

MEMORANDUM

TO: Mayor John Kahl and Members of the City Council

FROM: Jeff Becker, Director of Finance/Treasurer

SUBJECT: Annual Bond Abatement Resolution

DISCUSSION: The City has sold a number of bond issues which are payable from various alternate sources of revenue such as water and sewer revenues and revenues generated within tax increment districts created by the City. As authorized by law and in order to obtain the lowest possible interest rate, the various bond issues are backed by a contingent levy of property taxes which are extended only if the alternate revenue sources are insufficient to pay debt service on the bonds. Accordingly, it is necessary for the City to abate the contingent real estate tax levies in place for 2022. The alternate revenue sources are, as anticipated, sufficient to pay all debt service on those bonds.

RECOMMENDATION: Approve the Annual Bond Abatement Resolution

RESOLUTION NO. 2223-130

January 17, 2022
East Peoria, Illinois

RESOLUTION BY COMMISSIONER _____

WHEREAS, on September 4, 2007 the City Council of the City of East Peoria passed Ordinance No. 3759 authorizing the sale of \$25,000,000.00 General Obligation Bonds, Series 2007; and

WHEREAS, on November 20, 2012 the City Council of the City of East Peoria passed Ordinance No. 4084 authorizing the sale of \$770,000.00 General Obligation Refunding Bonds, Series 2013-A; and

WHEREAS, on November 20, 2012 the City Council of the City of East Peoria passed Ordinance No. 4085 authorizing the sale of \$6,215,000.00 General Obligation Refunding Bonds, Series 2013-B; and

WHEREAS, on April 15, 2014 the City Council of the City of East Peoria passed Ordinance No. 4162 authorizing the sale of \$19,000,000.00 General Obligation Refunding Bonds, (Alternate Revenue Source) Series 2014; and

WHEREAS, on October 15, 2019 the City Council of the City of East Peoria passed Ordinance No. 4458 authorizing the sale of \$18,225,000.00 General Obligation Refunding Bonds, (Alternate Revenue Source) Series 2019; and

WHEREAS, on September 21, 2021 the City Council of the City of East Peoria passed Ordinance No. 4592 authorizing the sale of \$2,485,000.00 General Obligation Refunding Bonds, (Alternate Revenue Source) Series 2021-A; and

WHEREAS, on September 21, 2021 the City Council of the City of East Peoria passed Ordinance No. 4592 authorizing the sale of \$2,485,000.00 General Obligation Refunding Bonds, (Alternate Revenue Source) Series 2021-B; and

WHEREAS, on October 19, 2021 the City Council of the City of East Peoria passed Ordinance No. 4602 authorizing the sale of \$7,255,000.00 General Obligation Refunding Bonds, (Alternate Revenue Source) Series 2021-E; and

WHEREAS, on October 19, 2021 the City Council of the City of East Peoria passed Ordinance No. 4602 authorizing the sale of \$2,880,000.00 General Obligation Refunding Bonds, (Alternate Revenue Source) Series 2021-F; and

WHEREAS, on June 21, 2022 the City Council of the City of East Peoria passed Ordinance No. 4657 authorizing the sale of \$13,980,000 General Obligation Refunding Bonds, (Alternate Revenue Source) Series 2022-A; and

WHEREAS, each of the aforementioned bond ordinances (hereinafter collectively referred to as the "Bond Ordinances") imposed tax levies against all taxable real property in the City of East Peoria; and

WHEREAS, the tax levies for the year 2022 contained in or authorized pursuant to the Bond Ordinances were based upon the assumption that a levy would be necessary to provide funds for the payment of principal and interest on the bonds in the amounts provided by the Bond Ordinances; and

WHEREAS, various alternative sources of funds including incremental property taxes, incremental sales taxes, non-home rule sales taxes, riverboat gaming taxes, proceeds from the sale of refunding bonds, and water and sewer revenues are available for the payment of a portion of the principal and interest on the bonds authorized by the Bond Ordinances; and

WHEREAS, the tax levies for the year 2022 provided for in the Bond Ordinances are, therefore, substantially greater than is necessary to meet the obligation to pay principal and interest created by the sale of the bonds authorized by the Bond Ordinances;

NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS, THAT:

Section 1. The levy of taxes for the year 2022 in the amount of \$2,872,550.00 provided for in a certain bond order authorized by Section 15 of Ordinance No. 3759 entitled "AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF \$25,000,000 GENERAL OBLIGATION BONDS (ALTERNATE REVENUE SOURCE), Series 2007, OF THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS, FOR THE PURPOSE OF REFUNDING CERTAIN HERETOFORE ISSUED AND NOW OUTSTANDING BONDS AND PAYING CERTAIN REDEVELOPMENT PROJECT COSTS, AUTHORIZING THE EXECUTION OF A BOND ORDER AND AN ESCROW AGREEMENT AND PROVIDING FOR THE IMPOSITION OF TAXES TO PAY THE SAME" is hereby totally abated and eliminated, it being the intent of the City Council that no tax levied or extended for the year 2022 as provided in the bond order authorized by said Section 15 of Ordinance No. 3759.

Section 2. The levy of taxes for the year 2022 in the amount of \$97,850.00 provided for in a certain bond order authorized by Section 14 of Ordinance No. 4084 entitled "AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED \$900,000 GENERAL OBLIGATION REFUNDING BONDS

(ALTERNATE REVENUE SOURCE), OF THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS, FOR THE PURPOSE OF REFUNDING CERTAIN HERETOFORE ISSUED AND NOW OUTSTANDING SERIES 2004C BONDS OF SAID CITY, PRESCRIBING ALL THE DETAILS OF SAID BONDS, AUTHORIZING THE EXECUTION OF BOND ORDERS AND AN ESCROW AGREEMENT IN CONNECTION THEREWITH AND PROVIDING FOR THE IMPOSITIONS OF TAXES TO PAY THE SAME” is hereby totally abated and eliminated, it being the intent of the City Council that no tax levied or extended for the year 2022 as provided in the bond order authorized by said Section 14 of Ordinance No. 4084.

Section 3. The levy of taxes for the year 2022 in the amount of \$703,000.00 provided for in a certain bond order authorized by Section 14 of Ordinance No. 4085 entitled “AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED \$6,975,000 GENERAL OBLIGATION REFUNDING BONDS (ALTERNATE REVENUE SOURCE), OF THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS, FOR THE PURPOSE OF REFUNDING CERTAIN HERETOFORE ISSUED AND NOW OUTSTANDING SERIES 2008 BONDS OF SAID CITY, PRESCRIBING ALL THE DETAILS OF SAID BONDS, AUTHORIZING THE EXECUTION OF BOND ORDERS AND AN ESCROW AGREEMENT IN CONNECTION THEREWITH AND PROVIDING FOR THE IMPOSITIONS OF TAXES TO PAY THE SAME” is hereby totally abated and eliminated, it being the intent of the City Council that no tax levied or extended for the year 2022 as provided in the bond order authorized by said Section 14 of Ordinance No. 4085.

Section 4. The levy of taxes for the year 2022 in the amount of \$1,193,980.00 provided for in a certain bond order authorized by Section 14 of Ordinance No. 4162 entitled “AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED \$19,000,000 GENERAL OBLIGATION REFUNDING BONDS (ALTERNATE REVENUE SOURCE), SERIES 2014, OF THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS, FOR THE PURPOSE OF REFUNDING CERTAIN OUTSTANDING ALTERNATE REVENUE BONDS OF SAID CITY, AUTHORIZING THE EXECUTION OF A BOND ORDER IN CONNECTION THEREWITH, PLEDGING CERTAIN REVENUES OF SAID CITY AND PROVIDING FOR THE IMPOSITIONS OF TAXES TO PAY THE SAME” is hereby totally abated and eliminated, it being the intent of the City Council that no tax levied or extended for the year 2022 as provided in the bond order authorized by said Section 14 of Ordinance No. 4162.

Section 5. The levy of taxes for the year 2022 in the amount of \$1,750,035.00 provided for in a certain bond order authorized by Section 14 of Ordinance No. 4458 entitled “AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED \$18,225,000 TAXABLE GENERAL OBLIGATION REFUNDING BONDS (ALTERNATE REVENUE SOURCE), SERIES 2019, OF THE CITY OF EAST

PEORIA, TAZEWELL COUNTY, ILLINOIS, FOR THE PURPOSE OF REFUNDING CERTAIN OUTSTANDING ALTERNATE REVENUE BONDS OF SAID CITY, AUTHORIZING THE EXECUTION OF A BOND ORDER IN CONNECTION THEREWITH, PLEDGING CERTAIN REVENUES OF SAID CITY, PROVIDING FOR THE IMPOSITION OF TAXES TO PAY THE SAME, AUTHORIZING THE EXECUTION OF AN ESCROW AGREEMENT IN CONNECTION THEREWITH, AND AUTHORIZING THE SALE OF SAID BONDS TO THE PURCHASER THEREOF” is hereby totally abated and eliminated, it being the intent of the City Council that no tax levied or extended for the year 2022 as provided in the bond order authorized by said Section 14 of Ordinance No. 4458.

Section 6. The levy of taxes for the year 2022 in the amount of \$259,354.00 provided for in a certain bond order authorized by Section 14 of Ordinance No. 4592 entitled “AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED \$2,485,000 GENERAL OBLIGATION REFUNDING BONDS (WEST WASHINGTON STREET ALTERNATE REVENUE SOURCE), SERIES 2021A, \$2,485,000 GENERAL OBLIGATION REFUNDING BONDS (HOTEL/MOTEL TAX ALTERNATE REVENUE SOURCE), SERIES 2021B, AND \$2,765,000 GENERAL OBLIGATION REFUNDING BONDS (ALTERNATE REVENUE SOURCE), SERIES 2021C, OF THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS, FOR THE PURPOSE OF REFUNDING CERTAIN OUTSTANDING ALTERNATE REVENUE BONDS OF SAID CITY, AUTHORIZING THE EXECUTION OF A BOND ORDER IN CONNECTION THEREWITH, PLEDGING CERTAIN REVENUES OF SAID CITY PROVIDING FOR THE IMPOSITION OF TAXES TO PAY THE SAME, AUTHORIZING THE EXECUTION OF AN ESCROW AGREEMENT IN CONNECTION THEREWITH AND AUTHORIZING THE SALE OF SAID BONDS TO THE PURCHASERS THEREOF” is hereby totally abated and eliminated, it being the intent of the City Council that no tax levied or extended for the year 2022 as provided in the bond order authorized by said Section 16 of Ordinance No. 4592.

Section 7. The levy of taxes for the year 2022 in the amount of \$259,354.00 provided for in a certain bond order authorized by Section 14 of Ordinance No. 4592 entitled “AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED \$2,485,000 GENERAL OBLIGATION REFUNDING BONDS (WEST WASHINGTON STREET ALTERNATE REVENUE SOURCE), SERIES 2021A, \$2,485,000 GENERAL OBLIGATION REFUNDING BONDS (HOTEL/MOTEL TAX ALTERNATE REVENUE SOURCE), SERIES 2021B, AND \$2,765,000 GENERAL OBLIGATION REFUNDING BONDS (ALTERNATE REVENUE SOURCE), SERIES 2021C, OF THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS, FOR THE PURPOSE OF REFUNDING CERTAIN OUTSTANDING ALTERNATE REVENUE BONDS OF SAID CITY, AUTHORIZING THE EXECUTION OF A BOND ORDER IN CONNECTION THEREWITH, PLEDGING CERTAIN REVENUES OF SAID CITY PROVIDING FOR THE IMPOSITION OF TAXES TO PAY THE SAME, AUTHORIZING THE EXECUTION OF AN ESCROW AGREEMENT IN CONNECTION THEREWITH AND AUTHORIZING THE SALE OF SAID BONDS TO THE PURCHASERS THEREOF” is hereby totally abated and eliminated, it being the intent of the City Council

that no tax levied or extended for the year 2022 as provided in the bond order authorized by said Section 16 of Ordinance No. 4592.

Section 8. The levy of taxes for the year 2022 in the amount of \$786,865.50 provided for in a certain bond order authorized by Section 14 of Ordinance No. 4602 entitled “AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED \$7,255,000 TAXABLE GENERAL OBLIGATION REFUNDING BONDS (TARGET AREA BUSINESS DISTRICT TAX ALTERNATE REVENUE SOURCE), SERIES 2021E, AND \$2,880,000 TAXABLE GENERAL OBLIGATION REFUNDING BONDS (COSTCO AREA BUSINESS DISTRICT TAX ALTERNATE REVENUE SOURCE), SERIES 2021F, OF THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS, FOR THE PURPOSE OF REFUNDING CERTAIN OUTSTANDING ALTERNATE REVENUE BONDS OF SAID CITY, AUTHORIZING THE EXECUTION OF A BOND ORDER IN CONNECTION THEREWITH, PLEDGING CERTAIN REVENUES OF SAID CITY AND AUTHORIZING THE SALE OF SAID BONDS TO MORTON COMMUNITY BANK” is hereby totally abated and eliminated, it being the intent of the City Council that no tax levied or extended for the year 2022 as provided in the bond order authorized by said Section 16 of Ordinance No. 4602.

Section 9. The levy of taxes for the year 2022 in the amount of \$315,392.50 provided for in a certain bond order authorized by Section 14 of Ordinance No. 4602 entitled “AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED \$7,255,000 TAXABLE GENERAL OBLIGATION REFUNDING BONDS (TARGET AREA BUSINESS DISTRICT TAX ALTERNATE REVENUE SOURCE), SERIES 2021E, AND \$2,880,000 TAXABLE GENERAL OBLIGATION REFUNDING BONDS (COSTCO AREA BUSINESS DISTRICT TAX ALTERNATE REVENUE SOURCE), SERIES 2021F, OF THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS, FOR THE PURPOSE OF REFUNDING CERTAIN OUTSTANDING ALTERNATE REVENUE BONDS OF SAID CITY, AUTHORIZING THE EXECUTION OF A BOND ORDER IN CONNECTION THEREWITH, PLEDGING CERTAIN REVENUES OF SAID CITY AND AUTHORIZING THE SALE OF SAID BONDS TO MORTON COMMUNITY BANK” is hereby totally abated and eliminated, it being the intent of the City Council that no tax levied or extended for the year 2022 as provided in the bond order authorized by said Section 16 of Ordinance No. 4602.

Section 10. The levy of taxes for the year 2022 in the amount of \$409,203.00 provided for in a certain bond order authorized by Section 14 of Ordinance No. 4657 entitled “AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED \$13,980,000 TAXABLE GENERAL OBLIGATION REFUNDING BONDS (ALTERNATE REVENUE SOURCE), SERIES 2022A, OF THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS, FOR THE PURPOSE OF REFUNDING CERTAIN OUTSTANDING ALTERNATE REVENUE BONDS OF SAID CITY, AUTHORIZING THE EXECUTION OF A BOND ORDER IN CONNECTION THEREWITH, PLEDGING CERTAIN REVENUES OF SAID CITY, PROVIDING FOR THE IMPOSITION OF TAXES TO PAY THE SAME, AUTHORIZING THE EXECUTION OF AN ESCROW AGREEMENT IN CONNECTION THEREWITH, AND AUTHORIZING

THE SALE OF SAID BONDS TO THE PURCHASER THEREOF.” is hereby totally abated and eliminated, it being the intent of the City Council that no tax levied or extended for the year 2022 as provided in the bond order authorized by said Section 16 of Ordinance No. 4657.

Section 11. The remaining levies of taxes as set forth in or authorized pursuant to the Bond Ordinances for the years subsequent to 2022 are not abated or affected in any manner whatsoever by the passage of this Resolution.

Section 12. In the event that a court of competent jurisdiction determines that the tax levies for the years subsequent to 2022 provided for in the Bond Ordinances are in any way affected by this Resolution, then this Resolution shall be void and of no effect whatsoever.

Section 13. Upon the effective date of this Resolution, a copy hereof certified by the City Clerk, which certificate shall recite that this Resolution has been passed by the City Council and approved by the Mayor, shall be filed with the County Clerk of Tazewell County, Illinois, who is hereby directed to abate the levies for the year 2022 contained in the Bond Ordinances or Bond Orders therein authorized but only to the extent specifically provided herein.

Section 14. This Resolution is in addition to all other resolutions on the subject and shall be construed therewith excepting as to that part in direct conflict with any other resolution and in the event of such conflict, the provisions hereof shall govern.

Section 15. This Resolution shall be in full force and effect from and after its passage and approval in the manner provided by law.

APPROVED:

Mayor

ATTEST:

City Clerk