

CITY OF GENOA
DEKALB COUNTY, ILLINOIS

ORDINANCE NO. 2020 - 04-D

ADOPTED BY
THE MAYOR AND
CITY COUNCIL
OF THE
CITY OF GENOA

AN ORDINANCE AUTHORIZING A THIRD AMENDMENT TO THE
DEKALB COUNTY ENTERPRISE ZONE INTERGOVERNMENTAL
AGREEMENT

Adopted January 21, 2020, by the Mayor and City Council of the City of Genoa,
DeKalb County, Illinois, and approved and published in pamphlet form
this 21st day of January 2020.

ORDINANCE 2020-004

PASSED:

**AN ORDINANCE APPROVING A THIRD AMENDMENT TO
THE DEKALB COUNTY ENTERPRIZE ZONE
INTERGOVERNMENTAL AGREEMENT**

WHEREAS, on December 16, 2014, the corporate authorities of the City of Genoa adopted Ordinance No. 2014-40 (the "**Initial Designating Ordinance**"), designating an enterprise zone known as the "DeKalb County Enterprise Zone" (the "**Zone**"); and

WHEREAS, the corporate authorities of the County of DeKalb, the City of DeKalb, the City of Sandwich, the Village of Waterman, the City of Sycamore and the Town of Cortland (collectively, with the City of Genoa, the "**Designating Units of Government**") each adopted ordinances substantially identical to the Initial Designating Ordinance (collectively, with the Initial Designating Ordinance, the "**Initial Designating Ordinances**"); and

WHEREAS, all of the Designating Units of Government entered into an Intergovernmental Agreement dated as of December 5, 2014 (the "**Initial IGA**") setting forth, among other things, mutually-agreed property tax abatements available to certain types of businesses located within the Zone, as set forth in the Initial Designating Ordinances; and

WHEREAS, the Initial Designating Ordinances and the Zone were certified by the Illinois Department of Commerce and Economic Opportunity (the "**DCEO**") to begin operations on January 1, 2016, in accordance with the Illinois Enterprise Zone Act, 20 ILCS 655/1, *et seq.*; and

WHEREAS, the corporate authorities of the City of Genoa adopted the following ordinances: (1) on October 15, 2019, Ordinance No. 2019-28 (the "**First Amending Ordinance**"), amending the Initial Designating Ordinance to provide for certain additional incentives for projects (the "**First Amending Ordinance**"); (2) on January 21, 2020, Ordinance No. 2020-002 (the "**Second Amending Ordinance**"), further amending the Initial Designating Ordinance, as amended by the First Amending Ordinance, to amend the boundaries of the Zone to include certain additional real property; and (3) on January 21, 2020, Ordinance No. 2020-004 (the "**Third Amending Ordinance**"), further amending the Initial Designating Ordinance, as amended by the First Amending Ordinance and the Second Amending Ordinance (collectively, with the Third Amending Ordinance, the "**Designating Ordinance**"), to change the qualifying criteria for, and the terms of the property tax abatements available within, the Zone (the "**Abatement Amendments**"); and

WHEREAS, the corporate authorities of each of the other Designating Municipalities each have adopted or will adopt ordinances substantially identical to the First Amending Ordinance (collectively, the "**First Amending Ordinances**"), the Second Amending Ordinance (collectively, the "**Second Amending Ordinances**"), and the Third Amending Ordinance (collectively, the "**Third Amending Ordinances**"); and

WHEREAS, the corporate authorities of each of the Designating Units of Government have approved or will approve, and the authorized officials of each of the Designating Units of Government have executed or will execute: (1) a first amendment to the Initial IGA (the "**First Amendment**"), agreeing to the terms of the incentives set forth in the First Amending Ordinances; and (2) a second amendment (the "**Second Amendment**") to the Initial IGA, as amended by the First Amendment (collectively, with the Second Amendment, the "**IGA**"), agreeing to the amended boundaries of the Zone, as set forth in the Second Amending Ordinances; and

WHEREAS, the Designating Units of Government have determined and concur that it is desirable, necessary, and in the best interests of the Designating Units of Government to approve and enter into a third amendment to the IGA (the "**Third Amendment**") to agree to the Abatement Amendments;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Genoa, DeKalb County, Illinois, as follows:

SECTION 1: RECITALS. The foregoing recitals are incorporated into, and made a part of, this Ordinance as if fully set forth in this Section.

SECTION 2: APPROVAL OF THIRD AMENDMENT TO THE IGA. The corporate authorities of the City of Genoa hereby approve the Third Amendment in substantially the form attached to this Ordinance as **Exhibit A**, and in a final form to be approved by the City Clerk.

SECTION 3: EXECUTION OF THIRD AMENDMENT TO THE IGA. The Mayor and the City Clerk or Executive Assistant are hereby authorized and directed to execute and attest, on behalf of the City of Genoa, the Third Amendment.

SECTION 4: EFFECTIVE DATE. This Ordinance will be in full force and effect upon its passage and approval in accordance with law.

PASSED BY THE CITY COUNCIL of the City of Genoa, Illinois at a regular meeting thereof held on the 21 day of January, 2020 and approved by me as Mayor on the same day.

ATTEST:


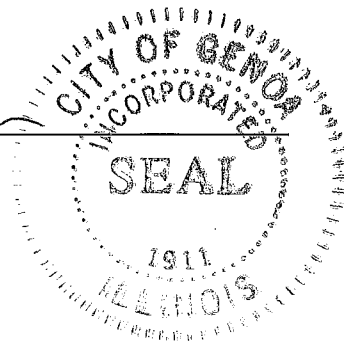
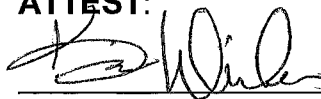

MARK VICARY, Mayor Pro TEM
James Stevenson

EXHIBIT A

THIRD AMENDMENT

CERTIFICATION

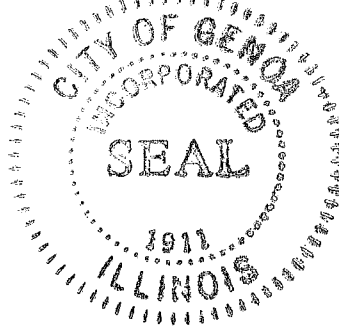
I, Kim Winker, do hereby certify that I am the duly elected, acting and qualified Clerk of the City of Genoa, DeKalb County, Illinois, and that as such Clerk, I am the keeper of the records and minutes and proceedings of the Mayor and City Council of said City of Genoa.

I do hereby further certify that at a regular meeting of the Mayor and City Council of the City of Genoa, held on the 21 day of January, 2020, the foregoing Ordinance entitled *An Ordinance Authorizing a Third Amendment to the DeKalb County Enterprise Zone* was adopted by the Mayor and City Council of the City of Genoa.


The pamphlet form of Ordinance No. 2020-04-D, including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was posted in the City Hall, commencing on the 22 day of January, 2020, and continuing for at least 10 days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the City Clerk.

I do further certify that the original, of which the attached is a true and correct copy, is entrusted to me as the Clerk of said City for safekeeping, and that I am the lawful custodian and keeper of the same.

GIVEN under my hand and seal of the City of Genoa, DeKalb County, this 22 day of January, 2020.



(SEAL)



Kim Winker, Clerk
City of Genoa,
DeKalb County, Illinois