

RESOLUTION 2010 - \_\_\_\_\_

**A RESOLUTION OF THE CITY OF O’FALLON, ILLINOIS AUTHORIZING THE ESTABLISHMENT OF TAX INCREMENT FINANCING “INTERESTED PARTIES” REGISTRIES AND ADOPTING REGISTRATION RULES FOR THESE REGISTRIES**

**WHEREAS**, the City of O’Fallon (the “City”) is a municipality as described in Section § 6(a) Article VII of the 1970 Constitution of the State of Illinois, and as such may exercise any power and function pertaining to its government and affairs;

**WHEREAS**, pursuant to Section § 11-74.4-4.2 of the Tax Increment Allocation Redevelopment Act, 65 ILCS § 5/11-74.4-1, et seq. (the “TIF Act”), the City is required to establish certain “interested parties” registries and adopt registration rules for such registries;

**WHEREAS**, the City desires to adopt this resolution in order to comply with such requirements of the TIF Act; now, therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF O’FALLON;

SECTION 1. The above recitals are incorporated herein and made a part hereof.

SECTION 2. The Clerk or his or her designee, is hereby authorized and directed to create an “interested parties” registry in accordance with Section § 11-74.4-4.2 of the Act for each redevelopment project area created under the Act and not terminated by the City, whether now existing or created after the date of the adoption of this resolution.

SECTION 3. In accordance with Section § 11-74.4-4.2 of the Act, the City hereby adopts the registration rules attached hereto as **Exhibit A** as registration rules for each such “interested parties” registry. The City, with the consent of the City Attorney as to form and legality, shall have the authority to amend such registration 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. If any provision of this resolution shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such provision shall not affect any of the other provisions of this resolution.

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 All ordinances, resolutions, motions or orders in conflict with this resolution are hereby repealed to the extent of such conflict.

SECTION 6. This resolution shall be in full force and effect immediately upon its passage.

Attachment:

**Exhibit A - TIF Interested Parties Registry Registration Rules**

SIGNED:

---

Gary L. Graham, Mayor

ATTEST:

---

Philip A. Goodwin, City Clerk

## EXHIBIT A - TIF INTERESTED PARTIES REGISTRY REGISTRATION RULES

- 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.

“Interested Party(s)” shall mean (a) any organization(s) active within the City; (b) any resident(s) of the City; and (c) any other entity or person otherwise entitled under the Act to register 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 City consistent with the requirements of the Act.

“Registry” or “Registries” shall mean each interested parties registry, and all such registries, collectively, established by the City pursuant to Section § 11-74.4-4.2 of the Act for the Redevelopment Project Area.

“City” shall mean City of O’Fallon, a unit of government under Section § 6(a) Article VII of the 1970 Constitution of the State of Illinois.

- B. Establishment of Registry The City 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 City 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 City Clerk or his or her designee. In the event the City determines that someone other than the Clerk should maintain the Registries, the City may

transfer the responsibility for maintaining the Registries to such other Department provided that the City (i) gives prior written notice to all Interested Parties not less than thirty (30) days prior to such transfer and (ii) publishes notice of such transfer in a newspaper of general circulation in the City.

- D. Registration by Residents An individual seeking to register as an Interested Person with respect to a Redevelopment Project Area must complete and submit a Registration Form to the City Clerk. Such individual must also submit a copy of a current driver's license, lease, utility bill, financial statement or such other evidence as may be acceptable to the Clerk to establish the individual's current City residency.
- E. Registration by Organizations An organization seeking to register as an Interested Person with respect to a Redevelopment Project Area must complete and submit a Registration Form to the City Clerk. Such organization must also submit a copy of a one-page statement describing the organization's current operations in the City.
- 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 of the City 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 City 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). The registrant shall be entitled to correct any defects and resubmit a new Registration Form and supporting documentation.
- G. Renewal and Termination An Interested Person's registration shall remain effective for a period of three years. At any time after such three year period the City Clerk may provide written notice by regular mail to the Interested Person stating that such registration shall terminate unless the Interested Person renews such registration within thirty (30) days of the Clerk's mailing of written notice. To renew such registration, the Interested Person shall, within such thirty (30) day period, complete and submit the same Registration Form and supporting documentation then

required of initial registrants in order to permit the Clerk to confirm such person's residency or such organization's operations in the City. The registration of all individuals and organizations whose Registration Form and supporting documentation is submitted in a timely manner and complies with these Regulation Rules shall be renewed for an additional, consecutive three year period. If the City Clerk determines that a registrant's renewal 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 at the address specified in the renewal Registration Form submitted by such registrant, specifying the defect(s). The registrant shall be entitled to correct any defects and resubmit a new Registration Form and supporting documentation within thirty (30) days of receipt of the Clerk's notice. If all defects are not corrected within thirty (30) days of the Interested Person's receipt of the City Clerk's notice, the Interested Person's registration shall be terminated. Any Interested Person 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 City Clerk by certified mail of any of the following: (i) a 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 City business hours. The Registry shall include the name, address and telephone number of each Interested Person 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 § 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 § 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 low or very low income households to be displaced from the redevelopment project area, provided that measured from the time of creation of the redevelopment project area the total displacement of households will exceed 10; such notice shall be sent by mail not later than ten (10) days following the City's adoption by ordinance of such changes.

- (iii) pursuant to sub-section § 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% 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 low or very low income households to be displaced from the redevelopment project area, provided that measured from the time of creation of the redevelopment project area the total displacement of households will exceed 10; such notice shall be sent by mail not later than 10 days following the City's adoption by ordinance of any such amendment.
- (iv) pursuant to sub-section § 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), 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 § 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 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 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.
  
- I. Amendment of Registration Rules These Registration Rules may be amended by the City subject to and consistent with the requirements of the Act.

## TIF INTERESTED PARTIES REGISTRATION FORM

**Registration for City Residents:** If you are a City of O'Fallon resident, and would like to register on the Interested Parties Registry for one or more tax increment financing (TIF) redevelopment project areas, please complete **Part A** of this form. Proof of residency is required. Please attach to this form a photocopy of one of the following: Driver's License, lease, utility bill, financial statement, or such other evidence as may be suitable to establish your current municipal residency.

**Registration for Organizations:** If your organization is active in the City of O'Fallon, and would like to register on the Interested Parties Registry for one or more tax increment financing (TIF) redevelopment project areas, please complete **Part B** of this form. Please attach a one-page statement which describes the organization's current operations in the municipality. Note: existing organizational documents that provide this information will also be accepted.

---

### PART A: CITY RESIDENT REGISTRATION (Please Print)

Name:  
Street Address:  
City State Zip:  
Home Telephone:

I have attached a copy of \_\_\_\_\_ as proof that I am a resident of the City of O'Fallon as of the date of this form.

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

Please return this form to:

TIF Interested Parties Registry  
City Clerk – City of O'Fallon  
255 South Lincoln Avenue,  
O'Fallon, IL 62269

---

---

**PART B: ORGANIZATION REGISTRATION (Please Print)**

Organization Name:

Contact Name:

Street Address:

City State Zip:

Phone Number:

Check here \_\_\_\_\_ if a statement describing your organization's current operations in the City of O'Fallon is attached.

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

Signature/Title \_\_\_\_\_ Date \_\_\_\_\_

Please return this form to:

TIF Interested Parties Registry  
City Clerk – City of O'Fallon  
255 South Lincoln Avenue,  
O'Fallon, IL 62269

---