



**AGENDA  
SPECIAL CITY COUNCIL MEETING  
COUNCIL CHAMBERS  
204 SOUTH BLOOMINGTON STREET  
STREATOR, IL 61364  
August 22, 2019**

**CALL TO ORDER**

**ROLL CALL**

**APPROVAL OF AGENDA**

**PUBLIC COMMENT**

**OLD BUSINESS**

- 1. MOTION TO TAKE FROM THE TABLE THE MOTION RELATED TO THE ADOPTION OF ORDINANCE 2019-22 DESIGNATING AND APPROVING THE STREATOR BUSINESS DEVELOPMENT DISTRICT NO. 1 AND IMPOSING A RETAILERS' OCCUPATION TAX, A SERVICE OCCUPATION TAX, AND A HOTEL OCCUPATION TAX IN THE STREATOR BUSINESS DEVELOPMENT DISTRICT NO. 1, CITY OF STREATOR, LASALLE AND LIVINGSTON COUNTIES, ILLINOIS.**
- 2. ORDINANCE 2019-22. DESIGNATING AND APPROVING THE STREATOR BUSINESS DEVELOPMENT DISTRICT NO. 1 AND IMPOSING A RETAILERS' OCCUPATION TAX, A SERVICE OCCUPATION TAX, AND A HOTEL OCCUPATION TAX IN THE STREATOR BUSINESS DEVELOPMENT DISTRICT NO. 1, CITY OF STREATOR, LASALLE AND LIVINGSTON COUNTIES, ILLINOIS.**

NOTE: Anyone planning to attend the meeting who has need of special assistance under the Americans with Disabilities Act (ADA) is asked to contact the City Clerk's office at (815) 672-2517, 24 hours prior to the meeting. Staff will be pleased to make the necessary arrangements.

**Dear Northpoint Shopping Center Tenants:**

The City of Streator is Setting up a Business Improvement District that encompasses the Northpoint Shopping Center, new hotel, and Eagle Cinemas properties. This district will require tenants to charge an additional City 1% sales tax. The proceeds of the District will be used to improve the properties and expand and complete various development Projects. Recently the Shopping Center put in a new 6" water main and all new fire hydrants ( which includes the length of Danny's Drive) which benefit not only the Shopping Center but everyone in the surrounding areas as that completes a loop which ensures needed water pressure throughout that region of the City. These projects along with many others have been completed to aid in furthering future development and growth. This Business Improvement District was authorized and should have been setup 4 years ago per the City Council's Inducement Letter that was voted and approved as part of the Redevelopment Agreement with the Shopping Center. By not having this establish yet, a number of projects have been delayed or have suffered setbacks on timetables. Although, we do not need this letter to proceed the City would like to hear your support as well as ours. Please fill-out the below portion and email as soon as possible. Thank you for your cooperation as we strive to continually improve and expand Streator.

Owner Name: Matthew F. Whebbe supports the City of Streator's proposed Business Development District No. 1 to be established at the area known as the Northpoint Shopping Center. I certify I am authorized by the above-named Owner to provide this statement of support.


By: Matthew F. Whebbe (signature) Print Name:

Title: CEO/Chairman Date: August 15th, 2019

Please send me a copy of the letter you deliver to the City on or before August 8, 2019 to [kweinstein@greyrealty.com](mailto:kweinstein@greyrealty.com) .

Keith Weinstein  
Managing Member

# MEMORANDUM

**TO** Mayor Lansford and City Council  
**FROM** David S. Plyman, City Manager   
**DATE** July 11, 2019  
**SUBJECT** Business Development District

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## ISSUE

Consider an ordinance establishing Business Development District No. 1.

## BACKGROUND

In 2017, the City agreed to establish a Business Development District as part of a package of incentives provided to Northpoint Development Holdings, LLC to facilitate the renovation of the Northpoint Shopping Center, including the HiltonTru hotel development project. By establishing the District, the City will collect an additional one percent sales tax on retail sales within the district.

In March, 2019, the City engaged the legal firm of Jacobs & Klein to prepare the ordinance and documentation necessary to establish the district. On May 22, the Council approved Ordinance 2019-17 that set the date for the public hearing on the proposed district. The Council conducted the required public hearing at its June 19<sup>th</sup> meeting.

The matter is before the Council for final consideration and adoption.

## RECOMMENDATION

Approve Ordinance 2019-22 designating and approving the Streator Business Development District No. 1 and imposing a retailers' occupation tax, a service occupation tax and a hotel operators' occupation tax in the Streator Business Development District No. 1, City of Streator, LaSalle and Livingston Counties, Illinois.

**ORDINANCE NO. 2019- 22**

**CITY OF STREATOR  
LA SALLE AND LIVINGSTON COUNTIES, ILLINOIS**

**DESIGNATING AND APPROVING THE  
STREATOR BUSINESS DEVELOPMENT DISTRICT NO. 1**

**and**

**IMPOSING A RETAILERS' OCCUPATION TAX,  
A SERVICE OCCUPATION TAX, AND A HOTEL OPERATORS' OCCUPATION TAX**

**in the**

**STREATOR BUSINESS DEVELOPMENT DISTRICT NO. 1**

**APPROVED BY THE MAYOR AND CITY COUNCIL  
OF THE CITY OF STREATOR,  
LA SALLE AND LIVINGSTON COUNTIES, ILLINOIS  
ON THE 27<sup>TH</sup> DAY OF AUGUST, 2019.**

**ORDINANCE NO. 2019- 22**  
**CITY OF STREATOR, LA SALLE AND LIVINGSTON COUNTIES, ILLINOIS**  
**DESIGNATING AND APPROVING THE**  
**STREATOR BUSINESS DEVELOPMENT DISTRICT NO. 1**  
**and**  
**IMPOSING A RETAILERS' OCCUPATION TAX,**  
**A SERVICE OCCUPATION TAX, AND A HOTEL OPERATORS' OCCUPATION TAX**  
**in the**  
**STREATOR BUSINESS DEVELOPMENT DISTRICT NO. 1**

**PREAMBLE**

**WHEREAS**, the City of Streator, LaSalle and Livingston Counties, Illinois, (the "City"), desires to approve a Redevelopment Plan and designate a Business District Redevelopment Area (the "BDD Area") pursuant to the Business District Development and Redevelopment Act, 65 ILCS 5/11-74.3 *et. seq.*, hereinafter referred to as the "Act", for the proposed **Streator Business Development District No. 1** (the "Business Development District" or "BDD") within the municipal boundaries of the City of Streator and within the BDD Area as described in Section 1(a) of this Ordinance, which area is both blighted and contiguous and includes only those parcels of real property that will directly and substantially benefit from the proposed Business Development District Plan (the "BDD Plan"), pursuant to the Act; and

**WHEREAS**, pursuant to Section 11-74.3-2(a) of the Act, on May 22, 2019, the City approved Ordinance No. 2019-17 to propose the approval of a BDD Plan and establish a date for a Public Hearing for the proposed Streator Business Development District No. 1; and

**WHEREAS**, pursuant to Section 11-74.3-2(b) of the Act, due notice in respect to a Public Hearing was given by publication in *The Times* on May 30, 2019 and June 6, 2019; and

**WHEREAS**, pursuant to Section 11-74.3-2(c) of the Act, on June 19, 2019 the City Council caused a Public Hearing to be held relative to the approval of the BDD Plan and the designation of the BDD Area at the Streator City Hall, 204 S. Bloomington St., Streator, Illinois. At said Public Hearing, all interested persons were given an opportunity to be heard on the question of the designation of the Business Development District, the approval of the BDD Plan, the imposition of a Business Development District Tax and the issuance of obligations by the City to provide for the payment of eligible business district project costs; and

**WHEREAS**, the BDD Plan sets forth the factors constituting the need for the redevelopment of blighted areas within the proposed BDD Area and the City Council has reviewed comments concerning such needs presented at the Public Hearing and has reviewed other studies and is generally informed of the conditions in the proposed Area; and

**WHEREAS**, the City Council has reviewed the conditions pertaining to lack of private investment within the proposed Area to determine whether contiguous parcels of real property and improvements thereon in the proposed Area would be substantially benefitted by the proposed public and private redevelopment project improvements; and

**WHEREAS**, the City Council finds that the Area on-the-whole has not been subject to growth and development through investment by private enterprise and would not reasonably be anticipated to be developed or redeveloped without the adoption of the BDD Plan; and

**WHEREAS**, the City Council has further determined that the implementation of the Redevelopment Plan will help to: further reduce unemployment by increasing employment opportunities in the local commercial and light industrial sectors; increase retail business activity; improve public infrastructure; revitalize and repurpose underutilized buildings; increase the overall value, public safety and quality of life of the community for its residents; address blighting conditions that retard the provision of housing accommodations; and by completing the Redevelopment Projects, enhance the tax base of the taxing districts that extend into the Area; and

**WHEREAS**, the City Council has reviewed the proposed BDD Plan, Land Use and Zoning Map, Comprehensive Plan and Subdivision Ordinances for the development of the municipality as-a-whole to determine whether the proposed BDD Plan conforms to the Ordinances of the municipality; and

**WHEREAS**, upon adoption of the BDD Plan, Projects and Area, the City Council shall impose a retailers' occupation tax and a service occupation tax in the Business Development District for the planning, execution, and implementation of the BDD Plan and to pay for business district project costs as set forth in the BDD Plan; and

**WHEREAS**, upon adoption of the BDD Plan, Projects and Area, the City Council shall impose a hotel operators' occupation tax in the Business Development District for the planning, execution, and implementation of the BDD Plan and to pay for business district project costs as set forth in the BDD Plan.

**NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF STREATOR, LA SALLE AND LIVINGSTON COUNTIES, ILLINOIS, THAT:**

1. The Mayor and City Council of the City of Streator, Illinois hereby make the following findings:
  - a. The Area described in *Exhibit A* (Boundary Description) and *Exhibit B* (Boundary Map) attached to and made a part hereof is designated as the **“Streator Business Development District No. 1.”**
  - b. The Business District Area is contiguous and includes only parcels of real property that are directly and substantially benefitted by the Business District Plan as required by the Act.

- c. There exist conditions set forth herein and in the Qualifying Factors described in the BDD Plan which cause the Area to qualify as a “Blighted Area”, as defined by Section 11-74.3-5 the Act, and such conditions are widely present throughout the Business District.
  - d. The proposed BDD 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 or redeveloped without the adoption of the BDD Plan.
  - e. The BDD Plan conforms to the Land Use and Zoning Map, Comprehensive Plan and Subdivision Ordinances for the development of the municipality as-a-whole.
2. The Business District shall be completed upon payment of all business district project costs and retirement of all obligations paying or reimbursing business district project costs, but not later than 23 years after the date of adoption of this Ordinance.
3. Pursuant to the authority granted to the City under Section 11-74.3-3 (10) of the Act, a **Retailers’ Occupation Tax** is hereby imposed upon:
- a. All persons engaged in the business of selling tangible personal property within the BDD, other than an item titled or registered with an agency of the government of the State of Illinois, at retail in the Business District, at a rate of **One Percent (1.0%)** of the gross receipts of the sales made in the course of such business.
  - b. This tax shall not be imposed on food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks, and food that has been prepared for immediate consumption), prescription and nonprescription medicines, drugs, medical appliances, modifications to a motor vehicle for the purpose of rendering it usable by a person with a disability, and insulin, urine testing materials, syringes, and needles used by diabetics, for human use.
  - c. The Business District Retailers’ Occupation Tax imposed hereunder and all civil penalties that may be assessed as an incident thereof shall be collected and enforced by the Illinois Department of Revenue in the same manner as all retailers’ occupation taxes imposed in the City.
  - d. Persons subject to any tax imposed under Subsection 11-74-74.3-6 (b) of the Act may reimburse themselves for their seller’s tax liability under this subsection by separately stating the tax as an additional charge, which charge may be stated in combination, in a single amount, with State taxes that sellers are required to collect under the Use Tax Act, in accordance with such bracket schedules as the Illinois Department of Revenue may prescribe.

4. Pursuant to the authority granted to the City under Section 11-74.3-3 (10) of the Act, a **Service Occupation Tax** is hereby imposed upon:
  - a. All persons engaged in the business of making sales of service within the BDD, who, as an incident to making those sales of service, transfer tangible personal property within the Business District, either in the form of tangible personal property or in the form of real estate as an incident to a sale of service, at a rate of **One Percent (1.0%)** of the selling price of the tangible personal property so transferred within the Business District (the “Business District Service Occupation Tax”); and
  - b. This tax shall not be imposed on food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks, and food that has been prepared for immediate consumption), prescription and nonprescription medicines, drugs, medical appliances, modifications to a motor vehicle for the purpose of rendering it usable by a person with a disability, and insulin, urine testing materials, syringes, and needles used by diabetics, for human use.
  - c. The Business District Service Occupation Tax imposed hereunder and all civil penalties that may be assessed as an incident thereof shall be collected and enforced by the Illinois Department of Revenue in the same manner as all service occupation taxes imposed in the City.
  - d. Persons subject to any tax imposed under the authority granted in Subsection 11-74-74.3-6 (c) of the Act may reimburse themselves for their serviceman's tax liability hereunder by separately stating the tax as an additional charge, which charge may be stated in combination, in a single amount, with State tax that servicemen are authorized to collect under the Service Use Tax Act, in accordance with such bracket schedules as the Illinois Department of Revenue may prescribe.
  
5. Pursuant to the authority granted to the City under Section 11-74.3-3 (11) of the Act, a **Hotel Operators' Occupation Tax** is hereby imposed upon:
  - a. All persons in the BDD who are engaged in the business of renting, leasing, or letting rooms in a hotel, as defined in the Hotel Operators' Occupation Tax Act, at a rate of **One Percent (1.0%)** of the gross rental receipts from the renting, leasing, or letting of hotel rooms within the business district, excluding, however, from gross rental receipts the proceeds of renting, leasing, or letting to permanent residents of a hotel, as defined in the Hotel Operators' Occupation Tax Act, and proceeds from the tax imposed under subsection (c) of Section 13 of the Metropolitan Pier and Exposition Authority Act.
  - b. Pursuant to the Act, the tax imposed by the municipality under this subsection and all civil penalties that may be assessed as an incident to that tax shall be collected and enforced by the City of Streator.



- c. Persons subject to any tax imposed under the authority granted in Subsection 11-74-74.3-6 (d) of the Act may reimburse themselves for their tax liability for that tax by separately stating that tax as an additional charge, which charge may be stated in combination, in a single amount, with State taxes imposed under the Hotel Operators' Occupation Tax Act, and with any other tax.
6. All revenues received by the City from the Business District Retailers' Occupation Tax, Business District Service Occupation Tax, and Hotel Operators' Occupation Tax imposed hereunder shall be deposited into a special fund of the City designated as the "***Streator Business Development District No. 1 Tax Allocation Fund.***" Any revenues in the Business District Tax Allocation Fund will be used for paying or reimbursing business district project costs and obligations incurred in the payment of those costs.
7. A certified copy of this Ordinance, together with a description of the boundaries of the Business Development District, shall be filed with the Illinois Department Revenue on or before the 1<sup>st</sup> day of October, 2019 in accordance with Section 11-74.3-6 of the Act.
8. The Streator Business Development District No. 1 Tax Allocation Fund shall be dissolved no later than 270 days following payment to the municipality of the last distribution of taxes as provided in Section 11-74.3-5 of the Act.
9. The estimated date for retirement of obligations, if any, incurred to finance the BDD Redevelopment Projects costs shall be no later than twenty (20) years from the effective date of the Ordinance related to such obligations, or the end of the District, whichever occurs first.
10. The Streator Business Development District Redevelopment Plan is hereby adopted and approved. A copy of the BDD Plan is attached hereto as ***Exhibit C*** and made a part of this Ordinance.
11. Upon approval of this Ordinance and pursuant to Section 11-74.3-2(f), the Streator BDD Plan, the boundaries of the BDD Area, and the taxes herein imposed may be amended or altered.
  - a. Changes which: (i) alter the exterior boundaries of the business district, (ii) substantially affect the general land uses described in the business district plan, (iii) substantially change the nature of any business district project, (iv) change the description of any developer, user, or tenant of any property to be located or improved within the proposed business district, (v) increase the total estimated business district project costs set out in the business district plan by more than Five Percent (5.0%) after adjustment for inflation from the date the BDD Plan was approved, (vi) add additional business district costs to the itemized list of estimated business district costs as approved in the BDD Plan, or (vii) impose or change the rate of any tax to be imposed pursuant to subsection (10) or (11) of Section 11-74.3-3 may be made by the

City only after the City by ordinance fixes a time and place for, gives notice by publication of, and conducts a public hearing pursuant to the procedures set forth in Section 11-74.3-2 of the Act.

- 12. All ordinances and parts of ordinances in conflict herewith are hereby repealed.
- 13. This Ordinance shall be in full force and effect from and after its passage and approval as provided by law.

**PASSED, APPROVED AND ADOPTED** by the Corporate Authorities of the City of Streator, LaSalle and Livingston Counties, Illinois, on the 27<sup>th</sup> day of August, A.D., 2019, and deposited and filed in the Office of the City Clerk of said City on that date.

<b>CORPORATE AUTHORITIES</b>	<b>AYES</b>	<b>NAYS</b>	<b>ABSTAIN/ABSENT</b>
Tara Bedei			
Brian Crouch			
Joe Scarbeary			
Ed Brozak			
Jimmie Lansford, Mayor			
<b>TOTALS:</b>			

**APPROVED:**

\_\_\_\_\_  
Jimmie Lansford, Mayor, City of Streator

\_\_\_\_\_  
Date

**ATTEST:**

\_\_\_\_\_  
Alyssa Ferko, Deputy City Clerk

\_\_\_\_\_  
Date

**EXHIBITS:**

- Exhibit (A) Streator Business Development District No. 1 Boundary Description
- Exhibit (B) Streator Business Development District No. 1 Boundary Map
- Exhibit (C) Streator Business Development District No. 1 Redevelopment Plan

## **EXHIBIT A**

### **STREATOR BUSINESS DEVELOPMENT DISTRICT NO. 1**

#### **BOUNDARY DESCRIPTION**

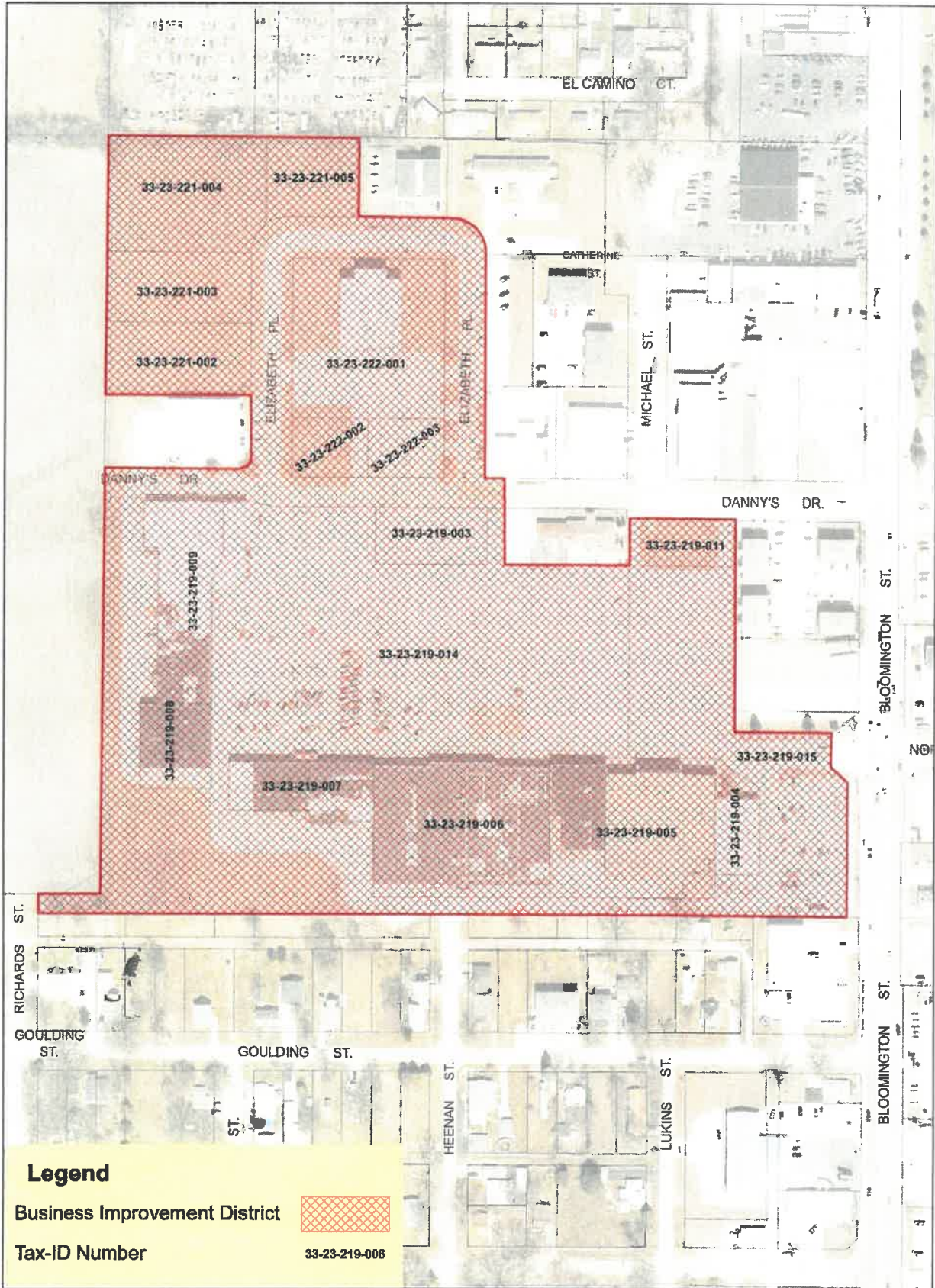
The City of Streator Business Development District #1 is comprised of an area made up of a part of Section 23, Township 31 North, Range 3 East of the Third Principal Meridian in Streator Illinois, LaSalle County, more particularly described as follows: Beginning at a point on the north right-of-way line of Danny's Drive, said point being the extreme west end of said north right-of-way line lying west of Elizabeth Place; thence east along said north right-of-way line to its intersection with the west right-of-way line of Elizabeth Place; thence north along said west right-of-way line to the southeast corner of LaSalle County parcel 33-23-221-002; thence west along the south line of said parcel to the southwest corner of said parcel; thence north to the northwest corner of LaSalle County parcel 33-23-221-004; thence east to the northeast corner of LaSalle County parcel 33-23-221-005; thence south along the east line of said parcel to its intersection with the north right-of-way line of Elizabeth Place; thence easterly and southerly along said right-of-way line to its intersection with the north right-of-way line of Danny's Drive; thence east 33.5' feet to a point along said north right-of-way line north of the northwest corner of LaSalle County parcel 33-23-219-010; thence south along the west line of said parcel to its intersection with the north line of LaSalle County parcel 33-23-219-014; thence east along said north line to the southwest corner of LaSalle County parcel 33-23-219-011; thence north along the west line of said parcel to its intersection with the south right-of-way line of Danny's Drive; thence east along said south right-of-way line to the northeast corner of LaSalle County parcel 33-23-219-011, said point also lying on the east line of LaSalle County parcel 33-23-219-015; thence south along said east line to a point along said east line where said east line turns to the east; thence east along said line to its intersection with the west right-of-way line of Bloomington Street; thence south along said west right-of-way line to the southeast corner of LaSalle County parcel 33-23-219-015; thence west along the south line of said parcel to its intersection with the south line of LaSalle County parcel 33-23-219-014; thence west along the south line of said LaSalle County parcel 33-23-219-014 to its intersection with the east right-of-way line of Richards Street; thence north along said east right-of-way line to its intersection with the south line of LaSalle County parcel 33-23-241-000; thence east along said south line to the southeast corner of said parcel; thence north along the east line of said LaSalle County parcel 33-23-241-000 to the point of beginning.

**EXHIBIT B**  
**STREATOR BUSINESS DEVELOPMENT DISTRICT NO. 1**  
**BOUNDARY MAP**


*[Boundary map inserted on next page.]*



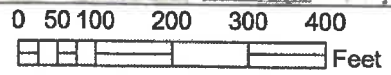
# Business Development District #1



**Legend**

Business Improvement District 

Tax-ID Number **33-23-219-006**



**EXHIBIT C**  
**STREATOR BUSINESS DEVELOPMENT DISTRICT NO. 1**  
**REDEVELOPMENT PLAN**

**CITY OF STREATOR, ILLINOIS**

**Business Development District No. 1**  
**Redevelopment Plan, Projects and Area**



*Prepared for*  
**CITY OF STREATOR**  
204 S. Bloomington Street  
Streator, IL 61364

*Prepared by*  
**Jacob & Klein, Ltd. and**  
**The Economic Development Group, Ltd.**  
1701 Clearwater Avenue  
Bloomington, Illinois 61704  
[www.tifillinois.com](http://www.tifillinois.com)

**AUGUST 27, 2019**

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Jacob & Klein, Ltd. and The Economic Development Group, Ltd., gratefully acknowledge assistance from LaSalle County and City of Streator government officials, business leaders and residents who contributed their time toward the creation of this Streator Business Development District No. 1 Redevelopment Plan.

Additional, general information about Business Development Districts may be obtained by contacting Jacob & Klein, Ltd. and The Economic Development Group, Ltd., 1701 Clearwater Avenue, Bloomington, IL 61704 (Ph: 309/664-7777). Specific inquiries about the Streator Business Development District No. 1 Redevelopment Plan, Projects and Area should be directed to Mr. David Plyman, City Manager, City of Streator, 204 S. Bloomington Street, Streator, IL 61364 (Ph: (815) 672-2517, Ext. 236).



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# CITY OF STREATOR, ILLINOIS

## STREATOR BUSINESS DEVELOPMENT DISTRICT NO. 1 REDEVELOPMENT PLAN, PROJECTS & AREA

### SECTION I. CITY OF STREATOR COMMUNITY INFORMATION

#### *Location and Historical Background*

The northern Illinois community of Streator, Illinois (2010 pop. 13,710) is located in the southern part of LaSalle and the northern part of Livingston Counties at the intersection of Illinois Routes 18 and 23. Streator is approximately 90 miles southwest of Chicago, Illinois, 60 miles north of Bloomington-Normal, Illinois and 60 miles northeast of Peoria with convenient access to Interstate Highways 80, 55 and 39, which are all within 20 miles (see *Figure 1*).

The City of Streator was first settled in the 1820's as a coal mining community. The first railroad was built in Streator in the 1860's to link the coal fields within the main line of the Illinois Central Railroad, Streator received a town charter in 1868 and was officially incorporated as a City in 1882. Streator became the ideal location for production of glass products due to the coal deposits and the nearby mining of silica sand. Streator became known as the "Glass Bottle Capital of the World" and the City became a hub for seven railroads. The discovery of rich clay deposits led to manufacturing of brick and tile products. Today the City continues to produce glass containers and manufacturing and agriculture remain the backbone of the economy.



Figure 1. Location of Streator, Illinois.

The City of Streator is an excellent location for industrial manufacturing, commercial/retail and residential development. The City has undertaken an effort to design a Redevelopment Plan and Projects (the "BDD Plan") for the proposed Streator Business Development District No. 1 Redevelopment Area (the "BDD Area") that includes sites within the Northpoint Shopping Plaza along IL Route 23, for which the City would like to attract new private investment and improve infrastructure over the next 20 years.

## ***Streator Economic Development Tools***

To further improve the economic and social welfare of the community, the City of Streator is invoking its statutory authority to undertake a coordinated effort to stimulate new private investment in the community by utilizing several economic development tools that are available to it by law in the State of Illinois. Such economic development tools include:

### *General Authority per the Illinois Municipal Code*

Pursuant to 65 ILCS 5/8-1-2.5, the City may appropriate and expend funds for economic development purposes, including without limitation for commercial enterprises that are deemed necessary or desirable for the promotion of economic development within the municipality.

### *Economic Incentive Agreements*

Pursuant to 65 ILCS 5/8-11-20, the City has the authority to offer sales tax incentives through an Economic Incentive Agreement to encourage the development or redevelopment of underutilized or undeveloped land within the City limits.

### *Tax Increment Financing*

Pursuant to the Tax Increment Allocation Redevelopment Act, 65 ILCS 5/11-74.4.4 *et seq.* (the “TIF Act”), as amended, the City has the authority to provide incentives to owners or prospective owners of real property to develop, redevelop, and rehabilitate such property by reimbursing the owners for certain costs from resulting increases in real estate tax revenues.

On October 18, 2006, recognizing the need to foster the development, expansion and revitalization of certain properties which are vacant, underutilized or undeveloped, the City adopted Tax Increment Financing under the TIF Act, approved a Redevelopment Plan (the “Plan”) and designated a TIF Redevelopment Project Area known as the **Streator Tax Increment Financing District II** (“TIF District II”). A small portion of the BDD Area is contained within TIF District II.

On April 28, 2016, recognizing the need to foster the development, expansion and revitalization of certain properties which are vacant, underutilized or undeveloped, the City adopted Tax Increment Financing under the TIF Act, approved a Redevelopment Plan (the “Plan”) and designated a TIF Redevelopment Project Area known as the **Streator Northpoint Tax Increment Financing District** (the “Northpoint TIF District”). The balance of the BDD Area is contained within the Northpoint TIF District. The Northpoint TIF Plan anticipates \$54.6 million of public improvements, including streets, sanitary sewer facilities, water system improvements, storm drainage infrastructure, the extension of utilities, environmental remediation, public park and greenspace improvements, public safety facility upgrades, land acquisition and the rehabilitation, reconstruction and repair of existing buildings. The Northpoint TIF Plan also anticipates the reimbursement of \$24.9 million of private TIF eligible expenses that are in furtherance of the redevelopment goals and objectives described in the TIF Plan.

### Enterprise Zone

Pursuant to the Illinois Enterprise Zone Act, 20 ILCS 655/1, *et seq. as amended*, the Illinois Enterprise Zone Program is designed to stimulate economic growth and neighborhood revitalization in economically depressed areas of the state. This is accomplished through state and local tax incentives, regulatory relief, and improved governmental services. Businesses located or expanding within the portion of the **Streator Area Enterprise Zone 2016** that is located within the City of Streator may be eligible for an exemption on the retailers' occupation tax paid on building materials, and a 5-year property tax abatement for a qualifying project.

### Business Development District

Pursuant to 65 ILCS 5/11-74.3-1 *et seq.* of the Illinois Municipal Code (the "Business District Development and Redevelopment Act" or the "Act", see **Appendix A**), municipalities may exercise certain powers to enhance the local tax base and promote the development and redevelopment of business districts which are declared to be a public use and essential to the public interest. The City now intends to establish a Business Development District (the "Business Development District" or "BDD" or the "District"), which shall be formally known as the "**Streator Business Development District No. 1**".

Therefore, this Business Development District Redevelopment Plan (the "BDD Plan") sets forth the necessity for the **Streator Business Development District No. 1** and finds herein that the proposed Business Development District on the whole has not been subject to growth and development through investment by private enterprises and would not reasonably be anticipated to be developed or redeveloped without the adoption of this Business District Redevelopment Plan.

## SECTION II. INTRODUCTION TO BUSINESS DEVELOPMENT DISTRICTS AND THE STREATOR GOALS, OBJECTIVES AND RATIONALE

### ***What is a Business Development District?***

A Business Development District is a special taxing district, authorized to undertake certain public improvements to be financed through the issuance of notes or bonds that are, in turn, retired by the levy of sales tax within the geographic boundaries of the District. When the City approves this BDD Plan, it may impose a tax, at a rate not to exceed 1.0% of the gross receipts from the sales in 0.25% increments, by ordinance after the date of the approval of the Plan ordinance and until all business district project costs and all municipal obligations financing the business district project costs, if any, have been paid. The municipality may impose this tax if it has a development or redevelopment plan for an area of the municipality that:

1. is contiguous (i.e., the properties within the area border each other);
2. includes only parcels of real property that will directly and substantially benefit from the proposed plan; and

3. is blighted, as defined in the Illinois Municipal Code.

If blighted, business district sales tax may be imposed by the City without voter approval in the form of the Business District Retailers' Occupation Tax, Business District Service Occupation Tax and the Hotel Operators' Occupation Tax. Prior to imposing such taxes, the Corporate Authorities of the City must approve this BDD Plan.

***Powers Granted to the City within a Business Development District***

With the creation of a Business Development District, Section 11-74.3-3 of the Act specifically provides the City with the following powers in addition to the powers the City may already have:

1. To make and enter into all contracts necessary or incidental to the implementation and furtherance of a business district plan. A contract by and between the municipality and any developer or other nongovernmental person to pay or reimburse said developer or other nongovernmental person for business district project costs incurred or to be incurred by said developer or other nongovernmental person shall not be deemed an economic incentive agreement under Section 8-11-20, notwithstanding the fact that such contract provides for the sharing, rebate, or payment of retailers' occupation taxes or service occupation taxes (including, without limitation, taxes imposed pursuant to subsection (10)) the municipality receives from the development or redevelopment of properties in the business district. Contracts entered into pursuant to this subsection shall be binding upon successor corporate authorities of the municipality and any party to such contract may seek to enforce and compel performance of the contract by civil action, mandamus, injunction, or other proceeding.
2. Within a business district, to acquire by purchase, donation, or lease, and to own, convey, lease, mortgage, or dispose of land and other real or personal property or rights or interests therein; and to grant or acquire licenses, easements, and options with respect thereto, all in the manner and at such price authorized by law. No conveyance, lease, mortgage, disposition of land or other property acquired by the municipality, or agreement relating to the development of property, shall be made or executed except pursuant to prior official action of the municipality. No conveyance, lease, mortgage, or other disposition of land owned by the municipality, and no agreement relating to the development of property, within a business district shall be made without making public disclosure of the terms and disposition of all bids and proposals submitted to the municipality in connection therewith.
3. To acquire property by eminent domain in accordance with the Eminent Domain Act.
4. To clear any area within a business district by demolition or removal of any existing buildings, structures, fixtures, utilities, or improvements, and to clear and grade land.
5. To install, repair, construct, reconstruct, or relocate public streets, public utilities, and other public site improvements within or without a business district which are essential to the preparation of a business district for use in accordance with a business district plan.

6. To renovate, rehabilitate, reconstruct, relocate, repair, or remodel any existing buildings, structures, works, utilities, or fixtures within any business district.
7. To construct public improvements, including but not limited to buildings, structures, works, utilities, or fixtures within any business district.
8. To fix, charge, and collect fees, rents, and charges for the use of any building, facility, or property or any portion thereof owned or leased by the municipality within a business district.
9. To pay or cause to be paid business district project costs. Any payments to be made by the municipality to developers or other nongovernmental persons for business district project costs incurred by such developer or other nongovernmental person shall be made only pursuant to the prior official action of the municipality evidencing an intent to pay or cause to be paid such business district project costs. A municipality is not required to obtain any right, title, or interest in any real or personal property in order to pay business district project costs associated with such property. The municipality shall adopt such accounting procedures as shall be necessary to determine that such business district project costs are properly paid.
10. To apply for and accept grants, guarantees, donations of property or labor or any other thing of value for use in connection with a business district project.
11. If the municipality has by ordinance found and determined that the business district is a blighted area under this Law, to impose a retailers' occupation tax and a service occupation tax in the business district for the planning, execution, and implementation of business district plans and to pay for business district project costs as set forth in the business district plan approved by the municipality.
12. If the municipality has by ordinance found and determined that the business district is a blighted area under this Law, to impose a hotel operators' occupation tax in the business district for the planning, execution, and implementation of business district plans and to pay for the business district project costs as set forth in the business district plan approved by the municipality.
13. Obligations secured by the Business District Tax Allocation Fund may be issued to provide for the payment or reimbursement of business district project costs. No obligations issued pursuant to this Law shall be regarded as indebtedness of the municipality issuing those obligations or any other taxing district for the purpose of any limitation imposed by law. Obligations issued pursuant to this Law shall not be subject to the provisions of the Bond Authorization Act.

### ***Streator BDD Goals and Objectives***

The purpose of the Business Development District is to arrest further decline and underutilization of the proposed BDD Redevelopment Area (the “BDD Area”, *Exhibit 1*), which is the subject of this BDD Plan. The City finds herein that such further decline and underutilization is likely to occur and will further impair the value of private investments as well as the sound growth and tax base of affected taxing districts. In addition, the City finds that the BDD Area, on-the-whole, has not been subject to growth and development through investment by private enterprises and would not reasonably be anticipated to be developed or redeveloped without the adoption of this Plan.

Therefore, the City of Streator proposes to use the funds it receives from the development, redevelopment, improvement, maintenance and revitalization of properties in the BDD Area to achieve the following objectives:

1. Attract new commercial businesses, including retail outlets, professional offices, hotel space and related amenities;
2. Encourage the retention and expansion of existing commercial retail businesses located in the BDD Area;
3. Facilitate the construction, improvement and maintenance of public and private infrastructure and other capital projects which the City finds is in furtherance of this Plan or necessary to attract and support new commercial, commercial-retail and light industrial businesses, encourage the retention and expansion of existing businesses, and improve the provision of housing accommodations in the City; and
4. Promote the revitalization and historic preservation of older structures located within and adjacent to the Northpoint Shopping Plaza.

By improving public infrastructure and encouraging new private investment throughout the BDD Area, the City expects to achieve the following goals:

1. Eliminate or reduce those conditions which qualify the BDD Area as a blighted area and encourage high-quality building design, landscaping and site improvements which conform to City land use and zoning requirements;
2. Create new employment opportunities;
3. Help reverse recent population decline by increasing the availability of commercial goods and services that will help to make Streator more attractive for residential growth;
4. Reduce the number of underutilized properties by further encouraging commercial, light industrial and residential development that will stimulate the local economy;
5. Enhance the tax base for the City and other taxing districts through coordinated, comprehensive planning efforts by either the public or private sectors;



6. Preserve historically significant structures, increase local tourism and further increase retail trade activity, thereby generating new retailer's occupation tax, service occupation tax and hotel operator's occupation tax revenues as may be applicable to the City, the Counties, School Districts and the State of Illinois;
7. Encourage public and private projects that will contribute to the public health, safety, morals and general welfare of the City; and
8. Increase the aesthetic value of the community, improve the overall quality of life for Streator's residents and promote the type of development and redevelopment that is in furtherance of the City's vision and recommendations cited in the *City of Streator Comprehensive Plan (as revised in 2014)*, including the following:

**a. Goals & Objectives.**

- i. Maintain a high-paying job base of diverse companies while strategically looking for growth industries that would match the assets that the City has to offer;
- ii. Become a more viable local and regional competitor in the attempt to capture a greater percentage of sales taxes;
- iii. Retain the existing industrial base that has helped define Streator for decades;
- iv. Minimize the impact of industrial operations on adjacent land uses;
- v. Create a highway commercial corridor that appeals to both residents and visitors to Streator; and
- vi. Further distinguish the central business district as a destination location.

**b. Policies.**

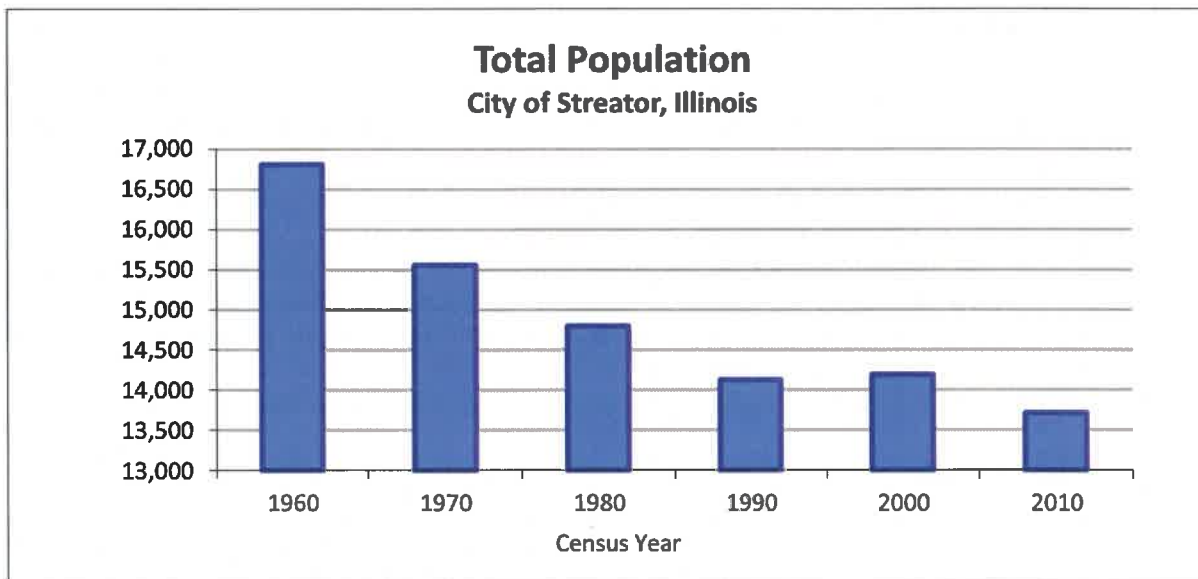
- i. Create incentives that would make it more financially feasible for new businesses to locate in Streator or existing businesses to enhance obsolete facilities and create new products;
- ii. Encourage any existing companies to upgrade their facilities by utilizing any current or future financing assistance;
- iii. Ensure that the existing infrastructure is adequate to support the current business and that areas planned for industrial uses have the necessary utilities either in place or nearby;
- iv. Coordinate with Streator High School and Illinois Valley Community College to utilize their facilities and increase the abilities and attractiveness of prospective Streator employees;
- v. Encourage retail stores to locate within the northern Route 23 area where large parcels of land are available;
- vi. When feasible, reuse vacant or underutilized commercial facilities;
- vii. Attract stores to the area that are either not currently available or do not sufficiently capture the available market; and
- viii. Ensure that sufficient infrastructure capacity is available to sustain any level of growth along Route 23.

***Recent Trends and Conditions in Support  
of the City's Rationale for the BDD***

**Population**

As reported by the U.S. Census Bureau, the City's population in 2010 was 13,710 residents. The 2010 population represents an 18.4% decrease over the 1960 Census of 16,809. Streator's population decreased relatively steadily between 1960 and 2010 (see *Figure 2*).

The median age of Streator residents as of the 2010 Census was 39.9 years, which is higher than the U.S. median age of 37.2 years. Approximately 38.5% of Streator's residents are 62 years of age or over, which is not uncommon in rural Illinois communities.



**Figure 2. City of Streator, Illinois Total Population, 1960-2010 (source: U.S. Census Bureau).**

The aging, static population characteristics in Streator are further reflected by declining enrollment levels reported by the local School Districts. Historically, a lack of growth in average daily attendance has negatively impacted the financial viability of the School Districts and the amount of General State Aid the School District receives each year from the Illinois State Board of Education. The City may use the BDD to encourage the rehabilitation, preservation and redevelopment of existing residential properties, as well as stimulate new housing accommodations to attract new population, encourage residential growth to support new retail trade thresholds, and maintain and/or increase future school enrollments at a manageable rate.

## Unemployment

The unemployment rate is the number of people unemployed which is expressed as a percentage of the total civilian labor force. The average annual unemployment rate in LaSalle County increased from 5.3% in 2006 to 12.2% in 2009. As has been reported throughout much of Illinois and the U.S. since the 2009 economic recession, unemployment rates have declined substantially with LaSalle County again approaching its 2006 unemployment level with an average unemployment rate of 5.8% in 2018 (see *Figure 3*). The U.S. average annual unemployment rate has consistently been lower than LaSalle County and was recorded as 3.9% for 2018. Without further analysis, the downward trend in unemployment rates can make it easy to assume that the U.S. and LaSalle County economies are at or near what many economists regard it as “full employment.”

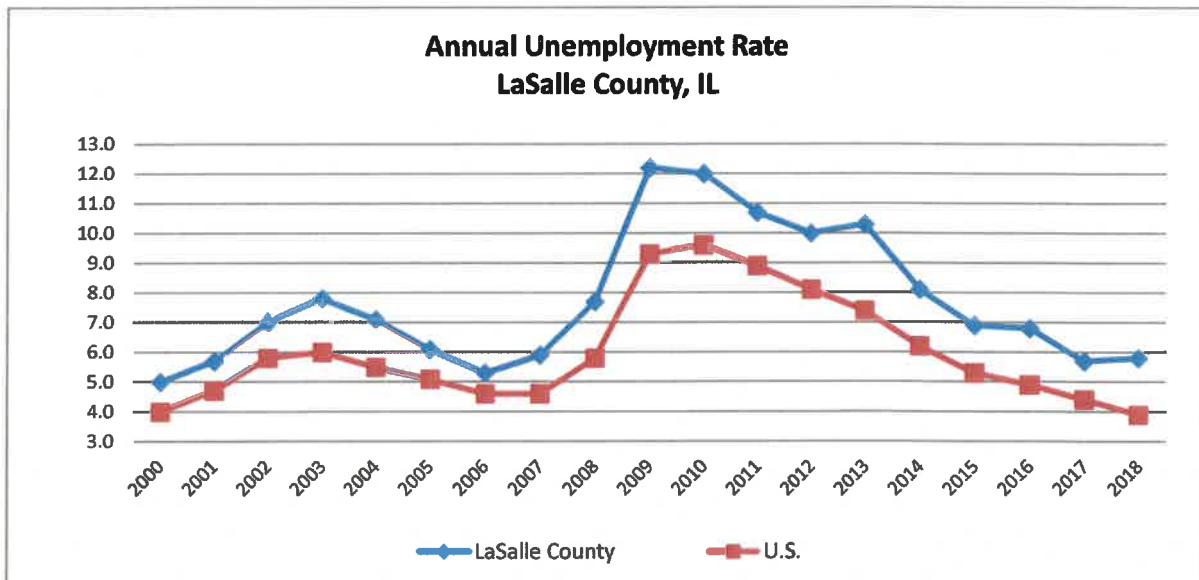


Figure 3. LaSalle County, Illinois Average Annual Unemployment Rate as Compared with the U.S. Average Unemployment Rate, 2000-2018 (source: Illinois Department of Employment Security).

As reported by the Chicago Tribune in December of 2016,<sup>1</sup> U.S. census data indicated that Illinois had lost more residents than any other state for the third consecutive year, losing 37,508 people in 2016, which placed its population at the lowest it has been in nearly a decade. Citing recent research undertaken by the Brookings Institution: “Illinois is among just eight states to lose residents, putting its population at 12,801,539 people, its lowest since about 2009. Illinois’ population first began to drop in 2014, when the state lost 11,961 people. That number more than doubled in 2015, with a loss of 28,497 people, and further multiplied in 2016.”<sup>2</sup> Based on these population trends, Illinois will likely face a shrinking work force during the next 10 years, thereby making efforts to increase the state’s job base an increasingly more complicated and difficult challenge. As some employers in Illinois may already seriously question whether they can find enough qualified workers to fill job openings to meet



*Attracting young families and skilled workers to Streator over the next 10-20 years will be essential to the community’s economic viability and success.*

<sup>1</sup> Marwa Eltagouri, Contact Reporter, “Illinois Loses More Residents in 2016 than Any Other State,” *Chicago Tribune*, December 21, 2016 (<http://www.chicagotribune.com/news/local/breaking/ct-illinois-population-decline-met-20161220-story.html>).

<sup>2</sup> Ibid.

the needs of their expanding businesses, the urgency to create new job opportunities and assist potential workers with attaining the educational background and skills necessary to fill those positions has perhaps never been greater.

Therefore, as the City of Streator prepares to undertake a more aggressive approach to attract new economic development over the next 10-20 years, amenities such as housing, a vibrant educational system, advanced health care services and access to broader employment opportunities will be essential for attracting and maintaining a robust workforce.

Addressing these challenges will require, industry leaders, educators and policymakers to focus on:

- Helping K-12 schools, community colleges and universities strengthen career and technical education programs related to skilled trades, design classroom resources that will introduce students to a continuum of competency-based training opportunities, prepare young adults for journeyman programs and apprenticeships, and then guide them toward successfully entering the Illinois workforce;
- Encouraging current skilled trades workers to continuously upgrade the skills they need for emerging new technologies and to remain viable in the marketplace; and
- Facilitating public-private sector partnerships to yield new innovative approaches for producing highly skilled workers through collaborative efforts that are viewed more as an investment, rather than an expense.

Efforts to strengthen local workforce capacities and attract new investments for light industrial, commercial, and residential developments within the proposed **Streator BDD No. 1 Redevelopment Project Area** will help to increase real estate tax revenues for the City and other taxing bodies while creating an attractive environment for the greater Streator employment base.

### Retail Trade

Due to many of the same economic trends and conditions affecting much of the State of Illinois and the Midwest region, Streator's retail sales tax revenues have experienced decline in recent years. Commercial vacancies exist in the downtown, as well as in existing shopping plazas. The retail space that has been constructed in Streator over the last 30 years is now being challenged by a dramatic shift in consumer behavior.

Shoppers now expect more from retailers in terms of both their online and physical, in-store experiences. The Internet, home shopping and related new technologies are causing changes to occur in how people acquire their everyday goods and services. The increasing popularity of online retail shopping is causing retailers to redesign store formats and payment methods, as well as adjust to how technology-driven shopping preferences are affecting the inherent value of physical locations in densely populated areas, or along busy transportation corridors. Absent new, innovative approaches, these changes may result in a cascade of effects on communities like Streator regarding future job creation, population growth and the sustainability of high-quality public services for its residents.

2. **Unsafe conditions** exist within the Area and therefore create a menace to the public health, safety, morals, or welfare of the citizens of Streator, as well as to potential visitors and tourists visiting the community. The BDD Area includes numerous high-traffic areas characterized by the absence of sidewalks and accessible crosswalks. The City anticipates using BDD funds to assist with the construction of alternative safe routes and crossings for pedestrians to improve public safety, as well as to provide safe access for children walking to nearby facilities.
3. **Deterioration of site improvements** is found to exist to a meaningful extent and is present throughout the Area. Such deterioration is present on several properties whereby existing structures are physically deteriorated to the extent that new private investment is not reasonably anticipated to occur without the adoption of this Business District Redevelopment Plan. The Area includes highly visible locations within the City, however the extraordinary costs of redevelopment render portions of the Area incapable of developing or redeveloping to the best and highest value uses. As a result, the Area is currently incapable of generating the appropriate real estate, sales or hotel tax revenues that would occur if enough, new private investment was possible. Therefore, because the Area on the whole has lost substantial retail trade activity in recent years, has not been subject to development through investment by private enterprise, or would not be reasonably anticipated to be redeveloped without the use of Business Development District financing or other sources of public financing (e.g., Tax Increment Financing, Enterprise Zone, Business Incentive Agreements, etc.), the Area on the whole is found to be underutilized and therefore constitutes an economic liability for the community.

- a. **Equalized Assessed Value (EAV) History:** With the exception of two parcels that have been recently renovated in the BDD Area through the use of TIF incentives, the total EAV of the balance of the BDD Area did not increase in value over the last six (6) years. In fact, the total EAV decreased in 2016. Due to insufficient private investment throughout the BDD Area, the Area has not significantly enhanced the tax base of the City, or that of other affected taxing districts in recent years. This further reflects the Area's inability to be further developed or redeveloped without the adoption of the Streator BDD No. 1 Redevelopment Plan.

- b. **Retail Trade History:** As previously stated, commercial retail trade activity of the City in terms of inflation-adjusted sales only increased by \$5.2 million from 2007 to 2018. Some of Streator's major retail sales tax generators are located within the proposed BDD Area and nearly 24% of the City's operating budget depends on retail sales tax revenues.

Therefore, this 11-year trend further suggests the BDD Area, on-the-whole, is not growing, is currently underutilized, and constitutes an economic liability for the community.

- c. **Deterioration of Site Improvements:** In addition, the BDD Area is characterized by the presence of deteriorated structures, aging facilities, deteriorated streets, sidewalks, curbs or other deteriorated, inadequate or absent public infrastructure. These characteristics are present to a meaningful extent throughout the BDD Area and the City's findings are summarized in **Table 1** below:

Total vacant and improved parcels	17
Total vacant parcels	5
Total vacant parcels with deteriorated structures on adjacent property	5
Total improved parcels	12
Total number of buildings on improved parcels	7
Total number of buildings that are 35 years of age or older	7
Total number of improved parcels exhibiting deterioration	12
Total number of improved parcels with excessive vacancies	3
Total number of improved parcels with deteriorated or inadequate public infrastructure <sup>3</sup>	12
Total number of improved parcels evidencing a lack of adequate planning <sup>4</sup>	12

4. **Improper subdivision or obsolete platting** exists throughout the Area due, in part, to the absence in earlier years of a formally adopted comprehensive plan for the development of the City for new commercial, industrial or residential projects. The appropriate platting of real property commonly refers to the subdivision of land into individual lots which are served by adjacent public rights-of-way such as streets, sidewalks, alleys and public easements. Obsolete platting typically refers to parcels of limited or narrow size and configuration, or parcels of irregular size or shape that may be difficult to develop on a planned basis and in a manner, which is compatible with contemporary standards and requirements.

Several properties within the Area are oddly shaped or exhibit narrow configurations which offer inadequate off-street parking, limited visibility or exposure to major streets, poor ingress/egress traffic flow, are difficult to assemble appropriate project sites, or do not otherwise conform to the standards of modern businesses for commercial uses. These factors impede the effective development or redevelopment of these properties into the highest and best uses for the Area.

5. **The existence of conditions which endanger life or property by fire or other causes** are present within the Area. Absent substantial new investment, several of the older structures within the BDD Area are underutilized, overcrowded, exhibit deteriorated roofs, lack adequate fire suppression, are at risk of becoming dilapidated, and present higher risks of endangering life or property by fire or other causes.

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<sup>3</sup> The total number of improved parcels as shown to exhibit deteriorated or inadequate public infrastructure represent visible inadequacies relating to lack of adequate storm water facilities. Though not thoroughly documented as of this BDD Plan, the City notes that substantial public infrastructure inadequacies exist throughout the BDD Area due to aging water distribution and sanitary sewer lines. Most of the water mains throughout the BDD Area are undersized and approaching 50 years of age and need to be replaced. Infiltration of storm water within older sanitary systems is also an ongoing concern. Much of the existing storm water and sanitary sewer mains in the BDD Area are approaching 50 to 80 years of age and need to be replaced.

<sup>4</sup> The total number of improved parcels as shown to evidence a lack of adequate planning reflect a visible absence of sidewalks, curbs or access alleys. Among the older structures identified within the BDD Area, those properties would have been constructed without the benefit of a formal Comprehensive Plan.

### ***Qualification Summary***

There are multiple “blighting” conditions present within the Streator Business Development District No. 1 Area that conform to the requirements of the Act. These include:

- Certain site improvements distributed throughout the Area exhibit characteristics of deterioration, a lack of physical maintenance and slow growth in equalized assessed valuation;
- The existing street layout is deteriorated and/or is inadequate to meet the current or future redevelopment needs of the Area;
- The coordinated development or redevelopment of the Area as envisioned by the City is impeded by improper subdivision or obsolete platting; and
- Unsanitary and unsafe conditions exist within the BDD Area which endanger the safety and well-being of the public if the Area is not improved and redeveloped.

### **CONCLUSION**

The combination of the above described qualification factors retards the provision of housing accommodations, constitutes an economic or social liability, causes an economic underutilization of properties within the Area, and on the whole, exhibits characteristics which create a menace to the public health, safety, morals, or welfare of the citizens of Streator. Therefore, the City hereby finds that the BDD Area is a “blighted area” by reason of a predominance of the above described combination of factors.

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## SECTION V.

### DESIGNATED AND ANTICIPATED PUBLIC AND PRIVATE PROJECTS AND RELATED COSTS WITHIN THE BDD AREA

#### *BDD Project Costs*

Pursuant to the Act, the City intends to address the conditions which qualify the BDD Area as a blighted area. The BDD Area has infrastructure inadequacies and will require improvements throughout the life of the business district as projected below. The City expects that the implementation of the public projects provided herein will help address current needs and attract new private investment within the BDD Area. Pursuant to Section 5/11-74.3-5 of the Act, "Business district project costs" shall mean and include the sum, total of all costs incurred by the City, other governmental entity, or nongovernmental person in connection with a business district, in the furtherance of a business district plan, including, without limitation, the following:

1. Costs of studies, surveys, development of plans and specifications, implementation and administration of a business district plan, and personnel and professional service costs including architectural, engineering, legal, marketing, financial, planning, or other professional services, provided that no charges for professional services may be based on a percentage of tax revenues received by the municipality;
2. Property assembly costs, including but not limited to, acquisition of land and other real or personal property or rights or interests therein, and specifically including payments to developers or other nongovernmental persons as reimbursement for property assembly costs incurred by that developer or other nongovernmental person;
3. Site preparation costs, including but not limited to clearance, demolition or removal of any existing buildings, structures, fixtures, utilities, and improvements and clearing and grading of land;
4. Costs of installation, repair, construction, reconstruction, extension, or relocation of public streets, public utilities, and other public site improvements within or without the business district which are essential to the preparation of the business district for use in accordance with the business district plan, and specifically including payments to developers or other nongovernmental persons as reimbursement for site preparation costs incurred by the developer or nongovernmental person;
5. Costs of renovation, rehabilitation, reconstruction, relocation, repair, or remodeling of any existing buildings, improvements, and fixtures within the business district, and specifically including payments to developers or other nongovernmental persons as reimbursement for costs incurred by those developers or nongovernmental persons;
6. Costs of installation or construction within the business district of buildings, structures, works, streets, improvements, equipment, utilities, or fixtures, and specifically including payments to developers or other nongovernmental persons as reimbursements for such costs incurred by such developer or nongovernmental person;



7. Financing costs, including but not limited to all necessary and incidental expenses related to the issuance of obligations, payment of any interest on any obligations issued under this Law that accrues during the estimated period of construction of any development or redevelopment project for which those obligations are issued and for not exceeding 36 months thereafter, and any reasonable reserves related to the issuance of those obligations; and
8. Relocation costs to the extent that a municipality determines that relocation costs shall be paid or is required to make payment of relocation costs by federal or state law.

The public and private projects and related costs described below are anticipated to be undertaken by the City, private developers or other interested parties. The City may enter into Redevelopment Agreements with Developers through which the City can utilize a portion of the BDD funds generated from these projects to reimburse Developers for a portion or all of their BDD eligible private project costs as provided in the Act per Section 65 ILCS 5/11-74.3-5. The City further plans to use a portion of any BDD funds generated for BDD eligible public project costs as well. The City may also use tax increment financing funds or any other sources of funds it may lawfully pledge.

All project cost estimates are in year 2019 dollars. In addition to the public and private project costs listed below, developer notes or bonds, if any, that are issued to finance a project may include an amount enough to pay interest, as well as customary and reasonable charges associated with the issuance of such obligations and provide for capitalized interest and reserves as may be reasonably required.

Adjustments to the designated and anticipated line item (public and private) costs provided in this Redevelopment Plan are expected. Each individual project cost and the resulting tax revenues will be re-evaluated as each project is considered for BDD financing under provisions of the Act.

Therefore, totals of line items set forth in this BDD Plan are not intended to place a total limit on the described expenditures or intended to preclude payment of other eligible redevelopment project costs in connection with the redevelopment of the Area, provided the total amount of payment for all eligible redevelopment project costs, public and private, shall not exceed the amount set forth herein or as may be amended in the future. Adjustments may be made to the designated and anticipated line items within the total, either increasing or decreasing line item costs for redevelopment.

The public BDD projects will benefit and be utilized by all owners, users and tenants of real property located in the BDD Area. To the extent that the City's BDD projects involve the development or redevelopment of privately owned property, it is not possible currently to identify or describe all the specific private Developers, users or tenants of such property. As part of the initial establishment of the BDD Area, the City will provide, in the manner prescribed by the Illinois Department of Revenue (the "IDOR"), the boundaries of the business district and each address in the business district in such a way that IDOR can determine by its address whether a business is in the business district. As the Area develops, the City will notify the Local Tax Allocation Division at IDOR in writing of any additions, deletions or changes of business addresses within the existing BDD Area. Such written notices of additions, changes or deletions may occur provided any related BDD boundary amendments or tax rate Ordinance changes have been properly completed pursuant to the Act.

***PUBLIC PROJECTS AND RELATED COSTS***

***Designated and Anticipated BDD Eligible Public Redevelopment Projects and Related Costs to be incurred by the City of Streator are as follows:***

1. All or any portion of the public redevelopment projects and related costs to be incurred by the City of Streator within the boundary of Streator Northpoint Tax Increment Financing (TIF) District and the Streator BDD Area and anticipates such costs (see ***Exhibit 4***) .....\$54,600,000

*Additional Public Projects and Related Costs within the BDD Area*

2. Public works construction, improvements, upgrades and maintenance or resurfacing of streets, roads, alleys, parking lots and sidewalks, including labor, equipment, parts and materials, including but not limited to the installation of a stoplight and safe-route pedestrian amenities .....\$2,000,000
3. Public works construction, improvements, upgrades and maintenance of sanitary sewer lines, pump and lift stations, manholes and related facilities, including labor, equipment, parts and materials .....\$1,000,000
4. Public works construction, improvements, upgrades and maintenance of water mains and related lines and hydrants, storage and treatment facilities including labor, equipment, parts and materials .....\$1,000,000
5. Storm sewer drainage infrastructure, including the construction, improvements, upgrades and maintenance of retention ponds and detention basins, including labor, equipment, parts and materials .....\$1,500,000
6. Public works or improvements related to utilities, including, but not limited to, gas, electric, cable and telecommunication infrastructure, including labor, equipment, parts and materials.....\$250,000
7. Public property assembly costs relating to acquisition of land and buildings, demolition, site improvements and clearing and grading of land .....\$200,000
8. Rehabilitation, construction/reconstruction, repairs and maintenance of public facilities, including labor, equipment, parts and materials, including but not limited to public safety, rescue or other emergency services facilities necessary to promote and protect the health, safety, morals and welfare of the public within the BDD Area .....\$500,000
9. Removal and remediation of environmental contaminants and physical impediments to redevelopment throughout the BDD Area, including but not limited to environmental clean-up.....\$300,000
10. Professional Services, Administrative Fees & Costs and Planning Costs and BDD-related marketing, signage, website, etc.....\$150,000

11. Construction, improvements, upgrades and maintenance of public parks, trails, green space and urban forestry improvements, including but not limited to trailhead facilities, landscaping and other amenities relating to improving pedestrian access within the BDD Area .....	\$500,000
12. Costs relating to rehabilitation and revitalization of commercial corridors including, but not limited to redevelopment loans, grants, reimbursements and combinations thereof offered by the City to commercial owners, tenants or other interested parties relating to commercial properties listed in <i>Exhibit 3</i> .....	\$500,000
13. Public Infrastructure within future contiguous BDD Areas, if any.....	\$100,000
<b>TOTAL DESIGNATED &amp; ANTICIPATED PUBLIC PROJECT COSTS.....</b>	<b>\$62,600,000</b>

***PRIVATE PROJECTS AND RELATED COSTS***

The goals and objectives of this BDD Plan as cited above in *Section II*, are not possible without financial assistance. Without the availability of BDD funds, Developers and/or other interested parties will not be able to undertake the projects described below unless the extraordinary costs and risks associated with such projects can be mitigated, in part, through the use of BDD funds. This “but for BDD funds” has currently been expressed by one private developer with whom the City has entered into a Redevelopment Agreement to incentivize a new retail business to locate within the BDD Area.

*Description of First Private Redevelopment Project within BDD Area*

***Developer Name and Contact:*** Northpoint Hotel Development, LLC  
 % Mr. Keith Weinstein  
 P.O. Box 3876  
 Peoria, IL 61612  
 Ph: (309) 696-1975

***Project Description:*** Developer is acquiring part of PINs 33-23-219-003 and 33-23-219-014 located in the Northpoint Shopping Plaza located on Northpoint Drive along IL Route 23, Streator, Illinois. The Developer is proceeding with plans to undertake the construction of a Hilton Tru Hotel with approximately 60 rooms on the site (the “Hotel Project”).

***Project Background Information:*** On October 18, 2006, the City established the Streator Tax Increment Financing (TIF) District II Redevelopment Plan, Area and Projects, which includes a small portion of the proposed Streator BDD No. 1 Area. On April 28, 2016, the City established the Streator Northpoint TIF District Redevelopment Plan, Area and Projects, which contains the balance of the proposed Streator BDD No. 1 Area. The Northpoint TIF Plan anticipates \$54.6 million of total public improvements, including streets, sanitary sewer and water system improvements, storm drainage infrastructure, the extension of utilities, environmental remediation, public park and greenspace improvements, public safety facility upgrades, land acquisition and the rehabilitation, reconstruction

and repair of existing buildings. The TIF Plan also anticipates the reimbursement of \$24.9 million of private TIF eligible expenses that are in furtherance of the redevelopment goals and objectives described in the TIF Plan.

On December 20, 2017, the City approved a TIF Redevelopment Agreement by and between the City of Streator and Northpoint Hotel Development, LLC (the “Developer”) by Ordinance 2017-38 in the Northpoint TIF District. That Agreement obligates the City to reimburse the Developer for up to \$6 million of TIF eligible redevelopment project costs related to the Hotel Project. The Developer is required to construct a hotel with a total market value of no less than \$8,000,000. One hundred percent (100%) of the future net TIF and BDD funds generated annually by the Hotel Project (i.e., net of City’s annual administrative costs) are obligated by the City during the life of BDD No. 1 to reimburse the Developer’s TIF eligible project costs for the Hotel. All reimbursements are to be paid on an annual pay-as-you-go basis from new revenues generated by the Hotel Project.

The completion of the Project in its entirety will require substantial private investment that is estimated to exceed \$8 million, exclusive of applicable franchise fees, equipment and furnishings. The site location for the Project is shown in *Exhibit 5*.

As of this date, the Developer’s Estimated Eligible Project Costs (current and future phases) include:

1. Property assembly costs .....	\$1,500,000
2. Site preparation/clearing/demolition/grading-leveling .....	\$1,000,000
3. Professional fees (architectural, engineering, legal, planning, etc.) .....	\$1,000,000
4. Public Infrastructure Improvements .....	\$1,500,000
5. Long-term interest & financing costs.....	<u>\$1,000,000</u>
<b>Total Estimated Eligible Project Costs .....</b>	<b>\$6,000,000</b>

The amounts shown in the itemized list of Developer’s Estimated Eligible Project Costs above may be reallocated and reassigned to different line items, however the total cumulative reimbursement of such costs by the City to the Developer shall not exceed **Six million and 00/100 dollars (\$6,000,000.00)**.

*Description of Other Private Redevelopment Projects Anticipated within BDD Area*

The City anticipates using BDD funds to attract additional private development and redevelopment projects including, but not limited to, new commercial retail, professional offices, light industrial, and residential projects as well as hotel/bed & breakfast or other similar accommodations. The City believes the Redevelopment Project Area will not be developed or redeveloped without the use of BDD Funds. Therefore, the City intends to offer incentives to potential Developers to encourage commitments for new private investment during the life of the proposed BDD. Examples of additional private redevelopment projects which are likely to occur within the Streator BDD No. 1 Area include:

1. **Hotel & Conference Center Project**  
 This project includes a 60± room hotel with a conference center and/or small meeting rooms. This hotel is expected to employ approximately 20 persons and will require a total private investment of approximately \$10 million, including \$6 million of BDD eligible project costs.

2. **Commercial/Large Retail Facility I**  
This project consists of the rehabilitation of a large retail facility requiring a total investment of \$5.0 million, including \$1,500,000 of BDD eligible project costs.
3. **Commercial/Retail Facility I**  
This project consists of a general merchandise retail facility requiring a total investment of \$2.5 million, including \$900,000 of BDD eligible project costs.
4. **Commercial/Retail Facility II**  
This project consists of a general merchandise retail facility requiring a total investment of \$1.5 million, including \$450,000 of BDD eligible project costs.
5. **Commercial/Retail Facility III**  
This project consists of a general merchandise retail facility requiring a total investment of \$1 million, including \$250,000 of BDD eligible project costs.
6. **Commercial Business Office Complex**  
This project consists of a business center containing a series of units used primarily for commercial office space. The total investment is projected to be \$1.5 million, including \$450,000 of BDD eligible project costs.
7. **Commercial Theater Rehabilitation Project**  
This project consists of an addition to the existing commercial theater within the BDD requiring a total investment of \$500,000, including \$250,000 of BDD eligible project costs.
8. **Commercial Rehabilitation Project II**  
This project consists of the rehabilitation and renovation of a commercial or retail-merchandise facility within the BDD requiring a total investment of \$300,000, including \$100,000 of BDD eligible project costs.
9. **Commercial Restaurant Project I**  
A restaurant is projected to be constructed within the BDD District. The restaurant is expected to employ approximately two supervisory employees and 30-40 food and food service workers. The project is projected to require an investment of \$2 million to construct, including \$500,000 of eligible project costs.
10. **Commercial Restaurant Project II**  
A restaurant is projected to be constructed within the BDD District. The restaurant is expected to employ approximately two supervisory employees and 30-40 food and food service workers. The project is projected to require an investment of \$1.2 million to construct, including \$400,000 of BDD eligible project costs.

**TOTAL DESIGNATED & ANTICIPATED PRIVATE PROJECT COSTS.....\$10,800,000**

**SECTION VI.  
ANTICIPATED SOURCES OF FUNDS  
TO PAY BDD PROJECT COSTS**

***Business District Retailers' Occupation Tax***

The corporate authorities of the City of Streator, upon designating this business district pursuant to Section 11-74.3-6(b) of the Act, intends to impose a Business District Retailers' Occupation Tax. Such tax shall be imposed upon all persons engaged in the business of selling tangible personal property within the BDD Area, other than an item of tangible personal property titled or registered with an agency of the State of Illinois, at retail in the business district at the rate of **1.0% of the gross receipts** from the sales made in the course of such business. The tax may not be imposed on food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks, and food that has been prepared for immediate consumption), prescription and nonprescription medicines, drugs, medical appliances, modifications to a motor vehicle for the purpose of rendering it usable by a person with a disability, and insulin, urine testing materials, syringes, and needles used by diabetics, for human use. The tax imposed under this subsection and all civil penalties that may be assessed as an incident thereof shall be collected and enforced by the Illinois Department of Revenue.

***Business District Service Occupation Tax***

Pursuant to Section 11-74.3-6(c) of the Act, the corporate authorities of the City of Streator may impose a Business District Service Occupation Tax. Such tax be imposed upon all persons engaged, in the business district, in the business of making sales of service, who, as an incident to making those sales of service, transfer tangible personal property within the business district, either in the form of tangible personal property or in the form of real estate as an incident to a sale of service. **The tax shall be imposed at the same 1.0% rate as the tax imposed for the Business District Retailers' Occupation Tax** on the selling price of tangible personal property so transferred within the business district. The tax may not be imposed on food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks, and food that has been prepared for immediate consumption), prescription and nonprescription medicines, drugs, medical appliances, modifications to a motor vehicle for the purpose of rendering it usable by a person with a disability, and insulin, urine testing materials, syringes, and needles used by diabetics, for human use. The tax imposed under this subsection and all civil penalties that may be assessed as an incident thereof shall be collected and enforced by the Illinois Department of Revenue.

***Intended uses of the Business District Retailers' Occupation Tax and Business District Service Occupation Tax:***

The City of Streator currently projects the base annual Business District Retailers' Occupation Tax and Business District Service Occupation Tax that will be collected from the existing businesses located within the BDD Area (not including the *Hotel Project*) will generate approximately \$1,000,000 per year. Upon receiving such funds from the IDOR, including future BDD funds generated from within the "*Non-Hotel portion*" of the BDD Area, the City shall deposit such funds to the "*Streator Business Development District No. 1 Special Tax Allocation Fund*" for the purposes of paying or reimbursing business district project costs and obligations incurred in the payment of those costs.

### ***Business District Hotel Operator's Occupation Tax***

Pursuant to Section 11-74.3-6(d) of the Act, the corporate authorities of the City of Streator, upon designating this business district intends to impose an occupation tax upon all persons engaged in the business district in the business of renting, leasing, or letting rooms in a hotel, as defined in the Hotel Operators' Occupation Tax Act, at a rate not to exceed **1.0% of the gross rental receipts** as defined in the Hotel Operators' Occupation Tax Act, and proceeds from the tax imposed under subsection (c) of Section 13 of the Metropolitan Pier and Exposition Authority Act. The tax imposed by the City under this subsection and all civil penalties that may be assessed as an incident to that tax shall be collected and enforced by the City of Streator. The City shall deposit funds generated by the BDD Hotel Operators' Tax to the "*Streator Business Development District No. 1 Special Tax Allocation Fund*" for the purposes of paying or reimbursing business district project costs and obligations incurred in the payment of those costs.

The City of Streator currently anticipates that the annual Business District Hotel Operator's Occupation Tax to be collected from the *Hotel Project* will be approximately \$10,000 per year. Upon receiving such future funds from the IDOR, the City shall deposit the *Hotel Project's* BDD funds to a "Pledged Project Revenues" subaccount within the "*Streator Business Development District No. 1 Special Tax Allocation Fund*" for purposes of reimbursing eligible project costs per the redevelopment agreement discussed in *Section V* above.

### ***Other Sources of Funds for Implementation of this BDD Plan***

Other sources of funds that may be used to pay the costs of implementing this BDD Plan may include, but are not limited to, the following:

1. Private equity capital which is available to private Developers through their own cash reserves or financing sources;
2. Funds available to the City through tax increment financing;
3. Revenue available because of development assessments, purchase and sale agreements, and leases entered between the City and other individuals or entities;
4. Improvements by third-party tenants;
5. Special Assessments;
6. Special Service Areas, if any, that the City may create within the BDD Area and impose additional property taxes upon properties located within such special service areas to pay the costs of providing special services that may be performed from time to time within such special service areas with the BDD Area in support of the goals and objectives of this BDD Plan;
7. Grants and loans from the United States or the State of Illinois, or any instrumentality of the federal or state government;
8. General revenues of the City, to the extent such revenue is not necessary to fund other operations of the City;

9. The City may issue obligations in one or more series in the future, maturing and bearing interest at rates and having such other terms and provisions determined by the City by Ordinance and in whole or in part secured and/or paid from funds or deposits credited to the “*Streator Business Development District No. 1 Special Tax Allocation Fund*”, and
10. Other legally permissible sources of public financing that may be identified at such time in the future that the City may deem appropriate to fund BDD project costs.

The exact portion of project costs the City may reimburse from each of the above referenced sources of funds will depend upon the availability of funds from these sources and the approval of written redevelopment agreements with future private Developers, if any, by the Streator City Council.

## SECTION VII. OTHER STATUTORY REQUIREMENTS

***Future Land Use and Zoning.*** The general uses of the land within the BDD Area shall conform to the existing and future land uses as well as current and future zoning and subdivision codes of the City of Streator.

***Commitment to Fair Employment.*** The City of Streator will comply with fair employment practices and an Affirmative Action Plan in the implementation of this BDD Plan and Projects.

***Amendments to the Streator Business Development District No. 1 Plan and Area.*** Pursuant to Section 5/11-74.3-2(f) of the Act and other applicable City Ordinances, the City may amend the BDD Plan, the boundaries of the BDD Area, and the taxes provided for in subsections (10) and (11) of Section 11-74.3-3 may be imposed or altered.

***Business District Tax Allocation Fund.*** Upon adopting an Ordinance approving this BDD Plan, the City shall establish the “*Streator Business Development District No. 1 Special Tax Allocation Fund*” for the purposes of paying or reimbursing business district project costs and obligations incurred in the payment of those costs. The business district tax allocation fund shall be dissolved no later than 270 days following payment to the municipality of the last distribution of taxes as provided in Section 11-74.3-6.

***Term of the Streator Business Development District No. 1 Taxes, Plan and Projects.*** Upon payment of all business district project costs and retirement of all obligations paying or reimbursing business district project costs, but in no event more than twenty-three (23) years after the date of adoption of the ordinance imposing taxes pursuant to subsection (10) or (11) of Section 11-74.3-3, the municipality shall adopt an ordinance immediately rescinding the taxes imposed pursuant to subsection (10) or (11) of Section 11-74.3-3.

***Nature and Term of Bonds or Notes.*** The City may utilize a “pay-as-you-go” approach to financing private eligible BDD project costs. Pursuant to Section 11-74.3-6(e) of the Act, obligations secured by the “*Streator Business Development District No. 1 Special Tax Allocation Fund*” may also be issued to provide for the payment or reimbursement of business district project costs. The City may issue bonds or other obligations to fund public infrastructure or other eligible project costs. The City may secure



such obligations by pledging, for any period of time up to and including the dissolution date, all or any part of the funds in and to be deposited in the Business District Tax Allocation Fund to the payment of business district project costs and obligations which do not exceed 20 years in length, or the term of Streator Business Development District No. 1, whichever is less. The City may also issue revenue bonds, notes or other obligations to fund private eligible project costs as well which would also be limited to 20 years in length. The repayment of debt service of these obligations would be limited to the BDD funds generated as permitted by the Act and/or other pledged funds authorized by the City including, but not limited to, tax increment financing funds, special service area taxes and special assessments.

***BDD Contracts.*** The City shall have the power to make and enter into all contracts necessary or incidental to the implementation and furtherance of a business district plan. A contract by and between the municipality and any developer or other nongovernmental person to pay or reimburse said developer or other nongovernmental person for business district project costs incurred or to be incurred by said developer or other nongovernmental person shall not be deemed an economic incentive agreement under Section 8-11-20, notwithstanding the fact that such contract provides for the sharing, rebate, or payment of retailers' occupation taxes or service occupation taxes (including, without limitation, taxes imposed pursuant to subsection (10)) the municipality receives from the development or redevelopment of properties in the business district.

***Contiguous BDD Areas.*** The City may utilize the revenue from a business district retailers' occupation tax and service occupation tax imposed under paragraph (10) and a hotel operators' occupation tax under paragraph (11) of Section 11-74.3-3 in connection with one business district for eligible costs in another business district that is: (A) contiguous to the business district from which the revenues are received; (B) separated only by a public right of way from the business district from which the revenues are received; or (C) separated only by forest preserve property from the business district from which the revenues are received if the closest boundaries of the business districts that are separated by the forest preserve property are less than one mile apart.

## SECTION VIII. CONCLUSION

The City of Streator, LaSalle and Livingston Counties, Illinois has determined that to promote the health, safety, morals, and welfare of the public, blighted conditions need to be eradicated, conservation measures instituted, and that redevelopment within the Streator Business Development District No. 1 should be undertaken. In order to remove and alleviate adverse conditions, it is necessary to encourage private investment and restore and enhance the tax base of the taxing districts by the development or redevelopment of the Area.

The Mayor and City Council hereby conclude that it is in the best interest of the City and that the citizens of Streator will benefit by the adoption of this Streator Business Development District No. 1 Plan, Projects and Area.

### CITY OF STREATOR, ILLINOIS

By: \_\_\_\_\_ Date \_\_\_\_ / \_\_\_\_ / 2019  
Mayor

Attest: \_\_\_\_\_ Date \_\_\_\_ / \_\_\_\_ / 2019  
City Clerk

**SECTION IX.**  
**EXHIBITS**

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## EXHIBIT 1

### STREATOR BDD AREA NO. 1 BOUNDARY DESCRIPTION

The City of Streator Business Development District #1 is comprised of an area made up of a part of Section 23, Township 31 North, Range 3 East of the Third Principal Meridian in Streator Illinois, LaSalle County, more particularly described as follows:

Beginning at a point on the north right-of-way line of Danny's Drive, said point being the extreme west end of said north right-of-way line lying west of Elizabeth Place; thence east along said north right-of-way line to its intersection with the west right-of-way line of Elizabeth Place; thence north along said west right-of-way line to the southeast corner of LaSalle County parcel 33-23-221-002; thence west along the south line of said parcel to the southwest corner of said parcel; thence north to the northwest corner of LaSalle County parcel 33-23-221-004; thence east to the northeast corner of LaSalle County parcel 33-23-221-005; thence south along the east line of said parcel to its intersection with the north right-of-way line of Elizabeth Place; thence easterly and southerly along said right-of-way line to its intersection with the north right-of-way line of Danny's Drive; thence east 33.5' feet to a point along said north right-of-way line north of the northwest corner of LaSalle County parcel 33-23-219-010; thence south along the west line of said parcel to its intersection with the north line of LaSalle County parcel 33-23-219-014; thence east along said north line to the southwest corner of LaSalle County parcel 33-23-219-011; thence north along the west line of said parcel to its intersection with the south right-of-way line of Danny's Drive; thence east along said south right-of-way line to the northeast corner of LaSalle County parcel 33-23-219-011, said point also lying on the east line of LaSalle County parcel 33-23-219-015; thence south along said east line to a point along said east line where said east line turns to the east; thence east along said line to its intersection with the west right-of-way line of Bloomington Street; thence south along said west right-of-way line to the southeast corner of LaSalle County parcel 33-23-219-015; thence west along the south line of said parcel to its intersection with the south line of LaSalle County parcel 33-23-219-014; thence west along the south line of said LaSalle County parcel 33-23-219-014 to its intersection with the east right-of-way line of Richards Street; thence north along said east right-of-way line to its intersection with the south line of LaSalle County parcel 33-23-241-000; thence east along said south line to the southeast corner of said parcel; thence north along the east line of said LaSalle County parcel 33-23-241-000 to the point of beginning.

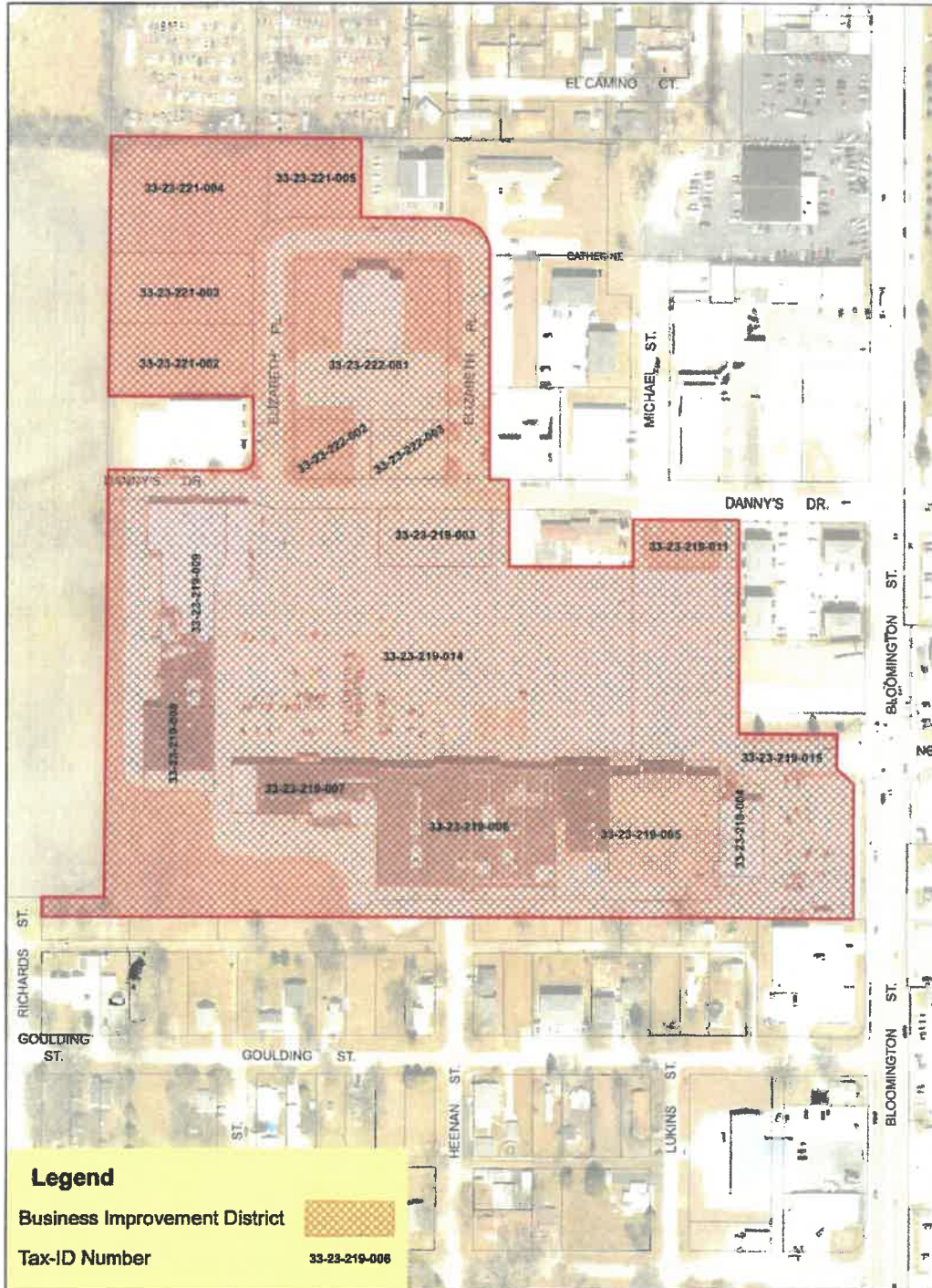
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# EXHIBIT 2

## STREATOR BDD AREA NO. 1 BOUNDARY MAP



### Business Development District #1



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### EXHIBIT 3

## STREATOR BDD AREA NO. 1 REAL ESTATE TAX PROPERTY IDENTIFICATION NUMBERS AND COMMERCIAL BUSINESS LISTING

#### Real Estate PIN Listing:

1. PIN #33-23-219-003 / Map #28-23-281-003
2. PIN #33-23-219-004 / Map #28-23-281-011
3. PIN #33-23-219-005 / Map #28-23-281-010
4. PIN #33-23-219-006 / Map #28-23-281-009
5. PIN #33-23-219-007 / Map #28-23-281-008
6. PIN #33-23-219-008 / Map #28-23-281-002
7. PIN #33-23-219-009 / Map #28-23-281-001
8. PIN #33-23-219-011 / Map #28-23-281-013
9. PIN #33-23-219-014 / Map #28-23-281-016
10. PIN #33-23-219-015 / Map #28-23-281-017
11. PIN #33-23-221-002 / Map #28-23-276-003
12. PIN #33-23-221-003 / Map #28-23-276-002
13. PIN #33-23-221-004 / Map #28-23-276-001
14. PIN #33-23-221-005 / Map #28-23-276-005
15. PIN #33-23-222-001 / Map #28-23-277-001
16. PIN #33-23-222-002 / Map #28-23-277-002
17. PIN #33-23-222-003 / Map #28-23-277-003

#### Commercial Business Listing:

<u>Business Name</u>	<u>Business Address</u>
1. New China	1 Northpoint Drive, Streator, Illinois
2. Subway	2 Northpoint Drive, Streator, Illinois
3. Suzi's Video Poker & Slots	3 Northpoint Drive, Streator, Illinois
4. Boost Mobile	4 Northpoint Drive, Streator, Illinois
5. PFC Personal Finance Company	5 Northpoint Drive, Streator, Illinois
6. Klein, Thorpe & Jenkins, Ltd.	7 Northpoint Drive, Streator, Illinois
7. Big R	11 Northpoint Drive, Streator, Illinois
8. Teleperformance	12 Northpoint Drive, Streator, Illinois
9. The Place 2 Be	15 Northpoint Drive, Streator, Illinois
10. Streator Flooring	18 Northpoint Drive, Streator, Illinois
11. Eplin Home Improvement	28 Northpoint Drive, Streator, Illinois
12. Fitness Premier	32 Northpoint Drive, Streator, Illinois
13. Streator Eagle Six Cinemas	301 Danny's Drive, Streator, Illinois

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## EXHIBIT 4

### STREATOR NORTHPOINT TIF DISTRICT ANTICIPATED PUBLIC PROJECTS (Per Original TIF Redevelopment Plan, April 28, 2016)

*The designated and anticipated Tax Increment Financing (TIF) eligible public redevelopment projects and related cost obligations that were described in the original Streator Northpoint TIF District Plan are as follows:*

1. Public works construction, improvements, upgrades and maintenance or resurfacing of streets, roads, alleys, parking lots and sidewalks, including labor, equipment, parts and materials .....\$6,000,000
2. Public works construction, improvements, upgrades and maintenance of sanitary sewer lines, pump and lift stations, treatment plant, lagoons, manholes and related facilities, including labor, equipment, parts and materials.....\$6,000,000
3. Public works construction, improvements, upgrades and maintenance of water mains and related lines and hydrants, storage and treatment facilities including labor, equipment, parts and materials .....\$4,000,000
4. Storm sewer drainage infrastructure, including the construction, improvements, upgrades and maintenance of retention ponds and detention basins, including labor, equipment, parts and materials .....\$4,000,000
5. Public works or improvements related to utilities, including, but not limited to, gas, electric, cable and telecommunication infrastructure, including labor, equipment, parts and materials.....\$4,000,000
6. Public property assembly costs relating to acquisition of land and buildings, demolition, site improvements and clearing and grading of land .....\$2,000,000
7. Rehabilitation, construction/reconstruction, repairs and maintenance of public facilities, including labor, equipment, parts and materials.....\$2,000,000
8. Removal and remediation of environmental contaminants and physical impediments to redevelopment.....\$1,000,000
9. TIF District-related marketing, signage, website, lighting..... \$100,000
10. Construction, improvements, upgrades and maintenance of public parks, trails, green space and urban forestry improvements .....\$350,000
11. Costs relating to rehabilitation and revitalization of commercial corridors including, but not limited to redevelopment loans, grants, reimbursements and combinations thereof .....\$350,000

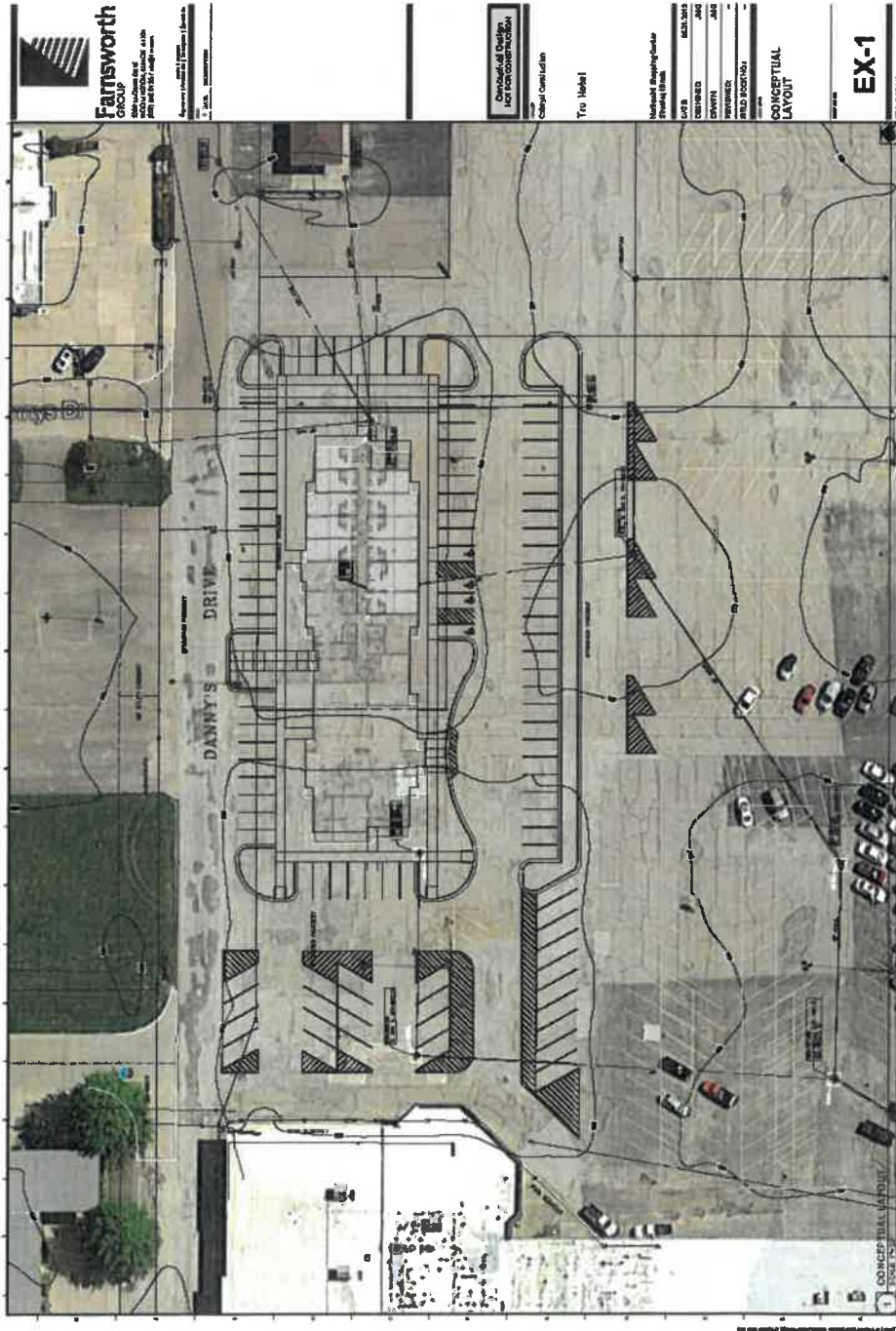
12. Costs relating to neighborhood rehabilitation and redevelopment projects including, but not limited to, redevelopment loans, grants, reimbursements and combinations thereof .....	\$500,000
13. Staff and professional service including, but not limited to engineering, architectural, planning (including updates of City’s Comprehensive Plan), legal, financial, accounting, marketing, training, continued education, economic development services and TIF-related public administration necessary for the implementation of the TIF Redevelopment Plan and Projects.....	\$500,000
14. Public safety, fire and rescue and other emergency services training, facilities, equipment and personnel necessary to promote and protect the health, safety, morals and welfare of the public within the Redevelopment Project Area .....	\$1,000,000
15. Costs relating to job training and retraining, including “welfare to work” programs implemented by businesses located within the Redevelopment Project Area.....	\$200,000
16. Public Infrastructure within contiguous TIF Districts .....	\$2,600,000
17. Capital Costs/reimbursements to other taxing districts.....	\$20,000,000
<b>TOTAL<sup>5</sup>.....</b>	<b>\$54,600,000</b>

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<sup>5</sup> The projects and related costs described above are eligible for reimbursement pursuant to the Tax Increment Allocation Redevelopment Act (65 ILCS 5/11-74.4.4 *et. seq.*) and the Business District Development and Redevelopment Act (65 ILCS 5/11-74.3-1 *et. seq.*). Not all BDD-eligible costs are TIF-eligible, because the TIF Act is more restrictive in this regard than the BDD Act.

# EXHIBIT 5

## SITE LOCATION FOR PROPOSED HOTEL PROJECT NORTHPOINT SHOPPING PLAZA, NORTHPOINT DRIVE, STREATOR, ILLINOIS



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**SECTION X.**  
**APPENDIX**

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## APPENDIX A

### BUSINESS DISTRICT DEVELOPMENT AND REDEVELOPMENT ACT

(65 ILCS 5/11-74.3 *et. seq.*)

**PLEASE NOTE:** The source of the attached copy of the Business District Development and Redevelopment Act (65 ILCS 5/11-74.3 *et. seq.*) is the Illinois General Assembly website: <http://www.ilga.gov/>. This material is provided for informational purposes only and the City of Streator assumes no liability or responsibility for the use or misuse of this document.

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**Information maintained by the Legislative Reference Bureau**

Updating the database of the Illinois Compiled Statutes (ILCS) is an ongoing process. Recent laws may not yet be included in the ILCS database, but they are found on this site as [Public Acts](#) soon after they become law.

For information concerning the relationship between statutes and Public Acts, refer to the [Guide](#).

Because the statute database is maintained primarily for legislative drafting purposes, statutory changes are sometimes included in the statute database before they take effect. If the source note at the end of a Section of the statutes includes a Public Act that has not yet taken effect, the version of the law that is currently in effect may have already been removed from the database and you should refer to that Public Act to see the changes made to the current law.

**MUNICIPALITIES  
(65 ILCS 5/) Illinois Municipal Code.**

(65 ILCS 5/Art. 11 Div. 74.3 heading)  
DIVISION 74.3. BUSINESS DISTRICT  
DEVELOPMENT AND REDEVELOPMENT

(65 ILCS 5/11-74.3-1) (from Ch. 24, par. 11-74.3-1)  
Sec. 11-74.3-1. Division short title; declaration of public purpose. This Division 74.3 may be cited as the Business District Development and Redevelopment Law.

It is hereby found and declared:

(1) It is essential to the economic and social welfare of each municipality that business districts be developed, redeveloped, improved, maintained, and revitalized, that jobs and opportunity for employment be created within the municipality, and that, if blighting conditions are present, blighting conditions be eradicated by assuring opportunities for development or redevelopment, encouraging private investment, and attracting sound and stable business and commercial growth. It is further found and determined that as a result of economic conditions unfavorable to the creation, development, improvement, maintenance, and redevelopment of certain business and commercial areas within municipalities opportunities for private investment and sound and stable commercial growth have been and will continue to be negatively impacted and business and commercial areas within many municipalities have deteriorated and will continue to deteriorate, thereby causing a serious menace to the health, safety, morals, and general welfare of the people of the entire State, unemployment, a decline in tax revenues, excessive and disproportionate expenditure of public funds, inadequate public and private investment, the unmarketability of property, and the growth of delinquencies and crime. In order to reduce threats to and to promote and protect the health, safety, morals, and welfare of the public and to provide incentives which will create employment and job opportunities, will retain commercial businesses in the State and related job opportunities and will eradicate blighting conditions if blighting conditions are present, and for the relief of unemployment and the maintenance of existing levels of employment, it is essential that plans for business districts be created and implemented and that business districts be created, developed, improved, maintained, and redeveloped.

(2) The creation, development, improvement, maintenance, and redevelopment of business districts will stimulate economic activity in the State, create and maintain jobs, increase tax revenues, encourage the creation of new and lasting infrastructure, other improvements, and facilities, and cause the attraction and retention of businesses and commercial enterprises which generate economic activity and services and increase the general tax base, including, but not limited to, increased retail sales, hotel or restaurant sales, manufacturing sales, or entertainment industry sales, thereby increasing employment and economic growth.

(3) It is hereby declared to be the policy of the State, in the interest of promoting the health, safety, morals, and general welfare of all the people of the State, to provide incentives which will create new job opportunities and retain existing commercial businesses within the State and related job opportunities, and it is further determined and declared that the relief of conditions of unemployment, the maintenance of existing levels of employment, the creation of new job opportunities, the retention of existing commercial businesses, the increase of industry and commerce within the State, the reduction of the evils attendant upon unemployment, and the increase and maintenance of the tax base of the State and its political subdivisions are public purposes and for the public safety, benefit, and welfare of the residents of this State.

(4) The exercise of the powers provided in this Law is dedicated to the promotion of the public interest, to the enhancement of the tax base within business districts, municipalities, and the State and its political subdivisions, the creation of employment, and the eradication of blight, if present within the business district, and the use of such powers for the creation, development, improvement, maintenance, and redevelopment of business districts of a municipality is hereby declared to be for the public safety, benefit, and welfare of the residents of the State and essential to the public interest and declared to be for public purposes.

(Source: P.A. 96-1394, eff. 7-29-10.)

(65 ILCS 5/11-74.3-2) (from Ch. 24, par. 11-74.3-2)

Sec. 11-74.3-2. Procedures to designate business districts; ordinances; notice; hearings.

(a) The corporate authorities of a municipality shall by ordinance propose the approval of a business district plan and designation of a business district and shall fix a time and place for a public hearing on the proposals to approve a business district plan and designate a business district.

(b) Notice of the public hearing shall be given by publication at least twice, the first publication to be not more than 30 nor less than 10 days prior to the hearing, in a newspaper of general circulation within the municipality. Each notice published pursuant to this Section shall include the following:

- (1) The time and place of the public hearing;
- (2) The boundaries of the proposed business district by legal description and, where possible, by street location;
- (3) A notification that all interested persons will be given an opportunity to be heard at the public hearing;

(4) A description of the business district plan if a business district plan is a subject matter of the public hearing;

(5) The rate of any tax to be imposed pursuant to subsection (10) or (11) of Section 11-74.3-3;

(6) An invitation for any person to submit alternate proposals or bids for any proposed conveyance, lease, mortgage, or other disposition by the municipality of land or rights in land owned by the municipality and located within the proposed business district; and

(7) Such other matters as the municipality shall deem appropriate.

(c) At the public hearing any interested person may file written objections with the municipal clerk and may be heard orally with respect to any matters embodied in the notice. The municipality shall hear and determine all alternate proposals or bids for any proposed conveyance, lease, mortgage, or other disposition by the municipality of land or rights in land owned by the municipality and located within the proposed business district and all protests and objections at the hearing, provided, however, that the corporate authorities of the municipality may establish reasonable rules regarding the length of time provided to members of the general public. The hearing may be adjourned to another date without further notice other than a motion to be entered upon the minutes fixing the time and place of the adjourned hearing. Public hearings with regard to approval of a business district plan or designation of a business district may be held simultaneously.

(d) At the public hearing or at any time prior to the adoption by the municipality of an ordinance approving a business district plan, the municipality may make changes in the business district plan. Changes which do not (i) alter the exterior boundaries of the proposed business district, (ii) substantially affect the general land uses described in the proposed business district plan, (iii) substantially change the nature of any proposed business district project, (iv) change the description of any proposed developer, user, or tenant of any property to be located or improved within the proposed business district, (v) increase the total estimated business district project costs set out in the business district plan by more than 5%, (vi) add additional business district costs to the itemized list of estimated business district costs as proposed in the business district plan, or (vii) impose or increase the rate of any tax to be imposed pursuant to subsection (10) or (11) of Section 11-74.3-3 may be made by the municipality without further public hearing, provided the municipality shall give notice of its changes by publication in a newspaper of general circulation within the municipality. Such notice by publication shall be given not later than 30 days following the adoption of an ordinance approving such changes. Changes which (i) alter the exterior boundaries of the proposed business district, (ii) substantially affect the general land uses described in the proposed business district plan, (iii) substantially change the nature of any proposed business district project, (iv) change the description of any proposed developer, user, or tenant of any property to be located or improved within the proposed business district, (v) increase the total estimated business district project costs set out in the business

district plan by more than 5%, (vi) add additional business district costs to the itemized list of estimated business district costs as proposed in the business district plan, or (vii) impose or increase the rate of any tax to be imposed pursuant to subsection (10) or (11) of Section 11-74.3-3 may be made by the municipality only after the municipality by ordinance fixes a time and place for, gives notice by publication of, and conducts a public hearing pursuant to the procedures set forth hereinabove.

(e) By ordinance adopted within 90 days of the final adjournment of the public hearing a municipality may approve the business district plan and designate the business district. Any ordinance adopted which approves a business district plan shall contain findings that the business district on the whole has not been subject to growth and development through investment by private enterprises and would not reasonably be anticipated to be developed or redeveloped without the adoption of the business district plan. Any ordinance adopted which designates a business district shall contain the boundaries of such business district by legal description and, where possible, by street location, a finding that the business district plan conforms to the comprehensive plan for the development of the municipality as a whole, or, for municipalities with a population of 100,000 or more, regardless of when the business district plan was approved, the business district plan either (i) conforms to the strategic economic development or redevelopment plan issued by the designated planning authority or the municipality or (ii) includes land uses that have been approved by the planning commission of the municipality, and, for any business district in which the municipality intends to impose taxes as provided in subsection (10) or (11) of Section 11-74.3-3, a specific finding that the business district qualifies as a blighted area as defined in Section 11-74.3-5.

(f) After a municipality has by ordinance approved a business district plan and designated a business district, the plan may be amended, the boundaries of the business district may be altered, and the taxes provided for in subsections (10) and (11) of Section 11-74.3-3 may be imposed or altered only as provided in this subsection. Changes which do not (i) alter the exterior boundaries of the proposed business district, (ii) substantially affect the general land uses described in the business district plan, (iii) substantially change the nature of any business district project, (iv) change the description of any developer, user, or tenant of any property to be located or improved within the proposed business district, (v) increase the total estimated business district project costs set out in the business district plan by more than 5% after adjustment for inflation from the date the business district plan was approved, (vi) add additional business district costs to the itemized list of estimated business district costs as approved in the business district plan, or (vii) impose or increase the rate of any tax to be imposed pursuant to subsection (10) or (11) of Section 11-74.3-3 may be made by the municipality without further public hearing, provided the municipality shall give notice of its changes by publication in a newspaper of general circulation within the municipality. Such notice by publication shall be given not later than 30 days following the adoption of an ordinance approving such changes. Changes which (i) alter the

exterior boundaries of the business district, (ii) substantially affect the general land uses described in the business district plan, (iii) substantially change the nature of any business district project, (iv) change the description of any developer, user, or tenant of any property to be located or improved within the proposed business district, (v) increase the total estimated business district project costs set out in the business district plan by more than 5% after adjustment for inflation from the date the business district plan was approved, (vi) add additional business district costs to the itemized list of estimated business district costs as approved in the business district plan, or (vii) impose or increase the rate of any tax to be imposed pursuant to subsection (10) or (11) of Section 11-74.3-3 may be made by the municipality only after the municipality by ordinance fixes a time and place for, gives notice by publication of, and conducts a public hearing pursuant to the procedures set forth in this Section.

(Source: P.A. 96-1394, eff. 7-29-10; 96-1555, eff. 3-18-11; 97-333, eff. 8-12-11.)

(65 ILCS 5/11-74.3-3) (from Ch. 24, par. 11-74.3-3)

Sec. 11-74.3-3. Powers of municipalities. In addition to the powers a municipality may now have, a municipality shall have the following powers:

(1) To make and enter into all contracts necessary or incidental to the implementation and furtherance of a business district plan. A contract by and between the municipality and any developer or other nongovernmental person to pay or reimburse said developer or other nongovernmental person for business district project costs incurred or to be incurred by said developer or other nongovernmental person shall not be deemed an economic incentive agreement under Section 8-11-20, notwithstanding the fact that such contract provides for the sharing, rebate, or payment of retailers' occupation taxes or service occupation taxes (including, without limitation, taxes imposed pursuant to subsection (10)) the municipality receives from the development or redevelopment of properties in the business district. Contracts entered into pursuant to this subsection shall be binding upon successor corporate authorities of the municipality and any party to such contract may seek to enforce and compel performance of the contract by civil action, mandamus, injunction, or other proceeding.

(2) Within a business district, to acquire by purchase, donation, or lease, and to own, convey, lease, mortgage, or dispose of land and other real or personal property or rights or interests therein; and to grant or acquire licenses, easements, and options with respect thereto, all in the manner and at such price authorized by law. No conveyance, lease, mortgage, disposition of land or other property acquired by the municipality, or agreement relating to the development of property, shall be made or executed except pursuant to prior official action of the municipality. No conveyance, lease, mortgage, or other disposition of land owned by the municipality, and no agreement relating to the development of property, within a business district shall be made without making public disclosure of the terms and

disposition of all bids and proposals' submitted to the municipality in connection therewith.

(2.5) To acquire property by eminent domain in accordance with the Eminent Domain Act.

(3) To clear any area within a business district by demolition or removal of any existing buildings, structures, fixtures, utilities, or improvements, and to clear and grade land.

(4) To install, repair, construct, reconstruct, or relocate public streets, public utilities, and other public site improvements within or without a business district which are essential to the preparation of a business district for use in accordance with a business district plan.

(5) To renovate, rehabilitate, reconstruct, relocate, repair, or remodel any existing buildings, structures, works, utilities, or fixtures within any business district.

(6) To construct public improvements, including but not limited to buildings, structures, works, utilities, or fixtures within any business district.

(7) To fix, charge, and collect fees, rents, and charges for the use of any building, facility, or property or any portion thereof owned or leased by the municipality within a business district.

(8) To pay or cause to be paid business district project costs. Any payments to be made by the municipality to developers or other nongovernmental persons for business district project costs incurred by such developer or other nongovernmental person shall be made only pursuant to the prior official action of the municipality evidencing an intent to pay or cause to be paid such business district project costs. A municipality is not required to obtain any right, title, or interest in any real or personal property in order to pay business district project costs associated with such property. The municipality shall adopt such accounting procedures as shall be necessary to determine that such business district project costs are properly paid.

(8.5) Utilize up to 1% of the revenue from a business district retailers' occupation tax and service occupation tax imposed under paragraph (10) and a hotel operators' occupation tax under paragraph (11) of Section 11-74.3-3 in connection with one business district for eligible costs in another business district that is:

(A) contiguous to the business district from which the revenues are received;

(B) separated only by a public right of way from the business district from which the revenues are received; or

(C) separated only by forest preserve property from the business district from which the revenues are received if the closest boundaries of the business districts that are separated by the forest preserve property are less than one mile apart.

(9) To apply for and accept grants, guarantees, donations of property or labor or any other thing of value for use in connection with a business district project.

(10) If the municipality has by ordinance found and



determined that the business district is a blighted area under this Law, to impose a retailers' occupation tax and a service occupation tax in the business district for the planning, execution, and implementation of business district plans and to pay for business district project costs as set forth in the business district plan approved by the municipality.

(11) If the municipality has by ordinance found and determined that the business district is a blighted area under this Law, to impose a hotel operators' occupation tax in the business district for the planning, execution, and implementation of business district plans and to pay for the business district project costs as set forth in the business district plan approved by the municipality.

(Source: P.A. 99-452, eff. 1-1-16.)

(65 ILCS 5/11-74.3-4) (from Ch. 24, par. 11-74.3-4)

Sec. 11-74.3-4. The powers granted to municipalities in this Law shall not be construed as a limitation on the powers of a home rule municipality granted by Article VII of the Illinois Constitution.

(Source: P.A. 96-1394, eff. 7-29-10.)

(65 ILCS 5/11-74.3-5)

Sec. 11-74.3-5. Definitions. The following terms as used in this Law shall have the following meanings:

"Blighted area" means an area that is a blighted area which, by reason of the predominance of defective, non-existent, or inadequate street layout, unsanitary or unsafe conditions, deterioration of site improvements, improper subdivision or obsolete platting, or the existence of conditions which endanger life or property by fire or other causes, or any combination of those factors, retards the provision of housing accommodations or constitutes an economic or social liability, an economic underutilization of the area, or a menace to the public health, safety, morals, or welfare.

"Business district" means a contiguous area which includes only parcels of real property directly and substantially benefited by the proposed business district plan. A business district may, but need not be, a blighted area, but no municipality shall be authorized to impose taxes pursuant to subsection (10) or (11) of Section 11-74.3-3 in a business district which has not been determined by ordinance to be a blighted area under this Law.

"Business district plan" shall mean the written plan for the development or redevelopment of a business district. Each business district plan shall set forth in writing: (i) a specific description of the boundaries of the proposed business district, including a map illustrating the boundaries; (ii) a general description of each project proposed to be undertaken within the business district, including a description of the approximate location of each project and a description of any developer, user, or tenant of any property to be located or improved within the proposed business district; (iii) the name of the proposed business district; (iv) the estimated business district project costs; (v) the anticipated source of funds to pay business district project costs; (vi) the anticipated type and terms of any obligations to be issued; and (vii) the rate of any tax to be imposed pursuant to subsection (10) or (11) of Section 11-

74.3-3 and the period of time for which the tax shall be imposed.

"Business district project costs" shall mean and include the sum total of all costs incurred by a municipality, other governmental entity, or nongovernmental person in connection with a business district, in the furtherance of a business district plan, including, without limitation, the following:

(1) costs of studies, surveys, development of plans and specifications, implementation and administration of a business district plan, and personnel and professional service costs including architectural, engineering, legal, marketing, financial, planning, or other professional services, provided that no charges for professional services may be based on a percentage of tax revenues received by the municipality;

(2) property assembly costs, including but not limited to, acquisition of land and other real or personal property or rights or interests therein, and specifically including payments to developers or other nongovernmental persons as reimbursement for property assembly costs incurred by that developer or other nongovernmental person;

(3) site preparation costs, including but not limited to clearance, demolition or removal of any existing buildings, structures, fixtures, utilities, and improvements and clearing and grading of land;

(4) costs of installation, repair, construction, reconstruction, extension, or relocation of public streets, public utilities, and other public site improvements within or without the business district which are essential to the preparation of the business district for use in accordance with the business district plan, and specifically including payments to developers or other nongovernmental persons as reimbursement for site preparation costs incurred by the developer or nongovernmental person;

(5) costs of renovation, rehabilitation, reconstruction, relocation, repair, or remodeling of any existing buildings, improvements, and fixtures within the business district, and specifically including payments to developers or other nongovernmental persons as reimbursement for costs incurred by those developers or nongovernmental persons;

(6) costs of installation or construction within the business district of buildings, structures, works, streets, improvements, equipment, utilities, or fixtures, and specifically including payments to developers or other nongovernmental persons as reimbursements for such costs incurred by such developer or nongovernmental person;

(7) financing costs, including but not limited to all necessary and incidental expenses related to the issuance of obligations, payment of any interest on any obligations issued under this Law that accrues during the estimated period of construction of any development or redevelopment project for which those obligations are issued and for not exceeding 36 months thereafter, and any reasonable reserves related to the issuance of those obligations; and

(8) relocation costs to the extent that a

municipality determines that relocation costs shall be paid or is required to make payment of relocation costs by federal or State law.

"Business district tax allocation fund" means the special fund to be established by a municipality for a business district as provided in Section 11-74.3-6.

"Dissolution date" means the date on which the business district tax allocation fund shall be dissolved. The dissolution date shall be not later than 270 days following payment to the municipality of the last distribution of taxes as provided in Section 11-74.3-6.

(Source: P.A. 99-452, eff. 1-1-16.)

(65 ILCS 5/11-74.3-6)

Sec. 11-74.3-6. Business district revenue and obligations; business district tax allocation fund.

(a) If the corporate authorities of a municipality have approved a business district plan, have designated a business district, and have elected to impose a tax by ordinance pursuant to subsection (10) or (11) of Section 11-74.3-3, then each year after the date of the approval of the ordinance but terminating upon the date all business district project costs and all obligations paying or reimbursing business district project costs, if any, have been paid, but in no event later than the dissolution date, all amounts generated by the retailers' occupation tax and service occupation tax shall be collected and the tax shall be enforced by the Department of Revenue in the same manner as all retailers' occupation taxes and service occupation taxes imposed in the municipality imposing the tax and all amounts generated by the hotel operators' occupation tax shall be collected and the tax shall be enforced by the municipality in the same manner as all hotel operators' occupation taxes imposed in the municipality imposing the tax. The corporate authorities of the municipality shall deposit the proceeds of the taxes imposed under subsections (10) and (11) of Section 11-74.3-3 into a special fund of the municipality called the "[Name of] Business District Tax Allocation Fund" for the purpose of paying or reimbursing business district project costs and obligations incurred in the payment of those costs.

(b) The corporate authorities of a municipality that has designated a business district under this Law may, by ordinance, impose a Business District Retailers' Occupation Tax upon all persons engaged in the business of selling tangible personal property, other than an item of tangible personal property titled or registered with an agency of this State's government, at retail in the business district at a rate not to exceed 1% of the gross receipts from the sales made in the course of such business, to be imposed only in 0.25% increments. The tax may not be imposed on food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks, and food that has been prepared for immediate consumption), prescription and nonprescription medicines, drugs, medical appliances, modifications to a motor vehicle for the purpose of rendering it usable by a person with a disability, and insulin, urine testing materials, syringes, and needles used by diabetics, for human use.

The tax imposed under this subsection and all civil penalties that may be assessed as an incident thereof shall be

collected and enforced by the Department of Revenue. The certificate of registration that is issued by the Department to a retailer under the Retailers' Occupation Tax Act shall permit the retailer to engage in a business that is taxable under any ordinance or resolution enacted pursuant to this subsection without registering separately with the Department under such ordinance or resolution or under this subsection. The Department of Revenue shall have full power to administer and enforce this subsection; to collect all taxes and penalties due under this subsection in the manner hereinafter provided; and to determine all rights to credit memoranda arising on account of the erroneous payment of tax or penalty under this subsection. In the administration of, and compliance with, this subsection, the Department and persons who are subject to this subsection shall have the same rights, remedies, privileges, immunities, powers and duties, and be subject to the same conditions, restrictions, limitations, penalties, exclusions, exemptions, and definitions of terms and employ the same modes of procedure, as are prescribed in Sections 1, 1a through 1o, 2 through 2-65 (in respect to all provisions therein other than the State rate of tax), 2c through 2h, 3 (except as to the disposition of taxes and penalties collected), 4, 5, 5a, 5c, 5d, 5e, 5f, 5g, 5i, 5j, 5k, 5l, 6, 6a, 6b, 6c, 7, 8, 9, 10, 11, 12, 13, and 14 of the Retailers' Occupation Tax Act and all provisions of the Uniform Penalty and Interest Act, as fully as if those provisions were set forth herein.

Persons subject to any tax imposed under this subsection may reimburse themselves for their seller's tax liability under this subsection by separately stating the tax as an additional charge, which charge may be stated in combination, in a single amount, with State taxes that sellers are required to collect under the Use Tax Act, in accordance with such bracket schedules as the Department may prescribe.

Whenever the Department determines that a refund should be made under this subsection to a claimant instead of issuing a credit memorandum, the Department shall notify the State Comptroller, who shall cause the order to be drawn for the amount specified and to the person named in the notification from the Department. The refund shall be paid by the State Treasurer out of the business district retailers' occupation tax fund.

The Department shall immediately pay over to the State Treasurer, ex officio, as trustee, all taxes, penalties, and interest collected under this subsection for deposit into the business district retailers' occupation tax fund.

As soon as possible after the first day of each month, beginning January 1, 2011, upon certification of the Department of Revenue, the Comptroller shall order transferred, and the Treasurer shall transfer, to the STAR Bonds Revenue Fund the local sales tax increment, as defined in the Innovation Development and Economy Act, collected under this subsection during the second preceding calendar month for sales within a STAR bond district.

After the monthly transfer to the STAR Bonds Revenue Fund, on or before the 25th day of each calendar month, the Department shall prepare and certify to the Comptroller the disbursement of stated sums of money to named municipalities from the business district retailers' occupation tax fund, the municipalities to be those from which retailers have paid

taxes or penalties under this subsection to the Department during the second preceding calendar month. The amount to be paid to each municipality shall be the amount (not including credit memoranda) collected under this subsection during the second preceding calendar month by the Department plus an amount the Department determines is necessary to offset any amounts that were erroneously paid to a different taxing body, and not including an amount equal to the amount of refunds made during the second preceding calendar month by the Department, less 2% of that amount, which shall be deposited into the Tax Compliance and Administration Fund and shall be used by the Department, subject to appropriation, to cover the costs of the Department in administering and enforcing the provisions of this subsection, on behalf of such municipality, and not including any amount that the Department determines is necessary to offset any amounts that were payable to a different taxing body but were erroneously paid to the municipality, and not including any amounts that are transferred to the STAR Bonds Revenue Fund. Within 10 days after receipt by the Comptroller of the disbursement certification to the municipalities provided for in this subsection to be given to the Comptroller by the Department, the Comptroller shall cause the orders to be drawn for the respective amounts in accordance with the directions contained in the certification. The proceeds of the tax paid to municipalities under this subsection shall be deposited into the Business District Tax Allocation Fund by the municipality.

An ordinance imposing or discontinuing the tax under this subsection or effecting a change in the rate thereof shall either (i) be adopted and a certified copy thereof filed with the Department on or before the first day of April, whereupon the Department, if all other requirements of this subsection are met, shall proceed to administer and enforce this subsection as of the first day of July next following the adoption and filing; or (ii) be adopted and a certified copy thereof filed with the Department on or before the first day of October, whereupon, if all other requirements of this subsection are met, the Department shall proceed to administer and enforce this subsection as of the first day of January next following the adoption and filing.

The Department of Revenue shall not administer or enforce an ordinance imposing, discontinuing, or changing the rate of the tax under this subsection, until the municipality also provides, in the manner prescribed by the Department, the boundaries of the business district and each address in the business district in such a way that the Department can determine by its address whether a business is located in the business district. The municipality must provide this boundary and address information to the Department on or before April 1 for administration and enforcement of the tax under this subsection by the Department beginning on the following July 1 and on or before October 1 for administration and enforcement of the tax under this subsection by the Department beginning on the following January 1. The Department of Revenue shall not administer or enforce any change made to the boundaries of a business district or address change, addition, or deletion until the municipality reports the boundary change or address change, addition, or deletion to the Department in the manner prescribed by the Department. The municipality must provide this boundary change information or address change, addition,

or deletion to the Department on or before April 1 for administration and enforcement by the Department of the change beginning on the following July 1 and on or before October 1 for administration and enforcement by the Department of the change beginning on the following January 1. The retailers in the business district shall be responsible for charging the tax imposed under this subsection. If a retailer is incorrectly included or excluded from the list of those required to collect the tax under this subsection, both the Department of Revenue and the retailer shall be held harmless if they reasonably relied on information provided by the municipality.

A municipality that imposes the tax under this subsection must submit to the Department of Revenue any other information as the Department may require for the administration and enforcement of the tax.

When certifying the amount of a monthly disbursement to a municipality under this subsection, the Department shall increase or decrease the amount by an amount necessary to offset any misallocation of previous disbursements. The offset amount shall be the amount erroneously disbursed within the previous 6 months from the time a misallocation is discovered.

Nothing in this subsection shall be construed to authorize the municipality to impose a tax upon the privilege of engaging in any business which under the Constitution of the United States may not be made the subject of taxation by this State.

If a tax is imposed under this subsection (b), a tax shall also be imposed under subsection (c) of this Section.

(c) If a tax has been imposed under subsection (b), a Business District Service Occupation Tax shall also be imposed upon all persons engaged, in the business district, in the business of making sales of service, who, as an incident to making those sales of service, transfer tangible personal property within the business district, either in the form of tangible personal property or in the form of real estate as an incident to a sale of service. The tax shall be imposed at the same rate as the tax imposed in subsection (b) and shall not exceed 1% of the selling price of tangible personal property so transferred within the business district, to be imposed only in 0.25% increments. The tax may not be imposed on food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks, and food that has been prepared for immediate consumption), prescription and nonprescription medicines, drugs, medical appliances, modifications to a motor vehicle for the purpose of rendering it usable by a person with a disability, and insulin, urine testing materials, syringes, and needles used by diabetics, for human use.

The tax imposed under this subsection and all civil penalties that may be assessed as an incident thereof shall be collected and enforced by the Department of Revenue. The certificate of registration which is issued by the Department to a retailer under the Retailers' Occupation Tax Act or under the Service Occupation Tax Act shall permit such registrant to engage in a business which is taxable under any ordinance or resolution enacted pursuant to this subsection without registering separately with the Department under such ordinance or resolution or under this subsection. The Department of Revenue shall have full power to administer and

enforce this subsection; to collect all taxes and penalties due under this subsection; to dispose of taxes and penalties so collected in the manner hereinafter provided; and to determine all rights to credit memoranda arising on account of the erroneous payment of tax or penalty under this subsection. In the administration of, and compliance with this subsection, the Department and persons who are subject to this subsection shall have the same rights, remedies, privileges, immunities, powers and duties, and be subject to the same conditions, restrictions, limitations, penalties, exclusions, exemptions, and definitions of terms and employ the same modes of procedure as are prescribed in Sections 2, 2a through 2d, 3 through 3-50 (in respect to all provisions therein other than the State rate of tax), 4 (except that the reference to the State shall be to the business district), 5, 7, 8 (except that the jurisdiction to which the tax shall be a debt to the extent indicated in that Section 8 shall be the municipality), 9 (except as to the disposition of taxes and penalties collected, and except that the returned merchandise credit for this tax may not be taken against any State tax), 10, 11, 12 (except the reference therein to Section 2b of the Retailers' Occupation Tax Act), 13 (except that any reference to the State shall mean the municipality), the first paragraph of Section 15, and Sections 16, 17, 18, 19 and 20 of the Service Occupation Tax Act and all provisions of the Uniform Penalty and Interest Act, as fully as if those provisions were set forth herein.

Persons subject to any tax imposed under the authority granted in this subsection may reimburse themselves for their serviceman's tax liability hereunder by separately stating the tax as an additional charge, which charge may be stated in combination, in a single amount, with State tax that servicemen are authorized to collect under the Service Use Tax Act, in accordance with such bracket schedules as the Department may prescribe.

Whenever the Department determines that a refund should be made under this subsection to a claimant instead of issuing credit memorandum, the Department shall notify the State Comptroller, who shall cause the order to be drawn for the amount specified, and to the person named, in such notification from the Department. Such refund shall be paid by the State Treasurer out of the business district retailers' occupation tax fund.

The Department shall forthwith pay over to the State Treasurer, ex-officio, as trustee, all taxes, penalties, and interest collected under this subsection for deposit into the business district retailers' occupation tax fund.

As soon as possible after the first day of each month, beginning January 1, 2011, upon certification of the Department of Revenue, the Comptroller shall order transferred, and the Treasurer shall transfer, to the STAR Bonds Revenue Fund the local sales tax increment, as defined in the Innovation Development and Economy Act, collected under this subsection during the second preceding calendar month for sales within a STAR bond district.

After the monthly transfer to the STAR Bonds Revenue Fund, on or before the 25th day of each calendar month, the Department shall prepare and certify to the Comptroller the disbursement of stated sums of money to named municipalities from the business district retailers' occupation tax fund, the

municipalities to be those from which suppliers and servicemen have paid taxes or penalties under this subsection to the Department during the second preceding calendar month. The amount to be paid to each municipality shall be the amount (not including credit memoranda) collected under this subsection during the second preceding calendar month by the Department, less 2% of that amount, which shall be deposited into the Tax Compliance and Administration Fund and shall be used by the Department, subject to appropriation, to cover the costs of the Department in administering and enforcing the provisions of this subsection, and not including an amount equal to the amount of refunds made during the second preceding calendar month by the Department on behalf of such municipality, and not including any amounts that are transferred to the STAR Bonds Revenue Fund. Within 10 days after receipt, by the Comptroller, of the disbursement certification to the municipalities, provided for in this subsection to be given to the Comptroller by the Department, the Comptroller shall cause the orders to be drawn for the respective amounts in accordance with the directions contained in such certification. The proceeds of the tax paid to municipalities under this subsection shall be deposited into the Business District Tax Allocation Fund by the municipality.

An ordinance imposing or discontinuing the tax under this subsection or effecting a change in the rate thereof shall either (i) be adopted and a certified copy thereof filed with the Department on or before the first day of April, whereupon the Department, if all other requirements of this subsection are met, shall proceed to administer and enforce this subsection as of the first day of July next following the adoption and filing; or (ii) be adopted and a certified copy thereof filed with the Department on or before the first day of October, whereupon, if all other conditions of this subsection are met, the Department shall proceed to administer and enforce this subsection as of the first day of January next following the adoption and filing.

The Department of Revenue shall not administer or enforce an ordinance imposing, discontinuing, or changing the rate of the tax under this subsection, until the municipality also provides, in the manner prescribed by the Department, the boundaries of the business district in such a way that the Department can determine by its address whether a business is located in the business district. The municipality must provide this boundary and address information to the Department on or before April 1 for administration and enforcement of the tax under this subsection by the Department beginning on the following July 1 and on or before October 1 for administration and enforcement of the tax under this subsection by the Department beginning on the following January 1. The Department of Revenue shall not administer or enforce any change made to the boundaries of a business district or address change, addition, or deletion until the municipality reports the boundary change or address change, addition, or deletion to the Department in the manner prescribed by the Department. The municipality must provide this boundary change information or address change, addition, or deletion to the Department on or before April 1 for administration and enforcement by the Department of the change beginning on the following July 1 and on or before October 1 for administration and enforcement by the Department of the



change beginning on the following January 1. The retailers in the business district shall be responsible for charging the tax imposed under this subsection. If a retailer is incorrectly included or excluded from the list of those required to collect the tax under this subsection, both the Department of Revenue and the retailer shall be held harmless if they reasonably relied on information provided by the municipality.

A municipality that imposes the tax under this subsection must submit to the Department of Revenue any other information as the Department may require for the administration and enforcement of the tax.

Nothing in this subsection shall be construed to authorize the municipality to impose a tax upon the privilege of engaging in any business which under the Constitution of the United States may not be made the subject of taxation by the State.

If a tax is imposed under this subsection (c), a tax shall also be imposed under subsection (b) of this Section.

(d) By ordinance, a municipality that has designated a business district under this Law may impose an occupation tax upon all persons engaged in the business district in the business of renting, leasing, or letting rooms in a hotel, as defined in the Hotel Operators' Occupation Tax Act, at a rate not to exceed 1% of the gross rental receipts from the renting, leasing, or letting of hotel rooms within the business district, to be imposed only in 0.25% increments, excluding, however, from gross rental receipts the proceeds of renting, leasing, or letting to permanent residents of a hotel, as defined in the Hotel Operators' Occupation Tax Act, and proceeds from the tax imposed under subsection (c) of Section 13 of the Metropolitan Pier and Exposition Authority Act.

The tax imposed by the municipality under this subsection and all civil penalties that may be assessed as an incident to that tax shall be collected and enforced by the municipality imposing the tax. The municipality shall have full power to administer and enforce this subsection, to collect all taxes and penalties due under this subsection, to dispose of taxes and penalties so collected in the manner provided in this subsection, and to determine all rights to credit memoranda arising on account of the erroneous payment of tax or penalty under this subsection. In the administration of and compliance with this subsection, the municipality and persons who are subject to this subsection shall have the same rights, remedies, privileges, immunities, powers, and duties, shall be subject to the same conditions, restrictions, limitations, penalties, and definitions of terms, and shall employ the same modes of procedure as are employed with respect to a tax adopted by the municipality under Section 8-3-14 of this Code.

Persons subject to any tax imposed under the authority granted in this subsection may reimburse themselves for their tax liability for that tax by separately stating that tax as an additional charge, which charge may be stated in combination, in a single amount, with State taxes imposed under the Hotel Operators' Occupation Tax Act, and with any other tax.

Nothing in this subsection shall be construed to authorize a municipality to impose a tax upon the privilege of engaging in any business which under the Constitution of the United

States may not be made the subject of taxation by this State.

The proceeds of the tax imposed under this subsection shall be deposited into the Business District Tax Allocation Fund.

(e) Obligations secured by the Business District Tax Allocation Fund may be issued to provide for the payment or reimbursement of business district project costs. Those obligations, when so issued, shall be retired in the manner provided in the ordinance authorizing the issuance of those obligations by the receipts of taxes imposed pursuant to subsections (10) and (11) of Section 11-74.3-3 and by other revenue designated or pledged by the municipality. A municipality may in the ordinance pledge, for any period of time up to and including the dissolution date, all or any part of the funds in and to be deposited in the Business District Tax Allocation Fund to the payment of business district project costs and obligations. Whenever a municipality pledges all of the funds to the credit of a business district tax allocation fund to secure obligations issued or to be issued to pay or reimburse business district project costs, the municipality may specifically provide that funds remaining to the credit of such business district tax allocation fund after the payment of such obligations shall be accounted for annually and shall be deemed to be "surplus" funds, and such "surplus" funds shall be expended by the municipality for any business district project cost as approved in the business district plan. Whenever a municipality pledges less than all of the monies to the credit of a business district tax allocation fund to secure obligations issued or to be issued to pay or reimburse business district project costs, the municipality shall provide that monies to the credit of the business district tax allocation fund and not subject to such pledge or otherwise encumbered or required for payment of contractual obligations for specific business district project costs shall be calculated annually and shall be deemed to be "surplus" funds, and such "surplus" funds shall be expended by the municipality for any business district project cost as approved in the business district plan.

No obligation issued pursuant to this Law and secured by a pledge of all or any portion of any revenues received or to be received by the municipality from the imposition of taxes pursuant to subsection (10) of Section 11-74.3-3, shall be deemed to constitute an economic incentive agreement under Section 8-11-20, notwithstanding the fact that such pledge provides for the sharing, rebate, or payment of retailers' occupation taxes or service occupation taxes imposed pursuant to subsection (10) of Section 11-74.3-3 and received or to be received by the municipality from the development or redevelopment of properties in the business district.

Without limiting the foregoing in this Section, the municipality may further secure obligations secured by the business district tax allocation fund with a pledge, for a period not greater than the term of the obligations and in any case not longer than the dissolution date, of any part or any combination of the following: (i) net revenues of all or part of any business district project; (ii) taxes levied or imposed by the municipality on any or all property in the municipality, including, specifically, taxes levied or imposed by the municipality in a special service area pursuant to the Special Service Area Tax Law; (iii) the full faith and credit

of the municipality; (iv) a mortgage on part or all of the business district project; or (v) any other taxes or anticipated receipts that the municipality may lawfully pledge.

Such obligations may be issued in one or more series, bear such date or dates, become due at such time or times as therein provided, but in any case not later than (i) 20 years after the date of issue or (ii) the dissolution date, whichever is earlier, bear interest payable at such intervals and at such rate or rates as set forth therein, except as may be limited by applicable law, which rate or rates may be fixed or variable, be in such denominations, be in such form, either coupon, registered, or book-entry, carry such conversion, registration and exchange privileges, be subject to defeasance upon such terms, have such rank or priority, be executed in such manner, be payable in such medium or payment at such place or places within or without the State, make provision for a corporate trustee within or without the State with respect to such obligations, prescribe the rights, powers, and duties thereof to be exercised for the benefit of the municipality and the benefit of the owners of such obligations, provide for the holding in trust, investment, and use of moneys, funds, and accounts held under an ordinance, provide for assignment of and direct payment of the moneys to pay such obligations or to be deposited into such funds or accounts directly to such trustee, be subject to such terms of redemption with or without premium, and be sold at such price, all as the corporate authorities shall determine. No referendum approval of the electors shall be required as a condition to the issuance of obligations pursuant to this Law except as provided in this Section.

In the event the municipality authorizes the issuance of obligations pursuant to the authority of this Law secured by the full faith and credit of the municipality, or pledges ad valorem taxes pursuant to this subsection, which obligations are other than obligations which may be issued under home rule powers provided by Section 6 of Article VII of the Illinois Constitution or which ad valorem taxes are other than ad valorem taxes which may be pledged under home rule powers provided by Section 6 of Article VII of the Illinois Constitution or which are levied in a special service area pursuant to the Special Service Area Tax Law, the ordinance authorizing the issuance of those obligations or pledging those taxes shall be published within 10 days after the ordinance has been adopted, in a newspaper having a general circulation within the municipality. The publication of the ordinance shall be accompanied by a notice of (i) the specific number of voters required to sign a petition requesting the question of the issuance of the obligations or pledging such ad valorem taxes to be submitted to the electors; (ii) the time within which the petition must be filed; and (iii) the date of the prospective referendum. The municipal clerk shall provide a petition form to any individual requesting one.

If no petition is filed with the municipal clerk, as hereinafter provided in this Section, within 21 days after the publication of the ordinance, the ordinance shall be in effect. However, if within that 21-day period a petition is filed with the municipal clerk, signed by electors numbering not less than 15% of the number of electors voting for the mayor or president at the last general municipal election,

asking that the question of issuing obligations using full faith and credit of the municipality as security for the cost of paying or reimbursing business district project costs, or of pledging such ad valorem taxes for the payment of those obligations, or both, be submitted to the electors of the municipality, the municipality shall not be authorized to issue obligations of the municipality using the full faith and credit of the municipality as security or pledging such ad valorem taxes for the payment of those obligations, or both, until the proposition has been submitted to and approved by a majority of the voters voting on the proposition at a regularly scheduled election. The municipality shall certify the proposition to the proper election authorities for submission in accordance with the general election law.

The ordinance authorizing the obligations may provide that the obligations shall contain a recital that they are issued pursuant to this Law, which recital shall be conclusive evidence of their validity and of the regularity of their issuance.

In the event the municipality authorizes issuance of obligations pursuant to this Law secured by the full faith and credit of the municipality, the ordinance authorizing the obligations may provide for the levy and collection of a direct annual tax upon all taxable property within the municipality sufficient to pay the principal thereof and interest thereon as it matures, which levy may be in addition to and exclusive of the maximum of all other taxes authorized to be levied by the municipality, which levy, however, shall be abated to the extent that monies from other sources are available for payment of the obligations and the municipality certifies the amount of those monies available to the county clerk.

A certified copy of the ordinance shall be filed with the county clerk of each county in which any portion of the municipality is situated, and shall constitute the authority for the extension and collection of the taxes to be deposited in the business district tax allocation fund.

A municipality may also issue its obligations to refund, in whole or in part, obligations theretofore issued by the municipality under the authority of this Law, whether at or prior to maturity. However, the last maturity of the refunding obligations shall not be expressed to mature later than the dissolution date.

In the event a municipality issues obligations under home rule powers or other legislative authority, the proceeds of which are pledged to pay or reimburse business district project costs, the municipality may, if it has followed the procedures in conformance with this Law, retire those obligations from funds in the business district tax allocation fund in amounts and in such manner as if those obligations had been issued pursuant to the provisions of this Law.

No obligations issued pursuant to this Law shall be regarded as indebtedness of the municipality issuing those obligations or any other taxing district for the purpose of any limitation imposed by law.

Obligations issued pursuant to this Law shall not be subject to the provisions of the Bond Authorization Act.

(f) When business district project costs, including, without limitation, all obligations paying or reimbursing business district project costs have been paid, any surplus

funds then remaining in the Business District Tax Allocation Fund shall be distributed to the municipal treasurer for deposit into the general corporate fund of the municipality. Upon payment of all business district project costs and retirement of all obligations paying or reimbursing business district project costs, but in no event more than 23 years after the date of adoption of the ordinance imposing taxes pursuant to subsection (10) or (11) of Section 11-74.3-3, the municipality shall adopt an ordinance immediately rescinding the taxes imposed pursuant to subsection (10) or (11) of Section 11-74.3-3.

(Source: P.A. 99-143, eff. 7-27-15.)

(65 ILCS 5/11-74.3-7)

Sec. 11-74.3-7. Existing business districts. Except as hereinafter provided, business districts that were designated prior to the effective date of this amendatory Act of the 96th General Assembly shall continue to operate and be governed by the terms of this Law in effect prior to the effective date of this amendatory Act of the 96th General Assembly. Any municipality which has designated a business district prior to the effective date of this amendatory Act of the 96th General Assembly may, by ordinance, amend or supplement any proceedings taken in connection with the designation of a business district as shall be necessary to provide that this amendatory Act of the 96th General Assembly shall apply to such business district.

(Source: P.A. 96-1394, eff. 7-29-10.)



**Dear Northpoint Shopping Center Tenants:**

The City of Streator is Setting up a Business Improvement District that encompasses the Northpoint Shopping Center, new hotel, and Eagle Cinemas properties. This district will require tenants to charge an additional City 1% sales tax. The proceeds of the District will be used to improve the properties and expand and complete various development Projects. Recently the Shopping Center put in a new 6" water main and all new fire hydrants ( which includes the length of Danny's Drive) which benefit not only the Shopping Center but everyone in the surrounding areas as that completes a loop which ensures needed water pressure throughout that region of the City. These projects along with many others have been completed to aid in furthering future development and growth. This Business Improvement District was authorized and should have been setup 4 years ago per the City Council's Inducement Letter that was voted and approved as part of the Redevelopment Agreement with the Shopping Center. By not having this establish yet, a number of projects have been delayed or have suffered setbacks on timetables. Although, we do not need this letter to proceed the City would like to hear your support as well as ours. Please fill-out the below portion and email as soon as possible. Thank you for your cooperation as we strive to continually improve and expand Streator.

Owner Name: Matthew F. Whebbe supports the City of Streator's proposed Business Development District No. 1 to be established at the area known as the Northpoint Shopping Center. I certify I am authorized by the above-named Owner to provide this statement of support.

By: Matthew F. Whebbe (signature) Print Name:

Title: CEO/Chairman Date: August 15th, 2019

Please send me a copy of the letter you deliver to the City on or before August 8, 2019 to [kweinstein@greyrealty.com](mailto:kweinstein@greyrealty.com) .

Keith Weinstein  
Managing Member