

## RESOLUTION R-2023-76

### A RESOLUTION DECLARING A VOLUNTARY SURPLUS IN THE COURTHOUSE REDEVELOPMENT PROJECT AREA TAX INCREMENT FINANCING ALLOCATION FUND AND AUTHORIZING THE DISTRIBUTION OF SUCH SURPLUS

**WHEREAS**, on or about March 21, 2005, the City Council of the City of Wheaton adopted Ordinance No. F-1010 Approving a Tax Increment Development Plan and Redevelopment Project for the City of Wheaton Courthouse Redevelopment Project Area, Ordinance F-1011 Designating the Courthouse Redevelopment Project Area a Redevelopment Project Area Pursuant to the Tax Increment Allocation Act, and Ordinance No. F-1012 Adopting Tax Increment Allocation Financing for the Courthouse Redevelopment Project Area; and

**WHEREAS**, the Director of Finance of the City of Wheaton has prepared its Fiscal Year 2022 Annual Report and State of Illinois Comptroller's Annual Tax Increment Finance Report for the Courthouse Redevelopment Project Area for Fiscal Year 2022; and

**WHEREAS**, the City Manager and Director of Finance have determined that payments of incremental taxes for future years will be sufficient to pay for redevelopment project costs within the Courthouse Redevelopment Project Area and recommend that the City declare a surplus in the amount of Three Million Dollars (\$3,000,000.00); and

**WHEREAS**, the City Council finds that there are sufficient funds within the Courthouse Redevelopment Project Area Tax Increment Financing Allocation Fund that a surplus in the amount of Three Million Dollars (\$3,000,000.00) may be declared; and

**WHEREAS**, the City Council desires to voluntarily declare a surplus pursuant to the provisions of the Tax Increment Allocation Act, Section 11-74.4-7 (65 ILCS 5/11-74.4-7) in order to distribute the above referenced amount to the overlapping taxing districts to be used to further the objectives of those taxing districts.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and City Council of the City of Wheaton, DuPage County, Illinois, in the exercise of its home rule powers, that pursuant to the provisions of the Tax Increment Allocation Act, Section 11-74.4-7, a surplus is declared in the Courthouse Redevelopment Project Area Tax Increment Allocation Fund in the amount of \$3,000,000.00.

**BE IT FURTHER RESOLVED** that the DuPage County Collector and Director of Finance are hereby authorized to take such actions as are necessary to cause the distribution of the above declared surplus to those taxing districts, including the City of Wheaton, affected by the Courthouse Redevelopment Project Area, in the same manner and proportion as the most recent distribution by the DuPage County Collector to the affected districts of real property taxes from real property in the Courthouse Redevelopment Project Area.

**BE IT FURTHER RESOLVED** that this Resolution supersedes Resolution R-2023-55 which shall have no further force or effect.

**ADOPTED** this 5<sup>th</sup> day of September 2023.

  
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Mayor

ATTEST:

  
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City Clerk

Roll Call Vote:

Ayes: Councilman Barbier  
Councilwoman Bray-Parker  
Councilman Brown  
Mayor Sues  
Councilman Clousing  
Councilwoman Robbins  
Councilman Weller

Nays: None  
Absent: None  
Motion Carried Unanimously