

RESOLUTION NO. 2020-04-020R

**A RESOLUTION APPROVING THE TRANSFER OF VOLUME CAP IN
CONNECTION WITH PRIVATE ACTIVITY BOND ISSUES AND RELATED
MATTERS**

(Illinois Housing Development Authority Series 2020)

WHEREAS, the City of Urbana (“City”) is a home rule unit of local government pursuant to Article VII, Section 6, of the Illinois Constitution, 1970, and may exercise any power and perform any function pertaining to its government and affairs; and

WHEREAS, Section 146 of the Internal Revenue Code (26 U.S.C. § 146) authorizes the issuance of certain tax-exempt private activity bonds if the issuing authority has sufficient volume cap for the calendar year; and

WHEREAS, pursuant to the Code, the City has volume cap equal to \$105 per resident of the City in calendar year 2020; and

WHEREAS, Sections 6 and 6.1 of the Illinois Private Activity Bond Allocation Act (30 ILCS 345/6 and 6.1) authorize the corporate authorities of any home rule unit, before May 1 of each calendar year, to reallocate all or any portion of its unused volume cap to any home rule or non-home rule unit, the State, or a State agency; and

WHEREAS, the City Council, after due consideration, finds that the City’s best interests are served by the transfer a portion of the City’s volume cap allocation for calendar year 2020 to the Illinois Housing Development Authority (the “Issuer”), to be applied toward the issuance of single family or multifamily mortgage revenue bonds (the “Bonds”) by the Issuer or for such other purpose permitted by this Resolution.

NOW, THEREFORE, BE IT RESOLVED by the City Council, of the City of Urbana, Illinois, as follows:

Section 1.

Pursuant to Sections 6 and 6.1 of the Illinois Private Activity Bond Allocation Act, the City hereby transfers and reallocates \$2,207,415 of its volume cap for calendar year 2020 to the Issuer, which shall issue the Bonds using such transfer of volume cap, without any further action required on the part of the City. The adoption of this Resolution shall be deemed to be an allocation of such volume cap to the issuance of the Bonds or other private activity bonds, or mortgage credit certificates.

Section 2.

The Issuer shall maintain written records of this Resolution for the term of all private activity bonds it issues for that calendar year to which such allocation applies.

Section 3.

The officers, officials, agents, and employees of the City are hereby authorized, empowered, and directed to perform all acts as may be necessary to carry out the purposes and intent of this Resolution.

Section 4.

The invalidity of any section or provision of this Resolution hereby passed and approved shall not invalidate other sections or provisions thereof.

Section 5.

All resolutions or orders, or parts thereof, in conflict herewith are, to the extent of such conflict, hereby superseded. This Resolution shall be in full force and effect from and after its passage.

Section 6.

Upon approval of this Resolution, the City Clerk is directed to give notice of the reallocation made herein to the Governor of the State of Illinois pursuant to 30 ILCS 345/6 and the guidelines and procedures promulgated thereunder.

PASSED BY THE CITY COUNCIL this 27th day of April, 2020.

AYES: Brown, Colbrook, Hursey, Jakobsson, Miller, Roberts, Wu

NAYS:

ABSTENTIONS:



Charles A. Smyth
Charles A. Smyth, City Clerk

APPROVED BY THE MAYOR this 28th day of April, 2020

Diane Wolfe Marlin
Diane Wolfe Marlin, Mayor