

Ordinance No. 2018-03

**AN ORDINANCE APPROVING AN INTERGOVERNMENTAL AGREEMENT
BETWEEN THE VILLAGE OF WEST DUNDEE, KANE COUNTY, ILLINOIS
AND COMMUNITY UNIT SCHOOL DISTRICT NO. 300**

WHEREAS, the Village of West Dundee, Kane County, Illinois (the "*Village*") is a home rule municipal corporation of the State of Illinois; and,

WHEREAS, Community Unit School District No. 300 (the "*District*") is a school district situated in Kane, McHenry, Cook and DeKalb Counties, Illinois; and,

WHEREAS, the Constitution of the State of Illinois of 1970, Article VII, Section 10, provides that units of local government and school districts may contract or otherwise associate among themselves to obtain or share services and to exercise, combine, or transfer any power or function in any manner not prohibited by law or by ordinance; and,

WHEREAS, pursuant to the Tax Increment Allocation Redevelopment Act of the State of Illinois, 65 ILCS 5/11-74.4-1, *et seq.*, as from time to time amended (the "*TIF Act*") and the Village's authority and powers as a home rule unit of local government, the Village is empowered to undertake the development and redevelopment of a designated area within the Village's municipal limits in which existing conditions permit such areas to be classified as a "blighted area" or a "conservation area" as defined in Section 11.74.4-3(a) of the TIF Act; and,

WHEREAS, the District recognizes the long-term benefits and importance of economic development within the Village; and,

WHEREAS, the Village recognizes the long-term financial impact of tax increment financing on the District's ability to provide high-quality education and desires to partially mitigate any financial hardship the District may suffer from the use of tax increment financing; and,

WHEREAS, the District desires to work with the Village to assure that the benefits of the TIF Act shall be prudently utilized and limited to instances which demonstrate that "but for" TIF assistance development would not occur all as set forth in the Intergovernmental Agreement attached hereto.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of West Dundee, Kane County, Illinois, as follows:

Section 1. Recitals.

All of the recitals hereinabove set forth are hereby incorporated into this Ordinance as if fully restated in this Section 1.

Section 2. The Intergovernmental Agreement by and between the Village of West Dundee and Community School District No. 300, is hereby approved in the form attached hereto and made a part hereof and the Village President and Village Clerk are hereby authorized to execute and deliver said Agreement; furthermore the Village President, Village Clerk and Village Manager are hereby authorized to undertake any and all actions as may be required to implement the terms of said agreement.

Section 3. This Ordinance shall be in full force and effect upon its passage and approval, as provided by law.

PASSED this 5th day of February, 2018.

AYES: Trustees Yuscka, Anderley, Wilbrandt, Price and Hanley

NAYS: None

ABSENT: Trustee Kembitzky

APPROVED:



Christopher Nelson
Village President

Attest:



Barbara Traver
Village Clerk