

ORDINANCE NO. _____

AN ORDINANCE authorizing the issuance of General Obligation Bonds (Alternate Revenue Source), Series 2017 of the Village of Andalusia, Rock Island County, Illinois, in an aggregate principal amount not to exceed \$1,300,000 for the purpose of financing the costs of certain capital projects within the Village and paying for costs related thereto.

WHEREAS, the Village of Andalusia, Rock Island County, Illinois (the "Village"), is a municipal corporation and body politic of the State of Illinois, duly created, organized and existing under the Illinois Municipal Code, as amended (the "Municipal Code"), and having the powers, objects and purposes provided by said Municipal Code; and

WHEREAS, the Village Board of the Village (the "Corporate Authorities") has determined that it is necessary to (i) finance various sewer system related projects (the "Project"), and (ii) pay certain costs of issuance of the Bonds (as such term is hereinafter defined), all for the benefit of the inhabitants of the Village; and

WHEREAS, the estimated cost of the Project, including legal, financial, bond discount, printing and publication costs, capitalized interest, and other expenses (collectively, the "Costs"), is not less than \$1,300,000, and there are insufficient funds on hand and lawfully available to pay such costs; and

WHEREAS, up to \$1,300,000 of alternate bonds need to be issued at this time pursuant to the Local Government Debt Reform Act of the State of Illinois, as amended, 30 ILCS 350/1 to 350/18 (the "Act"); and

WHEREAS, it is necessary for the best interests of the Village that the Project be completed, and in order to raise funds required for such purpose it will be necessary for the Village to borrow an aggregate principal amount not to exceed \$1,300,000 and in evidence thereof to issue alternate bonds, being general obligation bonds payable from (i) the net revenues of the Village's Sewerage System (generally gross revenues minus operating and maintenance expenses, the "Sewerage Revenues"), (ii) the Village's distributive share of State of Illinois income taxes ("Revenue Sharing Receipts"), (iii) Retailer's Occupation Taxes, Service Occupation Taxes, Use Taxes and Service Use Taxes (the "Sales Taxes") (collectively, (i), (ii) and (iii) are the "Pledged Revenues") and (iv) ad valorem taxes of the Village for which its full faith and credit have been irrevocably pledged, unlimited as to rate or amount (the "Pledged Taxes"), in an aggregate principal amount not to exceed \$1,300,000, all in accordance with the Act; and

WHEREAS, if the Pledged Revenues are insufficient to pay the alternate bonds, the Pledged Taxes are authorized to be extended to pay the principal of and interest on the alternate bonds;

WHEREAS, pursuant to and in accordance with the provisions of Section 15 of the Act, the Village is authorized to issue alternate bonds in an aggregate principal amount not to exceed \$1,300,000 for the purpose of providing funds for the Project and to pay the Costs;

NOW THEREFORE, Be It Ordained by the Village Board of the Village of Andalusia, Rock Island County, Illinois, as follows:

Section 1. Incorporation of Preambles. The Corporate Authorities hereby find that all of the recitals contained in the preambles to this Ordinance are full, true and correct and do incorporate them into this Ordinance by this reference.

Section 2. Determination to Issue Bonds. It is necessary and in the best interests of the Village to complete the Project, and for such purpose of completing the Project and paying the Costs, alternate bonds of the Village are hereby authorized to be issued and sold in an aggregate principal amount not to exceed \$1,300,000, and known as "General Obligation Bonds (Alternate Revenue Source), Series 2017" (the "Bonds") of the Village, said Bonds being payable from (i) the net revenues of the Village's Sewerage System (generally gross revenues minus operating and maintenance expenses, the "Sewerage Revenues"), (ii) the Village's distributive share of State of Illinois income taxes ("Revenue Sharing Receipts"), (iii) Retailer's Occupation Taxes, Service Occupation Taxes, Use Taxes and Service Use Taxes (the "Sales Taxes") (collectively, (i), (ii) and (iii) are the "Pledged Revenues") and (iv) ad valorem taxes of the Village for which its full faith and credit have been irrevocably pledged, unlimited as to rate or amount (the "Pledged Taxes").

Section 3. Publication. This Ordinance, together with a notice in the statutory form (the "Notice"), shall be published once within ten (10) days after passage hereof by the Corporate Authorities in the *Rock Island Argus* being a newspaper of general circulation in the Village, and if a petition, signed by 135 electors (said number being the greater of (i) seven and one-half percent (7½%) of the registered voters in the Village or (ii) the lesser of 200 registered voters or 15% of registered voters), asking that the question of the issuance of the Bonds be submitted to the electors of the Village, is filed with the Village Clerk within thirty (30) days after the date of the publication and on or before the 2nd day of January, 2017, asking that the question of the issuance of the Bonds (the "Proposition") be submitted to referendum, then the Proposition shall be submitted to the electors of the Village at the consolidated general election to be held on the 4th day of April, 2017. If such petition is submitted to the Village Clerk within 30 days of publication of this ordinance and the Notice but after the 2nd day of January, 2017, then the Proposition shall be submitted to the electors of the Village at the general primary election to be held on the 20th day of March, 2018, unless there are no voters scheduled to cast votes for any candidates for nomination for, election to or retention in public office, in which case the Proposition shall be submitted to the electors of the Village at the general election to be held on the 6th day of November, 2018. If no petition is filed with the Village Clerk within said 30-day period, then this Ordinance shall be in full force and effect and the Bonds shall be authorized to be issued. A petition form shall be provided by the Village Clerk at the principal office of the Village, located at 221 First Street, Andalusia, Illinois, to any individual requesting one.

Section 4. Additional Ordinances. If no petition meeting the requirements of applicable law is filed during the petition period hereinabove referred to, then the Corporate Authorities may adopt additional ordinances or proceedings supplementing or amending this Ordinance providing for the issuance and sale of the Bonds and prescribing all the details of the Bonds, so long as the maximum amount of the Bonds as set forth in this Ordinance is not exceeded and there is no material change in the purposes described herein. Such additional ordinances or

proceedings shall in all instances become effective in accordance with applicable law. This Ordinance, together with such additional ordinances or proceedings, shall constitute complete authority for the issuance of the Bonds under applicable law.

Section 5. Additional Proceedings. If no petition meeting the requirement of applicable law is filed during the petition period hereinabove referred to, then the preparation and distribution of a preliminary official statement relating to the Bonds is hereby approved, and the President is hereby authorized to deem the preliminary official statement nearly final.

Section 6. Severability. If any section, paragraph, clause or provision of this Ordinance shall be held invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the other provisions of this Ordinance.

Section 7. Repealer. All ordinances, resolutions or orders, or parts thereof, in conflict with the provisions of this Ordinance are to the extent of such conflict hereby repealed.

Section 8. Effective Date. This Ordinance shall be in full force and effect from and after its passage and approval in the manner provided by law.

AYES: _____

NAYS: _____

ABSENT: _____

PASSED this 19th day of December, 2016.

APPROVED by me this 19th day of December, 2016.

By: _____

Its: Curtin Morrow
President, Village of Andalusia,
Rock Island County, Illinois

ATTEST:

By: _____

Its: Shelly Hoffman
Village Clerk, Village of Andalusia,
Rock Island County, Illinois

**NOTICE OF INTENT TO ISSUE BONDS
AND RIGHT TO FILE PETITION
AND HEARING ON PROPOSED ISSUANCE**

Notice is hereby given that pursuant to Ordinance No. _____, adopted on December 19, 2016, the Village of Andalusia, Rock Island County, Illinois (the "Village"), intends to issue alternate bonds, being general obligation bonds (the "Bonds") payable from the hereinafter identified revenue source, in an aggregate principal amount not to exceed \$1,300,000, and bearing interest per annum at not to exceed the maximum rate authorized by law at the time the Bonds are sold, being issued for the purpose of (i) financing various sewer system related projects and (ii) paying certain costs thereof. The Bonds shall be payable from (i) the net revenues of the Village's Sewerage System (generally gross revenues minus operating and maintenance expenses, the "Sewerage Revenues"), (ii) the Village's distributive share of State of Illinois income taxes, (iii) Retailer's Occupation Taxes, Service Occupation Taxes, Use Taxes and Service Use Taxes and (iv) ad valorem taxes of the Village for which its full faith and credit have been irrevocably pledged, unlimited as to rate or amount. The ordinance authorizing the issuance of bonds is attached hereto and appears below this notice.

Notice is hereby further given that if a petition signed by 135 or more registered voters of the Village is submitted to the Village Clerk of the Village (the "Village Clerk") within thirty (30) days after the date of publication of this Notice and the ordinance and on or before the 2nd day of January, 2017, asking that the question of the issuance of the Bonds (the "Proposition") be submitted to referendum, then the Proposition shall be submitted to the electors of the Village at the consolidated general election to be held on the 4th day of April, 2017. If such petition is submitted to the Village Clerk within 30 days of publication of this Notice and the ordinance but after the 2nd day of January, 2017, then the Proposition shall be submitted to the electors of the Village at the general primary election to be held on the 20th day of March, 2018, unless there are no voters scheduled to cast votes for any candidates for nomination for, election to or retention in public office, in which case the Proposition shall be submitted to the electors of the Village at the general election to be held on the 6th day of November, 2018. If no petition is filed with the Village Clerk within said 30-day period, the Bonds shall be authorized to be issued. A form of petition is available from the Village Clerk at the principal office of the Village at 221 First Street, Andalusia, Illinois.

/s/ Shelly Hoffman

Village Clerk
Village of Andalusia, Rock Island County, Illinois

PETITION

To the Village Clerk of the Village of Andalusia, Rock Island County, Illinois:

We, the undersigned, being registered voters of the Village of Andalusia, Rock Island County, Illinois (the "Village"), do hereby petition you to cause the question of issuing General Obligation Bonds (Alternate Revenue Source), Series 2017 (the "Bonds") of the Village for the purpose of (i) financing various sewer system related projects and (ii) paying certain costs thereof, said Bonds being payable from (i) the net revenues of the Village's Sewerage System (generally gross revenues minus operating and maintenance expenses, the "Sewerage Revenues"), (ii) the Village's distributive share of State of Illinois income taxes, (iii) Retailer's Occupation Taxes, Service Occupation Taxes, Use Taxes and Service Use Taxes and (iv) ad valorem taxes of the Village for which its full faith and credit have been irrevocably pledged, unlimited as to rate or amount to be certified to the County Clerk of Rock Island, Illinois, and submitted to the electors of said Village at the next election to be held at which said question may be voted upon.

<u>NAME</u>	<u>ADDRESS</u>	<u>VILLAGE</u>
_____	_____	, Andalusia, Rock Island County, Illinois
_____	_____	, Andalusia, Rock Island County, Illinois
_____	_____	, Andalusia, Rock Island County, Illinois
_____	_____	, Andalusia, Rock Island County, Illinois
_____	_____	, Andalusia, Rock Island County, Illinois
_____	_____	, Andalusia, Rock Island County, Illinois
_____	_____	, Andalusia, Rock Island County, Illinois
_____	_____	, Andalusia, Rock Island County, Illinois
_____	_____	, Andalusia, Rock Island County, Illinois
_____	_____	, Andalusia, Rock Island County, Illinois

I, _____ of _____ (insert residence address), _____, Illinois, do hereby certify that I am a citizen of the United States and at least 18 years of age or older, and in the County of Rock Island, Illinois, and that the signatures on this petition were signed in my presence, and are genuine, and, to the best of my knowledge and belief, the persons so signing were at the time of signing this petition registered voters of said Village and that their respective addresses are correctly stated herein.

/s/ _____

Subscribed and sworn to before me this _____ day of _____, 20____.

Illinois Notary Public

My Commission Expires: _____

BINA Notice Form

The President and Village Board of the Village of Andalusia, Rock Island County, Illinois will hold a public hearing on January 9, 2017 at 7:00 p.m. The hearing will be held at the Village Hall located at 221 First Street in Andalusia, Illinois. The purpose of the hearing will be to receive public comments on the proposal to sell bonds to an amount not to exceed \$1,300,000 for the purpose of (i) financing various sewer system related projects and (ii) paying certain costs thereof.

By: /s/ Shelly Hoffman

Title: Village Clerk

Note to Publisher: The above notice is to be published one time on or before 7 days before the hearing, but not prior to 30 days before the hearing. Suggest sometime in the week of December 26, 2016. **The publication may be in the "legals" or "classified" section of the paper. NO SPECIAL BORDER IS REQUIRED FOR THIS PUBLICATION. DO NOT USE ANY SPECIAL BORDER.** Please send your statement to:

Village Administrator
Village of Andalusia
221 First Street
Andalusia, IL 61232

and send two publication certificates (and text) to Ice Miller LLP, 200 West Madison Street, Suite 3500, Chicago, Illinois 60606-3417, Attention Jenine Phillips.

PUBLISHER: DO NOT PRINT THE FOLLOWING:

President's Approval and Order Setting Public Hearing:

The undersigned, President of the above Municipality, hereby approves and orders the setting of the above Bond Issue Notification Act hearing.

Date: December 19, 2016

President

When signed by the President, please date and fax back to Ice Miller LLP, Attention: Jenine Phillips at 312/726-2694.