

15-R-04

A RESOLUTION

To Amend the City of Evanston Budget Policy

WHEREAS, the City of Evanston, Cook County, Illinois (the "City") has adopted a Budget Policy (the "Budget Policy") pursuant to proceedings of December 18, 2000; and

WHEREAS, the Budget Policy paragraph J relating to the Debt Service Fund must be amended to accommodate current needs of the City and the recommendations of bond counsel,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EVANSTON, COOK COUNTY, ILLINOIS, AS FOLLOWS:

SECTION 1. That paragraph J of the Budget Policy is hereby deleted in its entirety as currently written and amended to read as follows:

J. Debt Service Fund. General Obligation Debt of the City means debt (*viz.*, bonds) for which an unlimited real property tax levy is made or pledged for payment. General Obligation Debt shall be allocated into two categories. Self-Supporting General Obligation Debt shall mean General Obligation Debt which, at the time of issuance, is expected and intended by the Finance Director to be payable out of a source of funds other than the City's general real property tax levy, thus permitting the abatement and avoidance of the property tax levy to pay such bonds; examples of Self-Supporting General Obligation Debt include (without limitation) bonds payable from the Water Fund or the Sewer Fund, bonds payable from special assessments, bonds payable from tax increment financing areas, and bonds payable from Motor Fuel Taxes. Tax-Supported General Obligation Debt shall mean all other General Obligation Debt, which is expected and intended to be paid from a general real property tax levy. General Obligation Debt shall not include any obligation of the City not denominated a bond, including, without limitation, short term notes or

warrants or other obligations which the City may issue from time to time for various purposes and to come due within three (3) years of issuance. General Obligation Debt does not include bonds which have been refunded or defeased and which, as a consequence of same, are provided for from a dedicated source of funds or investments. Self-Supporting General Obligation Debt shall not be limited by this Budget Policy. Tax-Supported General Obligation Debt shall not exceed \$90,000,000 in aggregate principal amount, which limit is expressly subject to increase from time to time by action of the City Council as the needs of the City may grow. General Obligation Debt issued as so-called zero coupon bonds or capital appreciation bonds shall be counted as debt in the original principal amount issued. The Finance Director shall at all times keep a book or record of all General Obligation Debt and its proper allocation. The Finance Director's statements as to the allocation of General Obligation Debt into these two categories shall be conclusive. Notwithstanding this statement of policy, all bonds or other obligations by whatever name designated of the City duly authorized to be issued by the City Council shall be valid and legally binding as against the City, and there shall be no defense of the City as against any bondholder or other obligation holder on the basis of this policy.

SECTION 2. That this resolution may be amended only by subsequent resolution or ordinance as adopted by this City Council.

SECTION 3. That all motions, resolutions and orders, or parts thereof, in conflict herewith, are to the extent of such conflict hereby repealed.

SECTION 4. This resolution shall be effective immediately, and the Budget Policy shall be accordingly restated.

Adopted: March 22, 2004

Approved: March 23, 2004
Lorraine H. Norton
Mayor

ATTEST:

Mary P. Morris
City Clerk