

**Action Item**

**January 18, 2011**

**To: Raymond Lechner, Ph.D.  
Superintendent**

**From: Crystal S. LeRoy, Ed.D.  
Business Manager**

**Subject: Approve the Resolution Providing for the Submission of a Proposition for a Tax Increase Under PTELL to the Voters of the District at the April 5, 2011 Consolidated Election**

**Proposed Action by Board of Education**

Approve the attached resolution providing for the submission of a proposition for a tax increase under Property Tax Extension Limitation Law (PTELL) to the voters of the District at the April 5, 2011 consolidated election.

**Background**

The Board of Education has determined to place on the ballot for the April 5, 2011 consolidated election, a proposition to increase its limiting rate under the Property Tax Extension Limitation Law. Based on the current FY11 Budget and budget forecasts, the need exists for increasing the limiting rate for the District by an additional amount equal to 0.588% above the limiting rate for the levy year 2009. Before the District is authorized to increase its limiting rate, a 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 held in and for the District.

**Attachment**

CSL/mae

**Recommended for approval  
by the Board of Education**



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**Raymond Lechner, Ph.D.,  
Superintendent**

MINUTES of a regular public meeting of the Board of Education of School District Number 39, Cook County, Illinois, held at the Mikaelian Education Center, 615 Locust Road, Wilmette, Illinois, in said School District at 7:00 o'clock P.M., on the 18th day of January, 2011.

\* \* \*

The meeting was called to order by the President and upon the roll being called, Keith Dronen, the President, and the following members were physically present at said location:

\_\_\_\_\_  
\_\_\_\_\_

The following members were allowed by a majority of the members of the Board of Education in accordance with and to the extent allowed by rules adopted by the Board of Education to attend the meeting by video or audio conference: \_\_\_\_\_

\_\_\_\_\_

No member was not permitted to attend the meeting by video or audio conference.

The following members were absent and did not participate in the meeting in any manner or to any extent whatsoever: \_\_\_\_\_

\_\_\_\_\_

The President announced that the Board of Education would next consider the adoption of a resolution providing for and requiring the submission of the proposition of increasing the limiting rate for the District to the voters of the District at the consolidated election to be held on April 5, 2011.

Whereupon Member \_\_\_\_\_ presented and the Secretary read by title a resolution as follows, a copy of which was provided to each member of the Board of Education prior to said meeting and to everyone in attendance at said meeting who requested a copy:

RESOLUTION providing for and requiring the submission of the proposition of increasing the limiting rate for School District Number 39, Cook County, Illinois, to the voters of said School District at the consolidated election to be held on the 5th day of April, 2011.

\* \* \*

WHEREAS, School District Number 39, 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 Education of the District (the "*School Board*") does hereby find and determine that the limiting rate for the District under PTELL is not sufficient to provide funds to pay the cost of providing an efficient and adequate program to meet the educational needs of the District; and

WHEREAS, the most recent levy year for which the limiting rate of the District is known is 2009; and

WHEREAS, the limiting rate for the District for levy year 2009 was 1.655% of the equalized assessed value of the taxable property therein; and

WHEREAS, it is hereby found and determined by the School Board that the need exists for increasing the limiting rate for the District by an additional amount equal to 0.588% above the limiting rate for levy year 2009 for any purpose of the District and establishing the same at 2.243% of the equalized assessed value of the taxable property therein for levy year 2010; and

WHEREAS, before the District is authorized to increase its limiting rate to 2.243%, 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 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 School 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 Education of School District Number 39, Cook County, Illinois, as follows:

*Section 1. Incorporation of Preambles.* The School 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 0.588% above the limiting rate for levy year 2009 for any purpose of the District and be established at 2.243% of the equalized assessed valuation of the taxable property therein for levy year 2010.

*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 consolidated election to be held on Tuesday, the 5th day of April, 2011, 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 translation thereof (the “*Notice*”), in accordance with the general election law by (i) publishing the Notice once not more than 30 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 School 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 the *Wilmette Life* is a 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 consolidated election to be held on Tuesday, the 5th day of April, 2011, the following proposition will be submitted to the voters of Wilmette School District Number 39, Cook County, Illinois:

Shall the limiting rate under the Property Tax Extension Limitation Law for Wilmette School District Number 39, Cook County, Illinois, be increased by an additional amount equal to 0.588% above the limiting rate for any purpose of said School District for levy year 2009 and be equal to 2.243% of the equalized assessed value of the taxable property therein for levy year 2010?

- (1) The approximate amount of taxes extendable at the most recently extended limiting rate is \$36,293,206, and the approximate amount of taxes extendable if the proposition is approved is \$49,187,710.
- (2) For the 2010 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 \$58.80.
- (3) If the proposition is approved, the aggregate extension for 2010 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 March, 2011.

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County Clerk, The County of Cook, Illinois

*Section 9. Form of Ballot.* The ballot to be used at the Election, including the Spanish translation thereof, 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

PROPOSITION TO INCREASE THE LIMITING RATE

(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 Wilmette School District Number 39, Cook County, Illinois, be increased by an additional amount equal to 0.588% above the limiting rate for any purpose of said School District for levy year 2009 and be equal to 2.243% of the equalized assessed value of the taxable property therein for levy year 2010?	YES	
	NO	

- (1) The approximate amount of taxes extendable at the most recently extended limiting rate is \$36,293,206, and the approximate amount of taxes extendable if the proposition is approved is \$49,187,710.
- (2) For the 2010 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 \$58.80.
- (3) If the proposition is approved, the aggregate extension for 2010 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 Wilmette Public Schools District Number 39, Cook County, Illinois, at the consolidated election held on April 5, 2011.

Precinct Number: \_\_\_\_\_

Polling Place: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(Facsimile Signature)  
\_\_\_\_\_  
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 Resolution.* After the adoption hereof and not less than 61 days prior to the date of the Election, the Secretary of the School 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 Resolution 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 Resolution.

*Section 14. Repealer and Effective Date.* All resolutions and parts of resolutions in conflict herewith be and the same are hereby repealed, and that this Resolution be in full force and effect forthwith upon its adoption.

Adopted January 18, 2011.

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President, Board of Education

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Secretary, Board of Education

Member \_\_\_\_\_ moved and Member \_\_\_\_\_  
seconded the motion that said resolution as presented and read by title be adopted.

After a full discussion thereof, the President directed that the roll be called for a vote upon the motion to adopt said resolution.

Upon the roll being called, the following members voted AYE: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

and the following members voted NAY: \_\_\_\_\_

Whereupon the President declared the motion carried and the resolution adopted and did sign and approve the same in open meeting and did direct the Secretary to record the same in the records of the Board of Education of School District Number 39, Cook County, Illinois, which was done.

Other business not pertinent to the adoption of said resolution was duly transacted at the meeting.

Upon motion duly made, seconded and carried, the meeting was adjourned.

\_\_\_\_\_  
Secretary, Board of Education

STATE OF ILLINOIS    )  
                                  ) SS  
COUNTY OF COOK    )

**CERTIFICATION OF RESOLUTION AND MINUTES**

I, the undersigned, do hereby certify that I am the duly qualified and acting Secretary of the Board of Education (the “*School Board*”) of School District Number 39, Cook County, Illinois (the “*District*”), and that as such official I am the keeper of the records and files of the School Board.

I do further certify that the foregoing is a full, true and complete transcript of that portion of the minutes of the meeting of the School Board held on the 18th day of January, 2011, insofar as the same relates to the adoption of a resolution entitled:

RESOLUTION providing for and requiring the submission of the proposition of increasing the limiting rate of School District Number 39, Cook County, Illinois, to the voters of said School District at the consolidated election to be held on the 5th day of April, 2011.

a true, correct and complete copy of which said resolution as adopted at said meeting appears in the foregoing transcript of the minutes of said meeting.

I do further certify that the deliberations of the School Board on the adoption of said resolution were conducted openly, that the vote on the adoption of said resolution was taken openly, that said meeting was held at a specified time and place convenient to the public, that notice of said meeting was duly given to all of the news media requesting such notice, that an agenda for said meeting was posted at the location where said meeting was held and at the principal office of the School Board at least 96 hours in advance of the holding of said meeting, that a true, correct and complete copy of said agenda as so posted is attached hereto as *Exhibit A*, that said meeting was called and held in strict compliance with the provisions of the Open Meetings Act of the State of Illinois, as amended, the School Code of the State of Illinois, as amended, and the Election Code of the State of Illinois, as amended, and that the School Board has complied with all of the provisions of said Act and said Codes and with all of the procedural rules of the School Board.

I do further certify that the geographic or common name of the District by which the District is commonly known and referred to is Wilmette School District Number 39, Cook County, Illinois.

There is hereby certified to the County Clerk of The County of Cook, Illinois, for submitting to the voters of the District at the consolidated election to be held on the 5th day of April, 2011, the proposition set forth in said resolution, which said resolution was duly adopted by the School Board on the 18th day of January, 2011.

IN WITNESS WHEREOF, I hereunto affix my official signature, this 18th day of January, 2011.

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Secretary, Board of Education