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**THE CITY OF ROCHELLE**  
**Ogle County, Illinois**

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**RESOLUTION**  
**NO. \_\_\_\_\_**

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**A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A CHANGE  
ORDER FOR THE DEVELOPMENT OF THE ROCHELLE INTERMODAL  
TRANSLOADING CENTER**

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**JOHN BEARROWS, Mayor**  
**ROSE HUERAMO, City Clerk**

**TOM MCDERMOTT**  
**BIL HAYES**  
**KATE SHAW-DICKEY**  
**DAN McDERMOTT**  
**JOHN GRUBAN**  
**ROSAELIA ARTEAGA**

**City Council**

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Published in pamphlet form by authority of the Mayor and City Council of the City of Rochelle  
Peterson, Johnson, and Murray Chicago, LLC, City Attorneys  
200 W. Adams, Suite 2125 Chicago, IL 60606

CITY OF ROCHELLE  
Ogle County, Illinois

**RESOLUTION NO. \_\_\_\_**

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A CHANGE  
ORDER FOR THE DEVELOPMENT OF THE ROCHELLE INTERMODAL  
TRANSLOADING CENTER**

**WHEREAS**, Section 7 of Article VII of the 1970 Constitution of the State of Illinois provides that a municipality that is not a home rule unit shall only have the powers granted to them by law and as such the City of Rochelle, Ogle County, Illinois being a non-home rule unit pursuant to the provisions of said Section 7 of Article VII, and may exercise only the powers expressly granted by law; and

**WHEREAS**, the Illinois General Assembly granted non-home rule municipalities broad authority to “pass all ordinances and make all rules and regulations proper or necessary, to carry into effect the powers granted to municipalities.” 65 ILCS 5/1-2-1; and

**WHEREAS**, the City of Rochelle (“City”) owns and operates a railroad known as the City of Rochelle Railroad which has been assigned the designation of CIR from the American Railroad Association (hereinafter referred to as “CIR”); and

**WHEREAS**, the City of Rochelle operates a railroad through the Rochelle Municipal Utilities (“RMU”), one of its departments; and

**WHEREAS**, the City is making improvements to expand its transload yard (“Transloading Center”) and Greater Rochelle Economic Development Corporation (“GREDCO”) is developing a container storage facility on its property that is adjacent to the Transloading Center; and

**WHEREAS**, on September 12, 2022 the City approved a Development Agreement with GREDCO for the Transloading Center; and

**WHEREAS**, a change order is required to construct a fumigation lot at the Transloading Center, which will cost an additional \$450,291.73, of which the City would be responsible for \$53,611.96; and

**WHEREAS**, the change order for the additional work is attached hereto as Exhibit 1; and

**WHEREAS**, it has been determined by the Corporate Authorities of the City of Rochelle that it is in the best interest of the City and its residents to authorize the City Manager to execute the change order for the Transloading Center, attached hereto as Exhibit 1; and

**BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF  
ROCHELLE, ILLINOIS:**

SECTION ONE: That the City hereby incorporates all of the recitals above into this Resolution as if fully set forth herein.

SECTION TWO: The Mayor and City Council of the City of Rochelle authorize the City Manager to execute the change order for the Transloading Center, attached hereto as Exhibit 1, in order to construct a fumigation lot, subject to review and revision by the City Attorney.

SECTION THREE: If any provision of this Resolution or application thereof to any person or circumstance is ruled unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this resolution that can be given effect without the invalid application or provision, and each invalid provision or invalid application of this Resolution is severable.

SECTION FOUR: Where the conditions imposed by any provisions of this Resolution are more restrictive than comparable provisions imposed elsewhere in any other local law, resolution, resolution, rule or regulation, the regulations of this Resolution will govern.

SECTION FIVE: The City Clerk shall publish this Resolution in pamphlet form.

SECTION SIX: This Resolution shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

PASSED THIS 10th day of April, 2023.

AYES:

NAYS:

ABSENT:

APPROVED THIS 10th day of April, 2023.

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MAYOR

ATTEST:

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CITY CLERK



STATE OF ILLINOIS        )  
                                      )  
COUNTY OF OGLE        )        SS.

CERTIFICATE

I, Rose Hueramo, City Clerk of the City of Rochelle, County of Ogle and State of Illinois,  
DO HEREBY CERTIFY that the foregoing is a true and correct copy of Resolution No. \_\_\_\_\_,  
“A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A CHANGE  
ORDER FOR THE DEVELOPMENT OF THE ROCHELLE INTERMODAL  
TRANSLOADING CENTER” which was adopted by the Mayor and City Council of the City of  
Rochelle on April 10, 2023.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of  
the City of Rochelle this 10<sup>th</sup> day of April, 2023.

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CITY CLERK