WHEREAS, the City of DeKalb, Illinois desires to implement tax increment financing pursuant to the Tax Increment Allocation Redevelopment Act, 65 ILCS 5/11-74.4-1 et. seq., as amended (hereinafter referred to as the "Act") for the proposed Redevelopment Plan and Project (the "Plan") within the municipal boundaries of the City of DeKalb and within the Sycamore Road Redevelopment Project Area (the "Project Area") as described in Exhibit A attached to this Ordinance, which constitutes in the aggregate more than 1-1/2 acres; and

WHEREAS, the Plan was made available for public inspection at the City Clerk’s office on May 3, 2013; and

WHEREAS, the City Council did on June 10, 2013 pass Resolution 13-37, setting August 12, 2013 as the date for the public hearing on the Plan, with the time and place of such hearing identified in said Resolution; and

WHEREAS, due notice with respect to the availability of the Plan, which contains an eligibility report, was given by mail on June 11, 2013 pursuant to Section 11-74.4-5 of the Act, said notice being given to all interested parties that have registered with the City concerning the proposed Sycamore Road Redevelopment Project Area; and

WHEREAS, due notice with respect to the availability of the Plan, which contains an eligibility report, was given by mail on June 11, 2013 pursuant to Section 11-74.4-5 of the Act, said notice being given to all residential addresses that, after a good faith effort, the City determined are located within 750 feet of the boundaries of the Sycamore Road Redevelopment Project Area; and

WHEREAS, pursuant to Section 11-74.4-5 of the Act, the City Council caused a public hearing to be held relative to the Redevelopment Plan and Redevelopment Project and the proposed designation of the Sycamore Road Redevelopment Project Area on August 12, 2013 at DeKalb City Hall; and

WHEREAS, due notice with respect to such hearing was given pursuant to Section 11-74.4-5 and 6 of the Act, said notice being given to taxing districts and to the State of Illinois by certified mail on June 11, 2013; by publication on July 16, 2013 and July 23, 2013; and by certified mail to property owners within the Area on July 23, 2013; and

WHEREAS, an addendum to the Plan ("Addendum A", dated October 11, 2013) was prepared to modify the boundaries of the Project Area by removing a parcel of real property from the Project Area and to provide for a declaration of an annual surplus of tax increment revenue for distribution back to the affected taxing districts; and
WHEREAS, pursuant to Section 11-74.4-5 of the Act, the removal of the parcel from the Project Area boundary and the added provision for declaring an annual surplus, as provided for in Addendum A to the Plan, may be made without further hearing, provided that the City shall give notice of any such changes by mail to each affected taxing district and registrant on the interested parties registry, provided for under Section 11-74.4-4.2, and by publication in a newspaper of general circulation within the affected taxing districts not later than 10 days following the adoption of such changes by this ordinance.

WHEREAS, the Redevelopment Plan and Project set forth the factors constituting the need for abatement of conditions in the Project Area that have led to blight or may lead to blight, and the City Council has reviewed testimony concerning such need presented at the public hearing and has reviewed the eligibility report and is generally informed of the conditions in the Sycamore Road Redevelopment Project Area as the terms “conservation area” are defined in the Act; and

WHEREAS, the City Council has reviewed the conditions pertaining to lack of private investment in the Sycamore Road Redevelopment Project Area to determine whether private development would take place in the proposed Area as a whole without the adoption of the proposed Tax Increment Redevelopment Plan and Project for said Area; and

WHEREAS, the City Council has reviewed the conditions pertaining to real property in the Sycamore Road Redevelopment Project Area to determine whether contiguous parcels of real property in said Project Area would be substantially benefited by the proposed redevelopment project improvements; and

WHEREAS, the City Council has reviewed the proposed Sycamore Road Tax Increment Redevelopment Plan and Project and the Comprehensive Plan for the development of the municipality as a whole to determine whether the proposed Redevelopment Plan and Project conforms to the Comprehensive Plan of the City.

NOW, THEREFORE, BE IT ORDAINED, BY THE CITY COUNCIL OF THE CITY OF DeKalb, ILLINOIS, that:

The City Council of the City of DeKalb makes the following findings:

Section 1. The area constituting the Sycamore Road Redevelopment Project Area in the City of DeKalb, Illinois is described in Exhibit A, attached hereto and made part of this Ordinance.

Section 2. There exist conditions that cause the area to be designated as a Redevelopment Project Area to be classified as a combination “blighted area” and “conservation area” as defined in Section 11-74.4-3 of the Act.

Section 3. The Sycamore Road Redevelopment Project Area, on the whole, has not been subject to growth and development through investment by private enterprise and would not be reasonably anticipated to be developed without the adoption of the Redevelopment Plan.

Section 4. The Redevelopment Plan and Redevelopment Project for the Sycamore Road Redevelopment Project Area conforms to the Comprehensive Plan for the development of the municipality as a whole.
EXHIBIT A

Boundary Description of the Sycamore Road Redevelopment Project Area


EXCEPTING THAT PART OF SECTION 13, TOWNSHIP 40 NORTH, RANGE 4 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE SECTION LINE BETWEEN SECTION 12 AND SAID SECTION 13, 1440.4 FEET EAST OF THE SECTION CORNER COMMON TO SECTIONS 11, 12, 13, AND 14, AND ON THE EAST LINE OF THE RIGHT-OF-WAY OF THE FORMER CHICAGO, MILWAUKEE, AND ST. PAUL RAILROAD; THENCE EASTERLY ALONG THE NORTH LINE OF SECTION 13 A DISTANCE OF 339.88 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF SYCAMORE ROAD (FORMERLY DEKALB AND SYCAMORE ROAD);
EXHIBIT B

Tax Increment Financing Redevelopment Plan and Project, Sycamore Road Redevelopment Project Area
Section 5. The parcels of real property in the proposed Redevelopment Project Area are contiguous and only those contiguous parcels of real property, which will be substantially benefited by the proposed redevelopment project, are included in the Sycamore Road Redevelopment Project Area.

Section 6. The estimated date for the completion of the Redevelopment Project or retirement of obligations issued shall not be later than December 31 of the year in which the payment to the City Treasurer as provided in subsection (b) of Section 11-74.4-8 of the Act is to be made with respect to ad valorem taxes levied in the twenty-third calendar year after the year in which the ordinance approving the Sycamore Road Redevelopment Project Area is adopted.

Section 7. The Tax Increment Redevelopment Plan and Project for the Sycamore Road Redevelopment Project Area, dated April 24 2013, which was the subject matter of the hearing held on August 12, 2013, and as modified by Addendum A, dated October 11, 2013, is hereby adopted and approved. A copy of the aforementioned Redevelopment Plan and Project, marked as Exhibit B, is attached to and made a part of this Ordinance.

Section 8. The City Clerk is hereby directed, within 10 days from the date of passage and approval, give notice of the passage of this Ordinance by mail to each affected taxing district and registrant on the interested parties registry and publish said notice in the Daily Chronicle, a newspaper of general circulation within the affecting taxing districts.

Section 9. All Ordinances and parts of Ordinances in conflict herewith are hereby repealed.

Section 10. This Ordinance shall be in full force and effect after passage and publication pursuant to law. Publication date: N/A. Effective date: N/A.

NO ACTION TAKEN, ITEM DID NOT RECEIVE MOTION TO PASS AS ORD. 13-67 FAILED BY VOTE OF 1-7

PASSED BY THE CITY COUNCIL of the City of DeKalb, Illinois at a regular meeting thereof held on the ___ day of _______, 2013 and approved by me as Mayor on the same day.

ATTEST:

ELIZABETH E. PEERBOOM, City Clerk  

JOHN A. REY, Mayor