

ORDINANCE NO. 2015-10-01

AN ORDINANCE AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS (ALTERNATE REVENUE SOURCE) OF THE CITY OF CHAMPAIGN TOWNSHIP, CHAMPAIGN COUNTY, ILLINOIS, TO FINANCE THE ACQUISITION AND IMPROVEMENT OF LAND AND BUILDING FOR TOWNSHIP FACILITIES, AND RELATED FACILITIES, IMPROVEMENTS AND COSTS

PREAMBLES

WHEREAS, the City of Champaign Township, Champaign County, Illinois (the “**Issuer**”), operates under the Township Code (60 ILCS 1/1-1 *et. seq.*), as supplemented and amended, including by the Local Government Debt Reform Act (collectively, the “**Act**”) and is entitled to receive proceeds from: **(i)** part of the annual tax levy for administration expenses in the General Town Fund (“**Pledged Taxes**”); and **(ii)** general property taxes (“**General Property Taxes**” or “**Levied Taxes**”) as levied, imposed and distributed pursuant to applicable law; and

WHEREAS, the Issuer’s Township Board (the “**Corporate Authorities**”) has determined that it is advisable, necessary and in the best interests of the Issuer’s public health, safety and welfare to finance (including to repay any interim or interfund financing, as applicable) the acquisition, construction and installation of township facilities, including the purchase of an existing building (including renovation, supervision and observation, land acquisition and rights in real estate and other related facilities, improvements and costs, to be undertaken in one or more phases, collectively, the “**Project**”), pursuant to the plans and specifications therefor prepared and/or to be prepared by the Issuer’s engineers concerning the Project; and

WHEREAS, in connection with the estimated costs of financing the Project, up to \$325,000 in aggregate principal amount is to be paid from proceeds of the hereinafter described Alternate Bonds, being general obligation in lieu of revenue bonds as authorized by Section 15 of the Act, but nevertheless expected to be paid from one or both of, or allocable percentages of, Pledged Taxes and/or General Property Taxes, as the alternate revenue source or sources, and the balance from other available funds, and to issue up to \$325,000 principal amount of general obligation bonds (one or both of, or allocable percentages of, Pledged Taxes and General Property Taxes as the alternate revenue source or sources) (howsoever styled, the “**Alternate Bonds**”), at one time or from time to time as funds are to be applied to the Project; and

WHEREAS, such costs are expected to be paid from funds on hand, from grant proceeds, if any, and from proceeds of the Alternate Bonds, to be payable from one or both of, or allocable percentages of, Pledged Taxes and/or General Property Taxes and issued pursuant to the Act, this ordinance and one or more ordinances supplemental to this ordinance authorizing and providing for the issuance of Alternate Bonds, prescribing the details of such obligations and

providing for the collection, segregation, distribution and application of one or both of the revenues of Pledged Taxes and General Property Taxes to pay the Alternate Bonds; and

WHEREAS, the Issuer has insufficient funds to pay the costs of financing the Project and, therefore, must borrow money and issue Alternate Bonds at one time or from time to time and in one or more series, in an approximate principal amount aggregating not to exceed \$325,000 for such purposes, pursuant to and in accordance with the provisions of the Act.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWNSHIP BOARD OF THE CITY OF CHAMPAIGN TOWNSHIP, CHAMPAIGN COUNTY, ILLINOIS, as follows:

Section 1. Incorporation of Preambles and Determination to Issue Bonds.

The Corporate Authorities hereby find that all of the recitals contained in the preambles to this ordinance are true, complete and correct and hereby incorporate them into this Section 1 of this ordinance by this reference thereto. It is necessary and in the best interests of the Issuer to refinance the acquisition, renovation and installation of the Project for the public health, safety and welfare, including in accordance with plans and specifications, as referenced above, and that for such purpose there are hereby authorized to be issued and sold not to exceed \$325,000 in aggregate principal amount of Alternate Bonds.

Section 2. Publication and Notice. After the adoption of this ordinance by the

Corporate Authorities, this ordinance, preceded by the notices hereinafter described, shall be published in a newspaper of general circulation within the Issuer, and **concerning the Alternate Bonds** -- if no petition, signed by not less than registered voters of the Issuer numbering the greater of **(i)** 7.5% of the registered voters in the Issuer or **(ii)** 200 of those registered voters or 15% of those registered voters, whichever is less, is filed with the Township Clerk of the Issuer within thirty (30) days after the date of the publication of this ordinance, preceded by the Alternate Bond notice hereinafter described, asking that the question of the issuance of the Alternate Bonds to pay costs of financing the Project, and related expenses, be submitted to the electors of the Issuer, then this ordinance shall be in full force and effect, and the Alternate Bonds shall be authorized to be issued by this ordinance and related proceedings supplemental to this ordinance. If an applicable petition is filed, an election on the question shall be held as set forth in the forms of the notices required by Sections 5 and 15 of the Act, and this ordinance shall not become effective as to the Alternate Bonds until the applicable question or questions shall have been duly approved by a majority of the votes cast on the applicable question or questions at the election to be held as set forth in the applicable notice or notices. The Township Clerk shall have available and provide an applicable form of petition to any person requesting one. The Township Clerk shall give notice of the foregoing provisions as set forth in substantially the forms of such notices as are presented at the meeting of the Corporate Authorities at which this ordinance is adopted, modified as may be necessary for completeness and to comply with the Act.

Section 3. Additional Ordinances. If no petition meeting the requirements of applicable law is filed as provided above in Section 2, then the Corporate Authorities in accordance with and pursuant to the Act may adopt additional ordinances or other proceedings supplemental to or amending this ordinance, providing for the issuance and sale of up to but in any event not to exceed \$325,000 in aggregate principal amount of Alternate Bonds, prescribing the details of such Alternate Bonds, providing for the collection, segregation, distribution and application of, as applicable, Pledged Taxes and/or General Property Taxes for the payment thereof, and, in the case of the Alternate Bonds providing for a levy of taxes as further security and source of payment, although expected to be paid from one or both of, or allocable percentages of, Pledged Taxes and General Property Taxes and not any levy of taxes. Such additional or supplemental ordinances or other proceedings shall in all instances become effective in accordance with applicable law; and this ordinance, together with such supplemental and additional ordinances or other proceedings, shall constitute complete authority for the issuance of the Alternate Bonds under applicable law.

Section 4. Severability and Repealer. 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. 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.

[The remainder of this page is intentionally left blank.]

Upon motion by Trustee _____, seconded by Trustee _____, adopted (and recorded in the Issuer's records) on _____, 2015, by roll call vote, as follows:

AYES (names): _____

NAYS (names): _____

ABSENT (names): _____

Approved: _____, 2015

Attest:

(SEAL)

Township Clerk

Township Supervisor

STATE OF ILLINOIS)
THE COUNTY OF CHAMPAIGN) SS
CITY OF CHAMPAIGN TOWNSHIP)

CERTIFICATION OF ORDINANCE

I, the undersigned, do hereby certify that I am the duly selected, qualified and acting Township Clerk of the City of Champaign Township, Champaign County, Illinois (the “**Issuer**”), and as such official I am the keeper of the records and files of the Issuer and of its Township Board (the “**Corporate Authorities**”).

I do further certify that the attached constitutes a full, true and complete excerpt from the proceedings of the regular meeting of the Corporate Authorities held on the _____ day of _____, 2015, insofar as same relates to the adoption of Ordinance No. _____, entitled:

AN ORDINANCE AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS (ALTERNATE REVENUE SOURCE) OF THE CITY OF CHAMPAIGN TOWNSHIP, CHAMPAIGN COUNTY, ILLINOIS, TO FINANCE THE ACQUISITION AND IMPROVEMENT OF LAND AND BUILDING FOR TOWNSHIP FACILITIES, AND RELATED FACILITIES, IMPROVEMENTS AND COSTS,

a true, correct and complete copy of which ordinance (the “**ordinance**”) as adopted at such meeting appears in the transcript of the minutes of such meeting and is hereto attached.

I do further certify that the deliberations of the Corporate Authorities on the adoption of such ordinance were taken openly, that the adoption of such ordinance was duly moved and seconded, that the vote on the adoption of such ordinance was taken openly and was preceded by a public recital of the nature of the matter being considered and such other information as would inform the public of the nature of the business being conducted, that the meeting agenda was duly posted on the Issuer’s website and at the City of Champaign City Building at least 48 hours before the meeting, if any, that such meeting was held at a specified time and place convenient to the public, that notice of such meeting was duly given to all of the news media requesting such notice, that such meeting was called and held in strict compliance with the provisions of the open meeting laws of the State of Illinois, as amended, and the Township Code, as amended, and that the Corporate Authorities have complied with all of the applicable provisions of such open meeting laws and such Code and their procedural rules in the adoption of such ordinance.

_____ petition(s) have been received as mentioned in Section 2 of such ordinance, forms thereof being at all relevant times available therefor in the Township Clerk’s office.

IN WITNESS WHEREOF, I hereunto affix my official signature and the seal of the City of Champaign Township, Illinois, this _____ day of _____, 2015.

(SEAL)

Township Clerk

To: Township Clerk, City of Champaign Township, Illinois.

ALTERNATE BONDS
PETITION

In accordance with and pursuant to Section 2 of Ordinance No. _____ of the City of Champaign Township, Champaign County, Illinois (the “**Issuer**”), adopted _____, 2015, and entitled:

AN ORDINANCE AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS (ALTERNATE REVENUE SOURCE) OF THE CITY OF CHAMPAIGN TOWNSHIP, CHAMPAIGN COUNTY, ILLINOIS, TO FINANCE THE ACQUISITION AND IMPROVEMENT OF LAND AND BUILDING FOR TOWNSHIP FACILITIES, AND RELATED FACILITIES, IMPROVEMENTS AND COSTS,

each of the undersigned hereby certifies, as applicable to each, that each is an elector (a registered voter) of the Issuer, and hereby petitions and asks that the question of issuing Alternate Bonds [General Obligation Bonds (with one or both of Pledged Taxes and General Property Taxes as the Alternate Revenue Source(s))] in an aggregate principal amount not to exceed \$325,000 to finance (including to pay interim or interfund financing) facilities and improvements, all as set forth in the above ordinance (township facilities, including the purchase of an existing building (including renovation, supervision and observation, land acquisition and rights in real estate and other related facilities, improvements and costs)), be submitted to the electors of the Issuer at the general primary election to be held on March 15, 2016, if such question can be and is presented at such election, and otherwise at the next election at which such question could be presented under the general election laws.

<u>Print Name</u>	<u>Address</u>	<u>Champaign, IL</u>	<u>Signature</u>
1. _____	_____	Champaign, IL	_____
2. _____	_____	Champaign, IL	_____
3. _____	_____	Champaign, IL	_____
4. _____	_____	Champaign, IL	_____
5. _____	_____	Champaign, IL	_____
6. _____	_____	Champaign, IL	_____
7. _____	_____	Champaign, IL	_____
8. _____	_____	Champaign, IL	_____
9. _____	_____	Champaign, IL	_____
10. _____	_____	Champaign, IL	_____

Statement: I, _____ [Name], of _____ [Address], Champaign, Illinois, hereby state that I am, and have been at all times I have circulated this petition, a U. S. citizen over 18 years of age, that the above signatures on this sheet were signed in my presence in Champaign, Illinois, and are genuine, and to the best of my knowledge and belief each of the persons so signing were at the time of signing registered voters of the City of Champaign Township, Illinois, and their addresses are correctly stated.

(SEAL)
My Commission Expires: _____

Notary Public

To: Township Clerk, City of Champaign Township, Illinois.

**NOTICE OF INTENT TO ISSUE BONDS
AND RIGHT TO FILE PETITION
[ALTERNATE BONDS]**

Notice is hereby given that pursuant to Ordinance No. _____ (the “ordinance”), adopted at a meeting of the Township Board on _____, 2015, the City of Champaign Township, Champaign County, Illinois (the “Issuer”), intends to issue its alternate bonds (howsoever styled, the “**Alternate Bonds**”), at one time or from time to time as funds are to be applied to the Project, being general obligation in lieu of revenue bonds, up to the amount of but in any event not to exceed \$325,000 in aggregate principal amount, bearing interest at not to exceed the rate limitation provided by applicable law, to finance (including to pay any interim or interfund financing, as applicable) the acquisition, construction and installation of township facilities, including the purchase of an existing building (including renovation, supervision and observation, land acquisition and rights in real estate) and other related facilities, improvements and costs, at one time or from time to time as funds are to be applied to the above project, as provided in the ordinance. Although the Alternate Bonds are to be general obligation bonds, they are to be paid from one or both of revenues of Pledged Taxes and/or General Property Taxes, as provided in the ordinance, as the alternate revenue source or sources.

In addition, notice is hereby given that if a petition signed by not less than _____ electors of the Issuer (numbering the greater of **(i)** 7.5% of the registered voters in the Issuer or **(ii)** 200 of those registered voters or 15% of those registered voters, whichever is less) requesting that the question of the issuance of the Alternate Bonds and of undertaking the above described project be submitted to the Township Clerk within thirty (30) days of the date of publication hereof and of the above described ordinance, such question shall be submitted to the electors of the Issuer at the general primary election to be held on March 15, 2016, if such question can be and is presented at such election, and otherwise at the next election at which such question could be presented under the general election laws. A form of petition is available to any person requesting one in the Township Clerk’s office.

/s/ Marilyn Banks,
Township Clerk

Note to Publisher: The full text of the ordinance is to follow the above notices. Publish in order (and all run together): the Alternate Bonds notice first, and the ordinance second. Please check with the Township Attorney (Frederick C. Stavins, Esq.) ((217) 403-8765) as to any blanks in the ordinance or the notices. Send your publication statement to City of Champaign Township, 603 South Randolph Street, Champaign, Illinois 61820 Attention: Office Administrator, and send two certificates of publication (with ad text) to Evans, Froehlich, Beth & Chamley, 44 E. Main Street, Suite 310, Champaign, Illinois, 61820-3649.

Notice Form

The Township Board of the City of Champaign Township, Illinois will hold a public hearing on the _____ day of _____, 2015 (a regular meeting) at 7:00 p.m. The hearing will be held in the Township Board's meeting room at the City Hall, 102 North Neil Street, in Champaign, Illinois. The purpose of the hearing will be to receive public comments on the proposal to sell bonds at one time or from time to time as funds are to be applied to the Project in the amount of up to \$325,000 for the purpose of financing the acquisition, construction and installation of township facilities, including the purchase of an existing building (including renovation, supervision and observation, land acquisition and rights in real estate and other related facilities, improvements and costs.

By: /s/ Marilyn Banks
Township Clerk

Note to Publisher: The above notice is to be published one time on or before 7 days before the hearing, but not prior to 30 days before the hearing. **The publication may be in the "legals" or "classified" section of the paper. NO SPECIAL BORDER IS REQUIRED FOR THIS PUBLICATION. DO NOT USE ANY SPECIAL BORDER.** Please send your statement to:

City of Champaign Township
603 South Randolph Street
Champaign, Illinois 61820
Attn: Office Administrator

and send two publication certificates (and text) to Evans, Froehlich, Beth & Chamley, 44 E. Main Street, Suite 310, Champaign, Illinois 61820-3649.