

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

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

TO: PRESIDENT AND BOARD OF TRUSTEES

FROM: Scott Niehaus, Village Manager

DATE: February 26, 2020 (COW)(B of T) March 5, 2020

TITLE: An Ordinance Providing for the abatement of all of the taxes heretofore levied for the year 2019 to pay debt service on General Obligation Bonds (Alternate Revenue Source), Series 2018, of the Village of Lombard, DuPage County, Illinois

SUBMITTED BY: Timothy Sexton, Director of Finance

BACKGROUND/POLICY IMPLICATIONS:

The attached ordinance prepared by Bond Counsel Chapman & Cutler LLP abates the property taxes that were levied as part of the bond issuance from 2018. The primary source of funds for repayment of these bonds is the Water & Sewer Capital Reserve Fund. However, as part of the deal, there were provisions to levy a property tax, to ensure repayment of the bonds. As this debt service has been paid from the Water & Sewer Capital Reserve Fund as planned, we are able to abate all of the property taxes that were levied as a backup payment source, as was the intention when the debt was issued.

Waiver of First reading is requested in order to expedite filing the ordinance with the County Clerk.

Review (as necessary):

Village Attorney X _____ Date _____
Finance Director X _____ Date _____
Village Manager X _____ Date _____

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.

MINUTES of a regular public meeting of the President and Board of Trustees of the Village of Lombard, DuPage County, Illinois, held in the Village Hall Board Room, 255 East Wilson Avenue, Lombard, Illinois, in said Village, at 7:00 o'clock P.M., on the 5th day of March, 2020.

* * *

Upon the roll being called, Keith T. Giagnorio, the President, and the following Trustees were physically present at said location: _____

The following Trustees were allowed by a majority of the President and Board of Trustees in accordance with and to the extent allowed by rules adopted by the President and Board of Trustees to attend the meeting by video or audio conference: _____

No Trustee was not permitted to attend the meeting by video or audio conference.

The following Trustees were absent and did not participate in the meeting in any manner or to any extent whatsoever: _____

The President announced that the next item of business before the President and Board of Trustees was the consideration of an ordinance abating a portion of the tax heretofore levied for the year 2019 to pay debt service on the General Obligation Bonds (Alternate Revenue Source), Series 2018, of the Village.

Whereupon Trustee _____ presented and the Village Clerk read by title an ordinance as follows, a copy of which was provided to each Trustee prior to said meeting and to everyone in attendance at said meeting who requested a copy:

ORDINANCE NO. _____

AN ORDINANCE abating all of the taxes heretofore levied for the year 2019 to pay debt service on General Obligation Bonds (Alternate Revenue Source), Series 2018, of the Village of Lombard, DuPage County, Illinois.

* * *

WHEREAS, the President and Board of Trustees (the "*Board*") of the Village of Lombard, DuPage County, Illinois (the "*Village*"), by an ordinance adopted on the 20th day of September, 2018 (the "*Bond Ordinance*"), did provide for the issue of \$3,900,000 General Obligation Bonds (Alternate Revenue Source), Series 2018, dated October 11, 2018 (the "*Bonds*"), and the levy of a direct annual tax sufficient to pay debt service on the Bonds; and

WHEREAS, a duly certified copy of the Bond Ordinance was filed in the office of the County Clerk of DuPage County, Illinois (the "*County Clerk*"); and

WHEREAS, the Village hereby determines that the Pledged Revenues (as defined in the Ordinance) or other lawfully available funds of the Village have been deposited into the Bond Fund (as defined in the Bond Ordinance) in the amount necessary to pay the debt service due on the Bonds on July 1, 2020, and January 1, 2021, so as to enable the abatement of the Pledged Taxes (as defined in the Bond Ordinance) levied for the same; and

WHEREAS, it is necessary and in the best interests of the Village that the taxes heretofore levied for the year 2019 to pay the Bonds be abated:

NOW, THEREFORE, Be It and It Is Hereby Ordained by the President and Board of Trustees of the Village of Lombard, DuPage County, Illinois, as follows:

Section 1. Incorporation of Preambles. The Board hereby finds that all of the recitals contained in the preambles to this Ordinance are full, true and correct and does incorporate them into this Ordinance by this reference.

Section 2. Abatement of Tax. The tax heretofore levied for the year 2019 in the Ordinance to pay debt service on the Bonds is heretofore abated in its entirety.

Section 3. Filing of Ordinance. Forthwith upon the adoption of this Ordinance, the Village Clerk shall file a certified copy hereof with the County Clerk of The County of DuPage, Illinois, and it shall be the duty of the County Clerk to abate a portion of said taxes levied for the year 2019 in accordance with the provisions hereof.

Section 4. Effective Date. This Ordinance shall be in full force and effect forthwith upon its adoption.

Adopted March 5, 2020.

President, Village of Lombard,
DuPage County, Illinois

Attest:

Village Clerk, Village of Lombard,
DuPage County, Illinois

Trustee _____ moved and Trustee _____ seconded the motion that said ordinance as presented and read by title be adopted.

After a full discussion thereof, the President directed that the roll be called for a vote upon the motion to adopt said ordinance.

Upon the roll being called, the following Trustees voted AYE: _____
_____.

The following Trustees voted NAY: _____.

Whereupon the President declared the motion carried and said ordinance adopted, approved and signed the same in open meeting and directed the Village Clerk to record the same in the records of the President and Board of Trustees of the Village of Lombard, DuPage County, Illinois, which was done.

Other business not pertinent to the adoption of said ordinance was duly transacted at the meeting.

Upon motion duly made, seconded and carried, the meeting was adjourned.

Village Clerk

STATE OF ILLINOIS)
) SS
COUNTY OF DUPAGE)

CERTIFICATION OF ORDINANCE AND MINUTES

I, the undersigned, do hereby certify that I am the duly qualified and acting Village Clerk of the Village of Lombard, DuPage County, Illinois (the “*Village*”), and as such official I am the keeper of the records and files of the Village and the President and Board of Trustees of the Village (the “*Board*”).

I do further certify that the foregoing constitutes a full, true and complete transcript of the minutes of the meeting of the Board held on the 5th day of March, 2020, insofar as the same relates to the adoption of an ordinance entitled:

AN ORDINANCE abating a portion of the taxes heretofore levied for the year 2019 to pay debt service on General Obligation Bonds (Alternate Revenue Source), Series 2018, of the Village of Lombard, DuPage County, Illinois.

a true, correct and complete copy of which said ordinance as adopted at said meeting appears in the foregoing transcript of the minutes of said meeting.

I do further certify that the deliberations of the Board on the adoption of said ordinance were taken openly, that the vote on the adoption of said ordinance was taken openly, that said meeting was held at a specified time and place convenient to the public, that notice of said meeting was duly given to all of the news media requesting such notice, that an agenda for said meeting was posted at the location where said meeting was held and at the principal office of the Board at least 48 hours in advance of the holding of said meeting, that at least one copy of said agenda was continuously available for public review during the entire 48-hour period preceding said meeting, that a true, correct and complete copy of said agenda as so posted is attached hereto as *Exhibit A*, that said meeting was called and held in strict accordance with the provisions of the Illinois Municipal Code, as amended, the Open Meetings Act of the State of Illinois, as amended, and the Local Government Debt Reform Act of the State of Illinois, as amended, and that the Board has complied with all of the applicable provisions of said Code and said Acts and its procedural rules in the adoption of said ordinance.

IN WITNESS WHEREOF, I hereunto affix my official signature and seal of said Village, this 5th day of March, 2020.

Village Clerk

(SEAL)

STATE OF ILLINOIS)
) SS
COUNTY OF DUPAGE)

FILING CERTIFICATE

I, the undersigned, do hereby certify that I am the duly qualified and acting County Clerk of The County of DuPage, Illinois, and as such official I do further certify that on the ____ day of March, 2020, there was filed in my office a duly certified copy of an ordinance entitled:

AN ORDINANCE abating a portion of the taxes heretofore levied for the year 2019 to pay debt service on General Obligation Bonds (Alternate Revenue Source), Series 2018, of the Village of Lombard, DuPage County, Illinois.

duly adopted by the President and Board of Trustees of the Village of Lombard, DuPage County, Illinois, on the 5th day of March, 2020, and that the same has been deposited in the official files and records of my office.

IN WITNESS WHEREOF, I hereunto affix my official signature and the seal of said County, this ____ day of March, 2020.

County Clerk of The County of DuPage, Illinois

(SEAL)