

CITY OF ROCHELLE

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

ORDINANCE AUTHORIZING THE CITY OF ROCHELLE OF OGLE  
COUNTY, ILLINOIS TO BORROW FUNDS FROM THE PUBLIC WATER  
SUPPLY LOAN PROGRAM (NEW WELL)

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ADOPTED BY THE  
CITY COUNCIL  
OF THE  
CITY OF ROCHELLE

THIS \_\_\_ DAY OF \_\_\_\_\_, 2026

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Published in pamphlet form by authority of the City Council of the City of Rochelle, Ogle  
County, Illinois this 23<sup>rd</sup> day of February , 2026.

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

AN ORDINANCE AUTHORIZING THE CITY OF ROCHELLE,  
OF OGLE COUNTY, ILLINOIS TO BORROW FUNDS FROM  
THE PUBLIC WATER SUPPLY LOAN PROGRAM (NEW  
WELL)

WHEREAS the City of Rochelle, Ogle County, Illinois operates its public water supply system (“the System”) in accordance with the provisions of 65 ILCS 5/11-139 and the Local Government Debt Reform Act, 30 ILCS 350/1 (collectively, “the Act”), and

WHEREAS the Mayor and City Council of the City of Rochelle (the “Corporate Authorities”) have determined that it is advisable, necessary and in the best interests of public health, safety and welfare to improve the system, including the following: drilling and developing a new Well No. 13, constructing a Well No. 13 Building and site development, and construction of approximately 7,400 feet of watermain and appurtenances at an estimate cost of \$6,716,000, together with any acquisition of necessary land or rights in land and all surface restoration or other services necessary, useful or advisable to the construction and installation (“the Project”), all in accordance with the plans and specifications prepared by the consulting engineers to the City; and

WHEREAS, the useful life of the Project is 30 years; and

WHEREAS the estimated cost of construction and installing the Project, including engineering, legal financial and other related expenses is \$6,716,000 and there are insufficient funds on hand and lawfully available to pay these costs; and

WHEREAS, the loan shall bear an interest rate as defined by 35 IL Admin. Code 662, which does not exceed the maximum rate authorized by the Bond Authorization Act, as amended, 30 ILCS 305/0.01 et seq., at the time of making of the loan; and

WHEREAS, the principal and interest payment shall be payable semi-annually, and the loan shall mature in thirty (30) years, which is within the period of useful life of the Project; and

WHEREAS the costs are expected to be paid for with a loan to the City from the Public Water Supply Loan Program through the Illinois Environmental Protection Agency, the loan to be repaid from revenues of the System and the loan is authorized to be accepted at this time pursuant to the Act; and

WHEREAS, in accordance with the provisions of the Act, the City is authorized to borrow funds from the Public Water Supply Loan Program [415 ILCS 5/19.3] in the aggregate principal amount of \$12,000,000.00 to provide funds to pay the costs of the Project; and

WHEREAS the loan to the City shall be made pursuant to a Loan Agreement, including certain terms and conditions, between the City and the Illinois Environmental Protection Agency;

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

#### SECTION 1. INCORPORATION OF PREAMBLES

The Corporate Authorities hereby find that the recitals contained in the preambles are true and correct, and incorporate them into this ordinance by this reference.

#### SECTION 2. DETERMINATION TO BORROW FUNDS

It is necessary and in the best interests of the City to construct the Project for public health, safety and welfare, in accordance with the plans and specifications, as described, that the System continue to be operated in accordance with the provisions of the Illinois Environmental Protection Act, 415 ILCS 5/1 et. Seq.; and that for the purpose of constructing the Project, it is hereby authorized that funds be borrowed by the City in an aggregate principal amount not to exceed \$12,000,000.00.

#### SECTION 3. PUBLICATION

This Ordinance, together with a notice in the statutory form, shall be published once within ten days after passage in the Rochelle News Leader, a newspaper published and of general circulation in the City, and if no petition, signed by electors numbering 10% or more of the registered voters in the City (i.e. 553 electors) and asking that the question of improving the System as provided in this Ordinance and entering into the Loan Agreement therefore be submitted to the electors of the City, is filed with the City Clerk within 30 days after the date of publication of this Ordinance and Notice, then this Ordinance shall be in full force and effect. A petition form shall be provided by the City Clerk to any individual requesting one.

#### SECTION 4. ADDITIONAL ORDINANCES

If no petition meeting the requirements of the Act and other applicable law is filed during the 30 day petition period, then the Corporate Authorities may adopt additional ordinances or proceedings supplementing or amending this Ordinance providing for entering into the Loan Agreement with the Illinois Environmental Protection Agency, prescribing all the details of the Loan Agreement, and providing for the collection, segregation and distribution of the revenues of the system, so long as the maximum amount of the Loan Agreement, as set forth in the Ordinance is not exceeded and there is no material change in the Project or purposes described herein. Any additional Ordinances or proceedings shall in all instances become effective in accordance with the Act or other applicable law. This Ordinance, together with such additional ordinances or proceedings, shall constitute complete authority for entering into the Loan Agreement under applicable law.

However, notwithstanding the above, the City may not adopt additional ordinances or amendments which provide for any substantive or material change in the scope and intent of this Ordinance, including but not limited to interest rate, preference or priority of any other ordinance with this Ordinance, parity of any other ordinance with this Ordinance, or otherwise alter or impair the obligation of the City to pay the principal and interest due the Public Water Supply Loan Program without the written consent of the Illinois Environmental Protection Agency.

#### SECTION 5. LOAN NOT INDEBTEDNESS OF CITY

Repayment of the loan to the Illinois Environmental Protection Agency by the City pursuant to this ordinance shall be made solely from the revenues derived from the operation of the System, and the loan does not and shall not constitute an indebtedness of the City within the meaning of any constitutional or statutory limitation.

#### SECTION 6. APPLICATION FOR LOAN

The Mayor is hereby authorized to make application to the Illinois Environmental Protection Agency for a loan through the Public Water Supply Loan Program, in accordance with the loan requirement set out in 35 Ill. Adm. Code 662.

#### SECTION 7. ACCEPTANCE OF LOAN AGREEMENT

The Mayor and the City Council hereby authorize acceptance of the offer of a loan through the Public Water Supply Loan Program, in accordance with the loan requirements set out in 35 Ill. Adm. Code 662. The loan funds shall be used solely for the purpose of the Project as approved by the Illinois Environmental Protection Agency in accordance with the terms and conditions of the Loan Agreement.

SECTION 8. OUTSTANDING BONDS

The City has no outstanding bonds that are payable from revenues of the system.

SECTION 9. RESERVE ACCOUNTS

As long as the City has outstanding revenue bonds payable from revenues of the system that are senior to the revenue bond authorized by this ordinance, the City shall maintain an account, coverage and reserves equivalent to the accounts, coverages and reserves required by the outstanding ordinances.

SECTION 10. AUTHORIZATION AND MAYOR  
TO EXECUTE LOAN AGREEMENT

The Mayor is hereby authorized and directed to execute the Loan Agreement with the Illinois Environmental Protection Agency.

SECTION 11. SEVERABILITY

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

SECTION 12. REPEALER

All Ordinances, resolutions or orders, or parts thereof, which conflict with the provisions of this ordinance are, to the extent of such conflict, hereby repealed.

PASSED BY THE CORPORATE AUTHORITY

ON \_\_\_\_\_, 2026.

APPROVED ON \_\_\_\_\_, 2026.

\_\_\_\_\_  
MAYOR  
CITY OF ROCHELLE  
OGLE COUNTY, ILLINOIS

PUBLISHED IN THE ROCHELLE NEWS LEADER ON \_\_\_\_\_, 2026.

ATTEST:

\_\_\_\_\_  
CITY CLERK  
CITY OF ROCHELLE  
OGLE COUNTY, ILLINOIS

RECORD OF VOTE	YES	NO	ABSTAIN	ABSENT
JOHN BEARROWS, MAYOR				
TOM MCDERMOTT, COUNCIL MEMBER				
BIL HAYES, COUNCIL MEMBER				
BEN VALDIVIESO, COUNCIL MEMBER				
DAN MCDERMOTT, COUNCIL MEMBER				
KATE SHAW-DICKEY, COUNCIL MEMBER				
ROSAELIA ARTEAGA, COUNCIL MEMBER				

DATE \_\_\_\_\_

MOTION CARRIED \_\_\_\_\_

MOTION LOST \_\_\_\_\_

Certified to be a true and accurate copy, passed and adopted on the above date.

\_\_\_\_\_

(SEAL)

ROSE HUÉRAMO, CITY CLERK

NOTICE OF INTENT TO BORROW FUNDS  
AND RIGHT TO FILE PETITION

Notice is HEREBY GIVEN that, pursuant to Ordinance No. \_\_\_\_\_, adopted on \_\_\_\_\_, 2026, the City of Rochelle of Ogle County, Illinois (the "City"), intends to enter into a Loan Agreement with the Illinois Environmental Protection Agency in an aggregate principal amount not to exceed \$12,000,000.00 and bearing annual interest at an amount not to exceed the maximum rate authorized by law at the time of execution of the Loan Agreement, for the purpose of paying the costs of certain improvements public water supply system of the City of Rochelle. A complete copy of the Ordinance accompanies this Notice.

NOTICE IS HEREBY FURTHER GIVEN that if a petition signed by 553 or more electors of the City (being equal to 10% of the registered voters of the City) requesting that the question of improving the public water supply system and entering into the Loan Agreement is submitted to the City Clerk within 30 days after the publication of this Notice, the question of improving the public water supply system of the City of Rochelle as provided in the Ordinance and Loan Agreement shall be submitted to the electors of the City at the General Election to be held on November 3, 2026. A petition form is available from the office of the City Clerk.

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City Clerk of the City of Rochelle, Ogle County, Illinois

**CERTIFICATION**

I, Rose Huéramo, certify that I am the duly appointed and acting City Clerk of the City of Rochelle, Ogle County, Illinois.

I further certify that on \_\_\_\_\_, 2026, the City Council of such City passed and approved Ordinance No. \_\_\_\_\_, entitled an Ordinance Authorizing the City of Rochelle of Ogle County, Illinois to borrow funds from the Public Water Supply Loan Program (New Well) which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. \_\_\_\_\_, including the Ordinance and a cover sheet thereof was prepared, and a copy of such Ordinance was posted in the City Hall, commencing on \_\_\_\_\_, 2026, and continuing for at least ten days thereafter. Copies of such ordinance were also available for public inspection upon request in the office of the City Clerk.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

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Rose Huéramo, City Clerk

( S E A L )

**NO REFERENDUM CERTIFICATE**

I, the undersigned , do hereby certify that I am the duly qualified, and acting City Clerk, of the City of Rochelle, Ogle County, 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 Mayor and City Council.

I do further certify that ordinance Number \_\_\_\_\_, being the Ordinance entitled:

**AN ORDINANCE AUTHORIZING THE CITY OF ROCHELLE  
OGLE COUNTY, ILLINOIS TO BORROW FUNDS FROM THE  
PUBLIC WATER SUPPLY LOAN PROGRAM (NEW WELL)**

(The "Ordinance") was presented to and passed by the Mayor and City Council at its legally convened meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2026, and signed by the Mayor of the City on said day. News Leader, a newspaper having general circulation within the City, on the \_\_\_\_\_, 2026, being a date within ten days from the date of passage of the Ordinance.

I do further certify that publication of the Ordinance was accompanied by a separate publication of notice of (1) specific number of voters required to sign the petition requesting the question of constructing improvements to the public water supply system as provided in such ordinance; (2) the time by which such petition must have been filed; and (3) the date of the prospective referendum.

I do further certify that I did make available and provide to any individual so requesting a petition, in the form as attached hereto, which petition provided for submission to the electors of the City of the questions as set forth therein. Such petition forms were available from me continuously from \_\_\_\_\_, 2026 to and including \_\_\_\_\_, 2026.

I do further certify that no petition has been filed in my office within 30 days after publication of the Ordinance or as of the time of the signing hereof as provided by statute asking that the question of improving the public water supply system as provided in the Ordinance, and the Loan Agreement therefore, be submitted to the electors of the City.

IN WITNESS WHEREOF, I have hereunto affixed by official signature and the Corporate Seal of the City of Rochelle, Ogle County, Illinois, this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

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City Clerk of the City of Rochelle, Ogle County, Illinois

( S E A L )

PETITION

To the City Clerk of the City of Rochelle, Ogle County, Illinois.

WE, the undersigned, being registered voters of the City of Rochelle, Ogle County, Illinois do hereby petition you to cause the question of improving the Water System of said City as provided in Ordinance number \_\_\_\_\_ of said City and the Loan Agreement as provided in said Ordinance, to be certified to the County Clerk of the County of Ogle, Illinois, and submitted to the electors of said City at the election to be held on November 3, 2026.

NAME

ADDRESS

_____	_____, Illinois
_____	_____, Illinois
_____	_____, Illinois
_____	_____, Illinois
_____	_____, Illinois
_____	_____, Illinois
_____	_____, Illinois
_____	_____, Illinois
_____	_____, Illinois
_____	_____, Illinois

I, \_\_\_\_\_ of \_\_\_\_\_ (insert residence address), Rochelle, Illinois, so hereby certify that I am a registered voter of the City of Rochelle, and in the County of Ogle, Illinois, and that the signatures on this petition were signed in my presence within the City of Rochelle, Illinois, and in the County of Ogle, Illinois and are genuine and, to the best of my knowledge and belief, the persons so signing were at the time of this petition registered voters of said City of Rochelle and that their respective addresses are correctly stated herein.

/s/ \_\_\_\_\_

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

\_\_\_\_\_  
Notary Public