



DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

Economic Development Division

m e m o r a n d u m

TO: Mayor Diane Wolfe Marlin and City Council Members

FROM: Sheila Dodd, Interim Community Development Services Director
Stephony McMahon, Economic Development Supervisor

DATE: June 2, 2022

**SUBJECT: A RESOLUTION TO AMEND THE ENTERPRISE ZONE
INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF
URBANA AND CHAMPAIGN COUNTY**

Introduction

The City Council is requested to consider the attached draft intergovernmental agreement (IGA) for approval to amend the requirement for the Enterprise Zone Advisory Board to meet twice a year to one annual meeting instead.

The Enterprise Zone Advisory Board meets annually and has not required, and therefore, not met a second time for the past three years. Staff is requesting that the agreement be amended to meet a minimum of once annually in order to match the needs of the advisory board. If at any time additional meetings are needed, they would be scheduled.

Background

State law requires that the Mayor of the City of Urbana at least annually convene a meeting of the Enterprise Zone Advisory Board. This Advisory Board is made up of a representative from each of the participating taxing bodies.

At the meeting, an annual report is presented, minutes of previous meetings are approved, and a discussion of any new Enterprise Zone projects and initiatives is held. This Board currently meets annually and Board meetings are open to the public.

Per County Executive, Darlene Kloeppel, Champaign County passed a resolution on Thursday, May 19, 2022 changing the Enterprise Zone IGA from two meetings per year to one. A copy of that resolution is attached.

Summary of Changes Resulting from the Proposed Resolution

This proposal would amend the existing Enterprise Zone IGA between the City of Urbana and Champaign County, which was approved in Resolution 2014-11-060R on December 3, 2014 in the following ways:

Section 4(c)(3) Reporting. The Administrator and Deputy shall convene ~~two~~ one meetings annually of representatives of all taxing partners participating in the Zone to provide information on incentives, Zone amendments and all other Zone business. A meeting shall be noticed and convened ~~twice~~ once each year during which the Zone shall be in effect. The meetings shall be noticed and conducted in accordance with the Illinois Open Meetings Act.

Discussion

Staff is suggesting this change so that the annual meeting of the Advisory Board will match and meet the requirements of the Resolution and IGA.

Options

- 1. Approve the attached Resolution and forward to City Council for placement on the consent agenda.
- 2. Approve the Resolution with changes.
- 3. Do not approve the Resolution.

Recommendation

Staff recommends that the City Council forward the Resolution to amend the Enterprise Zone IGA between the City of Urbana and Champaign County as presented, thereby requiring only one annual meeting.

Attachment: Champaign County Resolution 2022-113

ENTERPRISE ZONE INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF URBANA AND CHAMPAIGN COUNTY

This Enterprise Zone Intergovernmental Agreement Between the City of Urbana and Champaign County (hereinafter, "Agreement") is entered into this 3rd day of December, 2014, by and between the City of Urbana, Illinois (hereinafter, the "City") and the County of Champaign, Illinois (hereinafter, the "County") (collectively, hereinafter, the "Parties").

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 Parties to enter into agreements among themselves and provide authority for intergovernmental cooperation.

WHEREAS, the Parties have each adopted ordinances (hereinafter collectively referred to as "the Ordinances") establishing an Enterprise Zone (hereinafter, "Zone") including portions of real property located in both the City and the County;

WHEREAS, this Agreement is part of a joint application to the State of Illinois Department of Commerce and Economic Opportunity (hereinafter referred to as "the Department") by the Parties for designation of an Enterprise Zone under the provisions of the Illinois Enterprise Zone Act (20 ILCS 655/1, et seq.) (hereinafter referred to as "Act"); and

WHEREAS, if the joint Zone application of the Parties is approved by the State of Illinois pursuant to the Act, the Parties desire to establish, maintain, and jointly operate a Zone in an efficient and effective manner in keeping with the terms of the Act and the rules and regulations promulgated by the Department for the operation of a Zone.

NOW, in exchange of good, valuable and mutual consideration which the Parties acknowledge as having in hand received and in consideration of the terms, conditions and covenants contained herein, the Parties hereto agree as follows:

SECTION 1: Description of Zone Area. The boundaries of the Zone are those set forth in the Ordinances as approved by both Parties and the Department in accordance with the Act. The boundaries of the Zone are also set forth in the legal description attached hereto, marked "Exhibit A" and made a part hereof.

SECTION 2: 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 3. Incentives and Benefits Offered in the Zone. The Parties shall offer the following incentives:

- (a) **Property Tax Abatements:** The Parties 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, the Ordinances, and further subject to the authorization and limitations set forth in resolution or ordinance by any participating taxing body.
- (b) **Building Materials Exemption Certificates:** The City and the County shall offer “Building Materials Exemption Certificates”, as defined in the Act, to those eligible projects pursuant to the Act and further subject to the limitations set forth in the Ordinances.

SECTION 4: Management of the Enterprise Zone.

- (a) **Zone Administrator.** The Mayor of the City of Urbana shall appoint the Administrator of the Enterprise Zone (the “Administrator”).
- (b) **Deputy Zone Administrator.** The Executive Director of the Champaign County Regional Planning Commission, or his or her designated employee of said Regional Planning Commission, shall be Deputy Administrator of the Enterprise Zone (the “Deputy”).
- (c) The duties and responsibilities of the Zone Administrator and the Deputy Zone Administrator shall be as follows:

- (1) **Administration; Project Eligibility.** The Administrator shall administer and enforce the Agreement and operate and manage the Zone, to the extent that the Zone includes properties located within the City. The Deputy shall administer and enforce the Agreement, and operate and manage the Zone, to the extent that the Zone includes properties located outside of the City.
- (2) **Records.** The Administrator and Deputy shall maintain records associated with Zone activities and projects located within their respective jurisdictions and necessary to the preparation of reports required by the State of Illinois.
- (3) **Reporting.** The Administrator and Deputy shall convene two meetings annually of representatives of all taxing partners participating in the Zone to provide information on incentives, Zone amendments and all other Zone business. A meeting shall be noticed and convened twice each year during which the Zone shall be in effect. The meetings shall be noticed and conducted in accordance with the Illinois Open Meetings Act.
- (4) **Administrative Rules and Guidelines.** The Administrator and Deputy shall, pertinent to their respective duties, create, document and make available to the public such administrative rules and guidelines as are deemed necessary to operate and manage the Zone. Such administrative rules and guidelines shall be supportive of, fully consistent with, and subsidiary to: 1) the provisions and intent of the Act, the Ordinances, and this Agreement; and, 2) the directives of the Department. Such administrative rules and guidelines shall also be supportive of and consistent with the authorizations and limitations of any taxing body which abates increases in real estate taxes as an incentive for economic development within the Zone pursuant to the Act.

SECTION 5. Cost of Zone Management and Operation.

- (a) Operating expenses for the administration of the Zone may include, but are not limited to:
- (1) Staff salaries and fringe benefits of the Administrator and Deputy shall be the responsibility of the City and the County, respectively.
 - (2) Dues, fees and travel expenses associated with professional development and training specific to the administration of the Zone for the Administrator and Deputy shall be the responsibility of the City and the County, respectively.
 - (3) All other expenses shall be paid for by the City unless otherwise agreed to by the County, including:
 - i. Expenses related to promoting the incentives and benefits of the Zone and engaging businesses operating within the Zone, e.g. marketing, advertising, events, workshops and presentations.
 - ii. Clerical, copying, printing, postage and minor equipment expenses associated with annual meetings and reporting to the State of Illinois and the Department.
 - iii. Consulting services for the establishment and revision of administrative and operating procedures, marketing programs, modification to Zone boundaries or incentives, initiation of Designated Zone Organizations and projects.

SECTION 6: Designated Zone Organizations. The Administrator or Deputy may recommend one or more organizations that may qualify as Designated Zone Organizations under the provisions of the Act. Upon approval by both the Administrator and Deputy, the Designated Zone Organization may:

- (a) Exercise authority for the enforcement of any code, permit, or licensing procedure within the Zone;
- (b) Provide a forum for business, labor and government action or enterprise zone innovations;
- (c) Receive title to publicly-owned land;
- (d) Solicit and receive contributions to improve the quality of life in the Zone; and
- (e) Perform such other functions as the Parties may deem appropriate, not inconsistent with the Act.

SECTION 7. Notices. Notice hereunder shall be considered delivered, whether delivered personally or sent by certified mail, return-receipt requested, postage prepaid, to:

Mayor of Urbana
City of Urbana
400 S. Vine Street
Urbana, IL 61801

County Administrator
Champaign County
1776 E. Washington Street
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

Notices sent by certified mail, return-receipt requested shall be deemed effective the fourth day following placement with the U.S. Postal Service if placed in a properly stamped and addressed envelope. Notices delivered personally shall be deemed effective the day following the day of personal delivery.

This Agreement is made as of the year and day first above written.

CITY OF URBANA, ILLINOIS

COUNTY OF CHAMPAIGN, ILLINOIS

By: *James Lee Brissin*
Mayor

By: *[Signature]*
Board Chair

Attest: *[Signature]*
City Clerk



By: *[Signature]*
County Clerk

RESOLUTION NO. 2014-11-060R

RESOLUTION APPROVING AN ENTERPRISE ZONE INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF URBANA, ILLINOIS AND THE COUNTY OF CHAMPAIGN, ILLINOIS

WHEREAS, the City of Urbana, Illinois (the "City"), is a home-rule unit of local government under the Illinois Constitution, 1970, Article VII, Section 6; and

WHEREAS, the County of Champaign, Illinois (the "County"), is a home-rule unit of local government under the Illinois Constitution, 1970, Article VII, Section 6; 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 County to enter into agreements among themselves and provide authority for intergovernmental cooperation; and

WHEREAS, the City and the County seek to enter into an intergovernmental agreement for the designation, approval by the State of Illinois, commencement, and operation of an Enterprise Zone;

WHEREAS, the City and the County have adopted ordinances establishing an Enterprise Zone (the "Ordinances"); and

WHEREAS, the Ordinances are required for a joint application by the City and the County to the State of Illinois for designation of an Enterprise Zone under the provisions of the Illinois Enterprise Zone Act (20 ILCS 655/1, et seq.) (the "Act").

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

FILED

DEC 17 2014

Andy Nelson
CHAMPAIGN COUNTY CLERK

Section 1. That the agreement entitled "Enterprise Zone Intergovernmental Agreement between the City of Urbana and Champaign County", in substantially the form appended hereto and incorporated by reference into this Resolution is hereby approved.

Section 2. That the Mayor of the City of Urbana shall be and hereby is authorized to enter into and execute said Agreement in substantially the form appended hereto.

Section 3. That the City Clerk is hereby directed to transmit a copy of this Resolution to the County Clerk of Champaign County.

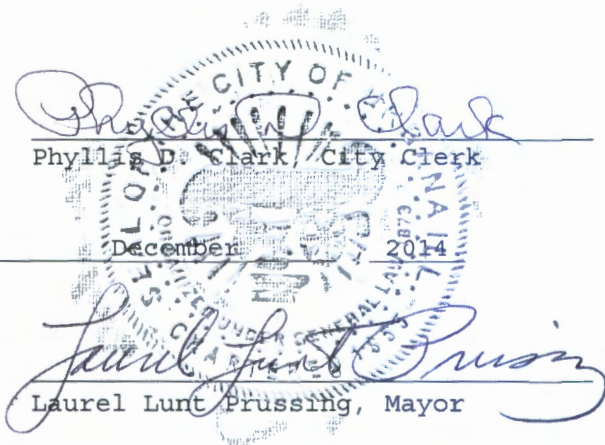
PASSED by the City Council this 1st day of December, 2014.

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

NAYS:

ABSTAINS:

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



Phyllis D. Clark
Phyllis D. Clark, City Clerk

Laurel Lunt Prussing
Laurel Lunt Prussing, Mayor

RESOLUTION NO. 2022-113

RESOLUTION APPROVING A REVISION TO THE ENTERPRISE ZONE
INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF URBANA, ILLINOIS AND
THE COUNTY OF CHAMPAIGN, ILLINOIS

WHEREAS, On November 20, 2014, the County Board approved Resolution No. 9074 Approving an Enterprise Zone Intergovernmental Agreement between the City of Urbana, Illinois and the County of Champaign, Illinois; and

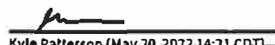
WHEREAS, The Intergovernmental Agreement created an Enterprise Zone Advisory Board to manage the Enterprise Zone and required the Board meet twice annually; and

WHEREAS, The City of Urbana has requested to revise the Enterprise Zone Intergovernmental Agreement as follows:


Section 4(c)(3) Reporting. The Administrator and Deputy shall convene ~~two~~ one meetings annually of representatives of all taxing partners participating in the Zone to provide information on incentives, Zone amendments and all other Zone business. A meeting shall be noticed and convened ~~twice~~ once each year during which the Zone shall be in effect. The meetings shall be noticed and conducted in accordance with the Illinois Open Meetings Act.

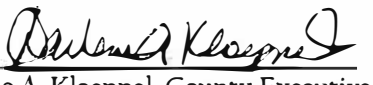
NOW, THEREFORE, BE IT RESOLVED, by the County Board of Champaign County, Illinois that the County Executive is hereby authorized to execute a revised intergovernmental agreement with the City of Urbana, Illinois for an enterprise zone.

PRESENTED, ADOPTED, APPROVED and RECORDED this 19th day of May A.D. 2022.



Kyle Patterson (May 20, 2022 14:21 CDT)
Kyle Patterson, Chair
Champaign County Board

Recorded
& Attest: 
Aaron Ammons, County Clerk
and ex-officio Clerk of the
Champaign County Board
Date: 5/24/22

Approved: 
Darlene A. Kloepfel, County Executive
Date: 5-23-22

RESOLUTION NO. _____

RESOLUTION APPROVING A REVISION TO THE ENTERPRISE ZONE INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF URBANA, ILLINOIS AND THE COUNTY OF CHAMPAIGN, ILLINOIS

WHEREAS, the City of Urbana, Illinois (hereinafter, the “City”) is a home rule unit of local government pursuant to Article VII, Section 6, of the Illinois Constitution, 1970, 5 ILCS 220/1 *et seq.*, and may exercise any power and perform any function pertaining to its government and affairs, including the power to regulate and promote public health, safety, and welfare; and

WHEREAS, on December 3, 2014, the City Council approved Resolution No. 2014-11-060R approving an Enterprise Zone Intergovernmental Agreement between the City of Urbana, Illinois and the County of Champaign, Illinois; and

WHEREAS, the Intergovernmental Agreement created an Enterprise Zone Advisory Board to manage the Enterprise Zone and required the Board meet twice annually; and

WHEREAS, the City of Urbana desires to revise the Enterprise Zone Intergovernmental Agreement as follows:

Section 4(c)(3) Reporting. The Administrator and Deputy shall convene one meetings annually of representatives of all taxing partners participating in the Zone to provide information on incentives, Zone amendments and all other Zone business. A meeting shall be noticed and convened once each year during which the Zone shall be in effect. The meetings shall be noticed and conducted in accordance with the Illinois Open Meetings Act.

NOW, THEREFORE, BE IT RESOLVED by the City Council, of the City of Urbana, Illinois, that the Mayor is hereby authorized to execute a revised intergovernmental agreement with the County of Champaign, Illinois for an enterprise zone.

PASSED BY THE CITY COUNCIL this Date day of Month, Year.

AYES:

NAYS:

ABSTENTIONS:

Phyllis D. Clark, City Clerk

APPROVED BY THE MAYOR this Date day of Month, Year.

Diane Wolfe Marlin, Mayor