

**AUTHORIZING THE DESIGN AND CONSTRUCTION OF A FIBER-OPTIC NETWORK SYSTEM AND RELATED PUBLIC SAFETY CAMERA SYSTEM FOR THE CENTRAL BUSINESS DISTRICT.**

**WHEREAS**, the City of DeKalb is a home-rule municipal corporation with the power and authority conferred thereupon by the Illinois Constitution, the Illinois Municipal Code and the City Code of the City of DeKalb; and

**WHEREAS**, the City of DeKalb presently operates multiple tax increment financing ("TIF") districts within its corporate limits, pursuant to the Tax Increment Allocation Redevelopment Act, 65 ILCS 5/11-74.4-1, *et. seq.*, ("the TIF Act"); and

**WHEREAS**, within the boundaries of the City of DeKalb Central Area TIF, commonly referred to as TIF 1, the City has identified conditions of blight, of deteriorating property and diminishing property values, and other conditions that contribute to a decline in the area. The City has also identified that the absence of modern telecommunications infrastructure, infrastructure necessary to provide public wireless internet, and related communications modes, has diminished public interest in the area, has harmed the viability of businesses therein, and has contributed to a decline in traffic to the area that further contributes to neighborhood blight. Further, the City has determined that there is crime and unlawful activity in the area that further generates deterioration in property values, growth in delinquency and crime, diminution in traffic to the area, and related adverse impacts to the community, all of which constitute elements of blight that the City seeks to abate consistent with the terms of the TIF Act; and

**WHEREAS**, the City seeks to undertake transformative development projects that will generate public and private benefit, will improve safety, protect public health, welfare and morals, eradicate blight, and generate an increase in the property tax assessment base in accordance with the TIF Act; and

**WHEREAS**, the City finds that the design and installation of a fiber-optic network as a public improvement, along with the installation of public safety cameras and related wireless and wired telecommunications equipment, generates public and private benefit, is narrowly targeted to address conditions that are identified in the TIF Act as generating and contributing to blight, and constitutes elements of costs which are eligible for payment through the use of TIF proceeds pursuant to the TIF Act; and

**WHEREAS**, the City finds that the presence of public safety cameras contributes directly to the improvement of neighborhood conditions and elimination of blight, and based on discrete review of actual examples of such installations, finds that public safety cameras aide in the elimination of delinquency, the prevention of crime and the solving of crimes that are committed; and

**WHEREAS**, the City finds that the construction of a fiber optic network presents the most effective and reliable means to ensure that public safety cameras are operational and functional when required, and further provides benefits in supporting the expansion of telecommunication infrastructure within a blighted area, while also supporting the promulgation of more effective wireless internet access; and

**WHEREAS**, the City finds that such costs constitute public works, and the costs of designing such systems constitute costs of study, design, development of plans and specifications and related costs, all of which are eligible for reimbursement under the TIF Act; and

**WHEREAS**, the City finds that there is an urgent need to undertake the foregoing improvements to address conditions of blight within the City's Central Business District; and

**WHEREAS**, the City finds that, notwithstanding the existence of TIF Districts in the area for multiple years, there are many properties within the Central Business District that have declined in equalized assessed valuation because of the perpetuation of conditions of blight, including but not limited to the perpetuation of crime and delinquency; and

**WHEREAS**, the City finds that, but for the utilization of TIF funds to cover the costs of the improvements contemplated herein, the City lacks the funding to undertake the improvements, which would result in the area continuing to decline in value;

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

**SECTION 1:** The City Council of the City of DeKalb hereby approves of the plan for design and installation of a fiber-optic network and public safety camera system as more fully described in the attached Exhibit A ("the Project").

A. The City Council approves of the Project and authorizes and directs that staff take the efforts described herein to initiate the Project, immediately. The City Council approves of the allocation of funds in the amount of \$500,000 towards completion of the Project and reserves such funding for such purpose. The City Council finds that, based upon projections for fiscal year 2019 ("FY19"), the Central Area TIF District, or TIF 1, will not have adequate fund balance or increment to cover the costs contemplated herein. Accordingly, the City Council directs the transfer or porting of funds from TIF 2 to TIF 1 to cover the costs of the Project. By and through approval of this Resolution, the City Council approves of the Project, and allocates and obligates funds necessary for its completion. The City Council's intention through approval of this Agreement is to obligate those funds for completion of this Project, in the same fashion as the City would obligate funds for a private redevelopment project through a development incentive agreement.

B. Based upon the urgent need described in the findings, the City Council directs that the

Project be initiated immediately and completed within FY2019.

- C. The City's staff is authorized and directed to immediately solicit competitive bids and pricing necessary for completion of all aspects of the Project, and to return such bids and pricing to the City Council for approval of appropriate agreements necessary to initiate construction of the Project as soon as possible. The City Council reserves authorization and approval of the actual agreement(s) for future action, following presentation of pricing and bids.
- D. The City Council finds that the sum of \$500,000 is the estimated project completion cost for the Project, based upon a diligent study of estimated costs completed to date. The City Council directs staff, in the procurement of bids and pricing, to adjust the scope of the Project as described in Exhibit A to make full utilization of the available funding, so as to expand the scope of the Project to the greatest portion of the Central Business District and TIF 1 as shall be possible to cover, so as to maximize the impact on addressing and preventing blight therein.
- E. The City Council acknowledges that the City is presently contemplating the creation of a new TIF, commonly referred to as TIF 3. Should the City approve of TIF 3, the City shall pass a supplemental Resolution to amend this Resolution and designate the Project for completion within TIF 3, with the funding contemplated herein being then transferred to TIF 3. The City acknowledges that, should TIF 3 be created, the increment anticipated to be generated therein in FY2019 is not adequate to support the completion of the Project. Accordingly, with the TIF 1 proceeds being depleted in FY2019, and the TIF 3 increment not being adequate to support the costs of the Project, the City finds that the transfer contemplated herein is necessary in order to address the blight described above.

**SECTION 2:** That the City Clerk of the City of DeKalb, Illinois be authorized and directed to attest the Mayor's Signature and shall be effective thereupon.

**FAILED BY THE CITY COUNCIL** of the City of DeKalb, Illinois, at a Special meeting thereof held on the 18<sup>th</sup> day of December 2018 by a 0-6 roll call vote. Aye: None. Nay: Jacobson, Finucane, Fagan, Noreiko, Verbic, Faivre.

