

ORDINANCE NO. _

ORDINANCE APPROVING THE TRANSFER OF 2018 VOLUME CAP

WHEREAS, Collinsville (the “Municipality”) is a municipality and a home rule unit of government under Section 6 of Article VII of the 1970 Constitution of the State of Illinois; and

WHEREAS, Section 146 of the Internal Revenue Code of 1986, as amended (the “Code”), provides that the Municipality has volume cap equal to \$100 per resident of the Municipality in calendar year 2018, which volume cap may be allocated to certain tax-exempt private activity bonds; and

WHEREAS, the Illinois Private Activity Bond Allocation Act, *30 Illinois Compiled Statutes 2006, 345/1 et seq.*, as supplemented and amended (the “Act”), provides that a home rule unit of government may transfer its allocation of volume cap to any other home rule unit of government, the State of Illinois or any agency thereof or any non-home rule unit of government; and

WHEREAS, it is now deemed necessary and desirable by the Municipality to transfer half of its volume cap allocation for calendar year 2018 to the Southwestern Illinois Development Authority (SWIDA) to be applied toward the issuance of private activity bonds by SWIDA or for such other purpose permitted by this Ordinance;

WHEREAS, it is now deemed necessary and desirable by the Municipality to transfer half of its volume cap allocation for calendar year 2018 to the City of Aurora, Illinois to be applied toward the issuance of single family mortgage revenue bonds by the City of Aurora or for such other purpose permitted by this Ordinance;

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

SECTION 1. that, pursuant to Section 146 of the Code and the Act, \$1,342,897.50 of the volume cap of the Municipality for calendar year 2018 is hereby transferred to the Southwestern Illinois Development Authority, which shall issue bonds using such transfer of volume cap,

without any further action required on the part of the Municipality, and the adoption of this Ordinance shall be deemed to be an allocation of such volume cap to the issuance of bonds.

SECTION 2. that, pursuant to Section 146 of the Code and the Act, \$1,342,897.50 of the volume cap of the Municipality for calendar year 2018 is hereby transferred to the City of Aurora, Illinois, which shall issue bonds using such transfer of volume cap, without any further action required on the part of the Municipality, and the adoption of this Ordinance shall be deemed to be an allocation of such volume cap to the issuance of bonds.

SECTION 3. that the issuers shall maintain a written record of this Ordinance in their records during the term that the bonds to which such volume cap is allocated remain outstanding.

SECTION 4. that the City Treasurer is hereby authorized, empowered and directed to execute all such documents and certificates as may be necessary to further the purposes and intent of this Ordinance.

PASSED by the City Council and Approved by the Mayor on _____, 2018.

Ayes:

Nays:

Absent:

Approved: _____, 2018.

John Miller, Mayor

ATTEST:

Kimberly Wasser, City Clerk