

ORDINANCE NO. O-24-12

AN ORDINANCE DEEMING CERTAIN FUNDS IN THE PALATINE ROAD REDEVELOPMENT TIF PROJECT AREA, AS "SURPLUS" FUNDS, AND DIRECTING THE PAYMENT AND DISTRIBUTION THEREOF BY THE CITY OF PROSPECT HEIGHTS, COOK COUNTY, ILLINOIS

WHEREAS, the City of Prospect Heights (the "City") is a municipal entity duly organized and operating pursuant to the laws of the State of Illinois; and

WHEREAS, pursuant to the Illinois Tax Increment Allocation Redevelopment Act, 65 ILCS 5/11-74.4-1 *et seq.*, (the "TIF Act") the City did, on January 22, 1998, adopt ordinance numbers O-98-08, designating a redevelopment project area, approving a redevelopment plan and project, and adopting tax increment financing, respectively, for the Palatine Road Redevelopment Project Area; and

WHEREAS, in accordance with the terms of ordinance numbers O-98-08, the designation of the Palatine Road Redevelopment Project Area terminated on September 22, 2022, subject to the receipt of the 2023 incremental real estate tax revenues by the Palatine Road Redevelopment Project Area Special Tax Allocation Fund during calendar year 2024 and the expenditure of those funds by the Corporate Authorities for payment and retirement of all obligations incurred to finance redevelopment project costs as defined in the Project Plan, which have been previously approved by the Corporate Authorities on or before September 22, 2022, but are payable in calendar year 2024; and

WHEREAS, the Acting Mayor and City Council have determined that it is in the best interests of the City and its residents and other local taxing districts that the designation of the Palatine Road Redevelopment Project Area as a redevelopment project area under the TIF Act be terminated, that the Palatine Road Redevelopment Project Area Special Tax Allocation Fund be dissolved as provided by Ordinance No. O-22-27, and that money remaining in the Palatine Road Redevelopment Project Area Special Tax Allocation Fund be distributed to the appropriate taxing districts, all in accordance with the provisions of the TIF Act; and

WHEREAS, the City is required by Sections 11-74.4-5(d)(5)(D) and 11-74.4-8 of the TIF Act to annually designate all funds deposited into the special tax allocation fund established pursuant to the TIF ordinances that are not identified as being required, pledged, earmarked or otherwise designated for payment of or securing of obligations or anticipated redevelopment project costs as "surplus" funds; and

WHEREAS, the Mayor and City Council of the City must cause the distribution thereof by paying the same to the taxing districts in the Palatine Road Redevelopment Project Area, the Illinois Department of Revenue, and the City, in direct proportion to the amount of funds received from the collection of real estate taxes and from the State of Illinois and deposited into such special tax allocation fund, such amount to the taxing districts in the Palatine Road Redevelopment Project Area to be in the same manner and proportion as the most recent distribution by the County Clerk of Cook County, Illinois to the affected taxing districts of real property taxes from real property in the Redevelopment Project Area

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PROSPECT HEIGHTS, COOK COUNTY, ILLINOIS:

SECTION ONE: The recitals set forth hereinabove shall be and are hereby incorporated as findings as if said recitals were fully set forth within this Section One.

SECTION TWO: The Mayor and City Council find, determine, and declare that the amount of funds deposited in the special tax allocation fund for the Redevelopment Project Area that is not required, pledged, earmarked or otherwise designated for payment of or securing of obligations or anticipated redevelopment project costs is eight hundred fifty-four thousand five hundred eighty-two dollars and two cents (\$854,582.02), such amount having been calculated and now deemed to be "surplus" funds for the year 2024 pursuant to Sections 1-74.4-5(d) and 11-74.4-8 of the TIF Act.

SECTION THREE: The City Treasurer is hereby authorized and directed to cause the payment and distribution of all such "surplus" funds in the manner and proportion as specified in Sections 11-74.4-5(d) and 11-74.4-8 of the TIF Act.

SECTION FOUR: All actions of the officers, agents, and employees of the City that are in conformity with the purposes and intent of this Ordinance O-24-12, whether taken before or after the adoption hereof, are hereby ratified, confirmed, and adopted

SECTION FIVE: That, pursuant to 65 ILCS 5/11-74.4-8, a certified copy of the Ordinance shall be forward, by the City Clerk, to each taxing district impacted by the Palatine Road Redevelopment Project Area, and certified copies of this Ordinance shall also be forwarded to the Cook County Clerk, and to the Cook County Collector (Treasurer), prior to June 30, 2024.

SECTION SIX: If any section, paragraph, clause, or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect the other provisions of this Ordinance.

SECTION SEVEN: All ordinances and/or resolutions in conflict with this Ordinance are hereby repealed to the extent of such conflict.

SECTION EIGHT: That this Ordinance shall be in full force and effect from and after its passage, approval and publication in the manner provided by law

Passed and approved this 13th day of May, 2024



Patrick Ludvigsen, Mayor

ATTEST:

Joanna Pusz
City Clerk

AYES: Cameron, Anderson, Morgan-Adams, Dolick

NAYS: None

ABSENT: Dasn

May 1, 2024

TO: Mayor Patrick Ludvigsen and Members of City Council

FROM: Cheri Grieco, Finance Director

RE: "Surplus" funds for Palatine Road Redevelopment Project Area TIF District – expired September 28, 2022

Background:

The Palatine Road Redevelopment Project Area TIF District was created in January, 1998, with an expiration date of September, 2022. Incremental real estate taxes attributable to the Palatine Road Redevelopment Project Area TIF District have been received during the term of this TIF. The balance of "Surplus" funds as of April 30, 2024 is \$854,582.02.

Analysis:

In order to comply with the State Statute, once a TIF district dissolves, any surplus funds are required to be forwarded to the Cook County Treasurer's office for distribution to the member agencies.

Recommendation:

Staff recommends that City Council approve the Ordinance deeming certain funds in the Palatine Road Redevelopment Project Area TIF District as "Surplus" funds, and authorize the City Administrator to approve payment and distribution to the Cook County Collector (Treasurer), prior to June 30, 2024.