

**AN ORDINANCE FIXING A TIME AND PLACE
FOR A PUBLIC HEARING IN CONNECTION WITH A PROPOSED
SUPPLEMENT AND AMENDMENT TO THE REDEVELOPMENT PLAN AND
RELATED REDEVELOPMENT PROJECTS FOR THE DOWNTOWN URBANA
TAX INCREMENT REDEVELOPMENT PROJECT AREA**

WHEREAS, pursuant to a series of ordinances (Ordinance Nos. 8081-61, 8081-62 and 8081-63), adopted December 22, 1980, including as supplemented by an ordinance (Ordinance No. 8687-31) adopted October 6, 1986 (collectively, the "**TIF Ordinances**") in connection with the Urbana Downtown Tax Increment Redevelopment Project Area (the "**Redevelopment Project Area**"), the City Council of the City of Urbana, Champaign County, Illinois (the "**Municipality**") adopted the Urbana Downtown Tax Increment Area Redevelopment Plan and related Redevelopment Projects (the "**Redevelopment Plan**" and "**Redevelopment Projects**"), designated the Redevelopment Project Area, and authorized tax increment finance ("**TIF**") under the Tax Increment Allocation Redevelopment Act (65 ILCS 5/11-74.4-1 et seq.), as supplemented and amended (including the predecessor act thereof, the "**TIF Act**"), and provided for the life of the Redevelopment Plan, Redevelopment Projects and Redevelopment Project Area utilizing TIF for a term of not more than 23 years;

WHEREAS, pursuant to an ordinance (Ordinance No. 9394-100), adopted May 16, 1994 (the "**1st Amending Ordinance**"), the City Council of the Municipality amended the TIF Ordinances in accordance with Sections 11-74.4-3(i) and (n), 11-74.4-7 and 11-74.4-8a of the TIF Act to extend the 23-year term for the life of the Redevelopment Plan, Redevelopment Projects and Redevelopment Project Area to the date on which the Redevelopment Project Area is terminated, or bonds with respect to certain redevelopment project costs for the Redevelopment Project Area are retired, or December 31, 2013, whichever date occurred first, but such extension was expressly not made applicable to real property TIF under Section 11-74.4-8 of the TIF Act; and

WHEREAS, pursuant to an ordinance (Ordinance No. 9394-99) adopted May 16, 1994 (the "**Bond Ordinance**"), the Municipality, on June 1, 1994, issued \$1,990,000 original principal amount General Obligation Tax Increment Refunding Bond, Series 1994A (the "**Series 1994A Bonds**") to refund certain outstanding prior bonds issued to finance redevelopment project costs within the Redevelopment Project Area and pledged the "Incremental Property Taxes" and the "Incremental Sales Taxes" (as each such quoted term is defined in the Bond Ordinance) derived from the Redevelopment Project Area and deposited in the special tax allocation fund to the payment thereof; and

WHEREAS, \$865,000 total amount of the Series 1994A Bonds remain outstanding, which such outstanding bonds bear interest at the rates and mature and become due and payable on March 1 of the years (subject to prior redemption) in the principal amount in each year as follows:

<u>Year</u>	<u>Principal Amount (\$)</u>	<u>Interest Rate (%)</u>
2005	60,000	5.25
2006	70,000	5.25
2007	75,000	5.25
2008	85,000	5.25
2009	95,000	5.25
2010	105,000	5.25
2011	115,000	5.25
2012	125,000	5.25
2013	135,000	5.25

and

WHEREAS, pursuant to an ordinance (Ordinance No. 2002-06-063), adopted June 17, 2002 (the "**2nd Amending Ordinance**"), the City Council of the Municipality amended the Redevelopment Plan and the Redevelopment Projects to extend the estimated date of completion of the Redevelopment Plan and Redevelopment Projects for the purposes of real property TIF under Section 11-74.4-8 of the TIF Act only to be not later than December 31, 2004; and

WHEREAS, pursuant to an ordinance (Ordinance No. 2003-03-031), adopted April 7, 2003 (the "**3rd Amending Ordinance**"), the City Council of the Municipality terminated real property TIF for the Redevelopment Project Area

under Section 11-74.4-8 of the TIF Act as of December 31, 2003, the year in which payment to the Comptroller of the Municipality is to be made in respect to ad valorem taxes levied in the twenty-third (23rd) calendar year after the TIF Ordinances were adopted, but continued the special tax allocation fund for the Redevelopment Project Area and extended the estimated dates of the completion of the Redevelopment Projects and retirement of the Series 1994A Bonds to December 31, 2013; and

WHEREAS, pursuant to an ordinance (Ordinance No. 2003-12-148), adopted December 15, 2003 (the "**4th Amending Ordinance**"), the City Council of the Municipality rescinded and repealed the termination of real property TIF for the Redevelopment Project Area under Section 11-74.4-8 of the TIF Act as of December 31, 2003 as provided in the 3rd Amending Ordinance, and extended the date for the completion of the Redevelopment Projects and the retirement of obligations issued to finance redevelopment project costs for the purposes of real property TIF under Section 11-74.8 of the TIF Act until December 31, 2004, as originally provided in the 2nd Amending Ordinance; and

WHEREAS, in connection with such extension, the Municipality is required under Sections 11-74.4-5(d) and 11-74.4-7 of the TIF Act to designate all funds deposited into the special tax allocation fund established under the TIF Ordinances in calendar year 2004 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 to cause the distribution thereof by paying the same to the County Collector of Champaign County, Illinois, who shall immediately thereafter pay such surplus funds to the taxing districts in the Redevelopment Project Area in the same manner and proportion as the most recent distribution by such County Collector to the affected taxing districts of real property taxes from real property in the Redevelopment Project Area; and

WHEREAS, Section 11-74.4-3(n) of the TIF Act in relevant part now further provides that, if the TIF Ordinances were first adopted prior to

January 15, 1981, the estimated date of completion of the Redevelopment Projects and retirement of obligations to finance redevelopment project costs shall not be later than December 31 of the year in which the payment to the Municipality's treasurer as provided in subsection (b) of Section 11-74.4-8 of the TIF Act is to be made with respect to ad valorem taxes levied in the thirty-fifth calendar year after the year in which the TIF Ordinances approving the Redevelopment Project Area were adopted; and

WHEREAS, the City Council of the Municipality has determined that it is advisable for the Municipality to afford itself of the provisions of the TIF Act and to undertake preliminary proceedings related to supplementing and amending the Redevelopment Plan, a draft copy of which was placed on file with the City Clerk of the Municipality on June 25, 2004 and is now before the meeting of the City Council at which this Ordinance is adopted (the "**Redevelopment Plan Amendment**"), including certain other proposed Redevelopment Projects identified therein to further the objectives of the TIF Act; and

WHEREAS, the TIF Act requires the Municipality to conduct a public hearing prior to the adoption of an ordinance or ordinances approving the proposed Redevelopment Plan Amendment and related Redevelopment Projects described therein, at which public hearing any interested person or any affected taxing district may file written objections with the City Clerk of the Municipality and may be heard orally with respect to the proposed approval of the proposed Redevelopment Plan Amendment and related Redevelopment Projects described therein; and

WHEREAS, the TIF Act requires that certain notices of the availability of the proposed Redevelopment Plan Amendment and of such public hearing be given by publication and by mailing; and

WHEREAS, the TIF Act further requires that the Municipality convene a joint review board consisting of a representative designated by each community college district, local community unit school district, park district, library district, township, fire protection district, and county

that will have the authority to directly levy taxes on the property within the Redevelopment Project Area at the time the Redevelopment Plan Amendment is to be approved, including a representative designated by the Municipality and a public member, for the purpose of reviewing the public record, planning documents and proposed ordinance or ordinances approving the Redevelopment Plan Amendment and related Redevelopment Projects described therein that are proposed to be adopted by the Municipality.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF URBANA, CHAMPAIGN COUNTY, ILLINOIS, as follows:

Section 1. Findings. The Corporate Authorities hereby find, determine and declare as follows:

A. that the matters hereinabove set forth in the preambles and recitals to this Ordinance are true, correct and complete and are hereby incorporated herein by this reference thereto; and

B. that the proposed approval of the Redevelopment Plan Amendment and related Redevelopment Projects as described therein are necessary and proper public purposes in order to promote and protect the health, safety, morals and welfare of the public and thereby eradicate blighted conditions, institute conservation measures, undertake the further redevelopment of the proposed Redevelopment Project Area, remove and alleviate adverse conditions and encourage private investment and enhance the tax base of the various taxing districts; and

Section 2. Public Hearing. Under and pursuant to the requirements of the TIF Act, the Corporate Authorities of the Municipality shall hold a public hearing on the proposed Redevelopment Plan Amendment and related Redevelopment Projects described therein. The time, date and place of such public hearing is hereby fixed to be at 7:30 p.m. on Monday, September 7, 2004, at the Municipal Building, 400 S. Vine Street, Urbana, Illinois.

Section 3. Notices of Public Hearing. The appropriate officers, employees and agents of the Municipality are hereby ordered and directed to give or cause to be given notice of such public hearing by publication and by

mail 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 Redevelopment Project Area, to all taxing districts that have taxable property included within the Redevelopment Project Area and to the Illinois Department of Commerce and Community Affairs, each such notice to include such information and be given at such times and in such manner as may be specified under and pursuant to the applicable provisions of the TIF Act.

Section 4. Public Inspection of Feasibility Study and Proposed Redevelopment Plan. The proposed Redevelopment Plan Amendment was placed on file with the City Clerk on or about June 25, 2004, and such document has been and shall continue to be made available for public inspection since at least ten (10) days prior to the adoption of this Ordinance. The appropriate officers, employees and agents of the Municipality are hereby ordered and directed to: (i) send by certified mail within a reasonable time after the adoption of this Ordinance a copy of the proposed Redevelopment Plan Amendment, along with the name of the person to contact for further information, to each affected taxing district; and (ii) give or cause to be given notice of the availability of the proposed Redevelopment Plan Amendment, including how to obtain this information by mail within a reasonable time after the adoption of this Ordinance to all residential addresses that, after a good faith effort, are determined to be located within 750 feet of the boundaries of the Redevelopment Project Area.

Section 5. Joint Review Board. A joint review board as specified in the TIF Act shall be convened by the Municipality and such joint review board shall meet, review the public record, planning documents and proposed ordinance or ordinances approving the Redevelopment Plan Amendment and related Redevelopment Projects described therein and submit any recommendation or report on the proposed approval of the Redevelopment Plan Amendment and related Redevelopment Projects described therein within thirty (30) days after the convening of such joint review board. The first meeting

of such joint review board shall be held at least 14 but not more than 28 days after the mailing of notice by the Municipality to the taxing districts as specified under and pursuant to the TIF Act at the Municipal Building, 400 S. Vine Street, Urbana, Illinois. The Mayor of the Municipality, or his designee, shall be the representative of the Municipality on such joint review board.

Section 6. Effective Date. This Ordinance shall become effective upon its passage and approval as required by law.

This ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called, of a majority of the members of the City Council of the City of Urbana, Illinois, at a regular meeting of said City Council on the 6th day of July, 2004, A.D.

PASSED by the City Council this 6th day of July, 2004.

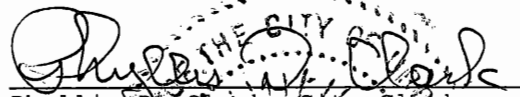
AYES: Chynoweth, Hayes, Huth, Otto, Patt, Whelan, Wyman


NAYS:

ABSTAINS:

APPROVED by the Mayor this 16th day of July,

2004.


Phyllis D. Clark, City Clerk


Tod Satterthwaite, Mayor