



BOARD OF TRUSTEES MEETING

AGENDA ITEM NO: 6.h.

DATE: April 14, 2025

SUBJECT:

CORRECTED VERSION DUE TO CALCULATION ERROR

AN ORDINANCE RESERVING AND AUTHORIZING THE TRANSFER OF VOLUME CAP IN CONNECTION WITH PRIVATE ACTIVITY BOND ISSUES AND RELATED MATTERS

STAFF REPORT

TO: Mayor Trilla and Board of Trustees
FROM: Alex Arteaga, Assistant to the Village Administrator
THROUGH: Sean Halloran, Village Administrator

BACKGROUND/SUMMARY

The Village of Willowbrook became a Home Rule Municipality through public referendum in April 2019. As such, the Village of Willowbrook is now annually allocated an amount of private activity bond volume cap, pursuant to Federal Tax Reform Act of 1986, as amended, and the Illinois Private Activity Bond Allocation Act. The Village can utilize the volume cap itself any time during the calendar year 2025 or transfer it to another municipality, generally for value.

Section 146 of the Internal Revenue Code of 1986, as amended, provides that the Village has volume cap equal to \$130 per resident of the Village in each calendar year, which volume cap may be reserved and allocated to certain tax-exempt private activity bonds (~~(\$130 * 9,056 = \$1,177,180.00)~~ **(\$130 * 9,038 = \$1,174,940.00)**).

The Illinois Private Activity Bond Allocation Act, 30 ILCS 345/1 et seq. (State Bar Ed. 2016), as supplemented and amended, provides that a home rule unit of government may transfer its allocation of volume cap to any other home rule unit of government, the State of Illinois, or any agency thereof or any non-home rule unit of government.

Private activity bonds (PABs or federally tax-exempt conduit infrastructure bonds) enable the following types of charities and 501(c)(3) organizations to finance their capital infrastructure projects at generally lower interest rates and longer maturities – and to create long-term economic value for communities throughout Illinois:

- Hospitals and health systems;
- Schools – research universities, colleges, charter schools and others;
- Museums and cultural institutions; and
- Organizations that provide housing for seniors, students and working people

RECOMMENDED ACTION:

The Village attorney recommends the Village reserve all of its volume cap allocation for calendar year 2025 to be applied toward the issuance of private activity bonds, as provided in this Ordinance, or to be transferred, as permitted by this Ordinance.

In order to reserve the Village's volume cap allocation, the attached ordinance must be passed and approved prior to May 1, 2025. Additionally, a notice of reservation of the volume cap must be provided to the Governor's Office no later than May 10, 2025.



Village of WILLOWBROOK

Mayor

Frank A. Trilla

Village Clerk

Gretchen Boerwinkle

Village Trustees

Mark L. Astrella

Sue Berglund

Umberto Davi

Michael Mistele

Gayle Neal

Gregory Ruffolo

Village Administrator

Sean Halloran

Chief of Police

Lauren Kaspar



Proud Member of the
Illinois Route 66 Scenic Byway

April 14, 2025

Office of the Governor

Governor's Office of Management and Budget

555 West Monroe Street – Suite 1500 – S-GOMB

Chicago, Illinois 60661

Attn: Sophia Ronis

ATTENTION: Debt Management Unit

Re: Issuer: Village of Willowbrook, a Home Rule Unit

Total 2025 Volume Cap Allocation: ~~\$1,177,780.00~~ **\$1,174,940.00**

Volume Cap allocations granted, transferred, or reserved by Issuer ordinance prior to May 1, 2025:

1. Principal Amount of Issue: ~~\$1,177,180.00~~ **\$1,174,940.00**

Bond Description: Private Activity Bonds

Reallocation/Transfer: Year 2025 Private Activity Bond issuance authority is reserved to the Village of Willowbrook

Total Allocation Reserved: ~~\$1,177,180.00~~ **\$1,174,940.00**

A certified copy of the previously approved reservation ordinance is enclosed. If you have any questions or require further information, please contact me.

Sincerely,

Village of Willowbrook

Sean Halloran
Village Administrator
(630) 323-8215

ORDINANCE NO. 25 – O - _____

**AN ORDINANCE RESERVING AND AUTHORIZING THE
TRANSFER OF VOLUME CAP IN CONNECTION WITH
PRIVATE ACTIVITY BOND ISSUES AND RELATED MATTERS**

WHEREAS, the Village of Willowbrook, DuPage County (the “*Village*”), is a municipality and a home rule unit of government under Section 6 of Article VII of the 1970 Constitution of the State of Illinois; and

WHEREAS, Section 146 of the Internal Revenue Code of 1986, as amended (the “*Code*”), provides that the Village has a volume cap equal to \$130.00 per resident of the Village in each calendar year, which volume cap may be reserved and allocated to certain tax-exempt private activity bonds; and

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

WHEREAS, it is now deemed necessary and desirable by the Village to reserve all of its volume cap allocation for calendar year 2025 to be applied toward the issuance of private activity bonds (the “*Bonds*”), as provided in this Ordinance, or to be transferred, as permitted by this Ordinance;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Board of Trustees of the Village of Willowbrook, DuPage County, Illinois, as follows:

SECTION ONE. That, pursuant to Section 146 of the Code and the Act, the entire volume cap of the Village for calendar year 2025 is hereby reserved by the Village, which may issue the Bonds using such volume cap, or without any further action required on the part of the corporate authorities of the Village, may transfer such volume cap to a home rule unit of

government, non-home rule unit of government, the State of Illinois or any agency thereof for the issuance of private activity bonds by such governmental entity, and the adoption of this Ordinance shall be deemed to be an allocation of such volume cap to the issuance of the Bonds or authorization of the transfer of such volume cap for use in the issuance of such other bonds; *provided*, that any such transfer shall be evidenced by a written instrument executed by the Mayor, Village Administrator, Assistant Village Administrator or Finance Director or any other proper officer or employee of the Village.

SECTION TWO. That the Village shall maintain a written record of this Ordinance in its records during the term that the Bonds or any other such bonds to which such volume cap is allocated remain outstanding.

SECTION THREE. That the Mayor, Village Clerk, Village Administrator, Assistant Village Administrator, Finance Director and all other proper officers, officials, agents and employees of the Village are hereby authorized, empowered and directed to do all such acts and things and to execute all such documents and certificates as may be necessary to further the purposes and intent of this Ordinance and to comply with the provisions of the Act with respect to transfers of volume cap.

SECTION FOUR. That the provisions of this Ordinance are hereby declared to be separable, and if any section, phrase or provision of this Ordinance shall for any reason be declared to be invalid, such declaration shall not affect the remainder of the sections, phrases and provisions of this Ordinance.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

SECTION FIVE. That all ordinances, resolutions or orders, or parts thereof, in conflict herewith are, to the extent of such conflict, hereby superseded; and that this Ordinance shall be in full force and effect upon its adoption and approval.

PASSED and APPROVED this 14th day of April, 2025 by a ROLL CALL VOTE as follows:

AYES: _____

NAYS: _____

ABSTENTIONS: _____

ABSENT: _____

APPROVED:

Frank A. Trilla, Mayor

ATTEST:

Gretchen Boerwinkle, Village Clerk