
**THE CITY OF BLUE ISLAND
COOK COUNTY, ILLINOIS**

**ORDINANCE
NUMBER 2022-051**

AN ORDINANCE OF THE CITY OF BLUE ISLAND, COOK COUNTY, ILLINOIS AUTHORIZING THE ISSUANCE OF TAXABLE TAX ANTICIPATION WARRANTS IN ANTICIPATION OF THE COLLECTION OF TAXES LEVIED FOR THE YEAR 2021 FOR CORPORATE PURPOSES DIRECTING THE COUNTY TREASURER AND EX-OFFICIO COUNTY COLLECTOR OF THE COUNTY OF COOK, ILLINOIS TO DEPOSIT AMOUNTS AS STATED HEREIN.

**FRED BILOTTO, Mayor
RAEANN CANTELO-ZYLMAN, City Clerk
JAIRO FRAUSTO, City Treasurer**

**DEXTER JOHNSON
LUIZ MONTOYA
NANCY RITA
BILL FAHRENWALD
GABRIEL McGEE
CANDACE CARR
JOSH ROLL
Aldermen**

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2021 FOR CORPORATE PURPOSES DIRECTING THE COUNTY TREASURER AND
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DEPOSIT AMOUNTS AS STATED HEREIN.**

WHEREAS, as a result of ongoing efforts to modernize technology within various property tax agencies of The County of Cook , Illinois (the "*County*"), personnel shortages and turnover attributable to the COVID-19 pandemic and the complicated nature of the reassessment of taxable property in the City of Chicago, for the 2021 tax year (for amounts payable in calendar year 2022), distributions of amounts related to second installment Cook County property tax bills for calendar year 2022 are likely to be delayed; and

WHEREAS, the Mayor and City Counsel of the City of Blue Island, Illinois have determined that the delay in such distributions will cause an operational cash flow shortfall for the City; and

WHEREAS, the County has established a Local Taxing District Loan Program (the "*Program*") whereby the County will provide short-term operational cash flow assistance to certain taxing districts by purchasing interest-free tax anticipation warrants issued by such taxing districts pursuant to applicable law; and

WHEREAS, the City of Blue Island (the "*City*") is eligible to participate in the Program; and

WHEREAS, the Mayor and City Counsel have further determined that it is advisable, necessary and in the best interests of the City that the City participate in the Program, obtain Program funds in order to meet the necessary expenses of the City and, in accordance with the

Program, issue warrants in anticipation of the collection of the taxes heretofore levied for corporate purposes by the City for the year 2021 (the "*Warrants*"); and

WHEREAS, the Illinois Municipal Code, as amended (the "*Municipal Code*"), as supplemented by the Local Government Debt Reform Act of the State of Illinois, as amended (the "*Debt Reform Act*"), Section 10 of Article VII of the 1970 Constitution of the State of Illinois and the Intergovernmental Cooperation Act, as amended, authorize the City to issue the Warrants to the extent of 85% of the taxes levied for such purposes, less the amount of taxes previously collected; and

WHEREAS, pursuant to and in accordance with the Program, the Warrants will be purchased by the County; and

WHEREAS, in order to enhance the sale of the Warrants, the Mayor and City Counsel of the City have further determined that it is advisable, necessary and in the best interests of the City that a designated warrant fund (as hereinafter more fully defined, the ("*Warrant Fund*") be established by the City to repay the Warrants, that Amalgamated Bank of Chicago, Chicago, Illinois, as tax escrow agent (the "*Tax Escrow Agent*"), hold such Warrant Fund and that the City direct the County Collector of the County (the "*County Collector*"), pursuant to Section 14 of the Debt Reform Act, to deposit the amount of tax proceeds pledged to the payment of the Warrants, namely the taxes heretofore levied by the City for the year 2021 for corporate purposes, directly into the Warrant Fund; and

WHEREAS, the City has not previously issued any warrants or other obligations in anticipation of the collection of taxes heretofore levied for the year 2021 for corporate purposes:

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Counsel of the City of Blue Island, Cook County, Illinois, as follows:

Section 1. Incorporation of Preambles. The City Council hereby finds that all of the recitals contained in the preambles to this Ordinance are full, true and correct and does incorporate them into this Ordinance by this reference.

Section 2. Authorization. The Warrants are hereby authorized to be issued, sold and delivered pursuant to and in accordance with the provisions of the Municipal Code, the Debt Reform Act and the Program, to defray the necessary expenses of the City incurred for corporate purposes, and drawn against and in anticipation of the collection of the taxes heretofore levied for year 2021 for such purposes. The Warrants shall be issued in an amount of \$354,000 and shall be designated "2021 Taxable Corporate Purposes Tax Anticipation Warrants." The Warrants shall be dated October 6, 2022, shall also bear the date of authentication, and shall become due on March 1, 2023 (the "Maturity Date"). The Warrants shall be in fully registered form and shall be in the denominations of \$1,000 each or integral multiples thereof. The Warrants shall bear numbers assigned for order of issuance. The Warrants shall not bear interest, unless the City shall fail to pay and discharge the Warrants when due, at which time the Warrants shall bear interest at the rate of 7.0% per annum (the "Default Rate"). The Warrants shall bear a registration number and shall be in the principal amount as follows:

PURPOSE	REGISTRATION NUMBERS	Principal Amount
Corporate	O-1	\$354,000

The Warrants shall be in substantially the form attached hereto as Exhibit A to this Ordinance.

Section 3. Interest; Payment Provisions. If applicable as set forth above, each Warrant shall bear interest, payable only out of the taxes against which such Warrant is drawn, at the Default Rate (computed upon the basis of a 360-day year of twelve 30-day months) from the Maturity Date until paid. The principal of and interest (if any) on the Warrants shall

be payable upon presentation in lawful money of the United States of America at the principal office of Amalgamated Bank of Chicago, as warrant registrar and paying agent (the "Warrant Registrar") in Chicago, Illinois. The Warrants shall be payable solely from such tax against which they are issued, which are hereby assigned and pledged to the payment of such Warrants. Such tax, when collected, shall be set apart and held for the payment of such Warrants. The Warrants shall show upon the face thereof the particular fund for which they are issued, that they are payable in the numerical order of their issuance and that any Warrant shall be received by any collector of taxes in payment of the tax against which it is issued and the particular fund for which it is issued.

Section 4. Execution. The Warrants shall be signed by the manual or facsimile signature of the Mayor of the City (the "*Mayor*"), and shall be countersigned by the manual or facsimile signature of the City Clerk of the City (the "*City Clerk*"), and the seal of the City shall be affixed thereto or printed thereon, and in case any officer whose signature shall appear on any Warrant shall cease to be such officer before the delivery of such Warrant, such signature shall nevertheless be valid and sufficient for all purposes, the same as if such officer had remained in office until delivery.

All Warrants shall have thereon a certificate of authentication duly executed by the Warrant Registrar as authenticating agent of the City and showing the date of authentication. No Warrant shall be valid or obligatory for any purpose or be entitled to any security or benefit under this Ordinance unless and until such certificate of authentication shall have been duly executed by the Warrant Registrar by manual signature, and such certificate of authentication upon any such Warrant shall be conclusive evidence that such Warrant has been authenticated and delivered under this Ordinance.

Section 5. Registration of Warrants; Persons Treated as Owners. The City shall cause the books of the City kept by the Warrant Registrar to evidence the registration and transfer of the Warrants to be kept at the principal office of the Warrant Registrar, which is hereby constituted and appointed the registrar of the City for the Warrants. The City is authorized to prepare, and the City or the Warrant Registrar or an agent of either shall keep custody of, multiple Warrant blanks for use in the transfer and exchange of Warrants.

Upon surrender for transfer of any Warrant at the principal office of the Warrant Registrar duly endorsed by, or accompanied by a written instrument or instruments of transfer in form satisfactory to the Warrant Registrar and duly executed by, the registered owner or his or her attorney duly authorized in writing, the City shall execute and the Warrant Registrar shall authenticate, elate and deliver in the name of the transferee or transferees a new fully registered Warrant or Warrants of authorized denominations, for the same purposes and for a like aggregate principal amount. Any fully registered Warrant or Warrants may be exchanged at said office of the Warrant Registrar for a like aggregate principal amount of Warrant or Warrants for the same purposes and of other authorized denominations. The execution by the City of any fully registered Warrant shall constitute full and due authorization of such Warrant, and the Warrant Registrar shall thereby be authorized to authenticate, elate and deliver such Warrant; *provided, however,* the principal amount of outstanding Warrants authenticated by the Warrant Registrar for each purpose shall not exceed the authorized principal amount of Warrants for such purpose.

The person in whose name any Warrant shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes, and payment of the principal of or interest (if any) on any Warrant shall be made only to or upon the order of the registered

owner thereof or its, his or her legal representative. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Warrant to the extent of the sum or sums so paid.

No service charge shall be made for any transfer or exchange of Warrants, but the City or the Warrant Registrar may require payment of a sum sufficient to cover any tax or other governmental charge that may be imposed in connection with any transfer or exchange of Warrants.

The Warrant Registrar shall not be required to transfer or exchange any Warrant during the period beginning at the close of business on the 15th day next preceding the Maturity Date and ending at the opening of business on the Maturity Date.

Section 6. Sale of Warrants. The Warrants shall be executed by the officials of the City , as hereinabove provided, as soon as may be after this Ordinance becomes effective, and shall be deposited with the Treasurer of the City (the "*Treasurer*") and, after due authentication by the Warrant Registrar, shall be delivered by the Treasurer to the purchaser thereof, namely, the County, upon receipt of the purchase price for the Warrants, the same being the par amount of the Warrants. The contract for the sale of the Warrants, the same being a letter of eligibility from the County and the related acknowledgment and acceptance by the City, or similar agreement (the "*Purchase Contract*"), is hereby determined to be in the best interests of the City and no person holding any office of the City, either by election or appointment, is in any manner financially interested directly in his or her own name or indirectly in the name of any other person, association, trust, company, partnership or corporation, in the Purchase Contract.

The Mayor, City Clerk and Treasurer and any other officers of the City are hereby

authorized to take any action as may be required on the part of the City to consummate the transactions contemplated by the Purchase Contract, this Ordinance and the Warrants.

Section 7. Tax Escrow. For the repayment of the Warrants, there is hereby created a Warrant Fund, to be designated as "2021 Taxable Corporate Purposes Tax Anticipation Warrant Fund" of the City. The taxes against which the Warrants are issued shall be deposited into the Warrant Fund for the purpose of repaying the Warrants in the manner hereinafter set forth. The Warrant Fund shall be held by the Tax Escrow Agent.

The following terms used in this Section shall have the following meanings:

"Excluded Taxes" means taxes levied for police and/or fire pension purposes and taxes levied for bond and interest purposes to be paid directly to a tax escrow agent pursuant to prior direction of the City.

"Taxes" means Total Second Instalment Taxes, net of Excluded Taxes.

"Total Second Installment Taxes" means all taxes received by the City from second Installment property tax distributions for the 2021 tax year.

"Treasurer" means the Treasurer or designee.

The Mayor and City Counsel of the City hereby allocate the Taxes, first, to taxes heretofore levied by the City for those purposes, including corporate purposes, required to pay and discharge all tax anticipation warrants issued by the City pursuant to the Program, including the Warrants, up to the amount needed to pay and discharge such warrants. The amount of Taxes needed to pay and discharge the Warrants is equal to the par amount of the Warrants. If the City has issued other tax anticipation warrants pursuant to the Program, the Tax Escrow Agent is hereby directed to allocate Taxes to the Warrant Fund and the warrant fund or funds established for the purpose of repaying such other warrants on a pro rata basis.

Forthwith upon the adoption of this Ordinance, an executed Tax Escrow Direction, substantially in the form attached hereto as *Exhibit B*, shall be filed with the County Collector. In accordance with such Direction and the provisions of this Ordinance, the County Collector shall deposit, as authorized by Section 14 of the Debt Reform Act, the Taxes directly into the Warrant Fund held by the Tax Escrow Agent, up to the amount of \$354,000. Instructions for the deposit of the Taxes will be set forth in such Direction. Amounts so deposited into the Warrant Fund shall be used solely and only for paying the principal of the Warrants. The City hereby pledges, as equal and ratable security for the Warrants, all present and future proceeds of the taxes on deposit in the Warrant Fund for the sole benefit of the registered owners of such Warrants.

Forthwith upon the accumulation of \$354,000 in the Warrant Fund, the Tax Escrow Agent shall (i) notify the City and the County that funds to the credit of the Warrant Fund are sufficient to pay and discharge the Warrants and (ii) withdraw \$354,000 from the Warrant Fund and transfer the same to the Warrant Registrar for the purpose of paying and discharging the Warrants. Notwithstanding the Maturity Date, the Warrants shall be deemed paid and discharged on the date of such transfer to the Warrant Registrar. The Tax Escrow Agent shall then withdraw all remaining funds in the Warrant Fund, if any, and transfer the same to the City in accordance with written instructions from the Treasurer. All such transfers shall be in immediately available funds. Following the transfer to the Warrant Registrar and, if necessary, the City, as discussed above, the Tax Escrow Agent shall, forthwith upon receipt, transfer any additional Taxes to the City in accordance with written instructions provided by the Treasurer. The Tax Escrow Agent shall accept instructions from the Treasurer sent by e-mail, facsimile transmission, or other similar electronic methods.

Moneys deposited into the Warrant Fund shall be invested by the Tax Escrow Agent in the United States Treasury-only money market fund shown on *Exhibit C* attached hereto.

Upon request of the City or the County, the Tax Escrow Agent shall prepare and provide a statement itemizing all moneys received by it and all transfers made by it pursuant to the provisions of this Section.

The provisions of this Section shall be binding on the City and the officers, employees and agents of the City, and the officers, employees and agents of the City are hereby authorized, empowered and directed to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with such provisions.

Section 8. Additional Covenant. The City hereby covenants with the County that the City has not issued, and will not issue, any other tax anticipation warrants secured by the same taxes which secure the Warrants which become due and payable or are subject to redemption prior to maturity on or before the Maturity Date.

Section 9. Use of Proceeds. The proceeds of the Warrants shall be used to provide funds for the payment of necessary expenses incurred for corporate purposes, and it is hereby certified that the Warrants constitute the only series of warrants issued against taxes levied by the City for the year 2021 for corporate purposes.

Section 10. Duties of Warrant Registrar. If requested by the Warrant Registrar, the Mayor and Treasurer are each authorized to execute the Warrant Registrar's standard form of agreement between the City and the Warrant Registrar with respect to the obligations and duties of the Warrant Registrar. Notwithstanding the absence of any such agreement, the Warrant Registrar shall agree to the obligations and duties as follows:

- (a) to act as warrant registrar, authenticating agent, paying agent and

transfer agent as provided herein;

(b) to maintain a list of Warrant holders as set forth herein and to furnish such list to the City upon request, but otherwise to keep such list confidential;

(c) to cancel and destroy Warrants which have been deemed paid, paid at maturity or submitted for exchange or transfer;

(d) to furnish the City with a certificate of destruction with respect to the Warrants cancelled and destroyed; and

(e) to furnish the City an audit confirmation of Warrants paid, Warrants outstanding and payments made with respect to interest on the Warrants.

Section 11. Further Acts. All acts and doings of the officials of the City which are in conformity with the purposes and intent of this Ordinance are hereby in all respects ratified, approved, and confirmed.

Section 12. Conflict Waiver. The City understands that Chapman and Cutler LLP ("*Chapman*") represents the County in this Warrant transaction and, if the City has retained Chapman in an unrelated matter, the Mayor and City Counsel of the City consents to and waives for and on behalf of the City any conflict of interest of Chapman arising from any adverse position to the City in this matter; such consent and waiver shall supersede any formalities otherwise required in any separate understandings, guidelines or contractual arrangements between the City and Chapman .

Section 13. Severability. The provisions of this Ordinance are hereby declared to be severable; and if any section, phrase, or provision shall for any reason be declared to be invalid , such declaration shall not affect the validity of the remainder of the sections, phrases, or provisions.

Section 14. Repealer. All ordinances, resolutions, orders, or parts thereof in conflict with the provisions of this Ordinance are, to the extent of such conflict, hereby repealed.

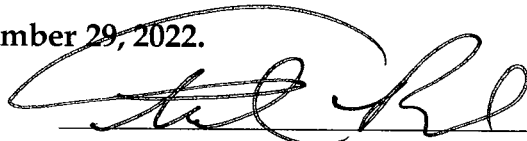
Section 15. Effective Date. This Ordinance shall be in **full** force and effect immediately upon its passage.

(REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

ADOPTED this 29th day of September, 2022, pursuant to roll call as follows:

	YES	NO	ABSENT	PRESENT	ABSTAIN
Alderman JOHNSON	X				
Alderman FAHRENWALD	X				
Alderman RITA	X				
Alderman MONTOYA	X				
Alderman MCGEE	X				
Alderman CARR	X				
Alderman ROLL	X				
Mayor BILOTTO					
	7				

APPROVED by the Mayor on September 29, 2022.



FRED BILOTTO
MAYOR OF THE CITY OF BLUE ISLAND,
COUNTY OF COOK AND STATE OF ILLINOIS

ATTESTED and Filed in my office this
29th day of SEPTEMBER, 2022.



RAEANN CANELO-ZYLMAN, CITY CLERK

PUBLISHED in pamphlet form this
29th day of SEPTEMBER, 2022.



RAEANN CANELO-ZYLMAN, CITY CLERK

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

CERTIFICATE

I, RAEANN CANTELO-ZYLMAN, certify that I am the duly elected and acting Municipal Clerk of the City of Blue Island of Cook County, Illinois.

I further certify that on **September 29, 2022** the Corporate Authorities of such municipality passed and approved Ordinance No. **2022 - 051**
Entitled: **ORDINANCE: AN ORDINANCE OF THE CITY OF BLUE ISLAND, COOK COUNTY, ILLINOIS, AUTHORIZING THE ISSUANCE OF TAXABLE TAX ANTICIPATION WARRANTS IN ANTICIPATION OF THE COLLECTION OF TAXES LEVIED FOR THE YEAR 2021 FOR CORPORATE PURPOSES DIRECTING THE COUNTY TREASURER AND EX-OFFICIO COUNTY COLLECTOR OF THE COUNTY OF COOK, ILLINOIS TO DEPOSIT AMOUNTS AS STATED HEREIN.**

Which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. **2022 - 051** including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance posted in the municipal building commencing on **September 29, 2022** and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the municipal clerk.

DATED at Blue Island, Illinois, this **29th** day of **September, 2022**.

CORPORATE SEAL


CITY CLERK