

RESOLUTION NO. R-2023-18

**A RESOLUTION AUTHORIZING AND APPROVING
THE PAYMENT REQUEST OF MAYWOOD PUBLIC LIBRARY DISTRICT FOR ITS SHARE
OF THE STATE PERSONAL PROPERTY REPLACEMENT TAXES AMOUNT OF \$270,718.72
RELATIVE TO ALLOCATIONS FOR YEAR 2021 (AUGUST, OCTOBER AND DECEMBER),
YEAR 2022 (JANUARY, MARCH, APRIL, MAY, JULY, AUGUST, OCTOBER AND DECEMBER)
AND YEAR 2023 (JANUARY AND MARCH)**

WHEREAS, the President and Board of Trustees of the Village of Maywood (the "Village") desire to approve and authorize payment to the Maywood Public Library District (the "Library District") for its proportional share of the allocations received by the Village from the State Personal Property Tax Replacement Fund for: the months of August, October and December of 2021; the months of January, March, April, May, July, August, October and December of 2022; and the months of January and March of 2023; as requested in the March 20, 2023 letter from Library Director Leighton Shell to Village Finance Director Lanya Satchell. A copy of the letter is attached hereto as Exhibit "A" and made a part hereof; and

WHEREAS, Article IX, Section 5 of the Illinois Constitution of 1970 directed the State legislature to abolish personal property taxes and to replace all revenue lost by units of local government as a result of the abolishment of such taxes; and

WHEREAS, Section 12 of the State Revenue Sharing Act (30 ILCS 115/12) creates the Personal Property Tax Replacement Fund to provide for State taxes to replace the monies lost to local governments as a result of the abolishment of personal property taxes to be exclusively used for distribution to taxing districts, regional offices and officials, and local officials, and requires municipalities which receive an allocation based in whole or in part on personal property taxes it levied pursuant to Sections 3-1, 3-4 and 3-6 of the Illinois Local Library Act (75 ILCS 5/3-1, 3-4 and 3-6) and which was previously required to be paid over to a public library shall immediately pay over to that library a proportionate share of the personal property tax replacement; and

WHEREAS, the Village of Maywood ("Village") has received an allocation from the State Personal Property Tax Replacement Fund for: the months of August, October and December of 2021; the months of January, March, April, May, July, August, October and December of 2022; and the months of January and March of 2023; for a total amount of \$3,436,825.21, a portion of which it received based on personal property taxes it levied pursuant to the above-referenced Section of the Illinois Local Library Act (75 ILCS 5/) which it was previously required to pay to the Maywood Public Library, which has been converted into the Maywood Public Library District ("Library District"); and

WHEREAS, the Village received a letter from the Library District requesting payment of its proportional share of the allocations received by the Village from the Personal Property Replacement Tax Fund in: the months of August, October and December of 2021; the months of January, March, April, May, July, August, October and December 2022; and the months of January and March of 2023; in a total amount of \$270,718.72 (Exhibit "A"); and

WHEREAS, the Village of Maywood, a home rule Illinois municipal corporation, is required under Section 12 (Personal Property Tax Replacement Fund) of the State Revenue Sharing Act (30 ILCS 115/12) to pay the Maywood Public Library District its proportional share of the Personal Property Tax

Replacement Fund for: the months of August, October and December of 2021; the months of January, March, April, May, July, August, October and December of 2022; and the months of January and March of 2023; and

WHEREAS, the President and the Board of Trustees of the Village of Maywood, in order to comply with Section 12 (Personal Property Tax Replacement Fund) of the State Revenue Sharing Act (30 ILCS 115/12), find that authorizing and approving the payment to the Maywood Public Library District for its share of the State Personal Property Replacement Tax Fund allocations for the months outlined above in the amount of \$270,718.72 is in the best interests of the Village and its residents, property owners and business owners.

NOW, THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF MAYWOOD, ILLINOIS, PURSUANT TO ITS HOME RULE POWERS AS PROVIDED BY ARTICLE VII, SECTIONS 6 AND 10(a) OF THE ILLINOIS CONSTITUTION OF 1970, AS FOLLOWS:

SECTION 1: Incorporation. Each Whereas paragraph above is incorporated by reference into this Section 1 and made a part hereof as material and operative provisions of this Resolution.

SECTION 2: Approval and Authorization of Payment. The President and Board of Trustees of the Village of Maywood approve and authorize payment of \$270,718.72 requested by the Maywood Public Library District for its portion of the Personal Property Tax Reimbursement Fund allocations paid to the Village for the months indicated above and outlined in the Library District's letter to the Village, a copy of which is attached hereto as Exhibit "A" and made a part hereof. Further, the President and Board of Trustees of the Village of Maywood authorize and direct the Village President and Clerk, or their designees, to execute and deliver all instruments and documents that are necessary to make such payment.

SECTION 3: Delivery of Signed Documents. The President and Board of Trustees of the Village direct the Village Clerk's Office to forward certified copy of this Resolution to the Maywood Public Library District for record retention purposes.

SECTION 4: Effective Date. This Resolution shall be in full force and effect from and after its passage and approval.

ADOPTED this 18th day of April, 2023, pursuant to a roll call vote as follows:

AYES: Mayor Booker, Trustees A. Sanchez, S. Reyes-Plummer, M. Jones, M. Lightford
A. Peppers and I. Brandon

NAYS: None

ABSENT: None

APPROVED by me this 18th day of April, 2023 and attested to by the Village Clerk this same day.

Nathaniel George Booker, Village President

ATTEST:

Gwaine Dianne Williams, Village Clerk

Exhibit "A"

**Letter from Library Director Leighton Shell
to Village Finance Director Lanya Satchell
dated March 20, 2023**

(attached)

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

CLERK'S CERTIFICATE

I, Gwaine Dianne Williams, the duly elected, qualified and acting Village Clerk of the Village of Maywood, Cook County, Illinois, certify that attached hereto is a true and correct copy of the Resolution now on file in my office, entitled:

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which was passed by a roll call vote of the Board of Trustees of the Village of Maywood at a Special Meeting of the President and the Board of Trustees held on the 18th day of April, 2023, at which meeting a quorum was present, and approved by the President of the Village of Maywood on the 18th day of April, 2023.

I further certify that the vote on the question of the passage of the said Resolution by the Board of Trustees of the Village of Maywood was taken by the Ayes and Nays and recorded in the Journal of Proceedings of the Board of Trustees of the Village of Maywood, and that the result of the vote was as follows, to wit:

AYES: Mayor Booker, Trustees A. Sanchez, S. Reyes-Plummer, M. Jones, M. Lightford
A. Peppers and I. Brandon

NAYS: None

ABSENT: None

I do further certify that the original Resolution, of which the foregoing is a true copy, is entrusted to my care for safekeeping, and that I am the lawful keeper of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Village of Maywood, this 18th day of April, 2023.

By: _____
Gwaine Dianne Williams, Village Clerk

[SEAL]