



Legislation Text

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PROPOSED RESOLUTION

A RESOLUTION RELATING TO AND PROVIDING FOR THE SUBMISSION OF AN ELECTION RESOLUTION REQUIRING THE PROPOSITION OF INCREASING THE LIMITING RATE FOR THE FOREST PRESERVE DISTRICT OF COOK COUNTY, ILLINOIS, TO THE VOTERS OF SAID FOREST PRESERVE DISTRICT AT THE GENERAL ELECTION TO BE HELD ON THE 8TH DAY OF NOVEMBER, 2022

WHEREAS, the Forest Preserve District of Cook County, Illinois (the “*District*”), is subject to the Property Tax Extension Limitation Law of the State of Illinois, as amended (“*PTELL*”); and

WHEREAS, the Board of Commissioners of the District (the “*Board*”) does hereby find and determine that the limiting rate for the District is not sufficient to provide funds to pay the cost of conserving and restoring land to good health, protecting the water quality of rivers, lakes, and streams, providing natural flood water storage, protecting wildlife habitat, protecting forests to improve air quality, improving and maintaining existing forest preserves and trails of said District, and other lawful purposes of the Forest Preserve District of Cook County; and

WHEREAS, it is hereby found and determined by the Board that the need exists for increasing the limiting rate for the District by an additional amount equal to 0.025% above the current limiting rate for the purposes of conserving and restoring land to good health, protecting the water quality of rivers, lakes, and streams, providing natural flood water storage, protecting wildlife habitat, protecting forests to improve air quality, improving and maintaining existing forest preserves and trails of said District, and other lawful purposes of the District, and establishing the same at 0.076% of the equalized assessed value of the taxable property beginning in the first levy year after approval; and

WHEREAS, before the District is authorized to increase its limiting rate to 0.076%, a proposition therefor (the “*Proposition*”) must be submitted to the voters of the District as provided by PTELL, and be approved by a majority of the voters of the District voting on the Proposition at an election to be held in Cook County and for the District on November 8, 2022; and

WHEREAS, it is deemed advisable, necessary and in the best interests of the District that the Proposition be submitted to the voters of the District at an election to be held and conducted in accordance with the general election law; and

WHEREAS, Section 28-2 of the Election Code of the State of Illinois, as amended (the “*Election Code*”) requires that an election resolution shall not be adopted more than one year prior to the election and it is therefore necessary to approve a form of election resolution relating to the Proposition which shall be adopted at a later date in accordance with the Election Code.

WHEREAS, the District has reviewed and approved the form of election resolution as set forth in this Resolution:

Now, Therefore, Be It and It Is Hereby Resolved by the Board of Commissioners of the Forest Preserve District of Cook County, Illinois, as follows:

Section 1. Incorporation of Preambles. The Board hereby finds that all of the recitals contained in the preambles to this Resolution are full, true and correct and does incorporate them into this Resolution by this reference.

Section 2. Election Resolution. The Election Resolution set forth in this Section 2 is hereby approved as to form subject to completion with relevant financial details when available as contemplated therein. The Board shall consider the Election Resolution at a meeting held within one year of the election in accordance with the Election Code:

AN ELECTION RESOLUTION PROVIDING FOR AND REQUIRING THE SUBMISSION OF THE PROPOSITION OF INCREASING THE LIMITING RATE FOR THE FOREST PRESERVE DISTRICT OF COOK COUNTY, ILLINOIS, TO THE VOTERS OF SAID FOREST PRESERVE DISTRICT AT THE GENERAL ELECTION TO BE HELD ON THE 8TH DAY OF NOVEMBER, 2022

WHEREAS, the Forest Preserve District of Cook County, Illinois (the “*District*”), is subject to the Property Tax Extension Limitation Law of the State of Illinois, as amended (“*PTELL*”); and

WHEREAS, the Board of Commissioners of the District (the “*Board*”) does hereby find and determine that the limiting rate for the District is not sufficient to provide funds to pay the cost of conserving and restoring land to good health, protecting the water quality of rivers, lakes, and streams, providing natural flood water storage, protecting wildlife habitat, protecting forests to improve air quality, improving and maintaining existing forest preserves and trails of said District, and other lawful purposes of the Forest Preserve District of Cook County; and

WHEREAS, the limiting rate for the District for levy year 2019 was 0.051% of the equalized assessed value of the taxable property therein; and

WHEREAS, it is hereby found and determined by the Board that the need exists for increasing the limiting rate for the District by an additional amount equal to 0.025% above the limiting rate for levy year 2019 for the purposes of conserving and restoring land to good health, protecting the water quality of rivers, lakes, and streams, providing natural flood water storage, protecting wildlife habitat, protecting forests to improve air quality, improving and maintaining existing forest preserves and trails of said District, and other lawful purposes of the Forest Preserve District of Cook County, and establishing the same at 0.076% of the equalized assessed value of the taxable property therein for levy year 2022; and

WHEREAS, before the District is authorized to increase its limiting rate to 0.076%, a proposition therefor (the “*Proposition*”) must be submitted to the voters of the District as provided by PTELL, and be approved by a majority of the voters of the District voting on the Proposition at an election to be held in Cook County and for the District; and

WHEREAS, it is deemed advisable, necessary and in the best interests of the District that the Proposition be submitted to the voters of the District at an election to be held and conducted in accordance with the general election law; and

WHEREAS, PTELL requires that the ballot for the Proposition shall have printed thereon, but not as a part of the Proposition, certain supplemental information as set forth and described in PTELL; and

WHEREAS, such supplemental information shall be supplied by the District to the election authority; and

WHEREAS, the Board has reviewed and approved the supplemental information appearing on the form of ballot for the Proposition hereinafter set forth in this Resolution:

Now, Therefore, Be It and It Is Hereby Resolved by the Board of Commissioners of the Forest

Preserve District of Cook County, Illinois, as follows:

Section 1. Incorporation of Preambles. The Board hereby finds that all of the recitals contained in

the preambles to this Resolution are full, true and correct and does incorporate them into this Resolution by this reference.

Section 2. Need to Submit to Voters. It is necessary and in the best interests of the District that the limiting rate for the District be increased by an additional amount equal to 0.025% above the limiting rate for levy year 2019 for the purposes of conserving and restoring land to good health, protecting the water quality of rivers, lakes, and streams, providing natural flood water storage, protecting wildlife habitat, protecting forests to improve air quality, improving and maintaining existing forest preserves and trails of said District, and other lawful purposes of the Forest Preserve District of Cook County, and be established at 0.076% of the equalized assessed valuation of the taxable property therein for levy year 2022.

Section 3. Submission to Voters. The Proposition shall be submitted to the voters of the District in accordance with the general election law at the general election to be held on Tuesday, the 8th day of November, 2022, between the hours of 6:00 o'clock A.M. and 7:00 o'clock P.M. on said day (the "*Election*").

Section 4. Voting Precincts and Polling Places. The Election shall be held in the voting precincts and at the polling places established by the County Board (the "*County Board*") of the County of Cook, Illinois (the "*County*"), for voters of the District at the Election.

Section 5. Election Notice. The County Clerk of the County (the "*County Clerk*") shall give notice of the Election, including the Spanish, Chinese and Asian Indian translations thereof as deemed required by law by the County Clerk (the "*Notice*"), in accordance with the general election law by (i) publishing the Notice once not more than 60 nor less than 10 days prior to the date of the Election in a local, community newspaper having general circulation in the District, and (ii) posting a copy of the Notice at least 10 days before the date of the Election at the principal office of the County Clerk.

Section 6. Local Notice. The Secretary of the Board shall post a copy of the Notice at the principal office of the District.

Section 7. Newspaper of General Circulation. It is hereby found and determined that Chicago Sun Times is local, community newspaper having general circulation in the District as required by Section 12-5 of the Election Code of the State of Illinois, as amended (the "*Election Code*").

Section 8. *Form of Notice.* The Notice shall appear over the name or title of the County Clerk and shall be substantially in the following form:

Notice is Hereby Given that at the general election to be held on Tuesday, the 8th day of November 2022, the following proposition will be submitted to the voters of the Forest Preserve District of Cook County, Illinois:

Shall the limiting rate under the Property Tax Extension Limitation Law for the Forest Preserve District of Cook County, Illinois, be increased by an additional amount equal to 0.025% above the limiting rate for levy year 2019 for the purposes of conserving and restoring land to good health, protecting the water quality of rivers, lakes, and streams, providing natural flood water storage, protecting wildlife habitat, protecting forests to improve air quality, improving and maintaining existing forest preserves and trails of said District, and other lawful purposes of the Forest Preserve District of Cook County, with public disclosure of expenditures, and be equal to 0.076% of the equalized assessed value of the taxable property therein for levy year 2022?

YES ___
NO ___

(1) The approximate amount of taxes extendable at the most recently extended limiting rate is \$85,127,981 and the approximate amount of taxes extendable if the proposition is approved is \$126,857,385.

(2) For the 2022 levy year the approximate amount of the additional tax extendable against property containing a single family residence and having a fair market value at the time of the referendum of \$100,000 is estimated to be \$7.29.

(3) If the proposition is approved, the aggregate extension for 2022 will be determined by the limiting rate set forth in the proposition, rather than the otherwise applicable limiting rate calculated under the provisions of the Property Tax Extension Limitation Law (commonly known as the Property Tax Cap Law).

The polls at the election will be open at 6:00 o'clock A.M. and will continue to be open until 7:00 o'clock P.M. of that day.

Dated this ___ day of _____, 20__.

/s/ Karen A. Yarbrough
County Clerk, The County of Cook, Illinois

Section 9. *Form of Ballot.* That the ballot to be used at the Election, including the Spanish, Chinese and Asian Indian translations thereof as deemed required by law by the County Clerk, shall be in substantially the following form, with such necessary alterations, changes, deletions and insertions as may be required by Articles 24A, 24B or 24C of the Election Code if an electronic, mechanical or electric voting system is used at the Election:

(Face of Ballot)

Official Ballot

Forest Preserve District of Cook County, Illinois - Clean Air, Clean Water, and Wildlife Habitat Protection One-Year Limiting Rate Increase

(Instructions to Voters: Mark a cross (X) in the space opposite the word indicating the way you desire to vote.)

Shall the limiting rate under the Property Tax Extension Limitation Law for the Forest Preserve District of Cook County, Illinois, be increased by an additional amount equal to 0.025% above the limiting rate for levy year 2019 for the purposes of conserving and restoring land to good health, protecting the water quality of rivers, lakes, and streams, providing natural flood water storage, protecting wildlife habitat, protecting forests to improve air quality, improving and maintaining existing forest preserves and trails of said District, and other lawful purposes of the Forest Preserve District of Cook County, with public disclosure of expenditures, and be equal to 0.076% of the equalized assessed value of the taxable property therein for levy year 2022?

YES ___
NO ___

- (1) The approximate amount of taxes extendable at the most recently extended limiting rate is \$85,127,981 and the approximate amount of taxes extendable if the proposition is approved is \$126,857,385.
- (2) For the 2022 levy year the approximate amount of the additional tax extendable against property containing a single family residence and having a fair market value at the time of the referendum of \$100,000 is estimated to be \$7.29.
- (3) If the proposition is approved, the aggregate extension for 2022 will be determined by the limiting rate set forth in the proposition, rather than the otherwise applicable limiting rate calculated under the provisions of the Property Tax Extension Limitation Law (commonly known as the Property Tax Cap Law).

(Back of Paper Ballot)

Official Ballot

Official ballot for voting on the proposition to increase the limiting rate for the Forest Preserve District of Cook County, Illinois, at the general election held on November 8, 2022.

Precinct Number: _____

Polling Place: _____

/s/ Karen A. Yarbrough
County Clerk, The County of Cook, Illinois

Section 10. Election Judges. The Election shall be conducted by the election judges appointed by the County Board to act in the precincts at which the Proposition will be submitted to the voters of the District.

Section 11. Filing of Ordinance. After the adoption hereof and not less than 68 days prior to the date of the Election, the Secretary of the Board shall certify a copy hereof to the County Clerk in order that the Proposition may be submitted to the voters of the District at the Election.

Section 12. Canvass of Election. The Election shall be held and conducted and the returns thereof duly canvassed, all in the manner and time as provided by the general election law.

Section 13. Severability. If any section, paragraph, clause or provision of this Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Ordinance.

Section 14. Repealer and Effective Date. All ordinances, orders and resolutions and parts thereof in conflict herewith be and the same are hereby repealed, and this Ordinance be in full force and effect forthwith upon its adoption.