

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING ORDINANCE NO. 45-OH

WHEREAS, the City of Rochelle has previously adopted Ordinance No. 45-OH with respect to the Lee Ogle Enterprise Zone and the Enterprise Zone Intergovernmental Agreement by and among the City of Dixon, Lee County, the City of Rochelle and Ogle County; and

WHEREAS, the parties have indicated their willingness and desire to expand the Enterprise Zone to include certain industrial and commercial property in the City of Amboy; and

WHEREAS, the Council of the City of Rochelle, Illinois, hereby makes those findings set forth in said Enterprise Zone Intergovernmental Agreement, including the required statutory findings relating to contiguity, total area and satisfaction of at least three (3) of the ten criteria, the “Ten Tests”.

NOW, THEREFORE, be it ordained by the Council of the City of Rochelle, Illinois, as follows:

SECTION 1: Ordinance No. 45-OH, is hereby amended as provided herein.

SECTION 2: The City of Amboy, Illinois is hereby added as a “Designating Unit of Government” of the Lee Ogle Enterprise Zone.

SECTION 3: Section 5 of Ordinance 45-OH, ADMINISTRATION FEES, Lee Ogle Enterprise Zone Funding Formula for EZ Administration Operating Expense, is amended as provided here:

Lee Ogle Enterprise Zone Area and Funding Formula for EZ Administration Operating Expense

Population Lee & Ogle Counties Source: 2010 US Decennial Census

Lee County: 36,031 (Dixon: 15,692, Amboy: 2,500)

Ogle County: 53,497 (Rochelle: 9,574)

Both Counties 89,528

Administration Budget of \$.75 Per Capita for Base Year \$67,146.00

Total area per EZ Statute	9600.00	acres	
<b>LEE COUNTY AREA PORTION</b>			<b>Percent of Zone</b>
To Unincorporated Lee	3206.40	acres	37.05%
To Dixon	1157.32	acres	13.37%
To Amboy	73.97	acres	0.85%
50% of Connector Strips	9.10	acres	<u>0.11%</u>
Total Area to Lee County	4446.79	acres	51.39%
<b>OGLE COUNTY AREA PORTION</b>			<b>Percent of Zone</b>
To Unincorporated Ogle	1066.92	acres	12.33%
To Rochelle	3130.40	acres	36.18%
50% of Connector Strip	9.10	acres	<u>0.11%</u>
Total To Ogle County	4206.42	acres	48.61%
<b>BOTH COUNTIES</b>			
Zone Parcel Acreage	8635.01	acres	99.79%
Connector Strips	18.20	acres	<u>0.21%</u>
Total area allocated to Zone	8653.21	acres	100.00%
Total Area allocated to Zone	8653.21	acres	90.14%
Acres in reserve (unallocated)	946.79	acres	<u>9.86%</u>
Percent of Statutory 9600 Acres			100.00%
<b>LEE COUNTY FINANCIAL SHARE</b>			
Lee County Share			\$10,951
Dixon Share			\$22,885
Amboy Share			\$ 670
51.39% of \$67,146.00 Budget			\$34,506
<b>OGLE COUNTY FINANCIAL SHARE</b>			
Ogle County Share			\$ 8,276
Rochelle Share			\$24,364
48.61 % of \$67,146.00 Budget			\$32,640
Total Budget for Administration			\$67,146

Budget shall be adjusted each year for the following year according to the 3-year rolling average of each year's annualized October CPI published by the US-BLS.

SECTION 4: In all other respects Ordinance No. 45-OH, as amended, shall remain in full force and effect.

SECTION 5: Amendment 1 to Addendum “A”, “Lee Ogle Enterprise Zone Description for Recording”, shall include Lee County Parcel Identification Numbers (PINs) within the city of Amboy, a copy of which is attached hereto and made a part hereof.

SECTION 6: The Mayor is authorized to execute Amendment No. 1 to Addendum “B”, an Enterprise Zone Intergovernmental Agreement heretofore entered into by the City, a copy of which is attached hereto and made a part hereof.

SECTION 7: The provisions and Sections of this Ordinance shall be deemed to be separable, and the invalidity of any portion of this ordinance shall not affect the validity of the remainder.

SECTION 8: All ordinances and parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

SECTION 9: This Ordinance shall be in full force and effect from and after its passage and approval, and publication, as required by law.

Passed by the Mayor and the City Council of the City of Rochelle this \_\_\_\_ day of \_\_\_\_\_, 2017.

BY: \_\_\_\_\_  
Mayor

ATTEST: \_\_\_\_\_  
City Clerk

# AMENDMENT 1 TO ADDENDUM "A"

## LEE OGLE ENTERPRISE ZONE

### DESCRIPTION FOR RECORDING

The LEE OGLE ENTERPRISE ZONE being situated in the County of Lee and County of Ogle and the State of Illinois and described in Addendum A is hereby amended to include the following listed parcels described by their Permanent Parcel Numbers (PIN) assigned by the respective county in which they are located: and describing each parcel's individual amount of acreage; with total additional acreage including LEE OGLE ENTERPRISE ZONE CONNECTOR STRIPS described below, containing 75.14 acres more or less.

Amended total acreage, for LEE OGLE ENTERPRISE ZONE, with total acreage for LEE OGLE ENTERPRISE ZONE CONNECTOR STRIPS described below, 8,653.21 acres more or less.

#### LOCATION INDEXING LIST – REFERENCE ONLY

Zone parcels listed for Lee County are additionally referenced within the Location Indexing List by location referenced by Township, Range, Section and Quadrant pursuant to the requirement of the Lee County Recorder. The requirement enables the recording of document references in the Land Tract Book records of Lee County. This Location Indexing List is for Lee County Land Tract Book referencing purposes only and shall not signify Zone territory status for any individual parcel or parcels.

#### LEE OGLE ENTERPRISE ZONE CONNECTOR STRIPS INCLUDED ABOVE -

Part of Lee County, Illinois and Ogle County, Illinois composed of connector strips being three (3) feet wide and establishing geographic contiguity in accordance with the Illinois Enterprise Zone Act (20 ILCS 655/1 *et seq.*), and connecting all individual parcels listed herein and groups of contiguous parcels listed herein composing the Parcel PIN List of the Lee Ogle Enterprise Zone, containing 18.20 acres more or less.

#### ADDITIONAL PIN List: (follows)

Lee PIN 10-digit	Lee PIN 12-Digit	Acres Rounded
1515226010	021515226010	1.04
1515226011	021515226011	1.03
1515226012	021515226012	0.88
1515226013	021515226013	0.79
1515227001	021515227001	1.13
1515227002	021515227002	1.18

1515227003	021515227003	1.35
1515227004	021515227004	1.18
1515227005	021515227005	1.28
1515227006	021515227006	1.55
1515227007	021515227007	0.77
1515227008	021515227008	1.06
1515253025	021515253025	0.77
1515301011	021515301011	9.44
1515403007	021515403007	0.32
1515429002	021515429002	0.41
1515429018	021515429018	1.74
1515430012	021515430012	0.6
1515430016	021515430016	1.51
1515430017	021515430017	0.64
1515431001	021515431001	5.65
1515476005	021515476005	0.33
1522201012	021522201012	0.74
1522201013	021522201013	0.81
1522201017	021522201017	0.72
1522203001	021522203001	0.38
1522203004	021522203004	0.34
1522203005	021522203005	0.07
1522203006	021522203006	0.1
1522203007	021522203007	0.1
1522203008	021522203008	0.07
1522203011	021522203011	0.06
1522203012	021522203012	0.04
1522203013	021522203013	0.03
1522203014	021522203014	0.08
1522203015	021522203015	0.05
1522203016	021522203016	0.02
1522203017	021522203017	0.12
1522203026	021522203026	0.25
1522203027	021522203027	0.17
1522204009	021522204009	0.03
1522204010	021522204010	0.06
1522204013	021522204013	0.09
1522204014	021522204014	0.09
1522204015	021522204015	0.08
1522204016	021522204016	0.1
1522204017	021522204017	0.23

1522204018	021522204018	0.07
1522204019	021522204019	0.18
1522204020	021522204020	0.17
1522206005	021522206005	12.03
1522206006	021522206006	0.57
1522208005	021522208005	0.02
1522208008	021522208008	0.1
1522208012	021522208012	0.09
1522208013	021522208013	0.16
1522208014	021522208014	0.14
1522208022	021522208022	0.14
1522208023	021522208023	0.21
1522208024	021522208024	0.64
1522208025	021522208025	0.15
1522208026	021522208026	0.29
1522208027	021522208027	0.03
1522208028	021522208028	0.35
1522226001	021522226001	0.1
1522226011	021522226011	0.9
1522230008	021522230008	0.37
1522230009	021522230009	1.24
1522234001	021522234001	0.29
1522234002	021522234002	0.29
1522276007	021522276007	7.22
1522276008	021522276008	6.85
1522277004	021522277004	1.91

Location Indexing List:

TWP_RNG_SEC	Quadrant	Township	Range	Section
201010	SE	20	10	10
201014	SW	20	10	14
201015	NE	20	10	15
201015	SE	20	10	15
201015	SW	20	10	15
201022	NE	20	10	22

## **AMENDMENT NO. 1 TO ADDENDUM “B”**

TO THE INTERGOVERNMENTAL AGREEMENT “ADDENDUM B” MADE DECEMBER 15, 2015, BY AND BETWEEN THE CITY OF DIXON, THE COUNTY OF LEE, THE CITY OF ROCHELLE AND THE COUNTY OF OGLE REGARDING THE ADMINISTRATION OF THE LEE OGLE ENTERPRISE ZONE.

**WHEREAS**, the Designating Units of Government adopted Ordinances and an Intergovernmental Agreement establishing an Enterprise Zone, certified by the Department of Commerce and Economic Opportunity on January 1, 2017, including incorporated portions of the City of Dixon, unincorporated portions of the County of Lee, incorporated portions of the City of Rochelle and unincorporated portions of the County of Ogle; and

**WHEREAS**, the parties have indicated their willingness and desire to expand the Enterprise Zone to include certain industrial and commercial property in the City of Amboy; and

**WHEREAS**, a public hearing was held on August 21, 2017, in the Enterprise Zone, on the question of expanding the Enterprise Zone to include industrial and commercial properties in the City of Amboy; and

**WHEREAS**, the said areas to be added to the Lee Ogle Enterprise Zone meet the statutory requirements of contiguity to the existing zone, not exceeding available space for the zone, and meeting at least 3 of the criteria (“the ten tests”); and

**NOW, THEREFORE**, in consideration of the foregoing premises, the Designating Units of Government agree that the intergovernmental agreement shall be amended in the following respects:

A. The City of Amboy, Illinois is hereby added as a “Designating Unit of Government” of the Lee Ogle Enterprise Zone.

**B. CHANGE TO SECTION I OF THE INTERGOVERNMENTAL AGREEMENT– GENERAL PROVISIONS**

**Subsection A) is hereby amended to read as follows:**

A) **Legal Description.** The area as described in the original Lee Ogle Enterprise Zone Addendum “A” and Amendment 1 to Addendum “A” shall be designated as the Lee Ogle Enterprise Zone.

**Subsection D) is hereby amended to read as follows:**

D) **Administration Fees.**

2) **Designating Units of Government** – The Designating Units of Government agree to provide financial assistance to the organization employing the Zone Administrator. Said assistance shall be calculated using a per capita rate of \$.75 cents (seventy five cents) based on the population of the respective Designating Units of Government according to the most recent decennial census as well as allocation of Enterprise Zone Acreage as described below:

Lee Ogle Enterprise Zone Area and Funding Formula for EZ Administration  
Operating Expense

Population Lee & Ogle Counties Source: 2010 US Decennial Census

Lee County: 36,031 (Dixon: 15,692, Amboy: 2,500)

Ogle County: 53,497 (Rochelle: 9,574)

Both Counties 89,528

Administration Budget of \$.75 Per Capita for Base Year \$67,146.00

Total area per EZ Statute 9600.00 acres

LEE COUNTY AREA PORTION		Percent of Zone	
To Unincorporated Lee	3206.40	acres	37.05%
To Dixon	1157.32	acres	13.37%
To Amboy	73.97	acres	0.85%
50% of Connector Strips	9.10	acres	<u>0.11%</u>
Total Area to Lee County	4446.79	acres	51.39%

OGLE COUNTY AREA PORTION		Percent of Zone	
To Unincorporated Ogle	1066.92	acres	12.33%
To Rochelle	3130.40	acres	36.18%
50% of Connector Strip	9.10	acres	<u>0.11%</u>
Total To Ogle County	4206.42	acres	48.61%

BOTH COUNTIES			
Zone Parcel Acreage	8635.01	acres	99.79%
Connector Strips	18.20	acres	<u>0.21%</u>
Total area allocated to Zone	8653.21	acres	100.00%

% of Statutory 9600 Acres			
Total Area allocated to Zone	8653.21	acres	90.14%
Acres in reserve (unallocated)	946.79	acres	9.86%

LEE COUNTY FINANCIAL SHARE	
Lee County Share	\$10,951
Dixon Share	\$22,885
Amboy Share	\$ 670
51.39% of \$67,146.00 Budget	\$34,506
OGLE COUNTY FINANCIAL SHARE	
Ogle County Share	\$ 8,276
Rochelle Share	\$24,364
48.61 % of \$67,146.00 Budget	\$32,640
Total Budget for Administration	\$67,146

**C. CHANGE TO SECTION II OF THE INTERGOVERNMENTAL AGREEMENT– DEFINITIONS**

**Subsection D) is hereby amended to read as follows:**

- D) “Eligible Special Uses, Variations” as defined herein are considered Eligible Project Types when the Special Use or Variation is granted pursuant to local ordinance of the applicable Designating Unit of Government where the project is located.

City of Dixon Districts for Eligible Project Types:

- B-1 Limited Neighborhood Business District
- B-2 General Business District
- CBD Central Business District
- BH-1 Interchange Planned Unit Development District
- LM Limited Manufacturing/Business Park District
- GM General Manufacturing District

City of Amboy Districts for Eligible Project Types

- C-1 Neighborhood Commercial District
- C-2 General Commercial District
- I-1 Light Industrial District
- I-2 Heavy Industrial District

Lee County Districts for Eligible Project Types:

- C-1 Neighborhood Office and Business District
- C-2 Planned Office and Business District
- C-3 General Business District
- I-1 Planned Industrial District
- I-2 General Industrial District
- PUD Planned Unit Development
- DPA Detailed Planning Area

Rochelle Districts for Eligible Project Types:

Commercial Districts

- B-1 Central Business District (CBD)
- B-2 Highway Commercial District
- B-3 Neighborhood Commercial District

Industrial Districts

- I-1 Light (limited) Industry District
- I-2 General Industrial District
- I-3 Heavy Industrial District

Overlay Districts

- TTO Transportation Overlay District
- TOD Technology Overlay District

Ogle County Districts for Eligible Project Types:

- B-1 Business District
- B-2 Business Recreational District
- B-3 Restricted Interstate Highway Area Business District
- I-1 Industrial District
- PD Planned Development District

**D. CHANGE TO SECTION III OF THE INTERGOVERNMENTAL AGREEMENT– DESIGNATING UNITS OF GOVERNMENT PROPERTY TAX ABATEMENT POLICIES**

**Subsection B) is hereby amended to read as follows:**

**B) City of Dixon, City of Amboy, County of Lee, City of Rochelle and County of Ogle Property Tax Abatement** - In no event shall any abatement of taxes on any property exceed the amount attributable to the construction of the improvements or the renovation or rehabilitation of existing improvements on such property.

1) Commencing on or after January 1, 2017, taxes on real property levied by the City of Dixon, City of Amboy, County of Lee, the City of Rochelle and the County of Ogle, whichever is applicable, shall be abated on approved property located within the boundary of the Enterprise Zone, as certified by the Department, and upon which new improvements have been constructed as follows:

- a) For taxes levied in the first year of abatement: 50%
- b) For taxes levied in the second year of abatement: 50%
- c) For taxes levied in the third year of abatement: 50%
- d) For taxes levied in the fourth year of abatement: 50%
- e) For taxes levied in the fifth year of abatement: 50%
- f) For taxes levied in the sixth year of abatement: 50%

Said abatements shall be for six (6) consecutive years beginning with the real estate taxes payable in the year following the first full year of a project's commercial operation after which said improvements have been made and fully assessed. Abatement for a specific project will cease after the sixth year or upon expiration, termination or decertification of the Zone, whichever is sooner.

2) The above property tax abatements shall be applicable solely for Eligible Project Types for improvements to real property upon which new construction, improvements, renovation or rehabilitation, for which a building permit is required and one has been obtained, has been completed after January 1, 2017, and before the expiration, termination or decertification of the Zone, whichever is sooner. Abatement shall only apply to the incremental increase in real estate taxes assessed as a result of the project and its related improvements.

In all other respects, the Intergovernmental Agreement dated December 15, 2015 shall remain in full force and effect.

This Amendment No. 1 may be executed in any number of counterparts and any party hereto may execute any such counterparts, each of which when executed and delivered shall be deemed to be an original and all of which counterparts taken together shall constitute one and the same instrument. This Amendment No. 1 shall become binding when one or more of the counterparts taken together shall have been executed and delivered by the parties. It shall not be necessary in making proof of this Amendment No. 1 or any counterpart hereof to produce or account for any other counterparts.

*(the signature of the parties appears on the following page)*

Dated this \_\_\_\_ day of \_\_\_\_\_, 2017

City of Dixon

City of Amboy

County of Lee

By: \_\_\_\_\_

By: \_\_\_\_\_

By: \_\_\_\_\_

Mayor

Mayor

County Board Chairman

City of Rochelle

County of Ogle

By: \_\_\_\_\_

By: \_\_\_\_\_

Mayor

County Board Chairman