

**CITY OF URBANA
CITY COUNCIL'S COMMITTEE OF THE WHOLE**

NOTICE OF MEETING

DATE: Monday, March 12, 2001
TIME: 7:30 p.m.
LOCATION: Urbana City Council Chambers
400 S. Vine Street, Urbana, IL

A G E N D A

Chair: Carolyn Kearns, Ward 4

1. Call to Order
2. Additions to the Agenda / Staff Report
3. Approval of Minutes of Previous Meeting
 - a. February 26, 2001
4. Public Input / Committee Member Input
5. Ordinance No. 2001-03-018: An Ordinance Authorizing the Sale of Certain Mortgage-Backed Certificates Pledged to the Single-Family Mortgage Revenue Bonds, Series 1990
6. Ordinance No. 2001-03-019: An Ordinance Revising the Annual Budget Ordinance (Thermal Imaging Camera Number 3)
7. Ordinance No. 2001-03-020: An Ordinance Amending Schedule L of Section 23-187 of the Urbana Local Traffic Code Prohibiting Parking in Specified Places (Harvey Street and Gregory Street)
8. Ordinance No. 2001-03-021: An Ordinance Amending Chapter 24, Section 38(c) of the Urbana Code of Ordinances (Building Sewers and Connections)
9. Resolution No. 2001-02-008R: A Resolution Approving and Authorizing the Execution of an Agreement With the Illinois Department of Transportation (Lincoln Avenue and Illinois Street) ? *[Forwarded from March 5, 2001 Council meeting]*
10. Resolution No. 2001-02-009R: A Resolution Providing for the Installation of Traffic Signals at Lincoln Avenue (F.A.U. Route 7177) and Illinois Street ? *[Forwarded from March 5, 2001 Council meeting]*
11. Resolution No. 2001-02-010R: Resolution for Improvement by Municipality Under the Illinois Highway Code (Lincoln Avenue and Illinois Street) *[Forwarded from March 5, 2001 Council meeting]*

12. Homebuyer Assistance Programs, Series 2001:
 - a. Ordinance No. 2001-03-022: An Ordinance Authorizing the Execution and Delivery of an Intergovernmental Cooperation Agreement and Certain Documents in Connection Therewith; and Related Matters (AssistUrbana, Series 2001)
 - b. Resolution No. 2001-03-011: Resolution Approving Participation in Illinois Housing Development Authority First-Time Homebuyer Single-Family Program (Below Market Rate Program, Series 2001)
 - c. Resolution No. 2001-03-012: Resolution Approving Participation in Illinois Housing Development Authority First-Time Homebuyer Single-Family Program (Help Program, Series 2001)
13. Discussion: Human Relations Ordinance (Protection We Afford Convicted Violent Offenders' Rights) *[Presented by Alderman Whelan]*
14. Adjournment

M E M O R A N D U M

TO: Chief Administrative Officer

FROM: City Comptroller

RE: Restructuring of Collateral on City Bond Issue

DATE: March 2, 2001

Brief Description of Item. In 1990, the City of Urbana participated with Moline and Rock Island in a single-family mortgage revenue bond issue. At that time, it was anticipated that sometime during the life of the bonds, it would be financially advisable to sell the collateral and payoff the bonds. I have been advised by Gates Capital Municipal Finance Corporation that this bond payoff should be completed now. Gates was the same firm that assisted the cities in the initial bond offering in 1990. The transaction has been approved by Chapman and Cutler, Bond Counsel.

This restructuring will generate approximately \$35,000 to each of the 3 cities, including Urbana. Due to changing interest rates, the exact amount will not be precisely known until the day the collateral is sold. Proceeds will be distributed approximately 60 days after approval. There are no limitations on possible uses of this money.

Moline and Rock Island have already approved the transaction. Because of certain fixed annual costs, paying off the bonds will save future expenses related to maintaining the trusts which collected the income and paid off the bonds. While these bonds carry no legal or moral obligation on the part of the City, I believe it is a good idea to pay off the bonds. There is absolutely no impact to the original homebuyers or mortgages.

Fiscal Impact. Receipt of approximately \$35,000. Revenue can be recognized in the upcoming budget.

Recommendation. Approval of the attached ordinance.

ORDINANCE NO. 2001-03-018

AN ORDINANCE authorizing the sale of certain mortgage-backed certificates pledged to the Single Family Mortgage Revenue Bonds (GNMA Mortgage-Backed Securities Program), Series 1990 of the City of Moline, Illinois, the City of Rock Island, Illinois, and the City of Urbana, Illinois, jointly; authorizing the execution and delivery of certain documents in connection therewith; confirming the sale thereof; and related matters.

WHEREAS, the City of Urbana, Illinois (the "*Issuer*") is a home rule unit of government under Section 6 of Article VII of the 1970 Constitution of the State of Illinois; and

WHEREAS, pursuant to the Constitution and the laws of the State of Illinois and particularly Section 6 of Article VII of the 1970 Constitution of the State of Illinois, the Issuer is authorized to issue its revenue bonds for the purpose of financing the acquisition of mortgage loans for residential real property owned by persons of low and moderate income; and

WHEREAS, pursuant to the Constitution and the laws of the State of Illinois, and particularly Section 6 of Article VII of the 1970 Constitution and the laws of the State of Illinois, the Issuer, jointly with the City of Moline, Illinois, and the City of Rock Island, Illinois (collectively, the "*Issuers*"), have previously issued their Single Family Mortgage Revenue Bonds (GNMA Mortgage-Backed Securities Program), Series 1990 (the "*Bonds*") pursuant to the Trust Indenture dated as of September 1, 1990 (the "*Indenture*") by and among the Issuers, jointly, and The First National Bank of Chicago, succeeded in trust by Bank One Trust Company, N.A., as Trustee (the "*Trustee*"), to finance the acquisition of certain mortgage-backed certificates (the "*Securities*") guaranteed by the Government National Mortgage Association ("*GNMA*"); and

WHEREAS, it is now considered necessary, desirable and in the public interest for the Issuers to sell the Securities pledged under the Indenture, as permitted by the Indenture, and to provide for the payment of the principal of, premium, if any, and interest on the outstanding Bonds upon redemption prior to maturity with the proceeds of such sale in accordance with the provisions of the Indenture; and

WHEREAS, it is necessary and desirable in connection with the sale of the Securities to execute certain other documents and instruments, including without limitation one or more purchase contracts (the "*Purchase Contract*") and assignments of the Securities;

WHEREAS, a form of Purchase Contract has been presented to this meeting;

NOW, THEREFORE, Be It Ordained by the City Council of the City of Urbana, Illinois, as follows:

Section 1. That it is the finding and declaration of the Issuer that the sale of the Securities and the provision for the payment of the principal of, premium, if any, and interest on the

Bonds through the sale of the Securities and the redemption of certain of the Bonds prior to maturity is advantageous to the Issuer and therefore serves a valid public purpose.

Section 2. That the Mayor of the Issuer be, and he or she is hereby, authorized, empowered and directed to sell the Securities to one or more purchasers to be selected by the Mayor of the Issuer (the “*Purchaser*”), at a purchase price of not less than 100% of the principal amount thereof and, to provide for the payment of the principal of, premium, if any, and interest on the Bonds upon redemption prior to maturity with the proceeds of such sale in accordance with the provisions of the Indenture; that the form, terms and provisions of the proposed Purchase Contract for the sale of the Securities presented to this meeting be, and they are hereby, in all respects approved; that the Mayor and the City Clerk of the Issuer be, and each of them is hereby, authorized, empowered and directed to execute, and thereupon to cause the Purchase Contract to be delivered to the other Issuers and the Purchaser; that the Purchase Contract is to be in substantially the form presented to this meeting or with such changes therein as shall be approved by the officer of the Issuer executing the Purchase Contract, his or her execution thereof to constitute conclusive evidence of his or her approval of any and all changes or revisions therein from the form of Purchase Contract before this meeting; that from and after the execution and delivery of the Purchase Contract, the officers, officials, agents and employees of the Issuer are hereby authorized, empowered and directed to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of the Purchase Contract, as executed, including without limitation the execution of assignments of the Securities; and that the Purchase Contract shall constitute, and is hereby made, a part of this authorizing ordinance, and a copy of the Purchase Contract shall be placed in the official records of the Issuer and shall be available for public inspection at the principal office of the Issuer; and that from and after the sale of the Securities, the officers, officials, agents and employees of the Issuer are hereby authorized, empowered and directed to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with such sale of the Securities.

Section 3. That the Mayor and the City Clerk of the Issuer are hereby authorized to pay the costs of selling the Securities providing for the payment of the principal of, premium, if any, and interest on the Bonds in accordance with the provisions of the Indenture and the redemption of the Bonds prior to maturity, from the proceeds of the sale of the Securities.

Section 4. That the Mayor, the City Clerk and the proper officers, officials, agents and employees of the Issuer are hereby authorized, empowered and directed to do all such acts and things and to execute all such documents and certificates, including without limitation the execution of assignments of the Securities, as may be necessary to carry out and comply with the sale of the Securities and the provision for the payment of the principal of, premium, if any, and interest on the Bonds at maturity and upon redemption prior to maturity as herein provided, and to further the purposes and intent of this authorizing ordinance, including the preamble to this authorizing ordinance.

Section 5. That all acts of the officers, officials, agents and employees of the Issuer which are in conformity with the purposes and intent of this authorizing ordinance and in furtherance of the sale of the Securities and the other components of the Trust Estate and the provision for the payment of the principal of, premium, if any, and interest on the Bonds at maturity

and upon redemption prior to maturity as herein provided, and the same hereby are, in all respects, approved and confirmed.

Section 6. That the provisions of this authorizing ordinance are hereby declared to be separable, and if any section, phrase or provision of this authorizing ordinance shall for any reason be declared to be invalid, such declaration shall not affect the validity of the remainder of the sections, phrases and provisions of this authorizing ordinance.

Section 7. That all ordinances, resolutions and orders, or parts thereof, in conflict with the provisions of this authorizing ordinance are, to the extent of such conflict, hereby superseded; and that this authorizing ordinance shall be in full force and effect upon its passage and approval, as provided by law.

Approved and adopted this ____ day of _____, 2001.

Mayor

(SEAL)

Attest:

City Clerk

AYES:

NAYS:

ABSENT OR NOT VOTING:

PURCHASE CONTRACT

_____, 2001

City of Moline, Illinois
619 16th Street
Moline, Illinois 61265

City of Rock Island, Illinois
1528 3rd Avenue
Rock Island, Illinois 61201

City of Urbana, Illinois
400 South Vine Street
Urbana, Illinois 61801

Ladies and Gentlemen:

_____ (the "*Purchaser*"), acting not as fiduciary or agent for you but on its own behalf, offers to enter into this Purchase Contract (the "*Purchase Contract*") on or before 5:00 p.m., Central Time, on the date of this Purchase Contract.

1. *Introductory.* The City of Moline Illinois ("*Moline*"), the City of Rock Island, Illinois ("*Rock Island*"), and the City of Urbana, Illinois ("*Urbana*" and, together with Moline and Rock Island the "*Issuers*") has issued and sold \$18,000,000 initial aggregate principal amount of its Single Family Mortgage Revenue Bonds (GNMA Mortgage-Backed Securities Program), Series 1990 (the "*Bonds*"). The Bonds were secured, in part, by certain mortgage-backed securities guaranteed by the Government National Mortgage Association, currently outstanding in the aggregate principal amount of \$_____ and described in *Exhibit A* attached hereto and made a part hereof (the "*GNMA Securities*").

2. *Purchase, Sale and Delivery of GNMA Securities.* Subject to the terms and conditions herein set forth, the Purchaser hereby agrees to purchase from the Issuers, and the Issuers hereby agree to sell to the Purchaser, the GNMA Securities at a purchase price equal to _____% of the par amount of the GNMA Securities, after taking into account any principal reductions effective prior to the Closing Date (as hereinafter defined), plus accrued interest on the GNMA Securities at a rate of 8.35% up to but not including the date of purchase, such purchase and sale to occur on a date on or before _____, 2001, as shall be mutually acceptable to the Purchaser and the Issuers, such date being hereinafter referred to as the "*Closing Date*." The Issuers will deliver the GNMA Securities to the Purchaser for the account of the Purchaser against payment of the purchase price therefor in immediately available funds at the offices of Chapman and Cutler, Chicago, Illinois, or at such other place as may be mutually agreed upon, at 10:00 a.m., Central Time, on the Closing Date. The payment for and delivery of the GNMA Securities pursuant to this Section 2 is hereinafter referred to as the "*Closing*."

3. *Expenses.* The Issuers shall be responsible for the payment of all fees and expenses, including, but not limited to, the fees and expenses, if any, of Bank One Trust Company, N.A., as successor in trust to The First National Bank of Chicago, as Trustee, the fees and expenses, if any, of any counsel or other experts retained by any Issuer in connection with the sale of the GNMA Securities and including, without limitation the fees and expenses of Bond Counsel, Chapman and Cutler, Columbia Capital Management, LLC, and Gates Capital Corporation. The Issuers will also be responsible for the cost of preparing the assignments of the GNMA Securities to the Purchaser.

4. *Governing Law.* This Purchase Contract shall be governed by the laws of the State of Illinois.

5. *Severability.* If any provision of this Purchase Contract shall be determined to be unenforceable, that shall not affect any other provision of this Purchase Contract.

6. *Counterparts.* This Purchase Contract may be signed in counterparts. Each will be an original, but all of them together will constitute the same instrument.

7. *Effectiveness.* This Purchase Contract shall become effective upon the execution of the acceptance hereof and delivery by all parties to this Purchase Contract.

If the foregoing is in accordance with your understanding of our agreement, please sign and return to us the enclosed copy of this Purchase Contract, whereupon it will become a binding agreement by and between us and the Issuers in accordance with its terms.

Very Truly Yours,

By

Its _____

Accepted as of the date first written above:

CITY OF MOLINE, ILLINOIS

By _____
Mayor

CITY OF ROCK ISLAND, ILLINOIS

By _____
Mayor

CITY OF URBANA, ILLINOIS

By _____
Mayor

EXHIBIT A

GNMA SECURITIES

SECURITY TYPE	POOL NUMBER	CUSIP NUMBER	COUPON	ORIGINAL FACE	CURRENT FACTOR	CURRENT FACE AS OF 1/02/01
GNMA			8.35%	\$		\$
GNMA			8.35%			
GNMA			8.35%			
GNMA			8.35%			
GNMA			8.35%			
GNMA			8.35%			
GNMA			8.35%			
GNMA			8.35%			
				\$_____		\$_____



Urbana Fire Rescue Services

400 South Vine Street
Urbana, Illinois 61801
(217) 384-2420 - Phone
(217) 384-2449 - Fax

TO: Bruce Walden, CAO

FROM: Rex R. Mundt, Fire Chief

DATE: March 8, 2001

SUBJECT: Budget Amendment Approval – Purchase of Thermal Imaging Camera

Issue:

I am pleased to be submitting our second budget amendment under the fire department's Thermal Imaging Camera campaign. As noted in our previous request, it has been the fire department's goal to secure funding for the purchase of Thermal Imaging cameras to be placed on responding fire apparatus. Our previous request sought approval for the purchase of the first two thermal imaging cameras. At this time we are requesting a budget amendment for the purchase of the third camera for the amount of \$17,200.

Background:

As previously explained, Urbana Firefighter David W. Wisher began a personal campaign three (3) years ago in researching the use of Thermal Imaging cameras and how they would benefit UFRS. Due to firefighter Wisher's efforts, to date we have received \$51,600 in donations/contributions.

Thermal Imaging Cameras: At its most basic, a thermal imaging camera relies not on reflective light but on thermal, or infrared heat energy, emitted by all objects. It takes that thermal picture, converts it into an electrical picture and translates it into a video image. Thermal imagers provide vision capability with zero light precisely because they do not need visible light.

Some uses of a Thermal Imaging Camera include, but are not limited to: search and rescue, determining the source of heat, structural stability, spot fires in adjacent structures, how and where to ventilate, best entry to burning structures, locating overloaded electrical circuits, transformer problems, fires in concealed metal ductwork, hidden fires in roofs and basements, victim search in collapsed structures and confined space incidents. Thermal Imaging has proven beneficial in Hazardous Materials incidents, aiding in determining liquid

levels in containers and with detecting vapor clouds. They can also assist fire investigators in finding the point of origin of a fire, and shown promise during training evolutions by providing our firefighters the ability to critique themselves.

Objective

The fire department is seeking approval for the purchase of a third Thermal Imaging Camera at the cost of \$17,200, with a reoccurring cost of \$1,720.

Point of Contact

For further information regarding this request, please feel free to contact me at 384-2421.

ORDINANCE NO. 2001-03-019

AN ORDINANCE
REVISING THE ANNUAL BUDGET ORDINANCE
(Fire Thermal Imaging Camera Number 3)

WHEREAS, the Annual Budget Ordinance of and for the City of Urbana, Champaign County, Illinois, for the fiscal year beginning July 1, 2000, and ending June 30, 2001, (the "Annual Budget Ordinance") has been duly adopted according to sections 8-2-9.1 et seq. of the Illinois Municipal Code (the "Municipal Code") and Division 2, entitled "Budget", of Article VI, entitled "Finances and Purchases", of Chapter 2, entitled "Administration", of the Code of Ordinances, City of Urbana, Illinois (the "City Code"); and

WHEREAS, the City Council of the said City of Urbana finds it necessary to revise said Annual Budget Ordinance by deleting, adding to, changing or creating sub-classes within object classes and object classes themselves; and

WHEREAS, funds are available to effectuate the purpose of such revision; and

WHEREAS, such revision is not one that may be made by the Budget Director under the authority so delegated to the Budget Director pursuant to section 8-2-9.6 of the Municipal Code and section 2-133 of the City Code.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS, as follows:

Section 1. That the Annual Budget Ordinance be and the same is hereby revised to provide as follows:

FUND:	Vehicle and Equipment Replacement
AMOUNT:	\$17,300
ADD EXPENSE:	Purchase of Third Thermal Imaging Camera
ADD REVENUE:	Donations

Section 2. This Ordinance shall be effective immediately upon passage and approval and shall not be published.

Section 3. This Ordinance is hereby passed by the affirmative vote of two-thirds of the members of the corporate authorities then holding office, the "ayes" and "nays" being called at a regular meeting of said Council.

PASSED by the City Council this _____ day of _____, _____.

AYES:

NAYS:

ABSTAINED:

Phyllis D. Clark, City Clerk

APPROVED by the Mayor this _____ day of _____, _____.

Tod Satterthwaite, Mayor



CITY OF URBANA, ILLINOIS
DEPARTMENT OF PUBLIC WORKS
ADMINISTRATION DIVISION

MEMORANDUM

TO: Bruce Walden, Chief Administrative Officer
FROM: William Gray, Public Works Director
Joseph Smith, Senior Civil Engineer
DATE: February 26, 2001
RE: Ordinance from Traffic Commission

Attached is an ordinance for your approval from action taken by the Traffic Commission.

The ordinance is for the installation of a no parking anytime zone and painting of yellow curb in the 900 blocks of North Harvey and Gregory Streets. These zones are located at the northern end of these two streets where new pavement and three point turnarounds were recently constructed. It is necessary to restrict all parking within 38' of the ends of the turnaround pavement in order for them to function properly. Without appropriate signage (No Parking Anytime) and yellow curbing, vehicles will tend to park in turnarounds as they appear to be parking spaces.

The Traffic Commission has considered and recommends the attached ordinance.

Prepared by: _____

Joseph Smith, P.E.
Senior Civil Engineer

Approved by: _____

William Gray, P.E.
Public Works Director

**AN ORDINANCE AMENDING SCHEDULE L OF SECTION 23-187 OF THE URBANA LOCAL TRAFFIC CODE
PROHIBITING PARKING IN SPECIFIED PLACES**

(Harvey Street and Gregory Street)

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS, as follows:

Section 1. That Schedule L of Section 23-187, entitled "Parking Prohibited in Specified Places," of Article XIV of the Urbana Local Traffic Code, is hereby amended by ADDING to that schedule the following curbing that is to be painted yellow:

<u>Street</u>	<u>From</u>	<u>To</u>	<u>Side of Street</u>
Harvey Street	From 494 feet north of the centerline		Both Sides
	of Fairview Avenue to 532 feet north		
	of the centerline of Fairview Avenue.		
Gregory Street	From 462 feet north of the centerline		Both Sides
	of Fairview Avenue to 500 feet north		
	of the centerline of Fairview Avenue.		

Section 2. All ordinances, resolutions, motions, or parts thereof, in conflict with the provisions of this Ordinance are, to the extent of such conflict, hereby repealed.

Section 3. This Ordinance shall not be construed to affect any suit or proceeding pending in any court, or any rights acquired, or a liability incurred, or any cause or causes of action acquired or existing prior to the effective date of this Ordinance; nor shall any right or remedy of any character be lost, impaired, or affected by this Ordinance.

Section 4. The City Clerk is directed to publish this Ordinance in pamphlet form by authority of the corporate authorities, and this Ordinance shall be in full force and effect from and after its passage and publication in accordance with Section 1-2-4 of the Illinois Municipal Code.

This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called, of a majority of the members of the Council of the City of Urbana, Illinois, at a regular meeting of said Council

PASSED by the City Council this _____ day of _____, _____.

AYES:

NAYS:

ABSTAINS:

Phyllis D. Clark, City Clerk

APPROVED by the Mayor this _____ day of _____, _____.

Tod Satterthwaite, Mayor

CERTIFICATE OF PUBLICATION IN PAMPHLET FORM

I, Phyllis D. Clark, certify that I am the duly elected and acting Municipal Clerk of the City of Urbana, Champaign County, Illinois.

I certify that on the _____ day of _____, the corporate authorities of the City of Urbana passed and approved Ordinance No. _____, entitled "AN ORDINANCE AMENDING SCHEDULE L OF SECTION 23-187 OF THE URBANA LOCAL TRAFFIC CODE PROHIBITING PARKING IN SPECIFIED PLACES (Mathews Avenue)," which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. _____ was prepared, and a copy of such Ordinance was posted in the Urbana City Building commencing on the _____ day of _____, _____, and continuing for at least ten (10) days thereafter. Copies of such Ordinance were also available for public inspection upon request at the Office of the City Clerk.

DATED at Urbana, Illinois, this _____ day of _____, _____.

SEAL

CITY CLERK



**CITY OF URBANA, ILLINOIS
DEPARTMENT OF PUBLIC WORKS**

ADMINISTRATION

M E M O R A N D U M

TO: Bruce K. Walden, Chief Administrative Officer

FROM: William R. Gray, P.E., Public Works Director

DATE: March 8, 2001

RE: **Sanitary Sewer Service Responsibilities**

INTRODUCTION

The Urbana Code of Ordinances, Section 24-38, specifies the responsibilities for sanitary sewers and their connections to buildings (see attached exhibit). Paragraph (c) specifically states, *“All costs and expenses incident to the installation and connection of the building sewer shall be borne by the owner.”* The Public Works Department has historically interpreted this Section 24-38(c) to include the maintenance and repair costs of a building sewer to be borne by the owner.

As building sewers (sanitary sewer service laterals) age, the sewer pipe deteriorates, leading to open joints, cracking, and/or collapsing. Tree or other vegetation roots can penetrate the sewer pipe at open joints or cracks, which can cause blockages. The ground around building sewers sometimes settles, causing the building sewer to sag which can lead to blockages. The maintenance or repair of such circumstances has historically been a homeowner’s responsibility. This practice is not only unique to the City of Urbana but is common in many Illinois municipalities, including Champaign.

The owner’s responsibility begins just beyond the building sewer connection to a public sewer. The City’s responsibility ends at the joint where the building sewer connects to a public sewer.

If a building sewer is damaged by another party through the course of the installation, repair, or maintenance of another sewer, conduit, or utility, the responsibility of the building sewer repair and payment of such costs shall lie with the City or the responsible party.

Failure to clarify Section 24-38(c) could expose the City to being liable for maintenance and repair costs of building sewers.

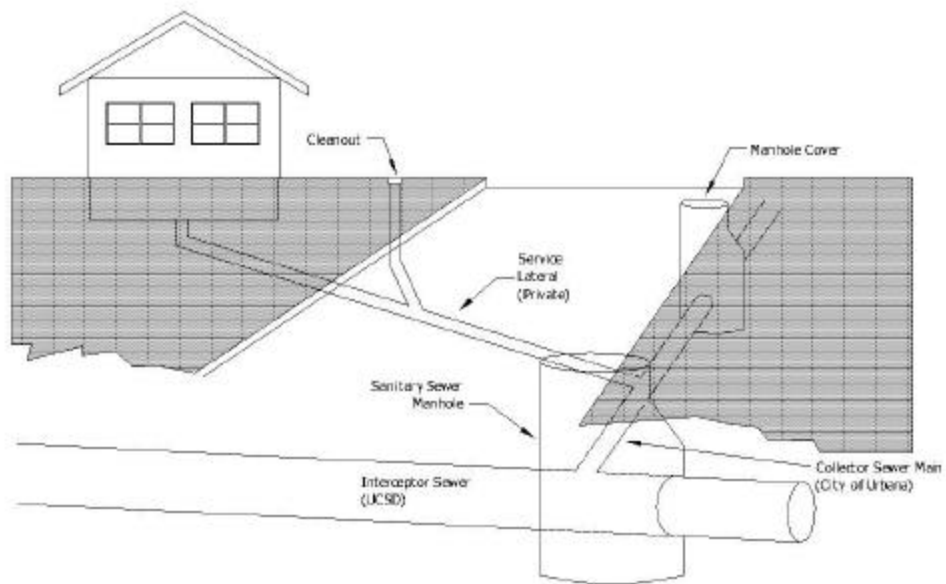
FISCAL IMPACT

The proposed language changes to Section 24-38(c) will have no monetary impact to the City, since this will clarify current practice.

RECOMMENDATION

In order to clarify building sewer maintenance and repair cost responsibilities, it is recommended that “An Ordinance Amending Chapter 24, Section 38(c) of the Urbana Code of Ordinances” be approved.

WRG:kf
Attachments



Sec. 24-38. Building sewers and connections.

(a) Permit required. No unauthorized person shall uncover, make any connection with or opening into, use, alter or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the director of public works.

(b) Classes of permits; fees. There shall be two (2) classes of building sewer permits: (1) for residential and commercial service, and (2) for service to establishments producing industrial wastes. In either case, the owner or an agent shall make application on a special form furnished by the city. The permit application shall be supplemented by any plans, specifications or other information considered pertinent in the judgment of the director of public works. A permit and inspection fee of ten dollars (\$10.00) for a residential or commercial building sewer permit and twenty-five dollars (\$25.00) for an industrial building sewer permit shall be paid to the city at the time the application is filed. The city will credit any applicant with the amount of inspection fee paid by applicant to the Urbana & Champaign Sanitary District, for which inspection the city may hold a contract with the sanitary district.

(c) Installation costs to be borne by owner. All costs and expenses incident to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the city from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

(d) When separate sewers are required. A separate and independent building sewer shall be provided for every building; except where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard or driveway, the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer.

(e) Approval of old sewers. Old building sewers may be used in connection with new buildings only when they are

found, on examination and test by the director of public works, to meet all requirements of this division.

(f) Size, slope, alignment, etc. The size, slope, alignment, materials of construction of building sewer, and the methods to be used in excavating, placing of the pipe jointing, testing and back-filling the trench, shall all conform to the requirements of the building and plumbing code and other applicable rules and regulations of the city.

(g) Elevation. Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer.

(h) Connection. The connection of the building sewer into the public sewer shall conform to the requirements of the building and plumbing code or other applicable rules and regulations of the city. All such connections shall be made gastight and watertight. Any deviation from the prescribed procedures and materials must be approved by the director of public works before installation.

(i) Inspection. The applicant for the building sewer permit shall notify the director of public works when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the director or any representative.

(j) Excavations--Permit required. An excavation permit shall be secured for each hole dug in public property. The fee mentioned in subsection (b) includes the fee for one excavation in city property. The fee for additional excavations made for any purpose shall be as specified elsewhere in this Code.

(k) Same--Barricades. All excavations for building sewer installations shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the city.

(l) Connections to be plugged upon demolition of building. Whenever a structure is demolished, which structure has been served by storm sewer connections or sanitary sewer connections, the connections shall be plugged at the edge of the property. Unless a permit has been issued for the immediate reconstruction of structures which will utilize the sewer connection, those connections shall be permanently plugged in a manner to prevent infiltration of groundwaters to the sewer system.

(m) Construction materials. Materials for the construction of building sewers shall conform to both the plumbing code and the ordinance requirements of the Urbana & Champaign Sanitary District.

(n) Grade, depth. Any pipe laid along and in public streets, alleys or easements which could connect more than one building sewer shall be laid in straight lines not less than eight (8) inches in diameter and shall be laid on a minimum grade of four (4) feet per thousand (1,000) feet, and shall be constructed to a maximum depth to permit further extension thereto. When the maximum depth is in excess of that required to serve the building, the person building the sewer may apply to the city requesting the city to purchase the excess depth capacity. Such application will be considered only when it has been made at least two (2) weeks prior to the start of construction.



MEMORANDUM

TO: Bruce Walden, Chief Administrative Officer
FROM: Joseph L. Smith, Senior Civil Engineer
William R. Gray, Public Works Director
DATE: February 26, 2001
RE: Lincoln Avenue and Illinois Street Traffic Signal Installation

INTRODUCTION

The Illinois Department of Transportation (IDOT), the University of Illinois and the City of Urbana have identified the intersection of Lincoln Avenue and Illinois Street as needing traffic signal installation. The proposed work shall primarily consist of installing new traffic signal posts, signal heads, mast arms, detector loops, controller, Emergency Vehicle Preemption system and streetlighting, widening of Lincoln Avenue, resurfacing of Lincoln Avenue and Illinois Street and other miscellaneous improvements. Approximately fifty percent of the funding for the project is being funded by IDOT. The remaining fifty percent is being funded by the City of Urbana and the University of Illinois. Attached is the necessary documentation to complete the project.

ISSUES AND DISCUSSION

This attached City-State Agreement requires three resolutions be passed by the City Council. They are as follows:

1. A RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE ILLINOIS DEPARTMENT OF TRANSPORTATION.

This Resolution authorizes the Mayor and City Clerk to execute and deliver the agreement on behalf of the City of Urbana.

2. A RESOLUTION PROVIDING FOR THE INSTALLATION OF TRAFFIC SIGNALS AT LINCOLN AVENUE AND ILLINOIS STREET.

This Resolution sets the amount and how the funds are to be paid for the City's share of the project.

3. A RESOLUTION FOR IMPROVEMENT BY MUNICIPALITY UNDER THE ILLINOIS HIGHWAY CODE

This Resolution appropriates the use of MFT funds to pay for the City's share of the project.

FISCAL IMPACTS

This project is being totally designed and the contract administered by City of Urbana personnel. Therefore, there will be staff impacts for project monitoring and contract execution. There are sufficient personnel to accomplish this construction engineering.

As outlined in the agreement, IDOT's share is \$197,000 or 52.5% and the City's share of the estimated \$375,000 project cost is \$178,000 or 47.5%. The City of Urbana and the University of Illinois will split evenly this amount or approximately \$89,000 for each agency. The University has agreed to reimburse 50% of the City's engineering costs.

Staff has reviewed the cost breakdowns and find them satisfactory. Please note that these costs are estimates and may increase or decrease depending on actual bid prices and construction change orders. All City funds are to be Motor Fuel Tax Funds (E09). Sufficient funds (\$178,000) are being appropriated to allow for contingencies.

RECOMMENDATION

It is recommended that the City Council approve the resolutions as outlined herein at its regularly scheduled meeting of March 5, 2001.

Prepared by:

Joseph L. Smith, P.E.
Senior Civil Engineer

William R. Gray, P.E.
Public Works Director

RESOLUTION NO. 2001-02-008R

**A RESOLUTION
APPROVING AND AUTHORIZING THE EXECUTION OF AN AGREEMENT
WITH THE ILLINOIS DEPARTMENT OF TRANSPORTATION**

(Lincoln Avenue and Illinois Street)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS, as follows:

Section 1. That an agreement by and between the City of Urbana, Illinois, and the Illinois Department of Transportation, in the form of the copy of said Agreement attached hereto and hereby incorporated, be and the same is hereby authorized and approved.

Section 2. That the Mayor of the City of Urbana, Illinois be and the same is hereby authorized to execute and deliver and the City Clerk of the City of Urbana, Illinois be and the same is hereby authorized to attest to said execution of said Agreement as so authorized and approved for and on behalf of the City of Urbana, Illinois.

PASSED by the City Council this _____ day of _____, 2001.

Phyllis D. Clark, City Clerk

APPROVED by the Mayor this _____ day of _____, 2001.

Tod Satterthwaite, Mayor

RESOLUTION NO. 2001-02-009R

**A RESOLUTION PROVIDING FOR THE INSTALLATION OF TRAFFIC SIGNALS AT
LINCOLN (F.A.U. ROUTE 7177) AVENUE AND ILLINOIS STREET**

(Lincoln Avenue and Illinois Street)

WHEREAS, the City of Urbana has entered into an Agreement with the State of Illinois for the installation of the traffic signal at the intersection of Lincoln Avenue (FAU 7177) with Illinois Street; known as City Section 99-00350-00-TL; and

WHEREAS, in compliance with the aforementioned Agreement, it is necessary for the City to appropriate sufficient funds to pay its share of the cost of said improvement.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS, as follows:

Section 1. That there is hereby appropriated the sum of one hundred seventy-eight thousand dollars (\$178,000), or so much thereof as may be necessary, from any money now or hereinafter allotted to the City to pay for its share of the cost of this improvement as described in the Agreement.

Section 2. That upon receipt of the contractor's first and subsequent progressive bills for this improvement, the City will pay to the Department of Transportation of the State of Illinois an amount equal to the City's share of the construction cost divided by the estimated total cost, multiplied by the actual payment (appropriately adjusted for any non-participation costs of FAP Projects) made to the contractor until the entire obligation incurred under this agreement has been paid.

Section 3. That the City agrees to pass a supplemental resolution to provide necessary funds for its share of the cost of this improvement if the amount appropriated herein proves to be insufficient to cover said cost.

PASSED by the City Council this _____ day of _____, 2001.

Phyllis D. Clark, City Clerk

APPROVED by the Mayor this _____ day of _____, 2001.

Tod Satterthwaite, Mayor



Resolution for Improvement by Municipality Under the Illinois Highway Code

Lincoln Avenue and Illinois Street

BE IT RESOLVED, by the Council of the City of Urbana Illinois that the following described street(s) be improved under the Illinois Highway Code:

Table with 4 columns: Name of Thoroughfare, Route, From, To. Row 1: Lincoln Avenue, FAH 7177, Illinois Street.

BE IT FURTHER RESOLVED, 1. That the proposed improvement shall consist of Installation of traffic signals, widening and resurfacing Lincoln Avenue

and shall be constructed wide and be designated as Section City Section 99-00350-00-TL

2. That there is hereby appropriated the (additional) sum of One hundred seventy-eight thousand dollars Dollars (\$ 178,000.00) for the improvement of said section from the municipality's allotment of Motor Fuel Tax funds.

3. That work shall be done by Contract Specify Contract or Day Labor : and.

BE IT FURTHER RESOLVED, that the Clerk is hereby directed to transmit two certified copies of this resolution to the district office of the Department of Transportation.

APPROVED Date Department of Transportation District Engineer

I, Phyllis D. Clark Clerk in and for the City of Urbana County of Champaign hereby certify the foregoing to be a true, perfect and complete copy of a resolution adopted by the City Council Council or President and Board of Trustees at a meeting on March 5, 2001 Date IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this day of A.D. (SEAL) City Clerk



DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES
ADMINISTRATION AND PLANNING DIVISION
MEMORANDUM

TO: Bruce K. Walden, Chief Administrative Officer
FROM: April D. Getchius, AICP, Director/CD Services
DATE: March 6, 2001
RE: Homebuyer Assistance Programs - Series 2001

Brief Description of the Issue(s)

Included on the March 12 agenda of the Committee of the Whole are three individual homebuyer assistance programs. Issue one is an intergovernmental agreement regarding the implementation of a first-time homebuyer assistance program called *AssistUrbana*. If the proposed agreement were approved by City Council, the city would pool a portion of its 2001 private activity revenue bond authority with other Illinois communities to provide special financing arrangements for households desiring to purchase their first homes in Urbana. Under this program, there would be a fixed mortgage rate and downpayment assistance to homebuyers.

Issue two is a resolution authorizing the city to cede a portion of its 2001 private activity revenue bond authority to the Illinois Housing Development Authority (IHDA) to provide special low-interest rate mortgage financing to households purchasing homes within the city through the "*Below Market Rate Program*."

Issue three is a resolution authorizing the city to cede a portion of its 2001 private activity revenue bond authority to IHDA to fund the "*Help Program*" which will provide lower interest rate mortgages and downpayment assistance to first-time Urbana homebuyers

Identification of the Issue(s) and Any Approvals Required

The issue in these cases is whether the city should participate in the various homebuyer assistance programs proposed by Stern Brothers & Co. and the Illinois Housing Development Authority. Any unused bond authority not ceded for any combination of these programs will be ceded back to the State of Illinois for use by another municipality. To participate in the multi-city programs through Stern Brothers & Co., City Council needs to approve the individual intergovernmental cooperation agreement. To participate in the IHDA programs, City Council needs to approve that attached resolutions ceding a portion of the city's private activity revenue bond authority to IHDA.

Background/Facts

Pursuant to the Internal Revenue Service code, each municipality is allowed to issue private activity revenue bonds up to \$62.50 per capita per year. Based upon the current population of 36,744, the City of Urbana may issue up to \$2,296,500 in private activity revenue bonds this year. The city may utilize its private activity bond authority for one of three activities:

- 1) below-market-rate financing for affordable housing
- 2) mortgage credit certificates in support of homeownership, or

3) below-market-rate financing for limited types of industrial developments

The State of Illinois each year recaptures any bond allocation unused by the city as of May 1. The city may elect to use its allocation, allow its allocation to be recaptured by the state, or voluntarily cede its allocation to the state or to any community. Revenue bond allocations are often transferred from one community to another.

Program 1 - AssistUrbana In recent years, Urbana has used its private activity bond allocation rather than allow it to be recaptured by the state. City Council has used its allocation to assist first-time homebuyers through provision of grants for downpayments and closing costs. The AssistUrbana Program was first started under the name of *AccessUrbana* in 1995 and has subsequently assisted over 130 families purchase homes in Urbana. During 2000, thirty-three families moved into new homes equaling over \$2.2 million in home sales after the City of Urbana ceded over \$871,800 to the bond counsel.

AssistUrbana currently provides 30-year fixed rate FHA/VA mortgage loans at 7.70 percent interest and conventional loans at 7.825 percent interest through Busey Bank, BankIllinois, BankOne, and National City Bank. The program also provides non-repayable, non-taxable grants for downpayment and closing costs up to 4.25 percent of the home mortgage amount. The program has been marketed jointly by the city and bank personnel through direct mailers, seminars, and media advertising.

The bond counsel that helped create the Assist Program statewide for many Illinois communities has notified city staff that it intends to create a new Assist program in 2001, using 2001 bond allocations. Stern Brothers & Co. will be sending staff the 2001 documents in the immediate future.

The 2001 documents will be identical to the 2000 documents, which are attached. The new program would be structured similarly to the 2000 program in that both below-market-rate loans and downpayment grants would be offered. The program would still provide downpayment grants up to 4.25 percent of the home mortgage amounts. However, the program interest rate will probably be lower than the 2000 interest rates. The 2001 program rate is projected at 6.00 - 6.25 percent. The actual interest rate would be established on the date of the bond sale and would depend on market conditions at that time. Also similar to past years are the communities participating in the Assist program; including Urbana, Champaign, Rantoul, Peoria, Springfield, Decatur, Charleston, Danville, and Mattoon.

In order to qualify for the *AssistUrbana* Program, families will need to meet household income and purchase price limits. While the program would be available citywide, the Internal Revenue Service has designated program target areas (see attached map). Income and purchase price limits vary depending on whether the property purchased is located in or out of the target area. Households purchasing within the target areas need not be first-time homebuyers. Income and purchase price limits applicable to the 2001 program are as follows.

<u>Maximum Household Income Limits</u>		
Nontargeted areas	1-2 person household	\$60,300
	3 or more persons	\$69,345
Targeted area	1-2 person household	\$72,360
	3 or more persons	\$84,420
<u>Maximum Purchase Price Limits (single-family home)</u>		
Nontargeted areas	Existing properties	\$93,570

	New construction	\$164,030
Targeted area	Existing properties	\$114,360
	New construction	\$200,480

In previous years, the city has set-aside fifty percent of the bond funds for households earning at or below 80 percent of area median family income. The set-aside would apply during a six-month reservation period; during which time the city's contribution to the bond pool would be available only to Urbana residents.

A community other than Urbana would issue bonds for the 2001 program. To participate in the program, Urbana would transfer all or a portion of its bond allocation to the issuing community. If the city decides to participate in the program, the bond issue would likely occur in late March with loans becoming available around April 15.

Program 2 - Illinois Housing Development Authority *Below Market Rate* Program (BMR)

The Illinois Housing Development Authority (IHDA) has developed a financing program for first-time homebuyers that will provide 30-year mortgages fixed at 1.00-1.50 percent below the market rate. The homebuyer's rate is approximately 5.49-5.99 percent interest today. The market interest rate changes daily. The homebuyer is also eligible for \$1,000 in closing cost assistance for an additional 0.25 percent increase in the interest rate. All IHDA approved lenders are eligible to participate in the program. Homebuyers must meet the same income and purchase price guidelines as the *AssistUrbana* Program.

This program rewards families that have saved a downpayment by offering a lower interest rate mortgage. This program saves the homebuyer considerable amounts of money over the live of the mortgage and helps them build equity in the homes at a faster rate. Homebuyers can purchase homes anywhere within the city and the same target areas as the *Assist* Program apply.

The City of Urbana participated in a similar program during 2000 by ceding \$871,800 in bond cap allocation to IHDA. At that time, the interest rate was fixed at 5.00 percent for 30-years. Thirteen homebuyers generated \$1,080,337 in home sales.

To participate in the program during 2001, the city would need to transfer all or a portion of its bond allocation to the IHDA. If the city decides to participate in this program, loans would be available beginning around May 1.

Program 3 - Illinois Housing Development Authority *Help* Program

IHDA has developed the *Help Program* to assist first-time homebuyers who need assistance obtaining money for their downpayment and closing costs. The *Help Program* provides qualified homebuyers a gift in the amount of 4.25 percent of the purchase price of the house to assist with these costs. The mortgages would be 30-year fixed and loaned at IHDA's regular lending rate, currently 6.99 percent interest. The interest rate varies daily. Homebuyers may purchase a home anywhere within the city and must meet the same income and purchase price limits as shown in the *AssistUrbana* section of this memo. The same target areas also apply to the *Help Program*.

To participate in the program during 2001, the city would need to transfer all or a portion of its bond allocation to the IHDA. If the city decides to participate in this program, loans would be available beginning around May 1.

Fiscal Impact

Other than Community Development staff time to organize and market the programs, there would be no city financial outlay connected to the programs. Program administrative fees incurred by the bond counsels and by the city's bond consultants would be paid with bond proceeds. In all three programs, the city would have no liability for bond repayment since the city would not be the bond issuer and all mortgage repayments would be government-insured.

Recommendation

At their February 27 meeting, the Urbana Community Development Commission (CDC) recommended the City council divide its bond allocation between the *AssistUrbana* Program, IHDA's BMR Program, and IHDA's Help Program. All of the programs provide an opportunity for affordable home ownership in compliance with the goals of the Consolidated Plan. CDC recommended funding the *AssistUrbana* Program with 50% of the bond allocation (\$1,148,250); the BMR Program with 30% of the bond allocation (\$688,950); and the Help Program at 20% of the bond allocation (\$459,300). Staff concurs with the Community Development Commission and also recommends the participation in both programs.

Prepared By: _____

Michael J. Loschen
Grants Coordinator II

- Attachments:
- (1) An Ordinance Authorizing the Execution and Delivery of an Intergovernmental Cooperation Agreement and Certain Documents in Connection Therewith: and Related Matters (AssistUrbana Program - AssistUrbana Series 2001)
 - (2) AssistUrbana-2000 Intergovernmental Cooperation Agreement dated April 1, 2000
 - (3) AssistUrbana Target Area Map
 - (4) A Resolution Approving Participating in Illinois Housing Development Authority First-Time Homebuyer Single-Family Program (Below Market Rate Program - Series 2001).
 - (5) A Resolution Approving Participating in Illinois Housing Development Authority First-Time Homebuyer Single-Family Program (Help Program - Series 2001)

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF AN
INTERGOVERNMENTAL COOPERATION AGREEMENT AND CERTAIN DOCUMENTS IN
CONNECTION THEREWITH; AND RELATED MATTERS

(AssistUrbana, Series 2001)

WHEREAS, pursuant to Section 6(a) of Article VII of the 1970 Constitution of the State of Illinois, the City of Urbana, Champaign county, Illinois, is a municipality and a home rule unit of government duly organized and validly existing under the Constitution and the laws of the State of Illinois (the "*Municipality*"); and

WHEREAS, pursuant to the Constitution and the laws of the State of Illinois, and particularly Section 6(a) of Article VII of the 1970 Constitution of the State of Illinois, the Municipality is authorized to issue its revenue bonds in order to aid in providing an adequate supply of safe, decent and sanitary residential housing for low and moderate income persons and families within the Municipality, which such persons and families can afford, which constitutes a valid public purpose for the issuance of revenue bonds by the Municipality; and

WHEREAS, the Municipality has now determined that it is necessary, desirable and in the public interest to issue revenue bonds to provide an adequate supply of safe, decent and sanitary residential housing for low and moderate income persons and families within the Municipality, which such persons and families can afford; and

WHEREAS, pursuant to Section 10 of Article VII of the 1970 Constitution of the State of Illinois and the Intergovernmental Cooperation Act (5 *Illinois Compiled Statutes* 1998, 220/1 *et seq.*, as supplemented and amended), public agencies may exercise and enjoy with any other public agency in the State of Illinois any power, privilege or authority which may be exercised by such public agency individually, and, accordingly, it is now determined that it is necessary, desirable and in the public interest for the Municipality to enter into an Intergovernmental Cooperation Agreement (the "*Cooperation Agreement*") dated as of March 1, 2001, by and among the Municipality and certain other municipalities named therein (the "*Municipalities*"), to provide for the joint issuance of such revenue bonds to aid in providing an adequate supply of residential housing in such Municipalities (the "*Program*"); and

WHEREAS, to provide for the Program, the City of Aurora, Kane, DuPage, Will and Kendall Counties, Illinois and the City of Springfield, Sangamon County, Illinois (the "*Issuers*") proposes to issue, sell and deliver its Collateralized Single Family Mortgage Revenue Bonds, Series 2001 in an aggregate principal amount not to exceed \$250,000,000 (the "*Bonds*") in one or more series to obtain funds to finance the acquisition of mortgage-backed securities (the "*GNMA Securities*") of the Government National Mortgage Association ("*GNMA*"), evidencing a guarantee by GNMA of timely payment, the acquisition of mortgage-backed securities (the "*FNMA Securities*") of the Federal National Mortgage Association

("FNMA"), evidencing a guarantee by FNMA of timely payment, and the acquisition of mortgage-backed securities (the "*FHLMC Securities*") of the Federal Home Loan Mortgage Corporation ("FHLMC"), evidencing a guarantee by FHLMC of timely payment, of monthly principal of and interest on certain qualified mortgage loans under the Program (the "*Mortgage Loans*"), on behalf of the Municipality and the other Municipalities all under and in accordance with the Constitution and laws of the State of Illinois; and

WHEREAS, the City clerk of the Municipality has caused a notice of public hearing with respect to the plan of finance of the costs of the Program through the issuance of the Bonds to be published in *The News-Gazette*, a newspaper of general circulation in the Municipality, pursuant to Section 147(f) of the Internal Revenue code of 1986, as amended (the "*Code*"), on January 26, 2001, and an appropriately designated hearing officers of the City of Aurora, Kane, DuPage, Will and Kendall Counties, Illinois, the City of Belleville, St. Clair County, Illinois, City of Champaign, Champaign County, Illinois, and the City of East Moline, Rock Island County, Illinois, have conducted said combined public hearing on February 13, 2001; and

WHEREAS, a form of the Cooperation Agreement has been presented to and is before this meeting;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS, as follows:

Section 1. That it is the finding and declaration of the

City Council of the Municipality that the issuance of the Bonds by the Issuers is advantageous to the Municipality, as set forth in the preamble to this authorizing ordinance, and therefore serves a valid public purpose; that this authorizing ordinance is adopted pursuant to the Constitution and the laws of the State of Illinois, Section 6(a) of Article VII of the 1970 Constitution, Section 10 of Article VII of the 1970 Constitution of the State of Illinois and the Intergovernmental Cooperation Act; and that, by the adoption of this authorizing ordinance, the City Council of the Municipality hereby approves the issuance of the Bonds for the purposes as provided in the preamble hereto, the text hereof and the notice of public hearing referred to in the preamble hereto, which notice is hereby incorporated herein by reference, and which public approval shall satisfy the provisions of Section 147(f) of the Code.

Section 2. That the form, terms and provisions of the proposed Cooperation Agreement be, and they are hereby, in all respects approved; provided, however, that, during the Reservation Period as defined in the Cooperation Agreement, 50 percent of the Program Allocation allocated to the City of Urbana shall be set aside for use in buying securities with mortgage loans made to persons in households earning at or below 80 percent of median family income for Champaign County, Illinois, as periodically determined by the U.S. Department of Housing and Urban Development; that the Mayor of the Municipality be, and is hereby, authorized, empowered and directed to execute, and the City Clerk

of the Municipality be, and is hereby, authorized, empowered and directed to attest and to affix the official seal of the Municipality to the Cooperation Agreement in the name and on behalf of the Municipality, and thereupon to cause the Cooperation Agreement to be delivered to the other Municipalities; that the Cooperation Agreement is to be in substantially the form presented to and before this meeting and hereby approved or with such changes therein as shall be approved by the officer of the municipality executing the Cooperation Agreement, his or her execution thereof to constitute conclusive evidence of his or her approval of any and all changes or revisions therein from the form of Cooperation Agreement before this meeting; that from and after the execution and delivery of the Cooperation Agreement, the officials, agents and employees of the Municipality are hereby authorized, empowered and directed to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with all things and to execute all such documents as may be necessary to carry out and comply with the provisions of the Cooperation Agreement as executed; and that the Cooperation Agreement shall constitute and is hereby made a part of this authorizing ordinance, and a copy of the Cooperation Agreement shall be placed in the official records of the Municipality, and shall be available for public inspection and the principal office of the Municipality.

Section 3. That the Mayor, the City Clerk and the proper officers, officials, agents and employees of the Municipality are

hereby authorized, empowered and directed to do all such acts and things and to execute all such documents and certificates as may be necessary to carry out and comply with the provisions of the cooperation Agreement and to further the purposes and intent of this authorizing ordinance, including the preamble to this authorizing ordinance.

Section 4. That all acts of the officers, officials, agents and employees of the Municipality heretofore or hereafter taken, which are in conformity with the purposes and intent of this authorizing ordinance and in furtherance of the issuance and sale of the Bonds, and the same hereby are, in all respects, ratified, confirmed and approved, including without limitation the publication of the notice of public hearing.

Section 5. That the Municipality hereby transfers its 2001 unified volume cap in the amount of \$1,148,250.00 to the Issuer, which is hereby allocated by the Municipality to the issuance of the Bonds; and that the Municipality, by adoption of this authorizing ordinance, hereby represents and certifies that such volume cap has not been allocated to any other bond issue or transferred to any other party.

Section 6. That after the Cooperation Agreement is executed by the Municipality, this authorizing ordinance shall be and remain irrevocable until the Bonds and the interest thereon shall have been fully paid, cancelled and discharged.

Section 7. That the provisions of this authorizing ordinance are hereby declared to be separable, and if any section, phrase or

provision of this authorizing ordinance shall for any reason be declared to be invalid, such declaration shall not affect the validity of the remainder of the sections, phrases and provisions of this authorizing ordinance.

Section 8. That all ordinances, resolutions and orders, or parts thereof, in conflict with the provisions of this authorizing ordinance are, to the extent of such conflict, hereby superseded; and that this authorizing ordinance shall be in full force and effect upon its adoption and approval as provided by law.

PASSED by the City Council this _____ day of _____, 2001.

AYES:

NAYS:

ABSTAINS:

Phyllis D. Clark, City Clerk

APPROVED by the Mayor this _____ day of _____, 2001.

Tod Satterthwaite, Mayor

RESOLUTION NO. _____

RESOLUTION APPROVING PARTICIPATION IN
ILLINOIS HOUSING DEVELOPMENT AUTHORITY FIRST-TIME
HOME BUYER SINGLE-FAMILY PROGRAM

(Below Market Rate Program, Series 2001)

WHEREAS, there exists within the borders of the City of Urbana, Illinois (the "Municipality"), a recognized need for decent, safe, sanitary and well-constructed and maintained housing which persons of moderate income can afford; and

WHEREAS, the Municipality is a home rule unit of local government pursuant to Article VII of the Illinois Constitution of 1970 and, as such a home rule unit, the Municipality receives an annual allocation of private activity bond volume cap ("Volume Cap") pursuant to Section 146 of the Internal Revenue Code of 1986, as amended from time to time (the "Code"); and

WHEREAS, Section 143 of the Code (Section 143") authorizes home rule units to issue mortgage revenue bonds ("Revenue Bonds") using Volume Cap, the proceeds of which are to be used to purchase qualified mortgage loans, as defined in Section 143 ("Mortgage Loans") made to homebuyers satisfying the requirements of Section 143 ("Homebuyers"); and

WHEREAS, the Municipality is considering establishing and implementing a mortgage revenue bond program (the "MRB Program") to purchase Mortgage Loans from Homebuyers living within the Municipality, using \$688,950 of its Volume Cap for the year 2001 ("Year 2001 Volume Cap"); and

WHEREAS, the Illinois Housing Development Authority ("IHDA") has offered to create and administer the "Below Market Rate Program"; the Municipality would cede to IHDA a portion of its Year 2001 Volume Cap, and for a period of one (1) year from the commencement date of the "Below Market Rate Program", IHDA would issue Revenue Bonds and use the proceeds to purchase only Mortgage Loans made to Homebuyers living in the Municipality.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS, as follows:

SECTION 1. The Municipality makes the findings and determinations set forth in the preamble. The terms defined in the preamble are adopted for the purposes of this Resolution.

SECTION 2. The Municipality approves and authorizes its participation in the "Below Market Rate Program" and cedes to IHDA \$688,950 of its Year 2001 Volume Cap for purposes of establishing and administering the "Below Market Rate Program".

SECTION 3. The Municipality authorizes and empowers the proper officials, agents and employees of the Municipality to do all acts and things and to execute all documents and instruments as may be necessary to participate in the "Below Market Rate Program" and to carry out and comply with the provisions and intent of this Resolution or to effectuate its purpose.

SECTION 4. This Resolution shall take effect immediately upon its adoption.

PASSED by the City Council this _____ day of _____, 2001.

AYES:

NAYS:

ABSTAINS:

Phyllis D. Clark, City Clerk

APPROVED by the Mayor this _____ day of _____, 2001.

Tod Satterthwaite, Mayor

RESOLUTION NO. _____

RESOLUTION APPROVING PARTICIPATION IN
ILLINOIS HOUSING DEVELOPMENT AUTHORITY FIRST-TIME
HOME BUYER SINGLE-FAMILY PROGRAM

(Help Program, Series 2001)

WHEREAS, there exists within the borders of the City of Urbana, Illinois (the "Municipality"), a recognized need for decent, safe, sanitary and well-constructed and maintained housing which persons of moderate income can afford; and

WHEREAS, the Municipality is a home rule unit of local government pursuant to Article VII of the Illinois Constitution of 1970 and, as such a home rule unit, the Municipality receives an annual allocation of private activity bond volume cap ("Volume Cap") pursuant to Section 146 of the Internal Revenue Code of 1986, as amended from time to time (the "Code"); and

WHEREAS, Section 143 of the Code (Section 143") authorizes home rule units to issue mortgage revenue bonds ("Revenue Bonds") using Volume Cap, the proceeds of which are to be used to purchase qualified mortgage loans, as defined in Section 143 ("Mortgage Loans") made to homebuyers satisfying the requirements of Section 143 ("Homebuyers"); and

WHEREAS, the Municipality is considering establishing and implementing a mortgage revenue bond program (the "Help Program") to purchase Mortgage Loans from Homebuyers living within the Municipality, using \$459,300 of its Volume Cap for the year 2001 ("Year 2001 Volume Cap"); and

WHEREAS, the Illinois Housing Development Authority ("IHDA") has offered to create and administer the "Help Program"; the Municipality would cede to IHDA a portion of its Year 2001 Volume Cap, and for a period of one (1) year from the commencement date of the "Help Program", IHDA would issue Revenue Bonds and use the proceeds to purchase only Mortgage Loans made to Homebuyers living in the Municipality.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS, as follows:

SECTION 1. The Municipality makes the findings and determinations set forth in the preamble. The terms defined in the preamble are adopted for the purposes of this Resolution.

SECTION 2. The Municipality approves and authorizes its participation in the "Help Program" and cedes to IHDA \$459,300 of its Year 2001 Volume Cap for purposes of establishing and administering the "Help Program".

SECTION 3. The Municipality authorizes and empowers the proper officials, agents and employees of the Municipality to do all acts and things and to execute all documents and instruments as may be necessary to participate in the "Help Program" and to carry out and comply with the provisions and intent of this Resolution or to effectuate its purpose.

SECTION 4. This Resolution shall take effect immediately upon its adoption.

PASSED by the City Council this _____ day of _____, 2001.

AYES:

NAYS:

ABSTAINS:

Phyllis D. Clark, City Clerk

APPROVED by the Mayor this _____ day of _____, 2001.

Tod Satterthwaite, Mayor