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ORDINANCE 2023-059

PASSED: DECEMBER 11, 2023 DeKalb County Clerk

AMENDING ORDINANCE 2023-053 ABATING THE 2023 TAX LEVY FOR THE DEBT SERVICE OF THE GENERAL OBLIGATION CORPORATE PURPOSE BONDS OF THE CITY OF DEKALB, ILLINOIS.

WHEREAS, the City of DeKalb (the "City") is a home rule unit of local government and may exercise any power and perform any function pertaining to its government and affairs pursuant to Article VII, Section 6, of the Illinois Constitution of 1970; and

WHEREAS, on November 27, 2023, the City's corporate authorities adopted Ordinance 2023-053, entitled "Abating the 2023 Tax Levy for the Debt Service of the General Obligation Corporate Purpose Bonds of the City of DeKalb"; and

WHEREAS, in consultation with the DeKalb County Clerk and Recorder's Office, it was subsequently learned that minor differences existed between the recorded and audited debt service schedules for the Library Refunding Bonds 2022; and

WHEREAS, the City's corporate authorities desire to accurately abate in its entirety the final levy amount for the debt service on the G.O. Bonds 2022-Library as represented in City of DeKalb Ordinance 2022-025; and

WHEREAS, the City's corporate authorities find that it is in the City's best interests for the protection of the public health, morals, and welfare to amend Ordinance 2023-053 as provided by this ordinance; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DEKALB, ILLINOIS:

SECTION 1: Recitals. The recitals to this Ordinance are true, correct, material, adopted and incorporated by reference as Section 1 to this Ordinance.

SECTION 2: The City's corporate authorities **adopt and retain Section 2 of Ordinance 2023-053 in its entirety:**

*Abatement of G.O. Bonds 2012A. The **\$887,581** tax levied for the year 2023 for the purpose of paying the debt service on the G.O. Bonds 2012A by City of DeKalb Ordinance 2012-076 is hereby abated and canceled in its entirety.*

SECTION 3: The City's corporate authorities **adopt and approve an amendment to Section 3 of Ordinance 2023-053 to delete the following in its entirety:**

*Section 3: Abatement of G.O. Bonds 2013A - Library. The **\$350,175** tax levied for the year 2023 for the purpose of paying the debt service on the G.O. Bonds 2013A - Library by City of DeKalb Ordinance 2013-016, as amended by the Certificate of Partial Reduction of Taxes Heretofore Levied for the Payment of General Obligation Bonds, Series 2013A (DeKalb Library) of the City of DeKalb, Illinois, is hereby abated and canceled in its entirety.*

The 2013A Bonds officially mature on 1/1/2024 but the bonds will be retired with the last payment in 2023, so no abatement action is needed..

SECTION 4: The City's corporate authorities **adopt and retain Section 4 of Ordinance 2023-053 in its entirety:**

*Abatement of G.O. Bonds 2019. The **\$929,150** tax levied for the year 2023 for the purpose of paying the debt service on the G.O. Bonds 2019 by City of DeKalb Ordinance 2019-058 is hereby abated and canceled in its entirety.*

SECTION 5: The City's corporate authorities **adopt and retain Section 5 of Ordinance 2023-053 in its entirety:**

*Abatement of G.O. Bonds 2020. The **\$46,110** tax levied for the year 2023 for the purpose of paying the debt service on the G.O. Bonds 2020 by City of DeKalb Ordinance 2020-063 is hereby abated and canceled in its entirety.*

SECTION 6: The City's corporate authorities **adopt and approve an amendment to Section 6 of Ordinance 2023-053 to read as follows:**

*Abatement of G.O. Bonds 2022 - Library. The **\$476,020** tax levied for the year 2023 for the purpose of paying the debt service on the G.O. Bonds 2022-Library by City of DeKalb Ordinance 2022-025 is hereby abated and canceled in its entirety.*

SECTION 7: The City's corporate authorities **adopt and retain Section 7 of Ordinance 2023-053 in its entirety:**

*Abatement of G.O. Bonds 2023. The **\$135,656** tax levied for the year 2023 for the purpose of paying the debt service on the G.O. Bonds 2023 by Ordinance 2023-035 is hereby abated and cancelled in its entirety.*

SECTION 8: Except as may otherwise be provided by this Ordinance, Ordinance 2023-053 shall remain in full force and effect. To the extent that there may be a conflict between the provisions of this Ordinance and Ordinance 2023-053, the provisions of this Ordinance shall govern and control.

SECTION 9: Certification. The Executive Assistant is authorized and directed to file with the County Clerk of DeKalb County, Illinois, a copy of this Ordinance duly certified under the City's Corporate Seal on or before Wednesday, December 27, 2023.

SECTION 10: Authorization. The County Clerk of DeKalb County is authorized and directed to make a tax abatement or omit the extension of taxes for the year 2023 from the taxes levied in the amounts set forth in Section 2 of this Ordinance.

SECTION 11: Home Rule and Severability. This Ordinance and each of its terms shall be the effective legislative act of a home rule municipality without regard to whether such ordinance should (a) contain terms contrary to the provisions of current or subsequent non-preemptive state law, or (b) legislate in a manner or regarding a matter not delegated to municipalities by state law. It is the intent of the City's corporate authorities that to the extent that the terms of this Ordinance should be inconsistent with any non-preemptive state law, that this Ordinance shall supersede state law in that regard within its jurisdiction. The invalidity of any section of this Ordinance shall not invalidate other sections or provisions thereof.

SECTION 12: Effectiveness. This ordinance shall be in full force and effect from and after its passage and approval as provided by law.

PASSED BY THE CITY COUNCIL of the City of DeKalb, Illinois at a Regular meeting thereof held on the 11th day of December 2023 and approved by me as Mayor on the same day. Passed on First Reading by a 7-0-1 roll call vote. Aye: Zasada, Larson, Smith, Perkins, McAdams, Walker, Barnes. Nay: None. Absent: Verbic. Second Reading Waived by a 7-0-1 roll call vote. Aye: Zasada, Larson, Smith, Perkins, McAdams, Walker, Barnes. Nay: None. Absent: Verbic.





COHEN BARNES, Mayor

ATTEST:



Ruth A. Scott, Executive Assistant