

VILLAGE OF DOWNERS GROVE
Report for the Village Council Meeting

SUBJECT:		SUBMITTED BY:
Stormwater Utility Referenda Questions	8/16/2016	Enza Petrarca Village Attorney

SYNOPSIS

Resolutions amending the three resolutions adopted on June 28, 2016, certifying three referenda questions regarding the Stormwater Utility have been prepared. This item is a Top Priority Action Item for the Village Council for the period of 2015-2017.

STRATEGIC PLAN ALIGNMENT

Consider Changes to the Stormwater Utility is a Top Priority Action Item for 2015-2017.

FISCAL IMPACT

N/A

BACKGROUND

On June 28, 2016, the Village Council adopted three resolutions initiating the submission of public questions concerning the funding of stormwater costs. After submitting the questions to the County Election Commission for publication on the November 8th ballot, the County raised some concerns regarding the length of the questions. The County is recommending that the questions be slightly amended so that the preamble be only printed once and that the questions be numbered 1-3. Staff is also recommending that the following sentence be added at the end of the preamble: "Please answer all three (3) questions below." It should be noted that the preamble will only appear on the resolution submitting the first question and will state "Please answer all three (3) questions below", although technically only one question will appear in the first resolution (the other two questions will appear below on the actual ballot).

Staff believes that these changes will simplify and clarify the issues for the voters. The County is recommending that the Village amend the resolutions to reflect the proposed changes. The last day to pass the resolutions is Monday, August 22.

The proposed questions are as follows:

In 2017, the Village plans to budget \$3.9 million for stormwater costs. Currently, annual costs are funded with a stormwater utility fee. The Village of Downers Grove is seeking resident input to determine whether it should fund stormwater costs with a stormwater utility fee, through property taxes or with a combination of both the stormwater utility fee and property taxes. Please answer all three (3) questions below.

Question #1:

Shall the Village of Downers Grove continue to fund all stormwater costs using a stormwater utility fee instead of property taxes? [YES] or [NO]

Question #2:

Shall the Village of Downers Grove fund all stormwater costs using property taxes instead of a stormwater utility fee? [YES] or [NO]

Question #3:

Shall the Village of Downers Grove fund stormwater costs using a combination of stormwater utility fees and property taxes? [YES] or [NO]

ATTACHMENTS

Resolutions

RESOLUTION NO. 2016-**A RESOLUTION AMENDING RESOLUTION No. 2016-39 INITIATING THE
SUBMISSION OF A PUBLIC QUESTION CONCERNING
FUNDING OF STORMWATER COSTS USING PROPERTY TAXES INSTEAD OF A
STORMWATER UTILITY FEE**

WHEREAS, preserving the public safety, health and welfare of its residents is a top priority and of paramount concern to the Village Council of the Village of Downers Grove; and

WHEREAS, the Village of Downers Grove has owned and maintained a stormwater management system ("System") for many decades, and the size and complexity of the system has increased dramatically; and

WHEREAS, the goal of the System is to reduce the frequency and severity of stormwater-related flooding; and

WHEREAS, the Village has a responsibility to its residents to insure it has a maintainable, sustainable and operational System; and

WHEREAS, in order to continue to provide a maintainable, sustainable and operational System, the System must be expanded and enhanced by constructing new infrastructure, increasing the capacity of current infrastructure, and increasing maintenance activities; and

WHEREAS, the Village currently operates the System as a utility, and has been doing so since 2013, for which all property tax paying parcels pay fees based on the amount of impervious area on the parcel; and

WHEREAS, prior to 2013, the Village generated revenues for the System through property taxes; and

WHEREAS, a determination needs to be made regarding how to continue to fund the System.

WHEREAS, on June 28, 2016, the Downers Grove Village Council adopted Resolution No. 2016-39 initiating the submission of a public question concerning funding of stormwater costs using property taxes instead of a stormwater utility fee;

WHEREAS, after further consultation with the DuPage County Election Commission the Village Council has determined that the public question to be submitted to voters be amended as provided for below; and

NOW, THEREFORE, BE IT RESOLVED by the Village Council of the Village of Downers Grove, County of DuPage, State of Illinois, as follows:

SECTION ONE: Incorporation of Recitals. The foregoing recitals are by this reference incorporated into and made a part of the resolution as if fully set forth.

SECTION TWO: Public Question on Stormwater Costs. A public question shall be submitted to the voters of The Village of Downers Grove, County of DuPage, State of Illinois, at the November 8, 2016 general election (or at the next available election permitted by the general election law) as follows:

<p><u>Question #2:</u> Shall the Village of Downers Grove fund all stormwater costs using property taxes instead of a stormwater utility fee? [YES] or [NO]</p>	<p>YES _____</p>	<p>NO _____</p>
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SECTION THREE: Publication: Filing. The Clerk is hereby directed to file this authorizing resolution or other related matters with the appropriate election officials in accordance with applicable law.

SECTION FOUR: Effective Date: This Resolution shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law, and any and all Resolution(s) in conflict with the provisions of this Resolution are hereby repealed.

By: _____
 Mayor

Passed:

Published:

Attest: _____
 Village Clerk