

STATE OF ILLINOIS           )  
  ) SS  
COUNTY OF KANE            )

**IN THE CIRCUIT COURT OF THE 16<sup>TH</sup> JUDICIAL CIRCUIT  
KANE COUNTY, ILLINOIS**

IN THE MATTER OF                                )  
AURORA PUBLIC LIBRARY,                        )  
KANE, DUPAGE, KENDALL AND WILL            )  
COUNTIES, ILLINOIS                            )

20 MC 000002

*Thomas M. Hartnett*  
Clerk of the Circuit Court  
Kane County, Illinois  
  
Jun 05, 2020  
CICIC3  
FILED/IMAGED

**FINAL JUDGMENT ORDER**

**Final Judgment Order Approving the Conversion of the Aurora Public Library  
to a Public Library District**

This cause coming on for entry of a Final Judgment Order, the subject matter being a Petition for Conversion of the Aurora Public Library to a Public Library District (Petition For Conversion), and the Court having been advised;

**THE COURT FINDS:**

- A. The intent/objective of the Aurora Public Library and the City of Aurora (City), as expressed in the Petition for Conversion, is to:
1. Convert the Aurora Public Library (a City Library) to a Public Library District to be known as Aurora Public Library District;
  2. Establish a tax extension base for the Aurora Public Library District of \$14,721,319 to pay for all Aurora Public Library District purposes.<sup>1</sup>

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<sup>1</sup>Subject to adjustment prospectively per PTELL.

3. Provide for assumption of obligations by the Aurora Public Library District for all Library purposes (all operations, IMRF contributions, and Bonds and Interest), i.e.:

- |    |  |                              |
|----|--|------------------------------|
| a. | All Library operations and<br>IMRF contributions<br>for Library employees: | \$13,495,000.00 <sup>2</sup> |
| b. | Bonds and Interest:<br>(Library capital improvements)                      | \$ 1,226,319.00              |
| c. | Total:   | \$14,721,319.00              |

B. The Petition for Conversion is in accordance with statutes applicable to the conversion of a City Library to a Public Library District via the joint action of the City and the Aurora Public Library;

C. Notice of this proceeding was provided in accordance with this Court's prior Order concerning notice.

IT IS ORDERED:

1. The conversion of Aurora Public Library to a Public Library District is hereby approved;
2. The name of the newly formed public Library District shall be the "Aurora Public Library District" (the Library District);
3. The Library Trustees of Aurora Public Library are hereby appointed as Library Trustees of the Aurora Public Library District with the same offices which they now hold. The Library Trustees shall serve until the next regular election of Library Trustees of the Library District in April, 2021, at which

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<sup>2</sup> This is the amount levied by the City of Aurora for Library Fund purposes except Bonds and Interest via Ordinance No. 019-116 passed December 30, 2019 (attached as Exhibit A).

time seven (7) Library Trustees are to be elected pursuant to 75 ILCS 16/30-10. The incumbent Library Trustees and Officers are:

Andrew Smith	President
Joe Filapek	Vice-President
John Savage	Treasurer
Melinda Riddick	Secretary
Dee Basile	Trustee
Jeffrey A. Butler	Trustee
Eva Serrano	Trustee
Vacancy	Trustee
Vacancy	Trustee

4. The boundaries of the Library District are established and fixed as the boundaries of Aurora Public Library which, at present, are identical to the City boundaries;
5. The statutory ceiling or limitation upon the annual public library tax (the general corporate rate) for the Library District shall be 0.60% of the value of all taxable property within the Aurora Public Library District, as equalized and assessed by the Illinois Department of Revenue. The actual public library tax rate applicable to the Library District's tax levy will be the rate determined from time to time by the County Clerks in accordance with this Final Judgment Order and applicable statutes;
6. The first fiscal year of the Library District shall begin July 1, 2020 and close June 30, 2021. Thereafter, the Library District's fiscal year will commence July 1 and end June 30;
7. The first fiscal year for which appropriation and tax levy ordinances may be enacted by the Library District shall be July 1, 2020 through June 30, 2021. The Library District's first tax levy ordinance is expected to be filed approximately December, 2020;
8. The City and/or the County Clerks shall pay to either Aurora Public Library or the Library District all the sums due under the City's Ordinance No. 019-116 passed December 30, 2019 (see attached Exhibit A);
9. Aurora Public Library or the Library District shall timely pay the amounts due for Bonds and Interest;
10. The Aurora Public Library or Aurora Public Library District will indemnify the City and hold the City harmless with respect to payment for Bonds and Interest;

11. July 1, 2020 shall be the effective date of:
  - a. The conversion;
  - b. The acquisition by the Library District of all Aurora Public Library assets and liabilities, including personal property, titles to real property, contractual rights and obligations and moneys received or due Aurora Public Library, including Aurora Public Library's proportionate share of any Personal Property Replacement Taxes and any revenue that may become due to Aurora Public Library or the Library District from any of the City's existing tax increment financing districts.
  - c. Commencement of library services by the Library District.
12. With respect to continued participation of Aurora Public Library employees in the Illinois Municipal Retirement Fund (IMRF):
  - a. The City shall continue payment of all applicable amounts to IMRF for all Aurora Public Library employees to insure continued coverage after the effective date of this Final Judgment Order until IMRF recognizes the Library District as the employer, said continued payments by the City not to exceed 547 days after the date of this Final Judgment Order. Said continued payments to IMRF will be coordinated by Aurora Public Library, the Library District, the City, and IMRF;
  - b. The Library District is authorized to participate in IMRF and make payments to IMRF on behalf of Library District employees thereby avoiding any gap in IMRF coverage for employees of Aurora Public Library/the Library District.
13. A tax extension base of \$14,721,319 for all Library District purposes (operations, IMRF, and Bonds & Interest) is established which extension may be adjusted prospectively based on PTELL;
14. The format for the Aurora Public Library District tax levy ordinances will be a single levy for the Corporate Fund/General Fund. This single levy for the Corporate Fund/General Fund will generate revenue to pay for all Aurora Public Library District purposes (all Library operations, IMRF contributions, and Bonds & Interest). Example: The Aurora Public Library District's levy for the 2020-2021 fiscal year to be filed in the Fall of 2020 would be a single levy for the Corporate Fund/General Fund in the amount of \$14,721,319<sup>3</sup>.

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<sup>3</sup>The amount of the levy could be higher consistent with PTELL/the Consumer Price Index.

15. Aurora Public Library shall publish once in the Aurora Beacon News newspaper within 10 days after entry of this Final Judgment Order a notice of this Final Judgment Order;
16. Within 14 days after entry of this Final Judgment Order, Aurora Public Library shall:
  - a. Record with each County Recorder a certified copy of this Final Judgment Order;
  - b. File with each County Clerk a certified copy of this Final Judgment Order;
  - c. File with the City of Aurora a certified copy of this Final Judgment Order; and
  - d. File with the Illinois Municipal Retirement Fund a certified copy of this Final Judgment Order.
17. The Court retains jurisdiction to modify this Final Judgment Order consistent with the Act and the intent of the parties;
18. This Final Judgment Order is effective on the date of its entry.

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The Honorable Joseph M. Grady

Entered this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

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