any provisions of this Ordinance is held to be invalid by a court of competent jurisdiction, that provision shall be stricken from this Ordinance and the remainder of this Ordinance shall continue in full force and effect to the extent possible.

Section 7. This Ordinance shall be in full force and effect from and after its passage and approval, as provided by law.

ADOPTED this 17th day of December, 2019, pursuant to a roll call vote as follows:

Angelo A. Calcagno A
Cathy Kuratko A
Tracy Hart Markey A
Frank Perry A
Nick Steker A

President Gattuso _____

APPROVED this 17th day of December, 2019.

Paul Gattuso, Village President

ATTEST:

Stanley V. Kolodziej, Village Clerk

ORDINANCE NO. 2019- _____

AN ORDINANCE AUTHORIZING THE ESTABLISHMENT OF INTERESTED PARTIES REGISTRIES AND ADOPTING RULES FOR SUCH REGISTRIES FOR REDEVELOPMENT PROJECT AREAS IN THE VILLAGE OF WESTCHESTER

PASSED AND APPROVED BY THE
PRESIDENT AND BOARD OF TRUSTEES
THIS 17TH DAY OF DECEMBER, 2019

Published in pamphlet form by
Authority of the Corporate
Authorities of Westchester, Illinois
the ___ day of December, 2019

EXHIBIT A

VILLAGE OF WESTCHESTER
REGISTRATION RULES FOR INTERESTED PARTIES REGISTRY

A. Definitions. As used in these Registration Rules, the following terms shall have the definitions set forth below.

"Act" shall mean the Tax Increment Allocation Redevelopment Act, 65 ILCS 5/11-74.4-1, *et seq.*, as amended from time to time.

"Clerk" shall mean the Clerk of the Village or Village department charged with creating and/or maintaining the Registries.

"Interested Party(ies)" shall mean any individual or organization or entity registered in a specific Registry who has registered in such Registry and whose registration has not been terminated in accordance with these Registration Rules.

"Redevelopment Project Area" shall mean a Redevelopment Project Area that (a) is intended to qualify (or has subsequently qualified) as a Redevelopment Project Area under the Act and (b) is subject to the Interested Parties Registry requirements of the Act.

"Registration Form" shall mean the form appended to these Registration Rules or such revised form as may be approved by the Village consistent with the requirements of the Act.

"Registry" or "Registries" shall mean each Interested Parties Registry, and all such Registries, collectively, established by the Village pursuant to Section 11-74.4-4.2 of the Act for any and all Redevelopment Project Areas in the Village.

"Village" shall mean the Village of Westchester, Cook County, Illinois.

B. Establishment of Registry. The Village shall establish a separate Interested Parties Registry for each Redevelopment Project Area, whether existing as of the date of the adoption of these Rules or hereafter established. The Village shall establish a new Registry whenever it has identified an area for study and possible designation as a Redevelopment Project Area. In any event, the process of establishing the new Registry must be completed prior to the deadline for sending any of the notices required by Section (J) of these Rules or any other notices required by the Act with respect to the proposed Redevelopment Project Area.

C. Maintenance of Registry. The Registries shall be maintained by the Clerk or his or her designee. In the event the Village Manager determines that an individual or department other than the Clerk should maintain the Registries, the Village Manager may transfer the responsibility for maintaining the Registries to such other individual department.

D. Registration by Residents. An individual seeking to register as an Interested Party with respect to a Redevelopment Project Area must complete and submit a Registration Form to the Clerk.

E. Registration by Organizations. An organization seeking to register as an Interested Party with respect to a Redevelopment Project Area must complete and submit a Registration Form to the Clerk.

F. Determination of Eligibility. All individuals and organizations whose Registration Form and supporting documentation complies with these Registration Rules shall be registered in the applicable Registry within ten (10) business days after the Clerk's receipt of all such documents. The Clerk shall provide written notice to the registrant confirming such registration. Upon registration, Interested Parties shall be entitled to receive all notices and documents required to be delivered under these Rules or as otherwise required under the Act with respect to the applicable Redevelopment Project Area. If the Clerk determines that a registrant's Registration Form and/or supporting documentation is incomplete or does not comply with these Registration Rules, the Clerk shall give written notice to the registrant specifying the defect(s) and the registrant shall be entitled to correct any defects and resubmit a new Registration Form and supporting documentation.

G. Renewal and Termination. An Interested Party's registration shall remain effective for a period of three years. At any time after such three-year period, the Clerk may provide written notice by regular mail to the Interested Party, stating that such registration shall terminate unless the Interested Party renews such registration within thirty (30) days after the Clerk's mailing of the written notice. To renew such registration, the Interested Party shall, within such thirty (30) day period, complete and submit the same Registration Form then required of initial registrants in the Village. The registration of all individuals and organizations whose Registration Form is submitted in a timely manner and complies with these Registration Rules shall be renewed for an additional, consecutive three year period. If the Clerk determines that a registrant's renewal Registration Form is incomplete or does not comply with these Registration Rules, the Clerk shall give written notice to the registrant at the address specified in the renewal Registration Form submitted by such registrant specifying the defect(s). The registration shall be entitled to correct any defects and resubmit a new Registration Form within thirty (30) days after receipt of the Clerk's notice. If all defects are not corrected within thirty (30) days after the Interested Party's receipt of the Clerk's notice, the Interested Party's registration shall be terminated. Any Interested Party whose registration is terminated shall be entitled to register again as if a first-time registrant.

H. Amendment to Registration. An Interested Party may amend its registration by giving written notice to the Clerk by certified mail of any of the following: (i) change in address for notice purposes; (ii) in the case of organizations, a change in the name of the contact person; and (iii) a termination of registration. Upon receipt of such notice, the Clerk shall revise the applicable Registry accordingly.

I. Registries Available for Public Inspection. Each Registry shall be available for public inspection during normal business hours. The Registry shall include the name, address and telephone number of each Interested Party and for organizations, the name and phone number of a designated contact person.

J. Notices to Be Sent to Interested Parties. Interested Parties shall be sent the following notices and any other notices required under the Act with respect to the applicable Redevelopment Project Area:

(i) Pursuant to sub-section 11-74.4-5(a) of the Act, notice of the availability of a proposed redevelopment plan and eligibility report, including how to obtain this information; such notice shall be sent by mail within a reasonable period of time after the adoption of the ordinance fixing the public hearing for the proposed redevelopment plan.

(ii) Pursuant to sub-section 11-74.4-5(a) of the Act, notice of changes to proposed redevelopment plans that 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; such notice shall be sent by mail not later than ten (10) days following the Village's adoption by ordinance of such changes.

(iii) Pursuant to Section 11-74.4-5(c) of the Act, notice of amendments to previously approved redevelopment plans that do not (1) add additional parcels of property to the redevelopment project area, (2) substantially affect the general land uses in the redevelopment plan, (3) substantially change the nature of the redevelopment project, (4) increase the total estimated redevelopment project costs set out in the redevelopment plan by more than 5 percent after adjustment for inflation from the date the plan was adopted, (5) add additional redevelopment project costs to the itemized list of redevelopment project costs set out in the redevelopment plan, or (6) 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, to a total of more than 10; such notice will be sent by mail not later than ten (10) days following the Village's adoption by ordinance of such amendment.

(iv) Pursuant to sub-section 11-74.4-5(d)(9) of the Act, for redevelopment plans or projects that would result in the displacement of residents from 10 or more inhabited residential units or that contain 75 or more inhabited residential units, notice of the availability of the annual report described by sub-section 74.4-5(d) of the Act, including how to obtain the annual report; such notice shall be sent by mail within a reasonable period of time after completion of the certified audit report.

(v) Pursuant to sub-section 11-74.4-6(e) of the Act, notice of the preliminary public meeting required under the Act for a proposed Redevelopment Project Area that will result in the displacement of residents from 10 or more inhabited residential units or which will contain 75 or more inhabited residential units; such notice shall be sent by certified mail not less than fifteen (15) days before the date of such preliminary public meeting.

K. Non-Interference. These Registration Rules shall not be used to prohibit or otherwise interfere with the ability of eligible organizations and individuals to register for receipt of information to which they are entitled under the Act.

L. Amendment of Registration Rules. These Registration Rules may be amended by the Village Board, subject to and consistent with the requirements of the Act.

INTERESTED PARTIES REGISTRATION FORM

Registration for Individuals: If you would like to register on the Interested Parties Registry for one or more Redevelopment Project Areas (TIFs) in the Village of Westchester, please complete Part A of this form, sign and date the form and submit to the Village Clerk at the address indicated below.

Registration for Organization: If you would like to register on the Interested Parties Registry for one or more Redevelopment Project Areas (TIFs) in the Village of Westchester, please complete Part B of this form, sign and date the form and submit to the Village Clerk at the address indicated below.

PART A: REGISTRATION FOR INDIVIDUALS (Please Print)

Name_____

Street Address_____

Zip Code_____ Home Telephone_____

Fax Number_____ E-Mail Address_____

Please check the TIF(s) you are interested in below:

( ) [insert name of proposed redevelopment project area]

PART B: REGISTRATION FOR ORGANIZATIONS (Please Print)

Organization Name_____

Contact Name_____

Street Address_____

Village_____ State_____ Zip Code_____

Telephone_____ Fax Number_____

E-Mail Address_____

Please check the TIF(s) you are interested in below:

( ) [insert name of proposed redevelopment project area]

Please return this form to: TIF Interested Parties Registry
Office of the Village Clerk
Village of Westchester
10300 West Roosevelt Road
Westchester, Illinois 60154

Signature/Title_____ Date_____

EXHIBIT B

NOTICE – VILLAGE OF WESTCHESTER
TAX INCREMENT FINANCING REDEVELOPMENT PROJECT AREA
REGISTRATION FOR INTERESTED PARTIES REGISTRY

Pursuant to Section 11-74.4-2 of the Tax Increment Allocation Redevelopment Act, 65 ILCS 5/11-74.4-1, *et seq.* (the "Act"), the Village of Westchester (the "Village") is required to establish an interested parties registry ("Registry" or "Registries") for each "Redevelopment Project Area" created pursuant to the Act, whether existing as of the date of this Notice or hereafter established. On _____, 20____, the Village adopted an ordinance authorizing the establishment of Registries by the Village Clerk (the "Clerk") and adopting Registration Rules for such Registries. The purpose of this Notice is to inform Interested Parties of the Registries and Registration Rules for the Registries and to invite Interested Parties (as defined below) to register in the Registry for any Redevelopment Project Area in the Village.

Any individual or organization requiring information pertaining to activities within one or more Redevelopment Project Area in the Village (an "Interested Party") is entitled to register in the Registry for any Redevelopment Project Area. Organizations include, but are not limited to, businesses, business organizations, civic groups, not-for-profit corporations and community organizations.

An organization seeking to register as an Interested Party with respect to a Redevelopment Project Area must also complete and submit a Registration Form to the Clerk.

An Interested Parties Registry is being established for the following Redevelopment Project Area(s), which is being considered for establishment by the Village:

[insert name of proposed redevelopment project]

All individuals and organizations whose Registration Forms comply with the Registration Rules, and are submitted, either in person or by mail, to the office of the Village Clerk, Village of Westchester, 10300 West Roosevelt Road, Westchester, Illinois 60154, will be registered in the applicable Registry within ten (10) business days after the Clerk's receipt of all such documents. The Clerk will provide written notice to the registrant confirming such registration.

Upon registration, Interested Parties will be entitled to receive all notices and documents required to be delivered under the Act with respect to the applicable Redevelopment Project Area. If the Clerk determines that a registrant's Registration Form is incomplete or does not comply with the Registration Rules adopted by the Village, the Clerk will give written notice to the registrant specifying the defects. The registrant will be entitled to correct any defects and resubmit a new Registration Form and supporting documentation. An Interested Party's registration will remain effective for a period of three (3) years. Rules for the renewal or amendment of an Interested Party's registration are included with the Registration Form that may be obtained as described herein.

Each Registry will be available for public inspection at the office of the Clerk during normal business hours. The Registry will include the name, address and telephone number of each Interested Party or for organizations, the name and phone number of a designated contact person.

Registration Forms may be picked up at the office of the Village Clerk, Village of Westchester, 10300 West Roosevelt Road, Westchester, Illinois 60154, and may be obtained by Interested Parties or by their representatives. Registration Forms will not be mailed or faxed. If you require additional information, please call the office of the Village Clerk at (708) 345-0020.

/s/ [Village Clerk name]
[Village Clerk name]