
THE CITY OF ROCHELLE
Ogle County, Illinois

RESOLUTION
NO. _____

**A RESOLUTION TO OPPOSE SB2298 AMENDING THE TAX INCREMENT
ALLOCATION REDEVELOPMENT ACT OF THE ILLINOIS MUNICIPAL CODE**

JOHN BEARROWS, Mayor
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City Council

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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 (“City”), 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 Tax Increment Allocation Redevelopment Act of the State of Illinois (the “Act”) creates tax increment financing to stimulate and induce redevelopment and to provides cities with a mechanism to construct public infrastructure to spur economic development and job growth within their jurisdiction; and

WHEREAS, the Act makes it possible for municipalities like the City of Rochelle to incentivize development within the areas that are found to be “blighted areas” in order to reduce or eliminate the factors that cause such areas to be designated as “blighted areas” by reimbursing others for the payment of eligible redevelopment project costs as defined in Section 11-74.4-3(q) of the Act, and further authorizes communities to implement tax increment allocation financing to pay for the costs of such redevelopment permitted under the Act; and

WHEREAS, SB2298 (the “Bill”), sponsored by Senator Ann Gillespie and co-sponsored by Senator Melinda Bush attempts to eliminate the effectiveness of the most important tool available to municipalities to enhance positive economic change; and

WHEREAS, the Bill adds two factors to the determination of “blighted area” for improved industrial, commercial, and residential buildings and removes or modifies various factors for the definitions of “blighted area” and “conversation area” that will greatly reduce the eligibility for many distressed areas throughout Illinois communities; and

WHEREAS, the Bill would require all new redevelopment projects to have a completion date no later than the end of the 10th year after a TIF Ordinance is adopted, instead of the 23 years currently allowed, thereby greatly reducing the life of TIF Districts and the ability for a TIF District to effectively support new growth and redevelopment projects; and

WHEREAS, the Bill would prohibit new or modified redevelopment project areas that overlap with other previously approved project areas, eliminating the ability for communities to successfully develop or redevelop contiguous areas that may not have been eligible at the time the TIF District was originally adopted; and

WHEREAS, the Bill would impose stricter requirements for EAV decline and it would eliminate common TIF eligibility criteria such as dilapidation, deterioration, code standards, excessive vacancies, lack of ventilation, obsolete platting, diversity of ownership, and adjacent deterioration, thereby significantly reducing the possibility that TIF Districts can be used as a viable redevelopment tool in communities throughout Illinois.

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 hereby adopt as a resolution strongly opposing Senate Bill 2298 in its current form, and urges all legislators, the Illinois General Assembly and the Governor to vote against this legislation.

SECTION THREE: The City of Rochelle will provide a Copy of this Resolution to all state legislators representing the City of Rochelle.

SECTION FOUR: Any policy, resolution, or ordinance of the City that conflicts with the provisions of this ordinance shall be and is hereby repealed to the extent of such conflict.

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 28th day of February, 2022.

AYES:

NAYS:

ABSENT:

APPROVED THIS 28th day of February, 2022.

MAYOR

ATTEST:

CITY CLERK

STATE OF ILLINOIS)
)
COUNTY OF OGLE) SS.

CERTIFICATE

I, _____, 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 TO OPPOSE SB2298 AMENDING THE TAX INCREMENT ALLOCATION REDEVELOPMENT ACT OF THE ILLINOIS MUNICIPAL CODE,” which was adopted by the Mayor and City Council of the City of Rochelle on February 28, 2022.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City of Rochelle this 28th day of February, 2022.

CITY CLERK