

EXTRACT OF MINUTES of a regular public meeting of the Council of the City of Rochelle, Ogle and Lee Counties, Illinois, held in the Council Chambers at City Hall in said City, located at 420 North 6th Street, Rochelle, Illinois, at 6:30 p.m., on the 10th day of September, 2018.

The Mayor called the meeting to order and directed the City Clerk of the City to call the roll.

Upon roll call, the Mayor and the following Council Members answered present: _____

The following Council Members were allowed by a majority of the Council Members in accordance with and to the extent allowed by rules adopted by the Council to attend the meeting by video or audio conference: _____

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

The following Council Members were absent and did not participate in the meeting in any manner or to any extent whatsoever: _____

There being a quorum present, the Council conducted various business.

The City Clerk then introduced an ordinance entitled:

AN ORDINANCE authorizing the issuance of Taxable General Obligation Pension Funding Bonds (Alternate Revenue Source) of the City of Rochelle, Ogle and Lee Counties, Illinois, in an aggregate principal amount not to exceed \$15,000,000 for the purpose of funding all or a portion of the unfunded Police Pension Fund and Firefighters' Pension Fund liability of said City, including prepayment of, and providing a budget stabilization fund for, such liability, and for the payment of the expenses incident thereto.

A copy of such ordinance was put before each Council Member. Thereupon, Council Member _____ moved and Council Member _____ seconded the motion that said ordinance as presented be adopted.

During discussion, a brief public recital of the nature of the ordinance before the Council was given. The Mayor announced that the Council would next consider the adoption of an ordinance authorizing the issuance of general obligation alternate bonds and directing the publication of a notice setting forth the determination of the Council to issue such bonds for the purpose of funding all or a portion of the unfunded Police Pension Fund and Firefighters' Pension Fund liability of the City, including prepayment of, and providing a budget stabilization fund for, such liability, and the payment of the expenses incident thereto. After a full and complete discussion thereof, the Mayor directed that the roll be called for a vote upon the motion to adopt the ordinance as read by title.

Upon the roll being called, the following Council Members voted

AYE: _____

NAY: _____

ABSENT: _____

Whereupon the Mayor declared the motion carried and the ordinance introduced and did direct the City Clerk to record the same in full in the records of the Council of the City.

Other business was duly transacted at said meeting.

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

City Clerk

STATE OF ILLINOIS)
) SS
COUNTY OF OGLE)

CERTIFICATION OF ORDINANCE AND MINUTES

I, the undersigned, do hereby certify that I am the duly qualified and acting City Clerk of the City of Rochelle, Ogle and Lee Counties, Illinois (the “City”), and as such officer I am the keeper of the books, records, files, and journal of proceedings of the City and of the Council (the “Corporate Authorities”) thereof.

I do further certify that the foregoing constitutes a full, true and complete transcript of the minutes of the legally convened meeting of the Corporate Authorities held on the 10th day of September, 2018, insofar as same relates to the adoption of an ordinance entitled:

AN ORDINANCE authorizing the issuance of Taxable General Obligation Pension Funding Bonds (Alternate Revenue Source) of the City of Rochelle, Ogle and Lee Counties, Illinois, in an aggregate principal amount not to exceed \$15,000,000 for the purpose of funding all or a portion of the unfunded Police Pension Fund and Firefighters’ Pension Fund liability of said City, including prepayment of, and providing a budget stabilization fund for, such liability, and for the payment of the expenses incident thereto.

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

I do further certify that the deliberations of the Corporate Authorities on the introduction of said ordinance were taken openly, that the vote on the introduction of said ordinance 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 (the “Agenda”) was posted at the location where said meeting was held and at the principal office of the Corporate Authorities on a day which was not a Saturday, Sunday or legal holiday for municipalities in the State of Illinois and at least 96 hours in advance of the holding of said meeting, that at least one copy of said agenda was continuously available for public review during the entire 96-hour period preceding said meeting, that the Agenda described or made specific reference to said ordinance; that a true, correct and complete copy of the Agenda as so posted is attached hereto; that said meeting was called and held in strict accordance with the provisions of the Illinois Municipal Code, as amended, and the Open Meetings Act of the State of Illinois, as amended, and that the Corporate Authorities have complied with all of the applicable provisions of said Code and said Act and their own procedural rules in the introduction of said ordinance.

IN WITNESS WHEREOF I have hereunto affixed my official signature and the seal of the City
this 10th day of September, 2018.

City Clerk, City of Rochelle,
Ogle and Lee Counties, Illinois

[SEAL]

City Clerk to Attach Agenda

**NOTICE OF INTENT TO ISSUE BONDS
AND RIGHT TO FILE PETITION**

Notice is hereby given that pursuant to Ordinance No. ___ (the "*Ordinance*"), adopted by the Council (the "*Corporate Authorities*") of the City of Rochelle, Ogle and Lee Counties, Illinois (the "*City*"), on the 10th day of September, 2018, the City intends to issue alternate bonds (the "*Bonds*"), in an aggregate principal amount not to exceed \$15,000,000, for the purpose of funding all or a portion of the unfunded Police Pension Fund and Firefighters' Pension Fund liability of said City, including prepayment of, and providing a budget stabilization fund for, such liability, and paying the expenses incident thereto. The revenue sources that will be pledged to the payment of the principal of and interest on the Bonds will be (i) taxes levied on all taxable property in the City for Police Pension Fund purposes and Firefighters' Pension Fund purposes, to the fullest extent permitted by law, including Article 3 and Article 4 of the Illinois Pension Code, as amended, and (ii) collections distributed to the City from one or more of those taxes (collectively, the "*Sales Taxes*") imposed pursuant to the Use Tax Act, the Service Use Tax Act, the Service Occupation Tax Act and the Retailer's Occupation Tax Act, each of the State of Illinois, as amended, or substitute taxes therefore as provided by the State of Illinois in the future, but only to the extent that the Sales Taxes are not used for the payment of certain other obligations of the City, if and when issued. If such revenue sources are insufficient to pay the Bonds, ad valorem property taxes levied upon all taxable property in the City without limitation as to rate or amount are authorized to be extended and collected to pay the principal of and interest on the Bonds. A complete copy of the Ordinance follows this notice.

Notice is hereby further given that a petition signed by 336 or more electors of the City, said number of electors being equal to the greater of (i) 7.5% of the number of registered voters in the City or (ii) 200 of those registered voters or 15% of those registered voters, whichever is less, may be submitted to the City Clerk of the City (the "*City Clerk*") within thirty (30) days of publication of this notice and the Ordinance asking that the question of the issuance of the Bonds be submitted to referendum. If such petition is filed with the City Clerk within thirty (30) days after the date of publication of this notice, an election on the proposition to issue said bonds shall be held on the 26th day of February, 2019, unless no voters in the City are scheduled to cast votes for any candidates for nomination for, election to or retention in public office at said election, in which case an election on the proposition to issue the Bonds shall be held on the 2nd day of April, 2019. The Circuit Court may declare that an emergency referendum should be held prior to either of said election dates pursuant to the provisions of Section 2A-1.4 of the Election Code of the State of Illinois, as amended. If no such petition is filed within said thirty (30) day period, then the City shall thereafter be authorized to issue the Bonds. A form of petition is available to any individual requesting one at the office of the City Clerk.

Dated this 10th day of September, 2018.

Sue Messer
City Clerk, City of Rochelle,
Ogle and Lee Counties, Illinois

ORDINANCE NO. ____

AN ORDINANCE authorizing the issuance of Taxable General Obligation Pension Funding Bonds (Alternate Revenue Source) of the City of Rochelle, Ogle and Lee Counties, Illinois, in an aggregate principal amount not to exceed \$15,000,000 for the purpose of funding all or a portion of the unfunded Police Pension Fund and Firefighters' Pension Fund liability of said City, including prepayment of, and providing a budget stabilization fund for, such liability, and for the payment of the expenses incident thereto.

* * *

WHEREAS, the City of Rochelle, Ogle and Lee Counties, Illinois (the "*City*"), is a duly organized and existing municipality incorporated and existing under the provisions of the laws of the State of Illinois, is now operating under the provisions of the Illinois Municipal Code, as amended (the "*Code*"); and

WHEREAS, the Council of the City (the "*Corporate Authorities*") has determined that it is advisable, necessary and in the best interests of the City to issue the hereinafter described bonds for the purpose of funding all or a portion of the unfunded Police Pension Fund and Firefighters' Pension Fund liability of said City, including prepayment of, and providing a budget stabilization fund for, such liability, and to pay the expenses incident thereto (the "*Pension Funding*"); and

WHEREAS, the estimated cost of the Pension Funding, including legal, financial, bond discount, printing and publication costs and other expenses, will be not less than \$15,000,000, and there are insufficient funds on hand and lawfully available to pay such costs; and

WHEREAS, such costs are expected to be paid for from the proceeds of alternate bonds authorized to be issued at this time pursuant to the Local Government Debt Reform Act of the State of Illinois, as amended (the "*Act*"); and

WHEREAS, it is necessary and for the best interests of the City that the City proceed with the Pension Funding and in order to raise the funds required therefor it will be necessary for the City to borrow an amount not to exceed \$15,000,000 and in evidence thereof to issue alternate

bonds in an aggregate principal amount not to exceed \$15,000,000, all in accordance with the Act; and

WHEREAS, the revenue sources that will be pledged to the payment of the principal of and interest on the alternate bonds will be (i) taxes levied on all taxable property in the City for Police Pension Fund purposes and Firefighters' Pension Fund purposes, to the fullest extent permitted by law, including Article 3 and Article 4 of the Illinois Pension Code, as amended, and (ii) collections distributed to the City from one or more of those taxes (collectively, the "*Sales Taxes*") imposed pursuant to the Use Tax Act, the Service Use Tax Act, the Service Occupation Tax Act and the Retailer's Occupation Tax Act, each of the State of Illinois, as amended, or substitute taxes therefore as provided by the State of Illinois in the future, but only to the extent that the Sales Taxes are not used for the payment of certain other obligations of the City, if and when issued (collectively, the "*Pledged Revenues*"); and

WHEREAS, if the Pledged Revenues are insufficient to pay such alternate bonds, ad valorem property taxes levied upon all taxable property in the City without limitation as to rate or amount are authorized to be extended and collected to pay the principal of and interest on such alternate bonds:

NOW, THEREFORE, Be It Ordained by the Council of the City of Rochelle, Ogle and Lee Counties, Illinois, as follows:

Section 1. Incorporation of Preambles. The Corporate Authorities hereby find that all of the recitals contained in the preambles to this Ordinance are full, true and correct and do incorporate them into this Ordinance by this reference.

Section 2. Determination To Issue Bonds. It is necessary and in the best interests of the City to proceed with the Pension Funding, and that for such purpose alternate bonds of the City are hereby authorized to be issued and sold from time to time in an aggregate principal amount not

to exceed \$15,000,000, known as “General Obligation Bonds (Alternate Revenue Source)” of the City and bearing such series designation or designations as may be appropriate (the “Bonds”).

Section 3. Publication. This Ordinance, together with a notice in the statutory form, shall be published in the *Rochelle News-Leader*, the same being a newspaper of general circulation in the City, and if no petition, signed by 336 or more electors of the City (being equal to the greater of (i) 7.5% of the registered voters in the City or (ii) 200 of those registered voters or 15% of those registered voters, whichever is less, asking that the issuance of the Bonds be submitted to referendum, is filed with the City Clerk within thirty (30) days after the date of the publication of this Ordinance and said notice, then the Bonds shall be authorized to be issued.

Section 4. Additional Ordinances. If no petition meeting the requirements of applicable law is filed during the petition period hereinabove referred to, then the Corporate Authorities may adopt additional ordinances or proceedings supplementing or amending this Ordinance providing for the issuance and sale of the Bonds and prescribing all the details of the Bonds, so long as the maximum amount of the Bonds as set forth in this Ordinance is not exceeded and there is no material change in the Pension Funding described herein. Such additional ordinances or proceedings shall in all instances become effective immediately without publication or posting or any further act or requirement. This Ordinance, together with such additional ordinances or proceedings, shall constitute complete authority for the issuance of the Bonds under applicable law.

Section 5. Severability. If any section, paragraph, clause or provision of this Ordinance shall be held invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the other provisions of this Ordinance.

Section 6. Repealer. All ordinances, resolutions or orders, or parts thereof, in conflict with the provisions of the Ordinance are to the extent of such conflict hereby repealed.

ADOPTED by the Council on September 10, 2018.

APPROVED: September 10, 2018.

Mayor

AYES: _____

NAYS: _____

ABSENT: _____

RECORDED in the City Records on September 10, 2018.

Published in pamphlet form by authority of the Council on September __, 2018.

ATTEST:

City Clerk

[SEAL]

STATE OF ILLINOIS)
) SS
COUNTY OF OGLE)

CERTIFICATE OF PUBLICATION IN PAMPHLET FORM

I, the undersigned, do hereby certify that I am the duly qualified and acting City Clerk of the City of Rochelle, Ogle and Lee Counties, Illinois (the “City”), and as such official I am the keeper of the official journal of proceedings, books, records, minutes, and files of the City and of the Council (the “Corporate Authorities”) thereof.

I do further certify that on the ____ day of September, 2018, there was published in pamphlet form, by authority of the Corporate Authorities, a true, correct and complete copy of Ordinance Number ____ of the City entitled:

AN ORDINANCE authorizing the issuance of Taxable General Obligation Pension Funding Bonds (Alternate Revenue Source) of the City of Rochelle, Ogle and Lee Counties, Illinois, in an aggregate principal amount not to exceed \$15,000,000 for the purpose of funding all or a portion of the unfunded Police Pension Fund and Firefighters’ Pension Fund liability of said City, including prepayment of, and providing a budget stabilization fund for, such liability, and for the payment of the expenses incident thereto.

and that said ordinance as so published was on said date readily available for public inspection and distribution, in sufficient number to meet the needs of the general public, at my office as City Clerk at City Hall, Rochelle, Illinois.

IN WITNESS WHEREOF I have affixed hereto my official signature and the seal of the City this ____ day of September, 2018.

City Clerk

[SEAL]

PETITION

To the City Clerk of the City of Rochelle, Ogle and Lee Counties, Illinois:

We, the undersigned, being registered voters of the City of Rochelle, Ogle and Lee Counties, Illinois, do hereby petition you to cause the following question to be submitted to the voters of said City: "Shall the City of Rochelle, Ogle and Lee Counties, Illinois, be authorized to issue not to exceed \$15,000,000 general obligation alternate bonds for the purpose of funding all or a portion of the unfunded Police Pension Fund and Firefighters' Pension Fund liability of said City, including prepayment of, and providing a budget stabilization fund for, such liability, and to pay the expenses incident thereto, as provided for by Ordinance No. ___ adopted by the City on the 10th day of September, 2018, with the following to be used to pay the principal of and interest on said bonds: (i) taxes levied on all taxable property in the City for Police Pension Fund purposes and Firefighters' Pension Fund purposes, to the fullest extent permitted by law, including Article 3 and Article 4 of the Illinois Pension Code, as amended, and (ii) collections distributed to the City from one or more of those taxes (collectively, the "Sales Taxes") imposed pursuant to the Use Tax Act, the Service Use Tax Act, the Service Occupation Tax Act and the Retailer's Occupation Tax Act, each of the State of Illinois, as amended, or substitute taxes therefore as provided by the State of Illinois in the future, but only to the extent that the Sales Taxes are not used for the payment of certain other obligations of the City, if and when issued, unless said funds are insufficient to pay said bonds, in which case ad valorem property taxes levied upon all taxable property in said City without limitation as to rate or amount are authorized to be extended for such purpose?", and we do hereby further request that said question be certified to the County Clerks of The Counties of Ogle and Lee, Illinois, and submitted to the voters of said City at the next election at which said proposition lawfully may be submitted to said voters:

Table with 3 columns: SIGNATURE, STREET ADDRESS OR RURAL ROUTE NUMBER, CITY, VILLAGE OR TOWN. Contains 10 rows of signature lines, all of which are blank, and corresponding address lines, all of which are filled with 'Rochelle, Illinois'.

The undersigned, being first duly sworn, deposes and certifies that he or she is at least 18 years of age, his or her residence address is _____ (Street Address), _____ (City, Village or Town), _____ County, _____ (State), that he or she is a citizen of the United States of America, that the signatures on the foregoing petition were signed in his or her presence and are genuine, that to the best of his or her knowledge and belief the persons so signing were at the time of signing said petition registered voters of said City and that their respective residences are correctly stated therein.

Signed and sworn to before me this _____ day of _____, 2018.

Illinois Notary Public
My commission expires _____
(NOTARY SEAL)