

33-O-12

AN ORDINANCE

**Authorizing the Establishment of Interested Parties Registries
And Adopting Rules for Such Registries for
Redevelopment Project Areas in the City of Evanston**

WHEREAS, the City of Evanston, Cook County, Illinois (the "City") is considering the designation of a "redevelopment project area or areas", as defined in the Tax Increment Allocation Redevelopment Act, 65 ILCS 5/11-74.4-1, *et. seq.* (the "Act"), pursuant to the provisions of the Act; and

WHEREAS, , pursuant to Section 11-74.4-4.2 of the Act, the City 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 City desires to adopt this ordinance in order to comply with such requirements of the Act,

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF
THE CITY OF EVANSTON, COOK COUNTY, ILLINOIS, THAT:**

SECTION 1: The foregoing recitals are hereby found as fact and incorporated herein by reference.

SECTION 2: The City Clerk or his 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 created or amended under the Act by the City.

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 and incorporated herein by reference (the "Rules") as the Rules for each Registry. The City's Corporate Authorities 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 City Clerk or his designee is hereby authorized and directed to cause the publication of the notice that interested persons may register with the City in order to receive information of the proposed designation of the 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 City.

SECTION 5: The findings and recitals contained herein are declared to be prima facie evidence of the law of the City and shall be received in evidence as provided by the Illinois Compiled Statutes and the courts of the State of Illinois.

SECTION 6: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 7: If any provision of this ordinance or application thereof to any person or circumstance is held unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this ordinance that can be given effect without the invalid application or provision, and each invalid application of this ordinance is severable.

SECTION 8: This ordinance shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

Ayes: 9

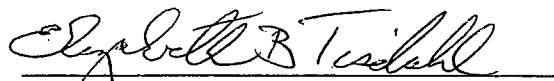
Nays: 0

Introduced: March 26, 2012


Adopted: March 26, 2012

Approved:

March 28, 2012


Elizabeth B. Tisdahl, Mayor

Attest:


Rodney Greene, City Clerk

Approved as to form:


W. Grant Farrar, Corporation Counsel

EXHIBIT A**CITY OF EVANSTON
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.

“Clerk” shall mean the Clerk of the City.

“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 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 any and all Redevelopment Project Areas in the City.

“City” shall mean City of Evanston, Cook County, 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 Clerk or his or her designee. In the event the City determines that an individual 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) published 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 Clerk.
- 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 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 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 Person'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 Person stating that such registration shall terminate unless the Interested Person renews such registration with 30 days after the Clerk's mailing of written notice. To renew such registration, the Interested Person shall, within such 30 day period, complete and submit the same Registration Form then required of initial registrants operations in the City. The registration of all individuals and organizations whose Registration Form is submitted in a timely manner and complies with these Regulation 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 registrant shall be entitled to correct any defects and resubmit a new Registration Form within 30 days after receipt of the Clerk's notice. If all defects are not corrected within 30 days after the Interested Person's receipt of the 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 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 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 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 or resolution 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 10 days following the City'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 10 days following the City'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 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 City 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 City of Evanston, please complete Part A, sign and date the form, and submit to the City 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 City of Evanston, please complete Part B, sign and date the form, and submit to the City Clerk at the address indicated below.

PART A: REGISTRATION FOR INDIVIDUALS (Please Print)

Name _____

Street Address _____

City _____ State _____ Zip Code _____

Telephone (____) _____ Fax (____) _____

E-Mail Address _____

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

- Dempster Dodge TIF
 Chicago Main TIF
 Other TIFs

PART B: REGISTRATION FOR ORGANIZATIONS (Please Print)

Organization Name _____

Contact Name _____

Street Address _____

City _____ State _____ Zip Code _____

Telephone (____) _____ Fax (____) _____

E-Mail Address _____

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

- Dempster Dodge TIF Chicago Main TIF Other TIFs

Please return this form to: TIF Interested Parties Registry
City Clerk's Office
2100 Ridge Avenue
Evanston, Illinois 60201-2796

Signature/Title _____ Date _____

EXHIBIT B
NOTICE – CITY OF EVANSTON
TAX INCREMENT FINANCING REDEVELOPMENT PROJECT AREAS
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 City of Evanston (the “City”) 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. The City has adopted an ordinance authorizing the establishment of Registries by the City 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 City.

Any individual or organization requiring information pertaining to activities within one or more Redevelopment Project Areas in the City (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.

Interested Parties Registries are being established for the following Redevelopment Project Areas, which the City is considering designating:

Proposed Dempster Dodge TIF District
Proposed Chicago Main TIF District
Any City TIF Districts

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 City Clerk, 2100 Ridge Avenue, Evanston, Illinois 60201-2796, will be registered in the applicable Registry within 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 City, 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 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 Person and, or organizations, the name and phone number of a designated contact person.

Interested Parties will 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 10 days following the City's adoption by ordinance or resolution 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 10 days following the City'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 15 days before the date of such preliminary public meeting.

Registration Forms may be picked upon at the office of the City Clerk, City of Evanston, 2100 Ridge Avenue, Evanston, Illinois 60201 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 City Clerk at 847/448-4311.