



CITY OF
URBANA

**COMMUNITY DEVELOPMENT COMMISSION
PUBLIC HEARING**

DATE: Tuesday, March 28, 2023
TIME: 6:00 p.m.
PLACE: 400 South Vine Street

**NOTICE OF PUBLIC HEARING
OF THE URBANA COMMUNITY DEVELOPMENT COMMISSION**

The City of Urbana and Urbana HOME Consortium (comprised of the City of Urbana, the City of Champaign, and Champaign County Regional Planning Commission) are seeking citizen input regarding community needs. The City of Urbana is working to develop the 2023/2024 Annual Action Plan, which outlines the goals and budget for activities in Fiscal Year 2023/2024. A public hearing will be held on Tuesday, March 28, 2023 at 6:00 p.m. prior to the regular meeting of the Community Development Commission to gather input on the plan.

Written comments can be submitted to the City of Urbana, Grants Management Division 400 S. Vine St., Urbana, IL 61801 or by e-mail to grants@urbanaininois.us. Written comments must be received by the close of business, Monday, March 27, 2023.

All interested persons are invited to attend in person or watch the hearing on UPTV, livestream the hearing at <https://livestream.com/urbana>. Persons attending the hearing shall have the right to provide written and oral comments and suggestions regarding the proposed substantial amendment.

AGENDA

- I. CALL TO ORDER AND ROLL CALL**
- II. PUBLIC INPUT**
- III. ADJOURNMENT**

Phyllis D. Clark
City Clerk

All City meetings are broadcast on Urbana Public Television and live-streamed on the web. Details on how to watch are found on the UPTV webpage located at <https://urbanaininois.us/uptv>.



DATE: Tuesday, March 28, 2023

TIME: 6:00 P.M.

PLACE: City Council Chambers

400 S. Vine St.

Urbana, IL 61801

A G E N D A

1. Call to Order and Roll Call
2. Approval of Minutes of Previous Meeting
 - a. February 28, 2023
3. Additions To The Agenda
4. Public Input
5. Presentations
 - a. Staff Report
6. Unfinished Business
7. New Business
 - a. **A RESOLUTION APPROVING A CITY OF URBANA COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM AGREEMENT (Champaign County Regional Planning Commission Senior Repair Program)**
 - b. **A RESOLUTION APPROVING THE TRANSFER OF VOLUME CAP EASTERN ILLINOIS ECONOMIC DEVELOPMENT AUTHORITY (Private Bond Cap Allocation – IHDA, Series 2023)**
 - c. **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 – IHDA, Series 2023)**
8. Adjournment



DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

GRANTS MANAGEMENT DIVISION

TO: Community Development Commission Members
FROM: Sheila Dodd, Interim Community Development Services Director
Breaden Belcher, Community Development Coordinator
DATE: March 28, 2023
SUBJECT: Staff Briefing

Department of Housing and Urban Development (HUD) Activity

- Annual Action Plan Minor Amendment

Other Grants Management Division Activities

- Youth Services Grant Program update



DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

Grants Management Division

m e m o r a n d u m

TO: City of Urbana Community Development Commission

FROM: Breaden Belcher, Community Development Coordinator
Sheila Dodd, Interim Community Development Services Director

DATE: March 28, 2023

SUBJECT: CDBG SENIOR REPAIR PROGRAM AGREEMENT, BETWEEN THE CITY OF URBANA AND CHAMPAIGN COUNTY REGIONAL PLANNING COMMISSION

Description

The City of Urbana Senior Repair Program provides general maintenance repairs to seniors and persons with disabilities that enable them to maintain their property and live independently. Since 2021, the Champaign County Regional Planning Commission (RPC) has operated this program on behalf of the City. The enclosed agreement between the City of Urbana and Champaign County Regional Planning Commission will enable the City to continue operating the Senior Repair Program in this manner during the FY23/24 Annual Action Plan year.

Background and Discussion

The City of Urbana has offered a Senior Repair program for over 20 years. However, staffing constraints made the program difficult to manage. Under this agreement, the City will provide \$60,000 in Community Development Block Grant funding to RPC for the direct administration and management of this program on behalf of the City. RPC staff will meet with the Urbana homeowners, screen applications in order to verify program eligibility, complete an environmental review record, and manage the rehabilitation process. While at the home, RPC staff will be able to assess and refer the clients to any additional services they may need.

Executing this agreement will meet the Annual Action Plan goal of providing decent, safe, and sanitary housing to low income residents. The agreement will also allow the City to continue a valuable program while preserving the capacity of City staff to administer other housing rehabilitation programs.

Staff is recommending a 2-year program agreement covering FY 2023/24 and FY 2024/25. This agreement will be contingent upon the City's receipt of CDBG grant funding and RPC's successful completion of the grant in its first year. The program anticipates serving twelve people per year.

Options

1. Forward the agreement to City of Urbana Committee of the Whole, with a recommendation for approval.
2. Forward the agreement, with changes, to the City of Urbana Committee of the Whole with a recommendation for approval.
3. Do not recommend approval of the agreement.

Fiscal Impacts

There will be no fiscal impact on the City General Fund, as the funding comes from HUD.

Recommendation

Staff recommends forwarding the agreement to the City of Urbana Committee of the Whole, with a recommendation for approval.

CITY OF URBANA
COMMUNITY DEVELOPMENT BLOCK GRANT

AGREEMENT

SUBRECIPIENT NAME: Champaign County Regional Planning Commission
PROJECT NO. Senior Home Repair Program
PROJECT ADDRESS 1776 E. Washington Ave., Urbana, IL 61801
CFDA No. 14.218

THIS SUBRECIPIENT AGREEMENT, made and entered into by and between the City of Urbana, an Illinois Municipal Corporation (hereinafter the "City"), and Champaign County Regional Planning Commission, an Illinois Not-For-Profit Organization (hereinafter the "Subgrantee").

WITNESSETH

WHEREAS, the City has been designated as an entitlement community by the U. S. Department of Housing and Urban Development (hereinafter "HUD") under provisions of the Housing and Community Development Act of 1974, as amended, and, as an entitlement community, the City will receive an entitlement of Community Development Block Grant (hereinafter "CDBG") funds for the period beginning July 1, 2023, and ending June 30, 2025, pursuant to the CDBG Program; and,

WHEREAS, the Urbana City Council has adopted an Annual Action Plan for the year beginning July 1, 2023, and ending June 30, 2024, which allocates a CDBG budget and authorizes the establishment of public service/public facilities & improvement activities to be sponsored by non-profit agencies in the area; and,

WHEREAS, Subgrantee desires to act as the non-profit agency to administer the funds with are to be provided for a Project identified as the City of Urbana Senior Home Repair Program (Subgrantee Project No. 23-CDBG-01), and

WHEREAS, the City has the right and authority under said CDBG Program to allocate a portion of its funds to the Subgrantee for purposes of administering such activities; and,

WHEREAS, the City, as a condition of its assistance to the Subgrantee, requires the Subgrantee to file with the City certain attachments which are hereby incorporated and made a part hereof.

NOW, THEREFORE, the parties hereby agree as follows:

1. The preamble set forth above is hereby incorporated and made part of the Subgrantee Agreement.
2. The purpose of this Subrecipient Agreement is to pledge FY 2023-2024 CDBG program funds to assist with a home repair program for seniors and those with disabilities as described in Attachment D.
3. The City agrees to grant to the Subgrantee the sum of Sixty Thousand and 00/100 Dollars (\$60,000.00) and the Subgrantee agrees to abide by the CDBG Program and to use said funds for the purpose of carrying out Subgrantee Project No. 23-CDBG-01 (hereinafter the "Project"). The Subgrantee acknowledges that the distribution of program funds is contingent upon the City's receipt

of CDBG grant funding from HUD and successful completion of the grant in the first year by the Subgrantee.

4. The Subgrantee understands and agrees that a request for disbursement of CDBG funds pursuant to this Subrecipient Agreement shall not be made until such funds are needed to pay eligible costs related to the Project.
5. Subgrantee understands and agrees that funding in the full amount of this Subrecipient Agreement is contingent upon the City receiving said CDBG funds, and should the entitlement funds be discontinued or reduced for any reason, Subgrantee understands and agrees that funding under this Subrecipient Agreement could cease or be reduced without advance notice.
6. The City and the Subgrantee agree that no modification to this Subrecipient Agreement shall be effective unless in writing and executed by both the City and the Subgrantee, and where such modification complies with the CDBG program requirements.
7. The Subgrantee agrees and authorizes the City and HUD to conduct on-site reviews, examine personnel records, and conduct any other procedures and practices to assure compliance with this Subrecipient Agreement and applicable HUD regulations. The Subgrantee shall execute and abide by the terms of Attachment A, Equal Employment Opportunity Certification, and with all City of Urbana Affirmative Action requirements.
8. The Subgrantee shall complete and adhere to Attachment B, Assurances, of this Subrecipient Agreement and shall submit said Attachment B to the City as a condition of the final execution of this Subrecipient Agreement.
9. The Subgrantee shall complete and adhere to Attachment C, Statement of Special Conditions, and submit said Attachment C to the City as a condition of the final execution of this Agreement.
10. The Subgrantee shall at all times observe and comply with all laws, ordinances, or regulations of the federal, state, county, and local governments which may in any manner affect the performance of the Subgrantee with respect to the Subrecipient Agreement.
11. The Subgrantee represents to the City that the Project shall begin on **July 1, 2023**, and shall terminate on **June 30, 2025**, unless otherwise extended in a written modification to this contract executed by the City and Subgrantee.
12. The Subgrantee shall not assign this Subrecipient Agreement nor any part thereof and the Subgrantee shall not transfer nor assign any funds or claims due hereunder without the prior written approval of the City. Any transfer or assignment of funds pursuant to the Subrecipient Agreement, either in whole or in part, or any interest therein, without the prior written consent of the City shall be of no force or effect.
13. The Subgrantee shall not assign, convey or otherwise transfer any of its rights, duties, or obligations under this Subrecipient Agreement to another person without the express written consent of the City and authorization of HUD. In the event Subgrantee seeks to assign, convey, or otherwise transfer any of its rights, duties, or obligations under this Subrecipient Agreement, the Subgrantee must demonstrate that an open, impartial, and competitive selection process will be used in making any such assignment, conveyance, or transfer of its rights, duties and/or obligations.

14. The allocation of these funds shall in no way obligate the City to any financial responsibility incurred by the project in excess of the stipulated allocation. The allocation of these funds shall in no way obligate the City to bear responsibilities for the maintenance of any project under the provision of the Housing and Community Development Act of 1974, as amended.
15. This Agreement neither obligates nor precludes the City from further accepting or distributing funds entitled to the City nor restricts nor limits the powers of the City to use such funds pursuant to the provisions of the Housing and Community Development Act of 1974, as amended.
16. This Agreement neither obligates nor precludes the Subgrantee from further accepting funds or assistance pursuant to the Housing and Community Development Act of 1974, as amended.
17. The Subgrantee agrees to protect, indemnify, hold, and save harmless, and defend the City against any and all claims, costs, causes, actions, and expenses, including but not limited to attorney's fees incurred by reason of a lawsuit or claim for compensation arising in favor of any person, including the employees or officers or independent contractors or subcontractors or agents of the Subgrantee, on account of personal injuries or death, or damages to property occurring, growing out of, incident to, or resulting under this project, whether such loss, damage, injury or liability is contributed to by the negligence of the City or its officers, employees or agents, or by the premises themselves or any equipment thereon whether latent or patent, or from other causes whatsoever, except that Subgrantee shall have no liability for damages or the costs incident thereto caused by the sole negligence of the City, or its officers, employees or agents.
18. It is mutually understood and agreed that the Subgrantee shall have full control of the ways and means of performing the services referred to herein, subject to guidelines established in Attachment D, and that the Subgrantee or its employees, representatives, subcontractors, or agents are in no sense employees of the City.
19. However, Subgrantee agrees that in the procurement of supplies, equipment, construction, and services, the following conflict of interest provisions shall apply.
 - A. No persons who exercise or have exercised any functions or responsibilities with respect to activities assisted under this Agreement, or who are in a position to participate in a decision-making process or gain inside information with regard to such activities, may obtain a financial interest or benefit from a CDBG-assisted activity, either for themselves or those with whom they have business or family ties, during their tenure or for one year thereafter.
 - B. This conflict of interest provision shall apply to any person who is an employee, agent, consultant, officer, or elected official or appointed official of the Subgrantee or the City.
 - C. Upon written request, exceptions to the conflict of interest provisions may be granted jointly by the City and HUD on a case-by-case basis but only after the Subgrantee has disclosed the full nature of the conflict, submitted proof that the disclosure has been made public, and provided a legal opinion that there would be no violation of state or local law if the exception were granted.
20. Upon execution of this Subrecipient Agreement, including the required submission of all required attachments, the City and the Subgrantee shall adhere to the following:

- A. The City and Subgrantee shall adhere to all special conditions described in Attachments A, B, and C of this Subrecipient Agreement;
 - B. To the greatest extent feasible, all expenditures made under this project shall be made to Champaign County firms and individuals;
 - C. Financial records and payments shall comply with all federal regulations;
 - D. The Subgrantee agrees to allow any and all audits of its records as may be required and to permit inspection of program records by representatives of the Urbana Grants Management Division and HUD.
 - E. The Subgrantee agrees to retain all records pertinent to expenditures incurred under this Agreement for a period of **five (5) years** after the termination of all activities funded under this Agreement.
 - F. The Subgrantee shall maintain client data demonstrating client eligibility for services provided. Such data shall include, but not be limited to, client name, address, income level or another basis for determining eligibility, and description of service provided. Subgrantee agrees that client information collected pursuant to this Subrecipient Agreement is confidential, and the use or disclosure of such information, when not directly connected with the administration of the Project, is prohibited unless prior written consent is obtained from such persons receiving service, and in the case of a minor, that of a responsible parent/guardian.
21. The City may suspend or terminate this Subrecipient Agreement, in whole or in part, if Subgrantee materially fails to comply with any term of the Subrecipient Agreement, or with any of the rules, regulations, or provisions referred to herein; and the City may declare the Subgrantee ineligible for any further participation in the CDBG program, in addition to other remedies as provided by law.

The Subgrantee agrees that if the City determines that the Subgrantee has not complied with or is not complying with the provisions of the Subrecipient Agreement and so notifies the Subgrantee by written notice of said violations and the Subgrantee fails to correct said violations within **thirty (30) days** from receipt of said notice, the City may terminate this Subrecipient Agreement by written notice. The City may take other action as may be permitted by this Subrecipient Agreement.

If it is the decision of the City to require the repayment to the City of any grant funds provided to the Subrecipient, the Subrecipient agrees to pay back to the City all such funds up to the amount of grant funding provided to them by the City (hereafter called "Recapture") **within 30 (30) days**.

No delay or omission by the City in exercising any right or remedy available to it under this Subrecipient Agreement shall impair any such right, remedy, or constitute a waiver or acquiescence in any Subrecipient default.

22. Subgrantee shall consist of any use of grant funds for a purpose other than as authorized herein, failure of the Subrecipient to provide the essential services in the minimum amounts and for the minimum time period in accordance with the requirements of Attachment D provisions, noncompliance with the Act or Attachment A provisions, failure to return the executed Subrecipient Agreement, failure to

maintain detailed financial records concerning the use of the Grant funds, or any other material breach of the Subrecipient Agreement.

23. In the event of a default by the Subrecipient, the City shall give written notice of such default which notice shall describe the nature of the default and the Section of this Subrecipient Agreement with the City believes was breached. The Subrecipient shall have **fourteen (14) calendar days** from the date it receives the previously mentioned notice to either cure the default or provide evidence in writing that no such default in fact occurred. In the event that the Subrecipient fails to cure the default or provide written evidence that no such default in fact occurred, the City shall have the right to take one or more of the following actions:
 - A. Direct the Subrecipient to submit progress scheduled for completing approved activities.
 - B. Issue a letter of warning advising the Subrecipient of the default, establishing a date by which corrective actions must be corrected and putting the Subrecipient on notice that more serious actions will be taken if the default is not corrected or is repeated.
 - C. Direct the Subrecipient to establish and maintain a management plan that aligns responsibilities for carrying out remedial actions;
 - D. Direct the Subrecipient to suspend, discontinue, or not incur costs for the affected activity;
 - E. Reduce or recapture the grant authorized herein;
 - F. Direct the Subrecipient to reimburse the City for costs inappropriately charged to the City;
 - G. Other appropriate action including, but not limited to, any remedial action legally available.
24. Subrecipient shall submit regular Progress Reports to the City in the form, content, and frequency as required by the City. Requirements for said Progress Reports are specified in Attachment D hereto and made a part hereof.
25. Notices and communications under this Agreement shall be sent first class, prepaid mail to the respective parties as follows:

TO THE CITY:

**Sheila E. Dodd, Manager
Grants Management Division
Dept. of Community Development Services
City of Urbana
400 South Vine Street
Urbana, Illinois 61801**

TO THE SUBGRANTEE:

**Lisa Benson
Champaign County Regional Planning Commission
1776 E. Washington Ave.
Urbana, IL 61801**

26. Any notice required to be given pursuant to this Subrecipient Agreement may be given in any one or more of the following ways and such notice shall be deemed effective as hereinafter stated:
- A. By certified or registered U.S. First Class Mail with return receipt requested in which case if such notice is placed in a properly addressed envelope bearing proper postage, such notice shall be deemed effective **four (4) days** after placement with the U.S. Postal Service.
 - B. By overnight courier services in which case if such notice is properly directed with courier service fees paid for by the sender, such notice shall be deemed effective the next business day after delivery.
 - C. By facsimile if the sender's facsimile machine provides a printed receipt that acknowledges that the recipient's facsimile machine received the transmission, such notice shall be deemed effective the next business day after delivery.
27. In the event of a dispute between the parties to this Subrecipient Agreement, the parties, before filing any court action, shall jointly select a mediator and shall make a good faith effort in such mediation to resolve their differences. The parties shall share equally in the cost of such mediation service. In the event mediation fails to resolve the dispute between the parties, either party may file and maintain an action in the Circuit for the Sixth Judicial CIRCUIT, Champaign, Illinois. The law of the State of Illinois shall govern any and all actions to enforce, construe, and/or interpret this Subrecipient Agreement.
28. This Agreement shall be effective as of the date executed by the City.

CITY

BY: _____

DATE: _____

ATTEST: _____

DATE: _____

SUBGRANTEE

BY: _____

DATE: _____

ATTEST: _____

DATE: _____

ATTACHMENT A
EQUAL EMPLOYMENT OPPORTUNITY CERTIFICATION

The undersigned understands and agrees that it is a Subgrantee of the Urbana CDBG Program and agrees that there shall be no discrimination against any employee who is employed in carrying out work receiving assistance from the City and HUD, or against any applicant for such employment, because of race, color, creed, class, national origin, religion, sex, age, marital status, physical and mental disability, personal appearance, sexual orientation, family responsibilities, matriculation, political affiliation, prior arrest or conviction record or source of income, or any other discrimination based upon categorizing or classifying a person rather than evaluating a person's unique qualifications relevant to opportunities in employment, upgrading, demotion or transfer; recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship.

The Subgrantee further agrees to the following:

- (1) It will be bound by said equal opportunity clause with respect to its own employment practices during the duration of its participation with the City and HUD;
- (2) It will furnish the City and HUD with such information as they may require for the supervision of such compliance and will otherwise assist the City and HUD in the discharge of primary responsibility for securing compliance;
- (3) It will carry out such sanctions and penalties for violation of the equal opportunity clause as may be imposed upon contractors, and subcontractors by the Secretary of Labor, the City, or HUD;
- (4) It shall abide by the Urbana Human Rights Ordinance regarding equal employment.
- (5) In the event that it fails or refuses to comply with the undertaking, the City or HUD may cancel, terminate or suspend in whole or in part any contractual agreements the City or HUD may have with the Subgrantee; may refrain from extending any further assistance to the Subgrantee under any program until satisfactory assurance of future compliance has been received from such Subgrantee; or may refer the case to HUD for appropriate legal proceedings.

Name (Please Print): _____

Title (Please Print): _____

Signature: _____

Date: _____

ATTACHMENT B
ASSURANCES

The Subgrantee hereby assures and certifies with respect to the grant that:

1. It possesses the legal authority to receive CDBG Program funds from the City and to execute the proposed program.
2. Its governing body has duly adopted or passed as an official act a resolution, motion, or similar action authorizing execution of this Agreement, including all understandings and assurances contained herein, and directing and designating the authorized representative of the Subgrantee to act in connection with the Agreement and to provide such additional information as may be required.
3. The City of Urbana's CDBG Program has been developed to give maximum feasible priority to activities that will benefit very low-income families. As a subrecipient of CDBG Program funds, Subgrantee agrees to give maximum feasible priority to very low-income families when administering the Subgrantee program described herein.
4. The Subgrantee acknowledges and affirms that it is the organizational capacity to adhere to collection and reporting requirements, regarding performance measures, as required by Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards; Final Rule Subpart D, Sections 200.300-200.303. HUD will decide upon such performance measures for the category of eligible activities that the Subgrantee's program engages in. These categories have been described within HUD's "Community Development Block Grant Program: Guide to National Objectives and Eligible Activities for Entitlement Communities," and the Guide, as amended, shall be incorporated hereto by reference. The Subgrantee is permitted to demonstrate the organization's capacity by various methods, including by not limited to:
 - A. Use of OMB-approved standard information collections when providing financial and performance information;
 - B. Providing financial data showing performance accomplishments of the Grant award;
 - C. Cost information shall be distributed to the City to demonstrate cost-effective practices;
 - D. Subgrantee shall provide the City with the same information required by the Federal awarding agency under Sections 200.301 and 200.210; and
 - E. All expenditures shall be accounted for, in compliance with requirements under Section 200.302, as interpreted by the City.
 - F. Audits shall be conducted annually.
5. The Subgrantee agrees to follow either procurement guidelines set forth in Section 200.320 of the Omni Circular, or the procurement guideline/standards, which the Subgrantee uses during its normal course of business; whichever of the two guidelines is more restrictive. If the procurement methods that the Subgrantee uses during its normal course of business are more restrictive, those guidelines shall be used, and a copy of those guidelines will be attached to this agreement as Attachment E and will be incorporated into this Agreement by reference. If the procurement guidelines set forth in

Section 200.320 of the Omni Circular are more restrictive, then the program procurement methods shall be limited to procurement by (a) small purchase procedures; (b) sealed bids; (c) competitive proposals; or (d) noncompetitive proposals, as directed by and outlined in Section 200.320.

6. It will comply with

- A. Title VI of the Civil Rights Act of 1964 (P.L. 88-352) and the regulations issued pursuant thereto (24 CFR Part I), which provide that no person in the United States shall on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the Subgrantee received Federal financial assistance and will immediately take any measure necessary to effectuate this assurance.
- B. Section 109 of the Housing and Community Development Act of 1974, and the regulations issued pursuant thereto (24 CFR 570.601), which provide that no person in the United States shall, on the ground of race, color, national origin, or sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under, any program or activity funded in whole or in part with Title I funds.
- C. Executive Order 11246, and all regulations issued pursuant thereto (24 CFR Part 130), which provide that no person shall be discriminated against on the basis of race, color, religion, sex, or national origin in all phases of employment during the performance of federal or federally-assisted contracts.

Such contractors and subcontractors shall take affirmative action to insure fair treatment in employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination, rates of pay or other forms of compensation and selection for training and apprenticeship.

- D. Section 3 of the Housing and Urban Development Act of 1968, as amended, requires that to the greatest extent, feasible opportunities for training and employment be given lower-income residents of Champaign County and contracts for work in connection with the Project be awarded to eligible business concerns which are located in, or owned in substantial part by, persons residing in Champaign County.
- E. Labor Standards. The requirements of the Secretary of Labor in accordance with the Davis-Bacon Act as amended, Sections 103 & 107 of Contract Work Hours and Safety Standards Act (40 U.S.C. 327 *et seq.*), and all other applicable Federal, state, and local laws and regulations pertaining to labor standards insofar as those acts apply to the performance of this Agreement. The Subgrantee agrees to comply with the Copeland Anti-Kick Back Act (18 U.S.C. 874 *et seq.*) and its implementing regulations of the U.S. Department of Labor at 29 CFR Part 5. The Subgrantee shall maintain documentation that demonstrates compliance with the hour and wage requirements of this part. Such documentation shall be made available to the Grantee for review upon request.
- F. Guidelines for Energy Management / Energy Star. Guidelines have been established regarding energy management using Energy Star and are recommended by both the Dept. Housing & Urban Development and the Illinois Department of Commerce and Economic Opportunity and subgrantees are encouraged to follow these guidelines.

- G. Copyrights. If this contract results in any copyrightable material or inventions, the Grantee and/or grantor agency reserves the right to royalty-free, non-exclusive and irrevocable license to reproduce, publish or otherwise use and to authorize others to use, the work or materials for governmental purposes.
 - H. Patent Rights. Agencies shall use the standard patent rights clause specified in “Rights to Inventions made by Non-Profit Organizations and Small Business Firms” (37 CFR Part 401) when providing support for research and development.
 - I. Clean Air/Clean Water. The Subrecipient agrees to comply with the following requirements insofar as they apply to the performance of this Agreement:
 - A. Clean Air Act, 42 U.S.C., 7401, *et seq.*;
 - B. Federal Water Pollution Control Act, as amended, 33 U.S.C., 1251, *et seq.*, as amended, 1318 relating to inspection, monitoring, entry, reports, and information, as well as other requirements specified in said Section 114 and Section 308, and all regulations and guidelines issued thereunder;
 - C. Environmental Protection Agency (EPA) regulations pursuant to 40 CFR Part 50, as amended.
 - J. Disbarment & Suspension. The Subrecipient certifies that it is not Disbarred or Suspended or otherwise excluded from or ineligible for participation in Federal assistance programs under Executive Order 12549. The Subgrantee shall establish procedures to ensure that any award made to contractors or subcontractors at any tier, is not in violation of the non-procurement debarment and suspension common. The Subgrantee shall verify and document that none of its contractors or subcontractors are debarred, suspended, or otherwise excluded from participation through the effective use of the List of Parties Excluded from Federal Procurement or Non-procurement programs (“List”.) The Subgrantee may request assistance from the City of Urbana to access the List and document results to the file, or verify by using the following website (www.epls.gov) or any other approved method.
7. It will establish safeguards to prohibit employees from using positions for a purpose that is or gives the appearance of being motivated by a desire for private gain for themselves or others, particularly those with whom they have family, business, or other ties.
8. It will comply with the provisions of the Hatch Act, which limit the political activity of employees. No federally appropriated funds have been paid or will be paid, by or on behalf of Subgrantee, to any person for influencing or attempting to influence an officer or employee of any agency including the City, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement.

If any funds other than federally appropriated funds have been paid, or will be paid to any person for influencing or attempting to influence an officer or employee of any agency including the City, a

Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this federal contract, grant, loan, or cooperative agreement, Subgrantee will complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

9. It will give HUD and the Comptroller General through any authorized representative access to and the right to examine all records, books, papers, or documents related to the grant.

These assurances are signed with regard to Subgrantee **Project No. 23-CDBG-01** of the Urbana CDBG Program.

Subgrantee Chief Executive Officer

Attest

Date

ATTACHMENT C
STATEMENT OF SPECIAL CONDITIONS

Subgrantee understands and agrees that it is the subrecipient of Urbana’s CDBG Program and is eligible to receive funds for Subgrantee **Project No. 23-CDBG-01** pursuant to this Agreement.

The following conditions, in addition to those established in the Agreement itself and other attachments thereto, and federal, state, county, and city laws, regulations, and procedures pertinent to this project, have been set forth and must be complied with in order for Subgrantee to receive CDBG Program Assistance for Subgrantee **Project No. 23-CDBG-01**.

1. This Agreement is contingent upon Subgrantee operating the Scope of Service herein outlined during the period **July 1, 2023 - June 30, 2025**.

SCOPE OF SERVICE

As stated in the Program guidelines, which are incorporated herein as part of this Subrecipient Agreement and attached as Attachment D: Senior Home Repair Program.

2. Subgrantee shall be responsible for administering the program herein described, utilizing funds from the CDBG Program in a manner satisfactory to the City and consistent with any standards required as a condition of providing these funds. Such a program shall include the following activities eligible under the CDBG Program.

A. General Administration

The Subgrantee shall provide all necessary staffing, materials, meeting sites, and anything else necessary to facilitate the services/Project described above. Subgrantee shall maintain records related to the number of persons served under this grant along with documentation of income eligibility, as well as appropriate financial documentation of the expenses of the program and how funds received under this Agreement are disbursed.

3. Subgrantee certifies that activities carried out with funds provided under this Agreement shall meet one of the CDBG Program's National Objectives which is to benefit low-income persons as defined in 24 CFR Part 570.208. Therefore, Subgrantee understands and agrees that activities funded under this Agreement shall benefit families/individuals within the following income guidelines. Income limits are subject to periodic revision by HUD:

Median Family Income Limits 2022
Median=\$91,300

Family Size	30% MFI	50% MFI	^60% MFI	80% MFI	MFI
1 person	19,200	32,000	38,400	51,150	64,000
2 persons	21,950	36,550	43,860	58,450	73,100
3 persons	24,700	41,100	49,320	65,750	82,200
4 persons	27,750	45,650	54,780	73,050	91,300
5 persons	32,470	49,350	59,220	78,900	98,700
6 persons	37,190	53,000	63,600	84,750	106,000
7 persons	41,910	56,650	67,980	90,600	113,300
8 persons	46,630	60,300	72,360	96,450	120,600

Effective 5/1/2022

4. In addition to the normal administrative services required as part of this Agreement, the Subgrantee agrees to provide the following levels of program service:
 - A. Total Number of Persons to Be Served: **Expect to serve 12 persons per year.**
 - B. Subgrantee shall be responsible for documenting the number of persons served by submitting Certifications of income in a form provided by the City at the time requests for reimbursement of funds are submitted.

5. It is expressly agreed and understood that the total amount to be paid by the City under this Agreement shall not exceed **\$60,000.00**. Drawdowns for the payment of eligible expenses shall be made against the line item budget specified below. The City shall make payments to the Subgrantee as reimbursement of expenses related to the administration and expenses of the program activities as stated in Article 2. The City shall make payment to Subgrantee within **21 calendar days** of receipt of an acceptable billing from the Subgrantee. Acceptable billing shall include such documentation as outlined herein:

LINE ITEMS AND DOCUMENTATION NEEDED:

- A. The initial request for reimbursement submitted by the Subgrantee to the City shall include the following supporting documentation: canceled checks, and paid receipts or copies of invoices.
 - B. With each subsequent request for reimbursement, **upon immediate completion of each individual project**, Subgrantee shall submit copies of Certification of Income (or comparable) forms signed by the participants (or other such documentation as agreed upon between the City and the Subgrantee) Ethnic Information for each person served shall also be submitted.
6. Subgrantee agrees that funds received from the City pursuant to this Agreement shall be used to cover program costs. Subrecipient shall report semi-annually for periods ending December 31st and June 30th all program income generated by activities carried out with CDBG funds made available under this Agreement. The Subgrantee may use such income during the contract period for activities permitted under this Agreement and shall reduce requests for funds by the amount of any such program income balances. All program income (including investments thereof) on hand when this Agreement expires, or received after the Agreement's expiration, shall be returned to the City.
7. Subgrantee agrees to submit Quarterly Progress Reports to the City in an agreed-upon format. Progress Reports shall be due **October 31st, January 31st, April 30th, and no later than July 31st**. Final billing reports shall not be processed for payment until a final Progress Report is submitted.
8. Subgrantee agrees to maintain financial records in accordance with and as required by the Uniform Administration Requirements, Cost Principles and Audit Requirements for Federal Rewards; Final Rule Subpart D, Sections 200.300-200.303, and to separately and accurately identify the use of CDBG Program funds pursuant to this Agreement.
9. Records maintained by Subgrantee pursuant to this Agreement shall be available for inspection upon request by the City and HUD.

Agreement # 23-CDBG-01

Name of Subgrantee: _____

Address: _____

Signed by: _____

Title: _____

Date: _____

Attachment D

City of Urbana
Senior Home Repair Program

The City of Urbana Senior Home Repair program will pay for both the costs due to the contractor who performs the construction work and an administrative fee to **Champaign County Regional Planning Commission** to manage the program, hereinafter referred to as the “Agency”, for completely rehab Projects. The Agency’s responsibilities will include screening program applicants for eligibility and monitoring the construction contractors for quality of work.

The goal of the program shall be to provide minor home repair assistance to senior and person(s) with disabilities who own and occupy homes within the City of Urbana corporate limits. Seniors are defined as, persons over the age of 62. A person with a disability is defined as a person who has a physical or mental impairment that substantially limits one or more major life activities has a record of such impairment; or is regarded as having such an impairment as defined in 24 CFR 5.403. The program shall provide minor home repairs to prevent serious structural problems, remediate obstacles to independent living, and ensure the health and safety of the homes’ occupants. Repair professionals will complete the minor repairs.

The Agency shall accept, review, maintain, and approve or disapprove all applications and required supporting documentation from persons who wish to participate in the program. The Agency is to use the HUD Part 5 Income definition when verifying applicants’ documents for a period of **five years** from the date of Project completion. The Agency shall insure that an Environmental Assessment has been completed, for each approved file, prior to the work being started, which includes:

1. Certification of Categorical Exclusion (Subject to 58.5), Activities listed at 24 CFR 58.35(a) (4)
2. Completion of Statuary Worksheet, including documentation/maps to support all compliance factors such as photos, flood maps, location maps, pictures, Illinois Historic Preservation Office clearance, and all other maps indicating whether the Project is compliant.
3. Determination Project converts to exempt, per 58.34(a) (12).
4. Completion of Certification of Exemption not subject to 24 CFR 28.34(a) if exempt.

If necessary, the Agency shall monitor the progress of construction to ensure that safe practices, including lead-based paint practices, are being followed during the rehab project. The Agency shall also insure that any necessary permits have been obtained, inspected, and finalized by the Building Safety Division.

Once work is completed, the Agency shall verify that all work was completed in accordance with the specifications outlined at the time of work proposal. Agency staff and the homeowner will need to sign a **satisfaction statement** for the work completed. The invoice for the repairs and a completed signed satisfaction statement shall be included as part of the invoice when the Agency requests reimbursement from the City. Reimbursement request invoices, for **both program costs and administrative fees, shall be submitted to the city within 30 days of the project completion date.**

The agency shall screen each program applicant to ensure that the applicant is either a senior or disabled as previously defined and that the applicant does not have household incomes in excess of the median family income – based on family size- as determined by HUD.

The following table provides the current figures for 80% of the area’s median income:

Median Family Income Limits 2022
Median=\$91,300

Family Size	30% MFI	50% MFI	^60% MFI	80% MFI	MFI
1 person	19,200	32,000	38,400	51,150	64,000
2 persons	21,950	36,550	43,860	58,450	73,100
3 persons	24,700	41,100	49,320	65,750	82,200
4 persons	27,750	45,650	54,780	73,050	91,300
5 persons	32,470	49,350	59,220	78,900	98,700
6 persons	37,190	53,000	63,600	84,750	106,000
7 persons	41,910	56,650	67,980	90,600	113,300
8 persons	46,630	60,300	72,360	96,450	120,600

Effective 5/1/2022

Income is defined as:

- A. Gross earnings of the applicant and his/her spouse. Gross earnings shall include all income, which constitutes a regular contribution to household income, including but not limited to:
- Wages, tips, commissions
 - Income from real estate or business operation
 - Pensions
 - Annuities
 - Social Security
 - Supplemental security income
 - Unemployment, disability compensation
 - Welfare assistance
 - Interest income
 - Child support and alimony payments (if court-ordered or otherwise stable and verifiable)
 - Armed forces pay to head of household or spouse
- B. Gross earnings (as described above) are regularly received by any other member of the household, 18 years old or older if the income is stable and verifiable.

The applicants cannot have liquid assets over \$10,000. For purposes of determining eligibility, liquid assets shall include the following as defined in 24 CFR Part 5:

1. Cash held in savings and checking accounts, safe deposit boxes, homes, etc. For savings accounts, use the most current balance. For checking accounts, use the average six-month balance.
2. Cash value of stocks, bonds, T-bills, CDs, mutual funds, money market funds, and other investment accounts.
3. Equity in a rental property or other capital investment. Equity is considered to be the difference between the balance of all liens secured by the property and the current market value of the property. In Champaign County, estimated market value is generally derived by multiplying the current equalized assessed value (EAV) by three. Market value based on EAV will be used to determine equity unless the owner can provide a recent appraisal, which indicates a different value.

4. Cash value of revocable trusts that are available to the household.
5. Assets, which, although owned by more than one person, have slow, unrestricted access by the applicants.
6. Lump sum or one-time receipts such as inheritances, capital gains, lottery winnings, victim's restitution, insurance settlements and other amounts not intended as periodic payments.
7. Personal property held as an investment, such as gems, jewelry, coins, and collector autos.
8. Mortgages or deeds of trust held by an applicant.

Priority will be given to repairs that:

1. Allow the owner-occupant to continue to live independently
2. Prevent deterioration of the home,
3. Conserve natural resources and reduce utility charges, and
4. Conserve the financial resources of the homeowner.

Rehabilitation work shall not exceed **One Thousand Seven Hundred and Fifty Dollars and 00/100 (\$1,750.00)** per project.

Administrative fees shall not exceed **Seven Hundred Fifty Dollars and 00/100 (\$750.00)** per project.



DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

Grants Management Division

m e m o r a n d u m

TO: Community Development Commission

FROM: Sheila Dodd, Interim Community Development Services Director

DATE: March 23, 2023

SUBJECT: A RESOLUTION APPROVING THE TRANSFER OF VOLUME CAP EASTERN ILLINOIS ECONOMIC DEVELOPMENT AUTHORITY (Private Bond Cap Allocation – IHDA, Series 2023)

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 – IHDA, Series 2023)

Introduction

The Urbana Community Development Commission is asked to make a recommendation to Council on allocation of the City's Private Activity Bond Cap before May 1, 2023. In the event the City does not allocate its 2023 Private Activity Bond Cap for specific projects or purposes as of May 1, 2023, the unallocated bond cap will be reserved to the Governor's Office on June 1, 2023 (the "Home Rule Pool").

Two requests were received for the City allocation of bond cap: 1) for affordable housing initiatives through the Illinois Housing Development Authority (IHDA), and 2) the Eastern Illinois Economic Development Authority (EIEDA) for developing, constructing, acquiring, or improving affordable housing. There is also the option to provide bond cap to some combination of the two. Any unused bond cap not ceded for any combination of these programs will automatically be ceded back to the State of Illinois for use by another municipality.

Background

A Private Activity Bond is a tax-exempt bond issued by a local or state government for financing a project owned and operated by a private user. Private Activity Bonds are issued to finance various types of facilities, including multi-family housing projects and single-family dwellings. Private Activity Bonds issued by the City are special obligations and do not constitute a debt or indebtedness of the City and do not give rise to a charge against the general credit or taxing power of the City.

In accordance with the IRS Code, each municipality in Illinois is allowed to issue Private Activity Bonds at \$120 per capita population (38,681) for 2023. The State of Illinois outlines the per capita amount and the population size for this calculation in the attached guidelines. The State of Illinois will recapture any bond allocation unused by the City as of May 1 of that year. The City of Urbana has a total of \$4,641,720 in 2023 Private Activity Bond Cap available that may be utilized for:

- 1) Multi-family affordable housing projects
- 2) Nonprofit development projects (e.g., hospitals, YMCAs, etc)
- 3) Industrial development projects (e.g., manufacturing)
- 4) Below-market-rate financing for affordable housing
- 5) Mortgage credit certificates in support of homeownership
- 6) Below-market-rate financing for limited types of industrial developments

In 2022, City Council allocated Private Activity Bonds to the Illinois Assist MCC Program and IHDA Affordable Housing Program.

Requests Received

Illinois Housing Development Authority (IHDA) Bond Cap Request

IHDA is allowed to issue taxable and tax-exempt bonds for the purpose of developing, constructing, acquiring, or improving affordable housing within the State of Illinois. IHDA has invested in several projects in the City of Urbana including Crystal View, Highland Green, and Pinewood. There are three Urbana projects being reviewed by IHDA for tax credits in 2023.

Eastern Illinois Economic Development Authority Bond Cap Request

EIEDA may issue taxable and tax-exempt bonds for the purpose of developing, constructing, acquiring, or improving affordable housing within the State of Illinois. EIEDA has invested in housing authority projects in Champaign, including the Haven at Market Place. By ceding part of the City's bond cap to EIEDA, the City may be able to access these funds for affordable housing projects.

Options

1. Forward the Resolutions to cede Private Activity Bond Cap to EIEDA and IHDA to City Council with a recommendation for approval as part of the consent agenda.
2. Forward the Resolutions to City Council with a recommendation for approval with suggested changes to cede Private Activity Bond Cap to EIEDA and IHDA as part of the consent agenda.
3. Do not forward the Resolutions to City Council and cede Private Activity funds to the State of Illinois.

Fiscal & Programmatic Impacts

There will be no fiscal impact to the City budget in ceding volume bond cap to EIEDA or IHDA, as there would be no financial risk associated with issuing the bonds for the City, and any potential associated risk would be assumed by the issuer. The City may also see benefits from eligible local projects in the future if they are supported with the bond financing provided through IHDA.

Recommendation

Staff recommends the Community Development Commission forward the resolutions to City Council with a recommendation of approval for an allocation of the City of Urbana 2023 Private Activity Bond Cap in the following manner: Half (50%) of its allocation in the amount of \$2,320,860 from the City of Urbana to be utilized by EIEDA and the other half (50%), \$2,320,860, to IHDA to

be utilized for possible neighborhood initiatives in the community, such as multi-family affordable housing developments.

Attachments:

1. State of Illinois Guidelines and Procedures for the Allocation of Private Activity Bond Authority 2023
2. Resolution EIEDA
3. Resolution IHDA

RESOLUTION NO. _____

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 – IHDA, Series 2023)

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 City has volume cap equal to \$120 per resident of the City in calendar year 2022, 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 Urbana 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 2023 to the Illinois Housing Development Authority (“Issuer”), to be applied toward the issuance of single-family or multi-family mortgage revenue bonds (“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 \$2,320,850 of its volume cap for calendar year 2023 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 City and the Issuer shall maintain a written record 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 ____day of April, 2023.

AYES:

NAYS:

ABSTENTIONS:

Phyllis D. Clark, City Clerk

APPROVED BY THE MAYOR this ____day of April, 2023.

Diane Wolfe Marlin, Mayor

RESOLUTION NO. _____

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 – EIEDA, Series 2023)

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 City has volume cap equal to \$120 per resident of the City in calendar year 2022, 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 Urbana 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 2023 to Eastern Illinois Economic Development Authority (“Issuer”), to be applied toward the issuance of single-family or multi-family mortgage revenue bonds (“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 \$2,320,850 of its volume cap for calendar year 2023 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.

Section 2. The City and the Issuer shall maintain a written record 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 ____ day of April, 2023.

AYES:

NAYS:

ABSTENTIONS:

Phyllis D. Clark, City Clerk

APPROVED BY THE MAYOR this ____ day of April, 2023.

Diane Wolfe Marlin, Mayor

STATE OF ILLINOIS



GUIDELINES AND PROCEDURES

FOR THE

ALLOCATION OF PRIVATE ACTIVITY BONDING AUTHORITY

IN ACCORDANCE WITH THE TAX REFORM ACT OF 1986

AND 30 ILCS 345

OFFICE OF THE GOVERNOR

Effective January 1, 2023

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Questions regarding these guidelines and procedures may be directed to the Capital Markets Unit of the Governor's Office of Management and Budget at (312) 814-0023. **** Please note that the Hard Copy Submission address has changed to 555 W. Monroe Street, Suite 1500-S-GOMB, Chicago, IL 60661**

INTRODUCTION

The Federal Tax Reform Act of 1986 (the “Code”) as amended, imposes a limit on the aggregate amount of “tax exempt private activity” bonds (also known as “Volume Cap”) that can be issued by a state. While the Code provides an allocation scheme for specific issuing authorities, it also provides that a state may, by law, provide a different formula for allocating the State ceiling among the governmental units in the State having authority to issue such bonds. The State of Illinois (“the State”) has adopted procedures for the allocation of Volume Cap pursuant to the Illinois Private Activity Bond Allocation Act, 30ILCS 345 (the “Illinois Allocation Act”).

The Governor’s Office is the entity charged with authority to allocate Volume Cap among the political subdivisions within the State. In the event of conflict between the Code and Illinois Allocation Act and these “2023 Guidelines and Procedures” (the “Guidelines”), the Code and the Illinois Allocation Act shall control. Any matters not covered by the Code or the Illinois Allocation Act or the Guidelines shall be decided by the Governor’s Office, and the Governor’s Office reserves the right to amend the Guidelines at any time.

These Guidelines are provided by the Governor’s Office to assist issuers in understanding how the allocation formula will be administered. They do not represent a binding legal interpretation of either the Code or the Illinois Allocation Act. The Governor’s Office will not make a legal determination of the applicability of the Code to an issuer, nor will it determine an issuer’s compliance under the Code. Issuers should consult their own legal counsel to make these determinations.

The Guidelines require certain issuers to submit requests to the Governor’s Office for allocations of Volume cap. In addition, they require issuers within the State to report on reallocations and their use of Volume Cap.

PLEASE NOTE – ALL REQUESTS AND REPORTING SUBMISSIONS, AS DESCRIBED HEREIN, MUST BE SUBMITTED IN BOTH (i) HARD AND (ii) ELECTRONIC FORMATS (ADOBE ACROBAT “PDF”) TO THE FOLLOWING ADDRESSES:

HARD COPY SUBMISSIONS TO:

**Governor’s Office of Management and Budget
Capital Markets Unit– Volume Cap Submission
555 W. Monroe Street – Suite 1500-S-GOMB
Chicago, IL 60661
Attn: Sophia Ronis**

ELECTRONIC (PDF) SUBMISSIONS TO:

Omb.volumecaprequest2023@Illinois.gov

Please indicate the (i) name, (ii) status of your organization (Home Rule, Non-Home Rule or State Agency) and (iii) type of submission (either a “REPORT” or a “REQUEST”) in the “SUBJECT” line of your submission e-mail. Please include the following information for a primary and secondary contact person in the body of each electronic submission (email):

Name
Title
Department/Division
Phone Number
Email address

IMPORTANT NOTE – The time and date stamp of the email will be used for the purpose of determining the order in which the submissions are received unless otherwise noted herein.

**** Please note that the Hard Copy Submission address has changed to 555 W. Monroe Street, Suite 1500-S-GOMB, Chicago, IL 60661**

Calendar Year 2023 State Ceiling and Allocations

2023 State Ceiling – Background and Calculation

Section 146 of the Code limits the amount of qualified private activity bond debt that may be issued in a state during a calendar year (“the State Ceiling”). Section 146(d) of the Code was amended by H.R. 5662, the “Community Renewal Tax Relief Act of 2000 (the “CRTF Act”),” to specify that beginning in calendar year 2002 the limit shall be the greater of \$75 multiplied by a state’s population or \$225 million. The CRTF Act further specifies that beginning in calendar year 2003 the volume limit may be adjusted annually for inflation. Pursuant to Revenue Procedure 2008-66 published by the Internal Revenue Service, the volume limit on qualified private activity bonds adjusted for inflation for calendar year 2023 is (\$120 multiplied by the state’s population).

Section 146(j) of the Code further requires that the calculation of the State Ceiling be based on the most recent resident population estimate released by the U. S. Bureau of the Census before the beginning of the calendar year. On December 30, 2019, the Population Division of the U.S. Census Bureau issued “Table 1: Annual Estimates of the Population for the United States, Regions, States, and Puerto Rico: April 1, 2000, to July 1, 2022 (NST-EST2022-01)” which reports Illinois’s estimated population as 12,582,032.

Illinois 2023 State Ceiling is \$1,509,843,840.00 (\$120 x 12,582,032).

Allocations

Pursuant to the Statute, the table below denotes the initial allocation of the 2023 State Ceiling.

Home Rule Units	\$ 973,257,000.00
Non-Home Rule Units	268,293,420.00
State Agencies/Authorities	268,293,420.00
Total	\$1,509,843,840.00

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HOME RULE UNITS

Allocation

January 1 Benchmark

As described in “2023 State Ceiling – Background and Calculation” above, each Home Rule community is allocated an amount equal to (\$120 multiplied by its population and Cook County, as a Home Rule County, is allocated an amount equal to \$120.00 multiplied by the population of its unincorporated area). Based on the most recent US Census estimates the total amount for all Home-Rule units has been determined to be \$973,257,000.00. Appendix C attached identifies the list of Home Rule units and the population count used by the Governor’s Office for the volume cap allocation. Special census estimates or other estimates for individual municipalities are not recognized by the Governor’s Office.

During the period from January 1, 2023, through May 1, 2023, Home Rule units may not apply to the State for an allocation under the Illinois Allocation Act. Rather, Home Rule units must determine and monitor their own private activity bond limits as provided in the Illinois Allocation Act. Please see reporting requirements detailed below in “Home Rule Reporting”.

June 1 Benchmark

Of the total amount available to each Home Rule unit of government with less than 2,000,000 inhabitants, the amount that has not been granted, transferred, or reserved by Home Rule units for specific projects or purposes as of May 1, 2023, shall be reserved to the Governor’s Office on June 1, 2023 (the “home Rule Pool”). From the period of June 1 through July 15, 2023, one-half of the home rule Pool will be available to all Home Rule units with less than 2,000,000 inhabitants (the remaining half is available for allocation to the State or State Agencies as herein after described).

The Governor’s Office will accept Home Rule units’ requests for volume cap from the Home Rule Pool beginning on the first State business day on or after June 1, 2023. Requests will be accepted, via the methods described on page 3, only on or after 8:30 a.m., June 1, 2023. No requests can or will be accepted prior to this date and time. **On the first date that applications may be received all applications received between 8:30am and 5pm on such date shall be deemed equally first in line and the Governor’s Office shall grant cap as it may determine. If more than one request is received in a day, other than the first day that applications may be submitted, completed requests will be logged in by the time the electronic submission is received, and processed on a first come, first-granted basis.**

If a determination is made that there is a sufficient amount of allocation remaining in the Home Rule Pool upon a request made, an allocation approval letter will be sent to the applicant. The approval letter will be mailed by first class U.S. Mail to the signatory of the application letter Express mail will be used upon request and at the issuer’s expense. The allocation is valid for a period of 60 calendar days from the date of the letter or December 28 of the year of the allocation. This period is set by Illinois Allocation Act and cannot be extended.

July 15 Benchmark

On and after July 15, 2023, the amount of the unused allocation from the Home Rule Pool shall be available to both Home Rule units of government (with less than 2,000,000 inhabitants) and to State agencies. Requests submitted prior to July 15 that are not completely fulfilled must be re-filed after July 15 if cap still is requested.

The Governor's Office will accept Home Rule units' requests for volume cap from the Home Rule pool beginning on the first State business day on or after July 15, 2023. Requests will be accepted, via the methods described on page 3, only on or after 8:30 a.m., July 15, 2023. No requests can or will be accepted prior to this date and time. **On the first date that applications may be received all applications received between 8:30am and 5pm on such date shall be deemed equally first in line and the Governor's Office shall grant cap as it may determine. If more than one request is received in a day, other than the first day that applications may be submitted, completed requests will be logged in by the time the electronic submission is received, and processed on a first come, first-granted basis.**

Please Note –

- A completed "Allocation Request Letter" (Appendix A) and a copy of an "Official action", as defined in the Statute, must accompany all request submissions (June 1 or July 15). A submission will not be deemed complete unless a copy of Official action is included in the transmittal.
- No Home Rule unit may be granted more than 10% of the amount of total allocation initially available for Home Rule units for a single project. Home Rule units may submit separate requests for multiple projects. Requests must be for specific projects, not general use. Requests will be processed only for allocation to be used directly by the requesting Home Rule unit. Joint requests from more than one unit or requests from one unit for allocation that will also be used by other units of government will not be considered. Once an allocation is given to a specific unit, the Governor's Office will not object if units pool their allocations and join together in a bond issue as advised by legal counsel.
- The allocation approval letter to Home Rule units of government is valid for a period of 60 calendar days from the date of the letter or through December 31, 2023, whichever date comes first. If an issuer's allocation has expired, it may apply for a new allocation if allocation is still available. Such application will be processed by the Governor's Office in the same manner as any other new application.
- The State, a State agency or Home Rule unit may reallocate all or a portion of its ORIGINAL allocation to a Home Rule Unit, the State, a State agency or a Non Home Rule Unit of local government. Home Rule units may reallocate by official action of their governing body only as to volume cap reserved prior to May 1, 2023. Home Rule units MAY NOT reallocate any allocation granted by the Governor's Office after June 1. Please see "REALLOCATION PROVISIONS" for further details.

Home Rule Reporting

Confirmation of Issuance

Pursuant to Section 7 of the Illinois Allocation Act, any Home Rule unit utilizing Volume Cap (regardless of its source) is required to report, within 10 calendar days of issuance, the following:

- (a) Name of the Issuer.
- (b) Principal amount of the issue.
- (c) Purpose for which the private activity bonds were issued.
- (d) The amount, if any, used to refund any prior issue of private activity bond; and
- (e) IRS 8038

A form of the “Confirmation of Bond Issuance” letter is provided in Appendix A.

If the amount of bonds issued as stated in the confirmation letter is less than the amount approved for allocation for that project, the amount of unused allocation shall be added to the remaining pool allocation available. This “lapsed” volume cap will be offered first to all issuers who have requested volume cap whose requests were not completely fulfilled, in the order that such requests were initially filed. If more than one request was initially filed at the same time, the order of filing will be randomly assigned for purposes of offering lapsed cap. Volume cap is not considered lapsed unless the issuer or issuer’s representative states in writing that all or a portion of the cap will not be used.

Mid-Year Reporting

No later than May 10, 2023, each Home Rule unit with less than 2,000,000 inhabitants must report to the Governor’s Office in writing on volume cap (i) granted, (ii) transferred, or (iii) reserved by official action of the unit’s governing body prior to May 1, 2023. The form described in Appendix A is provided for this purpose – “Report of Allocation Granted by Home Rule”.

Once Volume Cap is properly reserved by a Home Rule unit prior to May 1, 2023, the Governor’s Office will not object to the subsequent transfer or reallocation of such cap or filing of a carry-forward of such volume cap, and no notice to the Governor’s Office of any such subsequent action is required. {Please note, however, that Home Rule units must provide notice to the Governor’s office, as provided in Section 6 of the Illinois Allocation Act, within fourteen days of said reallocation. }

Please Note - Copies of “Official Action”, as defined in the Illinois Allocation Act, must accompany this reporting submission. Submission will not be deemed complete unless a copy of Official Action is included with the submissions.

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NON-HOME RULE UNITS

Allocation Requests

January 1 Benchmark

The 2023 allocation of Volume Cap available on or after January 1, 2023, to be issued by Non-Home Rule units of local government is expected to be \$ 268,293,420.00. Non-Home Rule units are defined as municipalities or counties, other than Home-Rule units. All other forms of government, such as local water districts or airport authorities, must apply for Volume Cap as a State Agency.

The Governor's Office will accept Non-Home Rule units' requests for Volume Cap from the Local Government Pool beginning on the first State business day on or after January 1, 2023 (January 3, 2023). Requests will be accepted, via the methods described on page 3, only on or after 8:30 a.m., January 3, 2023. No requests can or will be accepted prior to this date and time. **On the first date that applications may be received all applications received between 8:30am and 5pm on such date shall be deemed equally first in line and the Governor's Office shall grant cap as it may determine. If more than one request is received in a day, other than the first day that applications may be submitted, completed requests will be logged in by the time the electronic submission received, and processed on a first come, first-granted basis.**

If a determination is made that there is a sufficient amount of allocation remaining in the total available allocation, an allocation approval letter will be sent to the applicant. The approval letter will be mailed by first class U.S. Mail to the signatory of the application letter. Express mail may be used upon request and at the issuer's expense.

July 15 Benchmark

Of the total amount allocated to Non-Home Rule units, the amount of remaining allocation as of July 14, 2023 (the "Non-Home Rule Pool") shall be reserved to the Governor's Office on July 15, 2023, to be allocated to the State, State agencies or Non-Home Rule units as described in the Illinois Allocation Act. Requests submitted prior to July 15 that are not completely fulfilled must be re-filed on or after July 15 if volume cap is still requested.

The Governor's Office will accept Non-Home Rule units' requests for Volume Cap from the Non-Home Rule Pool beginning on the first State business day on or after July 15, 2023. Requests will be accepted, via the methods described on page 3, only on or after 8:30 a.m., July 15, 2023. No requests can or will be accepted prior to this date and time. **On the first date that applications may be received all applications received between 8:30am and 5pm on such date shall be deemed equally first in line and the Governor's Office shall grant cap as it may determine. If more than one request is received in a day, other than the first day that applications may be submitted, completed requests will be logged in by the time the electronic submission is received, and processed on a first come, first-granted basis.**

Please Note –

- A completed "Allocation Request Letter" (Appendix A) and a copy of an "Official Action", as defined in the Illinois Allocation Act, must accompany all request submissions (January 1 or July 15). A submission will not be deemed complete unless a copy of Official Action is included in the transmittal.
- No Non-Home Rule unit may be granted more than 10% of the amount of total allocation initially available to units of local government for a single project. Non-Home Rule units may submit separate requests for multiple projects. Requests must be for specific projects, not general use. Non-Home Rule units do not have power under statute to transfer or reallocate cap to other Non-Home Rule or Home-Rule units. Requests may be made only for cap that will be used within the Non-Home Rule unit's jurisdiction, as evidenced by such documentation or evidence as the Governor's Office shall request. Letters of intent from lenders shall be deemed

prima facie evidence. Units planning to pool their allocations must certify their intent to comply with this section in their request letter.

- **The allocation approval letter is valid for a period of 60 calendar days from the date of the letter. This period is set by the Illinois Allocation Act and cannot be extended.**
- **Pursuant to Section 6 of Illinois Allocation Act, a Non-Home Rule unit IS NOT AUTHORIZED TO REALLOCATE all or any unused portion of its allocation. Direct and indirect reallocations by Non-Home Rule Units are strictly prohibited. This prohibition is discussed more fully in the “Reallocation Provisions” of these Guidelines.**
- **The proceeds from bonds utilizing Volume Cap allocated to a Non-Home Rule unit pursuant to these Guidelines must be used within the jurisdiction of the Non-Home Rule unit.**

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Non-Home Rule Reporting

Confirmation of Issuance

Pursuant to Section 7 of the Illinois Allocation Act, Non-Home Rule units are required to report, within 10 calendar days of issuance, the following:

- (a) Name of the Issuer.
- (b) Principal amount of the issue.
- (c) Purpose for which the private activity bonds were issued.
- (d) The amount, if any, used to refund any prior issue of private activity bond; and
- (e) IRS 8038

A form of the “Confirmation of Bond Issuance” letter is provided in Appendix A.

If the amount of bonds issued as stated in the confirmation letter is less than the amount approved for allocation for that project, the amount of unused allocation shall be added to the remaining pool allocation available. This “lapsed” volume cap will be offered first to all issuers who have requested volume cap whose requests were not completely fulfilled, in the order that such requests were initially filed. If more than one request was initially filed at the same time, the order of filing will be randomly assigned for purposes of offering lapsed cap. Volume cap is not considered lapsed unless the issuer or issuer’s representative states in writing that all or a portion of the cap will not be used.

Annual Reporting of Housing Projects

The Illinois Allocation Act requires Non-Home Rule units to provide an annual report of all private activity bonds issued for any housing purposes which utilizes volume cap allocated by the State. Details on the reporting requirement can be located in the Section 7.5 of the Illinois Allocation Act. A form to aid reporting has been provided in Appendix B to these Guidelines. Calendar Year 2023 submissions are to be sent via the instructions set forth on page 3 of these Guidelines by February 1, 2023. An additional copy of this report only must also be submitted to the Illinois Housing Development Authority (“IHDA”) at the following address:

Illinois Housing Development Authority
Attention: General Counsel
401 North Michigan Avenue
Chicago, IL 60611

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STATE AGENCIES

Allocation Requests

For calendar year 2023 there is expected to be \$ 268,293,420.00 for use by State Agencies, (the “State Agency Pool”), defined as any State agency, commission, board, authority, or body politic and corporate of the State authorized by law to issue Private Activity Bonds, other than a Non-Home Rule or Home-Rule unit.

The Governor’s Office may allocate among all State agencies from the State Allocation Pool available after January 3, 2023. In addition, State agencies may apply beginning on or after the first State business day after June 1, 2023, for the allocation retained by the Governor’s Office from the Home-Rule Pool and beginning on or on July 15, 2023, for the allocation retained, if any, from the Non-Home Rule Pool. Requests submitted prior to June 1 which are not completely fulfilled, and requests submitted prior to July 15 which are not completely fulfilled must be re-filed after July 15 if cap from the Non-Home Rule pool is requested. Please see “HOME RULE” and “NON-HOME RULE” sections for submission procedures.

Please Note-

- **Requests will be processed only for allocation to be used directly by the requesting State agency. Requests may be requested and granted on a lump-sum by private activity bond category or individual project basis as the Governor’s Office may determine. Joint requests from more than one State agency or units of government or requests from one State agency for an allocation that will be used by other units of government will not be considered. Once an allocation is given to a specific State agency, the Governor’s Office will not object if units pool their allocations and join together in a bond issue as advised by legal counsel.**
- **State agencies may submit requests for allocations of any amount. The 10% limit does not apply to State Agencies**
- **The Governor’s Office may consult with State agencies prior to submission of their allocation requests and determine the amount of allocation that shall be requested and approved. The allocation shall be valid through the end of the calendar year.**
- **State agencies may reallocate their unused allocation in the manner described in “REALLOCATION PROVISIONS” with the approval of the Governor’s Office. A State agency that issues bonds after receiving a reallocation from a Home-Rule unit or another State agency shall submit the information described in the “Reporting” section below.**
- **State agencies also may file a carry-forward of an allocation remaining at the end of one calendar year to the next under certain circumstances, with the approval of the Governor’s Office. Issuers should consult their legal counsel with respect to the applicability of this provision to their circumstances**

State Agency Reporting

Confirmation of Issuance

Pursuant to Section 7 of the Illinois Allocation Act. State Agencies are required to report, within 10 calendar days of issuance, the following:

- (a) Name of the Issuer.
- (b) Principal amount of the issue.
- (c) Purpose for which the private activity bonds were issued.
- (d) The amount, if any, used to refund any prior issue of private activity bond; and
- (e) IRS 8038

A form of the “Confirmation of Bond Issuance” letter is provided in Appendix A.

If the amount of the bonds issued as stated in the confirmation letter is less than the amount approved for allocation for that project, the unused allocation amount shall be retained by the State Agency unless otherwise directed by the Governor’s Office.

Annual Reporting of Housing Projects

Pursuant to the Illinois Allocation Act, State Agencies are required to provide an annual report of all private activity bonds issued for any housing purposes which utilizes volume cap allocated by the State. Details on the reporting requirement can be located in Section 7.5 of the Illinois allocation Act and a form has been provided in Appendix B for submission. Calendar Year 2023 Submissions are to be sent via the instruction set forth on page 3 of these guidelines by February 1, 2023. An additional copy of this report only must also be submitted to the Illinois Housing Development Authority (“IHDA”) at the following address:

Illinois Housing Development Authority
Attention: General Counsel
401 North Michigan Avenue
Chicago, IL 60611

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REALLOCATION PROVISIONS

Reallocations by the State, a State Agency or a Home Rule Unit

The State, any State Agency or Home Rule unit may voluntarily reallocate to any Non-Home Rule unit of local government, Home-Rule unit, the State or any State agency all or any portion of its unused allocation. { The State Agency or Home Rule unit reallocating all or a portion of its unused allocation must provide notice to the Governor's office within fourteen days of said reallocation. }

Consistent with the Illinois Allocation Act and these guidelines, entities that issue private activity bonds on the basis of reallocations must submit to the Governor's Office written evidence of such reallocation and a confirmation of bond issuance letter within ten calendar days from the date the bonds are issued.

Reallocations by a Non-Home Rule Unit Are Prohibited

Non-Home Rule units may not reallocate to any issuer. This prohibition applies to direct reallocations and to reallocations attempted via an intergovernmental or other agreement. Allocations made to Non-Home Rule units pursuant to the Illinois Allocation Act and these Guidelines may not be used in an issuance by another governmental entity on behalf of the Non-Home Rule unit or as a surrogate for the Non-Home Rule unit via an intergovernmental or other agreement.

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APPENDIX A

STANDARD FORM OF LETTERS

(Letterhead of Signatory)

**ALLOCATION REQUEST LETTER
FROM ALL ISSUERS**

(Date)

Office of the Governor
Governor’s Office of Management and Budget
555 W Monroe Street - Suite 1500 S GOMB
Chicago, IL. 60661

Attn: Sophia Ronis

ATTENTION: Debt Management Unit

RE: Issuer: _____
Type: (Home-Rule, Non-Home Rule or State agency)
Maximum Principal Amount: _____
Bond Description: (project, beneficiary, location, type/category of bonds)

Dear Governor J B Pritzker:

In accordance with the Tax Reform Act of 1986 as passed by 99th Congress 2nd Session (1986), as amended, and *30 ILCS 345*, the (name of issuer) respectfully requests an allocation for the above-captioned private activity bonds. In preparation for this bond issue to date, all applicable Federal and State requirements have been complied with. A copy of the inducement resolution or similar official action for this issue has been attached herewith.

[(The following is required only of Non-Home Rule units which expect to join other units in a single bond issue as described in the guidelines): I hereby certify that (name of issuer) intends to comply with requirements set forth in the Governor's Office guidelines and will not transfer or reallocate any cap received from the Governor's Office to other Non-Home Rule or Home-Rule units and will use the cap only within our jurisdiction.]

I hereby certify under penalty of perjury, that to the best of my knowledge, the issuance of the Private Activity Bond was or will not be made in consideration of any bribe, gift, gratuity or direct or indirect contribution to any political campaign.

Please forward the allocation approval letter to the undersigned [or to: _____]. Bond counsel for these bonds [is expected to be _____, who may be reached at [phone number]] [has not yet been selected].

Sincerely,
(Name of issuer)

(Signature of authorized public official)
(Title)
(Phone number)

[Note: The Bond description cannot be materially changed after submission.]

(Governor's Letterhead)

BOND ALLOCATION APPROVAL LETTER

(Date)

Allocation Number (our assigned number)

(Name of issuer)

Attention: (Name of Official)

Re: Issuer: _____
Type: (Home-Rule, Non-Home Rule or State agency)
Maximum Principal Amount: _____
Bond Description: (project, beneficiary, location, type/category of bonds)

Ladies and Gentlemen:

In accordance with the Tax Reform Act of 1986, as amended, and 30 ILCS 345, the above-captioned Issuer has requested an allocation for Private Activity Bonds with respect to the above-captioned bonds. In support of this request, I have been presented with the resolution duly adopted by the Issuer or similar official action with respect to the above-captioned bonds.

I hereby allocate \$ _____ of the State's 2023 maximum limit on private activity bonds to the above-captioned Issuer.

Pursuant to Section 6 of the Illinois Private Activity Bond Allocation Act, this allocation is only valid if:

- (1) the proceeds from the bonds (the "Bonds") utilizing the bond volume cap are to originate single family mortgages to finance the purchase of homes located within the jurisdiction of the unit local government applying for the bond volume cap, or the costs associated therewith, or, if not so used, applied to redeem the Bonds; and
- (2) the unit of local government is the Issuer of the Bonds.

"Issuer" as used herein is the entity named on the Bonds and obligated for the repayment of the Bonds and does not include an entity for whom bonds have been issued by another party via an intergovernmental or other agreement.

This allocation is valid through and including _____. If the above-captioned bonds have not been issued by said date this allocation automatically expires and is available for reallocation.

Sincerely,
J B PRITZKER

Governor

(Letterhead of Signatory)

**CONFIRMATION OF BOND ISSUANCE
TO BE PROVIDED BY ISSUER**

(Date) [Within 10 calendar days of issuance]

Allocation Number: (assigned by us in the allocation approval letter)

Office of the Governor
Governor's Office of Management and Budget
555 W Monroe Street - Suite 1500 S GOMB
Chicago, IL. 60661
Attn: Sophia Ronis

ATTENTION: Debt Management Unit

Re: Issuer: _____
Type: (Non Home-Rule, Home-Rule or State agency)
Date of Issuance: _____
Principal Amount Issued: _____
Bond Description: (project, beneficiary, location, type/category of bonds)

Dear _____:

In accordance with the Tax Reform Act of 1986, as amended, and *30 ILCS 345*, the above-captioned Issuer is giving notice that the above-captioned private activity bonds have been issued. With regard to the issuance of these bonds, all applicable federal and state requirements have been complied with. The total allocation provided for this bond issue in the Allocation Approval Letter dated _____ was \$_____. The total principal amount actually issued was \$_____ and, therefore, the amount of \$_____ is unused allocation that may be added to the total available allocation.

Sincerely,

(Name of issuer)

(Signature of authorized public official)
(Title)

Attachments

[Note: If the bonds were issued on the basis of a voluntary reallocation of unused allocation or as a result of a carry-forward of allocation from a prior year, this fact should be so stated in this confirmation letter and a copy of the written evidence of such reallocation or carry-forward should be attached.]

(Letterhead of Signatory)

**REPORT OF ALLOCATION GRANTED
BY HOME-RULE UNITS**

(Date) [Due Thursday, May 10, 2023]

Office of the Governor
Governor's Office of Management and Budget
555 W Monroe Street - Suite 1500 S GOMB
Chicago, IL. 60661
Attn: Sophia Ronis

ATTENTION: Debt Management Unit

Re: Issuer: (Home-Rule unit)
Total 2023 Volume Cap Allocation: [see list attached to guidelines for population,
multiplied by \$120.00]

Volume Cap allocations granted, transferred, or reserved by Issuer resolution prior to May 1,
2023:

1. Principal Amount of Issue: _____
Bond Description: (Type of bond)
(Repeat as necessary identify all specific allocations)
If reallocated to another issuer, state name of issuer: _____

Copies of allocation resolutions or ordinances are attached. [Note: Memorandums of
agreements with businesses need not be attached.]

Total Allocation Granted or Reallocated \$ _____

Sincerely,

(Name of issuer)

(Signature of authorized public official)
(Title)
(Phone number)

APPENDIX B

ANNUAL HOUSING REPORT

SAMPLE FORM

Bond Issuer Annual Reporting Form

Statutory Requirement (30 ILCS 345/7.5)	Explanation/Detail	Insert Required Information
Information Required for All Bond Issues		
Bond Issuer	Entity Issuing Bonds:	
Person Completing Report (Drafter)	Name:	
Drafter Contact Information	Company:	
	Address:	
	Address:	
	City, State, Zip:	
	Phone:	
	E-mail Address:	
Reporting Period	Calendar Year:	
Date of Report	Date (no less than 45 days prior to end of Reporting Period):	
Bond Proceeds Used for Projects and Loans	Percentage of Total Issuance:	
Total Cost of Issuance	Amount:	
Bond Proceeds Used to Refund Prior Bonds	Amount:	
Unused Proceeds at Time of Report	Amount:	
Plan for Use of Any Unused Proceeds	<i>Attach Narrative and Supporting Documentation Showing Commitments to Utilize Proceeds, including timetable for use.</i>	
For Multifamily Rental Units Only		
Total Number of Developments	Total:	
Total Number of Units	Total:	
Income Levels for All Units (using Area Median Income, or "AMI")	No. Units at 30% AMI or less:	
<p><i>NOTE: The table of current AMI figures to be used in compiling this information may be found by calling the Illinois Housing Development Authority at 312-836-5200.</i></p>	No. Units at 40% AMI:	
	No. Units at 50% AMI:	
	No. Units at 60% AMI:	
	No. Units at 80% AMI:	
	No. of Other Restricted Units (% AMI):	
	No. of Other Restricted Units (% AMI):	
	No. of Other Restricted Units (% AMI):	
Unrestricted (Market Rate):		
Annual Comprehensive Housing Plan Priorities (see below for priority key)	<i>Attach detail showing the number units serving the priority populations described below, along with documentation showing efforts to serve Priority Populations, when available.</i>	
For Single Family Units Only		
Loans and Households Achieving Homeownership with Bond Proceeds	Number of Mortgage Loans:	
	Number of Households:	
Loan Amounts, Actual and Effective Interest Rates	<i>Attach List of Individual Loan Amounts, detailing the actual and effective interest rate for each loan.</i>	
Annual Comprehensive Housing Plan Priorities (see below for priority key)	<i>Attach detail showing the number units serving the priority populations described below, along with documentation showing efforts to serve Priority Populations, when available.</i>	
First-time Homebuyers	Number:	
Homeownership Counseling	No. of assisted homeowners who received any homeownership counseling:	
Key to Priorities		
Disabled - No. Units Serving People with Disabilities (as defined in the Illinois Comprehensive Housing Plan, found at www.ihda.org ; choose "Housing Policy and Planning" in the left margin)		
Extremely Low Income - No. Units Serving Very Low-Income (less than 30% AMI) Households and Families		
Homeless - No. Units Serving Homeless People and Families and Those At-Risk of Homelessness		
Live Near Work - No. Units Serving Low and Moderate-Income Families and People Unable to Find Affordable Housing Near Employment or Transportation		
Preservation - No. of Units for Low-Income Families and People Living in Existing Affordable Housing that is in Danger of Becoming Unaffordable		
Very Low Income - No. Units Serving Very Low-Income (31 to 50% AMI) Households and Families		
QUESTIONS?		
Any questions on how to complete this form should be directed to IHDA's CFO or General Counsel at 312-836-5200 or TTD 312-836-5222.		

APPENDIX C

POPULATION ESTIMATES

<u>Home Rule Unit¹</u>	<u>Population²</u>	<u>Home Rule Unit¹</u>	<u>Population²</u>
Addison Village	35,353	East Dundee Village	3,115
Alsip Village	18,601	East Hazel Crest Village	1,262
Alton City	25,422	East St. Louis City	18,195
Arlington Heights Village	76,000	Edwardsville City	25,218
Aurora City	179,266	Elgin City	113,911
Bannockburn Village	1,002	Elk Grove Village Village	32,066
Barrington Hills Village	4,060	Elmhurst City	45,326
Bartlett Village	40,539	Elmwood Park Village	23,945
Bartonville Village	5,855	Elwood Village	2,216
Batavia City	26,092	Evanston City	77,517
Bedford Park Village	589	Evergreen Park Village	19,471
Belleville City	41,751	Fairview Heights City	16,474
Bellwood Village	18,331	Flora City	4,753
Belvidere City	25,134	Forest View Village	778
Benton City	6,708	Freeport City	23,650
Berkeley Village	5,214	Galesburg City	29,712
Berwyn City	55,772	Gilman City	1,731
Bloomington City	78,283	Glendale Heights Village	32,796
Bolingbrook Village	73,597	Glen Ellyn Village	28,533
Bridgeview Village	16,715	Glenview Village	47,856
Bryant Village	163	Glenwood Village	8,477
Buffalo Grove Village	42,794	Golf Village	507
Burbank City	28,789	Granite City City	27,484
Burnham Village	3,989	Gurnee Village	30,521
Cahokia Village	11,912	Hanover Park Village	36,774
Calumet City City	35,159	Harvey City	19,871
Calumet Park Village	6,843	Harwood Heights Village	8,836
Carbon Cliff Village	1,818	Hazel Crest Village	13,098
Carbondale City	21,741	Herrin City	12,253
Carlock Village	539	Highland Park City	30,177
Carol Stream Village	39,333	Highwood City	5,374
Carpentersville Village	37,598	Hillside Village	8,142
Cartersville City	5,828	Hodgkins Village	1,472
Champaign City	89,114	Hoffman Estates Village	51,350
Channahon Village	13,706	Homer Glen Village	24,516
Chicago City	2,696,555	Hopkins Park Village	575
Chicago Heights City	26,905	Huntley Village	28,008
Chicago Ridge Village	14,130	Inverness Village	7,449
Christopher City	2,657	Jacksonville City	17,816
Cicero town	83,161	Johnston City City	3,349
Collinsville City	24,320	Joliet City	150,372
Cook County, Unincorporated	102,529	Kankakee City	23,922
Country Club Hills City	16,407	Lake Barrington Village	5,080
Countryside City	6,275	Lake Bluff Village	5,589
Crainville Village	1,460	Lake Forest City	19,253
Crystal Lake City	40,411	Lake in the Hills Village	28,945
Danville City	28,787	Lansing Village	28,379
Darien City	21,751	LaSalle City	9,499
Decatur City	69,646	Lincolnshire Village	7,932
Deerfield Village	19,079	Lincolnwood Village	13,191
DeKalb City	40,486	Lockport City	26,118
De Pue Village	1,601	McCook Village	243
Des Plaines City	59,459	McHenry City	27,372
Dolton Village	20,941	Manhattan Village	10,037
Downers Grove Village	49,654	Marion City	16,742
Du Quoin City	5,811	Mascoutah City	8,676
		Matteson Village	18,664

1. Home Rule Communities: Secretary of State – Index Department

2. Population Data Source: Population Division of the U.S. Census Bureau - "Table 1: Annual Estimates of the Population for the United States, Regions, States, and Puerto Rico: April 1, 2000, to July 1, 2021 (NST-EST2021-02) on December 29, 2022

<u>Home Rule Unit¹</u>	<u>Population²</u>
Maywood Village	23,112
Melrose Park Village	24,206
Mettawa Village	534
Midlothian Village	13,983
Moline City	42,418
Monroe Village	5,103
Monmouth City	8,778
Morton Grove Village	24,712
Mound City City	524
Mount Prospect Village	55,541
Mount Vernon City	14,454
Muddy Village	56
Mundelein Village	31,560
Murphysboro City	7,023
Naperville City	149,104
Naples town	99
Nauvoo City	932
New Lenox Village	27,477
Niles Village	30,345
Normal town	53,594
Norridge Village	15,009
Northbrook Village	34,587
North Chicago City	30,029
Northfield Village	5,634
Northlake City	12,664
North Utica Village	1,321
Oakbrook Terrace City	2,725
Oak Forest City	26,793
Oak Lawn Village	57,013
Oak Park Village	53,224
O'Fallon City	32,292
Old Mill Creek Village	164
Onarga Village	1,319
Orland Park Village	57,850
Oswego Village	35,316
Palatine Village	66,321
Park City City	7,867
Park Forest Village	21,261
Park Ridge City	38,810
Pekin City	31,448
Peoria City	111,666
Peoria Heights Village	5,827
Peru City	9,842
Phoenix Village	1,666
Plainfield Village	45,398
Posen Village	5,497
Prairie Grove Village	1,961
Quincy City	39,131
Rantoul Village	12,119
Riverdale Village	10,397
River Grove Village	10,531
Riverwoods Village	3,765

<u>Home Rule Unit¹</u>	<u>Population²</u>
Robbins Village	4,627
Rockdale Village	1,990
Rock Island City	36,636
Rolling Meadows City	23,781
Romeoville Village	40,469
Rosemont Village	3,855
Round Lake Beach Village	27,081
St. Charles City	33,009
Sauget Village	136
Savoy Village	8,823
Schaumburg Village	77,082
Schiller Park Village	11,424
Sesser City	1,865
Sherman Village	4,635
Shorewood Village	18,254
Skokie Village	66,422
South Barrington Village	5,016
South Chicago Heights Village	3,924
South Holland Village	21,015
Springfield City	113,394
Standard Village	223
Stickney Village	6,963
Stone Park Village	4,470
Streamwood Village	38,651
Summit Village	10,875
Sycamore City	18,580
Thornton Village	2,333
Tilton Village	2,616
Tinley Park Village	54,864
Tuscola City	4,654
University Park Village	7,082
Urbana City	38,681
Valier Village	552
Valmeyer Village	1,221
Vernon Hills Village	26,786
Volo Village	6,269
Warrenville City	14,655
Washington City	15,978
Watseka City	4,622
Waukegan City	88,614
West Chicago City	25,370
West City Village	644
West Dundee Village	7,784
West Frankfort City	7,229
Wheaton City	53,126
Wheeling Village	38,499
Williamsville Village	1,424
Willowbrook Village	9,127
Wilmette Village	27,587
Winnetka Village	12,475
Woodridge Village	33,826
Woodstock City	25,646

1. Home Rule Communities: Secretary of State – Index Department

2. Population Data Source: Population Division of the U.S. Census Bureau - "Table 1: Annual Estimates of the Population for the United States, Regions, States, and Puerto Rico: April 1, 2000, to July 1, 2021 (NST-EST2021-02) on December 29, 2022