

RESOLUTION NO. 2021-04-015R

**A RESOLUTION APPROVING THE TRANSFER OF VOLUME CAP
IN CONNECTION WITH PRIVATE ACTIVITY BOND ISSUES, SINGLE-FAMILY
MORTGAGE REVENUE BONDS, AND RELATED MATTERS**

(Private Bond Cap Allocation – Assist Programs, Series 2021)

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 of 1986, as amended (“Code”), provides that the Municipality has volume cap equal to \$110 per resident of the Municipality in calendar year 2021, which volume cap may be allocated to certain tax-exempt private activity bonds; 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 2021 to the Town of Normal, McLean County, Illinois (“Issuer”) to be applied toward the issuance of single-family mortgage revenue bonds by the Issuer (“Bonds”) 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 \$2,312,530 of its volume cap for calendar year 2021 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.

That the Municipality and the Issuer shall maintain a written record of this Resolution in their respective records during the term that the Bonds or any other such bonds to which such volume cap is allocated remain outstanding.

Section 3.

That the Mayor, the City Clerk and all other 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 further 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.

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

Section 6.

That all resolutions or orders, or parts thereof, in conflict herewith are, to the extent of such conflict, hereby superseded; and that this Resolution shall be in full force and effect upon its adoption and approval.

PASSED BY THE CITY COUNCIL this 12th day of April, 2021.

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

NAYS:

ABSTENTIONS:

Phyllis D. Clark

Phyllis D. Clark, City Clerk

APPROVED BY THE MAYOR this this 13th day of April, 2021.

Diane Wolfe Marlin

Diane Wolfe Marlin, Mayor

