

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 0.11%

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 0.11%

Total To Ogle County 4206.42 acres 48.61%

BOTH COUNTIES

Zone Parcel Acreage 8635.01 acres 99.79%

Connector Strips 18.20 acres 0.21%

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%

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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

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- 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 17th day of October, 2017

City of Dixon

City of Amboy

County of Lee

By:

Mayor

Mayor

County Board Chairman

City of Rochelle

County of Ogle

By:

Mayor

County Board Chairman



**Illinois
Department of Commerce
& Economic Opportunity**


Bruce Rauner, Governor

CERTIFICATION

Pursuant to 20 ILCS 655/5.4 of the "Illinois Enterprise Zone Act," as amended, the Department of Commerce and Economic Opportunity hereby certifies the attached Ordinances that expand the boundaries of and adds the City of Amboy as a participating unit of government to the Lee-Ogle Enterprise Zone.

This certification is effective on and after execution of this certification by the Director of the Department of Commerce and Economic Opportunity or designee.

ATTEST:


Sean McCarthy
Director
Illinois Department of Commerce
and Economic Opportunity

Date 4/5/18

CERT1846