

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE CALLING FOR  
A PUBLIC HEARING AND A JOINT REVIEW BOARD MEETING TO CONSIDER THE  
DESIGNATION OF A REDEVELOPMENT PROJECT AREA AND THE APPROVAL  
OF A REDEVELOPMENT PLAN AND PROJECT FOR THE CITY OF AURORA  
(CROSS STREET TAX INCREMENT FINANCING DISTRICT)**

**WHEREAS**, the City of Aurora has a population of more than 25,000 persons and is, therefore, a home rule unit under subsection (a) of Section 6 of Article VII of the Illinois Constitution of 1970; and

**WHEREAS**, subject to said Section, a home rule unit may exercise any power and perform any function pertaining to its government and affairs for the protection of the public health, safety, morals, and welfare; and

**WHEREAS**, the City of Aurora ("City") is considering the designation of a redevelopment project area and the approval of a redevelopment plan and project within the corporate limits of the City, to be called the Cross Street Tax Increment Financing District (the "Cross Street TIF"), pursuant to the Tax Increment Allocation Redevelopment Act, 65 ILCS 5/11-74.4-1, *et seq.* ("TIF Act"), conditioned upon the removal of certain properties from the City's Downtown TIF District 3; and

**WHEREAS**, on August 10, 2021, the City Council of the City approved a motion authorizing Kane, McKenna & Associates, Inc., now known as Ryan, LLC, to prepare an eligibility study and report, and a redevelopment plan and project relative to the Cross Street TIF; and

**WHEREAS**, on April 26, 2023, the City published the Tax Increment Financing (TIF) Interested Parties Registry Notice, as required by Section 11-74.4-5(a) of the TIF Act, in the *Beacon News*; and

**WHEREAS**, on May 23, 2023, the City announced the availability of the redevelopment plan and project for the proposed Cross Street TIF (“TIF Plan”), with said TIF Plan containing an eligibility report for the proposed Cross Street TIF (“Eligibility Report”) addressing the tax increment financing eligibility of the area proposed for the redevelopment project area (“Redevelopment Project Area”), with said Redevelopment Project Area being legally described on **Exhibit A** attached hereto and made part hereof, and with the findings of the TIF Plan and Eligibility Report being conditioned upon the removal of certain properties from the City’s Downtown TIF District 3; and

**WHEREAS**, pursuant to the provisions of Section 11-74.4-5(c) of the TIF Act, prior to the adoption of the ordinance designating the Redevelopment Project Area and approving the TIF Plan for the proposed Cross Street TIF, the City must fix a time and place for a public hearing; and

**WHEREAS**, pursuant to the provisions of Section 5/11-74.4-5(b) of the TIF Act, prior to the adoption of the ordinance designating the Redevelopment Project Area and approving the TIF Plan for the proposed Cross Street TIF, the City must convene a meeting of the Joint Review Board (“JRB”) to consider the proposal; and

**WHEREAS**, it is the desire of the City Council of the City to conduct such public hearing and to convene said meeting of the JRB;

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and City Council of the City of Aurora, Illinois, as follows:

**SECTION 1:** That, pursuant to the provisions of the TIF Act, the City Council hereby designates the date of **Tuesday, August 8, 2023, at 6:00 p.m.** at the Aurora

City Hall, 5<sup>th</sup> Floor Conference Room, 44 East Downer Place, Aurora, Illinois 60507, for the purpose of conducting a public hearing to hear from any interested persons, taxpayers or affected taxing districts regarding the Redevelopment Project Area and the TIF Plan for the proposed Cross Street TIF.

**SECTION 2:** That copies of the Eligibility Report and the TIF Plan for the proposed Cross Street TIF have been on file in the office of the City Clerk, and have been available for public inspection during regular City business hours, since April 27, 2023.

**SECTION 3:** That at the public hearing, any interested person, taxpayer or affected taxing district may file with the City Clerk written comments and/or objections to, and may be heard orally with respect to, any issues embodied in the notice of public hearing attached hereto.

**SECTION 4:** That the JRB for the proposed Cross Street TIF shall meet on **Friday, July 7, 2023, at 9:00 a.m.**, at the Development Services Center - Training Room Lower Level, located at 77 S Broadway Aurora, Illinois 60505. The JRB shall review the public record, planning documents, Eligibility Report, Redevelopment Project Area and the TIF Plan for the proposed Cross Street TIF. The JRB shall make an advisory recommendation to the City within thirty (30) days after the convening of the JRB. A written report shall be issued by the JRB. The failure of the JRB to submit its report on a timely basis shall not be cause to delay the public hearing or any other step in the process of designating the Redevelopment Project Area and approving the TIF Plan for the proposed Cross Street TIF. In the event the JRB does not file a report, it shall be presumed that the JRB has approved the matters before it. Pursuant to the

provisions of Section 11-74.4-5(b) of the TIF Act, the JRB shall consist of one (1) public member and one (1) representative from each of the following taxing districts: Kane County, Waubensee Community College No. 516, Aurora Township, Fox Valley Park District, West Aurora School District No. 129, Aurora Public Library District, and the City of Aurora.

**SECTION 5:** That the City of Aurora's representative on the JRB is hereby confirmed as the Assistant Director of the Mayor's Office of Economic Development, or her/his designee.

**SECTION 6:** That a notice setting forth the availability of the Eligibility Report and the TIF Plan for the proposed Cross Street TIF, and how to obtain a copy thereof, shall be sent by mail to all residential addresses within seven hundred fifty (750) feet of the boundaries of the proposed Cross Street TIF and to all persons who have registered on the City's TIF Interested Parties Registry, within a reasonable time after the adoption of this Ordinance, as required by Section 11-74.4-5(a) of the TIF Act, with said notice being substantially in the form attached hereto as **Exhibit B** and made part hereof.

**SECTION 7:** That a notice of the public hearing and the JRB meeting shall be sent by certified mail, return receipt requested, and a notice of the public hearing shall be given by publication, certified mail, return receipt requested, and by first class U.S. Mail, all as required by Sections 11-74.4-5(b) and 11-74.4-6(a), (b) and (c) of the TIF Act, with said notices being substantially in the form attached hereto as **Exhibit C** and made part hereof.

**SECTION 8:** That this Ordinance shall be in full force and effect from and after its adoption and approval as provided by law.

**ADOPTED** this \_\_\_ day of \_\_\_\_\_, 2023 by the City Council, pursuant to a roll call vote as follows:

**AYES:**\_\_\_\_\_

**NAYS:**\_\_\_\_\_

**ABSENT:**\_\_\_\_\_

**APPROVED** by me this \_\_\_day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Richard Irvin, City Mayor

(SEAL)

**ATTEST:**

\_\_\_\_\_  
Jennifer Stallings, City Clerk

**EXHIBIT A**

**REDEVELOPMENT PROJECT AREA LEGAL DESCRIPTION**

**CITY OF AURORA  
CROSS STREET TIF**

THAT PART OF HALL'S ADDITION TO WEST AURORA, RECORDED IN PLAT BOOK 1 PAGE 25 IN KANE COUNTY, ILLINOIS DESCRIBED AS FOLLOWS;

BEGINNING AT THE SOUTHERNMOST CORNER OF LOT 8 IN BLOCK 7 OF SAID HALL'S ADDITION; THENCE NORTHEASTERLY ON THE NORTHWESTERLY LINE OF MIDDLE AVENUE TO THE NORTHEASTERLY LINE OF CROSS STREET; THENCE SOUTHEASTERLY, ON SAID NORTHEASTERLY LINE, TO THE SOUTHEASTERLY LINE OF RIVER STREET; THENCE SOUTHWESTERLY, ON SAID SOUTHEASTERLY LINE, TO THE WESTERNMOST CORNER OF LOT 13 IN BLOCK 1 OF SAID HALL'S ADDITION; THENCE NORTHWESTERLY TO THE SOUTHERNMOST CORNER OF LOT 8 IN SAID BLOCK 4; THENCE NORTHWESTERLY, ON THE SOUTHWESTERLY LINE OF SAID LOT 8 IN BLOCK 4 , TO THE WESTERNMOST CORNER THEREOF; THENCE NORTHWESTERLY TO THE POINT OF BEGINNING, EXCEPTING THEREFROM THE SOUTHWESTERLY 7.7 FEET OF LOT 8 IN SAID BLOCK 4.

**EXHIBIT B**

**NOTICE OF THE AVAILABILITY OF  
THE ELIGIBILITY REPORT AND REDEVELOPMENT PLAN AND PROJECT  
RELATIVE TO THE PROPOSED AURORA CROSS STREET TIF**

Notice is hereby given to you, in that you reside at a residential address within seven hundred fifty (750) feet of the boundaries of the City of Aurora's proposed Cross Street Tax Increment Financing District, or have registered your name on the City of Aurora's Tax Increment Financing Interested Parties Registry, that the Eligibility Report and the Redevelopment Plan and Project for the City of Aurora's proposed Cross Street Tax Increment Financing District are available for your review, with the findings of the Redevelopment Plan and Project and Eligibility Report being conditioned upon the removal of certain properties from the City of Aurora Downtown TIF District 3. Copies of said Eligibility Report and Redevelopment Plan and Project may be obtained from the City Clerk for the City of Aurora, 44 East Downer Place, Aurora, Illinois 60507, between the hours of 8:30 a.m. and 5:00 p.m., Monday through Friday, except holidays.

CITY OF AURORA

Jennifer Stallings  
City Clerk

## **EXHIBIT C**

### **NOTICE OF PUBLIC HEARING AND JOINT REVIEW BOARD MEETING TO CONSIDER THE DESIGNATION OF THE REDEVELOPMENT PROJECT AREA FOR THE PROPOSED AURORA CROSS STREET TIF DISTRICT AND THE APPROVAL OF A REDEVELOPMENT PLAN AND PROJECT IN RELATION THERETO**

Notice is hereby given that a public hearing will be held on Tuesday, August 8, 2023, at 6:00 p.m. at the Aurora City Hall, 5<sup>th</sup> Floor Conference Room, 44 East Downer Place, Aurora, Illinois 60507 (“Public Hearing”), in regard to the proposed designation of a redevelopment project area (“Redevelopment Project Area”), and the proposed approval of a redevelopment plan and project (“Redevelopment Plan and Project”) in relation thereto, for the proposed Aurora Cross Street Tax Increment Financing District (“Cross Street TIF”), pursuant to the provisions of the “Tax Increment Allocation Redevelopment Act,” 65 ILCS 5/11-74.4-1, *et seq.*, as amended (“TIF Act”).

The boundaries of the Redevelopment Project Area for the proposed Cross Street TIF are more fully set forth on the legal description attached hereto as **Exhibit 1** and made part hereof and the street location map attached hereto as **Exhibit 2** and made part hereof.

The proposed Redevelopment Plan and Project provides for land acquisition and assembly, improvements to the public infrastructure within the proposed Redevelopment Project Area and for the City of Aurora (“City”) to implement a set of actions to promote redevelopment within the proposed Redevelopment Project Area. The contemplated City actions include, but are not limited to: acquisition of property and property interests; site preparation and clearance; demolition; provision of public infrastructure and related public improvements and rehabilitation of structures; interest rate write-downs; job training; the encouragement of redevelopment agreements; assisting in the clean-up of any hazardous waste, hazardous substances or underground storage tanks as required by State or Federal law where these are a material impediment to redevelopment; addressing any flooding problems; and improving opportunities for further development and redevelopment within the Cross Street TIF. The City would realize the goals and objectives of the Redevelopment Plan and Project through public finance techniques including, but not limited to, tax increment allocation financing.

Copies of the Eligibility Report and the Redevelopment Plan and Project, the findings of which are conditioned upon the removal of certain property from Aurora Downtown TIF District 3, have been on file with the City since April 27, 2023, and are currently on file and available for public inspection between the hours of 8:30 a.m. and 5:00 p.m., Monday through Friday, except holidays, at the office of the City Clerk for the City of Aurora, at 44 East Downer Place, Aurora, Illinois 60507. Copies of the Eligibility Report and the Redevelopment Plan and Project are enclosed with the copies of this Notice that are being mailed to the affected taxing districts and the Illinois Department of



Commerce and Economic Opportunity. The City Clerk for the City of Aurora may be contacted for further information, at the address above or by telephone at (630) 256-3070.

Pursuant to the TIF Act, the Joint Review Board for the proposed Cross Street TIF ("JRB") is being convened to review the public record, planning documents, Eligibility Report and the proposed ordinances approving the Redevelopment Project Area and the Redevelopment Plan and Project for the proposed Cross Street TIF. Pursuant to the TIF Act, the JRB shall consist of one (1) public member and one (1) representative from each of the following taxing districts: Kane County, Waubensee Community College No. 516, Aurora Township, Fox Valley Park District, West Aurora School District No. 129, and the City of Aurora.

Pursuant to the TIF Act, the meeting of the JRB will be held on Friday, July 7, 2023 at 9:00 a.m. at the Development Services Center - Training Room Lower Level, located at 77 S. Broadway Aurora, Illinois 60505. Those taxing districts with representatives on the JRB are hereby notified of said JRB meeting. The JRB's recommendation relative to the Redevelopment Project Area and Redevelopment Plan and Project for the proposed Cross Street TIF shall be advisory and non-binding, and shall be adopted by a majority vote of those members of the JRB that are present and voting, and submitted to the City within thirty (30) days after the first convening of the JRB. Failure of the JRB to submit its report on a timely basis shall not delay the Public Hearing, nor shall it delay any other step in the process of designating the Redevelopment Project Area or approving the Redevelopment Plan and Project for the proposed Cross Street TIF.

Prior to and at the August 8, 2023 Public Hearing, all interested persons, affected taxing districts and the Illinois Department of Commerce and Economic Opportunity may file with the City Clerk written comments to and may be heard orally with respect to any issues regarding the proposed Redevelopment Project Area and Redevelopment Plan and Project for the proposed Cross Street TIF. Written comments are invited and can be sent in advance of the Public Hearing to the Aurora City Clerk, 44 East Downer Place, Aurora, Illinois 60507. The Public Hearing may be adjourned by the City Council without further notice other than a motion to be entered upon the minutes of the Public Hearing, fixing the time and place of the subsequent Public Hearing.

Mailed and Published by order of the  
Corporate Authorities of the City of Aurora, Illinois  
Jennifer Stallings, City Clerk

## **EXHIBIT 1**

### **COMMON BOUNDARIES, PINS, AND LEGAL DESCRIPTION FOR THE AURORA CROSS STREET TIF DISTRICT**

Common Boundaries: The area in the City of Aurora generally described as north of the first alley north of Gale Street, east of Middle Avenue, south of Cross Street, and west of South River Street.

Property Identification Numbers ("PINs"): 15-21-478-006  
15-21-478-011

#### **LEGAL DESCRIPTION:**

THAT PART OF HALL'S ADDITION TO WEST AURORA, RECORDED IN PLAT BOOK 1 PAGE 25 IN KANE COUNTY, ILLINOIS DESCRIBED AS FOLLOWS;

BEGINNING AT THE SOUTHERNMOST CORNER OF LOT 8 IN BLOCK 7 OF SAID HALL'S ADDITION; THENCE NORTHEASTERLY ON THE NORTHWESTERLY LINE OF MIDDLE AVENUE TO THE NORTHEASTERLY LINE OF CROSS STREET; THENCE SOUTHEASTERLY, ON SAID NORTHEASTERLY LINE, TO THE SOUTHEASTERLY LINE OF RIVER STREET; THENCE SOUTHWESTERLY, ON SAID SOUTHEASTERLY LINE, TO THE WESTERNMOST CORNER OF LOT 13 IN BLOCK 1 OF SAID HALL'S ADDITION; THENCE NORTHWESTERLY TO THE SOUTHERNMOST CORNER OF LOT 8 IN SAID BLOCK 4; THENCE NORTHWESTERLY, ON THE SOUTHWESTERLY LINE OF SAID LOT 8 IN BLOCK 4 , TO THE WESTERNMOST CORNER THEREOF; THENCE NORTHWESTERLY TO THE POINT OF BEGINNING, EXCEPTING THEREFROM THE SOUTHWESTERLY 7.7 FEET OF LOT 8 IN SAID BLOCK 4.

**LEGAL DESCRIPTION OF THE PROPOSED  
AURORA CROSS STREET TIF DISTRICT**

THAT PART OF HALL'S ADDITION TO WEST AURORA, RECORDED IN PLAT BOOK 1 PAGE 25 IN KANE COUNTY, ILLINOIS DESCRIBED AS FOLLOWS;

BEGINNING AT THE SOUTHERNMOST CORNER OF LOT 8 IN BLOCK 7 OF SAID HALL'S ADDITION; THENCE NORTHEASTERLY ON THE NORTHWESTERLY LINE OF MIDDLE AVENUE TO THE NORTHEASTERLY LINE OF CROSS STREET; THENCE SOUTHEASTERLY, ON SAID NORTHEASTERLY LINE, TO THE SOUTHEASTERLY LINE OF RIVER STREET; THENCE SOUTHWESTERLY, ON SAID SOUTHEASTERLY LINE, TO THE WESTERNMOST CORNER OF LOT 13 IN BLOCK 1 OF SAID HALL'S ADDITION; THENCE NORTHWESTERLY TO THE SOUTHERNMOST CORNER OF LOT 8 IN SAID BLOCK 4; THENCE NORTHWESTERLY, ON THE SOUTHWESTERLY LINE OF SAID LOT 8 IN BLOCK 4 , TO THE WESTERNMOST CORNER THEREOF; THENCE NORTHWESTERLY TO THE POINT OF BEGINNING, EXCEPTING THEREFROM THE SOUTHWESTERLY 7.7 FEET OF LOT 8 IN SAID BLOCK 4.

**EXHIBIT 2**

**STREET LOCATION MAP FOR THE AURORA  
CROSS STREET TIF DISTRICT**

(attached)