

Passed: December 1, 2014
Signed: December 3, 2014

ORDINANCE NO. 2014-11-108

AN ORDINANCE ESTABLISHING A NEW ENTERPRISE ZONE IN THE CITY OF URBANA AND CHAMPAIGN COUNTY

WHEREAS, the State of Illinois Enterprise Zone Act (Illinois Compiled Statutes Chapter 20, Section 655) (the "Act") explores ways and means of stimulating business and industrial growth and retention in depressed areas, and stimulating neighborhood revitalization of depressed areas of the State by means of relaxed government controls and tax incentives in those areas; and

WHEREAS, the City of Urbana, Illinois, a municipal corporation and home rule unit of municipal government (the "City"), and the County of Champaign, Illinois, a municipal corporation (the "County"), (collectively referred to as the "Partners"), desire to enact a new enterprise zone, as defined in the Act, (the "Zone") for the purpose of stimulating economic growth and neighborhood revitalization in economically depressed areas within the City and the County; and

WHEREAS, Section 10 of Article VII of the Illinois Constitution of 1970 and the Illinois Intergovernmental Cooperation Act, 5 ILCS 220/1 et seq. enable the City and the County to enter into agreements among and between themselves which provide for intergovernmental cooperation on matters and issues of joint interest; and

WHEREAS, the Partners have adopted an enterprise zone intergovernmental agreement (the "Agreement"); and

WHEREAS, the Act provides the mechanisms and incentives for addressing commercial, industrial, and residential areas that undergo development and redevelopment; and

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WHEREAS, the Partners recognize that local economic development, business retention and expansion, neighborhood revitalization, employment retention and creation, through a partnership between the City the County will benefit the City, the County and their residents; and

WHEREAS, the Act was recently amended to require all existing enterprise zones to expire, and any interested community must apply and compete for a new designation as an enterprise zone; and

WHEREAS, the Act requires the City and the County to each pass an ordinance establishing a new enterprise zone before they can apply to the State of Illinois Department of Commerce and Economic Opportunity (the "Department") for certification of such new enterprise zone; and

WHEREAS, the Partners are authorized to jointly apply for an enterprise zone under the Act; and

WHEREAS, the application for certification of a new zone must be submitted by December 31, 2014 in order to be considered for approval in 2015.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS as follows:

Section 1. Designation and Description of Zone Area.

The City hereby establishes an enterprise zone pursuant to the authority granted by the Act, as amended, subject to the approval of the Department, and subject to the provisions of the Act. The boundaries of the Zone are those set forth in the legal description attached hereto, marked "Exhibit A" and made a part hereof.

Section 2: Qualifications. The City hereby declares and affirms that the Zone is qualified for designation as an enterprise zone in accordance with the provisions of the Act, and further affirm that:

- (a) The Zone is a contiguous area;
- (b) The Zone comprises a minimum of one-half square mile and not more than twelve square miles in total area;
- (c) The Zone is a depressed area;
- (d) The Zone satisfies any additional criteria established by the Department;
- (e) On November 6th, 2014, a Public Hearing was conducted within the Zone on the question of whether boundaries of the Zone should be expanded. A public notice was given in one newspaper of general circulation within the Zone not more than 20 days nor less than five days before the hearings; and
- (f) The Zone addresses a reasonable need to encompass portions of the City and adjacent unincorporated areas of the County.

Section 3. Term and Effect The term of the Zone shall commence on January 1, 2016 or such other date as certified by the Department pursuant to the Act, and shall terminate at midnight on December 31, the 15th year after the year in which the Zone is certified, unless otherwise provided for by the Department or if the Zone is earlier decertified in accordance with the Act.

Section 4. Incentives and Benefits Offered in the Zone.

- (a) Building Materials Exemption Certificates:
 - (1) Each retailer who makes a qualified sale of building materials to be incorporated into real estate in an enterprise zone established by a county or municipality under the Act by remodeling, rehabilitation or new construction, may deduct

receipts from such sales when calculating the tax imposed by the Retailers' Occupation Tax Act. A "qualified sale" means a sale of building materials that will be incorporated into real estate as part of a building project for which an enterprise zone "Building Materials Exemption Certificate", as defined in the Act, (the "Certificate") has been issued to the purchaser by the Department.

(2) In addition to any restrictions placed on Certificates by state law, Certificates shall only be issued to projects that meet the following requirements:

- i. Projects shall be on parcels within the Zone which have been improved after the designation of the Zone by the State of Illinois.
- ii. Projects shall be on parcels within the Zone which on or after the first day of Zone certification:
 1. have been granted a building permit by the City, or
 2. exist in unincorporated Champaign County and have either been granted a zoning use permit by the County or involve the rehabilitation of an existing structure that does not require a County zoning use permit.
- iii. Commercial, industrial, or mixed-use projects shall be of a minimum project cost of \$1,000. Mixed-use projects are only eligible if at least twenty (20) percent of all premise square footage is dedicated to a commercial or industrial use.
- iv. New residential construction projects shall be of a minimum project cost of \$1,000 creating at least one:

1. single family residence,
2. duplex or two-family residence,
3. townhome, or
4. other zero-lot-line single family residence.

(b) **Property Tax Abatements:** The City shall take all action appropriate and necessary to join with other taxing bodies in abating increases in real estate taxes as an incentive for economic development within the Zone pursuant to the Act and further subject to the authorization and limitations set forth in resolution or ordinance by any participating taxing body.

Section 5. Zone Administration. The Mayor and City Council of the City, in an effort to successfully facilitate management, operation and development of the Zone hereby provide for the designation of a Zone Administrator (the "Administrator") who will carry out the functions and management of the Zone in accordance with the Agreement.

Section 6. Designated Zone Organizations. In order to facilitate the successful development of the Zone and in accordance with the Act, this Ordinance hereby provides for the establishment of Designated Zone Organizations under which any or all of the functions provided for in Section 8 of the Act will be carried out. The Designation Zone Organization(s) and any project(s) which it (they) may undertake will be approved in accordance with the provisions of the intergovernmental agreement and rules and regulations promulgated by the Department.

Section 7: Fee Schedule. The Administrator shall charge fees for administration of the Zone in accordance with Section 8.2(c) of the Act. The

Administrator shall file a copy of its fee schedule with the Department as required each year.

Section 8. Conformance to Codes, Ordinances, and Regulations. No incentive shall be available to any project which is not constructed, used or occupied in conformance with all City and the County codes, ordinances and regulations. Except as otherwise expressly and specifically provided for herein, nothing contained herein shall be construed to waive, abrogate, lessen or weaken the full force, effect and application of all laws, resolutions, codes, regulations and ordinances of the City and the County to any project or any person or property.

Section 9. Violations and Penalties.

- (a) No person shall knowingly misrepresent facts in order to receive tax abatement or other incentives provided for in this Ordinance or present a certificate of eligibility for purposes of purchasing building materials to be used on any premises other than on premises for which the certificate was issued. "Facts" include, but are not limited to:
 - (1) The number of full-time jobs to be created by an enterprise; or
 - (2) The number of persons currently employed by a concern; or
 - (3) The nature of the project use(s) of or the annual dollar volume of business attributable to the project use(s); or
 - (4) Any representation materially affecting the determination of project eligibility or the determination of the percentage of tax abatement to which the project may be entitled under this Ordinance.
- (b) In addition to other penalties provided for by law, for the purposes of administration of the Zone, the initial determination of any alleged violation by a project in the City set forth in this

Section shall be made by the Administrator who shall notify the property owner of the alleged violation by certified mail at least fifteen (15) days before any further action is taken. The property owner may, within fifteen (15) days after receipt of the notification, submit a written appeal for review by the Administrator. If the alleged violator fails to appeal the initial determination of violation or if the determination is upheld, the alleged violation will be subject to the following administrative penalties:

- (1) Revocation of any tax abatements provided under the terms of this Ordinance.
- (2) Revocation of any certificate of eligibility issues in connection with any project involved in the violation; and
- (3) Loss of eligibility of the subject property for any other incentive or targeted program provided for under this Ordinance.

Section 10. Severability. The Ordinance and every provision thereof shall be considered separable; and the invalidity of any section, clause, paragraph, sentence or provision of the Ordinance shall not affect the validity of any other portion of the Ordinance.

Section 11. The City Clerk is hereby directed to send a certified copy of this Ordinance to the County Clerk of Champaign County.

Section 12. Notices. Notice hereunder shall be considered delivered, whether delivered personally or sent by certified mail, postage prepaid, to:

Mayor of Urbana

County Administrator

City of Urbana

Champaign County

400 S. Vine Street

1776 E. Washington Street

Urbana, IL 61801

Urbana, IL 61802

Enterprise Zone Administrator
City of Urbana
400 S. Vine Street
Urbana, IL 61801

Deputy Enterprise Zone Administrator
Champaign County Regional Planning
Commission
1776 E. Washington Street
Urbana, IL 61802

PASSED by the City Council this 1st day of December, 2014.

AYES: Ammons, Brown, Jakobsson, Madigan, Marlin, Roberts, Smyth

NAYS:

ABSTAINED:

APPROVED by the Mayor this 3rd day of December, 2014



EXHIBIT A

Legal Description

The boundary of the Urbana Enterprise Zone is represented in the attached map. This boundary is inclusive of all of the parcels identified below by their respective Parcel Index Numbers as of November 19th, 2014.

91-21-03-102-005	93-21-22-328-003	93-21-28-405-025
91-21-03-102-006	93-21-22-328-004	93-21-28-405-026
91-21-10-403-007	93-21-22-329-001	93-21-28-405-027
91-21-10-403-019	93-21-22-329-004	93-21-28-408-002
91-21-10-403-020	93-21-22-329-007	93-21-28-408-012
91-21-10-404-010	93-21-22-331-003	93-21-28-407-011
91-21-10-404-017	93-21-22-331-005	93-21-28-404-008
91-21-10-408-002	93-21-22-331-007	93-21-22-351-007
91-21-10-409-009	93-21-22-332-003	93-21-22-427-012
91-21-10-409-010	93-21-22-332-004	93-21-22-427-011
91-21-10-409-018	93-21-22-332-006	93-21-22-427-010
91-21-10-409-021	93-21-22-332-015	93-21-22-426-047
91-21-10-409-022	93-21-22-332-016	93-21-22-426-048
91-21-10-410-027	93-21-22-333-004	91-21-03-102-011
91-21-15-383-010	93-21-22-333-006	91-21-04-228-019
91-21-15-383-009	93-21-22-401-005	91-21-04-228-021
91-21-15-383-004	93-21-22-402-010	25-15-28-451-001
91-21-15-383-003	93-21-22-403-002	25-15-28-451-004
92-21-17-232-009	93-21-22-405-003	25-15-28-451-007
93-21-21-202-001	93-21-22-426-004	25-15-28-451-008
93-21-22-103-019	93-21-22-451-005	25-15-28-451-009
93-21-22-104-009	93-21-22-451-007	25-15-28-451-012
93-21-22-180-002	93-21-22-451-010	25-15-28-452-001
93-21-22-181-004	93-21-22-451-011	25-15-28-452-004
93-21-22-256-003	93-21-22-451-012	25-15-28-452-005
93-21-22-256-004	93-21-22-451-013	25-15-28-476-001
93-21-22-258-012	93-21-22-452-008	25-15-28-476-002
93-21-22-258-014	93-21-28-286-004	25-15-28-476-005
93-21-22-302-002	93-21-28-427-017	25-15-28-476-006
93-21-22-326-003	93-21-28-405-022	25-15-29-300-005
93-21-22-327-001	93-21-28-405-023	25-15-31-400-031
93-21-22-327-002	93-21-28-405-024	25-15-32-100-001

25-15-32-100-003	25-15-33-278-004	25-15-32-300-007
25-15-32-100-005	25-15-33-278-006	25-15-32-300-008
25-15-32-100-006	25-15-33-401-004	25-15-32-426-004
25-15-32-100-007	25-15-33-401-005	25-15-32-451-002
25-15-32-100-008	25-15-33-402-002	25-15-32-451-003
25-15-32-100-013	25-15-33-402-005	25-15-32-476-009
25-15-32-100-015	25-15-33-402-008	25-15-33-100-005
25-15-32-251-008	25-15-33-402-009	25-15-33-100-006
25-15-32-251-009	25-15-33-426-001	25-15-33-100-014
25-15-32-276-001	25-15-33-426-003	25-15-33-100-018
25-15-32-276-002	25-15-33-476-001	25-15-33-227-002
25-15-32-276-004	25-15-34-300-014	25-15-33-227-003
25-15-32-276-016	25-15-34-400-006	25-15-33-227-005
25-15-32-276-019	30-21-04-201-001	25-15-33-227-006
25-15-32-276-023	30-21-04-201-014	25-15-33-227-007
25-15-32-276-024	91-21-04-201-021	25-15-33-227-008
25-15-32-276-025	91-21-04-201-022	25-15-33-227-009
25-15-32-276-026	30-21-04-352-002	25-15-33-251-003
25-15-32-276-027	30-21-04-426-002	25-15-33-251-005
25-15-32-276-031	30-21-05-100-012	25-15-33-276-009
25-15-32-300-004	30-21-05-100-014	25-15-33-276-010
25-15-32-300-005	30-21-05-251-003	25-15-33-276-012
25-15-32-300-010	25-15-27-300-001	25-15-33-278-002
25-15-32-476-010	25-15-28-426-002	25-15-33-278-005
25-15-32-476-011	25-15-28-451-010	25-15-33-401-001
25-15-33-100-001	25-15-29-300-004	25-15-33-401-003
25-15-33-100-003	25-15-29-400-022	25-15-33-401-006
25-15-33-100-004	25-15-31-400-007	25-15-33-401-007
25-15-33-100-007	25-15-31-400-017	25-15-33-402-001
25-15-33-100-015	25-15-31-400-018	25-15-33-402-007
25-15-33-100-016	25-15-32-100-002	25-15-33-402-010
25-15-33-226-002	25-15-32-100-002	25-15-33-426-002
25-15-33-227-001	25-15-32-100-012	25-15-33-426-004
25-15-33-227-004	25-15-32-100-016	25-15-34-300-005
25-15-33-227-010	25-15-32-100-017	25-15-34-300-013
25-15-33-251-007	25-15-32-100-018	25-15-34-400-002
25-15-33-276-001	25-15-32-226-001	25-15-34-400-005
25-15-33-276-002	25-15-32-251-006	30-21-04-201-023
25-15-33-276-005	25-15-32-251-007	30-21-04-201-024
25-15-33-276-007	25-15-32-251-011	30-21-04-201-025
25-15-33-277-001	25-15-32-276-017	30-21-04-201-031
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91-15-31-400-016	91-21-04-351-020	91-21-05-302-006
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91-15-31-400-026	91-21-04-351-027	91-21-05-303-003
91-15-31-400-032	91-21-04-351-028	91-21-05-304-001
91-15-31-400-034	91-21-04-351-029	91-21-05-304-002
91-15-32-156-001	91-21-04-351-030	91-21-05-304-004
91-15-32-300-002	91-21-04-352-003	91-21-05-304-005
91-15-32-300-017	91-21-04-352-012	91-21-05-304-008
91-15-32-426-005	91-21-04-352-013	91-21-05-352-001
91-15-32-476-013	91-21-04-352-021	91-21-05-353-004
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91-15-33-100-013	91-21-04-352-023	91-21-05-353-008
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30-21-06-100-013	91-21-06-402-006	91-21-07-404-010
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30-21-27-100-001	91-21-06-426-016	91-21-07-405-008
30-21-27-100-002	91-21-06-426-017	91-21-07-405-011
30-21-27-200-005	91-21-06-426-018	91-21-07-405-012
30-21-27-200-017	91-21-06-426-019	91-21-07-405-013
30-21-28-100-001	91-21-06-451-003	91-21-07-405-014
30-21-28-400-002	91-21-06-451-004	91-21-07-407-001
30-21-28-400-007	91-21-06-476-001	91-21-07-407-002
91-21-04-201-017	91-21-07-226-010	91-21-07-407-003
91-21-05-301-900	91-21-07-226-014	91-21-07-407-004
91-21-05-304-900	91-21-07-226-020	91-21-07-407-005
91-21-06-201-005	91-21-07-226-021	91-21-07-407-006
91-21-06-226-001	91-21-07-226-022	91-21-07-407-007
91-21-06-227-001	91-21-07-282-021	91-21-07-407-008
91-21-06-227-003	91-21-07-282-026	91-21-07-407-009
91-21-06-227-004	91-21-07-402-001	91-21-07-407-014
91-21-06-227-005	91-21-07-402-002	91-21-07-408-001
91-21-06-227-006	91-21-07-402-003	91-21-07-408-002
91-21-06-227-007	91-21-07-403-001	91-21-07-408-003
91-21-06-228-002	91-21-07-403-002	91-21-07-408-004
91-21-06-228-003	91-21-07-403-003	91-21-07-408-005
91-21-06-228-004	91-21-07-403-004	91-21-07-408-006
91-21-06-228-005	91-21-07-403-005	91-21-07-408-007
91-21-06-228-006	91-21-07-403-006	91-21-07-408-008
91-21-06-228-008	91-21-07-403-007	91-21-07-408-009
91-21-06-228-009	91-21-07-403-008	91-21-07-408-010
91-21-06-401-005	91-21-07-403-009	91-21-07-408-011
91-21-06-401-006	91-21-07-404-001	91-21-07-408-012

91-21-07-409-004	91-21-07-431-023	91-21-07-484-007
91-21-07-409-005	91-21-07-431-025	91-21-07-484-008
91-21-07-409-010	91-21-07-476-008	91-21-07-484-009
91-21-07-409-011	91-21-07-478-006	91-21-07-485-001
91-21-07-409-012	91-21-07-478-007	91-21-07-486-001
91-21-07-409-013	91-21-07-480-001	91-21-07-486-002
91-21-07-409-014	91-21-07-480-015	91-21-07-486-003
91-21-07-409-015	91-21-07-480-016	91-21-07-486-004
91-21-07-409-016	91-21-07-480-017	91-21-07-486-005
91-21-07-409-017	91-21-07-480-018	91-21-07-486-006
91-21-07-409-018	91-21-07-480-019	91-21-07-486-007
91-21-07-409-019	91-21-07-481-001	91-21-07-486-008
91-21-07-409-021	91-21-07-481-002	91-21-07-486-009
91-21-07-409-022	91-21-07-481-005	91-21-07-486-012
91-21-07-409-023	91-21-07-481-006	91-21-07-486-014
91-21-07-409-024	91-21-07-481-017	91-21-07-487-001
91-21-07-412-001	91-21-07-481-020	91-21-07-487-002
91-21-07-413-011	91-21-07-481-022	91-21-07-487-003
91-21-07-414-018	91-21-07-482-002	91-21-07-487-004
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91-21-07-428-023	91-21-07-482-012	91-21-07-487-006
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30-21-04-201-011	30-21-10-351-003	

Passed: December 1, 2014
Signed: December 3, 2014

ORDINANCE NO. 2014-11-109

AN ORDINANCE REVISING THE ANNUAL BUDGET ORDINANCE
FOR FY2014/15

(Wage Increases for AFSCME & Non-bargaining Unit Employees)

WHEREAS, the Annual Budget Ordinance of and for the City of Urbana, Champaign County, Illinois, for the fiscal year beginning July 1, 2014, and ending June 30, 2015, (the "Annual Budget Ordinance") has been duly adopted according to Sections 8-2-9.1 et seq. of the Illinois Municipal Code (the "Municipal Code") and Division 2, entitled "Budget", of Article VI, entitled "Finances and Purchases", of Chapter 2, entitled "Administration", of the Code of Ordinances, City of Urbana, Illinois (the "City Code"); and

WHEREAS, the City Council of the said City of Urbana finds it necessary to revise said Annual Budget Ordinance by deleting, adding to, changing or creating sub-classes within object classes and object classes themselves; and

WHEREAS, funds are available to effectuate the purpose of such revision; and

WHEREAS, such revision is not one that may be made by the Budget Director under the authority so delegated to the Budget Director pursuant to section 8-2-9.6 of the Municipal Code and section 2-133 of the City Code.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS, as follows:

Section 1. That the Annual Budget for FY2014/15, as revised, is hereby revised to provide as outlined in the attached Exhibit A.

Section 2. This Ordinance shall be effective immediately upon passage and approval and shall not be published.

Section 3. This Ordinance is hereby passed by the affirmative vote of two-thirds of the members of the corporate authorities then holding office, the "ayes" and "nays" being called at a regular meeting of said Council.

PASSED by the City Council this 1st day of December, 2014.

AYES: Ammons, Brown, Jakobsson, Madigan, Marlin, Roberts, Smyth,
Prussing

NAYS:

ABSTAINED:



APPROVED by the Mayor this 3rd day of December, 2014.

Laurel Lunt Prussing, Mayor