

11/22/2006  
11/21/2006  
11/20/2006  
11/17/2006  
11/5/2006

**113-O-06**

**AN ORDINANCE**

**Proposing the Extension (Years) and Expansion (Area) of  
Special Service Area No. 4 for Twelve Additional Years and  
Providing for a Public Hearing and other Procedures  
In Connection Therewith**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF  
EVANSTON, COOK COUNTY, ILLINOIS, in the exercise of its home rule  
powers, as follows:

**SECTION 1: Findings.** The City Council (the "City Council") of  
the City of Evanston (the "City") finds and declares as follows:

(A) The City is, pursuant to Section 6(a) of Article VII of the 1970 constitution of the State of Illinois (the "Illinois Constitution"), a home rule unit and authorized to exercise any power and perform any function pertaining to its government and affairs including, but not limited to, the power to tax.

(B) The City, as a home rule unit, is authorized to establish special service areas in order to provide special services to certain areas within the City and to impose a tax for the provision of such services pursuant to Article VII, Section 6(1) of the Illinois Constitution and 35 ILCS 235/1 *et seq.*

(C) The City on August 10, 1987 pursuant to Ordinance 46-O-87 did establish "Evanston Special Service Area No. 4" in the territory described in Exhibit A, which is attached to and made a part of this Ordinance (the "Territory"). The Territory is compact and contiguous and constitutes a business and commercial area within the City. By the terms of said ordinance, Special Service Area No. 4 was to terminate on the fifth anniversary date of the adoption of Ordinance 46-O-87.

(D) The City, on June 22, 1992, pursuant to Ordinance 47-O-92 did extend Evanston Special Service Area No. 4 in the territory described in Exhibit A for a period of Five (5) additional years. By the terms of said ordinance, Special Service Area No. 4 was to terminate on August 13, 1997.

(E) The City, on January 13, 1997, pursuant to Ordinance 116-O-96 did extend Evanston Special Service Area No. 4 in the territory described in Exhibit A for a period of Ten (10) additional years. By the terms of said, ordinance Special Service Area No. 4 terminates on August 13, 2007.

(F) Evanston Special Service Area No. 4 was established to provide certain public services (the "Services") to supplement services currently or customarily provided by the City to the Territory, assist the promotion and advertisement of the Territory in order to attract businesses and consumers to the Territory, and provide any other public service to the Territory which the City may deem appropriate from time to time. Special services as they apply to said Special Service Area No. 4 have included maintenance of public improvements, increased custodial maintenance including, but not limited to, landscaping, together with any such other further services necessary and/or incidental to the accomplishment of the aforesaid improvement.

(G) It is in the public interest that Special Service Area No. 4 be expanded as described in Exhibit B, which is attached hereto and made a part of this Ordinance (the "Expanded Territory") and extended for twelve (12) years from the date of proposed termination (August 13, 2007).

(H) EvMark, an Illinois not-for-profit corporation, has participated in the management of Special Service Area No. 4, and the City intends to enter into an agreement with EvMark (the "Agreement") to plan and manage the expanded Special Service Area No. 4 for the additional twelve (12) year period. The Agreement designates EvMark as the exclusive provider of certain services that the City is not available to perform for the Expanded Territory on as timely, economical and efficient basis as an independent provider of such services and to promote and advertise the Expanded Territory for the purpose of attracting businesses and consumers to the Expanded Territory.

(I) The Services proposed in Evanston Special Service Area No. 4 are unique and in addition to the general municipal services provided to the City as a whole and will be for the common interests of and benefit specifically the Expanded Territory.

**SECTION 2: Evanston Special Service Area Establishment and Term.** Pursuant to authority granted by the Illinois Constitution and the Illinois Revised Compiled Statutes, the City proposes that the term of Special Service Area No. 4 be extended for twelve (12) years from the date of termination (August 13, 2007), and that the area of Special Service Area No. 4 be expanded (Exhibit B). Upon such expansion and extension, the City proposes that it enter into the "Agreement". Evanston Special Service Area No. 4, if expanded and extended, shall terminate August 13, 2019, unless prior to such date the City enacts an ordinance extending the duration of proposed Evanston Special Service Area No. 4.

**SECTION 3: Hearing.** A public hearing shall be held on the 22nd day of January, 2007, at 2100 Ridge Avenue, Evanston, Illinois, to consider the expansion and extension of Evanston Special Service Area No. 4 in the City of Evanston, Illinois. At the hearing, there shall be considered a proposal for the providing of the Services, including any additional services. At the hearing, there shall also be considered the levy for the purpose of paying for Evanston Special Service Area No. 4 at an annual tax rate of .1464 of the assessed value, as equalized, of the property located within the Expanded Territory, except, that for the first year of the newly expanded and extended Special Service Area No. 4 the tax rate shall be adjusted so that the total levy is no less than \$475,000.00. The tax rate of .1464, as set forth hereinabove, shall be the tax rate throughout the remaining term of the Special Service Area.

Said tax will be levied for a maximum twelve (12) years from the date of termination of Ordinance 49-O-92 extending Evanston Special Service Area No. 4 through August 13, 2019. Said tax is to be levied pursuant to the provisions of the Revenue Act of 1939 upon all taxable property located within the Expanded Territory, and said tax shall be in addition to any other annual tax presently levied by any taxing district within the Expanded Territory. With respect to any tax levied to pay for Evanston Special Service Area No. 4, not less than fifty percent (50%) of the proceeds of any tax so levied shall be used to pay for those Services which will assist the promotion and advertisement of the Expanded Territory in order to attract businesses and consumers to the Expanded Territory. At the hearing, there shall also be considered the proposal that the City enter into the Agreement with EvMark.

**SECTION 4: Notice.** Notice of the hearing shall be published at least once not less than fifteen (15) days prior to the public hearing in the *Evanston Review*, a newspaper of general circulation within the City. In addition, notice by mailing shall be given by depositing said Notice in the United States Postal Service addressed to the person or persons in whose name the general taxes for the last preceding year were paid on each lot, block, tract or parcel of land lying within the Expanded Territory of the proposed Evanston Special Service Area No. 4. Said Notice shall be mailed not less than ten (10) days prior to the time set for the public hearing. In the event taxes for the last preceding year were not paid, the Notice shall be sent

to the person last listed on the tax rolls prior to that year as the owner of said property. In addition to the statutory notice as set forth here and above, notice shall be mailed to the President or Secretary of the condominium associations within the proposed legal boundaries for Special Service Area No. 4. The Notice shall be in substantially the following form:

**NOTICE OF HEARING**  
CITY OF EVANSTON  
SPECIAL SERVICE AREA NO. 4  
EXTENSION OF TERM FOR TWELVE ADDITIONAL YEARS  
AND EXPANSION OF THE AREA

NOTICE IS HEREBY GIVEN that on January 22, 2007, at 8:30 P.M., at 2100 Ridge Avenue, Evanston, Illinois, a hearing will be held by the City of Evanston (the "City") to consider the extension for twelve years of "Evanston Special Service Area No. 4" and that the area of Special Service Area No. 4 be expanded (the "Expanded Territory") legally described in Exhibit A attached to this Notice.

The approximate street locations of the Expanded Territory of the Evanston Special Service Area No. 4 are shown on the map attached as Exhibit B to this Notice.

Evanston Special Service Area No. 4 is to be extended for twelve (12) additional years in order to provide certain public services (the "Services") to the Expanded Territory which will supplement the Services currently or customarily provided by the City to the Expanded Territory, assist the promotion and advertisement of the Expanded Territory in order to attract businesses and consumers to the Expanded Territory, and provide any other public services to the Expanded Territory which the City may deem appropriate from time to time. The Services proposed to be provided are unique and in addition to the general municipal services provided to the City as a whole and will be for the common interests of and benefit specifically the Expanded Territory.

At the hearing, there shall also be considered the levy for the purpose of paying for Evanston Special Service Area No. 4 of an annual tax rate of .1464 of the assessed value, as equalized, of the property located within the Expanded Territory, except, that for the first year of the newly expanded and extended Special Service Area No. 4 the tax rate shall be adjusted so that the

total levy is no less than \$475,000.00. The tax rate of .1464, as set forth hereinabove, shall be the tax rate throughout the remaining term of the Special Service Area. Said tax rate will be levied for a maximum of twelve (12) years from the date of the termination of Evanston Special Service Area No. 4 as set forth in Ordinance 116-O-96 (August 13, 2019) and pursuant to the provisions of the Revenue Act of 1939 upon all taxable property located within the Expanded Territory, and said tax shall be in addition to any other annual tax presently levied by any taxing district within the Expanded Territory. With respect to any tax levied to pay for Evanston Special Service Area No. 4, not less than fifty percentage (50%) of the proceeds of any tax so levied shall be used to pay for those Services which will assist the promotion and advertisement of the Expanded Territory in order to attract businesses and consumers to the Expanded Territory.

EvMark, an Illinois not-for-profit corporation, is to participate in the twelve (12) year extension and expansion of Evanston Special Service Area No. 4, and the City intends to enter into an agreement with EvMark ("Agreement") to plan and manage Evanston Special Service Area No. 4. The Agreement designates EvMark as the exclusive provider of certain services that the City is not available to perform for the Expanded Territory on as timely, economical and efficient basis as an independent provider of such services, and to promote and advertise the Expanded Territory for the purpose of attracting businesses and consumers to the Expanded Territory.

All interested persons affected by the expansion of Special Service Area No. 4 and/or the twelve (12) year extension of Evanston Special Service Area No. 4, including all persons owning taxable real property located within the Expanded Territory, will be given an opportunity to be heard regarding the expansion and extension for twelve (12) years of Evanston Special Service Area No. 4, the levy of taxes affecting proposed Evanston Special Service Area No. 4 and the Agreement; and will be given an opportunity to file objections to the expansion and extension of Evanston Special Service Area No. 4, the levy of taxes affecting Evanston Special Service Area No. 4 and the Agreement. The hearing may be adjourned by the City to another date without further notice other than a motion to be entered upon the minutes of its meeting fixing the time and place of its adjournment.

If a petition signed by at least fifty-one percent (51%) of the electors residing within the Expanded Territory of Evanston Special Service Area No. 4 and by at least fifty-one percent (51%) of the owners of record of the land located included within the Expanded Territory is filed with the City Clerk within sixty (60) days following the final adjournment of the public hearing objecting to the expansion and extension of Evanston Special Service Area No. 4, or the

levy or imposition of a tax for the provision of Services to Evanston Special Service Area No. 4, no such area may be created and no such tax may be levied or imposed.

Dated this 19<sup>th</sup> day of December, 2006

Mary P. Morris  
Mary P. Morris, City Clerk

**SECTION 5: Effective Date:** All ordinances, resolutions and orders, or parts thereof, in conflict herewith, be and the same are hereby repealed and this Ordinance 113-O-06 shall be in full force and effected from and after its passage and approval and publication in the manner provided by law.

Introduced: November 13, 2006

Approved:

December 14, 2006

Adopted: December 11, 2006

Lorraine H. Morton  
Lorraine H. Morton, Mayor

Attest:

Approved as to form:

Mary P. Morris  
Mary P. Morris, City Clerk

Herbert D. Hill  
Herbert D. Hill  
First Assistant Corporation Counsel

EXHIBIT A

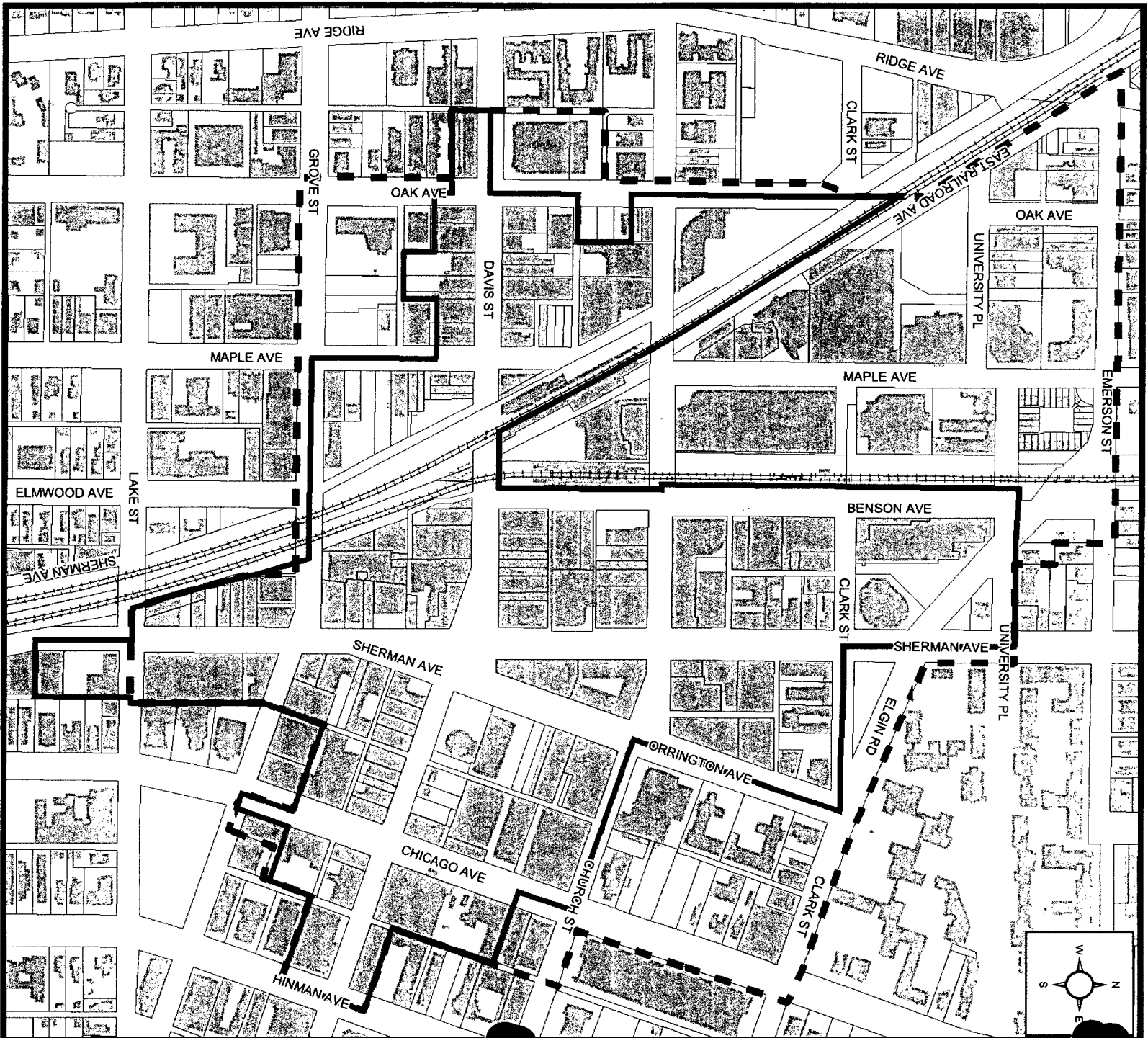
**EVANSTON SPECIAL SERVICE AREA NO. 4 TERRITORY**







EXHIBIT B

**SPECIAL SERVICE AREA NO. 4 EXPANDED TERRITORY**

# SSA No. 4 Study - Version C2



	Potential SSA4 Version C		Building
	Existing SSA4		Tax Parcel

This map is provided as-is without warranties of any kind. Visit [www.cityofevanston.org/mapdiscipliners.html](http://www.cityofevanston.org/mapdiscipliners.html) for more information. 12/5/2006 - SSA4\_potential\_letter.mxd



City of  
**Evanston**  
Geographic Information  
System Division