

**FOR ACTION**

**AGENDA ITEM:**

**October 7, 2014**

**SUBJECT: Appointment of Legal Counsel – Intervention for Tax Objections**

**MOTION:** That the Board of Education adopt the attached *Resolution of the Board of Education of Oak Park Elementary School District No. 97, Cook County, Illinois, authorizing the intervention in the 2013 and 2014 tax rate objection proceedings* through the appointment of the legal counsel Hodges, Loizzi, Eisenhammer, Rodick & Kohn as reviewed at the September 23, 2014 meeting.



# Oak Park Elementary School District 97

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TO: Dr. Albert G. Roberts, Superintendent of Schools

FROM: Therese M. O'Neill, Assistant Superintendent for Finance & Operations

RE: Resolution Authorizing Legal Counsel in Connection with Tax Rate Objections

DATE: September 24, 2014

In October 2006, the Board of Education adopted a formal resolution appointing Franczek Sullivan P.C. to intervene, on behalf of District 97, with tax rate objections for tax years 2001, 2002 and 2003. In October 2009, since the District's current legal counsel -- Hodges, Loizzi, Eisenhammer, Rodick & Kohn -- likewise provided these same services, the Board of Education appointed same and adopted the attached resolution for tax years 2003 and 2004. At that time we indicated that at appropriate times, and, as directed by legal counsel, we may need to continue to update this formal resolution for outlying tax years. Last year, at this time, the Board approved such resolution for the 2011 and 2012 tax years. We are now bringing forward that resolution to address the 2013 and 2014 tax years.

If you have any questions regarding this recommendation, please feel free to contact me.

**tmo**

**attachment (1)**

**RESOLUTION OF THE BOARD OF EDUCATION OF OAK PARK ELEMENTARY  
SCHOOL DISTRICT NO. 97, COOK COUNTY, ILLINOIS,  
AUTHORIZING THE INTERVENTION  
IN THE 2013 AND 2014 TAX RATE OBJECTION PROCEEDINGS**

**WHEREAS**, the owners of certain parcels of real property located within the corporate boundaries of Oak Park Elementary School District No. 97, Cook County, Illinois, have filed tax objection complaints (the “Objectors”) with the Circuit Court of Cook County, State of Illinois (the “Court”) with respect to the tax rates levied by said School District for the 2013 and 2014 tax years; and

**WHEREAS**, the Objectors seek a refund of real estate taxes paid with respect to the tax years which are the subject of the proceedings; and

**WHEREAS**, in such circumstances a taxing district has the right to intervene in the proceedings before the Court to protect its revenue interest in any refund of real estate taxes paid by the objecting taxpayers.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Education of Oak Park Elementary School District No. 97, Cook County, Illinois, as follows:

**Section 1:** The Board of Education finds that all of the recitals contained above are true and correct and that the same are hereby incorporated herein by reference.

**Section 2:** The Board of Education hereby authorizes Hodges, Loizzi, Eisenhammer, Rodick & Kohn, as its legal representative, to file a Petition to Intervene in the 2013 and 2014 tax rate objection proceedings before the Court and to represent the Board of Education therein.

**Section 3:** All motions and resolutions or parts thereof in conflict with the provisions of this Resolution are, to the extent of such conflict, hereby repealed.

**Section 4:** If any section, paragraph, clause, or provision of this Resolution shall be held invalid, the invalidity of such section, paragraph, clause, or provision shall not affect any of the other sections, paragraphs, clauses, or provisions of this Resolution.

**Section 5:** This Resolution shall be in full force and effect upon its adoption.

**ADOPTED** this \_\_ day of October, 2014, by the following vote:

AYES: \_\_\_\_\_

NAYS: \_\_\_\_\_

ABSENT: \_\_\_\_\_

By: \_\_\_\_\_  
Its: President

ATTEST:

By: \_\_\_\_\_  
Its: Secretary