


**CERTIFICATE OF NON-RECEIPT  
OF REFERENDUM REQUEST**

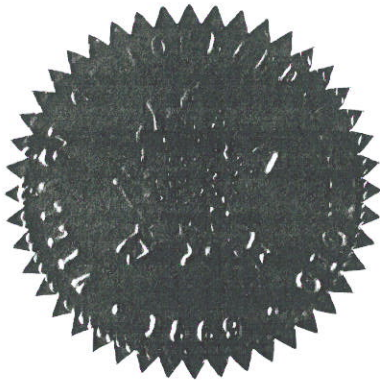
I, BARBARA A. JOHNSON, HEREBY CERTIFY that I am the duly qualified Deputy Village Clerk of the Village of Lombard, DuPage County, Illinois, as authorized by statute and provided by local ordinance, and as such Deputy Village Clerk, I maintain and am safe keeper of the records and files of the President and Board of Trustees of said Village.

I FURTHER CERTIFY that I caused the publication on July 18, 2007, of Ordinance No. 6054: "An Ordinance of The Village of Lombard Authorizing The Glenbard Wastewater Authority To Borrow Funds From The Water Pollution Control Revolving Fund." That ordinance was published in The Lombard Spectator, Liberty Suburban, which is a qualified and official publication for the Village of Lombard.

I FURTHER CERTIFY that, as of the close of business on August 17, 2007, I have not received any petition or petitions asking that the question of issuing revenue bonds with regard to Ordinance 6054, be submitted to the electors of the municipality.

IN WITNESS WHEREOF, I have hereto affixed my official signature and the Corporate Seal of said Village of Lombard, DuPage County, Illinois on this 18th day of August, 2007.

  
\_\_\_\_\_  
Barbara A. Johnson, Deputy Village Clerk  
Village of Lombard, DuPage County, Illinois





**ORDINANCE NO. 6054**  
**AN ORDINANCE OF THE VILLAGE OF LOMBARD AUTHORIZING**  
**THE GLENBARD WASTEWATER AUTHORITY TO BORROW FUNDS FROM**  
**THE WATER POLLUTION CONTROL REVOLVING FUND**

**WHEREAS,** the Villages of Glen Ellyn and Lombard have entered into an Intergovernmental agreement pursuant to the intergovernmental agreement section of the Illinois Constitution and the intergovernmental Cooperation Act contained within the Illinois Compiled Statutes in order to create the Glenbard Wastewater Authority; and

**WHEREAS,** that Authority provides wastewater treatment to the inhabitants of the Villages and to other entities; and

**WHEREAS,** Glenbard Wastewater Authority has the opportunity to borrow funds from the Water Pollution Control Revolving Fund maintained by the State of Illinois by entering into a loan agreement to bring about the loan of such funds to carry out improvements in the system of the Authority; and

**WHEREAS,** the Villages of Glen Ellyn and Lombard are the principal customers of the Glenbard Wastewater Authority and are obligated by contract to pay such rates and charges as are necessary to fulfill the obligations of the Glenbard Wastewater Authority; and

**WHEREAS,** the Corporate Authorities of the Villages wish to independently exercise their authority to authorize or ratify the execution of the loan agreement in addition to the action to be taken by the Board of Directors of the Glenbard Wastewater Authority;

**NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LOMBARD, DU PAGE COUNTY, ILLINOIS** as follows:

**SECTION 1:** That the Members of the Corporate Authorities are hereby authorized in their positions as directors of the Glenbard Wastewater Authority to authorize the execution of a loan agreement with the Illinois Environmental Protection Agency a loan in the amount of up to \$7,700,000, from the Water Pollution Control Revolving Fund of the State of Illinois. This ordinance shall also ratify such action previously taken.

**SECTION 2:** The Village shall, as part of its obligation to the Glenbard Wastewater Authority, pay such rates and charges as are necessary to fulfill its obligations to the Glenbard Wastewater Authority to assist that Authority in repaying the loan from the Water Pollution Control Revolving Fund.

**SECTION 3:** The Village shall not, through the entity of the Glenbard Wastewater Authority, adopt additional ordinances or amendments which provide for any substantive or material change in the scope or intent of this Ordinance, including, but not limited to, interest rate, preference or priority of any other ordinance with this Ordinance, parity of any other ordinance with this Ordinance, or otherwise alter or impair the obligation of the Authority or of this Village to assist the Authority in its proportional obligation to pay rates and charges to the Authority to permit it to pay the principal and interest due to the Water Pollution Control Revolving Fund under the loan without the written consent of the Illinois Environmental Protection Agency.

**SECTION 4:** The power of the Glenbard Wastewater Authority, to the extent that such power is not specifically stated in the intergovernmental cooperative agreement, is hereby extended in that the Board of Directors of the Authority is hereby authorized to, and prior actions ratified, borrow funds from the State of Illinois and its agencies and, in particular, the Water Pollution Control Revolving Loan Fund based upon a pledge of the revenues of the Authority. In the event that the Glenbard Wastewater Authority should fail to make principal or interest payments to the State of Illinois, or should otherwise default in its financial obligations, this municipality shall be obligated to make such payment, but only from the revenues of its combined sewer and water system, and in the same percentage, with regards to all other participating municipalities, with which it makes payments to the Glenbard Wastewater Authority.

**SECTION 5:** The preambles hereto are made a part of this Ordinance.

**SECTION 6:** By the pledge of the revenues of its system as a guarantee of the payment of a proportional share of the loan to be undertaken by the Glenbard Wastewater Authority, the Village, in effect, issuing its revenue bond. This obligation which is junior to any other revenue bonds previously made, cannot, by law, be effectuated without publication of this Ordinance and an opportunity being accorded to the electors of the Village to require a referendum on the assumption of the obligation.

The estimated cost of the entire project for which the Village is making its proportional pledge, based upon its use of the Glenbard Wastewater Authority's system is \$7,700,000, which must be repaid within fifteen (15) years. The interest rate on the loan shall not exceed the maximum rate authorized in 30 ILCS 305/0.01, et seq., and is expected to be 2.5%. It is expected that the obligation to repay the loan shall be fully satisfied by the Glenbard Wastewater Authority, and that the revenues of that entity shall be adequate to repay the loan.

**SECTION 7:** This Ordinance shall be in full force and effect thirty (30) days after its publication in one or more newspapers with a general circulation within the municipality if no petition, signed by at least ten percent (10%) of the number of registered voters in the municipality, has been filed asking that the question of issuing revenue bonds be submitted to the electors of the municipality. If such a petition is filed, the Municipal Clerk shall certify the question for submission at an election and this Ordinance shall be effective if a majority of the electors voting on the question are in favor thereof. The publication shall take place within ten (10) days after the date of the passage of this ordinance.

First reading waived this 21st day of June, 2007.

Passed on second reading this 21st day of June, 2007.

Ayes: Trustees Gron, Tross, O'Brien, Moreau, Fitzpatrick & Soderstrom

Nays: None

Abstent: None

Approved this 21st day of June, 2007.

William J. Mueller  
Village President

Attest:

Christine O'Brien  
Village Clerk

July 18, 2007

GHM Suburban Newspapers 3635 LOM



# AFFIDAVIT

Customer	15885
Reference	3635 Ord 6054
Amount:	\$573.20

VILLAGE OF LOMBARD  
255 E WILSON  
LOMBARD, IL 601480000

Linda M. Siebolds, agent of GateHouse Media Suburban Newspapers, HEREBY CERTIFIES that he/she is Legal Advertising Manager of GateHouse Media Suburban Newspapers, that said GateHouse Media Suburban Newspapers is a secular newspaper and has been published weekly in the Village of Lombard, in the county of DuPage in the state of Illinois, continuously for more than one year prior to, on and since the date of the first publication of the notice hereinafter referred to and is of general circulation throughout the county and the state.

That said agent hereby certifies that GateHouse Media Suburban Newspapers is a newspaper as defined in Chapter 715 et seq. of the Illinois Revised Statutes.

That a notice, of which the annexed printed slip is a true copy, was published 1 (one) time in said GateHouse Media Suburban Newspapers, namely, once each week for one successive week(s). The first publication of said notice as aforesaid was made in said newspaper dated and published on the 18th day of July A.D. 2007 and the last publication thereof was made in said newspaper dated and published on 18th day of July A.D. 2007.

IN WITNESS WHEREOF, the undersigned has caused this certification to be signed this 18th day of July A.D. 2007.



Linda M. Siebolds  
Legal Advertising Manager  
GateHouse Media Suburban Newspapers

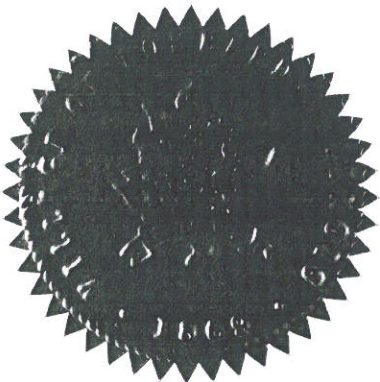



I, **Barbara A. Johnson**, hereby certify that I am the duly qualified Deputy Village Clerk of the **Village of Lombard**, DuPage County, Illinois, as authorized by Statute and provided by local Ordinance, and as such Deputy Village Clerk, I maintain and am safekeeper of the records and files of the President and Board of Trustees of said Village, which by an Intergovernmental agreement with the Village of Glen Ellyn, co-governs the Glenbard Wastewater Authority.

I further certify that attached hereto is a  
copy of ORDINANCE 04-01  
AN ORDINANCE OF THE BOARD OF DIRECTORS OF  
THE GLENBARD WASTERWATER AUTHORITY,  
DUPAGE COUNTY, ILLINOIS AUTHORIZING THE  
AUTHORITY TO BORROW FUNDS FROM THE  
WATER POLLUTION CONTROL REVOLVING FUND

of the said Authority as it appears from the official records of said Authority duly approved June 21, 2007.

**In Witness Whereof**, I have hereunto affixed my official signature and the Corporate Seal of said **Village of Lombard**, Du Page County, Illinois this 17<sup>th</sup> day of August, 2007.





Barbara A. Johnson  
Deputy Village Clerk  
Village of Lombard  
DuPage County, Illinois

**ORDINANCE NO. 04-01**

**AN ORDINANCE OF THE BOARD OF  
DIRECTORS OF THE GLENBARD  
WASTEWATER AUTHORITY, DU PAGE COUNTY, ILLINOIS  
AUTHORIZING THE AUTHORITY TO BORROW  
FUNDS FROM THE WATER POLLUTION  
CONTROL REVOLVING FUND.**

WHEREAS, the Glenbard Wastewater Authority, DuPage County, Illinois (the "Authority") operates its sewage system (the "System") and in accordance with the provisions of the Intergovernmental Cooperation Act and the Intergovernmental Cooperation provisions of the Illinois Constitution (Ill. Const., Art. VII, Section 10, 5 ILCS 220/1) and the Local Government Debt Reform Act, (30 ILCS 350/1) (collectively, the "Act"); and

WHEREAS, the Board of Directors of the Authority (the "Corporate Authorities") have determined that is advisable, necessary and in the best interests of public health, safety and welfare to increase the biosolids handling capacity and capability of the plant as well as other miscellaneous equipment improvements, with an estimated useful life of not less than twenty (20) years together with any land or rights in land and all electrical, mechanical or other services necessary, useful or advisable to such construction and installation (the "Project"), all in accordance with the plans and specifications therefore prepared by consulting engineers to the Authority; and

WHEREAS, the estimated cost of constructing and installing the Project, including engineering, legal, financial, and other related expenses, is in the amount of up to \$7,700,000.00 and there are insufficient funds on hand and lawfully available to pay all of such costs; and



WHEREAS, such costs are expected to be paid for with a loan to the Authority from the Illinois Environmental Agency through the Water Pollution Control Revolving Fund, said loan to be repaid from the revenues of the System and such loan is authorized to be accepted at this time pursuant to the Act; and

WHEREAS, pursuant to and in accordance with the provisions of the Act, the Authority is authorized to borrow funds from the Water Pollution Control Revolving Loan Fund in the aggregate principal amount of not to exceed \$7,700,000.00 for the purpose of providing funds to pay the costs of the Project; and

WHEREAS, the loan to the authority shall be made pursuant to a Loan Agreement, including certain terms and conditions, between the Authority and the Illinois Environmental Protection Agency;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE GLENBARD WASTEWATER AUTHORITY, DU PAGE COUNTY, ILLINOIS, as follows:

SECTION 1: Incorporation of Preambles. The Corporate Authorities hereby find that the recitals contained in the preambles to this Ordinance are true and correct and do incorporate them into this Ordinance by this reference.

SECTION 2: Determination to Borrow Funds. It is necessary and in the best interests of the Authority to construct the Project for the public health, safety and welfare, in accordance with the plans and specifications, as described, so that the System continues to be operated in accordance with the provisions of the Act, and that for the purpose of constructing the Project, it is hereby authorized that funds be borrowed by the Authority in an aggregate amount not to exceed \$7,700,000.00, and to pay such standard

interest charges as are charged for loans from the Revolving Fund, which cannot exceed any statutory maximum and are expected to be approximately 2.5%.

SECTION 3: Additional Ordinances. The Authority will not adopt additional ordinances or amendments which provide for any substantive or material change in the scope or intent of this Ordinance, including, but not limited to, interest rate, preference or priority of any other ordinance with this Ordinance, parity of any other ordinance with this Ordinance or otherwise alter or impair the obligation of the Authority to pay the principal and interest due to the Water Pollution Control Revolving Fund without the written consent of the Illinois Environmental Protection Agency.

SECTION 4: Loan Not Indebtedness of Authority, Adequate Rates. Repayment of the loan to the Illinois Environmental Protection Agency by the Authority pursuant to this Ordinance is to be solely from the revenue derived from a user charge and the loan does not constitute an indebtedness of the Authority within the meaning of any constitutional or statutory limitation. The Authority will, during any time that principal or interest payments on the loan are due, charge sewer rates which are adequate, in addition to all other expenses of the System, to adequately produce funds to pay principal and interest payments when due.

SECTION 5: Acceptance of Loan Agreement. The Board of Directors hereby authorizes acceptance of the offer of a loan through the Water Pollution Control Revolving Fund, including all terms and conditions of the Loan Agreement as well as all special conditions contained therein and made a part thereof by reference. The Board of Directors further agree that the loan funds awarded shall be used solely for the purposes

of the Project as approved by the Illinois Environmental Protection Agency in accordance with the terms and conditions of the Loan Agreement.

SECTION 6: Authorization of Chairman to Execute the Loan Agreement. The Chairman is hereby authorized and directed to execute the Loan Agreement with the Illinois Environmental Protection Agency on or before September 30, 2009.

SECTION 7: Severability. If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the other provisions of this Ordinance.

SECTION 8: Repealer. All ordinances, resolutions or orders, or parts thereof, in conflict with the provisions of this Ordinance are to the extent of such conflict hereby repealed.

SECTION 9: This Ordinance shall be in full force and effect upon its passage and approval.

PASSED this 21st day of June, 2007.

AYES: Hase, Armstrong, Ladacic, Lee, Norton, Shouell, Sean Fitzpatrick, Moreau, O'Brien, Salvestro, Tross

NAYS: 0

ABSENT: Mueller, Comerford

APPROVED this 21st day of June, 2007.

Wicky Hase  
Chairman, Glenbard Wastewater Authority

ATTEST:

Gayle Lendebahn  
Secretary