

VILLAGE OF LOMBARD
REQUEST FOR BOARD OF TRUSTEES ACTION
For Inclusion on Board Agenda

#100011

Resolution or Ordinance (Blue) Waiver of First Requested
Recommendations of Boards, Commissions & Committees (Green)
Other Business (Pink)

TO: PRESIDENT AND BOARD OF TRUSTEES

FROM: David A. Hulseberg, Village Manager *DAH*

DATE: January 12, 2010 (COW)(B of T) January 21, 2010

TITLE: An Ordinance Amending Title 9, Chapter 98, Section 98.101 of the Lombard
Village Code in Regard to the Electric Utility Tax

SUBMITTED BY: Timothy Sexton, Director of Finance

BACKGROUND/POLICY IMPLICATIONS:

Staff is requesting approval of the attached ordinance prepared by the Village Attorney, which would return
the Electric Utility tax to the maximum allowed under state statute. Waiver of first reading is requested to
allow sufficient time for ComEd to implement this by March 1, 2010.

Review (as necessary):

Village Attorney X _____
Finance Director X *Timothy Sexton*
Village Manager X *David A. Hulseberg*

Date _____
Date *1/11/10*
Date *1/11/10*

NOTE: All materials must be submitted to and approved by the Village Manager's Office by 12:00 noon,
Wednesday, prior to the Agenda Distribution.

encl.
cc: David A. Hulseberg, Village Manager (w/ encl.; via e-mail)

If there are any questions, please feel free to call.

Edison.
Upon adoption of the Ordinance, a certified copy should be forwarded to Commonwealth

to revise its billing program to include the new tax rates.
allow for the publication of the Ordinance in pamphlet form, and time for Commonwealth Edison
if the Ordinance is approved, the new rates would go into effect on March 1, 2010, so as to
the maximum rates set forth in the statute, and the attached Ordinance.
Consequently, the rates currently set forth in Section 98.101 of the Village Code are less than

“Notwithstanding the foregoing, until December 31, 2008, no municipality shall
establish rates that are in excess of rates reasonably calculated to produce
revenues that equal the maximum total revenues such municipality could have
received under the tax authorized by this subparagraph in the last full calendar
year prior to the effective date of Section 65 of this amendatory Act of 1997;
provided that this shall not be a limitation on the amount of tax revenues actually
collected by such municipality.”

In regard to said Ordinance, please be advised that the rates set forth therein are the maximum
rates allowed pursuant to 65 ILCS 5/8-11-2(3). Previously, (since 1998), the Village was
prohibited from establishing rates that would have produced gross tax revenues in excess of
those produced by the prior five percent (5%) electric utility tax cap, pursuant to the following
language set forth in said 65 ILCS 5/8-11-2(3):

AN ORDINANCE AMENDING TITLE 9, CHAPTER 98, SECTION 98.101 OF
THE LOMBARD VILLAGE CODE IN REGARD TO THE ELECTRIC UTILITY
TAX

Attached please find the following Ordinance for your consideration, and for possible adoption
by the Village Board in January, 2010:

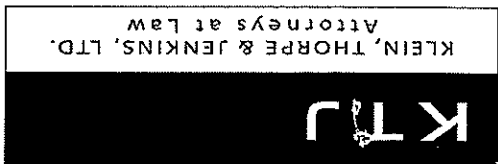
**Re: Amendment to the Village Code Provisions
Relative to the Electric Utility Tax – Revised Rates**

Date: December 17, 2009

From: Thomas P. Bayer, Village Attorney

Via e-mail only

To: Timothy Sexton, Finance Director, Village of Lombard



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its passage, approval and publication in pamphlet form as provided by law.

SECTION 2: That this Ordinance shall be in full force and effect from and after

<u>"Kilowatt-Hours Used or Consumed in a Month</u>	<u>Cost Per Kilowatt-Hour</u>
First	0.61 cents
Next	0.40 cents
Next	0.36 cents
Next	0.35 cents
Next	0.34 cents
Next	0.32 cents
Next	0.315 cents
Next	0.31 cents
Next	0.305 cents
All in excess of	0.30 cents"

read in its entirety as follows:

the Lombard Village Code is amended by revising the rate chart contained therein to

SECTION 1: That, effective March 1, 2010, Title 9, Chapter 98, Section 98.101 of

Lombard, DuPage County, Illinois, as follows:

BE IT ORDAINED by the President and Board of Trustees of the Village of

**AN ORDINANCE AMENDING TITLE 9, CHAPTER 98,
SECTION 98.101 OF THE LOMBARD VILLAGE CODE
IN REGARD TO THE ELECTRIC UTILITY TAX**

ORDINANCE NO. _____

Brigitte O'Brien, Village Clerk

Published by me in pamphlet form this _____ day of _____, 2010.

Brigitte O'Brien, Village Clerk

ATTEST:

William J. Mueller, Village President

APPROVED by me this _____ day of _____, 2010.

ABSENT: _____

NAYS: _____

AYES: _____

to a roll call vote as follows:

Passed on second reading this _____ day of _____, 2010, pursuant

_____ , 2010.

First reading waived by action of the Board of Trustees this _____ day of

Passed on first reading this _____ day of _____, 2010.

cc: David A. Hulseberg, Village Manager (w/ encl.; via e-mail)

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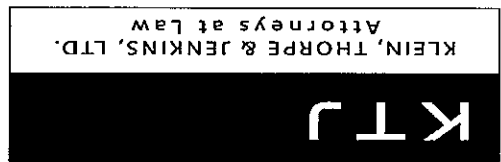
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