



**CITY OF
BLOOMINGTON
COUNCIL MEETING
DECEMBER 14, 2020**



COMPONENTS OF THE COUNCIL AGENDA

RECOGNITION AND PROCLAMATION

This portion of the meeting recognizes individuals, groups, or institutions publically, as well as those receiving a proclamation, or declaring a day or event.

PUBLIC COMMENT

Each regular City Council meeting shall have a public comment period not to exceed 30 minutes. Every speaker is entitled to speak for up to 3 minutes. To be considered for public comment, please complete a public comment card at least 5 minutes prior to the start of the meeting. The Mayor will randomly draw from the cards submitted. Public comment is a time to give comment. It is not a question and answer period and the City Council does not respond to public comments. Speakers who engage in threatening or disorderly behavior will have their time ceased.

CONSENT AGENDA

All items under the Consent Agenda are considered to be routine in nature and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member, City Manager or Corporation Counsel so requests; in which event, the item will be removed from the Consent Agenda and considered in the Regular Agenda, which typically begins with Item No. 8.

The City's Boards and Commissions hold Public Hearings prior to some Council agenda items appearing on the Council's Meeting Agenda. Persons who wish to address the Council should provide new information that is pertinent to the issue before them.

PUBLIC HEARING

Items that require receiving public testimony will be placed on the agenda and noticed as a Public Hearing. Individuals have an opportunity to provide public testimony on those items that impact the community and/or residence.

REGULAR AGENDA

All items that provide the Council an opportunity to receive a presentation, ask questions of City Staff, seek additional information, or deliberate prior to making a decision will be placed on the Regular Agenda.

MAYOR AND COUNCIL MEMBERS

Mayor, At-Large - Tari Renner

City Council Members

Ward 1 - Jamie Mathy

Ward 2 - Donna Boelen

Ward 3 - Mboka Mwilambwe

Ward 4 - Julie Emig

Ward 5 - Joni Painter

Ward 6 - Jenn Carrillo

Ward 7 - Mollie Ward

Ward 8 - Jeff Crabill

Ward 9 - Kim Bray

City Manager - Tim Gleason

Deputy City Manager - Billy Tyus

CITY LOGO DESIGN RATIONALE

The **CHEVRON** Represents:
Service, Rank, and Authority
Growth and Diversity
A Friendly and Safe Community
A Positive, Upward Movement and
Commitment to Excellence!

MISSION, VISION, AND VALUE STATEMENT

MISSION

To Lead, Serve and Uplift the
City of Bloomington

VISION

A Jewel of the Midwest Cities

VALUES

Service-Centered,
Results-Driven,
Inclusive

STRATEGIC PLAN GOALS

- ❖ Financially Sound City Providing Quality Basic Services
- ❖ Upgrade City Infrastructure and Facilities Grow the Local Economy
- ❖ Strong Neighborhoods
- ❖ Great Place - Livable, Sustainable City
- ❖ Prosperous Downtown Bloomington

AGENDA



REGULAR SESSION CITY COUNCIL MEETING AGENDA
CITY COUNCIL CHAMBERS
109 EAST OLIVE STREET, BLOOMINGTON, IL 61701
MONDAY, DECEMBER 14, 2020, 6:00 P.M.

THIS MEETING WILL BE HELD VIRTUALLY. LIVE STREAM AVAILABLE AT:
www.cityblm.org/live

Prior to 15 minutes before the start of the meeting, 1) those persons wishing to provide public comment or testify at the meeting must register at www.cityblm.org/register, and/or 2) those persons wishing to provide written comment must email their comments to publiccomment@cityblm.org.

Members of the public may also attend the meeting at City Hall. Attendance will be limited to 10 people including staff and Board Members and will require compliance with City Hall COVID-19 protocols and social distancing. Participants and attendees are encouraged to attend remotely.

The rules for participation and attendance may be subject to change due to changes in law or to executive orders relating to the COVID-19 pandemic occurring after the publication of this agenda. Changes will be posted at www.cityblm.org/register.

1. Call to Order
2. Pledge of Allegiance to the Flag
3. Remain Standing for a Moment of Silent Prayer
4. Roll Call
5. COVID-19 Update by City Manager
6. Recognition/Appointments
7. Public Comment

This meeting is being held virtually via live stream. Public comment will be accepted up until 15 minutes before the start of the meeting. Written public comment must be emailed to publiccomment@cityblm.org and those wishing to speak Live must register at <https://www.cityblm.org/register>.

8. Consent Agenda

Clerk-led Roll Call Vote

- A. Consideration and action to approve the Minutes of the November 9, 2020 Regular City Council Meeting, as requested by the City Clerk Department.
(Recommended Motion: The proposed Minutes be approved.)

- B. Consideration and action to approve the Minutes of the November 16, 2020 Committee of the Whole Meeting, as requested by the City Clerk Department. *(Recommended Motion: The proposed Minutes be approved.)*
- C. Consideration and action to approve the John M. Scott Health Fiscal Year 2020 Annual Court Report, as requested by the Economic & Community Development Department. *(Recommended Motion: The proposed Annual Court Report be approved.)*
- D. Consideration and action on an Intergovernmental Agreement between the City of Bloomington and Bloomington Public Schools, District 87, so that they can purchase rock salt from the City during winter 2020-2021, in the amount of \$106.67 per ton for the existing supply left over from the 2019-2020 season, and in the amount of \$66.97 per ton once the existing supply is exhausted, not to exceed 250 tons, as requested by the Public Works Department. *(Recommended Motion: The proposed Intergovernmental Agreement be approved.)*
- E. Consideration and action on a Resolution Requiring the Annexation of the Timberlake Subdivision, as requested by the Legal Department. *(Recommended Motion: The proposed Resolution be approved.)*
- F. Consideration and action on a Resolution to Intervene in the 2019 Appeals to the Property Tax Appeal Board, as requested by the Legal Department. *(Recommended Motion: The proposed Resolution be approved.)*
- G. Consideration and action on a Resolution Approving Acceptance of the US Department of Housing and Urban Development's Office of Lead Hazard Control and Healthy Homes' Lead-Based Paint Hazard Reduction Grant, as requested by the Economic & Community Development Department. *(Recommended Motion: The proposed Resolution be approved.)*
- H. Consideration and action on an Ordinance Approving a Special Use Permit for Vehicle Sales and Service in the B-1 General Commercial District, for Property Located at 2426 S. Main Street, Bloomington, IL 61704, as requested by the Economic & Community Development Department. *(Recommended Motion: The proposed Ordinance be approved.)*
- I. Consideration and action on an Ordinance Approving a Special Use Permit for Vehicle Repair and Service in the M-1 Restricted Manufacturing District for Property Located at 604 W. Division Street, Bloomington, IL 61701, as requested by the Economic & Community Development Department. *(Recommended Motion: The proposed Ordinance be approved.)*
- J. Consideration and action on an Ordinance Approving the Final Plat of Parkway Village Phase 6 Subdivision and Vacating Certain Easements, as requested by the Public Works Department. *(Recommended Motion: The proposed Ordinance be approved with the condition that the necessary supporting documentation is provided to the City within 90 days of action by Council.)*

9. Regular Agenda

Clerk-led Roll Call Vote

- A. Consideration and action on an Ordinance Amending Chapter 7 of the City Code to Create a Video Gaming License Waitlist, as requested by the City Clerk Department. *(Recommended Motion: The proposed Ordinance be approved.) (Presentation by Leslie Yocum, City Clerk, 3 minutes; and City Council discussion, 3 minutes.)*
- B. Consideration and action on Council Member Boelen's Agenda Initiative Proposal to adopt a Resolution for the purpose of investigating and implementing the Welcoming America Initiative, a national non-for-profit established in 2009, to seek designation as a Welcoming America Community, as requested by the Administration Department. *(Recommended Motion: That staff be provided direction on and directed to draft an Ordinance regarding Welcoming America.) (Presentation by Donna Boelen, Council Member, 10 minutes; and City Council discussion, 30 minutes.)*
- C. Consideration and potential action regarding Ordinance 2020-18, An Ordinance Declaring a Local Emergency Due to the COVID-19 Virus & Enacting Various Emergency Measures, as requested by the Legal Department. *(Recommended Motion: No modifications recommended at this time.) (Presentation by Tim Gleason, City Manager, 5 minutes; and City Council discussion, 5 minutes.)*

10. Finance Director's Report

<https://www.cityblm.org/government/advanced-components/documents/-folder-145>

11. City Manager's Discussion

12. Mayor's Discussion

13. Council Member's Discussion

14. Executive Session - Cite Section

Clerk-led Roll Call Vote

15. Adjournment

Voice Vote

CONSENT AGENDA



CONSENT AGENDA ITEM NO. 8.A

FOR COUNCIL: December 14, 2020

SPONSOR: City Clerk Department

WARD IMPACTED: City-Wide Impact

SUBJECT: Consideration and action to approve the Minutes of the November 9, 2020 Regular City Council Meeting, as requested by the City Clerk Department.

RECOMMENDED MOTION:

The proposed Minutes be approved.

STRATEGIC PLAN LINK:

-Goal 1. Financially Sound City Providing Quality Basic Services

STRATEGIC PLAN SIGNIFICANCE:

-Objective 1d. City services delivered in the most cost-effective, efficient manner

BACKGROUND: The minutes of the meetings provided have been reviewed and certified as correct and complete by the City Clerk. In compliance with the Open Meetings Act, Council Proceedings must be approved thirty (30) days after the meeting or at the second subsequent regular meeting whichever is later. In accordance with the Open Meetings Act, Council Proceedings are available for public inspection and posted to the City's web site within ten (10) days after Council approval.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: N/A

FINANCIAL IMPACT: N/A

COMMUNITY DEVELOPMENT IMPACT: N/A

Respectfully submitted for Council consideration.

Prepared by: Amanda Mohan, Records and Licensing Specialist

Reviewed by:

A handwritten signature in cursive script that reads 'Tara Henry'.

Tara Henry, Legislative Assistant

12/3/2020

Recommended by:

A handwritten signature in black ink, appearing to read 'T. Gleason', is positioned above a horizontal line.

Tim Gleason, City Manager

Attachments:

- CLK 1B DRAFT 11-09-2020 Regular City Council Meeting Minutes



**MINUTES
REGULAR SESSION CITY COUNCIL MEETING
MONDAY, NOVEMBER 9, 2020, 6:00 P.M.**

This meeting was conducted under Governor Pritzker's Executive Order 2020-07, Section 6 implemented in response to COVID-19, which suspended in-person attendance under the Open Meeting Act, 5 ILCS 120.

The City Council convened in regular session virtually via Zoom conferencing with the City Manager, Tim Gleason, and City Clerk, Leslie Yocum, in-person in City Hall's Council Chambers at 6:00 p.m., Monday, November 9, 2020. The meeting was called to order by Mayor Tari Renner.

Roll Call

Attendee Name	Title	Status	Arrived
Tari Renner	Mayor	Present	
Jamie Mathy	Ward 1	Remote	
Donna Boelen	Ward 2	Remote	
Mboka Mwilambwe	Ward 3	Remote	
Julie Emig	Ward 4	Remote	
Joni Painter	Ward 5	Remote	
Jennifer Jazmin Carrillo	Ward 6	Remote	
Jeff Crabill	Ward 8	Remote	
Kim Bray	Ward 9	Remote	

Council Member Appointment/Swearing-In

A. Consideration and action to approve the Appointment of Mollie Ward to City Council for Ward 7, as requested by the Administration Department. (Recommended Motion: The proposed Appointment be approved.)

Mayor Renner reported that out of nine applicants, he was recommending Mollie Ward be appointed as Council Member of Ward 7.

Council Member Bray made a motion, seconded by Council Member Painter, to that the proposed Appointment be approved.

Mayor Renner directed the Clerk to call the roll, which resulted in the following:

AYES: Mathy, Boelen, Mwilambwe, Emig, Painter, Carrillo, Crabill, Bray

Motion carried.

B. Swearing-In

Leslie Yocum, City Clerk, swore in Mary "Mollie" Ward to the office of Council Member of Ward 7. Council Member Ward was accompanied by her husband, Greg Shaw.

COVID-19 Update by City Manager

Tim Gleason, City Manager, informed Council that while the COVID-19 positive cases were trending higher within the County and within the organization, City services continued to remain a priority. He reported that the Community Development Block Grant (CDBG) Cares Act funds for businesses had been allotted and that the CDBG Cares Act funding for individual residence assistance continued to be processed. He noted that a request for additional CDBG Cares Act funding would appear before Council in the near future.

Recognition/Appointments

Mayor Renner introduced Mike Matijka, former Council Member, who addressed Council and discussed the recent loss of Barb Atkins, a former Deputy City Manager. Mr. Matijka praised Mrs. Atkins for her dedication to the City and provided background on Mrs. Atkins long service to the City. He explained that she had been instrumental in the Not in Our Town movement. He went on to discuss multiple other ways Mrs. Atkins had benefited the community and the City as an organization.

A. Recognition of Service

Mayor Renner recognized Scott Black for his service as a Council Member from 2013 to 2020 and held up a plaque that would be delivered to Mr. Black. He then read the plaque aloud.

B. Proclamation recognizing November 18, 2020 as GIS Day

Mayor Renner read the proclamation aloud. Kevin Kothe, Director of Public Works, accepted the proclamation and addressed Council. Mr. Kothe appreciated the recognition and explained how the Geographic Information System ("GIS") had benefited citizens, the City, and other intergovernmental partners.

C. Recognition of Appointments to various Boards and Commissions

Leslie Yocum, City Clerk, recognized the appointments of Justin Boyd to the Bloomington Normal Convention and Visitor's Bureau Board, and Greg Koos to the Historic Preservation Commission.

Public Comment

Mayor Renner opened the meeting for public comment and the following individuals spoke live: (1) Surena Fish; (2) Scott Stimeling; (3) Allan Axelrod; (4) Trevin Gaffney; (5) Kyle Auer; (6) Leah Pinson; (7) Robert Garcia; (8) Kevin Lower; (9) Katie Hoy; (10) Matthew Toczko; (11) Jon Reed; (12) Meghan Moore; and (13) Becky Swan. Matthew Ethridge who was called on to speak live, had technical difficulties. The following individuals registered to speak live, but were not present in the meeting: (1) Krystle Able; (2) Meghan Moore; (3) Anthony Overton; and (4) Tom Garrett. The following individuals submitted emailed public comment: (1) Zach Carlson; (2) Kimberly Kiper; (3) Matthew Ethridge; (4) Mickael Griffin; (5) Mickaela Atkins; (6) Creighton Budris; (7) Jenny Crones; and (8) Art Rodriguez.

Consent Agenda

Items listed on the Consent Agenda are approved with one motion; Items pulled by Council from the Consent Agenda for discussion are listed and voted on separately.

Council Member Boelen made a motion, seconded by Council Member Carrillo, that the Consent Agenda, including all items listed below, be approved as presented with the exception of Item 9.E.

Mayor Renner directed the Clerk to call the roll, which resulted in the following:

AYES: Mathy, Boelen, Mwilambwe, Emig, Painter, Carrillo, Ward, Crabill, Bray

Motion carried.

Item 9.A. Consideration and action to approve the Minutes of the September 21, 2020 Committee of the Whole Meeting, as requested by the City Clerk Department. (Recommended Motion: The proposed Minutes be approved.)

Item 9.B. Consideration and action to approve the Minutes of the September 28, 2020 Regular City Council Meeting, as requested by the City Clerk Department. (Recommended Motion: The proposed Minutes be approved.)

Item 9.C. Consideration and action to approve Bills and Payroll in the amount of \$6,273,316.32, as requested by the Finance Department. (Recommended Motion: The proposed Bills and Payroll be approved.)

Item 9.D. Consideration and action on a Resolution Waiving the Formal Bidding Requirements and Approving a Contract with Republic Services for the Disposal of Non-special Waste Materials, in the amount not to exceed \$75,000, as requested by the Public Works Department. (Recommended Motion: The proposed Resolution and Contract be approved.)

Item 9.E. was removed from the Consent Agenda by Council Member Mwilambwe.

Item 9.F. Consideration and action on a Request from the City of Bloomington for a Class EAS (Entertainment, All Types of Alcohol, and Sunday Sales) Liquor License to operate at the location commonly referred to as Grossinger Motors Arena, located at 101 S. Madison St., as requested by the City Clerk Department. (Recommended Motion: The proposed Application be approved contingent upon compliance with all building, health, and safety codes.)

Items Pulled from the Consent Agenda

Item 9.E. Consideration and action on an Ordinance Approving a Zoning Map Amendment for Property Located North of E. Empire Street/Route 9 and East of Towanda Barnes Road, Approximately 14 Acres in the Harvest Pointe Subdivision, from B-1 General Commercial District to R-2 Mixed Residence District, as requested by the Economic & Community Development Department.

Council Member Mwilambwe had received questions from his constituents regarding the item and asked Katie Simpson, City Planner, to provide additional information.

Ms. Simpson provided a brief history of the item and explained the request. She provided details on the procedure to approve a subject property for development, noting that the item was required to be reviewed and approved by the Planning Commission prior to Council consideration.

Council Member Mwilambwe asked for additional detail on issues raised during public comment at the Planning Commission. Ms. Simpson responded that the subject property had

an existing annexation agreement, of which the developer was aware. She noted other issues recognized in public comment regarding ingress/egress and water detention, explaining that the developer was working to fulfill those requirements. She reiterated that the development would appear before Council again for final approval.

Council Member Mwilambwe made a motion, seconded by Council Member Boelen, to the proposed Ordinance be approved.

Mayor Renner directed the Clerk to call the roll, which resulted in the following:

AYES: Mathy, Boelen, Mwilambwe, Emig, Painter, Carrillo, Ward, Crabill, Bray

Motion carried.

Regular Agenda

The following item was presented:

Item 10.A. Consideration and action to approve the 2020 Property Tax Levy Estimate for the City of Bloomington and the Bloomington Public Library, as requested by the Finance Department.

Mr. Gleason introduced the item and noted Council's interest in retaining the 15% property tax rate that came from the City of Bloomington. He then asked Scott Rathbun, Finance Director, to address Council. Mr. Rathbun discussed the statutory requirements of adopting tax levies. He explained the purpose of a tax levy, how it works, and how an average citizen's Equalized Assessed Value ("EAV") for property taxes was determined. He went on to discuss proposed and historical tax levies for the past five years, noting a positive incremental increase. He concluded by explaining what a tax levy paid for and how property taxes were allocated in the district.

Council Member Crabill referenced the term "general corporate" in the packet and asked for an explanation on the definition. Mr. Rathbun responded.

Council Member Boelen suggested Mr. Rathbun provide a list to the public that explained what expenses the property tax covered.

Council Member Carrillo made a motion, seconded by Council Member Crabill, that the proposed Property Tax Levy Estimate be approved.

Mayor Renner directed the Clerk to call the roll, which resulted in the following:

AYES: Mathy, Boelen, Mwilambwe, Emig, Painter, Carrillo, Ward, Crabill, Bray

Motion carried.

The following item was presented:

Item 10.B. Consideration and action on Council Member Carrillo's Agenda Initiative Proposal to make Indigenous Peoples' Day a City holiday, as requested by the Administration Department.

Council Member Carrillo provided a brief background on the Initiative and expressed the importance of the recognition. She did not support the celebration of Christopher Columbus, stating that he performed atrocities against indigenous people. She described some of the hardships indigenous people face and explained her reasoning behind her proposal. She recommended that Council recognize the second Monday in October as

Indigenous Peoples' Day, and erase any mention of Columbus Day from City Documents. She asked that her Initiative mimic the procedure and consideration taken with Council Member Mwilambwe's Juneteenth Initiative. She discussed the same partnering with the Human Relations Commission, local celebrations, etc. and went on to talk about the need for the ordinance to be accompanied by a resolution to urge State and Federal representatives to support similar events and legislation.

Mayor Renner confirmed the direction of Council Member Carrillo.

Carrillo motioned, seconded by Crabill, to direct staff to create an ordinance similar to Juneteenth for Indigenous Peoples' Day; and to create a resolution that would send a letter to state and federal representatives urging them to replace Columbus Day with Indigenous Peoples' Day.

Mayor Renner reminded Council that the motion, if approved, would direct staff to draft the items, but that they would appear before Council for final approval.

Council Member Boelen pointed out that the Initiative had been changed on the floor compared to the proposal in the packet, and asked for clarification. Jeff Jurgens, Corporate Counsel, clarified that the motion was not out of line. He also noted that the City did not currently celebrate Columbus Day. Council Member Boelen asked if the resolution required a separate Initiative. Mr. Jurgens responded that it did not. Council Member Boelen noted that both District 87 and Unit 5 school districts celebrated both Columbus Day and Indigenous Peoples' Day on separate days of the year. She believed that if individuals were concerned about curriculum, that they should appeal to the school board to make a change that could be more beneficial.

Council Member Emig noted a conversation that she had with a local tribe representative who believed the City had already enacted an Indigenous Peoples' Day based on an October 14, 2019 proclamation. She then read the proclamation aloud as well as testimony from Lester Randal, Kickapoo Tribal Chairman, from the meeting's public record. She supported an ordinance that mirrored the proclamation and the educational aspect of the proposed Initiative. She also commented on compromises that other communities and school boards had implemented.

Mayor Renner asked Mr. Jurgens to comment on the proclamation verses the proposed initiative. Mr. Jurgens responded, noting an ordinance held more weight as it was supported by the entire Council. Mayor Renner asked for clarification on the process if the item was approved. Mr. Jurgens responded that staff would draft an ordinance similar to Juneteenth and a resolution encouraging other governmental bodies to support similar legislation. Both items would then appear before Council for further discussion and formal action.

Council Member Bray stated that many constituents of Ward 9 did not support replacing Columbus Day with Indigenous Peoples' Day. She was in favor of recognizing both holidays on separate days of the year. She did not support the current motion and believed the resolution should be considered separate from the ordinance.

Council Member Crabill responded to comments made during public comment. He supported the Initiative and noted that the City did not celebrate Columbus Day and therefore, a holiday would not be replaced, but instead created. He recognized multiple ways local tribes had contributed to American society.

Council Member Mathy motioned, seconded by Council Member Boelen, to extend the time by 20 minutes.

Mayor Renner directed the Clerk to call the roll, which resulted in the following:

AYES: Mathy, Boelen, Mwilambwe, Emig, Painter, Carrillo, Ward, Crabill, Bray

Motion carried.

Council Member Mathy commented on Council Member Emig's discussion with a local tribesman. He suggested reaching out to local tribes to gauge their position on the current Initiative and then discussed multiple ways where Columbus Day, Indigenous Peoples' Day, and Italian Heritage Day were celebrated in other communities. He supported implementing an Indigenous Peoples' Day and an Italian Heritage Day without Christopher Columbus associated to either.

Council Member Ward asked for clarification on the term "replacement" in regards to Columbus Day, when the City did not actually recognize it. Council Member Carrillo responded. Council Member Ward pointed out the meaning of the chevron in the City's logo and believed the direction to staff should be to support City values.

Council Member Painter supported Indigenous Peoples' Day, but also believed that it should not replace Columbus Day. She expressed interest in reaching out to local tribes to understand how they wish to be recognized.

Council Member Emig reported that State Representative Ramirez had submitted Indigenous Peoples' Day legislation at the State level. She stressed the importance of education.

Council Member Carrillo reported that Lester Randal, the local tribesman who had been mentioned, supported similar legislation in his home state of Kansas. She reiterated support in celebrating Indigenous Peoples' Day and Italian Heritage Day on separate days of the year.

Council Member Mwilambwe expressed support for a compromise and agreed with reaching out to local tribes to understand how they wanted to be recognized. He also suggested reaching out to historians or educators.

Council Member Boelen read a quote and then discussed Columbus and history. She supported celebrating Indigenous Peoples' Day and Italian Heritage Day on separate days of the year. She again recommended reaching out to school boards to encourage implementing more education.

Council Member Carrillo clarified the definitions of "Indian" and "Indigenous".

Council Member Bray reiterated statements on replacement.

Mayor Renner asked the Clerk to reiterate the motion on the floor. Mrs. Yocum restated the motion. Mayor Renner stated that since the City did not recognize Columbus Day, the motion would not include "replacement".

Council Members Mathy and Mwilambwe supported the ordinance and resolution returning as separate items.

Council Member Carrillo made a motion, seconded by Council Member Crabill, that staff be provided direction on and directed to draft an Ordinance recognizing Indigenous

Peoples' Day as well as a resolution that required a letter be sent to other governmental bodies to encourage support of similar legislation.

Mayor Renner directed the Clerk to call the roll, which resulted in the following:

AYES: Mathy, Mwilambwe, Emig, Painter, Carrillo, Ward, Crabill

NAYES: Boelen, Bray

Motion carried.

The following item was presented:

Item 10.C. Consideration and potential action regarding Ordinance 2020-18, An Ordinance Declaring a Local Emergency Due to the COVID-19 Virus & Enacting Various Emergency Measures, as requested by the Legal Department.

No modifications were recommended.

City Manager's Discussion

Mr. Gleason highlighted multiple upcoming events in Downtown and informed Council that the Library would present their proposed expansion plan at the next Committee of the Whole. He noted Fire Chief Brian Mohr's last day and thanked him for his service. He concluded by thanking veterans for their service.

Mayor's Discussion

Mayor Renner recognized the passing of Barb Atkins and acknowledged her accomplishments. He went on to thank Scott Black for his service as Council Member of Ward 7 and welcomed Mollie Ward as the new Ward 7 Council Member. He noted that Council Member Mwilambwe, Ward 3, recently announced he would not run for another term.

Council Member's Discussion

Council Member Mathy reminded the community of the free leaf collection.

Council Member Boelen welcomed Council Member Ward and reminded the community to continue to wash their hands and to get a flu shot.

Council Member Mwilambwe also welcomed Council Member Ward.

Council Member Emig also welcomed Council Member Ward and commented on her experiences with Barb Atkins. She reminded the public of a Veteran's Day celebration at the McLean County Museum and encouraged them to practice healthy habits.

Council Member Painter also welcomed Council Member Ward. She recognized the Public Works Department staff for their continued work in leaf collection and the Forestry Division of the Parks, Recreation, and Cultural Arts Department for resolving various issues with trees in Ward 5. She concluded by complimenting the Downtown plant pots.

Council Member Carrillo also welcomed Council Member Ward. She responded to the statements made in public comment in reference to her citizenship. She thanked those who came forward to speak at public comment.

Council Member Ward thanked Council for the warm welcome. She described Kristallnacht, the Night of Broken Glass, which was recognized at the synagogue by lighting up the building in remembrance of an act of violence in the 1930s. She encouraged Council

and the community to stand in solidarity against messages of hate by leaving a light on through the night.

Council Member Crabill also welcomed Council Member Ward and thanked veterans for their service. He reminded the community of his upcoming town hall meeting and went on to discuss Community Development Block Grant funds, noting the City's disbursement. He provided residents with locations of various COVID-19 resources. He then asked Mr. Gleason if bars and restaurants could receive additional aid. Mayor Renner stated that Council Member's Discussion did not provide for a question and answer time frame, but allowed a response. Mr. Gleason stated that staff were working on potential aid programs and suggestions.

Council Member Bray also welcomed Council Member Ward and thanked veterans for their service.

Executive Session - Cite Section

No Executive Session was held.

Adjournment

Council Member Ward made a motion, seconded by Council Member Boelen, that the meeting be adjourned.

Motion carried (viva voce).

The meeting adjourned at 8:12 p.m.

CITY OF BLOOMINGTON

ATTEST

Tari Renner, Mayor

Amanda Mohan, Deputy City Clerk



CONSENT AGENDA ITEM NO. 8.B

FOR COUNCIL: December 14, 2020

SPONSOR: City Clerk Department

WARD IMPACTED: City-Wide Impact

SUBJECT: Consideration and action to approve the Minutes of the November 16, 2020 Committee of the Whole Meeting, as requested by the City Clerk Department.

RECOMMENDED MOTION:

The proposed Minutes be approved.

STRATEGIC PLAN LINK:

-Goal 1. Financially Sound City Providing Quality Basic Services

STRATEGIC PLAN SIGNIFICANCE:

-Objective 1d. City services delivered in the most cost-effective, efficient manner

BACKGROUND: The minutes of the meetings provided have been reviewed and certified as correct and complete by the City Clerk. In compliance with the Open Meetings Act, Council Proceedings must be approved thirty (30) days after the meeting or at the second subsequent regular meeting whichever is later. In accordance with the Open Meetings Act, Council Proceedings are available for public inspection and posted to the City's web site within ten (10) days after Council approval.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: N/A

FINANCIAL IMPACT: N/A

COMMUNITY DEVELOPMENT IMPACT: N/A

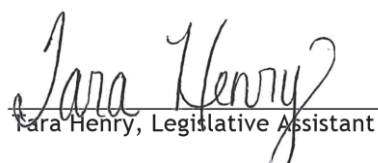
Respectfully submitted for Council consideration.

Prepared by: Amanda Mohan, Records and Licensing Specialist

Reviewed by:


Leslie Yocum, City Clerk

12/10/2020


Tara Henry, Legislative Assistant

12/10/2020

Recommended by:

A handwritten signature in black ink, appearing to read 'Tim Gleason', is positioned above a horizontal line.

Tim Gleason, City Manager

Attachments:

- CLK 2B DRAFT 11-16-20 COW Minutes



MINUTES
COMMITTEE OF THE WHOLE CITY COUNCIL MEETING
MONDAY, NOVEMBER 16, 2020, 6:00 P.M.

This meeting was conducted under Governor Pritzker's Executive Order 2020-07, Section 6 implemented in response to COVID-19, which suspended in-person attendance under the Open Meeting Act, 5 ILCS 120.

The City Council convened in regular session virtually via Zoom conferencing with the City Manager, Tim Gleason, and Leslie Yocum, City Clerk, in-person in City Hall's Council Chambers at 6:00 p.m., Monday, November 16, 2020. The meeting was called to order by Mayor Tari Renner.

Roll Call

Attendee Name	Title	Status	Arrived
Tari Renner	Mayor	Remote	
Jamie Mathy	Ward 1	Remote	
Donna Boelen	Ward 2	Remote	
Mboka Mwilambwe	Ward 3	Remote	
Julie Emig	Ward 4	Remote	
Joni Painter	Ward 5	Remote	
Jennifer Jazmin Carrillo	Ward 6	Remote	
Mollie Ward	Ward 7	Remote	
Jeff Crabill	Ward 8	Remote	
Kim Bray	Ward 9	Remote	

COVID-19 Update by City Manager

Tim Gleason, City Manager, addressed Council and provided details on the Bloomington Police Department's incorporation of COVID-19 compliance checks into their weekly Downtown enforcement. He explained that, as a result of said checks, three establishments had been brought before the Liquor Commission with compliance violations. He went on to discuss current compliance and enforcement procedures, as well as plans for future enforcement. He stated that the City was following the Illinois Department of Public Health ("IDPH") guidelines and discussed how most offices currently had less than 50% of staff working in-office, but that he planned to move more to remote work. He noted that Administrative Court would also be moved to a virtual, Zoom setting.

Public Comment

Mayor Renner opened the meeting for public comment and the following individuals spoke live: (1) Allan Axelrod; (2) Charlotte Alvarez; (3) Zachary Gittrich; (4) Karla Baily-Smith; (5) Fr. Doug Hennessy; (6) Kyle Auer; (7) Matthew Sims; and (8) Laurie Bergner. There were no emailed public comments.

Consent Agenda

Items listed on the Consent Agenda are approved with one motion; Items pulled by Council from the Consent Agenda for discussion are listed and voted on separately.

Council Member Mathy made a motion, seconded by Council Member Mwilambwe, that the Consent Agenda, including all items listed below, be approved as presented.

Mayor Renner directed the Clerk to call the roll, which resulted in the following:

AYES: Mathy, Boelen, Mwilambwe, Emig, Painter, Carrillo, Crabill, Bray

ABSTAIN: Ward

Motion carried.

Mayor Renner stated that Council Member Ward had not been seated on Council for the meetings in which the minutes covered. Council Member Ward confirmed.

Item 5.A. Consideration and action to approve the Minutes of the October 12, 2020 Regular City Council Meeting, as requested by the City Clerk Department. (Recommended Motion: The proposed Minutes be approved.)

Item 5.B. Consideration and action to approve the Minutes of the October 19, 2020 Committee of the Whole Meeting, as requested by the City Clerk Department. (Recommended Motion: The proposed Minutes be approved.)

Presentation, Discussion, and Direction on Future Agenda Topics

The following item was presented:

Item 6.A. Presentation and discussion of the proposed Library Expansion, as requested by the Bloomington Public Library.

City Manager Gleason explained that the Bloomington Public Library expansion had been an ongoing process for more than ten years. He introduced Julian Westerhout, President of the Bloomington Public Library Board, who briefly introduced the item.

Jeanne Hamilton, Executive Director of the Bloomington Public Library, described the current layout and the various proposed additions, which included a two-level parking lot, drive-up curbside pick-up and drop-off, increased safety measures, study and meeting rooms, and sensory-friendly family rooms. She noted multiple proposed updates with a focus on flexible space and future needs. She ended by discussing funding for the \$20 million project.

Mr. Gleason addressed the Library Board being in the planning and design phase and pointed out to Council that no funding requests were currently being made.

Mayor Renner noted that when compared to cities of similar size, Bloomington had the lowest tax levy. Mr. Gleason confirmed.

Council Member Crabill asked about accessible parking, bus stops, how the Library planned to stay relevant with a technology driven society, and how the building size compared to cities of similar size. Mrs. Hamilton responded accordingly, and Mr. Westerhout also commented.

Mayor Renner thanked the presenters and expressed his belief that a physical and online library presence would continue to be necessary.

Council Member Emig echoed appreciation for the library expansion. She quoted statements from the Library's website and expressed appreciation for the Library's programs. She asked what a per household tax levy increase could look like. Mr. Gleason responded that a household whose home was valued at \$185,000 could expect an increase of \$20 annually. He also pointed out that the expected increase was lower than generally experienced by cities of comparable sizes.

Council Member Mwilambwe echoed appreciation of the proposed design and complimented Library staff and Board Members for being good stewards of library funds and project fundraising.

Council Member Ward echoed appreciation of the proposal and expressed her support in the remodel. She believed libraries contributed to leveling the playing field for those who did not have books and learning tools readily available.

Council Member Carrillo also echoed appreciation of the project and noted how wonderful it was that the expansion was focused around how the community would make the most of the space.

Council Initiatives

Mayor Renner reminded Council that the purpose of Council Initiative discussions was to merely gauge interest in moving Initiatives forward. He explained procedures.

The following item was presented:

Item 6.B.1. Consideration and action on whether to move forward a Council Initiative submitted by Council Member Boelen to adopt a Resolution for the purpose of investigating and implementing the Welcoming America Initiative, a national non-for-profit established in 2009, to seek designation as a Welcoming America Community, as requested by the City Council.

Council Member Boelen started by pointing out that the Council Initiative that she had brought forward was not related to the Welcoming City Ordinance that had been introduced several years ago. She explained that her Initiative would encourage all local government, businesses, and community members to embrace “welcoming” practices based on the Welcoming America Guidelines. She noted that Ward 2 had a robust English as a Second Language program at Cedar Ridge Elementary School and went on to explain the proposal was based on the Strong Towns philosophy. She described the philosophy as bottom-up community engagement that encourages sustainable economic growth and enrichment. She expressed interest in the creation of an intergovernmental outreach program with McLean County and the Town of Normal.

Council Member Carrillo was not supportive of the Initiative and believed the City should do more.

Council Member Bray briefly described Welcoming City discussions and the Welcoming America policy. She supported the Initiative.

Council Member Mathy politely disagreed with both Council Members Carrillo and Bray and was supportive of the Initiative with community involvement.

Council Member Boelen supported her Initiative.

Council Member Mwilambwe supported the Initiative.

Council Member Emig supported the Initiative, but also supported becoming a Welcoming City.

Council Member Painter supported the Initiative.

Council Member Ward supported the Initiative and agreed with Council Member Emig.

Council Member Crabill was not supportive of the Initiative.

Council Member Bray supported the Initiative.

Mayor Renner asked Council Member Boelen to work with staff and Council to ensure the Initiative moved to the next step.

The following item was presented:

Item 6.B.2. Consideration and action on whether to move forward a Council Initiative submitted by Council Member Crabill to adopt a Resolution finding utility shut-offs constitute a pandemic safety risk and calling on the Governor to enact a moratorium on utility disconnections under his emergency powers, 20 ILCS 3305/7 (12), as requested by the City Council.

Mayor Renner asked Jeff Jurgens, Corporation Counsel, if the State had already covered utility shut offs. Mr. Jurgens responded that the Illinois Commerce Commission (“ICC”) had an agreement with utility companies, including Ameren, and that a moratorium had been placed on utility shut offs through winter 2021 so long as residents met specific criteria.

Council Member Crabill explained that the moratorium with the ICC was voluntary and explained that his Council Initiative would include a letter that urged the Governor to place a moratorium on utility shut offs due to COVID-19. He discussed other cities that had passed similar resolutions. He pointed out that homes were the safest place for people to be during the COVID-19 pandemic and that shutting off utilities went against sheltering, driving residents out of their homes and increasing risks.

Mayor Renner left at 7:11 p.m. and returned at 7:14 p.m.

All Council Members were supportive of the Initiative.

Council Member Boelen requested additional general information.

Council Member Bray requested from the Legal Department information on the level of authority Council had over the matter at hand.

Mayor Renner asked Mr. Gleason what the next step was for both Council Initiatives. Mr. Gleason responded that an in-depth Council discussion would follow.

City Manager's Report

City Manager Gleason recognized newly-hired employees in multiple departments. He highlighted the Downtown Indoor Farmers’ Market, the Season of Small campaign to celebrate and promote shopping small businesses, and stressed the importance of supporting small businesses during COVID-19. He explained that Downtown traffic enforcement of a on-street parking would resume Monday, November 23, 2020. He pointed out that enforcement did not include parking garages and stated that the purpose of beginning enforcement again was to assist rotation of parking in front of downtown businesses. He concluded by discussing

the recent internal promotion of Michael Hurt to the Chief Diversity and Equity Officer and Niki Richards to Community Relations Manager.

Executive Session - Cite Section

No Executive Session was held.

Adjournment

Council Member Boelen made a motion, seconded by Council Member Ward, that the meeting be adjourned.

Motion carried (viva voce).

The meeting adjourned at 7:20 p.m.

CITY OF BLOOMINGTON

ATTEST

Tari Renner, Mayor

Amanda Mohan, Deputy City Clerk



CONSENT AGENDA ITEM NO. 8.C

FOR COUNCIL: December 14, 2020

SPONSOR: Economic & Community Development Department

WARD IMPACTED: City-Wide Impact

SUBJECT: Consideration and action to approve the John M. Scott Health Fiscal Year 2020 Annual Court Report, as requested by the Economic & Community Development Department.

RECOMMENDED MOTION:

The proposed Annual Court Report be approved.

STRATEGIC PLAN LINK:

-Goal 5. Great Place - Livable, Sustainable City

STRATEGIC PLAN SIGNIFICANCE:

-Objective 5b. City decisions consistent with plans and policies

BACKGROUND: Per the John M. Scott Health Care Trust, approved by the Circuit Court of the Eleventh Judicial Circuit on July 2, 2018, annual trust reports will be submitted by the Trustee to the Court for review and approval. The Annual Court Report provides detailed accounting of revenues and expenses as well as an overview of activities for the fiscal year. The FY2020 Annual Court Report highlights the first grants awarded under the new program. The FY2020 grant cycle was reduced due to the amount of time required to create the new program structure. Therefore, funds were awarded for both FY2020 and FY2021 at the same time in an effort to offer grantees the opportunity to develop successful programs. The report reflects grantee accomplishments in the first four months of the 16-month award period.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: N/A

FINANCIAL IMPACT: N/A

COMMUNITY DEVELOPMENT IMPACT: CWB-3: Develop coordinated and efficient systems that address the comprehensive needs of children, families and communities.

Respectfully submitted for Council consideration.

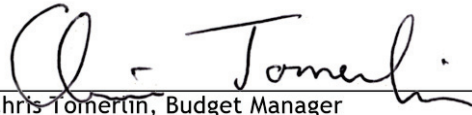
Prepared by: Jennifer Toney, Grants Coordinator

Reviewed by:



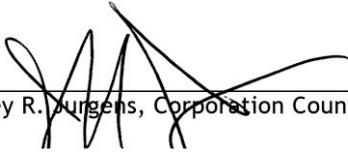
Melissa Hall, Economic and Community Development Director

11/29/2020



Chris Tomertin, Budget Manager

11/30/2020



Jeffrey R. Jurgens, Corporation Counsel

11/30/2020



Tara Henry, Legislative Assistant

12/2/2020

Recommended by:



Tim Gleason, City Manager

Attachments:

- E&CD 5B FY20 Court Report

JOHN M. SCOTT
HEALTH CARE TRUST

FY20 ANNUAL COURT REPORT

MAY 1, 2019 - APRIL 30, 2020

PREPARED BY:
JENNIFER TONEY, GRANTS COORDINATOR
STAFF ADMINISTRATOR/CITY OF BLOOMINGTON
AND
ZACHARY FABOS
ISU STEVENSON CENTER FELLOW
JULY 2020



JOHN M. SCOTT HEALTHCARE TRUST - YEAR END SUMMARY

Fiscal Year 2020 (FY20) was an exciting and very busy year for the John M. Scott Health Commission. FY20 saw the official launch of the restructured grants program. Commission members worked diligently to ensure the program was structured in a way that allowed grantees an opportunity to get creative with how they address health issues in McLean County. Recognizing that where a person lives, works, and plays can affect his/her health as much as what they eat or how often they exercise, the application focused heavily on the Social Determinants of Health and addressed health disparities.

Grants were funded under one of three categories. Two Category I: General Operating Grants were awarded to local health care providers and included 3-years of funding. The majority of grants were awarded under Category II: Community Healthy Priority Program Grants. These grants supported programs that address at least one of the three priority areas identified in the McLean County Community Health Improvement Plan and/or oral health.

Category III grants were provided to applicants providing services on a per unit basis. This category was previously named Emergency Need Grants. Additional funds were set aside to address emergent needs arising outside of the grant application period.

The application process occurred later than planned. In order to streamline the process and make it less cumbersome on applicants, successful applicants were awarded funding for FY20 and FY21 at the same time. The FY22 application cycle will open in the final quarter of 2020 with awards starting May 1, 2021.

In addition to the new grants program, the Commission created new financial policies, replacing the 1999 version. The Trust approved the policies on December 7, 2019. The Grant policies and procedures were updated to reference the new financial policies as were the by-laws. Copies are included in this report.

JOHN M. SCOTT
HEALTH CARE
TRUST -
APPENDIX A

Grants Program
Policies and
Procedures

John M. Scott Health Care Trust Grants Program Policies and Procedures

GRANT PROGRAM POLICIES

Program Overview

John M. Scott was an Illinois Supreme Court Justice who resided in McLean County from the mid- to late-1800s. Although John M. Scott married and had children, he survived his heirs. At his passing in 1898, his Last Will and Testament directed his estate be used to ensure health care in the community, specifically for those with limited financial means. John M. Scott envisioned a community where everyone would have access to quality health care without regard to the person's sex, age, nationality, religious beliefs, or ability to pay. In 1981, the City of Bloomington was named Trustee for the John M. Scott Health Care Trust, created to further John M. Scott's mission.

Program Purpose

The John M. Scott Health Care Trust (Trust) (amended on July 2, 2018) states "the primary purpose of the Trust is to provide grants to financially support organizations and initiatives that prevent illness and promote the health and well-being of McLean County residents who have limited access to health care or inability to pay for needed health care services".

The purpose of the John M. Scott Health Care Trust Grant Program is make grants to qualified organizations that support the health care needs of income-qualified individuals who 1) are underserved by the mainstream health care system and 2) reside in McLean County (see "Eligibility"). The Trust does not provide funds directly to individuals. Grants funded through the Trust will address health care needs that are demonstrably underfunded or unfunded by resources, and are not intended to supplant existing funds. Proposals that address priority areas of the most recent McLean County Community Health Needs Assessment (CHNA) and/or demonstrate meaningful collaboration among more than one qualified organization are strongly encouraged.

Funding Availability

Refer to the John M. Scott Health Care Trust Financial Policies and Procedures.

Funding Cycle

The fiscal year for the John M. Scott Health Care Trust Grant Program is May 1 – April 30.

Policy Review

This grant policy will be reviewed by the Trustees at least every five years.

Types of Grants

Organizations can apply for funding under one or more of the following grant categories:

Category I - General Operating Grants

Organizations that provide health care services to traditionally underserved populations should apply for funding under this category. Organizations can request funding for up to three years to support their general operating costs, including overhead. Multi-year grants will be distributed in installments on an annual basis (based on the John M. Scott Commission's fiscal year, May 1 - April 30). Continued funding

John M. Scott Health Care Trust

Grants Program Policies and Procedures

of a multi-year grant will be based on the grantee's compliance with reporting and other requirements in the previous year, success with outcomes, and availability of funds.

Category II – Community Health Priority Program Grants

Organizations seeking funding for on-going or emerging programs addressing the top priority areas identified in the most recent McLean County Community Health Needs Assessment (CHNA) and the subsequent McLean County Community Health Improvement Plan (CHIP) should apply for funding under this category. Proposals that demonstrate meaningful collaboration among more than one qualified organization are strongly encouraged.

Funding is limited to one year of program support through this category, but recipients may reapply annually if they remain in good standing and have met all related reporting requirements.

Copies of the McLean County CHNA and CHIP can be found at:

<https://health.mcleancountyil.gov/ArchiveCenter/ViewFile/Item/386>.

Category III – Emergent Need Grants

Organizations or community initiatives seeking funding for unexpected needs or emergency events may apply for funding under this category. Grants in this category are typically smaller and non-renewable.

Distribution of Funds Among Categories

Based on recommendations from the Grant Committee, the percentage of funding for each category will be determined annually by the Commission prior to the beginning of the grant cycle.

Disbursement of Unspent Funds

Budgeted, unspent funds within any fiscal year may be allocated to the subsequent fiscal year or returned to the Trust.

GRANT PROGRAM PROCEDURES

Eligibility

Organizations

Grant recipient(s) awarded funding through the Trust must:

- Be a tax-exempt organization per Section 501(c)3 of the Internal Revenue Code (including faith-based organizations) or a local or county unit of government;
- Align with the funding goals of the John M Scott Health Commission;
- Have sound financial management policies in place and demonstrate good stewardship of resources;
- Ensure John M. Scott Grant Program funds are used to serve clients that meet the following qualifications:
 - McLean County residency;

John M. Scott Health Care Trust

Grants Program Policies and Procedures

- Annual income at or below 185% of the annual Federal Poverty Guidelines found at: <https://aspe.hhs.gov/poverty-guidelines>
- Comply with the John M Scott Health Commission's non-discrimination policy that includes age, race, color, creed, ethnicity, religion, national origin, citizenship, marital status, sex, sexual orientation, gender identity or expression, physical or mental disability, veteran or military status, unfavorable discharge from military service, criminal record, or any other basis prohibited by federal state or local law. The organization should also have a procedure for handling discrimination complaints.
- Proposals for a collaboration among more than one organization should plan to designate a single fiscal agent to receive John M. Scott Grant funds. The fiscal agent will be responsible for allocating funds among collaborative partners and submitting reports to the Commission.

Expenses

Eligible expenses funded through the Trust may include but not be limited to:

- Overhead costs
- Personnel costs
- Medication, and medical supplies including durable medical equipment
- Program costs for prevention, education, and intervention programs
- Costs for services targeting social determinants of health such as defined by the Centers for Disease Control (see <https://www.cdc.gov/socialdeterminants/research/index.htm>) as agreed upon by Commissioners.

Grant Committee and Review Process

Grant Committee

The Grant Committee will be chaired by the Health Care Commission Vice-Chairperson or a designee and be responsible for recommendations to the Commission on funding policies, community needs, and allocation of grant funds. The Committee shall be comprised of no less than 4 Commissioners. Ad Hoc Committee members may be added as needed for additional expertise. The Grant Committee will provide oversight for the annual grant program.

All members of the Grant Committee will review all grant requests. Committee members will recuse themselves as needed to avoid any conflicts of interest. A standardized rubric will be used to review and score applications. The Committee will review the rankings and develop a grant funding proposal to present to the full Commission for recommendation to the Trustees.

Grant Procedures Review

The Grant Committee will be responsible for annual review of the grant procedures and funding timelines prior to the beginning of the grant cycle.

Funding Guidelines

When developing parameters for the annual grant program, the following guidelines should be considered:

John M. Scott Health Care Trust

Grants Program Policies and Procedures

After budget approval, the Grant Committee will recommend to the Commission the percentage of funding for each grant category for the new fiscal year. This will generally occur at the first meeting after adoption of the new fiscal budget by the Trustees.

Funding Timeline

July 31	Application window opens via the approved grants management software.
August 31	Applications due at 4pm <i>Applications must be submitted via the approved grants management software. Paper applications will not be accepted. Technical assistance will only be provided on issues related to the online submission process.</i>
September 1 - 30	Grant Committee review period <i>The Committee will develop a final grant funding proposal for presentation to the full Commission at the October meeting.</i>
October 31	Full Commission review complete <i>The Commission-approved annual grant funding proposal will go to the Trustee for final approval no later than November 30.</i>
November 30	Trustee final approval complete
January 15	Grant recipients notified/ Grant Agreements sent
April 1	Grant Agreements due
May 1	Funding year begins
December 15	Mid-year report due by 4pm <i>Each recipient of Trust funding is required to submit a mid-year progress report for the May 1 – October 31 time period by December 15 via the approved grants management software.</i>
April 30	Funding period ends.
June 15	Final report due by 4pm <i>Each recipient of Trust funding is required to submit a final year-end report via the approved grants management software for the May 1 – April 30 time period by June 15.</i>

JOHN M. SCOTT
HEALTH CARE
TRUST -
APPENDIX B

Five-Year
Funding History

John M. Scott Health Care Grant Allocations Five-Year History

Recipient	Program	FY16	FY17	FY18	FY19 ¹	FY20
The Baby Fold	Intensive Family Support Services (IFSS)	\$0	\$0	\$0	\$0	\$17,500
	Operations	\$50,000	\$60,000	\$60,000	\$104,571	\$75,000
	Pharmacy Technician	\$10,000	\$12,500	\$15,000	\$26,143	\$0
Community Health Care Clinic	Expanding Access to Dental Care at CHCC	\$0	\$0	\$0	\$0	\$50,000
	Psychiatry Services	\$0	\$30,000	\$55,000	\$95,857	\$0
	Licensed Prescriber	\$25,000	\$25,000	\$0	\$0	\$0
McLean County Center for Human Services	General Operating Costs	\$0	\$0	\$0	\$0	\$100,000
	Integrated Counseling	\$10,000	\$10,000	\$10,000	\$17,429	\$0
	Telepsychiatry Services	\$0	\$10,000	\$10,000	\$17,429	\$0
Center for Youth Family Solutions	Behavioral Block Grant: Child, Adolescent, and Family Services	\$0	\$0	\$0	\$0	\$20,300
	Doula Program	\$0	\$0	\$0	\$0	\$17,500
	Senior Well-Being	\$0	\$0	\$0	\$0	\$10,500
Heartland Head Start	Early Childhood Well-Being	\$0	\$0	\$0	\$0	\$17,500
	Expand IntegRity Counseling Reach	\$0	\$0	\$0	\$0	\$7,350
	Healthy Sleeping, Healthy Community	\$0	\$0	\$0	\$0	\$12,500

¹ Increased on a prorated basis over FY18

McLean County Health Department	Dental Clinics	\$15,000	\$15,000	\$15,000	\$17,429	\$0
Mid Central Community Action Inc.	Pilot Project: Radon Housing Intervention to Support Health	\$0	\$0	\$0	\$0	\$7,000
Project Oz	Adolescent Well-Being	\$0	\$0	\$0	\$0	\$17,500
Sarah Bush Lincoln Health Center	Peace Meals	\$7,500	\$7,500	\$10,000	\$17,429	\$0
SBL Peace Meal	Piecemeal Senior Nutrition Program	\$0	\$0	\$0	\$0	\$11,900
School Street Food Pantry	School Street Food Pantry	\$0	\$0	\$0	\$0	15,000
West Bloomington Revitalization Project	Healthy Eating & Pedal Prescriptions	\$0	\$0	\$0	\$0	\$17,500
YouthBuild McLean County	Mental Health and Wellness for At Risk Youth	\$0	\$0	\$0	\$0	\$10,500
YWCA of McLean County	Medivan	\$0	\$7,500	\$0	\$0	\$0
	Early Childhood Well-Being	\$0	\$0	\$0	\$0	\$12,250
Total		\$117,500	\$177,500	\$175,000	\$305,001	\$419,800

JOHN M. SCOTT
HEALTH CARE
TRUST -
APPENDIX C

FY20
Grants Program
Final Reports

2020 Fiscal Year Mid-Term Report Summary





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Grant Categories

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Grant Funds

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Individuals Reached/Priority Areas

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Challenges and Successes



Category I: General Operating Grant

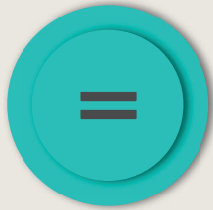


Total Number of Category I: 2

Organizations	Grant Amount Received
• Community Health Care Clinic Inc.	\$75,000
• McLean County Center for Human Services	\$100,000



Category II: Community Health Priority Grant (Programmatic)

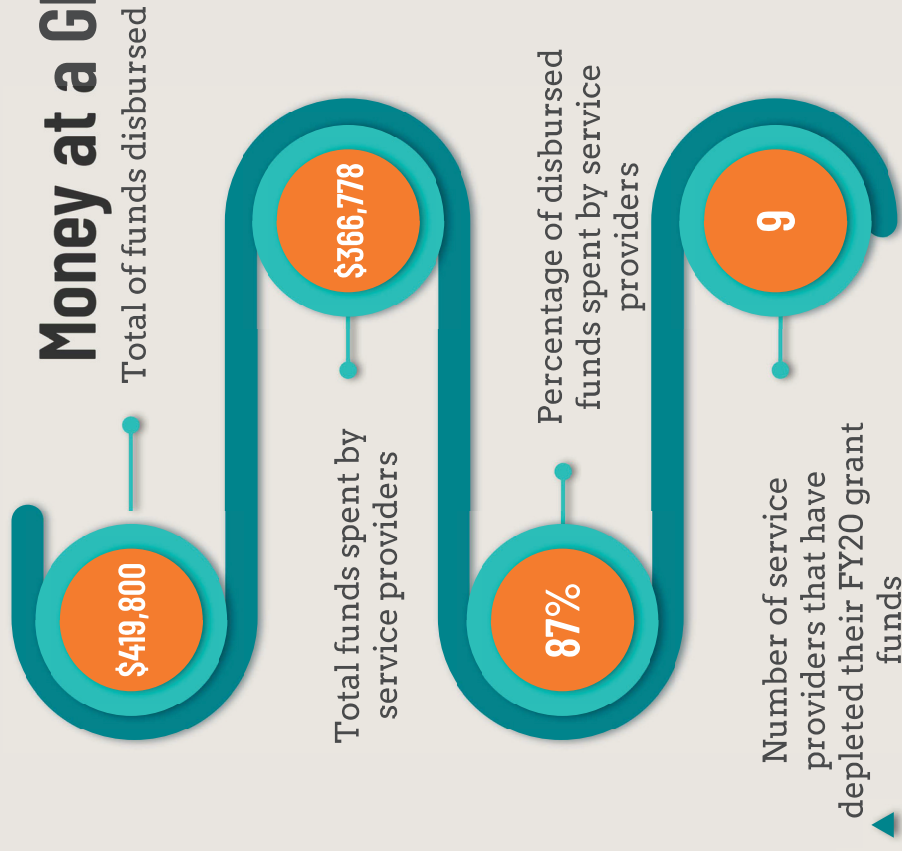


Total Number of Category II: 15

Organizations	Grant Amount Received	Organizations	Grant Amount Received
• Center for Youth and Family Solutions	\$20,300	• The Baby Fold	\$17,500
• Community Health Care Clinic Inc.	\$50,000	• Children's Home & Aid	\$17,500
• Faith in Action of Bloomington	\$10,500	• Heartland Head Start	\$17,500
• INtegrItty Counseling Inc.	\$7,350	• Mid-Central Community Action Inc.	\$17,500
• Marcfirst	\$12,500	• Project Oz	\$17,500
• SBL Peace Meal	\$11,900	• YouthBuild McLean County	\$10,500
• School Street Food Pantry	\$15,000	• YWCA McLean County	\$12,250
• West Bloomington Revitalization Project	\$11,550		



Money at a Glance (FY20)



Impact

Total number of individuals served by grant funded projects

5,633

Priority Areas	# of Individuals Served
Access to Appropriate Care	1,129
Behavioral Health (Mental Health and Substance Abuse)	718
HEAL (Healthy Eating Active Living)	666





Challenges

Greatest Challenge:

- ◄ Coronavirus (COVID 19) Pandemic - 14/15 responses. Many providers had to entirely remodel their approach, develop new projects, or temporarily halt services

Other Challenges

- ◄ Lack of state funding - 1 response
- ◄ Time constraints - 1 response





Successes

Greatest Success:

- ◀ Developing new approaches to providing services due to the COVID 19 pandemic: 8/15 responses

Other Successes

- ◀ 14 providers received additional funding in order to directly address challenges presented by COVID-19
- ◀ New staff: 2/15 responses





To be Noted

Two organizations spent no funds in FY20

- Children's Home and Aid
- Mid Central Community Action
- This was anticipated due to the effects of the COVID-19 pandemic
- These organizations have since adapted their project goals to the current environment



JOHN M. SCOTT
HEALTH CARE
TRUST -
APPENDIX D

FY20

John M. Scott
Health Care
Commission
Membership

John M. Scott Health Care Trust						
Commission Members						
Commissioner	Officer	Current Employer	Area of Expertise	Committee	Term Expires	Relevant Experience
Holly B. Ambuehl, MSW	Chair	Mosaic Collective, LLC	Healthcare policy, Nonprofit management, Philanthropy	Executive	April 30, 2021	Community Outreach, Illinois Partners for Human Service; Adjunct Instructor, Grant Writing, Illinois Wesleyan University; Vice President of Impact, United Way of McLean County; Senior Policy Advisor, Health and Budget, AZ House of Representatives; Director of Health Policy, Children's Action Alliance; Director of Public Policy, Southwestern Autism Research and Resource Center; Senior Budget Analyst for Department of Health Services; Arizona Governor's Office of Strategic Planning and Budgeting
Sue Grant, RN	Vice Chair	Nursing Faculty, Illinois State University	Underserved Populations/Oral Health	Executive; Grants (Chair)	April 30, 2021	17+ years in public health, served as Supervisor of Community Health Services at MCHD
Deborah Halperin	Secretary	Director, Illinois Wesleyan University, Action Research Center	Grant Writing	Executive; Grants	April 30, 2021	Director, IWU Action Research Center; Adjunct Instructor at IWU; 15 years nonprofit experience

John M. Scott Health Care Trust						
Commission Members						
Commissioner	Officer	Current Employer	Area of Expertise	Committee	Term Expires	Relevant Experience
Brandi Sweeney	Treasurer	Director of Finance and HIM, Privacy Officer, AdvocateAurora Health Care/Advocate Healthcare	Finance	Executive; Finance (Chair)	April 30, 2020	15+ years of Health Care experience
Dr. John Couillard	NA	Vision Point Eye Center	Optometry	Finance	April 30, 2021	Two prior terms including one term as chair; 40 years optometry practice in Bloomington-Normal
Dr. Scott Hamilton	NA	OSF Healthcare	Psychiatry	Grants	April 30, 2020	American Board of Psychiatry and Neurology - General Psychiatry Fellow, American Psychiatric Association
Angie McLaughlin	NA	Medical Hills Internists	Underserved populations, Healthcare administration, Population Health, Philanthropy	Finance	April 30, 2020	Practice Administrator, Medical Hill Internists; Former Executive Director, Community Health Care Clinic; National Association of Free and Charitable Clinics

John M. Scott Health Care Trust						
Commission Members						
Commissioner	Officer	Current Employer	Area of Expertise	Committee	Term Expires	Relevant Experience
Deborah Skillrud	NA	Bloomington Township Supervisor	Underserved Populations	Finance	April 30, 2020	McLean County Recovery Oriented Systems of Care (ROSC) Council member, McLean County Community Health Council member, McLean County Recovery Court/Veterans Court Advisory Board (RCAB) /Treasurer, Activity and Recreation Senior Center (ARC) Advisory Board member
Dr. James Swanson	NA	Retired	Internal Medicine/Primary Care	Grants	April 30, 2022	Medical Director, Country Financial Board Certified in Internal Medicine (ABIM); Fellow American College of Physicians (FACPP)
Colton Sylvester, DMD	NA	Sylvester Family Dental	Oral Health	Finance	April 30, 2022	10 yr+ Private Practice Dentist; Past President of the McLean County Dental Society; Member of McLean County Dental Society, Illinois State Dental Society, and American Dental Association
Bernie Wrezinski	NA	Wrezinski Advisory Group	Wealth management, Investing	Finance	April 30, 2022	40+ years experience in the financial services industry, Licensed Insurance Agent, Certified Educational Consultant Designation



JOHN M. SCOTT HEALTH CARE TRUST - APPENDIX E

Financial Policies

JOHN M. SCOTT HEALTH CARE TRUST FINANCIAL POLICIES AND PROCEDURES

I. FUNCTIONING OF THE FINANCE COMMITTEE

Individuals serving on the Finance Committee (hereinafter "Committee") must be recommended by the John M. Scott Health Care Commission (hereinafter "Commission") and approved by the Trustee. As a Subcommittee of the Commission, the Committee must be authorized to oversee and make investment decisions, select investment managers, allocate or reallocate funds among the various types of investment or managed funds for the Trust, subject to the review and approval of the Commission and the Trustee. The Committee shall keep records of all its meetings and actions, which will be appended to the Commission minutes for the information and approval of the Committee and the Commission. Marketable securities will be kept in a bank custodial account for safekeeping and for recording and implementation of all transactions.

Per the Commission by-laws, the City has appointed a Staff Administrator to serve as an administrative resource to the Commission. The Staff Administrator is responsible for fiscal management in the name of the Trust, the Trustee, and the Commission.

II. TRANSFERS TO THE CURRENT ACCOUNT:

A. ANNUAL BUDGET

Per Article VIII: Section 1 of the Commission by-laws, the Commission may request monies from the Trust in order to enable it to adequately carry out its responsibilities, provided such requests are in harmony with the provisions of the Trust itself. The Commission will submit an annual budget in writing to the Trustees for approval with the City of Bloomington's (City) annual budget. This shall be no more than the total amount of interest earned and up to a maximum of 10% of the remaining interest earned above the initial deposit.

B. TRANSFER OF FUNDS

Once the annual budget is approved by the Trustee, the Commission may request a fund transfer in an amount not to exceed the approved annual budget. The request must be submitted jointly by the Commission Chair and Treasurer in writing to the Staff Administrator. The request should include direction as to the specific fund asset(s) from which to make the transfer. The Staff Administrator will forward the request to the City's designated signatory on the Trust account. The designated signatory will provide a copy of the transfer request and documentation showing the funds deposited into the cash account to the Staff Administrator for distribution to the Commission.

C. INVOICE PAYMENT POLICY

All expenditure payments will be processed by the City's Finance/Accounts Payable department. All existing City Accounts Payable policies and procedures will apply. The Staff Administrator will have the authority to approve any JM Scott related expenditure less than \$1,000; by signing the expenditure prior to submission to the City's Finance department. Expenditures over \$1,000 will need to be reviewed and approved by the Commission. All expenditure payments will be processed by the City's Finance/Accounts

JOHN M. SCOTT HEALTH CARE TRUST FINANCIAL POLICIES AND PROCEDURES

Payable department. All existing City Accounts Payable policies and procedures will apply. The Staff Administrator will have the authority to approve any JM Scott related expenditures less than \$1,000; by signing the expenditure prior to submission to the City's Finance department. Expenditures over \$1,000 will need to be reviewed and approved by the Commission prior to payment, by an affirmative vote of the required number of members. Communication of this authorization to the City's Finance department will take the form of an email from the Staff Administrator, copying the Commission Chair, and referencing the approved expense and the date of the meeting. The Staff Administrator will also sign the expenditure.

III. TEMPORARY INVESTMENTS

Each year the Trust will make an estimate of its short term needs for funds to cover seasonal fluctuations and enrollment fluctuations until such time as it can adjust its operating budgets. Consequently, it will not be necessary to encumber the management of the longer term investments with the possibility of short term needs. The portion of funds needed for this purpose is to be provided through liquid assets or other appropriate short term investment vehicles. As funds accumulate beyond short term needs, they will be designated for long term investment by the Director, in consultation with the Committee, and the Placement decision will be made by the Committee, a Subcommittee of the Commission and other appointed members.

IV. PRIMARY INVESTMENT ASSETS

All assets under the supervision of the Committee will be placed with an FDIC bank custodian approved by the Trustee. The Committee will adopt a statement of investment policies which the Trustee must approve. The Committee may recommend to the Trustee an experienced investment manager and give the manager discretion to select specific investments in accordance with the statement of investment policies and parameters. The Committee may also select various mutual funds as investment media for the Trust.

The major portion of Trust funds will be invested in equities and securities of varying maturities with a high degree of marketability. Each segment of the portfolio will be reviewed periodically by the Committee and evaluated against performance measures appropriate to that fund, with emphasis on long-range objectives. The Committee will, in turn, provide a comprehensive report and evaluation of investments to the Commission and Trustee at least annually.

V. OTHER INVESTMENTS

The Trust has some investment funds restricted as to use and the extent and disposition of these investments may appropriately influence investment decisions regarding unrestricted funds. Some investments obtained as gifts may be subject to constraints; others may involve annuity income payment obligations or unitrust agreements. Unitrust investments may be made in no-load mutual funds or placed under individual management. Except for the special arrangements involved, the objectives for these investments and performance criteria will be similar to those adopted by the Trustee for the Trust itself.

JOHN M. SCOTT HEALTH CARE TRUST
FINANCIAL POLICIES AND PROCEDURES

VI. STATEMENT OF INVESTMENT POLICIES

A. PURPOSE

The purpose of this Statement of Financial Policies is to set forth the general guidelines within which the assets of the Trust will be invested. It provides parameters to guide the Committee and the investment manager's decisions.

B. INVESTMENT OBJECTIVES

The primary objective of the investment portfolio is to be in a position to meet promptly all demands the Trustee may make upon the assets of the Trust. Recognizing this transcending requirement, the investment objective will be to attain a real total return, consisting of a combination of capital appreciation (or depreciation) and current income received in the form of dividends and interest, adjusted for inflation as measured by the Consumer Price Index, of at least 5% per year over the long term. The periods over which investment results will be evaluated will be no less than five years. It is recognized that the real return objectives may be difficult to attain in every five year period but should be attainable over a series of five year periods. It is hoped that the adoption of this objective will allow the portfolio to maintain its purchasing power over time while supporting a satisfactory level of services.

C. PORTFOLIO COMPOSITION AND RISK

1. Assets of the investment portfolio will be allocated amount marketable or immediately redeemable equity, equity-type, fixed income, and other types of securities. Most of the time a majority of the assets will be invested in equity and equity-type securities.
2. When fully invested, a range within which the percentage of equity and equity-type investments will be permitted to fluctuate is 40 – 85% of the total portfolio.

D. GUIDELINES FOR FIXED INCOME

1. Fixed income investments will generally consist of short and medium-term high grade securities rated "A" or better by a recognized rating agency. No more than 5% of the portfolio may be invested in debt of any one issuer but there will be no limitation on holdings of US Treasury and US Agency Issues.
2. Short-term funds will be kept entirely in very high grade marketable or highly liquid instruments.

E. GUIDELINES FOR EQUITY INVESTMENTS

1. Equity investments are to be diversified at the discretion of the manager, but no additional investment shall be made in an equity security constituting more than 5% of the portfolio.

JOHN M. SCOTT HEALTH CARE TRUST
FINANCIAL POLICIES AND PROCEDURES

2. No short sales will be permitted, nor may securities be placed on a loan to other parties for any purpose.
3. Options, futures contracts, or other types of derivatives or securities may be purchased, but only with prior approval of each transaction by the Committee.

F. GUIDELINES FOR TRANSACTIONS

All assets are to be managed for the exclusive benefit of the Trust. Transactions should be entered into on the basis of best execution, which normally means best realized price. Nonetheless, commissions may be designated for payment of services rendered to the Trust portfolio or to the manager on behalf of the Trust portfolio assets.

G. GENERAL

These guidelines for managing the portfolio of the Trust are not absolute. Circumstances and opinions do change. But before there is a departure from any of these major policy parameters, prior approval by the Trustee will be required. This policy will be reviewed by the Trustees at least every five years.

JOHN M. SCOTT
HEALTH CARE
TRUST -
APPENDIX F

2019 Vanguard
Year End
Statement



Vanguard Flagship Services®

Nick C. Stockdale, Registered Representative: 800-345-1344, Ext. 2729

Statement overview

\$14,352,947.61

Total value of all accounts as of December 31, 2019

Accounts	Value on 12/31/2018	Value on 12/31/2019
John M. Scott Health Care Trust		
Trust account	\$12,158,123.61	\$14,352,947.61

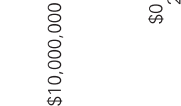
Asset mix	Value on 12/31/2019
66.5% Stocks	\$9,543,135.02
33.5% Bonds	4,802,090.31
0.0% Short-term reserves	7,722.28
0.0% Other	0.00



Your asset mix percentages are based on your holdings as of the prior month-end.

Balance trend

\$20,000,000



Investment return (market change, dividends, interest, capital gains)

Since December 31, 2014: \$5,107,329.09

For more information on your account, including tools to help you set up a target asset allocation, log on to vanguard.com.



Trust account

John M. Scott Health Care Trust

Vanguard Flagship Services®

Nick C. Stockdale, Registered Representative: 800-345-1344, Ext. 2729

Account overview

\$14,352,947.61

Total account value as of December 31, 2019

Year-to-date income

Taxable income	\$335,819.77
Nontaxable income	0.00
Total	\$335,819.77

Balances and holdings for Vanguard funds

Beginning on January 1, 2012, new tax rules on taxable (nonretirement) mutual fund accounts (excluding money market funds) require Vanguard to track cost basis information for shares acquired and subsequently sold, on or after that date. Unless you select another method, sales of Vanguard mutual funds, but not ETFs, will default to the average cost method. For more information, visit vanguard.com/costbasis.

Symbol	Name	Fund and account	Average price per share	Total cost	Balance on 12/31/2018	Balance on 12/31/2019
VAIPX	Inflation-Protect Sec Adm	5119-09926475040	\$22.69	\$2,451,954.70	\$2,585,230.25	\$2,796,232.81
VWETX	Long-Term Invest-Gr Adm	0588-09926475040	9.35	1,713,444.26	1,664,273.76	2,005,857.50
VITSX	Total Stock Mkt Idx Inst	0855-09926475040	31.89	3,817,957.05	7,901,058.76	9,543,135.02
VUSXX	Treasury Money Market	0011-09926475040	-	-	7,560.84	7,722.28
					\$12,158,123.61	\$14,352,947.61



Trust account

Vanguard Flagship Services®

John M. Scott Health Care Trust

Nick C. Stockdale, Registered Representative: 800-345-1344, Ext. 2729

Account activity for Vanguard funds

Inflation-Protect Sec Adm 5119-09926475040

Purchases	Withdrawals	Dividends
\$0.00	\$0.00	\$63,161.89
30-day SEC yield as of 12/31/2019*		0.24%

*Based on holdings' yield to maturity for last 30 days; distribution may differ. For updated information, visit vanguard.com.

Date	Transaction	Amount	Share price	Shares transacted	Total shares owned	Value
	Beginning balance on 12/31/2018		\$24.48		105,605.811	\$2,585,230.25
06/14	Income dividend .113	\$11,933.46	25.57	466.698	106,072.509	
09/23	Income dividend .1763	18,700.58	26.11	716.223	106,788.732	
12/20	Income dividend .3046	32,527.85	25.87	1,257.358	108,046.090	
	Ending balance on 12/31/2019		\$25.88		108,046.090	\$2,796,232.81

Long-Term Invest-Gr Adm 0568-09926475040

Purchases	Withdrawals	Dividends	Short-term capital gains	Long-term capital gains
\$0.00	\$0.00	\$73,000.14	\$13,030.00	\$13,390.45
30-day SEC yield as of 12/31/2019*		3.08%		

*Based on holdings' yield to maturity for last 30 days; distribution may differ. For updated information, visit vanguard.com.

Date	Transaction	Amount	Share price	Shares transacted	Total shares owned	Value
	Beginning balance on 12/31/2018		\$9.57		173,905.304	\$1,664,273.76
01/31	Income dividend	\$6,285.72	9.79	642.055	174,547.359	

December 31, 2019, year-to-date statement



Trust account

Vanguard Flagship Services®

John M. Scott Health Care Trust

Nick C. Stockdale, Registered Representative: 800-345-1344, Ext. 2729

Account activity for Vanguard funds continued

Long-Term Invest-Gr Adm 0568-09926475040 continued

Date	Transaction	Amount	Share price	Shares transacted	Total shares owned	Value
02/28	Income dividend	5,639.31	9.74	578.985	175,126.344	
03/29	Income dividend	6,278.95	10.14	619.226	175,745.570	
04/30	Income dividend	6,036.58	10.09	598.274	176,343.844	
05/31	Income dividend	6,240.91	10.40	600.088	176,943.932	
06/28	Income dividend	6,010.91	10.69	562.293	177,506.225	
07/31	Income dividend	6,173.15	10.77	573.180	178,079.405	
08/30	Income dividend	6,166.53	11.49	536.687	178,616.092	
09/30	Income dividend	5,960.74	11.23	530.787	179,146.879	
10/31	Income dividend	6,133.52	11.21	547.147	179,694.026	
11/29	Income dividend	5,916.72	11.22	527.337	180,221.363	
12/20	ST cap gain .0723	13,030.00	11.01	1,183.470	181,404.833	
12/20	LT cap gain .0743	13,390.45	11.01	1,216.208	182,621.041	
12/31	Income dividend	6,157.10	10.95	562.292	183,183.333	
Ending balance on 12/31/2019			\$10.95		183,183.333	\$2,005,857.50

Total Stock Mkt Idx Inst 0855-09926475040

Purchases		Withdrawals	Dividends		
\$0.00		-\$729,400.00	\$173,075.85		
Date	Transaction	Amount	Share price	Shares transacted	Total shares owned
	Beginning balance on 12/31/2018		\$62.10		127,231.220
					\$7,901,058.76

December 31, 2019, year-to-date statement



Trust account

Vanguard Flagship Services®

John M. Scott Health Care Trust

Nick C. Stockdale, Registered Representative: 800-345-1344, Ext. 2729

Account activity for Vanguard funds continued

Total Stock Mkt Idx Inst 0855-09926475040 continued

Date	Transaction	Amount	Share price	Shares transacted	Total shares owned	Value
02/19	Sell electronic bank transfer	-\$275,000.00	69.62	-3,950.014	123,281.206	
03/22	Income dividend .3756	46,304.42	69.50	666.251	123,947.457	
06/14	Income dividend .2665	33,032.00	71.60	461.341	124,408.798	
09/13	Income dividend .3408	42,398.52	74.38	570.026	124,978.824	
11/15	Sell electronic bank transfer	-454,400.00	77.20	-5,886.010	119,092.814	
12/23	Income dividend .4311	51,340.91	79.55	645.392	119,738.206	
Ending balance on 12/31/2019					119,738.206	\$9,543,135.02

Treasury Money Market 0011-09926475040

Purchases	Withdrawals	Dividends
\$0.00	\$0.00	\$161.44
7-day SEC yield as of 12/31/2019*		1.56%

* Average annualized income dividend over the past 7 days. For updated information, visit vanguard.com.

Date	Transaction	Amount	Share price	Shares transacted	Total shares owned	Value
	Beginning balance on 12/31/2018		\$1.00		7,560.840	\$7,560.84
01/31	Income dividend	\$14.82	1.00	14.820	7,575.660	
02/28	Income dividend	13.57	1.00	13.570	7,589.230	
03/29	Income dividend	15.18	1.00	15.180	7,604.410	
04/30	Income dividend	14.71	1.00	14.710	7,619.120	
05/31	Income dividend	15.16	1.00	15.160	7,634.280	

December 31, 2019, year-to-date statement



Trust account

Vanguard Flagship Services®

John M. Scott Health Care Trust

Nick C. Stockdale, Registered Representative: 800-345-1344, Ext. 2729

Account activity for Vanguard funds continued

Treasury Money Market 0011-09926475040 continued

Date	Transaction	Amount	Share price	Shares transacted	Total shares owned	Value
06/28	Income dividend	14.57	1.00	14.570	7,648.850	
07/31	Income dividend	14.11	1.00	14.110	7,662.960	
08/30	Income dividend	13.52	1.00	13.520	7,676.480	
09/30	Income dividend	12.35	1.00	12.350	7,688.830	
10/31	Income dividend	12.20	1.00	12.200	7,701.030	
11/29	Income dividend	10.84	1.00	10.840	7,711.870	
12/31	Income dividend	10.41	1.00	10.410	7,722.280	
Ending balance on 12/31/2019			\$1.00		7,722.280	\$7,722.28



Trust account

John M. Scott Health Care Trust

Vanguard Flagship Services®

Nick C. Stockdale, Registered Representative: 800-345-1344, Ext. 2729

Realized gains and losses

You can get cost basis information for both realized and unrealized gains and losses for your Vanguard account at vanguard.com.

Some or all of this information may be reported to the IRS on Form 1099-B Proceeds from Broker and Barter Exchange Transactions. Vanguard provides cost basis information using the average cost method for mutual funds and first in, first out for other holdings, unless you've selected another method. You may want to consult a tax advisor to determine the appropriate method for you. Certain adjustments may change the basis we're currently reporting to you. In that event, we'll send you revised realized gain and loss information. A dash indicates the information on our system was incomplete at the time this document was generated. See IRS Publication 550 (Investment Income and Expenses) for additional information.

Vanguard funds

Total Stock Mkt Idx Inst 0855-09926475040

Term	Date sold	Quantity	Proceeds	Total cost	Gain/Loss	Disallowed loss	Total gain/ Allowable loss
Short-term	02/19	0.000	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Long-term	02/19	3,950.014	275,000.00	108,613.87	166,386.13	0.00	166,386.13
Short-term	11/15	0.000	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Long-term	11/15	5,886.010	454,400.00	161,848.12	292,551.88	0.00	292,551.88
Total short-term	Various	0.000	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Total long-term	Various	9,836.024	729,400.00	270,461.99	458,938.01	0.00	458,938.01

JOHN M. SCOTT
HEALTH CARE
TRUST -
APPENDIX G

FY20
John M. Scott
Trust
Cash Account
Statements



Account Number	
Date	5-31-19
Page	1

*0005835 S2
CITY OF BLOOMINGTON
JOHN M SCOTT HEALTH TRUST
109 E OLIVE ST
BLOOMINGTON IL 61701-5217



0005835

BUSEY

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BUS INTEREST ANALYSIS

Status: Active

Category	Transactions	Amount
Balance Forward From 04/30/19		53,204.19
Debits	0	0.00
Automatic Withdrawals	1	6,387.50
Interest Added This Statement		0.40+
Ending Balance On 05/31/19		46,817.09

Annual Percentage Yield Earned	0.01%
Interest Paid This Year	3.41
Interest Paid Last Year	7.22
Average Balance	52,586.04+

Direct Inquiries About Electronic Entries To:

BUSEY BANK
100 W UNIVERSITY AVE
CHAMPAIGN, IL 61820
Phone: (800) 672-8739

DEPOSITS AND OTHER CREDITS

Date	Description	Amount
05/31/19	INTEREST PAID	0.40

Account Number	
Date	5-31-19
Page	3

ELECTRONIC DEBITS

Date	Description	Amount
05/29/19	TRF FROM JMS ACCT TO GEN ACCT TO REIMBURSE FOR JMS TRUST/COMM STAFF INVOICES	6,387.50

DAILY BALANCE SUMMARY

Beginning Balance on 04/30/19 was \$53,204.19

Date	Amount	Date	Amount	Date	Amount
05/29/19	46,816.69	05/31/19	46,817.09		

OVERDRAFT FEE SUMMARY

	Total For This Period	Total Year To Date
Total Overdraft Fees	\$0.00	\$0.00
Total Returned Item Fees	\$0.00	\$0.00

ACCOUNTS AT A GLANCE

Account No.	Sub Acct.	Account Title	Acct Type	Balance
		BUS INTEREST ANALYSIS	Deposit	46,817.09

Total Deposits = 46,817.09 Total Loans = 0.00

This Statement Cycle Reflects 31 Days

THE INTEREST EARNED AND THE ANNUAL PERCENTAGE YIELD ARE BASED ON THE PERIOD 05/01/19 THROUGH 05/31/19

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BUSEY

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*0006121 S2
CITY OF BLOOMINGTON
JOHN M SCOTT HEALTH TRUST
109 E OLIVE ST
BLOOMINGTON IL 61701-5217



Status: Active

Category	Transactions	Amount
Balance Forward From 05/31/19		46,817.09
Debits	0	0.00
Interest Added This Statement		0.32+
Ending Balance On 06/28/19		46,817.41

Annual Percentage Yield Earned	0.01%
Interest Paid This Year	3.73
Interest Paid Last Year	7.22
Average Balance	46,817.09+

Direct Inquiries About Electronic Entries To:

BUSEY BANK
100 W UNIVERSITY AVE
CHAMPAIGN, IL 61820
Phone: (800) 672-8739

DEPOSITS AND OTHER CREDITS

Date	Description	Amount
06/28/19	INTEREST PAID	0.32

Account Number	
Date	6-28-19
Page	3

DAILY BALANCE SUMMARY

Beginning Balance on 05/31/19 was \$46,817.09

Date	Amount	Date	Amount	Date	Amount
06/28/19	46,817.41				

OVERDRAFT FEE SUMMARY

	Total For This Period	Total Year To Date
Total Overdraft Fees	\$0.00	\$0.00
Total Returned Item Fees	\$0.00	\$0.00

ACCOUNTS AT A GLANCE

Account No.	Sub Acct.	Account Title	Acct Type	Balance
		BUS INTEREST ANALYSIS	Deposit	46,817.41

Total Deposits = 46,817.41 Total Loans = 0.00

This Statement Cycle Reflects 28 Days

THE INTEREST EARNED AND THE ANNUAL PERCENTAGE YIELD ARE BASED ON THE PERIOD 06/01/19 THROUGH 06/28/19

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BUSEY

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Account Number	
Date	7-31-19
Page	1

*0005792 S2
CITY OF BLOOMINGTON
JOHN M SCOTT HEALTH TRUST
109 E OLIVE ST
BLOOMINGTON IL 61701-5217
[Barcode]

0005792

BUSEY

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BUS INTEREST ANALYSIS

Status: Active

Category	Transactions	Amount
Balance Forward From 06/28/19		46,817.41
Debits	0	0.00
Interest Added This Statement		0.38+
Ending Balance On 07/31/19		46,817.79

Annual Percentage Yield Earned	0.01%
Interest Paid This Year	4.11
Interest Paid Last Year	7.22
Average Balance	46,817.41+

Direct Inquiries About Electronic Entries To:

BUSEY BANK
100 W UNIVERSITY AVE
CHAMPAIGN, IL 61820
Phone: (800) 672-8739

DEPOSITS AND OTHER CREDITS

Date	Description	Amount
07/31/19	INTEREST PAID	0.38

Account Number	
Date	7-31-19
Page	3

DAILY BALANCE SUMMARY

Beginning Balance on 06/28/19 was \$46,817.41

Date	Amount	Date	Amount	Date	Amount
07/31/19	46,817.79				

OVERDRAFT FEE SUMMARY

	Total For This Period	Total Year To Date
Total Overdraft Fees	\$0.00	\$0.00
Total Returned Item Fees	\$0.00	\$0.00

ACCOUNTS AT A GLANCE

Account No.	Sub Acct.	Account Title	Acct Type	Balance
		BUS INTEREST ANALYSIS	Deposit	46,817.79

Total Deposits = 46,817.79 Total Loans = 0.00

This Statement Cycle Reflects 33 Days

THE INTEREST EARNED AND THE ANNUAL PERCENTAGE YIELD ARE BASED ON THE PERIOD 06/29/19 THROUGH 07/31/19

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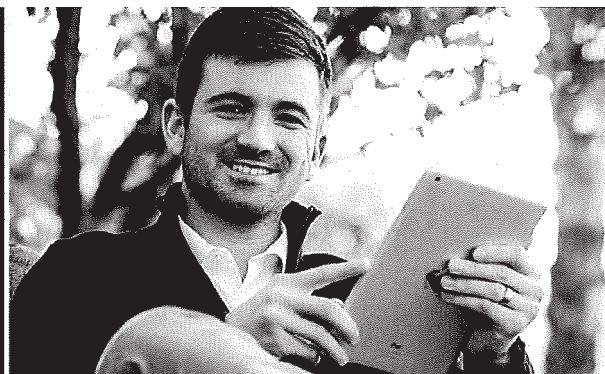
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Date	8-30-19
Page	1

*0005909 S2
CITY OF BLOOMINGTON
JOHN M SCOTT HEALTH TRUST
109 E OLIVE ST
BLOOMINGTON IL 61701-5217

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BUS INTEREST ANALYSIS

Status: Active

Category	Transactions	Amount
Balance Forward From 07/31/19		46,817.79
Debits	0	0.00
Interest Added This Statement		0.35+
Ending Balance On 08/30/19		46,818.14

Annual Percentage Yield Earned	0.01%
Interest Paid This Year	4.46
Interest Paid Last Year	7.22
Average Balance	46,817.79+

Direct Inquiries About Electronic Entries To:

BUSEY BANK
100 W UNIVERSITY AVE
CHAMPAIGN, IL 61820
Phone: (800) 672-8739

DEPOSITS AND OTHER CREDITS

Date	Description	Amount
08/30/19	INTEREST PAID	0.35

Account Number	
Date	8-30-19
Page	3

DAILY BALANCE SUMMARY

Beginning Balance on 07/31/19 was \$46,817.79

Date	Amount	Date	Amount	Date	Amount
08/30/19	46,818.14				

OVERDRAFT FEE SUMMARY

	Total For This Period	Total Year To Date
Total Overdraft Fees	\$0.00	\$0.00
Total Returned Item Fees	\$0.00	\$0.00

ACCOUNTS AT A GLANCE

Account No.	Sub Acct.	Account Title	Acct Type	Balance
		BUS INTEREST ANALYSIS	Deposit	46,818.14

Total Deposits = 46,818.14 Total Loans = 0.00

This Statement Cycle Reflects 30 Days

THE INTEREST EARNED AND THE ANNUAL PERCENTAGE YIELD ARE BASED ON THE PERIOD 08/01/19 THROUGH 08/30/19

0005909

BUSEY

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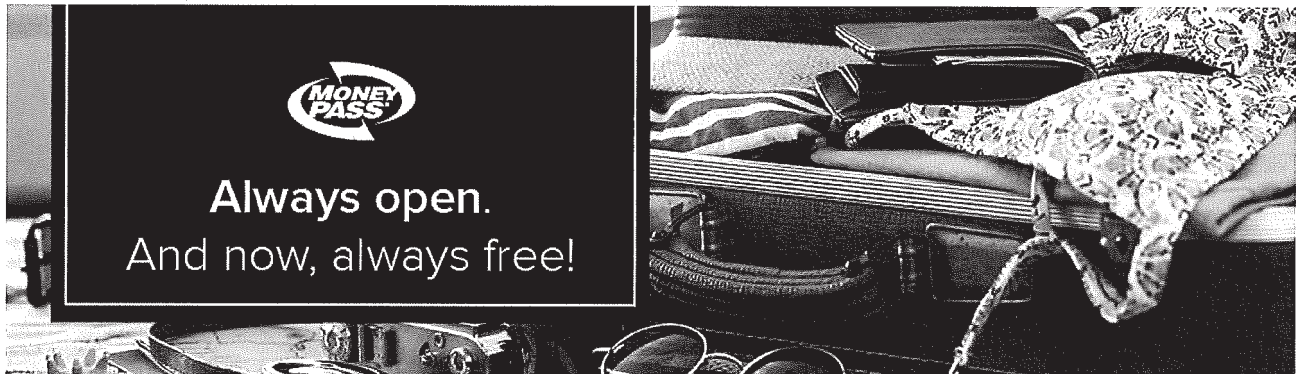
Account Number	
Date	9-30-19
Page	1

*0005742 S2
CITY OF BLOOMINGTON
JOHN M SCOTT HEALTH TRUST
109 E OLIVE ST
BLOOMINGTON IL 61701-5217
|||||

0005742

BUSEY

29979B00X.006



BUS INTEREST ANALYSIS

Status: Active

Category	Transactions	Amount
Balance Forward From 08/30/19		46,818.14
Debits	0	0.00
Interest Added This Statement		0.36+
Ending Balance On 09/30/19		46,818.50

Annual Percentage Yield Earned	0.01%
Interest Paid This Year	4.82
Interest Paid Last Year	7.22
Average Balance	46,818.14+

Direct Inquiries About Electronic Entries To:

BUSEY BANK
100 W UNIVERSITY AVE
CHAMPAIGN, IL 61820
Phone: (800) 672-8739

DEPOSITS AND OTHER CREDITS

Date	Description	Amount
09/30/19	INTEREST PAID	0.36

Account Number	
Date	9-30-19
Page	3

DAILY BALANCE SUMMARY

Beginning Balance on 08/30/19 was \$46,818.14

Date	Amount	Date	Amount	Date	Amount
09/30/19	46,818.50				

OVERDRAFT FEE SUMMARY

	Total For This Period	Total Year To Date
Total Overdraft Fees	\$0.00	\$0.00
Total Returned Item Fees	\$0.00	\$0.00

ACCOUNTS AT A GLANCE

Account No.	Sub Acct.	Account Title	Acct Type	Balance
61510947		BUS INTEREST ANALYSIS	Deposit	46,818.50

Total Deposits = 46,818.50 Total Loans = 0.00

This Statement Cycle Reflects 31 Days

THE INTEREST EARNED AND THE ANNUAL PERCENTAGE YIELD ARE BASED ON THE PERIOD 08/31/19 THROUGH 09/30/19

0005742

BUSEY

29981B00X.006

36FDP

4021 -----





Account Number	
Date	10-4-19
Page	1

*0083777 S2
CITY OF BLOOMINGTON
JOHN M SCOTT HEALTH TRUST
109 E OLIVE ST
BLOOMINGTON IL 61701-5217
[Barcode]

0083777

BUSEY

137455B00X.028



Stay informed. Stay safe.

Visit the Information Security Center on **busey.com** to learn more.

BUS INTEREST ANALYSIS

Status: Active

Category	Transactions	Amount
Balance Forward From 09/30/19		46,818.50
Debits	0	0.00
Interest Added This Statement		0.05+
Ending Balance On 10/04/19		46,818.55

Annual Percentage Yield Earned	0.01%
Interest Paid This Year	4.87
Interest Paid Last Year	7.22
Average Balance	46,818.50+

Direct Inquiries About Electronic Entries To:

BUSEY BANK
100 W UNIVERSITY AVE
CHAMPAIGN, IL 61820
Phone: (800) 672-8739

DEPOSITS AND OTHER CREDITS

Date	Description	Amount
10/04/19	INTEREST PAID	0.05

Account Number	
Date	10-4-19
Page	3

DAILY BALANCE SUMMARY

Beginning Balance on 09/30/19 was \$46,818.50

Date	Amount	Date	Amount	Date	Amount
10/04/19	46,818.55				

OVERDRAFT FEE SUMMARY

	Total For This Period	Total Year To Date
Total Overdraft Fees	\$0.00	\$0.00
Total Returned Item Fees	\$0.00	\$0.00

ACCOUNTS AT A GLANCE

Account No.	Sub Acct.	Account Title	Acct Type	Balance
		BUS INTEREST ANALYSIS	Deposit	46,818.55

Total Deposits = 46,818.55 Total Loans = 0.00

This Statement Cycle Reflects 4 Days

THE INTEREST EARNED AND THE ANNUAL PERCENTAGE YIELD ARE BASED ON THE PERIOD 10/01/19 THROUGH 10/04/19

0083777

BUSEY

137457B00X.028

36FDP

4021 -----





100 W University Ave
Champaign IL 61820

1939048

CITY OF BLOOMINGTON
JOHN M SCOTT HEALTH TRUST
109 E OLIVE ST
BLOOMINGTON IL 61701-5217

Date 10/31/19
Primary Account

Page 1

CHECKING ACCOUNT SUMMARY & DETAIL

PUBLIC BUSINESS ANALYSIS INT		Number of Enclosures	0
Account Number		Statement Dates	10/07/19 thru 10/31/19
Previous Balance	46,818.55	Days in the statement period	25
Deposits/Credits	.00	Average Ledger	46,818.54
Checks/Debits	.00	Average Collected	46,818.54
Service Charge	.00	Interest Earned	.34
Interest Paid	.34	Annual Percentage Yield Earned	0.01%
Ending Balance	46,818.89	2019 Interest Paid	5.21

	Total For This Period	Total Year-to-Date
Overdraft Item Fees	\$.00	\$.00
Returned Item Fees	\$.00	\$.00

DEPOSITS AND OTHER CREDITS

DATE	TRANSACTION DESCRIPTION	AMOUNT
10/31	Interest Deposit	.34

DAILY BALANCE SECTION

DATE	BALANCE	DATE	BALANCE
10/07	46,818.55	10/31	46,818.89



100 W University Ave
Champaign IL 61820

3799228

CITY OF BLOOMINGTON
JOHN M SCOTT HEALTH TRUST
109 E OLIVE ST
BLOOMINGTON IL 61701-5217

Date 11/29/19
Primary Account

Page 1

CHECKING ACCOUNT SUMMARY & DETAIL

PUBLIC BUSINESS ANALYSIS INT		Number of Enclosures	0
Account Number		Statement Dates	11/01/19 thru 12/01/19
Previous Balance	46,818.89	Days in the statement period	31
1 Deposits/Credits	454,400.00	Average Ledger	234,342.27
1 Checks/Debits	6,712.50	Average Collected	234,342.27
Service Charge	.00	Interest Earned	1.99
Interest Paid	1.85	Annual Percentage Yield Earned	0.01%
Ending Balance	494,508.24	2019 Interest Paid	7.06

	Total For This Period	Total Year-to-Date
Overdraft Item Fees	\$.00	\$.00
Returned Item Fees	\$.00	\$.00

DEPOSITS AND OTHER CREDITS

DATE	TRANSACTION DESCRIPTION	AMOUNT
11/19	VGI-TTL IX IST INVESTMENT T RENNER D HALES 085509926475040	454,400.00
11/30	Interest Deposit	1.85

CHECKS AND OTHER DEBITS

DATE	TRANSACTION DESCRIPTION	AMOUNT
11/18	Internet Transfer From/To: 615 10947-D/61510912-D	6,712.50-

DAILY BALANCE SECTION

DATE	BALANCE	DATE	BALANCE	DATE	BALANCE
11/01	46,818.89	11/18	40,106.39	11/19	494,506.39
11/30	494,508.24				



100 W University Ave
Champaign IL 61820

5877406

CITY OF BLOOMINGTON
JOHN M SCOTT HEALTH TRUST
109 E OLIVE ST
BLOOMINGTON IL 61701-5217

Date 12/31/19
Primary Account

Page 1

CHECKING ACCOUNT SUMMARY & DETAIL

PUBLIC BUSINESS ANALYSIS INT		Number of Enclosures	10
Account Number		Statement Dates	12/02/19 thru 12/31/19
Previous Balance	494,508.24	Days in the statement period	30
Deposits/Credits	.00	Average Ledger	376,141.57
11 Checks/Debits	347,300.00	Average Collected	376,141.57
Service Charge	.00	Interest Earned	3.11
Interest Paid	3.25	Annual Percentage Yield Earned	0.01%
Ending Balance	147,211.49	2019 Interest Paid	10.31

	Total For This Period	Total Year-to-Date
Overdraft Item Fees	\$.00	\$.00
Returned Item Fees	\$.00	\$.00

DEPOSITS AND OTHER CREDITS

DATE	TRANSACTION DESCRIPTION	AMOUNT
12/31	Interest Deposit	3.25

CHECKS AND OTHER DEBITS

DATE	TRANSACTION DESCRIPTION	AMOUNT
12/11	CITY OF BLOOMING COBEFTAP CITY OF BLOOMINGTON	16,900.00-

CHECKS IN SERIAL NUMBER ORDER

DATE	CHECK NO	AMOUNT	DATE	CHECK NO	AMOUNT
12/27	1144555	17,500.00	12/20	1144557*	125,000.00
12/24	1144558	10,500.00	12/26	1144559	15,000.00
12/24	1144560	17,500.00	12/24	1144561	7,350.00
12/26	1144564*	100,000.00	12/24	1144568*	20,300.00
12/23	1144569	5,000.00	12/24	1144572*	12,250.00

*Indicates break in check number sequence

DAILY BALANCE SECTION

DATE	BALANCE	DATE	BALANCE	DATE	BALANCE
12/02	494,508.24	12/11	477,608.24	12/20	352,608.24
12/23	347,608.24	12/24	279,708.24	12/26	164,708.24



100 W University Ave
Champaign IL 61820

Date 12/31/19

Page 2

Primary Account [REDACTED]

PUBLIC BUSINESS ANALYSIS INT [REDACTED]

(Continued)

DAILY BALANCE SECTION			
DATE	BALANCE	DATE	BALANCE
12/27	147,208.24	12/31	147,211.49

Primary Account: [REDACTED]

Bloomington ILLINOIS
J.M. SCOTT ACCOUNT
109 E OLIVE ST
BLOOMINGTON, IL 61701
(309) 434-2334 FAX (309) 434-2483

Vendor Number: 654
Check Date: 12/26/2019
Check Number: 01144555
VOID 180 DAYS FROM DATE OF ISSUE

Pay Seventeen Thousand Five Hundred Dollars and 00 cents *****

To The Order Of: BABY FOLD INC
108 E WILLOW ST
NORMAL, IL 61761-1640

Tai Roman
FST/MLB

Check 1144555 Amount \$17,500.00 Date 12/26/2019

Bloomington ILLINOIS
J.M. SCOTT ACCOUNT
109 E OLIVE ST
BLOOMINGTON, IL 61701
(309) 434-2334 FAX (309) 434-2483

Vendor Number: 720
Check Date: 12/20/2019
Check Number: 01144557
VOID 180 DAYS FROM DATE OF ISSUE

Pay One Hundred Twenty Five Thousand Dollars and 00 cents *****

To The Order Of: COMMUNITY HEALTH CARE CLINIC
600 NORTH FRANKLIN
NORMAL, IL 61761-3510

Tai Roman
FST/MLB

Check 1144557 Amount \$125,000.00 Date 12/20/2019

Bloomington ILLINOIS
J.M. SCOTT ACCOUNT
109 E OLIVE ST
BLOOMINGTON, IL 61701
(309) 434-2334 FAX (309) 434-2483

Vendor Number: 4071
Check Date: 12/20/2019
Check Number: 01144558
VOID 180 DAYS FROM DATE OF ISSUE

Pay Ten Thousand Five Hundred Dollars and 00 cents *****

To The Order Of: FAITH IN ACTION OF BLOOMINGTON NORMAL
800 EAST WILLOW STREET
SUITE 201
NORMAL, IL 61761

Tai Roman
FST/MLB

Check 1144558 Amount \$10,500.00 Date 12/23/2019

Bloomington ILLINOIS
J.M. SCOTT ACCOUNT
109 E OLIVE ST
BLOOMINGTON, IL 61701
(309) 434-2334 FAX (309) 434-2483

Vendor Number: 4553
Check Date: 12/20/2019
Check Number: 01144559
VOID 180 DAYS FROM DATE OF ISSUE

Pay Fifteen Thousand Dollars and 00 cents *****

To The Order Of: FIRST UNITED METHODIST CHURCH OF NORMAL
211 NORTH SCHOOL STREET
NORMAL, IL 61761

Tai Roman
FST/MLB

Check 1144559 Amount \$15,000.00 Date 12/24/2019

Bloomington ILLINOIS
J.M. SCOTT ACCOUNT
109 E OLIVE ST
BLOOMINGTON, IL 61701
(309) 434-2334 FAX (309) 434-2483

Vendor Number: 3818
Check Date: 12/23/2019
Check Number: 01144560
VOID 180 DAYS FROM DATE OF ISSUE

Pay Seventeen Thousand Five Hundred Dollars and 00 cents *****

To The Order Of: HEARTLAND HEAD START
308 STILLWELL STREET
BLOOMINGTON, IL 61701

Tai Roman
FST/MLB

Check 1144560 Amount \$17,500.00 Date 12/23/2019

Bloomington ILLINOIS
J.M. SCOTT ACCOUNT
109 E OLIVE ST
BLOOMINGTON, IL 61701
(309) 434-2334 FAX (309) 434-2483

Vendor Number: 4578
Check Date: 12/23/2019
Check Number: 01144561
VOID 180 DAYS FROM DATE OF ISSUE

Pay Seven Thousand Three Hundred Fifty Dollars and 00 cents *****

To The Order Of: INTEGRITY COUNSELING INC
902 SOUTH MORRIS AVENUE
SUITE C
BLOOMINGTON, IL 61701

Tai Roman
FST/MLB

Check 1144561 Amount \$7,350.00 Date 12/23/2019

Bloomington ILLINOIS
J.M. SCOTT ACCOUNT
109 E OLIVE ST
BLOOMINGTON, IL 61701
(309) 434-2334 FAX (309) 434-2483

Vendor Number: 4491
Check Date: 12/23/2019
Check Number: 01144564
VOID 180 DAYS FROM DATE OF ISSUE

Pay One Hundred Thousand Dollars and 00 cents *****

To The Order Of: MCLEAN COUNTY CENTER FOR HUMAN SERVICES INC
100 WEST MARKET STREET
BLOOMINGTON, IL 61701-3918

Tai Roman
FST/MLB

Check 1144564 Amount \$100,000.00 Date 12/24/2019

Bloomington ILLINOIS
J.M. SCOTT ACCOUNT
109 E OLIVE ST
BLOOMINGTON, IL 61701
(309) 434-2334 FAX (309) 434-2483

Vendor Number: 4490
Check Date: 12/23/2019
Check Number: 01144568
VOID 180 DAYS FROM DATE OF ISSUE

Pay Twenty Thousand Three Hundred Dollars and 00 cents *****

To The Order Of: THE CENTER FOR YOUTH & FAMILY SOLUTIONS INC
2810 WEST RICHWOODS BLVD
PEORIA, IL 61604

Tai Roman
FST/MLB

Check 1144568 Amount \$20,300.00 Date 12/23/2019

Bloomington ILLINOIS
J.M. SCOTT ACCOUNT
109 E OLIVE ST
BLOOMINGTON, IL 61701
(309) 434-2334 FAX (309) 434-2483

Vendor Number: 4670
Check Date: 12/20/2019
Check Number: 01144569
VOID 180 DAYS FROM DATE OF ISSUE

Pay Five Thousand Dollars and 00 cents *****

To The Order Of: TOWNSHIP OF NORMAL
NORMAL TOWNSHIP
304 EAST MULBERRY STREET
NORMAL, IL 61761

Tai Roman
FST/MLB

Check 1144569 Amount \$5,000.00 Date 12/20/2019

Bloomington ILLINOIS
J.M. SCOTT ACCOUNT
109 E OLIVE ST
BLOOMINGTON, IL 61701
(309) 434-2334 FAX (309) 434-2483

Vendor Number: 672
Check Date: 12/20/2019
Check Number: 01144572
VOID 180 DAYS FROM DATE OF ISSUE

Pay Twelve Thousand Two Hundred Fifty Dollars and 00 cents *****

To The Order Of: YMCA MCLEAN COUNTY
1201 MERRISSEY ROAD
NORMAL, IL 61704-3818

Tai Roman
FST/MLB

Check 1144572 Amount \$12,250.00 Date 12/23/2019



100 W University Ave
Champaign IL 61820

7396701

CITY OF BLOOMINGTON
JOHN M SCOTT HEALTH TRUST
109 E OLIVE ST
BLOOMINGTON IL 61701-5217

Date 1/31/20
Primary Account

Page 1

CHECKING ACCOUNT SUMMARY & DETAIL

PUBLIC BUSINESS ANALYSIS INT		Number of Enclosures	9
Account Number		Statement Dates	1/01/20 thru 2/02/20
Previous Balance	147,211.49	Days in the statement period	33
1 Deposits/Credits	83.21	Average Ledger	69,117.95
8 Checks/Debits	107,250.00	Average Collected	69,117.95
Service Charge	.00	Interest Earned	.63
Interest Paid	.61	Annual Percentage Yield Earned	0.01%
Ending Balance	40,045.31	2020 Interest Paid	.61

	Total For This Period	Total Year-to-Date
Overdraft Item Fees	\$.00	\$.00
Returned Item Fees	\$.00	\$.00

DEPOSITS AND OTHER CREDITS

DATE	TRANSACTION DESCRIPTION	AMOUNT
1/08	Deposit/Credit RE:	83.21
1/31	Interest Deposit	.61

CHECKS IN SERIAL NUMBER ORDER

DATE	CHECK NO	AMOUNT	DATE	CHECK NO	AMOUNT
1/17	1144556	17,500.00	1/08	1144562*	12,250.00
1/03	1144563	15,000.00	1/14	1144565*	7,000.00
1/13	1144566	17,500.00	1/22	1144567	10,000.00
1/03	1144570*	17,500.00	1/07	1144571	10,500.00

*Indicates break in check number sequence

DAILY BALANCE SECTION

DATE	BALANCE	DATE	BALANCE	DATE	BALANCE
1/01	147,211.49	1/03	114,711.49	1/07	104,211.49
1/08	92,044.70	1/13	74,544.70	1/14	67,544.70
1/17	50,044.70	1/22	40,044.70	1/31	40,045.31

Amount \$83.21 Date 1/8/2020

Check 1144556 Amount \$17,500.00 Date 1/17/2020

Check 1144562 Amount \$12,250.00 Date 1/7/2020

Check 1144563 Amount \$15,000.00 Date 1/2/2020

Check 1144565 Amount \$7,000.00 Date 1/14/2020

Check 1144566 Amount \$17,500.00 Date 1/13/2020

Check 1144567 Amount \$10,000.00 Date 1/22/2020

Check 1144570 Amount \$17,500.00 Date 1/2/2020

Check 1144571 Amount \$10,500.00 Date 1/7/2020



100 W University Ave
Champaign IL 61820

8491639

CITY OF BLOOMINGTON
JOHN M SCOTT HEALTH TRUST
109 E OLIVE ST
BLOOMINGTON IL 61701-5217

Date 2/28/20
Primary Account

Page 1

CHECKING ACCOUNT SUMMARY & DETAIL

PUBLIC BUSINESS ANALYSIS INT		Number of Enclosures	0
Account Number		Statement Dates	2/03/20 thru 3/01/20
Previous Balance	40,045.31	Days in the statement period	28
1 Deposits/Credits	1,098.25	Average Ledger	40,280.64
Checks/Debits	.00	Average Collected	40,280.64
Service Charge	.00	Interest Earned	.31
Interest Paid	.32	Annual Percentage Yield Earned	0.01%
Ending Balance	41,143.88	2020 Interest Paid	.93

	Total For This Period	Total Year-to-Date
Overdraft Item Fees	\$.00	\$.00
Returned Item Fees	\$.00	\$.00

DEPOSITS AND OTHER CREDITS

DATE	TRANSACTION DESCRIPTION	AMOUNT
2/25	Int Xfer Transfer of JM Scott 's portion of Paymac Inc.	1,098.25
2/29	Interest Deposit	.32

DAILY BALANCE SECTION

DATE	BALANCE	DATE	BALANCE	DATE	BALANCE
2/03	40,045.31	2/25	41,143.56	2/29	41,143.88



100 W University Ave
Champaign IL 61820

9933854

CITY OF BLOOMINGTON
JOHN M SCOTT HEALTH TRUST
109 E OLIVE ST
BLOOMINGTON IL 61701-5217

Date 3/31/20
Primary Account

Page 1

CHECKING ACCOUNT SUMMARY & DETAIL

PUBLIC BUSINESS ANALYSIS INT		Number of Enclosures	0
Account Number		Statement Dates	3/02/20 thru 3/31/20
Previous Balance	41,143.88	Days in the statement period	30
Deposits/Credits	.00	Average Ledger	39,306.38
1 Checks/Debits	1,837.50	Average Collected	39,306.38
Service Charge	.00	Interest Earned	.32
Interest Paid	.33	Annual Percentage Yield Earned	0.01%
Ending Balance	39,306.71	2020 Interest Paid	1.26

	Total For This Period	Total Year-to-Date
Overdraft Item Fees	\$.00	\$.00
Returned Item Fees	\$.00	\$.00

DEPOSITS AND OTHER CREDITS

DATE	TRANSACTION DESCRIPTION	AMOUNT
3/31	Interest Deposit	.33

CHECKS AND OTHER DEBITS

DATE	TRANSACTION DESCRIPTION	AMOUNT
3/02	Int Xfer TRF FROM JMS TO GEN A CCT FOR J TONEY'S TRUST/C	1,837.50-

DAILY BALANCE SECTION

DATE	BALANCE	DATE	BALANCE
3/02	39,306.38	3/31	39,306.71



100 W University Ave
Champaign IL 61820

11346647

CITY OF BLOOMINGTON
JOHN M SCOTT HEALTH TRUST
109 E OLIVE ST
BLOOMINGTON IL 61701-5217

Date 4/30/20
Primary Account

Page 1

CHECKING ACCOUNT SUMMARY & DETAIL

PUBLIC BUSINESS ANALYSIS INT		Number of Enclosures	0
Account Number		Statement Dates	4/01/20 thru 4/30/20
Previous Balance	39,306.71	Days in the statement period	30
Deposits/Credits	.00	Average Ledger	39,156.71
2 Checks/Debits	3,000.00	Average Collected	39,156.71
Service Charge	.00	Interest Earned	.32
Interest Paid	.32	Annual Percentage Yield Earned	0.01%
Ending Balance	36,307.03	2020 Interest Paid	1.58

	Total For This Period	Total Year-to-Date
Overdraft Item Fees	\$.00	\$.00
Returned Item Fees	\$.00	\$.00

DEPOSITS AND OTHER CREDITS

DATE	TRANSACTION DESCRIPTION	AMOUNT
4/30	Interest Deposit	.32

CHECKS AND OTHER DEBITS

DATE	TRANSACTION DESCRIPTION	AMOUNT
4/29	CITY OF BLOOMING COBEFTAP	1,500.00-
	CITY OF BLOOMINGTON	
4/30	Int Xfer TRF FROM JMS TO GEN A	1,500.00-
	CCT TO REIMBURSE FOR STAFF INV	

DAILY BALANCE SECTION

DATE	BALANCE	DATE	BALANCE	DATE	BALANCE
4/01	39,306.71	4/29	37,806.71	4/30	36,307.03

JOHN M. SCOTT
HEALTH CARE
TRUST -
APPENDIX H

FY20
City Records
(Balance Sheet
and Account
Trial Balance)



07/09/2020 11:38
jtoney

CITY OF BLOOMINGTON, IL
ACCOUNT TRIAL BALANCE FOR FY20/MAY TO APR
FUND

1
|P
|giatrbal

ACCOUNT		ACCOUNT NAME		ORG		BEG. BALANCE		DEBITS		CREDITS		NET CHANGE		END BALANCE	
PER	JNL	SRC	EFF DATE	REFERENCE											
7210-000-00000-000-00001-															
JMS	Cash				7210	SYSTEM GENERATED DUE TO LINE	53,204.19								
1	615	GEN	05/31/19		SYSTEM GENERATED DUE TO LINE		.40		.00						
1	838	GEN	05/29/19		SYSTEM GENERATED DUE TO LINE		.00		6,387.50					-6,387.10	
2	794	GEN	06/28/19		SYSTEM GENERATED DUE TO LINE		.32		.00					-6,386.78	
3	742	GEN	07/31/19		SYSTEM GENERATED DUE TO LINE		.38		.00					-6,386.40	
4	664	GNI	08/30/19		SYSTEM GENERATED DUE TO LINE		.35		.00					-6,386.05	
5	558	GEN	09/30/19		SYSTEM GENERATED DUE TO LINE		.36		.00					-6,385.69	
6	721	GEN	10/31/19		SYSTEM GENERATED DUE TO LINE		.39		.00					-6,385.30	
7	330	GEN	11/18/19		SYSTEM GENERATED DUE TO LINE		1.85		.00					-13,097.80	
7	744	GEN	11/29/19		SYSTEM GENERATED DUE TO LINE		.00		6,712.50					-13,095.95	
7	836	GEN	11/18/19		SYSTEM GENERATED DUE TO LINE	454,400.00			.00					441,304.05	
8	141	APP	12/10/19	SM			.00		16,900.00					424,404.05	
8	146	APP	12/10/19	SM			.00		437,650.00					-13,245.95	
8	816	GEN	12/31/19		SYSTEM GENERATED DUE TO LINE		3.25		.00					-13,242.70	
9	253	CRP	01/07/20		CASH RECEIPTS JOURNAL		83.21		.00					-13,159.49	
9	978	GEN	01/31/20		SYSTEM GENERATED DUE TO LINE		.61		.00					-13,158.88	
10	489	CRP	02/21/20		CASH RECEIPTS JOURNAL		.25		.00					-12,060.63	
10	702	GEN	02/29/20		SYSTEM GENERATED DUE TO LINE	1,098.25			.00					-12,060.31	
11	7	GEN	03/02/20		SYSTEM GENERATED DUE TO LINE		.00		1,837.50					-13,897.81	
11	668	GEN	03/31/20		SYSTEM GENERATED DUE TO LINE		.33		.00					-13,897.48	
12	465	APP	04/28/20	FW			.00		1,500.00					-15,397.48	
12	687	GEN	04/30/20		SYSTEM GENERATED DUE TO LINE		.32		.00					-15,397.16	
7210-00001															
7210-000-00000-000-15190-					53,204.19		455,590.34	470,987.50						-15,397.16	37,807.03
JMS	Restricted	-	Other Invest		7210	MAY TRUST ACTIVITY									
1	737	GEN	05/31/19		JUNE TRUST ACTIVITY		.00		479,754.90					-479,754.90	
2	788	GEN	06/30/19		TO RECORD JULY ACTIVITY	673,907.42			.00					194,152.52	
3	736	GEN	07/31/19		TO RECORD AUG ACTIVITY	158,442.06			.00					352,594.58	
4	738	GEN	08/31/19		TRUST ACTIVITY	11,610.90			.00					364,205.48	
5	677	GEN	09/30/19		TRUST ACTIVITY	82,199.80			.00					446,405.28	
6	846	GEN	10/31/19		TRUST ACTIVITY	195,393.98			.00					641,799.26	
6	867	GRV	10/31/19		TRUST ACTIVITY		.00		195,393.98					446,405.28	
6	836	GEN	10/31/19		TRF FROM JMV VANGUARD TO BUS	195,393.98			.00					641,799.26	
7	836	GEN	11/18/19		TRUST ACTIVITY		.00		454,400.00					187,399.26	
7	837	GEN	11/29/19		TRUST ACTIVITY	363,701.71			.00					551,100.97	
8	982	GEN	12/31/19		TRUST ACTIVITY	260,771.71			.00					811,872.68	
9	1067	GEN	01/31/20		TRUST ACTIVITY	155,610.92			.00					967,483.60	
10	794	GEN	02/29/20		TRUST ACTIVITY		.00		693,093.36					274,390.24	
11	743	GEN	03/31/20		TRUST ACTIVITY		.00		1,362,479.20					-1,088,088.96	
12	689	GEN	04/30/20		TRUST ACTIVITY	1,180,686.71			.00					92,597.75	
7210-15190															
7210-000-00000-000-21105-					13,541,074.93		3,277,719.19	3,185,121.44						92,597.75	13,633,672.68
JMS	A/P - Check Processing				7210		.00								
7	735	API	11/25/19	B 8627			.00		427,300.00					-427,300.00	
7	736	API	11/26/19	B 8629			.00		12,250.00					-439,550.00	
8	23	API	12/03/19	B 8667			.00		15,000.00					-454,550.00	
8	141	APP	12/10/19	SM	AP CASH DISBURSEMENTS JOURNA	16,900.00			.00					-437,650.00	
8	146	APP	12/10/19	SM	AP CASH DISBURSEMENTS JOURNA	437,650.00			.00					-1,500.00	
2	302	API	04/17/20	B 125			.00		1,500.00					-1,500.00	

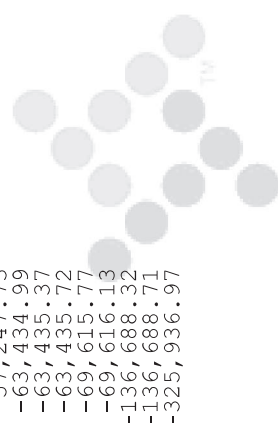


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CITY OF BLOOMINGTON, IL
ACCOUNT TRIAL BALANCE FOR FY20/MAY TO APR
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ACCOUNT PER	ACCOUNT NAME JNL	SRC	EFF	DATE	REFERENCE	ORG	BEG. BALANCE	DEBITS	CREDITS	NET CHANGE	END BALANCE
12	465 APP 04/28/20 FW					AP CASH DISBURSEMENTS JOURNA	1,500.00	.00	.00	.00	.00
	7210-21105						.00	456,050.00	456,050.00	.00	.00
7210-000-00000-000-22100-	JMS Due to General Fund					7210	-6,387.50				
1	838 GEN 05/29/19					TO CLEAR JMS DUE TO ACCT		6,387.50	.00	6,387.50	
	7210-22100						-6,387.50	6,387.50	.00	6,387.50	.00
7210-000-00000-000-31230-	JMS Budget Fund B1 Res for Enc					7210	.00				
4	351 POE 08/31/19							.00	1,500.00	-1,500.00	
12	302 POL 04/17/20 B 125							1,500.00	.00	.00	
	7210-31230						.00	1,500.00	1,500.00	.00	.00
7210-000-00000-000-31280-	JMS Encumbrance Control Acct					7210	.00				
4	351 POE 08/31/19							1,500.00	.00	1,500.00	
12	302 POL 04/17/20 B 125							.00	1,500.00	.00	
	7210-31280						.00	1,500.00	1,500.00	.00	.00
7210-000-00000-000-31300-	JMS Appropriation Control Acct					7210	.00				
1	804 BUC 05/01/19 2020 B							.00	757,000.00	-757,000.00	
	7210-31300						.00	.00	757,000.00	-757,000.00	-757,000.00
7210-000-00000-000-31310-	JMS Estimated Revenues					7210	.00				
1	804 BUC 05/01/19 2020 B							757,000.00	.00	757,000.00	
	7210-31310						.00	757,000.00	.00	757,000.00	757,000.00
7210-000-00000-000-32100-	JMS Fund Balance						-8,185,740.62				
	7210-32100						-8,185,740.62	.00	.00	.00	-8,185,740.62
7210-000-00000-000-32145-	JMS Fund Balance - Corpus Res					7210	-5,402,151.00				
	7210-32145						-5,402,151.00	.00	.00	.00	-5,402,151.00
7210-000-72100-500-56010-	JMS Interest Income					72102100	INTEREST ON JM SCOTT BUSEY	.00	.40	.40	
1	615 GEN 05/31/19					MAY TRUST ACTIVITY		.00	6,256.07	-6,256.47	
1	737 GEN 05/31/19					JUNE TRUST ACTIVITY		.00	50,990.94	-57,247.41	
2	788 GEN 06/30/19					INTEREST ON BUSEY ACCT		.00	.32	-57,247.73	
3	794 GEN 06/28/19					TO RECORD JULY ACTIVITY		.00	6,187.26	-63,434.99	
3	736 GEN 07/31/19					INTEREST ON BUSEY ACCT		.00	.38	-63,435.37	
4	742 GEN 07/31/19					INTEREST ON BUSEY ACCT		.00	.35	-63,435.72	
4	664 GNI 08/30/19					TO RECORD AUG ACTIVITY		.00	6,180.05	-69,615.77	
4	738 GEN 08/31/19					INTEREST ON BUSEY ACCT		.00	.36	-69,616.13	
5	558 GEN 09/30/19					TRUST ACTIVITY		.00	67,072.19	-136,688.32	
5	677 GEN 09/30/19					INTEREST ON BUSEY ACCT		.00	.39	-136,688.71	
6	721 GEN 10/31/19					TRUST ACTIVITY		.00	189,248.26	-325,936.97	
6	846 GEN 10/31/19										



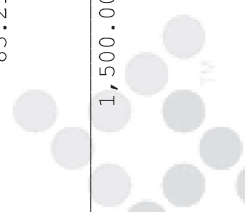


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CITY OF BLOOMINGTON, IL
ACCOUNT TRIAL BALANCE FOR FY20/MAY TO APR
FUND

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ACCOUNT PER	ACCOUNT NAME JNL	SRC	EFF	DATE	REFERENCE	ORG	BEG. BALANCE	DEBITS	CREDITS	NET CHANGE	END BALANCE
6	846 GEN	10/31/19				TRUST ACTIVITY		.00	6,145.72	-332,082.69	
6	867 GRV	10/31/19						6,145.72	.00	-325,936.97	
6	867 GRV	10/31/19						189,248.26	.00	-136,688.71	
6	868 GEN	10/31/19				TRUST ACTIVITY			6,145.72	-142,834.43	
7	744 GEN	11/29/19				INTEREST ON BUSEY ACCOUNT			1.85	-142,836.28	
7	837 GEN	11/29/19				TRUST ACTIVITY			5,927.56	-148,763.84	
8	816 GEN	12/31/19				INTEREST ON BUSEY ACCT			3.25	-148,767.09	
8	982 GEN	12/31/19				TRUST ACTIVITY			116,456.72	-265,223.81	
9	978 GEN	01/31/20				INTEREST ON BUSEY ACCT			.61	-265,224.42	
9	1067 GEN	01/31/20				TRUST ACTIVITY			6,165.78	-271,390.20	
10	702 GEN	02/29/20				INTEREST ON BUSEY ACCT			.32	-271,390.52	
10	794 GEN	02/29/20				TRUST ACTIVITY			5,788.44	-277,178.96	
11	668 GEN	03/31/20				INTEREST ON BUSEY ACCT			.33	-277,179.29	
11	743 GEN	03/31/20				TRUST ACTIVITY			55,924.34	-333,103.63	
12	687 GEN	04/30/20				INTEREST ON BUSEY ACCT			.32	-333,103.95	
12	689 GEN	04/30/20				TRUST ACTIVITY			5,913.98	-339,017.93	
72102100-56010	72102100-56010						.00	195,393.98	534,411.91	-339,017.93	
JMS Unrealized Gain/Loss	72102100						.00	486,010.97	.00	486,010.97	
1 737 GEN	05/31/19					MAY TRUST ACTIVITY			622,916.48	-136,905.51	
2 788 GEN	06/30/19					JUNE TRUST ACTIVITY			152,254.80	-289,160.31	
3 736 GEN	07/31/19					TO RECORD JULY ACTIVITY			5,430.85	-294,591.16	
4 738 GEN	08/31/19					TO RECORD AUG ACTIVITY			15,127.61	-309,718.77	
5 677 GEN	09/30/19					TRUST ACTIVITY			189,248.26	-498,967.03	
6 868 GEN	10/31/19					TRUST ACTIVITY			357,774.15	-856,741.18	
7 837 GEN	11/29/19					TRUST ACTIVITY			144,314.99	-1,001,056.17	
8 982 GEN	12/31/19					TRUST ACTIVITY			149,445.14	-1,150,501.31	
9 1067 GEN	01/31/20					TRUST ACTIVITY			.00	-451,619.51	
10 794 GEN	02/29/20					TRUST ACTIVITY		698,881.80	.00	966,784.03	
11 743 GEN	03/31/20					TRUST ACTIVITY		1,418,403.54	.00	-207,988.70	
12 689 GEN	04/30/20					TRUST ACTIVITY		.00	1,174,772.73	-207,988.70	
72102100-56110	72102100-56110						.00	2,603,296.31	2,811,285.01	-207,988.70	
JMS Sale of Equipment	72102100						.00	.00	1,150.00	-1,150.00	
10 489 CRP	02/21/20 11510					CASH RECEIPTS JOURNAL		.00	1,150.00	-1,150.00	
72102100-57114	72102100-57114						.00	.00	1,150.00	-1,150.00	
JMS Other Misc Revenue	72102100						.00	.00	83.21	-83.21	
9 253 CRP	01/07/20 11510					CASH RECEIPTS JOURNAL		.00	83.21	-83.21	
72102100-57990	72102100-57990						.00	.00	83.21	-83.21	
JMS Repr/Mtnc Office & Comp Eq	72102100						.00	.00	.00	1,500.00	
12 302 API	04/17/20 004464 272711					BENEVEATE INC		1,500.00	.00	1,500.00	
72102100-70530	72102100-70530						.00	1,500.00	.00	1,500.00	
JMS Other Purchased Services	72102100						.00	51.75	.00	51.75	
10 489 CRP	02/21/20 11510					CASH RECEIPTS JOURNAL			.00	1,500.00	



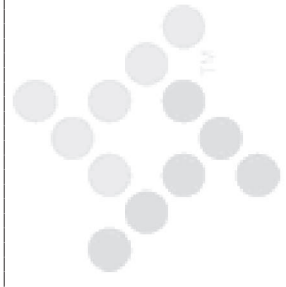


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CITY OF BLOOMINGTON, IL
ACCOUNT TRIAL BALANCE FOR FY20/MAY TO APR
FUND

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ACCOUNT		ACCOUNT NAME		ORG		BEG. BALANCE	DEBITS	CREDITS	NET CHANGE	END BALANCE
PER	JNL	SRC	EFF DATE	REFERENCE						
72102100-70690					.00	51.75	.00	51.75	51.75	
7210-000-72100-500-79130-59000				72102100						
JMS Grants				261407				.00	125,000.00	125,000.00
7 735 API 11/25/19 000720				261406				.00	225,000.00	225,000.00
7 735 API 11/25/19 004491										
72102100-79130					.00	225,000.00	.00	225,000.00	225,000.00	
7210-000-72100-500-79130-59100				72102100						
JMS Grants				261419				.00	17,500.00	17,500.00
7 735 API 11/25/19 000325				261418				.00	24,500.00	24,500.00
7 735 API 11/25/19 000582				261410				.00	42,000.00	42,000.00
7 735 API 11/25/19 000589				261424				.00	52,500.00	52,500.00
7 735 API 11/25/19 000635				261422				.00	70,000.00	70,000.00
7 735 API 11/25/19 000654				261417				.00	82,250.00	82,250.00
7 735 API 11/25/19 002205				261423				.00	99,750.00	99,750.00
7 735 API 11/25/19 002759				261420				.00	111,650.00	111,650.00
7 735 API 11/25/19 003047				261412				.00	129,150.00	129,150.00
7 735 API 11/25/19 003818				261409				.00	149,450.00	149,450.00
7 735 API 11/25/19 004490				261411				.00	159,950.00	159,950.00
7 735 API 11/25/19 004671				261415				.00	167,300.00	167,300.00
7 735 API 11/25/19 004676				261448				.00	179,550.00	179,550.00
7 736 API 11/26/19 000672				261874				.00	194,550.00	194,550.00
8 23 API 12/03/19 004683										
72102100-79130					.00	194,550.00	.00	194,550.00	194,550.00	
7210-000-72100-500-79130-59200				72102100						
JMS Grants				261425				.00	5,000.00	5,000.00
7 735 API 11/25/19 000022				261427				.00	20,000.00	20,000.00
7 735 API 11/25/19 000089				261426				.00	25,000.00	25,000.00
7 735 API 11/25/19 004670				261429				.00	35,000.00	35,000.00
72102100-79130					.00	35,000.00	.00	35,000.00	35,000.00	
7210-000-72100-500-89154-				72102100						
JMS To Code Enforcement				TRF FROM				.00	6,712.50	6,712.50
7 330 GEN 11/18/19				TO RECORD				.00	8,550.00	8,550.00
11 7 GEN 03/02/20				FY20 SALARY TO JMS						
72102100-89154					.00	8,550.00	.00	8,550.00	8,550.00	
TOTALS FOR FUND 7210										
J M Scott Healthcare Fund					.00	8,219,089.07	8,219,089.07	.00	.00	.00





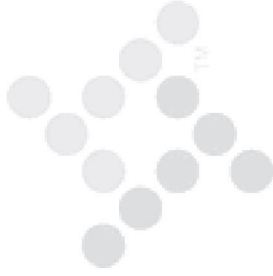
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CITY OF BLOOMINGTON, IL
ACCOUNT TRIAL BALANCE FOR FY20/MAY TO APR
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ACCOUNT PER	ACCOUNT NAME JNL	SRC	EFF	DATE	REFERENCE	ORG	BEG. BALANCE	DEBITS	CREDITS	NET CHANGE	END BALANCE
REPORT TOTALS											
							.00	8,219,089.07	8,219,089.07	.00	.00

** END OF REPORT - Generated by Jennifer Toney **





JOHN M. SCOTT HEALTH CARE TRUST - APPENDIX I

Trustee Approval



CONSENT AGENDA ITEM NO. 8.D

FOR COUNCIL: December 14, 2020

SPONSOR: Public Works Department

WARD IMPACTED: City-Wide Impact

SUBJECT: Consideration and action on an Intergovernmental Agreement between the City of Bloomington and Bloomington Public Schools, District 87, so that they can purchase rock salt from the City during winter 2020-2021, in the amount of \$106.67 per ton for the existing supply left over from the 2019-2020 season, and in the amount of \$66.97 per ton once the existing supply is exhausted, not to exceed 250 tons, as requested by the Public Works Department.

RECOMMENDED MOTION:

The proposed Intergovernmental Agreement be approved.

STRATEGIC PLAN LINK:

-Goal 1. Financially Sound City Providing Quality Basic Services

STRATEGIC PLAN SIGNIFICANCE:

-Objective 1e. Partnering with others for the most cost-effective service delivery

BACKGROUND: Public Works is recommending the approval of an Intergovernmental Agreement between the City of Bloomington and Bloomington Public Schools, District 87, so that they can purchase rock salt from the City during winter 2020-2021, in the amount of \$106.67 per ton for the existing supply left over from the 2019-2020 season, and in the amount of \$66.97 per ton once the existing supply is exhausted, not to exceed 250 tons.

For the winter season 2019-2020, the City purchased bulk rock salt for its snow operations through the Illinois Department of Central Management Services at a price of \$101.67 per ton. The City typically charges the District the raw material cost plus a storage, handling, and loading fee of \$5 per ton, which brings the total to \$106.67 per ton. The City will continue to use the salt left over from the 2019-2020 contract until that supply is exhausted.

Once the remaining salt supply from last winter is exhausted, the City will charge the District at the new contract price of \$66.97 per ton, which includes the \$61.97 per ton raw material cost and the storage, handling, and loading fee of \$5 per ton.

In an effort to assist the District with their snow operations, staff has negotiated the referenced agreement. The amount of salt purchased by the District should not affect snow operations for the City.

In winter 2018-2019, the District purchased 221 tons of rock salt for a total cost of \$11,589.24. In winter 2019-2020, the District paid \$106.67 for 75 tons of salt for a total cost of \$8,000.25.

City staff is aware of heightened concerns regarding the current COVID-19 pandemic. However, this agenda item is operational in nature and expected to have little to no impact on City resources or finances. The Finance Department is monitoring the financial impact of the pandemic.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Bloomington Public Schools, District 87.

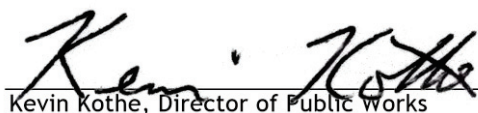
FINANCIAL IMPACT: From the existing supply of salt, the City will charge District 87 \$106.67 per ton, which is comprised of the raw material cost of \$101.67 per ton and overhead costs (storage, hauling, and loading) of \$5.00 per ton. Once the existing supply is exhausted, the City will charge \$66.97 per ton and overhead costs (storage, hauling, and loading) of \$5.00 per ton. The max amount the district may purchase will be 250 tons. Proceeds will be applied to Snow & Ice Removal-Other Miscellaneous Revenue account (10016124-57990). Stakeholders can locate this in the FY 2021 Budget Book titled "Budget Overview & General Fund" on page 296.

COMMUNITY DEVELOPMENT IMPACT: Goal EDU-1. Increased coordination between the City and the school districts to maintain high quality educational opportunities equitably for all students within the City, Objective EDU-1.2. The City will partner with District 87 to revitalize the established neighborhoods in the core of the City.

Respectfully submitted for Council consideration.

Prepared by: Greg Koch, Operations Manager

Reviewed by:



Kevin Kothe, Director of Public Works

11/30/2020



Carla Murillo, Procurement Manager

12/8/2020



Chris Tomertin, Budget Manager

12/8/2020



Jeffrey R. Jurgens, Corporation Counsel

12/8/2020



Tara Henry, Legislative Assistant

12/8/2020

Recommended by:

A handwritten signature in black ink, appearing to read 'T. Gleason', is positioned above a horizontal line.

Tim Gleason, City Manager

Attachments:

- PW 1B IGA 2020-2021 Rock Salt IGA 12142020

**INTERGOVERNMENTAL AGREEMENT
BETWEEN THE CITY OF BLOOMINGTON AND
BLOOMINGTON PUBLIC SCHOOLS, DISTRICT 87**

In order to better conserve taxpayer dollars, the City of Bloomington (hereafter "City") and Bloomington Public Schools, District 87 (hereafter "District 87") hereby enter into the following agreement regarding road salt from the date of its execution through April 30, 2021.

SECTION 1. The City stores and loads the salt from its 502 South East Street salt storage facility. District 87 will provide the transportation from this salt storage facility.

SECTION 2. The City of Bloomington would prefer, but does not require, that the total salt distribution be taken by District 87 at one time. Loading of the salt will need to be arranged by District 87 with the City a minimum of 48 hours prior to the date of request. The City reserves the right to deny the timeline of pickup given based upon daily operations of the City.

SECTION 3. The salt used from the City's 2019-2020 supply will be paid for by District 87 at a cost of \$106.67 per ton (this cost includes the raw material cost of \$101.67 per ton plus a storage, handling and loading fee of \$5 per ton).

The salt used from the City's 2020-2021 contract supply, will be paid for by District 87 at a cost of \$66.97 per ton (this cost includes the raw material cost of \$61.97 per ton plus a storage, handling and loading fee of \$5 per ton).

SECTION 4. The amount of salt provided to District 87 shall not exceed 250 tons prior to April 30, 2021.

SECTION 5. This agreement shall be effective as of the date it is passed by the final party to do so.

PASSED this 14th day of December 2020.

APPROVED this _____ day of December 2020.

CITY OF BLOOMINGTON

ATTEST

Tari Renner, Mayor

Leslie Yocum, City Clerk

BLOOMINGTON PUBLIC SCHOOL, DISTRICT 87

Brigette Beasley, Board President

Dated

11/11/2020



CONSENT AGENDA ITEM NO. 8.E

FOR COUNCIL: December 14, 2020

SPONSOR: Legal Department

WARD IMPACTED: City-Wide Impact

SUBJECT: Consideration and action on a Resolution Requiring the Annexation of the Timberlake Subdivision, as requested by the Legal Department.

RECOMMENDED MOTION:

The proposed Resolution be approved.

STRATEGIC PLAN LINK:

-Goal 1. Financially Sound City Providing Quality Basic Services

STRATEGIC PLAN SIGNIFICANCE:

-Objective 1d. City services delivered in the most cost-effective, efficient manner

BACKGROUND: Timberlake Subdivision is located north of Hamilton Road and north of the Sale Barn Property. The subdivision is south of Greenwood Ave, east of Hiddenlake Drive, and west of Kris Drive. The property is currently located within the unincorporated jurisdiction and zoned R-1. The subdivision is roughly 28.5 acres and is improved with 17 single-family homes located on large estate lots. The average Fair Market Value of homes is \$387,571.00. The subdivision's combined EAV is \$2,213,639.00. The subdivision is accessed by private streets and includes a private detention basin. On December 26, 2000, the City approved a Pre-Annexation and Water Main Extension Agreement ("Agreement") related to Timberlake Subdivision. The Agreement is attached to this memo. Pursuant to the Agreement, the City put in a watermain and has been providing water service to the residents. The City has also been providing other limited services to the area.

Under the Agreement, the City has the right to require annexation of the property upon passage of a resolution requiring such. Upon passage of the resolution, the property owners will have 180 days to file a petition for annexation and/or work out a new annexation agreement. A new annexation or pre-annexation agreement would be valid for 20 years.

City staff is recommending approval of the resolution as the Agreement is otherwise set to expire on December 26, 2020. This will allow the parties time to discuss the annexation and/or work out a new agreement.

In annexing the property, the City will not take ownership of any roads within the subdivision that are substandard. Rather, said roads will remain private.

City staff is aware of heightened concerns regarding the current COVID-19 pandemic. However, this agenda item is time sensitive and will allow for additional time to work towards a mutually beneficial resolution.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: The Bloomington Planning Commission held a public hearing on the Agreement on December 13, 2000. Minutes from this hearing are attached to this memo. The staff report from 2000 is also attached to this memo. Upon passage of the resolution, notice will be mailed to the property owners. Additionally, prior to annexation, notice will be given in accordance with state and local statutes including notice to the respective taxing bodies, fire district, and library district.

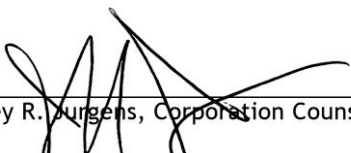
FINANCIAL IMPACT: The combined 2019 EAV for all 19 parcels to be included in the annexation is \$2,213,639. After all exemptions, the combined 2019 EAV for all 19 parcels is \$2,076,639. Based on the tax year 2019 payable 2020, had the property been annexed into the City, the City would have collected property tax of approximately \$22,637. Note there would initially be an offset of this revenue based on other intergovernmental agreements. Starting the annexation process will add the subject properties to the City's property tax roll.

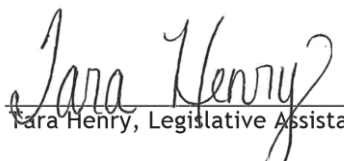
COMMUNITY DEVELOPMENT IMPACT: The Bloomington Comprehensive Plan identifies this area as Low Density Residential. The property is a Tier-3 Infill Redevelopment Priority, although water has already been provided to the subdivision.

Respectfully submitted for Council consideration.

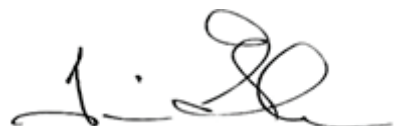
Prepared by: Jeffrey Jurgens, Corporation Counsel

Reviewed by:

	
Jeffrey R. Jurgens, Corporation Counsel	Chris Tomerlin, Budget Manager
12/9/2020	12/10/2020


Tara Henry, Legislative Assistant
12/10/2020

Recommended by:


Tim Gleason, City Manager

Attachments:

- LGL 3B Timberlake Subdivision Resolution
- LGL 3C Exhibit A - Timberlake Sub Pre Annex and Water Agreement Dec 26 2000
- LGL 3D Z-69-00 Meeting Minutes and Staff Report PC 2000

RESOLUTION NO. 2020 - _____

A RESOLUTION REQUIRING THE ANNEXATION OF THE TIMBERLAKE SUBDIVISION

WHEREAS, the City of Bloomington (“City”) is a home-rule municipality in McLean County, Illinois; and

WHEREAS, on December 26, 2000, the City approved a Pre-Annexation and Water Main Extension Agreement (“Agreement”), attached as Exhibit A and incorporated herein, with the Loeseke Lake Association (“Association”) and several resident homeowners (“Owners”) within the homes in Timberlake Subdivision; and,

WHEREAS, Section 5 of the Agreement provides that, as a covenant running with the land, the Association and Owners agree to annex their property to the City, within 180 days of the passage of a resolution by the City, by petition or annexation agreement as may be required by the City; and

WHEREAS, the City Council finds it in the best interests of the City to require the annexation of the property subject to the Agreement.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BLOOMINGTON, ILLINOIS:

That the recitals set forth above are incorporated herein and the Owners and Association identified in the Agreement, as well as those subsequent owners of property subject to the Agreement, are required to file a petition for annexation to the City within 180 days of passage of this Resolution or otherwise enter into a new annexation agreement with the City.

PASSED this 14th day of December 2020.

APPROVED this ____ day of December 2020.

CITY OF BLOOMINGTON

ATTEST

Tari Renner, Mayor

Leslie Yocum-Smith, City Clerk

Ken Emmons

STATE OF ILLINOIS)
) SS.
COUNTY OF MCLEAN)

I, Tracey Covert, the duly appointed and qualified City Clerk of the City of Bloomington, Illinois and in said capacity the keeper of the records of the meetings of the City Council, do hereby certify that the foregoing is a true and complete copy of the Annexation Agreement and Water Main Extension Agreement filed by the Loeseke Lake Association and T. and C. Trenton; V. and P. Trosino; J. Mirza; F. and G. Dolen; J. and C. Buerskens; M. Mercier; H. and C. McRenolds; J. and L. Shirk; C. and S. Choi; C. and L. Miller; G and C. Johnson and J. and G. Monti, providing for the Annexation of Certain Territory as Hereinafter described to the City of Bloomington, McLean County, Illinois, and the Rezoning to R-1A, Low Density Single Family Residence District for certain lots in the Timberlake Subdivision located east of the Blooming Grove Subdivision, south and west of the Greenwood Mobile Home Park and north of W. Hamilton Road, passed by the affirmative vote of two-thirds (2/3) of all the members provided by law to be elected to the City Council in said City at a Regular Meeting thereof, held on the 26th day of December, 2000, the vote on the passage of said Agreement being taken by ayes and nays and entered upon the journal of the proceedings of said Council. I further certify that the said Annexation Agreement is in full force and effect.

Witness my hand and the seal of the said City this 28th day of September, 2001.

Tracey Covert

Tracey Covert
City Clerk

PRE-ANNEXATION AND
WATER MAIN EXTENSION
AGREEMENT

THIS AGREEMENT made and entered into this 26th day of December 2000, by and between the City of Bloomington, a Municipal Corporation, hereinafter called "CITY," Loeseke Lake Association, Bloomington, Illinois, owner of the real property hereinafter described and hereinafter called "ASSOCIATION" and several resident homeowners with homes in Timberlake Subdivision and thereby members of the Association hereinafter called "OWNERS" and more specifically known as:

Ted and Carmine Trenton
Vince and Pat Trosino
Jerome Mirza
Gay Dolan
John and Cynthia Buerskens
Mary Lou Mercier
Harold and Cathy McReynolds
James and Linda Shirk
Chong and Sun Choi
Carl and Leona Miller
Dr. Gary and Christine Johnson
Joe and Gretchen Monti
Linda Stawick

WITNESSETH:

Recitals:

1. OWNERS and ASSOCIATION are the owner of record of residential lots and common areas hereinafter described in Exhibit "A" attached hereto and made a part hereof by this reference. The common areas described are a two acre lake and approximately 3,000 feet of right-of-way for an oil and chip roadway that serves the 17 residential parcels and homes in the Timberlake Subdivision on the south edge of Bloomington.
2. OWNERS and ASSOCIATION are desirous of having a 6 inch water main extension from the City's nearby water system to serve the subdivision at the earliest possible date due to both recent and immediate individual well failures from uncertain causes.

3. The described lots and common areas are not in the corporate limits of any municipality but are contiguous to the City of Bloomington.
4. OWNERS and ASSOCIATION have initiated preliminary engineering studies and easement acquisition arrangements within the subdivision and are ready to proceed with construction of the water main extension.

For and in consideration of the mutual covenants and undertakings herein made, CITY, ASSOCIATION and OWNERS herein covenant and agree as follows:

1. CITY agrees to plan, permit, contract and supervise the construction of approximately 3,000 feet of 6 inch water main to be extended along the roadway known as Timberlake Road in Timberlake Subdivision with at least 17 tap on stubs for use of the OWNERS and ASSOCIATION in obtaining water service from the water reservoir and water main system of CITY to and for the benefit of the properties in McLean County owned by OWNERS and ASSOCIATION:

2. OWNERS and ASSOCIATION who desire water service agree to pay their share of the cost of the completed water main as follows:

the total cost of the water main extension divided by
17, the number of residences in the subdivision.

OWNERS and ASSOCIATION have received estimated cost projections for the project and find them to be reasonable.

3. OWNERS and ASSOCIATION agree that said extended water main shall become the property of and subject to the control of CITY as a part of its water distribution system and that OWNERS and ASSOCIATION and their property shall become subject to and shall be obligated to conform to all ordinances and other rules and regulations of CITY with regard to the construction, use and maintenance of water mains and for the payment of charges for water services now in effect and as hereinafter enacted and amended from time to time.

4. The undersigned OWNERS certify that they are the owners, their spouses and mortgagees of said above-described property and there are no other parties who have any other right, title or interest in said property.

5. As a covenant running with the land, OWNERS and ASSOCIATION agree that in the event CITY requests annexation of their property into the City of Bloomington, OWNERS and ASSOCIATION will within one hundred eighty (180) days after the City Council adopts a Resolution requiring it to do so, annex said property to the City of Bloomington by petition or if required by the City, by an annexation agreement. Simultaneously or at the earliest time OWNERS and ASSOCIATION could legally petition to do so, OWNERS and ASSOCIATION will petition for annexation to the Bloomington-Normal Water Reclamation District and the Bloomington-Normal Airport Authority. Upon failure of OWNERS and ASSOCIATION to do any of the foregoing, CITY in its sole discretion may discontinue water service to said property and may refuse and continue to refuse water service to such property until all such annexations have been completed.

6. If CITY should exercise its rights to annexation of OWNERS and ASSOCIATION property, OWNERS, ASSOCIATION and CITY agree that the annexation will include the following benefits and obligations for the parties involved:

- a.) CITY will provide fire and police protection for the subdivision
- b.) CITY will provide regular garbage collection and as needed, snow removal for the subdivision but subject to roadway disclaimers or modifications discussed below
- c.) CITY will provide landscape waste and leaf pick up for the subdivision
- d.) CITY will not require any upgrades of the subdivision as far as roads, curbs gutters, street lighting or other requirements under current City of Bloomington subdivision code. The subdivision roadway will remain privately owned.
- e.) OWNERS and ASSOCIATION agree to provide an indemnification and hold harmless agreement for garbage, fire, and snow removal equipment damage to its rural standard oil & chip roadway and to

provide a turn-around arrangement at both dead ends of its roadway system

f.) CITY agrees to zone Timberlake subdivision into the R-1A zoning classification

7. CITY agrees to oversee and pay for the cost of construction of the water main extension with reimbursement coming from the individual homeowners as they connect to the system. CITY will offer a financing option for individual homeowners allowing reimbursement to CITY as follows:

1/3 of the individual cost before connecting to the system

1/3 of the individual cost one year from connection

1/3 of the individual cost two years from connection plus interest at 6%

All costs of connection from individual homes to the newly constructed water main will be the responsibility of the homeowner.

8. OWNERS, ASSOCIATION and CITY Agree that covenants herein contained are the essence of this Agreement.

IN WITNESSETH WHEREOF the parties have hereunto set their hands and seals the day and year above written.

CITY OF BLOOMINGTON (CITY)

By

Its

Mayor

ATTEST:

Wally Cove

LOESEKE LAKE ASSOCIATION (ASSOCIATION)

By

See Attached

Its

PIN 21-16-102-002
#25 TIMBERLAKE

PARCEL OWNERS OF LOESEKE SURVEY (OWNERS)

Ted and Carmine Trenton

Parcel # 20

Vince and Pat Trosino

Parcel # 3

Jerome Mirza

Parcel # 19

Gay Dolan

Parcel # 2

John and Cynthia Buerskens

Parcel # 1

Mary Lou Mercier

Parcel # 11

Harold and Kathy McReynolds

Parcel # 10

Chong and Sun Choi

Parcel # 9

Carl and Leona Miller

Parcel # 13

Dr. Gary and Christine Johnson

Parcel # 16

Joe and Gretchen Monti

Parcel # 18

Linda Stawick

Parcel # 6

Parcel #

Parcel #

Parcel #

Parcel #

Parcel #

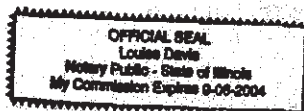
STATE OF ILLINOIS)

)ss.

COUNTY OF MCLEAN)

I, Louise Davis, a Notary Public in and for said County in the State aforesaid,
do hereby certify that Ted & Carmine Trenton personally known to me to be the same
person(s) whose name(s) is/are subscribed to the foregoing instrument, appeared before me
this day in person and acknowledged that the person or persons subscribing thereto are the
only person or persons who have any right, title or interest of record in and to the property
described in said instrument, and that he/she signed, sealed, and delivered said instrument as
his/her free and voluntary act for the uses and purposes therein set forth, including release and
waiver of the right homestead.

Given under my hand and notarial seal this 8th day of June, 2008, A.D.



Louise Davis
(Notary Public)
My Commission Expires: 9-6-04

ATTEST:

Tracey Covert
Tracey Covert, City Clerk

PREPARED BY:
Todd Greenburg
Attorney

CITY OF BLOOMINGTON

Judy Markowitz
Mayor Judy Markowitz

PLEASE RETURN TO:
City Clerk
City of Bloomington
109 East Olive St.
Bloomington, IL 61701

PARCEL OWNERS OF LOESEKE SURVEY (OWNERS)

IN 21-16-102-003

13 Timberlake

Ted and Carmine Trenton	Parcel # 20
 	Parcel # 3
Vince and Pat Trosino	Parcel # 19
Jerome Mirza	Parcel # 2
Gay Dolan	Parcel # 1
John and Cynthia Buerskens	Parcel # 11
Mary Lou Mercier	Parcel # 10
Harold and Kathy McReynolds	Parcel # 9
Chong and Sun Choi	Parcel # 13
Carl and Leona Miller	Parcel # 16
Dr. Gary and Christine Johnson	Parcel # 18
Joe and Gretchen Monti	Parcel # 6
Linda Stawick	Parcel #
	Parcel #
	Parcel #
	Parcel #
	Parcel #

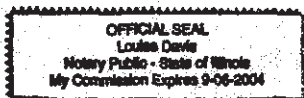
STATE OF ILLINOIS)

)ss.

COUNTY OF MCLEAN)

I, Louise Davis, a Notary Public in and for said County in the State aforesaid,
do hereby certify that Vince & Pat Trosino personally known to me to be the same
person(s) whose name(s) is/are subscribed to the foregoing instrument, appeared before me
this day in person and acknowledged that the person or persons subscribing thereto are the
only person or persons who have any right, title or interest of record in and to the property
described in said instrument, and that he/she signed, sealed, and delivered said instrument as
his/her free and voluntary act for the uses and purposes therein set forth, including release and
waiver of the right homestead.

Given under my hand and notarial seal this 11th day of June, 2009, A.D.



Louise Davis
(Notary Public)
My Commission Expires: 9-6-04

ATTEST:

Tracey Covert
Tracey Covert, City Clerk

PREPARED BY:
Todd Greenburg
Attorney

CITY OF BLOOMINGTON

Judy Markowitz
Mayor Judy Markowitz

PLEASE RETURN TO:
City Clerk
City of Bloomington
109 East Olive St.
Bloomington, IL 61701

PARCEL OWNERS OF LOESEKE SURVEY (OWNERS)

PIN 21-16-151-001
22 Loeseke

Parcel # 20
Ted and Carmine Trenton

Parcel # 3
Vince and Pat Trosino

Parcel # 19
Jerome Mirza

Parcel # 2
Gay Dolan

Parcel # 1
John and Cynthia Buerskens

Parcel # 11
Mary Lou Mercier

Parcel # 10
Harold and Kathy McReynolds

Parcel # 9
Chong and Sun Choi

Parcel # 13
Carl and Leona Miller

Parcel # 16
Dr. Gary and Christine Johnson

Parcel # 18
Joe and Gretchen Monti

Parcel # 6
Linda Stawick

Parcel #

Parcel #

Parcel #

Parcel #

Parcel #

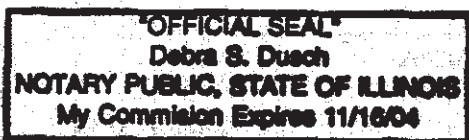
STATE OF ILLINOIS)

)ss.

COUNTY OF MCLEAN)

I, Debra S Dusch, a Notary Public in and for said County in the State aforesaid, do hereby certify that Jerome Mirza personally known to me to be the same person(s) whose name(s) is/are subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that the person or persons subscribing thereto are the only person or persons who have any right, title or interest of record in and to the property described in said instrument, and that he/she signed, sealed, and delivered said instrument as his/her free and voluntary act for the uses and purposes therein set forth, including release and waiver of the right homestead.

Given under my hand and notarial seal this 29th day of May, 2000, A.D.



Debra S Dusch
(Notary Public)
My Commission Expires: _____

ATTEST:

Tracey Covert
Tracey Covert, City Clerk

CITY OF BLOOMINGTON

Judy Markowitz
Mayor Judy Markowitz

PREPARED BY:
Todd Greenburg
Attorney

PLEASE RETURN TO:
City Clerk
City of Bloomington
109 East Olive St.
Bloomington, IL 61701

PARCEL OWNERS OF LOESEKE SURVEY (OWNERS)

Ted and Carmine Trenton Parcel # 20

Vince and Pat Trosino Parcel # 3

Jerome Mirza Parcel # 19

Gay Bolan Parcel # 2

John and Cynthia Buerskens Parcel # 1

Mary Lou Mercier Parcel # 11

Harold and Kathy McReynolds Parcel # 10

Chong and Sun Choi Parcel # 9

Carl and Leona Miller Parcel # 13

Dr. Gary and Christine Johnson Parcel # 16

Joe and Gretchen Monti Parcel # 18

Linda Stawick Parcel # 6

Parcel #

Parcel #

Parcel #

Parcel #

Parcel #

21 Timberlake
PIN 21-16-102-004

STATE OF ILLINOIS)

)ss.

COUNTY OF MCLEAN)

I, Louise Davis, a Notary Public in and for said County in the State aforesaid, do hereby certify that GAY DOLAN personally known to me to be the same person(s) whose name(s) is/are subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that the person or persons subscribing thereto are the only person or persons who have any right, title or interest of record in and to the property described in said instrument, and that he/she signed, sealed, and delivered said instrument as his/her free and voluntary act for the uses and purposes therein set forth, including release and waiver of the right homestead.

Given under my hand and notarial seal this 11th day of June, 2000, A.D.



Louise Davis
(Notary Public)
My Commission Expires: 9-6-2004

ATTEST:

Tracey Covert

Tracey Covert, City Clerk

PREPARED BY:
Todd Greenburg
Attorney

CITY OF BLOOMINGTON

Judy Markowitz

Mayor Judy Markowitz

PLEASE RETURN TO:
City Clerk
City of Bloomington
109 East Olive St.
Bloomington, IL 61701

PARCEL OWNERS OF LOESEKE SURVEY (OWNERS)

PK 21-16-102-010
19 Timberlake

Ted and Carmine Trenton	Parcel # 20
Vince and Pat Trosino	Parcel # 3
Jerome Mirza	Parcel # 19
Gay Dolan	Parcel # 2
	Parcel # 1
John and Cynthia Buerskens	Parcel # 11
Mary Lou Mercier	Parcel # 8
James and Linda Shirk	Parcel # 10
Harold and Kathy McReynolds	Parcel # 9
Chong and Sun Choi	Parcel # 13
Carl and Leona Miller	Parcel # 16
Dr. Gary and Christine Johnson	Parcel # 18
Joe and Gretchen Monti	Parcel # 6
Linda Stawick	Parcel #
	Parcel #
	Parcel #
	Parcel #

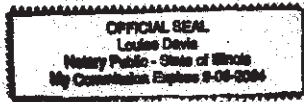
STATE OF ILLINOIS)

)ss.

COUNTY OF MCLEAN)

I, Louise Davis, a Notary Public in and for said County in the State aforesaid,
do hereby certify that ^{John +} Cynthia Buerkens personally known to me to be the same
person(s) whose name(s) is/are subscribed to the foregoing instrument, appeared before me
this day in person and acknowledged that the person or persons subscribing thereto are the
only person or persons who have any right, title or interest of record in and to the property
described in said instrument, and that he/she signed, sealed, and delivered said instrument as
his/her free and voluntary act for the uses and purposes therein set forth, including release and
waiver of the right homestead.

Given under my hand and notarial seal this 6th day of June, 2000, A.D.



Louise Davis
(Notary Public)
My Commission Expires: 9-6-04

ATTEST:

Tracey Covert
Tracey Covert, City Clerk

PREPARED BY:
Todd Greenburg
Attorney

CITY OF BLOOMINGTON

Judy Markowitz
Mayor Judy Markowitz

PLEASE RETURN TO:
City Clerk
City of Bloomington
109 East Olive St.
Bloomington, IL 61701

Ted and Carmine Trenton	Parcel # 20
Vince and Pat Trosino	Parcel # 3
Jerome Mirza	Parcel # 19
Gay Dolan	Parcel # 2
John and Cynthia Buerskens	Parcel # 1
	Parcel # 11
Mary Lou Mercier	Parcel # 10
Harold and Kathy McReynolds	Parcel # 9
Chong and Sun Choi	Parcel # 13
Carl and Leona Miller	Parcel # 16
Dr. Gary and Christine Johnson	Parcel # 18
Joe and Gretchen Monti	Parcel # 6
Linda Stawick	Parcel #
	Parcel #
	Parcel #
	Parcel #

Box 21-16-102-011
17 Timberlake

STATE OF ILLINOIS)

)ss.

COUNTY OF MCLEAN)

I, Louise Davis, a Notary Public in and for said County in the State aforesaid,
do hereby certify that Mary Lou Mercier personally known to me to be the same
person(s) whose name(s) is/are subscribed to the foregoing instrument, appeared before me
this day in person and acknowledged that the person or persons subscribing thereto are the
only person or persons who have any right, title or interest of record in and to the property
described in said instrument, and that he/she signed, sealed, and delivered said instrument as
his/her free and voluntary act for the uses and purposes therein set forth, including release and
waiver of the right homestead.

Given under my hand and notarial seal this 1st day of June, 2000, A.D.



Louise Davis
(Notary Public)
My Commission Expires: 9-6-04

ATTEST:

Tracey Covert
Tracey Covert, City Clerk

PREPARED BY:
Todd Greenburg
Attorney

CITY OF BLOOMINGTON

Judy Markowitz
Mayor Judy Markowitz

PLEASE RETURN TO:
City Clerk
City of Bloomington
109 East Olive St.
Bloomington, IL 61701

PARCEL OWNERS OF LOESEKE SURVEY (OWNERS)

Ted and Carmine Trenton Parcel # 20

Vince and Pat Trosino Parcel # 3

Jerome Mirza Parcel # 19

Gay Dolan Parcel # 2

John and Cynthia Buerskens Parcel # 1

Mary Lou Mercier Parcel # 11

James and Linda Shirk Parcel # 8

Harold and Kathy McReynolds Parcel # 10

Chong and Sun Choi Parcel # 9

Carl and Leona Miller Parcel # 13

Dr. Gary and Christine Johnson Parcel # 16

Joe and Gretchen Monti Parcel # 18

Linda Stawick Parcel # 6

Parcel #

Parcel #

Parcel #

Parcel #

PIN 21-16-162-009
9 Semberlake

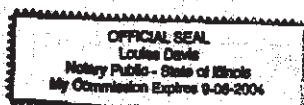
STATE OF ILLINOIS)

)ss.

COUNTY OF MCLEAN)

I, Louise Davis, a Notary Public in and for said County in the State aforesaid,
do hereby certify that James + Linda Shirk personally known to me to be the same
person(s) whose name(s) is/are subscribed to the foregoing instrument, appeared before me
this day in person and acknowledged that the person or persons subscribing thereto are the
only person or persons who have any right, title or interest of record in and to the property
described in said instrument, and that he/she signed, sealed, and delivered said instrument as
his/her free and voluntary act for the uses and purposes therein set forth, including release and
waiver of the right homestead.

Given under my hand and notarial seal this 27th day of May, 2000, A.D.



Louise Davis
(Notary Public)
My Commission Expires: 9-6-04

ATTEST:

Tracey Covert
Tracey Covert, City Clerk

CITY OF BLOOMINGTON

Judy Markowitz
Mayor Judy Markowitz

PREPARED BY:
Todd Greenburg
Attorney

PLEASE RETURN TO:
City Clerk
City of Bloomington
109 East Olive St.
Bloomington, IL 61701

PARCEL OWNERS OF LOESEKE SURVEY (OWNERS)

Ted and Carmine Trenton Parcel # 20

Vince and Pat Trosino Parcel # 3

Jerome Mirza Parcel # 19

Gay Dolan Parcel # 2

John and Cynthia Buerskens Parcel # 1

Mary Lou Mercier Parcel # 11

 Parcel # 10
Harold and Kathy McReynolds

Chong and Sun Choi Parcel # 9

Carl and Leona Miller Parcel # 13

Dr. Gary and Christine Johnson Parcel # 16

Joe and Gretchen Monti Parcel # 18

Linda Stawick Parcel # 6

Parcel #

Parcel #

Parcel #

Parcel #

Parcel #

P/K 21-16-102-012
15 timberlake

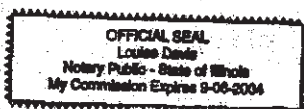
STATE OF ILLINOIS)

)ss.

COUNTY OF MCLEAN)

I, Louise Davis, a Notary Public in and for said County in the State aforesaid,
do hereby certify that ^{HAL} Kathie McReynolds personally known to me to be the same
person(s) whose name(s) is/are subscribed to the foregoing instrument, appeared before me
this day in person and acknowledged that the person or persons subscribing thereto are the
only person or persons who have any right, title or interest of record in and to the property
described in said instrument, and that he/she signed, sealed, and delivered said instrument as
his/her free and voluntary act for the uses and purposes therein set forth, including release and
waiver of the right homestead.

Given under my hand and notarial seal this 12th day of June, 2008, A.D.



Louise Davis
(Notary Public)
My Commission Expires: 9-6-08

ATTEST:

Tracey Covert
Tracey Covert, City Clerk

PREPARED BY:
Todd Greenburg
Attorney

CITY OF BLOOMINGTON

Judy Markowitz
Mayor Judy Markowitz

PLEASE RETURN TO:
City Clerk
City of Bloomington
109 East Olive St.
Bloomington, IL 61701

PARCEL OWNERS OF LOESEKE SURVEY (OWNERS)

Ted and Carmine Trenton Parcel # 20

Vince and Pat Trosino Parcel # 3

Jerome Mirza Parcel # 19

Gay Dolan Parcel # 2

John and Cynthia Buerskens Parcel # 1

Mary Lou Mercier Parcel # 11

Harold and Kathy McReynolds Parcel # 10

 Parcel # 9
Chong and Sam Choi

Carl and Leona Miller Parcel # 13

Dr. Gary and Christine Johnson Parcel # 16

Joe and Gretchen Monti Parcel # 18

Linda Stawick Parcel # 6

Parcel #

Parcel #

Parcel #

Parcel #

Parcel #

12 Imberlake
PIN 21-16-103-008

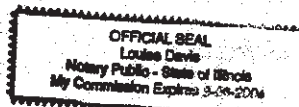
STATE OF ILLINOIS)

)ss.

COUNTY OF MCLEAN)

I, Louise Davis, a Notary Public in and for said County in the State aforesaid,
do hereby certify that Chang Choi personally known to me to be the same
person(s) whose name(s) is/are subscribed to the foregoing instrument, appeared before me
this day in person and acknowledged that the person or persons subscribing thereto are the
only person or persons who have any right, title or interest of record in and to the property
described in said instrument, and that he/she signed, sealed, and delivered said instrument as
his/her free and voluntary act for the uses and purposes therein set forth, including release and
waiver of the right homestead.

Given under my hand and notarial seal this 31st day of May, 2006, A.D.



Louise Davis
(Notary Public)
My Commission Expires: 9-6-04

ATTEST:

Tracey Covert
Tracey Covert, City Clerk

PREPARED BY:
Todd Greenburg
Attorney

CITY OF BLOOMINGTON

Judy Markowitz
Mayor Judy Markowitz

PLEASE RETURN TO:
City Clerk
City of Bloomington
109 East Olive St.
Bloomington, IL 61701

PARCEL OWNERS OF LOESEKE SURVEY (OWNERS)

Ted and Carmine Trenton	Parcel # 20
Vince and Pat Trosino	Parcel # 3
Jerome Mirza	Parcel # 19
Gay Dolan	Parcel # 2
John and Cynthia Buerskens	Parcel # 1
Mary Lou Mercier	Parcel # 11
Harold and Kathy McReynolds	Parcel # 10
Chong and Sun Choi	Parcel # 9
	Parcel # 13
Carl and Leona Miller	Parcel # 16
Dr. Gary and Christine Johnson	Parcel # 18
Joe and Gretchen Monti	Parcel # 6
Linda Stawick	Parcel #
	Parcel #
	Parcel #
	Parcel #
	Parcel #

8 Timberlake

PIN 21-16-103-009

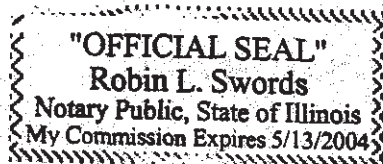
STATE OF ILLINOIS)

)ss.

COUNTY OF MCLEAN)

I, Robin L. Swords, a Notary Public in and for said County in the State aforesaid,
do hereby certify that Leona Miller personally known to me to be the same
person(s) whose name(s) is/are subscribed to the foregoing instrument, appeared before me
this day in person and acknowledged that the person or persons subscribing thereto are the
only person or persons who have any right, title or interest of record in and to the property
described in said instrument, and that he/she signed, sealed, and delivered said instrument as
his/her free and voluntary act for the uses and purposes therein set forth, including release and
waiver of the right homestead.

Given under my hand and notarial seal this 17th day of May, 2000, A.D.



Robin L. Swords
(Notary Public)
My Commission Expires: 5-13-04

ATTEST:

Tracey Covert
Tracey Covert, City Clerk

CITY OF BLOOMINGTON

Judy Markowitz
Mayor Judy Markowitz

PREPARED BY:
Todd Greenburg
Attorney

PLEASE RETURN TO:
City Clerk
City of Bloomington
109 East Olive St.
Bloomington, IL 61701

PARCEL OWNERS OF LOESEKE SURVEY (OWNERS)

Ted and Carmine Trenton	Parcel # 20
Vince and Pat Trosino	Parcel # 3
Jerome Mirza	Parcel # 19
Gay Dolan	Parcel # 2
John and Cynthia Buerskens	Parcel # 1
Mary Lou Mercier	Parcel # 11
Harold and Kathy McReynolds	Parcel # 10
Chong and Sun Choi	Parcel # 9
Carl and Leona Miller	Parcel # 13
Dr. Gary and Christine Johnson	Parcel # 16
	Parcel # 18
Joe and Gretchen Monti	
Linda Stawick	Parcel # 6
	Parcel #
	Parcel #
	Parcel #
	Parcel #

2 Timberlake
PIN 21-16-103-001

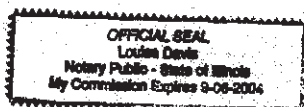
STATE OF ILLINOIS)

)ss.

COUNTY OF MCLEAN)

I, Louise DAVIS, a Notary Public in and for said County in the State aforesaid,
do hereby certify that Gary Johnson personally known to me to be the same
person(s) whose name(s) is/are subscribed to the foregoing instrument, appeared before me
this day in person and acknowledged that the person or persons subscribing thereto are the
only person or persons who have any right, title or interest of record in and to the property
described in said instrument, and that he/she signed, sealed, and delivered said instrument as
his/her free and voluntary act for the uses and purposes therein set forth, including release and
waiver of the right homestead.

Given under my hand and notarial seal this 14th day of May, 2000, A.D.



Louise Davis
(Notary Public)
My Commission Expires: 9-6-04

ATTEST:

Tracey Covert
Tracey Covert, City Clerk

PREPARED BY:
Todd Greenburg
Attorney

CITY OF BLOOMINGTON

Judy Markowitz
Mayor Judy Markowitz

PLEASE RETURN TO:
City Clerk
City of Bloomington
109 East Olive St.
Bloomington, IL 61701

PARCEL OWNERS OF LOESEKE SURVEY (OWNERS)

Ted and Carmine Trenton	Parcel # 20
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Linda Stawick	Parcel # 6
	Parcel #
	Parcel #
	Parcel #
	Parcel #
	Parcel #

3 Amherlake
PIN 21-16-102-005

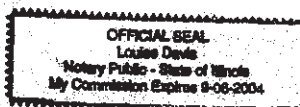
STATE OF ILLINOIS)

)ss.

COUNTY OF MCLEAN)

I, Louise Davis, a Notary Public in and for said County in the State aforesaid,
do hereby certify that Joe + Gretchen Monti personally known to me to be the same
person(s) whose name(s) is/are subscribed to the foregoing instrument, appeared before me
this day in person and acknowledged that the person or persons subscribing thereto are the
only person or persons who have any right, title or interest of record in and to the property
described in said instrument, and that he/she signed, sealed, and delivered said instrument as
his/her free and voluntary act for the uses and purposes therein set forth, including release and
waiver of the right homestead.

Given under my hand and notarial seal this 13th day of June, 2008, A.D.



Louise Davis
(Notary Public)
My Commission Expires: 9-6-04

ATTEST:

Tracey Covert
Tracey Covert, City Clerk

PREPARED BY:
Todd Greenburg
Attorney

CITY OF BLOOMINGTON

Judy Markowitz
Mayor Judy Markowitz

PLEASE RETURN TO:
City Clerk
City of Bloomington
109 East Olive St.
Bloomington, IL 61701

PARCEL OWNERS OF LOESEKE SURVEY (OWNERS)

Ted and Carmine Trenton Parcel # 20

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Chong and Sun Choi Parcel # 9

Carl and Leona Miller Parcel # 13

Dr. Gary and Christine Johnson Parcel # 16

Joe and Gretchen Monti Parcel # 18

 Parcel # 6
Linda Stawick

Parcel #

Parcel #

Parcel #

Parcel #

Parcel #

25 Timberlake
21-16-102-007

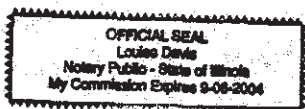
STATE OF ILLINOIS)

)ss.

COUNTY OF MCLEAN)

I, LOUISE DAVIS, a Notary Public in and for said County in the State aforesaid,
do hereby certify that Linda Stawick personally known to me to be the same
person(s) whose name(s) is/are subscribed to the foregoing instrument, appeared before me
this day in person and acknowledged that the person or persons subscribing thereto are the
only person or persons who have any right, title or interest of record in and to the property
described in said instrument, and that he/she signed, sealed, and delivered said instrument as
his/her free and voluntary act for the uses and purposes therein set forth, including release and
waiver of the right homestead.

Given under my hand and notarial seal this 12th day of June, 2000, A.D.



Louise Davis
(Notary Public)
My Commission Expires: 9-6-04

ATTEST:

Tracey Covert
Tracey Covert, City Clerk

PREPARED BY:
Todd Greenburg
Attorney

CITY OF BLOOMINGTON

Judy Markowitz
Mayor Judy Markowitz

PLEASE RETURN TO:
City Clerk
City of Bloomington
109 East Olive St.
Bloomington, IL 61701

Exhibit "A"

TRACT NO. 1:

All the private roads, so designated, in Loeseke Survey of a part of the Northwest $\frac{1}{4}$ of Section 16, Township 23 North, Range 2 East of the Third Principal Meridian, McLean County, Illinois, plats of which were recorded on the date of October 3, 1966 as Document No. 66-4969 and on the date of July 22, 1968 as Document No. 68-5410, both in the Recorder's Office, McLean County, Illinois;

TRACT NO. 2:

Beginning 1990.8 feet South of the Northwest corner of Section 16, Township 23 North, Range 2 East of the Third Principal Meridian, McLean County, Illinois, thence East 33 feet parallel to the North section line of said Section 16, thence South 1,302 feet parallel to the West Section line of said Section 16 to the center of the road running East and West, thence West 33 feet along the center of said road, thence North parallel to the West Section line of said Section 16, 1,302 feet, more or less to the Point of Beginning.

TRACT NO. 3:

A part of Parcels 15 and 16 in the survey of Parcel 4 of the Loeseke Survey in the North West $\frac{1}{4}$ of Section 16, Township 23 North, Range 2 East of the Third Principal Meridian, described as:

Beginning at the South East corner of Parcel 17 in the survey of Parcel 4 aforesaid thence North 73.8 feet along the East line of said Parcel 17, thence Easterly 39.6 feet at right angles with said East line to a point of curve, thence Easterly Southerly and Westerly along a curve of radius 40 feet (said curve being concave to the West) to a point on the South line of said Parcel 16, said point being 40 feet Southeast of the Southwest Corner thereof, thence Southeast 137.4 feet to a point on the East line of a 50 foot private street, as shown on said survey, said point being 138.45 feet North of the South West corner of said Parcel 15, thence West 50 feet along the North line of said street to the South East corner of Parcel 18, thence Northwest 138.32 feet along the East line of Parcel 18 to the point of beginning,

ALL IN McLEAN COUNTY, ILLINOIS.

Commencing 659.8 feet south of the Northwest Corner of Section 16, Township 23 North, Range 2 East of the Third Principal Meridian, which is the Point of Beginning, thence east 927 feet, thence south 1338.8 feet, thence west 927 feet, thence north 1331 feet to the Point of Beginning in McLean County, Illinois

FOR 12-13-00 B.P.C Meeting

Prepared: 12-08-00

Agenda item #4-D**REPORT****TO:** Members, Bloomington Planning Commission**FROM:** Staff

SUBJECT: Case Z-69-00 Public Hearing on the petition filed by the Loeseke Lake Association and T. & C. Trenton; V. & P. Trosino; J. Mirza; F. & G. Dolen; J. & C. Buerskens; M. Mercier; H. & C. McReynolds; J. & L. Shirk; C. & S. Choi; C. & L. Miller; G. & C. Johnson and J. & G. Monti requesting approval of an annexation agreement providing for annexation to the City of Bloomington and a zoning map amendment to reclassify from A Agriculture to R-1A Low Density Single Family Residence District of certain lots in the Loeseke's Survey (Timberlake Subdivision) located east of the Blooming Grove Subdivision, south and west of the Greenwood Mobile Home Park and north of West Hamilton Road.

BACKGROUND INFORMATION:Adjacent Zoning

north- R-4 Manufactured Home Park & C- Commercial

south- R-1 (County Zoning) & S-2 Public Lands

east- R-1 & R-4

west- R-1 (County Zoning), R-4, & R-1C

Adjacent Land Uses

north- manufactured homes & retention pond

south- vacant & golf course

east- manufactured homes & apartments

west- single family dwelling & farm

Current Land Use: single family sudivision containing 17 homes & a two acre retention lake

Comprehensive Plan-- recommends to " Low to Medium Density Residential" use for the property in question

The Timberlake Subdivision contains an area of 28.99 acres and is the present site of 17 detached single family dwellings, a private storm Paragraph 2 on Page 1 should refer to an 8 inch water main extension instead of a 6 inch water main extension;

1. Paragraph 2 on Page 1 should refer to an 8 inch water main extension instead of a 6 inch water main extension;

water retention lake and a vacant lot. The single family lots are accessible from West Hamilton Road by way of a 3,000 foot long private street system maintained by the Loeseke Lake Association. This pre-annexation and water main extension agreement between the City, the Lake Association and the owners of 13 of these homes will obligate the City to approve R-1A

zoning and to contract and supervise the installation of 3000 feet of water main along this private street into this subdivision with the owners who desire to tap into such water main paying their share of the cost of the completed water main -- based on the total cost divided by 17 residences. This water main would be owned and maintained by the City.

the owners of these 13 parcels and the lake association would agree to petition for annexation to the City within 180 days after the City Council adopts a resolution requiring them to do so. The failure of the Association or these owners to petition for annexation or to comply with the terms of this agreement could result with the City discontinuing to provide water service to the property in noncompliance with this agreement.

The following benefits and obligations are also cited in this agreement:

- The City will provide fire and police protection services upon annexation;
- The City will provide garbage collection and snow removal services upon annexation;
- The City will provide landscape waste and leaf collection upon annexation;
- The City will not require any upgrades to the private roads or street lighting upon annexation;
- The Association and the owners will provide an indemnification and hold harmless agreement for garbage fire and snow removal equipment damage to its rural oil and chip roadway and to provide turn-arounds at both dead ends of its roadway system.

The City staff's review of the proposed pre- annexation agreement (see attachment) has resulted in the following recommendations:

1. Paragraph 2 on Page 1 should refer to an 8 inch water main extension instead of a 6 inch water main extension (8 inch diameter is the current minimum required by City Code); and
2. Paragraph 1 on Page 2 should refer to an 8 inch water main instead of a 6 inch water main;
3. There should be consistency between the number of owners cited on Page 1 of this agreement and the number of owners signing this agreement.

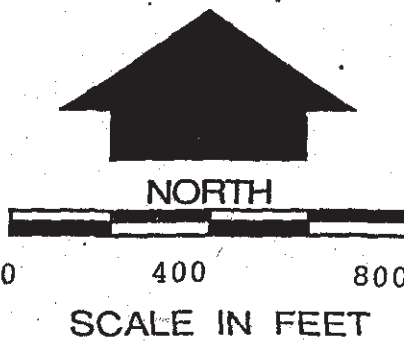
STAFF RECOMMENDATION:

The City staff recommends that the Bloomington Planning Commission pass a motion recommending City Council approval of this petition and the pre- annexation agreement in Case Z-69-00 as revised in accordance with the staff's recommendations as cited herein in the public interest.

Respectfully submitted,



Kenneth J. Emmons
City Planner

[illegible]

FOR COUNCIL: December 26, 2000

To: Honorable Mayor and Members of the City Council

From: Staff

Subject: Public Hearing on the Petition filed by the Loeseke Lake Association and T. & C. Trenton; V. & P. Trosino; J. Mirza; F. & G. Dolen; J. & C. Buerskens; M. Mercier; H. & C. McReynolds; J. & L. Shirk; C. & S. Choi; C & L. Miller; G. & C. Johnson and J. & G. Monti requesting approval of an annexation agreement providing for annexation to the City of Bloomington and a zoning map amendment to reclassify from A Agriculture to R-1A Low Density Single Family Residence District of certain lots in the Loeseke's Survey (Timberlake Subdivision) located east of the Blooming Grove Subdivision, south and west of the Greenwood Mobile Home Park and north of West Hamilton Road (Case Z-69-00)

Background Information:

Adjacent Zoning

north - R-4 Manufactured Home Park
& C- Commercial
south - R-1 (County Zoning) & S-2 Public Lands
east - R-1 & R-4

west - R-1 (County Zoning), R-4, & R-1C

Adjacent Land Uses

north - manufactured homes &
retention pond
south - vacant & golf course
east - manufactured homes &
apartments
west - single family dwelling & farm

Current Land Use is single family subdivision containing 17 homes & a two acre retention lake.

Comprehensive Plan recommends "Low to Medium Density Residential" use for the property in question.

The Timberlake Subdivision contains an area of 28.99 acres and is the present site of 17 detached single family dwellings, a private storm water retention lake and a vacant lot. The single family lots are accessible from West Hamilton Road by way of a 3,000 foot long private street system maintained by the Loeseke Lake Association. This pre-annexation and water main extension agreement between the City, the lake association and the owners of 13 of these homes will obligate the City to approve R-1A zoning and to contract and supervise the installation of 3000 feet of water main along this private street into this subdivision with the owners who desire to tap into such water main paying their share of the cost of the completed water main, based on the total cost divided by 17 residences. This water main would be owned and maintained by the City.

The owners of these 13 parcels and the lake association would agree to petition for annexation to the City within 180 days after the City Council adopts a resolution requiring them to do so. The failure of the Association or these owners to petition for annexation or to comply with the terms of this agreement could result with the City discontinuing water service to the property in noncompliance with this agreement.

The following benefits and obligations are also cited in this agreement:

- The City will provide fire and police protection services upon annexation;
- The City will provide garbage collection and snow removal services upon annexation;
- The City will provide landscape waste and leaf collection upon annexation;
- The City will not require any upgrades to the private roads or street lighting upon annexation;
- The Association and the owners will provide an indemnification and hold harmless agreement for garbage, fire and snow removal equipment damage to its rural oil and chip roadway and to provide turnarounds at both dead ends of its roadway system.

The City staff's review of the proposed pre- annexation agreement has resulted in the recommendation that there should be consistency between the number of owners cited on Page 1 of this agreement and the number of owners signing this agreement.

Planning Commission Public Hearing:

The Bloomington Planning Commission held a public hearing on this petition on Wednesday, December 13, 2000. Background information on this petition was presented at this hearing by Mr. Kenneth Emmons, City Planner, who stated that the present owners of this property preferred to have it zoned R-1A. Testimony in favor of this annexation agreement was presented by Mr. James Shirk, 9 Timberlake, Bloomington, IL. Mr. Shirk testified that Mr. George Drye, Director of Engineering and Water, had agreed to recommend the installation of a six inch diameter water main to the Timberlake Subdivision in lieu of the eight inch diameter required by City Code because this water main will never serve more than 17 customers and because it will be connected to existing six inch water mains in the Blooming Grove Subdivision to the west and the Chalet Planned Unit Development to the east. Mr. Doug Grovesteen, City Design Engineer, noted that more fire hydrant flushing would be necessary to maintain potable water quality with an eight inch diameter water main serving only 17 dwelling units than would be required for a six inch diameter water main serving 17 dwelling units. No testimony was presented in opposition to this petition or annexation agreement at this hearing.

Planning Commission Recommendation:

After having given due consideration to this petition and the testimony and background information presented at this public hearing, the Bloomington Planning Commission passed a motion by a vote of 5 to 0 recommending City Council approval of this petition and the annexation agreement in Case Z-69-00 as presented in the public interest.

Staff Recommendation:

The City staff concurs with the Planning Commission's recommendation for City Council approval of this petition and the annexation agreement in Case Z-69-00 as presented.

Respectfully,

Kenneth Emmons
City Planner

Tom Hamilton
City Manager

Motion:

That the annexation agreement be approved and the Mayor and City Clerk be authorized to execute the necessary documents.

Motion:

Seconded by:

	Aye	Nay	Other		Aye	Nay	Other
Alderman Crawford				Alderman Finnegan			
Alderman Fruin				Alderman Rhoda			
Alderman Sprague				Alderman Schmidt			
Alderman Matejka							
Alderman Whalen				Mayor Markowitz			

**MINUTES
BLOOMINGTON PLANNING COMMISSION
REGULAR MEETING,
WEDNESDAY, DECEMBER 13, 2000, 4:00 P.M.
COUNCIL CHAMBERS, CITY HALL
109 EAST OLIVE STREET
BLOOMINGTON, ILLINOIS**

MEMBERS PRESENT: Chairperson Stan Cain, Mr. Robert Nuckolls, Mrs. Bette Rackauskas, Mr. Tom Baughan, and Mr. Don Maaks.

MEMBERS ABSENT: Vice Chairperson Kevin Jacobs, Mrs. Karen Peterson, Mr. David Sage, Mr. Jack Schroeder, and Ms. Beverly Bell

OTHERS PRESENT: Mr. Jim Shirk, Mr. Joe Scharf, Mr. Doug Grovesteen (Design Engineer), Mr. Ken Emmons (City Planner), and Mr. Timothy Potts (Planning Technician).

CALL TO ORDER: Chairperson Cain called the meeting to order at 4:10 P.M.

ROLL CALL: Mr. Emmons called the roll and noted the presence of a quorum.

MINUTES: Commissioner Baughan moved that the minutes November 21, 2000 be approved as presented. Commissioner Rackauskas seconded this motion which passed by a vote of 4 to 0 with the following votes being cast on roll call:

Mr. Baughan--yes; Mrs. Rackauskas--yes; Mr. Maaks--yes; Mr. Cain--yes;
Mr. Nuckolls--present; Mr. Jacobs--absent; Mr. Sage--absent; Ms. Bell--absent;
Mrs. Peterson--absent; Mr. Schroeder--absent.

REGULAR AGENDA:

Case Z-60-00 Public Hearing on the revised Petition filed by the City of Bloomington, IL, a municipal corporation, requesting approval of a zoning map amendment to reclassify 1606 S. Bunn Street from A - Agriculture to R-1C High Density Single Family Residence District.

Chairperson Cain asked for the City staff report on this petition. Mr. Emmons reviewed the attached report and reminded the Commission that they had considered this matter at the last meeting. He then recommended approval of this petition. Chairperson Cain opened the public hearing and asked for testimony in favor of or in opposition to this petition and hearing none, closed the public hearing and asked for a motion from the Commission.

Chairperson Cain asked for the City staff report on this petition. Mr. Emmons reviewed the attached report and recommended approval of this petition. Chairperson Cain opened the public hearing and asked for testimony in favor of or in opposition to this petition and hearing none, closed the public hearing. Commissioner Rackauskas noted that Mr. Cunningham's original rezoning case had inspired this change to the code, she asked whether he was okay with its requirements and would he apply for a Special Use permit. Mr. Emmons replied that he had reviewed the matter with Mr. Frank Miles, Mr. Cunningham's attorney, and that there was agreement and no objections. Mr. Emmons said Mr. Cunningham had indicated that he would apply for the Special Use permit. The Commission indicated that the revised text amendment adequately addressed their concerns. Chairperson Cain asked for a motion from the Commission. Commissioner Rackauskas moved that Case Z-62-00 be approved as presented. Commissioner Cain seconded this motion which passed by a vote of 5 to 0 with the following votes being cast on roll call:

Mr. Baughan--yes; Mrs. Rackauskas--yes; Mr. Maaks--yes; Mr. Cain--yes; Mr. Nuckolls--yes; Mr. Jacobs--absent; Mr. Sage--absent; Ms. Bell--absent; Mrs. Peterson--absent; Mr. Schroeder--absent.

Chairperson Cain announced that the City Council will consider this petition on December 26, 2000.

Case Z-69-00 Public Hearing on the Petition filed by the Loeske Lake Association and T. & C. Trenton; V. & P. Trosino; J. Mirza; F. & G. Dolen; J. & C. Buerskens; M. Mercier; H. & C. McReynolds; J. & L. Shirk; C. & S. Choi; C. & L. Miller; G. & C. Johnson and J. & G. Monti requesting approval of an annexation agreement providing for annexation to the City of Bloomington and a zoning map amendment to reclassify from A - Agriculture to R-1A Low Density Single Family Residence District of certain lots in the Loeske' Survey (Timberlake Subdivision) Located east of the Blooming Grove Subdivision, south and west of the Greenwood Mobile Home Park and north of West Hamilton Road.

Chairperson Cain asked for the City staff report on this petition. Mr. Emmons reviewed the attached report and explained that item (1.) should be corrected because six inch water main in this instance is supported and encouraged by the Director of Engineering and Water. He then recommended approval of this petition. Mr. Emmons offered that Mr. Grovesteen could clarify the issue further. Mr. Doug Grovesteen, Design Engineer for the City of Bloomington, commented that this 'dead ended' line will serve only a small number of homes. A eight inch water main holds twice the volume as a six inch water main. It is not good for water to sit too long and there is a concern that the larger volume would not be used up fast enough by so few homes and thus would require fire hydrants to be flushed on a periodic basis. Commissioner Baughan expressed concern for future expansion for residential development on a large tract of land to the south. Mr. Grovesteen explained that there are many lines running through that area and a eight inch water main connection could still be made, most likely from the line running parallel to West Hamilton Road.

Chairperson Cain opened the public hearing and asked for testimony in favor of this petition.

Testimony in favor of this petition was presented at this hearing by the following persons:

- Mr. Jim Shirk, 9 Timberlake Road, Bloomington, Illinois.

Mr. Shirk said that residential development is anticipated for the approximately 40 acre tract located south of the Timberlake Subdivision and west of the Sale Barn site. He said this development will probably get started in three or four years. Mr. Shirk also noted that the wells in the Subdivision have been failing on a regular basis. Commissioner Rackauskas asked whether the required turnaround at the ends of the private streets could be accommodated. Mr. Shirk said he believed that there is room enough.

Chairperson Cain asked for any further testimony and hearing none, closed the public hearing and asked for a motion from the Commission. Commissioner Baughan moved that Case Z-69-00 be approved as revised and with the correction of allowing 6" water main. Commissioner Maaks seconded this motion which passed by a vote of 5 to 0 with the following votes being cast on roll call:

Mr. Baughan--yes; Mrs. Rackauskas--yes; Mr. Maaks--yes; Mr. Cain--yes; Mr. Nuckolls--yes; Mr. Jacobs--absent; Mr. Sage--absent; Ms. Bell--absent; Mrs. Peterson--absent; Mr. Schroeder--absent.

Chairperson Cain announced that the City Council will consider this petition on December 26, 2000.

OLD BUSINESS:

Several Commissioners expressed regret at being unable to attend the audio conference on commercial strip developments. It was noted that the written material was very interesting.

NEW BUSINESS: Elections. Chairperson Cain suggested that the Commission wait until the next meeting to nominate and vote on offices. It was hoped that more members would be in attendance. He said he had enjoyed holding the Chair position and would be receptive to doing so again. He indicated that Vice Chairperson Jacobs might also be willing to continue. He emphasized, however, that both positions are open. There were several comments in of support continuing with the present office holders. Commissioner Maaks said he would not be present for the December 27, 2000 meeting but would cast his vote for the present officers.

Membership List. Mr. Emmons distributed a revised membership list.

Chairperson Cain corrected that his work number has changed again and is now: 735-2298. Chairperson Nuckolls wished to add his home phone number: 662-5598.

FOR 12-13-00 B.P.C Meeting

Prepared: 12-08-00

Agenda item #4-D**REPORT****TO:** Members, Bloomington Planning Commission**FROM:** Staff

SUBJECT: Case Z-69-00 Public Hearing on the petition filed by the Loeseke Lake Association and T. & C. Trenton; V. & P. Trosino; J. Mirza; F. & G. Dolen; J. & C. Buerskens; M. Mercier; H. & C. McReynolds; J. & L. Shirk; C. & S. Choi; C. & L. Miller; G. & C. Johnson and J. & G. Monti requesting approval of an annexation agreement providing for annexation to the City of Bloomington and a zoning map amendment to reclassify from A Agriculture to R-1A Low Density Single Family Residence District of certain lots in the Loeseke's Survey (Timberlake Subdivision) located east of the Blooming Grove Subdivision, south and west of the Greenwood Mobile Home Park and north of West Hamilton Road.

BACKGROUND INFORMATION:Adjacent Zoning

north- R-4 Manufactured Home Park & C- Commercial

south- R-1 (County Zoning) & S-2 Public Lands

east- R-1 & R-4

west- R-1 (County Zoning), R-4, & R-1C

Adjacent Land Uses

north- manufactured homes & retention pond

south- vacant & golf course

east- manufactured homes & apartments

west- single family dwelling & farm

Current Land Use: single family subdivision containing 17 homes & a two acre retention lake

Comprehensive Plan-- recommends to " Low to Medium Density Residential" use for the property in question

The Timberlake Subdivision contains an area of 28.99 acres and is the present site of 17 detached single family dwellings, a private storm Paragraph 2 on Page 1 should refer to an 8 inch water main extension instead of a 6 inch water main extension;

1. Paragraph 2 on Page 1 should refer to an 8 inch water main extension instead of a 6 inch water main extension;

water retention lake and a vacant lot. The single family lots are accessible from West Hamilton Road by way of a 3,000 foot long private street system maintained by the Loeseke Lake Association. This pre-annexation and water main extension agreement between the City, the Lake Association and the owners of 13 of these homes will obligate the City to approve R-1A

zoning and to contract and supervise the installation of 3000 feet of water main along this private street into this subdivision with the owners who desire to tap into such water main paying their share of the cost of the completed water main -- based on the total cost divided by 17 residences. This water main would be owned and maintained by the City.

the owners of these 13 parcels and the lake association would agree to petition for annexation to the City within 180 days after the City Council adopts a resolution requiring them to do so. The failure of the Association or these owners to petition for annexation or to comply with the terms of this agreement could result with the City discontinuing to provide water service to the property in noncompliance with this agreement.

The following benefits and obligations are also cited in this agreement:

- The City will provide fire and police protection services upon annexation;
- The City will provide garbage collection and snow removal services upon annexation;
- The City will provide landscape waste and leaf collection upon annexation;
- The City will not require any upgrades to the private roads or street lighting upon annexation;
- The Association and the owners will provide an indemnification and hold harmless agreement for garbage fire and snow removal equipment damage to its rural oil and chip roadway and to provide turn-arounds at both dead ends of its roadway system.

The City staff's review of the proposed pre- annexation agreement (see attachment) has resulted in the following recommendations:

1. Paragraph 2 on Page 1 should refer to an 8 inch water main extension instead of a 6 inch water main extension (8 inch diameter is the current minimum required by City Code); and
2. Paragraph 1 on Page 2 should refer to an 8 inch water main instead of a 6 inch water main;
3. There should be consistency between the number of owners cited on Page 1 of this agreement and the number of owners signing this agreement.

STAFF RECOMMENDATION:

The City staff recommends that the Bloomington Planning Commission pass a motion recommending City Council approval of this petition and the pre- annexation agreement in Case Z-69-00 as revised in accordance with the staff's recommendations as cited herein in the public interest.

Respectfully submitted,

Kenneth J. Emmons
City Planner



CONSENT AGENDA ITEM NO. 8.F

FOR COUNCIL: December 14, 2020

SPONSOR: Legal Department

WARD IMPACTED: City-Wide Impact

SUBJECT: Consideration and action on a Resolution to Intervene in the 2019 Appeals to the Property Tax Appeal Board, as requested by the Legal Department.

RECOMMENDED MOTION:

The proposed Resolution be approved.

STRATEGIC PLAN LINK:

-Goal 1. Financially Sound City Providing Quality Basic Services

STRATEGIC PLAN SIGNIFICANCE:

-Objective 1a. Budget with adequate resources to support defined services and level of services

BACKGROUND: In October 2019, the owner of the property known as the Eastland Mall filed an assessment complaint with the McLean County Board of Review ("BOR") to contest the property assessment. The City of Bloomington Township Assessor had assessed the land/lot value at \$4,966,667 and the value of the buildings and structures at \$8,366,667. The property owner sought to decrease the value in excess of \$100,000.

The City intervened in the case, along with Bloomington School District 87 and Heartland Community College. After the filing of the complaint, the City of Bloomington Township Assessor modified the assessed value of the buildings and structures to \$5,700,00. None of the intervening parties disputed this modification.

A hearing on the complaint was held by the BOR on December 4, 2019, and a final decision was issued on or around January 10, 2020. The BOR agreed with the City of Bloomington Township Assessor as to the assessed value of the mall based on the evidence presented.

On February 10, 2020, Eastland Mall filed an appeal of the BOR's decision to the State of Illinois' Property Tax Appeal Board, seeking a reduction of \$3,482,085 (see chart below).

	Land	Buildings	Total
BOR Assessment	\$4,966,667	\$5,700,000	\$10,666,667
Eastland Mall's Request	\$4,966,667	\$2,217,915	\$7,184,582

Bloomington School District 87 is seeking to intervene in the PTAB appeal to argue the appropriateness of the BOR assessment and City staff is seeking similar authority. Any taxing body that has a revenue interest in an appeal before the Property Tax Appeal Board may intervene by filing a Request to Intervene through its legal counsel along with a resolution of the governing board authorizing its legal representative to file a Request to Intervene on its

behalf. See Ill. Admin. Code. tit. 86 § 1910.60(d). The City seeks to intervene in this matter as the mall property is an integral part of our community and staff believes the BOR's decision regarding the assessment was accurate.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Bloomington School District 86

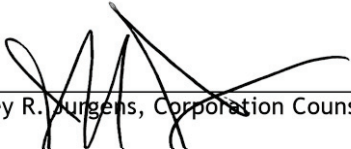
FINANCIAL IMPACT: A reduction in EAV could have a negative impact on other taxpayers as related to their share of the total levy. There may be some costs associated with the challenge, such as for an appraisal. Total costs are anticipated to be under \$10,000.

COMMUNITY DEVELOPMENT IMPACT: N/A

Respectfully submitted for Council consideration.

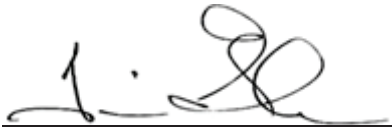
Prepared by: Jeffrey Jurgens, Corporation Counsel

Reviewed by:

	
Jeffrey R. Jurgens, Corporation Counsel	Chris Tomertin, Budget Manager
12/9/2020	12/8/2020


Tara Henry, Legislative Assistant
12/10/2020

Recommended by:


Tim Gleason, City Manager

Attachments:

- LGL 2B Resolution Authorizing Eastland Mall PTAB Intervention
- LGL 2C McLean County Board of Review Decision

**A RESOLUTION TO INTERVENE IN THE 2019
APPEALS TO THE PROPERTY TAX APPEAL BOARD**

WHEREAS, certain taxpayers or owners of property within the City of Bloomington, McLean County, Illinois, an Illinois home-rule municipality, have filed appeals to the Property Tax Appeal Board concerning the assessment of their property for 2019, including but not limited to Eastland Mall in PTAB case number 2019-00278;

WHEREAS, the City Council of the City of Bloomington, McLean County, Illinois, being the corporate authorities of the City, (hereinafter referred to as the “City Council”) has a revenue interest in said appeals and desires to become an intervening party in said appeals; and

WHEREAS, it is necessary for the City Council to authorize and direct its legal representative to file a Request to Intervene in said appeals on its behalf.

NOW, THEREFORE, BE IT RESOLVED by the City Council that the City’s Legal Department, through Jeffrey R. Jurgens, Corporation Counsel for the City of Bloomington, with offices located at 109 E. Olive Street, Bloomington, Illinois, 61701, is hereby authorized and directed to file a Request to Intervene, on the City Council’s behalf, in appeals to the Property Tax Appeal Board pertaining to the 2019 assessed value of property in which the City Council and this City have a revenue interest.

ADOPTED December 14, 2020 by the following vote:

Ayes:

Nays:

Absent:

APPROVED:

ATTEST:

Tari Renner, Mayor

Leslie Yocum-Smith, City Clerk

STATE OF ILLINOIS)
) ss
COUNTY OF MCLEAN)

CERTIFICATE

Leslie Yocum-Smith, being first duly sworn, deposes and states that she is the duly appointed City Clerk for the City of Bloomington, McLean County, Illinois, being the City Council of the City of Bloomington, Illinois (hereinafter referred to as the “City Council”), and as such is the keeper of the records of the City Council, and that the Resolution authorizing the City Legal Department, through its Corporation Counsel, Jeffrey R. Jurgens, to Intervene on the City Council’s behalf in 2019 Appeals to the Property Tax Appeal Board, to which this Certificate is attached, is a true and correct copy of the original Resolution duly adopted by the City Council at a regular meeting thereof, held at City Hall and remotely as permitted by the Illinois Open Meetings Act in the City of Bloomington, Illinois, on December 14, 2020, at which a quorum was present.

I further certify that said Resolution stands on the books and records of the City Council, unaltered and unchanged, as of the date hereof.

Dated December 14, 2020.

Leslie Yocum-Smith, City Clerk for the
City of Bloomington

Subscribed and sworn to before me, a notary public, this ____ day of December, 2020.

Notary Public

PTAX-207
2019 Assessment Year
Notice Final Decision on Assessed Value by McLean County Board of Review

Date of Notice: 01/10/2020

Township: CITY OF BLOOMINGTON

Property Class: 0060

PIN: 21-02-126-013

Docket Number: 2019-000947

Notice Sent To:

REGAN JAMES P
% FISK KART KATZ & REGAN
77 W WASHINGTON STE 900
CHICAGO IL 60602

Assessed Values:	Before BOR action	After BOR action	Dual Assessed
Land/lot	4,966,667	4,966,667	0
Buildings and Structures	8,366,667	5,700,000	0
Farmland	0	0	0
Farm Buildings	0	0	0
Total	13,333,334	10,666,667	0

Reason for action: Final Decision - Board of Review's opinion of market value

The assessed value after BOR (Board of Review) action is the locally assessed value of this property for the assessment year listed above and each succeeding year unless revised in the manner provided by the Property Tax Code. Dual Assessed applies to Veterans Fraternal Organization and Historic Home Freeze only.

This is a final decision of the Board of Review, subject only to local and State equalization (multiplier). You may appeal this decision to the Property Tax Appeal Board (PTAB) by filing a petition for review with the PTAB within 30 days after this notice is mailed to you or your agent, or is personally served upon you or your agent. You must file your petition for review with the PTAB on the appropriate form. These forms can be obtained from the BOR or the PTAB at the addresses shown below or down-loaded from the Internet at WWW.STATE.IL.US/AGENCY/PTAB.

Robert T. Kahman, Clerk of the Board of Review
McLean County Board of Review
PO Box 2400
Bloomington, Illinois 61702-2400
(309) 888-5130

Property Tax Appeal Board
401 South Spring, Room 402
Springfield, Illinois 62706-4001
(217)782-6076

BRIEF LEGAL: EASTLAND MALL SUB - LOTS 1, 2, & 3 & MEDICAL **Site address:** 1615 E EMPIRE ST

Owner name of record: EASTLAND MALL LLC % CBL & ASSOCIATES MANAGEMENT INC
PRINT ORDER # 74



CONSENT AGENDA ITEM NO. 8.G

FOR COUNCIL: December 14, 2020

SPONSOR: Economic & Community Development Department

WARD IMPACTED: Ward 1, Ward 2, Ward 4, Ward 6, Ward 7, Ward 8

SUBJECT: Consideration and action on a Resolution Approving Acceptance of the US Department of Housing and Urban Development's Office of Lead Hazard Control and Healthy Homes' Lead-Based Paint Hazard Reduction Grant, as requested by the Economic & Community Development Department.

RECOMMENDED MOTION:

The proposed Resolution be approved.

STRATEGIC PLAN LINK:

-Goal 4. Strong Neighborhoods

STRATEGIC PLAN SIGNIFICANCE:

- Objective 4e. Strong partnership with residents and neighborhood associations
- Objective 4c. Preservation of property/home valuations
- Objective 4b. Upgraded quality of older housing stock

BACKGROUND: Children living in poverty are at an increased risk for lead poisoning, occurring when lead builds up in the body over a period of time. Children under 6 are especially vulnerable to the effects of lead poisoning due to their stage of growth and development. Children with elevated blood levels can suffer from physical, cognitive and behavioral ailments that last a lifetime. Adults are also susceptible to lead poisoning but the effects are typically not as devastating.

One of the most common sources of lead poisoning is lead-based paint. Although lead-based paint has been banned in the United States since 1978, it is still found in older housing stock. The housing stock in 61701 is by far the City's oldest. Of the 15,216 housing units in this area, more than 6,200 housing units were built pre-1940 and more than 13,000 built pre-1980 (US Census Quick Facts, August 2020). In August, Economic and Community Development staff submitted a \$2 million grant application to the US Department of Housing and Urban Development's (HUD) Office of Lead Hazard Control and Healthy Homes to address lead and health hazards in the 61701 zip code area. On September 25th, HUD announced the City would receive \$2,013,361 in Lead Hazard Control funding and \$329,330 in Healthy Homes funding. Not only did the City receive 100% of the requested funding but it was the only application funded in Illinois this round.

The Lead Hazard Control and Healthy Homes' Lead-Based Paint Hazard Reduction Grant is a 42-month grant through which the City will address lead hazards in at least 92 housing units where children under the age of six live or spend a significant amount of time. If lead is present in the unit, complete lead abatement will occur. Every unit tested for lead will also receive a healthy housing assessment. If additional health and safety hazards are found,

such as a leaking roof or malfunctioning windows, funds will be made available to perform additional rehabilitation. Up to \$3,000 per unit can be allocated from the LBPHR grant with additional funds available through the City's Community Development Block Grant, as necessary, to perform rehabilitation.

The City will partner with Mid Central Community Action (MCCA) and many other local organizations to meet grant requirements. MCCA is the only subrecipient identified in the grant application. The grant requires the Program Manager dedicate at least 75% of his/her time to the project. MCCA's Director of Properties Administration will serve as the Program Manager through a subrecipient agreement with the City. The Program Manager will oversee the day-to-day work on all lead projects. The Program Manager will work very closely with the City's project team which includes the Rehabilitation Specialist, Grants Coordinator, Grants Specialist and City Planner. Other organizations will support the program by assisting with program promotions, performing blood lead level testing, making referrals for children with elevated blood lead levels.

The project team is currently in the negotiation process with HUD staff. Through this process, the budget and scope of work will be finalized. Within the first 6 months after the award, staff will develop program policies and procedures, develop a comprehensive outreach plan targeting both residents and contractors, offer lead training to local contractors, begin program promotions, and open the application process.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Letters of support from the following organizations were submitted with the application to HUD: Chestnut Health Systems, Carle BroMenn Medical Center, Children's Home and Aid, Dreams Are Possible, Livingston and McLean Counties Building and Construction Trades Council, West Bloomington Revitalization Project, McLean County Health Department, McLean County Regional Planning Commission, OSF St. Joseph Medical Center, Prairie State Legal Services and Heartland Head Start.

FINANCIAL IMPACT: Failure to submit the award documents would result in a loss of \$2,342,691 in federal grant funding to support lead hazard control and healthy homes work in the 61701 zip code area. The City will provide \$392,110 in matching funds over the 42-month period, primarily through the Community Development Block Grant, to support rehabilitation and staff training expenses. Additional in kind matches from the general fund will be 10% of the City Planner's time spent on this, and office equipment required for the Grants Specialist position. The grant operates on a reimbursement basis with requests made quarterly.

COMMUNITY DEVELOPMENT IMPACT: N-1.2: Prioritize, with urgency, the revitalization of neighborhoods in the Regeneration Area. H-1: Ensure the availability of safe, attractive and high quality housing stock to meet the needs of all current and future residents of Bloomington.

Respectfully submitted for Council consideration.

Prepared by: Jennifer Toney, Grants Coordinator

Reviewed by:



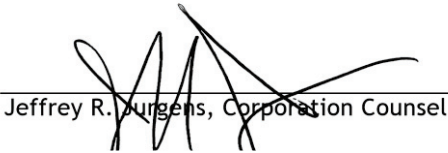
Melissa Hall, Economic and Community Development Director

12/6/2020



Chris Tomertin, Budget Manager

12/8/2020



Jeffrey R. Jurgens, Corporation Counsel

12/8/2020



Tara Henry, Legislative Assistant

12/8/2020

Recommended by:



Tim Gleason, City Manager

Attachments:

- E&CD 3B Assistance Award Amendment ILLHB0757-20 City of Bloomington (1)
- E&CD 3C FY-2020 OLHCHH Lead Grant Program Terms and Conditions - Final
- E&CD 3D Resolution - HUD LBPHR Grant

**U.S. Department of Housing and
Urban Development
Office of Administration**

16. Description

EMPLOYER IDENTIFICATION:	PROGRAM: LHB/HHO
[REDACTED]	[REDACTED]

This instrument sets forth the agreement between the parties as to all terms and conditions and provisions herein. By signing this award document, the Grantee certifies that it is in compliance with all administrative and financial provisions of this award. This grant instrument consists of the following, some of which are incorporated by reference:

1. Cover Page, HUD 1044
2. Schedule of Articles / FY 2020 Terms and Conditions
3. Statement of Work/Work Plan/Benchmark Standards
4. Lead Hazard Control Program Policy Guidance Issuances“PGI-2015-01- Clarification of Costs for LHRD and LBPHC Grant Programs”
5. Grantee’s financial and technical proposal
6. Mutually agreed and negotiated proposal changes
7. Abstract of grant activities
8. TITLE 2: GRANTS AND AGREEMENTS - PART 200—UNIFORM ADMINISTRATIVE REQUIREMENTS, COST PRINCIPLES, AND AUDIT REQUIREMENTS FOR FEDERAL AWARDS <http://www.ecfr.gov/cgi-bin/text-idx?node=2:1.1.2.2.1>
9. Notice of Grant Opportunity announced in GRANTS.GOV (FR-6400-N-13) – Posted date: 07/22/2020
<https://www.grants.gov/web/grants/view-opportunity.html?oppId=328297>

17. ☒ Recipient is required to sign and return three (3) copies of this document to the HUD Administering Office		18. ☐ Recipient is not required to sign this document.	
19. Recipient (By Name)		20. HUD (By Name) Markquonda Mathis	
Signature & Title	Date (mm/dd/yyyy)	Signature & Title	Date (mm/dd/yyyy)



**U.S. Department of Housing and Urban Development
Office of Lead Hazard Control and Healthy Homes**

**Lead-Based Paint Hazard Reduction Grant Program
Fiscal Year 2020 - Terms and Conditions**



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GENERAL

A. Introduction

This instrument is governed by the Office of Management and Budget's (OMB) Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (commonly called "Uniform Guidance" or referred to as 2 CFR Part 200). The Uniform Guidance – a "government-wide framework for grants management" – is an authoritative set of rules and requirements for Federal awards that synthesize and supersedes guidance from earlier OMB circulars. The Guidance was drawn from OMB Circulars A–21, A–87, A–110, A–122 A–89, A–102, A–133, A–50.

In this-instrument, **Recipient** refers to the “**grantee**”, and these two terms are used interchangeably throughout this document. The **Grant** (also referred to as an award document) consists of the form HUD-1044, including any special conditions, and these Grant Provisions. Recipients **must** review their official award document for additional administrative and programmatic requirements.

The recipient and any sub-recipient must comply with the applicable Terms and Conditions outlined below. Except as noted otherwise, these Terms and Conditions apply to all grant programs (LHC, LHRD and Tribal, Technical Studies, etc.) administrated by the Office of Lead Hazard Control and Healthy Homes (OLHCHH). Also, recipients should review the separate OLHCHH Grant Program Policy Guidance applicable to each program.

By acceptance of the grant award, each recipient/grantee agrees to comply with these requirements. Failure to comply with the general terms and conditions outlined below and those directly reflected on the official assistance award document may result in enforcement actions as outlined in 2 CFR§200.339 and §200.340.

B. Updates to the OMB Guidance on Grants and Cooperative Agreements

On August 13, 2020, the Office of Management and Budget (OMB) issued its Final Guidance on amendments to the OMB Guidance for Grants and Agreements. The revisions incorporate current goals and initiatives of the Administration, statutory requirements, and clarifications of existing requirements.

The revisions were extensive therefore to highlight the parts of the revisions that impact the OLHCHH Lead-Based Paint Hazard Control, Lead Hazard Reduction Demonstration, and & Lead Hazard Reduction grant programs, we have provided Appendix 2 to the FY 2020 Terms and Conditions. We strongly encourage recipients to review the FY 2020 Terms and Conditions as well as [OMB's revisions](#) in their entirety. Nonetheless, OLHCHH addressed several of the most noteworthy changes in Addendum 2.

Please note that citations to the Code of Federal Regulations (CFR) reflect changes described in the OMB's Final Guidance. Except for amendments to 2 CFR 200.216 and 200.340 that were effective August 13, 2020, these revisions are effective November 12, 2020. Recipients will be responsible for complying with those revisions once in effect.

C. Overview of Award Implementation

This instrument reflects the acceptance of the proposed budget, key personnel and partners, and basic conditions of the Applicant's awarded general proposal, or any subsequent revision, submitted in response to the Notice of Funding Availability (NOFA) for the Department of Housing and Urban Development, Office of Lead Hazard Control and Healthy Homes Grant Programs for the NOFA indicated on the form HUD-1044 cover page. A final budget, work plan, and benchmarks will be developed, accepted, and incorporated with the form HUD 1044 within 60 days of the award notice. As a condition of accepting the grant award, the Grantee and sub-recipients, as applicable, agree to the submit the following: a final negotiated work plan, with deliverables/outcomes measures, prioritization plan, targeted areas of program implementation, and policy and procedures for how the grant will be administered in the community. This should be summarized in the healthy homes grant management system (HHGMS) **within 60 calendar days** of the Period of Performance start date (form HUD-1044). These revisions shall update the general/basic plan submitted with the proposal and include any negotiated changes to the work plan benchmarks and budget. If identified issues are not addressed satisfactorily, the Grantee's grant may be terminated based on failure to successfully conclude negotiations or to provide HUD with the requested information, in accordance with the General Section of the NOFA for which the Grantee applied. A Grantee whose work plan includes conducting activities that physically alter the dwelling or its property, such as lead hazard control or other healthy homes interventions, will not be allowed to draw down funds before the completion of a satisfactory environmental review by the appropriate HUD Environmental Officer and its receipt of an approved Request for Release of Funds and Certification, as prescribed within this agreement. See [OLHCHH Policy Guidance 2008-03](#) for further details.

D. Definitions

The following terms and definitions are in accordance with 2 CFR Part 200 and the *HUD* Guidelines for the Evaluation and Control of Lead-Based Paint Hazards in Housing, and applicable Notices of Funding Availability.

Allocable Costs as defined in 2 CFR §200.405, costs that are allocable to a particular cost objective if the goods or services involved are chargeable or assignable to such cost objective in accordance with relative benefits received. This standard is met if the cost: (1) is incurred specifically for the Federal award; (2) benefits both the Federal award and other work of the Grantee and can be distributed in proportions that may be approximated using reasonable methods; and (3) is necessary to the overall operation of the Grantee and is assignable in part to the Federal award in accordance with the principles in 2 CFR Part 200, subpart E – Cost Principles. All activities that benefit from the Grantee's indirect costs, including unallowable activities and services donated to the Grantee by third parties, will receive an appropriate allocation of indirect costs. Any cost allocable to a **Federal** award or cost objective may not be charged to other Federal awards to overcome fund deficiencies, to avoid restrictions imposed by law or terms of the Federal awards, or for other reasons.

Approving Official (Also known as "Coordinator") is a Secure Systems administrator who manages the organization's "users" in Secure Systems. Responsibilities include assigning

Secure Systems LOCCS roles to themselves and users. Approving Officials will use eLOCCS to re-certify their staff every 6 months, therefore Approving Officials will also need to register for an ID in Secure Systems like the coordinator. [For more information visit eLOCCS Access Guidelines for Grantees.](#)

Authorized Representative or Official (Commonly referred to as the **Authorizing Official or AO**) is the official at the operational level who has the responsibility for the full measure of the mission and the authority to obligate funds to support the grant from the primary recipient.

- Assistance Award/Amendment-- HUD 1044 (Grant) – **Authorized Representative** (our Office also uses the term **Authorized Official**). The HUD 1044 is also used for changes in key personnel, etc., and primary contact/recipient of the quarterly assessment report). 21. Authorized Representative: To be signed and dated by the authorized representative of the applicant organization. Enter the first and last name (Required), prefix, middle name, suffix. Enter title, telephone number, email (Required), and fax number.
- A copy of the governing body's authorization for you to sign this application as the official representative must be on file in the applicant's office. (Certain federal agencies may require that this authorization be submitted as part of the application.) - Form SF 424, Application for Federal Assistance

Bureau of Indian Affairs is a bureau of the U.S. Department of the Interior that provides services (directly or through contracts, grants, or compacts) to American Indians and Alaska Natives, and is responsible for the administration and management of certain surface acres and subsurface minerals estates held in trust by the U.S. for American Indian, Indian tribes, and Alaska Natives.

Certifying Officer means under the terms of the certification required by 24 CFR §58.71, a responsible entity's certifying officer is the “responsible Federal official” as that term is used in section 102 of the National Environmental Policy Act (NEPA) and in statutory provisions cited in 24 CFR §58.1(b). The Certifying Officer is therefore responsible for all the requirements of section 102 of NEPA and the related provisions in 40 CFR parts 1500 through 1508, and 24 CFR part 58, including the related Federal authorities listed in 24 CFR§58.5. The Certifying Officer must also:

- Represent the responsible entity and be subject to the jurisdiction of the Federal courts. The Certifying Officer will not be represented by the Department of Justice in court and;
- Ensure that the responsible entity reviews and comments on all environmental impact statements prepared for Federal projects that may have an impact on the recipient's program.

Commercial and Government Entity (CAGE) Code is a unique identifier assigned to suppliers to various governments, as well as to Federal Agencies and various organizations. **CAGE** codes provide a standardized method of identifying a given facility at a specific location.

Contract means a legal instrument by which a non-Federal entity purchases property or services needed to carry out the project or program under a Federal award. The term as used in 2 CFR Part 200 and these Terms & Conditions do not include a legal instrument, even if the non-Federal entity considers it a contract when the substance of the transaction meets the definition of a Federal award or sub-award (see §200.92 Sub-award).

Contractor means an entity that receives a contract as defined in 2 CFR §200.22
Contract

Direct Costs are those costs that can be identified specifically with a particular final cost objective, such as a Federal award, or other internally or externally funded activity, or that can be directly assigned to such activities relatively easily with a high degree of accuracy.

Typical direct costs chargeable to Federal awards are:

- Compensation of employees for the time devoted and identified specifically to the performance of those awards;
- Cost of materials acquired, consumed, or expended specifically for the awards;
- Equipment and other approved capital expenditures;
- and travel expenses incurred specifically to carry out the award.

Any direct cost of a minor amount may be treated as an indirect cost for reasons of practicality where such accounting treatment for that item of cost is consistently applied to all cost objectives. A cost may not be assigned to a Federal award as a direct cost if any other cost incurred for the same purpose in like circumstances has been allocated to the Federal award as an indirect cost. **Refer to the Notice of Funding Availability (NOFA) for specific information regarding what constitutes Direct Costs for you and any applicable programmatic requirements you must adhere to.**

Disallowable Costs means those charges to an award that HUD determines to be unallowable, in accordance with the applicable Federal cost principles or other terms and conditions contained in the award.

General Purpose Equipment means equipment that is not limited to research, medical, scientific, or other technical activities. Examples include office equipment and furnishings, modular offices, telephone networks, information technology equipment and systems, air conditioning equipment, reproduction and printing equipment, and motor vehicles.

Government Technical Representative (GTR) means the HUD Official who is responsible for the technical administration of the grant, the evaluation of performance under the grant the acceptance of technical reports or projects, and other such specific responsibilities as may be stipulated in the grant.

Grant Award (Federal Award) means the award document consisting of the HUD-1044, including any special conditions.

Grantee (or Recipient) means an entity, usually but not limited to non-federal entities that receive a Federal award directly from the Federal awarding agency. The term recipient does not include sub-recipients or individual beneficiaries of the award.

Grant Officer means the official authorized by HUD to execute and/or administer this grant.

Guidelines refer to the definitions, standards, and information contained in the latest edition of the “Guidelines for the Evaluation and Control of Lead-Based Paint in Housing.” The Guidelines are incorporated by reference to the grant.

HHGMS is the Healthy Homes Grant Management System. The OLHCHH online data management system that allows processing administrative, technical actions, and quarterly reporting among the Grantee, Government Technical Representative, and Grant Officer.

HUD means the U.S. Department of Housing and Urban Development.

Indian Health Service is an agency within the U.S. Department of Health and Human Services that is responsible for providing federal health services to American Indians and Alaska Natives is the principal federal health care provider and health advocate for Indian people and provides a comprehensive health service delivery system for American Indians and Alaska Natives.

Indirect Costs are those that have been incurred for common or joint purposes. These costs benefit more than one cost objective and cannot be readily identified with a particular final cost objective without effort disproportionate to the results achieved. After direct costs have been determined and assigned directly to Federal awards and other activities as appropriate, indirect costs are those remaining to be allocated to benefitted cost objectives. A cost may not be allocated to a Federal award as an indirect cost if any other cost incurred for the same purpose, in like circumstances, has been assigned to a Federal award as a direct cost. Indirect costs are generally charged to Federal awards through the development and application of an indirect cost rate (ICR).

- To recover indirect costs related to Federal awards, organizations must negotiate an ICR with the cognizant federal agency for indirect costs and present the negotiated and active ICR agreement to HUD; or
- A recipient (other than a governmental department or agency unit receiving more than \$35 million in direct Federal funding) can elect to accept a 10% de minimis indirect cost rate of modified total direct costs (MTDC). No documentation is required to justify the 10% de minimis rate.; or
- If the non-federal entity is a States, Local Government, or Indian Tribe and they receive less than \$35 million in direct Federal funding; or
- Each Indian tribal government desiring reimbursement of indirect costs must submit its indirect cost proposal to the Department of the Interior (its cognizant agency for indirect costs) and present the negotiated and active ICR to HUD.

Requirements for development and submission of indirect (F&A) cost rate proposals and cost allocation plans are contained in Appendices III-VII and Appendix IX of 2 CFR Part 200 as follows:

- (1) Appendix III to Part 200 - Indirect (F&A) Costs Identification and Assignment, and Rate Determination for Institutions of Higher Education (IHEs).

- (2) Appendix IV to Part 200 - Indirect (F&A) Costs Identification and Assignment, and Rate Determination for Nonprofit Organizations.
- (3) Appendix V to Part 200 - State/Local Governmentwide Central Service Cost Allocation Plans.
- (4) Appendix VI to Part 200 - Public Assistance Cost Allocation Plans.
- (5) Appendix VII to Part 200 – States, Local Government, and Indian Tribe Indirect Cost Proposals.
- (6) Appendix IX to Part 200 - Hospital Cost Principles.

Line of Credit Control System (LOCCS) is HUD’s primary grant and subsidy disbursement system that handles disbursement and cash management for most HUD grant programs. Organizations and individuals have access to these grants through an internet version of LOCCS called eLOCCS, where Business Partners with appropriate authorization can access, manage, and drawdown against their HUD grant portfolios. For more information visit [eLOCCS Access Guidelines for Grantees](#)

Modified Total Direct Cost (MTDC) means all direct salaries and wages, applicable fringe benefits, materials and supplies, services, travel, and *up to the first \$25,000 of each sub-award* (regardless of the period of performance of the sub-awards under the award). MTDC excludes equipment, capital expenditures, charges for patient care, rental costs, tuition remission, scholarships and fellowships, participant support costs, and the portion of each sub-award more than \$25,000. Other items may only be excluded when necessary to avoid a serious inequity in the distribution of indirect costs, and with the approval of the cognizant agency for indirect costs.

Must (or Shall) means a **mandatory** requirement of the Terms and Conditions in association with the form HUD-1044 for the grant. “**NOFA**” means the Notice of Funding Availability that announced the availability of funding for this award.

Non-Federal Entity means a state, local government, Indian-Tribe, Institution of Higher Education (IHE), or Nonprofit Organization that carries out a Federal award as a Recipient or Subrecipient.

OLHCHH means the HUD Office of Lead Hazard Control and Healthy Homes.

Partner or Partnership is identified as a Subgrantee or Contractor that has an arrangement in which skills, services, or resources are shared in accordance with the partnership agreement to meet the goals of the grant.

Pass-Through Entity means a non-Federal entity that provides a sub-award to a subrecipient to carry out part of a Federal program.

Publication includes: (a) any document containing information for public consumption; or (b) the act of, or any act which may result in, disclosing information to the public.

Research means a systematic study directed toward fuller scientific knowledge or understanding of the subject studied. “Development” is the systematic use of knowledge and understanding gained from research directed toward the production of useful materials, devices, systems, or methods, including design and development of prototypes and processes.

Should mean the best practices or recommended approach of the Terms and Conditions in association with the form HUD-1044 for the grant.

Standard Form-424 (SF-424) - the application for Federal assistance programs required by discretionary grant programs.

Sub-award means an award provided by a pass-through entity to a subrecipient for the subrecipient to carry out part of a Federal award received by the pass-through entity. It does not include payments to a contractor or payments to an individual that is a beneficiary of a Federal program. A sub-award may be provided through any form of legal agreement, including an agreement that the pass-through entity considers a contract.

Subrecipient or **Subgrantee** means a non-Federal entity that receives a sub-award from a pass-through entity to carry out part of a Federal program but does not include an individual that is a beneficiary of such program. A subrecipient may also be a recipient of other Federal awards directly from a Federal awarding agency.

Tribally designated housing entity (TDHE) has the meaning as defined in section 4 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. § 4101 et seq.) (NAHASDA), specifically, at 24 U.S.C. § 4103(22).

Tribal Housing means housing owned by a person who is an “Indian,” as that term is defined by HUD in its definitions for its regulations on loan guarantees for Indian housing (24 CFR 1005.103), namely, any person recognized as being Indian or Alaska Native by an Indian tribe, the Federal Government, or any State, and which includes the term “Native American”.

E. Federal Funding Accountability and Transparency Act of 2006 (FFATA)

The Federal Funding Accountability and Transparency Act (FFATA) of 2006 (Public Law 109-282) **requires** disclosure of all entities and organizations receiving federal funds through a single publicly accessible website, USASpending.gov. USASpending.gov includes information on each federal financial assistance award and contract over \$30,000, including such information as:

1. The name of the entity receiving the award
2. The amount of the award
3. Information on the award including transaction type, funding agency, etc.
4. The location of the entity receiving the award
5. A unique identifier of the entity receiving the award; and
6. Names and compensation of highly compensated officers (as applicable)

Recipient Reporting. Recipients and other prime awardees of HUD financial assistance are required to report sub-awards on the Federal Sub-award Reporting System (FSRS)

website www.FSRS.gov. Prime financial assistance awardees receiving funds directly from HUD are required to report sub-awards and executive compensation information both for the award and sub-awards, where both the initial award is \$30,000 or greater or the cumulative award will be \$30,000 or greater if funding incrementally as directed by HUD in accordance with OMB guidance. The reporting of award and sub-award information is in accordance with the requirements of the FFATA, as amended by section 6202 of Public Law 110-252, and OMB Guidance issued to the Federal agencies on September 14, 2010 (75 FR 55669) and in OMB Policy guidance. The prime awardee will have until the end of the month plus one additional month after a sub-award is obligated to fulfill the reporting requirement.

The Grantee shall submit the Federal Financial Report (FFR) - Standard Form 425 for each project or program annually. A final FFR shall be required after the award agreement and shall use the end date of the project or grant period as the reporting end date.

HUD requires recipients to submit the FFR no later than 90 calendar days after the end of each specified reporting period for annual reports. Final reports shall be submitted no later than 90 days after the project or grant period end date. Extensions of reporting due dates may be approved by HUD upon request of the recipient.

For more information on FFATA Reporting visit [FSRS](http://FSRS.gov), USASpending.gov, and [HUD's Grants Information webpage](http://HUD.gov).

F. English Language

The English language will be used in the 2020 Terms and Conditions as defined in 2 CFR §200.111:

- a. All Federal financial assistance announcements and Federal award information must be in the English language. Applications must be submitted in the English language and must be in the terms of U.S. dollars. If the Federal awarding agency receives applications in another currency, the Federal awarding agency will evaluate the application by converting the foreign currency to United States currency using the date specified for receipt of the application.
- b. Non-Federal entities may translate the Federal award and other documents into another language. In the event of inconsistency between any terms and conditions of the Federal award and any translation into another language, the English language meaning will control. Where a significant portion of the non-Federal entity's employees, who are working on the Federal award, are not fluent in English, the non-Federal entity must provide the Federal award in English and the language(s) with which employees are more familiar.

G. Code of Conduct

1. **Code of Conduct for HUD Grant Programs** - All Federal award recipients, except states, and all sub-recipients under Federal awards must have a code of conduct (or written standards of conduct) for procurements that meet all requirements in 2 CFR 200.318(c). Each applicant selected for an award (other than a state) must ensure an up-

to-date copy of the organization's code of conduct, dated and signed by the Executive Director, Chair, or equivalent official, of the governing body of the organization, is available in [HUD's Code of Conduct e-library](#). Applicants can check the [Code of Conduct List at Code of Conduct for HUD Program](#) to confirm if HUD has determined their Code of Conduct complies with 2 CFR §200.318(c)(1). HUD does not collect or review state codes of conduct for compliance with 2 CFR 200.318(c). Instead, each state must follow the same policies and procedures for procurements under Federal awards that the state uses for procurements from its non-Federal funds, as provided in 2 CFR 200.317.

2. **Conflict of Interest (COI)** as defined by 2 CFR §200.112, means the non-Federal entity must disclose in writing any potential conflict of interest to the Federal awarding agency or pass-through entity in accordance with applicable Federal awarding agency policy.
3. **Other Conflicts of Interest** - In all cases not governed by 2 CFR 200.317 and 200.318(c), all recipients and sub-recipients must comply with the conflict of interest requirements in the applicable program regulations. If there are no program-specific regulations for the award, the following conflict of interest requirements apply in all cases not governed by 2 CFR 200.317 and 200.318(c):
 - i. *General prohibition.* No person who is an employee, agent, consultant, officer, or elected or appointed official of the recipient or subrecipient and who exercises or has exercised any functions or responsibilities with respect to assisted activities, or who is in a position to participate in a decision making process or gain inside information with regard to such activities, may obtain a financial interest or benefit from the activity or have an interest in any contract, subcontract, or agreement with respect thereto, or the proceeds thereunder, either for himself or herself or for those with whom he or she has immediate family or business ties, during his or her tenure or for one year thereafter. Immediate family ties include (whether by blood, marriage, or adoption) the spouse, parent (including a stepparent), child (including a stepchild), brother, sister (including a stepbrother or stepsister), grandparent, grandchild, and in-laws of a covered person.
 - ii. *Exceptions.* HUD may grant an exception to the general prohibition in paragraph (i) upon the recipient's written request and satisfaction of the threshold requirements in paragraph (iii), if HUD determines the exception will further the Federal purpose of the award and the effective and efficient administration of the recipient's program or project, taking into account the cumulative effects of the factors in paragraph (iv).
 - iii. *Threshold requirements for exceptions.* HUD will consider an exception only after the recipient has provided the following documentation:
 - a. A disclosure of the nature of the conflict, accompanied by an assurance that there has been a public disclosure of the conflict and a description of how the public disclosure was made; and
 - b. An opinion of the recipient's attorney that the interest for which the exception is sought would not violate State or local law.

- iv. Factors to be considered for exceptions. In determining whether to grant a requested exception after the recipient has satisfactorily met the threshold requirements in paragraph (iii), HUD will consider the cumulative effect of the following factors, where applicable:
- a. Whether the exception would provide a significant cost-benefit or an essential degree of expertise to the program or project that would otherwise not be available.
 - b. Whether an opportunity was provided for open competitive bidding or negotiation.
 - c. Whether the person affected is a member of a group or class of low- or moderate-income persons intended to be the beneficiaries of the assisted activity, and the exception will permit such person to receive generally the same interests or benefits as are being made available or provided to the group or class;
 - d. Whether the affected person has withdrawn from his or her functions or responsibilities, or the decision-making process with respect to the specific assisted activity in question.
 - e. Whether the interest or benefit was present before the affected person was in a position as described in paragraph (i).
 - f. Whether undue hardship will result either to the recipient or the person affected when weighed against the public interest served by avoiding the prohibited conflict; and
 - g. Any other relevant considerations.

Important -Recipients must disclose in writing any potential conflict of interest to HUD.**

H. Determining Subrecipient or Contractor Classification

Determining Subrecipient or Contractor Classification as defined by 2 CFR§200.331 means the Non-Federal entity may concurrently receive Federal awards as a recipient, a subrecipient, and a contractor, depending on the substance of its agreements with Federal awarding agencies and pass-through entities. Therefore, a pass-through entity must make case-by-case determinations whether each agreement it makes for the disbursement of Federal program funds casts the party receiving the funds in the role of a subrecipient or a contractor. Please note that a non-federal entity partner to the prime recipient cannot operate as both a contractor and a sub-recipient on the same award. [See OLHCHH's Policy Guidance Number: 2019-02 – Determining Subrecipient or Contractor Classification.](#)

I. Procurement Standards

Procurement Standards as defined by 2 CFR § 200.317 through § 200.326 means when procuring property and services under a Federal award, a state must follow the same policies and procedures it uses for procurements from its non-Federal funds. The state will comply with §200.322 Procurement of recovered *materials* and ensure that every purchase order or other contract includes any clauses required by section §200.327 Contract provisions. All other non-Federal entities, including sub-recipients of a state, will follow §§200.318 General procurement standards through 200.327 Contract provisions. [See OLHCHH’s Policy Guidance Number: 2017-04.](#)

J. Treating Zero -Bedroom Pre-1978 Units with a Child under Age 6

OLHCHH expanded the scope of target housing units that may be treated under its Lead Hazard Control Grant Programs (Lead-Based Paint Hazard Control (LBPHC) and Lead Hazard Reduction Demonstration (LHRD) to include 0-bedroom dwellings constructed before 1978 in which there is actual evidence of a resident who is a child under age 6 or a pregnant woman. The option of “make available to” for these rentals does not apply as zero-bedroom units are not intended for marketing to families with children under the age of 6. [See Policy Guidance Number 2017-03.](#)

PROGRAM REQUIREMENTS (Articles)

1. Administrative Costs

LBPHC, LHRD, and Other Grants Awarded under section 1011 of the Residential Lead-Based Paint Hazard Reduction Act of 1992 (Title X of the Housing Community Development Act of 1992, Public Law 102-550): Administrative costs may not exceed 10 percent of the federal lead grant award. For grants awarded under section 1011 of the Residential Lead-Based Paint Hazard Reduction Act of 1992, administrative costs are defined as overhead costs and costs of general management, oversight, and coordination. Administrative costs include all allowable and allocable direct administrative costs (costs for the general management, oversight, and coordination of the grant – i.e. program administration and indirect (F&A cost (defined in 2 CFR §200.414). During negotiations, the Grantee’s Authorized Official and Fiscal Officer must certify administrative costs and complete the Standard Form 425 Part 3 Financial Reporting (Administrative Cost Summary).

Notwithstanding any Administrative Cost limits provided in a statute, regulation, or the applicable NOFA, an indirect cost rate that is no greater than the approved rate negotiated with the applicant’s federal cognizant agency shall be used.

2. Administrative Requirements

For all grantees, awards will be governed by Title 2, Part 200 (of the Code of Federal Regulations), the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (2 CFR Part 200) and these grant provisions.

3. Advance Payment by Treasury Check or Electronic Funds Transfer

Advance payments by the Treasury electronic funds transfer are authorized under this grant. HUD may provide to the Grantee a one-time cash advance that shall not exceed 10 percent of the grant amount, and

shall be limited to the minimum amount needed for the actual, immediate cash requirements of the Grantee in carrying out the startup activities of this agreement and as agreed to by the Grant Officer.

In accordance with 2 CFR §200.305, “Payment”, to the extent available, the non-Federal entity must disburse funds available from program income (including repayments to a revolving fund), rebates, refunds, contract settlements, audit recoveries, and interest earned on such funds before requesting additional cash payments. The non-Federal entity must maintain advance payments of Federal awards in interest-bearing accounts, unless the following apply: (i) The Non-Federal entity receives less than \$250,000 in Federal awards per year; (ii) The best reasonably available interest-bearing account would not be expected to earn interest over \$500 per year on Federal cash balances; (iii) The depository would require an average or minimum balance so high that it would not be feasible within the expected Federal and non-Federal cash resources; or (iv) A foreign government or banking system prohibits or precludes interest-bearing accounts.

Should the Grantee demonstrate an unwillingness or inability to establish procedures that will minimize the time elapsing between advances and disbursements or fail to provide any required progress report on time, the authorization for advance one-time payment may be revoked. The Grantee may then be required to finance the project with its working capital, and payment to the Grantee may be made by Treasury check or electronic funds transfer, at HUD’s discretion, to reimburse the Grantee for actual cash disbursements.

4. Allowable Costs

This is a cost-reimbursement award. Except as described in **Article 3, “Advance Payment by Treasury Check or Electronic Funds Transfer,”** the Grantee shall be reimbursed for costs incurred in the performance of work in an amount not to exceed the obligated amount shown on the form HUD-1044, Assistance Award/Amendment. In the event the Grantee incurs costs over the prescribed amount, the excess shall be borne entirely by the Grantee. HUD shall reimburse the Grantee for costs incurred in the performance of this award which is determined by the GTR/Grant Officer to be allowable, allocable, and reasonable in accordance with applicable Federal cost principles as permitted by 2 CFR Part 200.

5. Amendments

The Grant may be modified at any time by written amendment. Amendments that reflect the rights and obligations of either party shall be executed by both HUD (through the Grant Officer) and the Grantee. Administrative amendments, such as changes in appropriation data, may be issued unilaterally by the Grant Officer. See [OLHCHH Policy Guidance 2013-03](#).

6. Amount of Cost Share

The estimated cost for the performance of this grant is the “Total Instrument Amount.” See the form HUD-1044, Assistance Award/Amendment. The Grantee shall be reimbursed by HUD for 100% of allowable costs incurred in the performance of this grant. **HUD shall not reimburse the Grantee more than the “Total HUD Amount” on the form HUD-1044.** HUD reserves the right to withhold three percent (3%) of the Federal award amount pending the receipt and approval of a Final Report (with supporting documentation) prepared in accordance with the OLHCHH Policy Guidance 2012-05 and/or GTR instructions for the specific OLHCHH program and any amendments.

The proposed match contribution to supplement HUD funds is the “Recipient Amount.” The Grantee agrees to bear without reimbursement by HUD the “Recipient Amount” of the total costs. The Grantee is not obligated to contribute more than the “Recipient Amount.” However, the Grantee shall be solely responsible for any costs over the estimated cost of the “Total Instrument Amount.” The Grantee shall submit to the GTR as an attachment to the SF-425 (Federal Financial Report), verification of eligible match sources and verifiable documentation (if applicable for the specific quarterly reporting period) for eligible match activities to substantiate the match (recipient amount) reflected on each requires quarterly SF-425 submission and on the final SF-425. The Grantee shall also include the eligible match on the Part 3 form - Financial Reporting Form (Match Commitment Summary).

For verification of the eligible match source(s) and verification of match for eligible program activities, the Grantee shall submit a letter on letterhead signed by the Authorized Official. The letter shall include the following:

- Name of match source.
- Amount of match.
- Type of match (cash or in-kind).
- Description and purpose of eligible program activities performed because of the receipt of the match.
- Documentation to substantiate the match from the matching organization/entity.

The match from the matching organization may include:

- Cash Contributions, verified by:
 - General ledger entries
 - Expenditure reports
 - Invoices
 - Signed contracts/agreement
 - Timesheets
 - Activity Report, etc.
- In-Kind (Including third part contributions), verified by:
 - Identification of donated equipment, supplies, volunteers’ services, etc.
 - Fair Market Determination
 - Invoices
 - Timesheets and/or Activity Reports

The Grantee must satisfy all statutory matching requirements in the NOFA. If the Grantee's actual matching contribution is less than “Recipient Amount” on the form HUD-1044, the Government reserves the right to negotiate new line items and/or amounts to satisfy the Grantee's match, or to reduce the Government's share proportionally, or to require the Grantee to reimburse the Government from non-federal funds the amount of eligible match not met. The Grantee shall notify the Government at any time it believes it will not meet its match by the completion of the grant. If the Grantee has a request to reduce match, the Grantee shall provide a revised SF-424, a revised form HUD 424 CBW, and a revised budget narrative. Also, the grantee must include justification for the change.

7. Budget

The Grantee shall incur eligible costs in conformance with the original or negotiated budget, presented with the proposal for this grant. The Grantee shall not commingle any funds computed under this grant with any other existing or future operating accounts held by the Grantee.

The Standard Form 425 Financial Status Report, detailing match, or in-kind contributions shall be submitted quarterly to the GTR via the HHGMS reporting system by attaching the report to the corresponding quarterly report as specified in Article 38, Project Management System. OLHCHH must receive a signed document. A Final Report (along with a final Standard Form 425) is due no later than 120 days after the end of the period of performance. See Article 6, Amount of Cost Share, regarding the holdback of 3% of the Federal amount pending the receipt and approval of the Final Report. The Final Report should detail the progress made in achieving the purpose of the grant and adequate documentation of the total funds expended in support of the activities to achieve this purpose (Federal, leverage, and in-kind statutory percent match amounts). Failure to submit a Final Report within 120-days from the end of the grant period of performance may result in the grant being administratively closed and all outstanding funds recaptured by HUD or the Treasury. For guidance on how to complete the Grantee's Final Report, see [OLHCHH Policy Guidance 2012-05](#).

8. Certifications and Assurances

The certifications and assurances submitted in the Grantee's application are incorporated into this award document. They include, but are not limited to:

- a. Standard Form 424 (SF-424), Application for Federal Assistance
- b. Certification and Disclosure Form Regarding Lobbying (SF-LLL)
- c. Applicant/Recipient Disclosure Update Report (HUD-2880)
- d. Certification of Consistency with the Consolidated Plan (HUD-2991)

9. Changes to Award Agreement

In accordance with 2 CFR Part 200 as applicable grantees/recipients and subgrantees must obtain the prior approval of the awarding agency ([see OLHCHH Policy Guidance 2013-03](#)) whenever any programmatic changes are anticipated to include the following:

- a. Subrecipient or Contractor receiving funds greater than \$10,000.00 classification must be approved in writing by the Grant Officer regarding their classification status.
- b. Any equipment over \$5,000 must obtain prior approval in writing from the GTR or Grant Officer.
- c. Initial and any updated contact information must be provided within 30 days (See Article 13).
- d. Any revision of the scope or objectives of the project (e.g., change in the target area(s), intervention methods, institutional review board approval to be obtained, interim or final benchmarks of numbers of environmental reviews to be completed, housing units to be treated, number of people to be trained, etc.) regardless of whether there is an associated budget revision requiring prior approval);

- e. Request to extend the period of performance/availability of funds.
- f. Any budget revisions must be approved by the GTR. Also, budget revisions that are 10% or more of the cumulative transfers among direct cost categories, or, if applicable, among separately budgeted programs, projects, functions, or activities which exceed or are expected to exceed ten percent of the current total approved budget need to be approved by the GTR and the Grant Officer
- g. Changes in key personnel as specified in an application or a grant award. In research projects, a change in the project director or principal investigator always requires approval by the Grant Officer.
- h. Contracting out, sub-granting (if authorized by law), or otherwise obtaining the third party (e.g. vendors) to perform activities that are central to the purposes of the award.
- i. International Travel – All international travel that is required to ensure the goals of the grant MUST have prior approval in writing from the assigned GTR with concurrence from the Grant Officer before the travel takes place.

10. Closeout (See [OLHCHH Policy Guidance 2012-05](#))

The Grantee shall provide the closeout documentation to the GTR within 120 days after the end of the performance period, consisting of the following elements:

- a. Final Narrative Report
- b. Final breakdown and justification of budget categories including direct costs, administrative costs, match/cost-share, and indirect cost rate, if applicable.
- c. Part 3 from the Healthy Homes Grants Management System (HHGMS) on-line quarterly reporting system.
- d. Final Federal Financial Report (SF-425)
- e. The final invoice for incurred expenses (All budget expenses reported in the SF-425, LOCCS, and placed HHGMS must match before the grant can be closed out); and
- f. Final quarterly reporting into the Healthy Homes Grants Management System on-line quarterly reporting system (only if additional housing units were completed and cleared during the closeout period).
- g. Signed statement by the authorizing official that the HHGMS award page reflects all fiscal draws, balances, administrative burden, and benchmark counts that are claimed in the final report submitted.

The grantee can use the online Section 3 Summary Reporting System at <http://www.hud.gov/section3> to ensure that the form HUD-60002 is received by the appropriate HUD office on time.

HUD will notify the Grantee in writing when the Grant is closed. The Grantee has three areas of continuing responsibility after closeout of award:

- a. Records and materials must be kept in a safe place and be accessible to HUD, auditors, and other government officials for at least 3 years from the end of the award's period of performance. This requirement also extends to all sub-grants/sub-wards and subcontracts the Grantee has executed for over \$10,000.
- b. Accountability for property continues if the Grantee holds the property, or for the period established by the award document. Disposal of property must be in accordance with 2 CFR §200.310-§200.316. See **Article 37, Program income**, regarding the use of those funds.
- c. Notification to the GTR and Grant Officer if at any time during the three years after the period of performance, the Grantee organization is discontinued or changes location. The GTR and Grant Officer shall be notified immediately of the new address or the address of the party retaining all records.

11. Conduct of Work

During the effective period of this grant, the Government Technical Representative shall be responsible for monitoring the technical effort of the Grantee. The Grantee **must** allow and fully cooperate with both remote monitoring requests and on-site monitoring visits. Failure to comply with a request associated with remote monitoring within a reasonable timeframe (determined by the GTR or Grant Officer) may result in "High Risk" designation, suspension, or termination of the grant. See **Article 46, Suspension, and Termination (For Cause)**.

The Grantee or Subgrantee shall not engage in any unethical activities during the grant performance period. If HUD decides that the Grantee or Subgrantee has engaged in unethical activities, the Grantee or Subgrantee will be subject to "High Risk" designation or suspension until the activities have ceased and assurance acceptable to HUD is given that no further activities will occur; also, HUD may take enforcement action under 2 CFR §200.338.

Mandatory Disclosure Requirements: The Grantee and Subgrantee must promptly disclose in writing to HUD, all violations of Federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the Federal award. Failure to make disclosures can result in any of the remedies described in §200.339. Actions taken are subject to **Article 46, Suspension, and Termination (For Cause)**.

12. Collection of Data

The collection of data from ten or more respondents and sponsored by HUD shall be subject to the Paperwork Reduction Act (44 U.S.C. 3501-3520). If a survey instrument for a collection of data sponsored by HUD is proposed, it will be subject to review and approval by the Office of Management and Budget (OMB). Such review and approval must be obtained before the use of the survey instrument. Also, the approval time may considerably lengthen the time required for the completion of the proposed project. The Grantee should consider requiring the use of a survey or other information collection sponsored by HUD. The collection of data is deemed to be sponsored by HUD only under the following conditions (5 CFR 1320.3):

- a. The Grantee is conducting the collection of information at the specific request of HUD; or

- b. The terms and conditions of the grant require specific approval by HUD of the collection of information or collection procedures. Note that if the Grantee decides on its own to collect information and it does not need HUD approval to do so, then HUD is not the “sponsor” of the information collection.

The Grantee shall cooperate fully with any research or evaluation sponsored by HUD or another government agency associated with this grant program, including preservation of project data and records and compiling requested information in formats provided by the researchers, evaluators, or HUD. This also may include the compiling of certain and relevant local demographic, dwelling unit, and participant data not contemplated in the original proposal. Participant data shall be subject to the Privacy Rule of the Health Insurance Portability and Accountability Act of 1996 (HIPAA). HIPAA and the Privacy Rule can be found at <https://www.hhs.gov/hipaa/index.html>

13. Contact Information Updates

The Grantee must inform the GTR within 30 days of any changes in contact information, including the organization’s name, address, telephone, e-mail, and key personnel or authorized official change.

The transferring of a grant to another entity/organization within the structure of the Native American Tribe, or Tribally Designated Housing Entity, requires notifying the GTR for involvement in the transferring process. Also, the Grantee **must** submit a request and receive written approval (HUD-1044) **before** the transfer from the Grant Officer is processed through HHGMS. Failure to receive written approval may result in sanctions, suspension, or termination of the grant. **See Articles 43 and 46, Sanctions, Suspension, and Termination (For Cause).**

14. Copyright

HUD reserves a royalty-free, nonexclusive, and irrevocable license to reproduce, publish, or otherwise use, and to authorize others to use for Federal government purposes: (a) the copyright in any work developed under this award, sub-award, or contract awarded under this grant; and (b) any rights of copyright to which a Grantee or sub-Grantee or a contractor purchases ownership with award funds.

Section 508 of the Rehabilitation Act of 1973 requires all Federal electronic and information technology to be accessible by people with disabilities. All Products of Work that will be posted on HUD’s website must meet [HUD’s Web Publication Standards and Procedures](#).

15. Direct Costs

Direct Costs as defined in 2 CFR §200.413 and these terms and conditions are those costs that can be identified specifically with a particular final cost objective, such as a Federal award, or other internally or externally funded activity, or that can be directly assigned to such activities relatively easily with a high degree of accuracy. Detailed explanations of direct costs are provided in 2 CFR Part 200, Subpart E – Cost Principles.

Lead-Based Paint Hazard Control (LBPHC) grants, Lead Hazard Reduction Demonstration (LHRD) grants, and Healthy Homes Production (HHP) grants: OLHCHH Policy Guidance, “PGI-2015-01-Clarification of Costs for LHRD and LBPHC Grant Programs” clarifies program costs, administrative costs, direct cost, and indirect costs for LBPHC, LHRD, and HHP grants. **Note that this policy**

guidance does not apply to Lead Technical Studies grants or Healthy Home Technical Studies grants.

16 Disputes

During the performance of the grant, disputes may arise between the Grantee and the GTR, or between Grantee and the Grant Officer. If a dispute with the GTR arises, the Grantee may solicit the assistance of the Grant Officer in resolving the dispute, and/or may appeal the determination by the GTR to the Grant Officer.

If a dispute with the Grant Officer arises, or if the Grantee has appealed a decision by the GTR to the Officer Specialist, the Grant Officer shall prepare a final decision, considering all facts and documentation presented. The decision shall be in writing to the Grantee.

If the Grantee disagrees with the final decision by the Grant Officer, the Grantee may appeal the decision to the Director, Grants Services Division, OLHCHH. If the Grantee wishes to submit a second appeal, the Grantee may appeal to the Deputy Director, OLHCHH. If the Grantee wishes to submit the third appeal, the Grantee may appeal to the Director, OLHCHH for a final decision.

17. Estimated Cost and Payment – Line of Credit Control System (LOCCS)

The Grantee shall be reimbursed for allowable costs incurred in the performance of work under this grant in an amount not-to-exceed “Total HUD Amount” on the form HUD-1044.

- a) Incurred costs shall be reimbursed through eLOCCS under the HUD's Line of Credit Control System. eLOCCS is accessed through the HUD internet portal called Secure Systems and sometimes referred to as the online systems. To gain access to eLOCCS, grantees must obtain a Secure System's User ID and password. The Secure System's User ID will be used to complete the HUD-27054E form that will be mailed to their Program Office.
- b) All information needed to obtain a secure system user ID and complete the eLOCCS registration process can be found at [eLOCCS Access Guidelines from Grantees](#).
- c) It is imperative that Grantees thoroughly review the eLOCCS Access Guidelines for Grantees.
- d) **Under IT Security guidelines, specifically the National Institute of Standards and Technology SP 800-53, users shall not share Secure Systems User IDs and Passwords. If user-ids are found to be shared, access will be terminated.**
- e) The Grantees (all new or reinstated user who needs to access eLOCCS) will need to complete the LOCCS HUD-27054E form, have it notarized, and send the *original* HUD-27054E LOCCS Access Authorization Form (with the original signature and notary seal) via U.S. Mail or Express Mail (preferred method) to the **OLHCHH (Grant Officer)** for review.
- f) The **Grant Officer** must review the form and validate that the grantee is the correct official accessing the grant, and program area requests are accurate. The **Grant Officer** signs and dates the HUD-27054E LOCCS Access Authorization Form acknowledging the review and authorization. The Program Office must then send the original LOCCS Access Authorization Form (with the *original* signature and notary seal) via U.S. Mail to the OCFO's Security office.

Before receiving funds from HUD, the Grantee must designate a financial institution for HUD to make direct deposit payments through the ACH system. The grantee must fill out the [SF-1199a](#) along with a voided check or statement from Financial Institution (on letterhead) and mail the form to the Grant Officer.

If the Grantee, during the performance of this grant, elects to designate a different financial institution for the receipt of any payments, notification of such change and the related information must be received by the Grant Officer at least 30 days before the date such change is to become effective.

The Grantee shall submit to the GTR the original documents (voucher) related to reimbursements requested for work performed. The voucher shall be supported by a detailed breakdown of the cost(s) claimed. Grantees are to use the Part 3 – Financial Reporting Form in accordance with OLHCHH Policy Guidance PGI 2015-02, “Line of Credit Control System (eLOCCS) Reimbursement Procedures”.

Note: Should you have any questions, please contact your Grant Officer.

Funds advanced to the Grantee shall be maintained in an interest-bearing account. Any interest earned by the Grantee as a result of the advanced funds shall be promptly returned to HUD by check. **All remittances shall be accomplished as follows:**

The check should be made out to the **U.S. Department of Housing and Urban Development with the grant number on the check stub.**

Express Mail to: **Department of Housing and Urban Development
451 7th Street SW, Room 8236
Washington, DC 20410-3000
Attn: Jeffrey Simpkins**

The Grantee may retain up to \$500.00 of interest earned per Grantee’s fiscal year for administrative expenses (2 CFR §200.305(b)(9)).

State universities and hospitals shall comply with the Cash Management Improvement Act (CMIA, <http://www.fms.treas.gov/cmia/> as it pertains to interest).

18. Equipment

The following equipment above \$5,000 is allowable, in accordance with the OLHCHH NOFA for the applicable grant program, to be acquired for the performance of this grant:

- **XRF Instruments;** X-Ray Fluorescence (XRF) instruments purchased with Federal funds for use in the OLHCHH Grant programs will remain the property of the Grantee under the conditions cited in 2 CFR §200.313, as applicable.
- **Leased Vehicles; Leasing Motor Vehicles;** must be used by the Grantee in the program or project for which it was acquired for as long as needed and must not encumber the property without prior approval of the OLHCHH in accordance with 2 CFR §200.313(c).

19. Flow Down Provisions

If the Grantee sub-awards funds under this agreement with an entity to perform work under this award, the Grantee shall include in the sub-award agreement these Terms and Conditions and any other provisions as may be necessary to ensure that the sub-grantees or sub-recipients comply with the requirement of the grant.

In accordance with 2 CFR §200.328, “Monitoring and Reporting Program Performance” Grantees are responsible for oversight for the operations of the Federal award supported activities. Grantees must monitor its activities under Federal awards to assure compliance with applicable Federal requirements and performance expectations are being achieved. Monitoring by the Grantee must cover each program, function, or activity. See also 2 CFR §200.332 – “Requirements for Pass-Through Entities”.

20. Grantee Lead Certification Program Requirement

The Grantee and Subgrantee agree that any funds under this grant used for lead-based paint hazard evaluation or control activities shall be conducted by firms and persons qualified for the activities according to 24 CFR Part 35, subpart R (possessing, as applicable, certification valid for the State or Tribal area in which the activity is conducted as abatement contractors, risk assessors, inspectors, abatement workers, or sampling technicians), and that laboratories used for the analysis of samples for lead in paint, soil or dust shall be recognized by the U.S. Environmental Protection Agency for the analysis of those samples under EPA’s National Lead Laboratory Accreditation Program.

21. Single Audit Reporting Requirements

Under 2 CFR Part 200, Subpart F – Audit Requirements, a Single or Program Specific Audit Report must be conducted each fiscal year for non-federal entities that exceed \$750,000 in federal grant awards and submitted to the Federal Clearing House System as a requirement under the Single Audit Act of 1984 (amended in 1996). Grants may be placed on “High Risk” designation, suspended, or terminated for failing to submit the Single Audit Report. **See Article 46, Suspension, and Termination (For Cause).**

The website for the Single Audit Report submission is <https://harvester.census.gov/facweb/>

22. HUD’s Right to Audit and Disallow Cost and Recover Funds

The Government reserves the right to **recover and recapture any funds** that were not expended under the requirements; considered an **ineligible program cost**; or conditions of this agreement based upon HUD review, the final audit, a monitoring site visit, or any other special audits or reviews undertaken. HUD has the right to order a special audit, even if the Grantee’s auditor or a cognizant agency has already conducted one.

Access to Records of Grantees and Subgrantees - HUD and the Comptroller General of the United States, or any of their authorized representatives, **shall have the right to access** any books, documents, papers, or other records of Grantees and Subgrantees that are pertinent to the grant, to conduct audits, monitoring visits, examinations, excerpts, and transcript.

Later Disallowances and Adjustments - the closeout of a grant does not affect:

- HUD's right to disallow costs and recover funds based on a later audit or another review (2 CFR §200.344).
- The Grantee's obligation to return any funds due as a result of later refunds, corrections, or other transactions including final indirect cost rate adjustment (2 CFR §200.344).
- Audit requirements in 2 CFR Part 200, Subpart D – Post Federal Award Requirements of this part, §200.334-§200.337.
- Property management and disposition requirements in 2 CFR §200.310 – §200.316; and
- Audit requirements in CFR Part 200, Subpart F – Audit Requirements.

23. Incurrence of Costs

The Grantee can incur costs for activities beginning on the effective date on the form HUD-1044. Any costs incurred before the date are not allowable costs unless specifically authorized in writing by the Grant Officer with the concurrence of the GTR.

24. Indirect (F&A) Cost Rate

If the Grantee has received a current federally negotiated indirect cost rate from its cognizant agency, reimbursement will be made based on the current federally negotiated indirect cost rate.

Any Grantee, except for those non-Federal entities described in Appendix VII to Part 200—States and Local Government and Indian Tribe Indirect Cost Proposals, paragraph D.1.b, may elect to charge a de minimis rate of 10% of **Modified Total Direct Costs (MTDC)*** which may be used indefinitely. As described in 2 CFR §200.403 Factors affecting allowability of costs, costs must be consistently charged as either indirect or direct costs but may not be double charged or inconsistently charged as both. If chosen, this methodology once elected must be used consistently for all Federal awards until a non-Federal entity chooses to negotiate for a rate, which the non-Federal entity may apply to do at any time.
*[*See definition on page 5]*

In Category 10, the Indirect Costs, on the HUD-424-CBW, the Grantee shall enter the federally negotiated indirect cost rate or the de minimis rate of 10%. Then the Grantee must apply the appropriate indirect cost rate and base (MTDC) to calculate the total estimated indirect cost for the grant.

Therefore, in Category 10: Rate x Base (MTDC) = Estimated Cost.

25. Inspection and Acceptance

Inspection, review, correction, and acceptance of all deliverables under this award shall be the responsibility of the GTR.

26. Key Personnel

Personnel specified as key personnel in the original grant application (HUD Form 96012) are essential to the work being performed hereunder. **The Program Manager must commit at least 75% of their time to grant awards.** Before diverting any of the specified individuals to other work, to include reductions in the allocation of time spent on the grant by any of the key personnel, the Grantee shall notify the Grant Officer and GTR reasonably in advance, in writing, and shall submit justification (including

proposed substitutions with the qualifications and experience of the substitute personnel) in sufficient detail to permit evaluation of the impact on the work effort and quality.

At a minimum, HUD requires a current resume detailing the individual's experience as it relates to the position being sought. All changes to key personnel (except upon the death of such personnel) must be approved by the GTR in advance and may be denied in writing. No diversion shall be made by the Grantee without the prior written consent of the Grant Officer. Minimum Training and Qualification Expected for Program Manager include lead inspector risk assessor training and certification; if certification is required in the state to review or design scopes of work.

Also, if the Program Manager will oversee or complete onsite unit monitoring; lead-safe work practices class is also expected to be completed by any candidate before placed in the program manager position. A program manager candidate may be approved conditionally based on the training and certification taking place timely after the hiring of the candidate with the expectation that they work with a mentor that is assuming full accountability for review and approval of unit documents until the GTR is satisfied that the candidate is ready to assume the responsibility independently.

27. Liability Insurance

Costs of insurance required or approved and maintained, under the Federal award, are allowable. Costs of other insurance in connection with the general conduct of activities are allowable subject to limitations. See 2 CFR §200.447.

Medical liability (malpractice) insurance as defined by 2 CFR §200.447, "Insurance and indemnification," is *an allowable cost of Federal research programs only* to the extent that the Federal research programs involve human subjects or training of participants in research techniques. Medical liability insurance *costs must be treated as a direct cost* and must be assigned to individual projects based on how the insurer allocates the risk to the population covered by the insurance.

28. Limitation on Consultant Payments

Consultants may not be paid or provided reimbursement for payment, whether retained by the federal government or the Grantee, at a rate more than the equivalent of General Schedule 15, Step 10 base pay rate for the current federal pay year in which the consultant performs services under the grant. Consultants retained for technical assistance on the grant must provide documentation that they are providing services eligible, unique, and reasonable to the grant program and that is nonduplicative to what the GTR is already providing to the grantee directly.

29. Limitation Payments to Influence Certain Federal Transactions

31 U.S.C. section 1352 provides in part that no appropriated funds may be expended by the recipient of a Federal contract, grant, or loan to pay any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with any of the following covered Federal actions: the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, or loan.

30. Lobbying Activities Prohibition

The Grantee is subject to the provisions of section 319 of the Department of Interior and Related Agencies Appropriation Act for Fiscal Year 1991, 31 U.S.C. 1352 (the Byrd Amendment), implemented in HUD regulations at 24 CFR Part 87, and to the provisions of the Lobbying Disclosure Act of 1995, P.L. 104-65 (December 19, 1995).

31. Grant Deliverables

The Grantee shall complete and submit a final negotiated work plan, benchmarks (with Benchmark Standards-Form HUD 96008), and the Grantee's policy and procedures within 60 days after the effective date of the grant. These are subject to review and approval by HUD for incorporation as part of the grant. These revisions shall update the general plan submitted in the Grantee's proposal and include any negotiated changes of the work plan or budget if applicable. The plan shall be developed according to the instructions and benchmark standards that will be provided by the Government Technical Representative (GTR) for the grant program as applicable.

The work plan consists of the goals and time-phased objectives and deliverables for each of the major tasks to be undertaken by the program. Benchmark standards (milestones) have been developed to assist the Grantee plan and implement its program in a timely and cost-effective manner. A revised budget, in accordance with the final negotiation, shall be submitted (if necessary). The policy and procedures shall also include a detailed narrative description of how assistance and funding will flow from the Grantee to the actual performers of the hazard reduction work; the selection process for sub-recipients and vendors; the selection process for the particular properties to be abated, the lead hazard control activities to be undertaken, and the screening, health, and other measures to be taken to protect children and other occupants. Where the tasks are interdependent, the work plan and policy and procedures shall indicate how each interdependent task will provide needed inputs to the others. (See, also, **Article 39, Project Management System**).

32. Order of Precedence

In the event of any inconsistency among any provisions of this grant, the following order of precedence shall apply:

- Statutes
- Regulation other than 2 CFR Part 200, Uniform Administrative Requirements (see below)
- The applicable NOFA, including the General Section and the Program Section
- Grant Agreement (form HUD-1044), including Terms and Conditions
- Management and Work Plan
- Special Conditions
- Schedule of Articles
- 2 CFR Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards
- Grantee's Proposal (If incorporated, except for the Management and Work Plan see above)

33. Patent Rights (Small Business Firms and Nonprofit Organizations)

Patent rights are as specified in 37 CFR Part 401, entitled “Rights to Inventions Made by Nonprofit Organizations and Small Business Firms Under Government Grants, Contracts and Cooperative Agreements.” Inquiries regarding this Patent Rights clause should be in writing and directed to:

Government Technical Representative - GTR identified on the form HUD-1044
U.S. Department of Housing and Urban Development
Office of Lead Hazard Control and Healthy Homes
U.S. Department of Housing and Urban Development
451 Seventh Street SW, Room 8236
Washington, DC 20410-3000

34. Period of Performance and Extensions and Incurring Costs or Obligating Federal

The Grantee shall provide all services stipulated in this award agreement for months specified on the form HUD-1044, “Assistance Award/Amendment” Continuation Sheet from the effective date stipulated on the form HUD 1044. Grantees are to comply with the requirement of 2 CFR §200.309 and §200.344, as applicable, in charging costs to the grant. All obligations incurred under the award must be liquidated not later than 120 days after the end of the funding period. The preparation of the final administrative and financial reports is to be completed within 120-days after the end of the period of performance.

The Grantee shall not incur costs or obligate funds for any purpose pertaining to the operation of the project, program, or activities beyond the expiration date stipulated in the award. The only costs which are authorized for a period of up to 120 days following the award expiration date are those strictly associated with closeout activities. Closeout activities are normally limited to the preparation of final progress, financial, and required project audit reports unless otherwise approved in writing by the Grant Officer.

An extension of the award period can be authorized only by the Grant Officer in writing. Neither verbal assurances, nor written assurances of funding from other than the Grant Officer, shall constitute authority to obligate funds for programmatic activities beyond the expiration date.

The OLHCHH has no obligation to provide any additional prospective funding. Any amendment of the award to increase funding or extend the period of performance is at the sole discretion of the OLHCHH.

35. Pre-Award Costs

Before the effective date of the Grant, a Grantee may, at its own risk, incur pre-award costs with the prior written approval of the Grant Officer with the concurrence of the GTR. Pre-award costs are those incurred before the effective date of the award directly according to the negotiation and in anticipation of the award where such costs are necessary to comply with the proposed delivery schedule or period of performance. Such costs are allowable only to the extent that they would have been allowable if incurred after the date of the award and only with the written approval of the awarding agency.

36. Profit/Fee

No increment above cost, fee, or profit shall be paid to the Grantee or any subgrantee or sub-recipient under this award.

37. Program Income

Any program income derived as a result of this award, including royalties, whether obtained during or after the period of performance, shall be added to funds committed under the Grantee's award to further activities eligible for assistance under this award under 2 CFR Part 200 as applicable, including 2 CFR §200.305 and §200.307. The program income must be used for the purposes and under the conditions of this award. If not contained in the Work Plan or under Special Conditions itemized in these provisions, before using program income to further the objectives of the grant program, the parties shall mutually agree by written amendment on the use of program income.

38. Project Management System

a. Deliverables

The Grantee shall include a schedule listing all significant project benchmark milestones, and dates for submission of all project deliverables including quarterly project reports, interim reports where appropriate, the final report, and financial reports utilizing form HUD-425. Upon approval of the work plan, the Grantee shall ensure all deliverables identified in the Work Plan and Benchmark schedule are delivered on time.

b. Quarterly Progress Reports

Quarterly reports will be due no later than January 30th, April 30th, July 30th, and October 30th, for the preceding quarter following the initiation of the grant through project close-out and should be submitted as soon as possible after the end of the quarter. If a due date falls on a federal weekend or holiday, or an otherwise-closed HUD workday in Washington, DC, it shall be extended to the next Federal workday in Washington, DC, without affecting subsequent due dates. Quarterly reports must reflect activities undertaken, obstacles encountered, solutions achieved, and accomplishments in each calendar quarter. Also, a separate document illustrating the match contribution for each quarter is required (See **Article 6, Amount of Cost Share**). Contracts, training materials, protocols, rosters of persons trained, outreach and educational materials prepared, and other significant products developed to implement, analyze or control the project or disseminate information shall be submitted with the quarterly reports as attachments.

The Grantee shall use the Healthy Homes Grant Management System (HHGMS), or a replacement system selected by the OLHCHH, after notifying the Grantee. The reporting system requires the submission of a work plan with specific, time-phased, and realistic goals, objectives, and benchmark milestones established. Quarterly status reports that show progress and measure performance of the program in meeting approved work plan goals, objectives, and benchmark milestones shall be submitted. The reporting system utilizes quantifiable data and a narrative description of progress.

The Grantee is advised that failure to submit timely quarterly progress reports will result in not having its “eLOCCS Request Voucher for Grant Payment” processed and/or approved for payment until the quarterly progress report is submitted to HUD.

c. Annual Reports

[Race and Ethnic Data Reporting Form HUD-27061](#). The Race and Ethnic Data Reporting Form must be submitted annually by January 10

d. Final Report

The Final Report shall summarize the applicant’s plans, execution of the plans, achievements noted, and lessons learned. The report need not be lengthy but should be of a quality and detail to provide a freestanding description to any outside reader of all the applicant’s work and achievements under the grant and compare the grantee proposal of achievements with actual results. Specific and detailed guidance on preparing the forms and the narratives may be obtained from the GTR identified on Form HUD-1044. See Article 10, “Closeout” and [“Policy Guidance Number 2020-06 - Closeout Procedures for OLHCHH Grantees.”](#)

39. Publications and News Releases

The results of work conducted under the award may be made available to the public through dedication, assignment by HUD, or other means, as HUD shall determine. All interim and final reports and any other specified deliverables shall be owned by the government and held for the benefit of the public which shall include the Grantee and the Grantee’s sub-recipients.

Interim and final reports (need to confirm that this includes the required scientific manuscript) may not be published by the recipient or any sub-recipients participating in the work for sixty days (60) after acceptance of the deliverables by the GTR.

All deliverables, or any part thereof, and any independent products and special products arising from this award, when published by the recipient or other participants in the work shall contain the following acknowledgment and disclaimer:

“The work that provided the basis for this publication was supported by funding under an award with the U.S. Department of Housing and Urban Development. The substance and findings of the work are dedicated to the public. The author and publisher are solely responsible for the accuracy of the statements and interpretations contained in this publication. Such interpretations do not necessarily reflect the views of the Government.”

Copies of all press releases, formal announcements, and other planned, written issuances containing news or information concerning work products or activities of this award that may be made by the recipient or its staff, or any sub-recipient or other person or organization participating in the work of the award, shall, whenever possible, be provided to the GTR for review and comment at least two weeks before the planned release but in no event, later than coincidental with the release.

40. Release of Funds and Environmental Certification

Award of an FY2020 OLHCHH grant does not constitute approval of specific sites where activities that are subject to environmental review may be carried out. Recipients conducting eligible construction,

rehabilitation, repair, weatherization, or related hazard remediation work must comply with 24 CFR Part 58, “Environmental Review Procedures for Entities Assuming HUD Environmental Responsibilities. Recipients that are States, units of general local government, or Native American Tribes must carry out environmental review responsibilities as responsible entities, defined under Part 58. Recipients that are not-for-profit firms, educational or for-profit institutions must contact and partner with the responsible entity, usually the unit of general local government or Native American Tribe of the target area(s), to assume the environmental review responsibilities. Should the responsible entity object to performing the environmental review, or the non-governmental recipient is unable to identify a responsible entity with whom they can partner to perform the environmental review, HUD may designate another responsible entity to perform the review or may perform the environmental review itself under the provision of 24 CFR Part 50. When HUD performs the review itself, following grant award execution, HUD will be responsible for ensuring that any necessary environmental reviews are completed.

Originals	Copies:
Karen M. Griego Program Environmental Clearance Officer Office of Lead Hazard Control and Healthy Homes U.S. Department of Housing and Urban Development 500 Gold Avenue SW, Ste. 7301 Albuquerque, NM 87102 Tel. (505) 346-6462 Fax (815) 572-0033 Karen.M.Griego@hud.gov	(HUD Address on the HUD-1044) Attn: GTR on the HUD-1044

HUD will not make additional payments from the amount awarded to a Grantee for lead hazard and healthy homes evaluation or control until the Grantee's contractors and workers are qualified for the activities according to 24 CFR Part 35 (possessing certification as abatement contractors, risk assessors, inspectors, abatement workers, or sampling technicians, or others having been trained in a HUD-approved course in lead-safe work practices).

Any additional funds requested by the Grantee shall be requested in accordance with **Article 17, “Estimated Cost and Payment - Line of Credit Control System (LOCCS).**

41. Review of Deliverables

Deliverables include, but are not limited to:

- a. All interim and final reports;

- b. Survey instruments required by the Management and Work Plan, if applicable;
- c. Other physical materials and products produced directly under the Management and Work Plan of this grant, if applicable;
- d. Match, in-kind and leverage commitments, if applicable.

The GTR shall be responsible for HUD review, receipt of corrections from the Grantee, and acceptance of the operational deliverables, above, of this grant. Such review(s) shall be carried out promptly by the GTR, so as not to impede the work of the Grantee. Acceptance of the deliverable(s) shall be issued in writing by the GTR, with comments and/or required corrections, within thirty (30) days of the date of the GTR's receipt of such product from the Grantee. The Grantee shall carry out the required corrections if any, provided by the GTR and shall promptly return a revised copy of the product to the GTR. The basis for acceptance shall be the Grantee's good faith efforts to complete the deliverables of this grant. The GTR's review, correction, and acceptance of narrative deliverables shall be limited to: (1) corrections of omissions or errors of fact, methodology, or analysis; (2) deletion of irrelevant materials; and (3) improvements in style readability.

42. Sanctions

Failure to comply with the Federal statutes; regulations, including 2 CFR Part 200; or the requirements established in the award and these provisions, including failure to submit reports **on time and in accordance with the requirements** contained in these provisions, may result in the GTR/Grant Officer taking action to limit access to program funds. Actions by the GTR/Grant Officer may include, but are not limited to: requiring that reports and financial statements be submitted to the GTR/Grant Officer for approval before drawing down any funds; suspending the ability to incur costs or draw funds; and/or suspending or terminating the Grant for non-performance as defined in Article 46, Suspension and Termination (For Cause). HUD may take enforcement action under 2 CFR §200.338, as applicable.

43. Scope of Services

The Grantee shall furnish the necessary personnel, materials, services, equipment, facilities (except as otherwise specified herein) and otherwise do all things necessary for or incidental to the performance of the work outlined in the Grantee's original/revised application under this NOFA as well as the subsequent Statement of Work / Management and Work Plan and Benchmark schedule.

44. Special Conditions

Special Conditions to this award are listed on the form HUD-1044 Continuation Sheets.

45. Suspension and Termination (For Cause)

The Grant Officer may, on reasonable notice to the Grantee and/or Subgrantee, temporarily suspend the award and withhold further payments pending corrective action by the Grantee and/or Subgrantee. The award may be terminated in whole or in part before the end of the performance period **for cause** when the Grantee and/or Subgrantee has failed to comply with the terms, conditions, standards, or provisions of this award. The award may be terminated for convenience when both parties agree that the continuation of the award would not produce beneficial results. Action will be taken in accordance with 2 CFR §200.339 – §200.343.

Effects of Suspension and Termination - Costs of Grantee or Subgrantee resulting from obligations incurred by the Grantee or Subgrantee during a suspension or after the termination of an award are not

allowable unless HUD expressly authorizes them in the notice of suspension or termination or subsequently. Other Grantee or Subgrantee costs during suspension or after termination which are necessary and not reasonably avoidable are allowable if:

- The costs result from obligations which were properly incurred by the Grantee or Subgrantee before the effective date of suspension or termination, are not in anticipation of it, and, in the case of a termination, are non-cancellable, and;
- The costs would be allowable if the award were not suspended or expired normally at the end of the funding period in which the termination takes effect.
- **Relationship to debarment and suspension:** The enforcement remedies identified in this section, including suspension and termination, do not preclude Grantee or Subgrantee from being subject to “Debarment and Suspension” under Executive Orders 12549 and 12689, CFR Part 180 as outlined in CFR §200.339.

APPENDIX 1 - LIST OF ACTIONS DUE

Action	Due Date (Deliverables maybe provided earlier) ¹
Work plan, written policies and procedures, benchmarks, and revised budget with a breakdown of the match	60 days after the effective date of grant
Request for Release of Funds and Certification	60 days after the effective date
Institutional Review Board approval (if applicable)/Approval of Request for Release of Funds and Certification	120 days after the effective date
Grant work/deliverables	As per benchmarks following Institutional Review Board approval/Approval of Request for Release of Funds and Certification
Quarterly Progress Reports with a separate attached document illustrating match status and a current SF-424	30 days after the quarter ends, i.e.: January 30, April 30, July 30, October 30
FFATA sub-award Reporting System	By the end of the month following the month in which the Grantee awards a sub-award greater than or equal to \$30,000
Economic Opportunities for Low- and Very Low-Income Persons (Section 3)	Within 30 days of the end of the grantee fiscal year-end
Race and Ethnic Data Reporting	January 10 annually
Annual Audit	Annually base on the Grantee's fiscal year
Deliverables	In accordance with the benchmark schedule
The 90-day letter confirms all elements outlined in the grant have been met	Due before the end of the period of performance
Final Report (Grant Award).	120 days after the end of the period of performance

APPENDIX 2 – UPDATES TO OMB GUIDANCE FOR GRANTS AND AGREEMENTS

The Office of Management and Budget (OMB) has revised sections of OMB Guidance for Grants and Agreements. This revision reflects the foundational shift outlined in the President's Management Agenda (PMA) to set the stage for enhanced result-oriented accountability for grants. The revisions are limited in scope to support the implementation of the President's Management Agenda, Results-Oriented Accountability for Grants Cross-Agency Priority Goal (Grants CAP Goal) and other Administration priorities; implementation of statutory requirements and alignment of these sections with other authoritative source requirements; and clarifications of existing requirements in particular areas within these sections.

The following sections of the Code of Federal Regulations were revised:

- 2 CFR 25 – Universal Identifier and System for Award Management
- 2 CFR 170 – Reporting Sub-award and Executive Compensation Information
- 2 CFR 183 – Never Contract with the Enemy
- 2 CFR 200 – Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards

Effective Dates: The revisions are effective **November 12, 2020**, except for the amendments to Secs. 2 CFR 200.216 and 200.340, which were effective on **August 13, 2020**. Recipients will be responsible for complying with those revisions once in effect.

The following is a summary of the major changes that may directly affect **Lead-Based Paint Hazard Control, Lead Hazard Reduction Demonstration, and Lead Hazard Reduction** program grant recipients. Note that some CFR citation numbers have changed as a result of the revisions; these changes are shown in the table below. This is not an exhaustive list of the revisions that may apply to this award. Please refer to the OMB guidance found in the Federal Register for a detailed explanation of the revisions. It can be found at <https://www.federalregister.gov>

2 CFR 25 – Universal Identifier and System for Award Management	
§25.200 Requirements for notice of funding opportunities, regulations, and application instructions.	Recipients must main an active SAM registration including information on a recipient's immediate and highest level owner and subsidiaries, as well as on all predecessors that have been awarded a Federal contract or grant within the last three years, if applicable, at all times during which it has an active Federal award or application under consideration by a Federal awarding agency.
§25.300 Requirement for recipients to ensure subrecipients have a unique entity identifier (new)	A recipient may not make a subaward to a subrecipient that has not obtained and provided a unique entity identifier. However, subrecipients are not required to complete full SAM registration in order to obtain the unique entity identifier.
2 CFR 170 – Reporting Subaward and Executive Compensation Information	
Appendix A to Part 170 - Reporting first-tier subawards	The threshold for reporting subawards that obligate federal funds has increased from \$25,000 to \$30,000 for each action.

Appendix A to Part 170 - Reporting Total Compensation of Recipient Executives for non-Federal Entities	The threshold for reporting the five most highly compensated executives for the proceeding fiscal year increased from \$25,000 to \$30,000.
2 CFR 183 – Never Contract with the Enemy (new part)	
Only applicable to awards with activities being conducted outside of the United States	N/A
2 CFR 200 – Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards	
§200.322 Domestic preferences for procurements (new section)	As appropriate and to the extent consistent with law, the non-Federal entity should, to the greatest extent practicable under a Federal award, provide a preference for the purchase, acquisition, or use of goods, products, or materials produced in the United States. The requirements of this section must be included in all subawards including all contracts and purchase orders for work or products under this award.
§200.340 Termination	The term “for cause” is omitted and replaced with: <i>to the greatest extent authorized by law, if an award no longer effectuates the program goals or agency priorities;</i> ”
§200.332 Requirements for pass-through entities.	Clarifies that pass-through entities are only responsible for addressing subrecipients single-audit findings related to <i>their</i> subaward(s).
§200.344 Closeout	For recipients, extends the submission deadline for final financial, performance and other reports from 90 calendar days after the period of performance to 120 days. Subrecipients must submit all final financial, performance and other reports to the pass-through entity no later than 90 days after the period of performance.
§200.414 Indirect (F&A) costs	Expands the option to use the 10% de minimis indirect cost rate to recipients who previously received a negotiated rate from a Federal cognizant agency (except for those non-Federal entities described in Appendix VII to Part 200—States and Local Government and Indian Tribe Indirect Cost Proposals, paragraph D.1.b) Clarifies that no documentation is required to justify the 10% de minimis indirect cost rate.

RESOLUTION NO. 2020 - _____

**A RESOLUTION APPROVING ACCEPTANCE OF THE US DEPARTMENT OF HOUSING
AND URBAN DEVELOPMENT'S OFFICE OF LEAD HAZARD CONTROL AND HEALTHY
HOMES' LEAD-BASED PAINT HAZARD REDUCTION GRANT**

WHEREAS, lead poisoning is more prevalent in older housing stock; and

WHEREAS, the City's 61701 zip code area contains more than 6,200 pre-1940 housing units and 13,000 pre-1980 housing units; and

WHEREAS, the City's 61701 zip code area has been designated as a high-risk area for lead, based on its older housing stock and concentration of families living in poverty; and

WHEREAS, the City applied for and was awarded by the US Department of Housing and Urban Development a Lead-Based Paint Hazard Reduction Grant with supplemental Healthy Housing funding, which will reduce lead hazards and create healthier home environments for children; and

WHEREAS, the City Council finds it in the best interest of the City to accept the Lead-Based Paint Hazard Reduction Grant with supplemental Healthy Housing funding in the amount of \$2,342,691.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BLOOMINGTON THAT THE US DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT'S LEAD-BASED PAINT HAZARD REDUCTION GRANT WITH SUPPLEMENTAL HEALTHY HOUSING FUNDING IS HEREBY ACCEPTED AND THAT THE MAYOR AND CITY CLERK ARE AUTHORIZED TO EXECUTE ANY NECESSARY DOCUMENTS, INCLUDING THE ASSISTANCE AWARD.

PASSED this 14th day of December 2020.

APPROVED this _____ day of December 2020.

CITY OF BLOOMINGTON

ATTEST

Tari Renner, Mayor

Leslie Smith-Yocum, City Clerk



CONSENT AGENDA ITEM NO. 8.H

FOR COUNCIL: December 14, 2020

SPONSOR: Economic & Community Development Department

WARD IMPACTED: Ward 2

SUBJECT: Consideration and action on an Ordinance Approving a Special Use Permit for Vehicle Sales and Service in the B-1 General Commercial District, for Property Located at 2426 S. Main Street, Bloomington, IL 61704, as requested by the Economic & Community Development Department.

RECOMMENDED MOTION:

The proposed Ordinance be approved.

STRATEGIC PLAN LINK:

-Goal 3. Grow the Local Economy

STRATEGIC PLAN SIGNIFICANCE:

-Objective 3c. Revitalization of older commercial homes

BACKGROUND: The subject property, 2426 S. Main Street, is located east of S. Main Street and south of Southgate Drive. The subject property is approximately 28,426 square feet and is improved with a 7200 square foot retail/office building. The property is zoned B-1 General Commercial District and was previously occupied with a flooring retailer. The building was constructed in 1973 as a car dealership. In 1990, the building's use changed to woodworking space, the "Millworks", and most recently "Flooring America." The petitioner is requesting a special use permit to allow for a used car dealership. The Zoning Ordinance requires a special use permit for vehicle sales in the B-1 General Commercial District. No changes to the site are proposed. A site plan is included with the petition in this packet.

The subject property is adjacent to a gas station, mini-warehouses, and other retail uses. The property east of the subject property was rezoned in January 2020 to B-2, Local Commercial District. The property owner has received tax credits to develop two-family, affordable housing. The Zoning Board of Appeals held a public hearing on the requested special use permit on November 18, 2020. No one outside of the applicant spoke in favor of the petition and no one spoke against it. The Zoning Board of Appeals found the special use permit to comply with the City's standards for a special use and unanimously recommended approval of the permit. The Board also recommended adding the condition that the applicant install a 6 ft fence on the east side of the property to provide screening from the anticipated residential development. The applicant was agreeable to the recommended screening. The Zoning Board of Appeals meeting is available online at www.cityblm.org/live. The meeting materials are also online at <https://www.cityblm.org/Home/ShowDocument?id=25451>. Draft meeting minutes are attached to this memo.

City staff are aware of heightened concerns regarding the current COVID-19 pandemic. However, this agenda item was initiated by a private entity working to redevelop an existing site. Staff is recommending action and approval, since delay could negatively impact this investment in our community. This project is expected to have little to no impact on City resources or finances.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: The Bloomington Zoning Board of Appeals held a virtual public hearing on the special use petition on November 18, 2020. The public hearing was streamed on YouTube and is available online at www.cityblm.org/live. Notice of the meeting was published in *The Pantagraph* on Monday, November 2, 2020. Courtesy notices were mailed to 19 adjacent property owners within 500 feet of the subject property. City staff also placed a large metal notification sign on the property. Residents were allowed to register to participate in the public hearing virtually. Additionally, participants could submit public comments up to 15 minutes prior to the meeting. No one outside of the applicant spoke in favor of the petition. No one spoke against the petition. The Zoning Board found the petition to meet the city's standards for a special use permit and recommended adding a condition requiring a 6ft fence on the east side of the property to provide a screen between the subject property and a proposed residential development. The applicant agreed to the condition. The Board unanimously recommended approval of the special use permit with the additional condition.

FINANCIAL IMPACT: The proposed special use permit will facilitate occupancy of a vacant building. The development could result in additional sales tax for the City. No additional impacts on services and resources are expected.

COMMUNITY DEVELOPMENT IMPACT: Goal ED-1.1 Focus on retention and expansion of existing businesses; Goal ED-4.2 Prioritize infill and redevelopment to spur growth and reinvestment in the City; and Goal ED-4.4 Evaluate commercial land use needs in the context of changing economic trends.

Respectfully submitted for Council consideration.

Prepared by: Katie Simpson, City Planner

Reviewed by:


Melissa Holt, Economic and Community Development Director

12/6/2020


Chris Tomertin, Budget Manager

12/7/2020

George Boyle
George Boyle, Assistant Corporation Counsel

12/9/2020


Tara Henry, Legislative Assistant

12/9/2020

Recommended by:



Tim Gleason, City Manager

Attachments:

- E&CD 1B Ordinance 2426 S Main
- E&CD 1C Exhibit B. Site Plan _Special Use_2426 S Main
- E&CD 1D DRAFT ZBA Minutes 11-18-20_2426 S Main

ORDINANCE NO. 2020 - _____

**AN ORDINANCE APPROVING A SPECIAL USE PERMIT FOR VEHICLE SALES
AND SERVICE IN THE B-1 GENERAL COMMERCIAL DISTRICT, FOR PROPERTY
LOCATED AT 2426 S. MAIN STREET, BLOOMINGTON, IL 61704**

WHEREAS, there was heretofore filed with the Economic & Community Development Department of the City of Bloomington, McLean County, Illinois, a petition and site plan requesting a Special Use Permit for a vehicle sales and service center in the B-1 General Commercial District for certain premises hereinafter described in Exhibit A ; and,

WHEREAS, the Bloomington Board of Zoning Appeals, after proper notice was given, conducted a public hearing on said petition; and,

WHEREAS, the Bloomington Board of Zoning Appeals concluded that the subject property could impact the adjacent planned residential development and requested that additional screening is provided along the eastern board if and when residential development occurs in order to decrease impacts on the surrounding properties; and,

WHEREAS, the Bloomington Zoning Board of Appeals, made findings of fact that such Special Use as illustrated in the Site and Landscape Plans hereinafter described in Exhibit B, complied with the standards for granting such special use, once the condition is added, and specifically:

- 1.) The establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, comfort or general welfare;
- 2.) That the special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood;
- 3.) That the establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the zoning district;
- 4.) That adequate utilities, access roads, drainage and/or necessary facilities have been or will be provided;
- 5.) That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets;
- 6.) That the special use shall, in all other respects, conform to the applicable regulations of the district in which it is located; and,

WHEREAS, the City Council of the City of Bloomington has the power to pass this Ordinance and grant this special use permit with the recommended conditions.

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Bloomington, McLean County, Illinois:

1. That the above referenced recitals are hereby incorporated into this ordinance.
2. That the Special Use Permit for vehicle sales and service for the property at 2426 S. Main Street, legally described in Exhibit A and depicted in Exhibit(s) B, is hereby approved upon the condition that additional screening is provided on the east side of the property to mitigate impacts on the planned residential development.
3. This Ordinance shall take effect immediately upon passage and approval.

PASSED this 14th day of December 2020.

APPROVED this _____ day of December 2020.

CITY OF BLOOMINGTON

ATTEST

Tari Renner, Mayor

Leslie Smith-Yocum, City Clerk

Exhibit A
"Legal Description"

SCHOOL COMR'S SUB SE 16-23-2E
PT LOT 5 - BEG SW COR LOT 5, N TO S LN SOUTHGATE DR,
E TO NW COR LOT 2 SOUTHGATE COMMERCIAL PLAZA SUB 7TH ADD, SE145.28', W TO
POB &
SCHOOL COMR'S SUB SW 16-23-2E
LOT 8 (EX .007A ST OF ILL DEEDS 70-93 & 70-95)

Legal Description

A part of School Commissioners Subdivision in the SE¼ and SW¼ of Section 16, Township 23 North, Range 2 East of the Third Principal Meridian, City of Bloomington, McLean County, Illinois, more particularly described as follows: Beginning at the southwest corner of Lot 9 in Southgate Commercial Plaza Subdivision 3rd Addition; thence N 74° 57' 09" E, 168.32 feet to the southeast corner of said Lot 9; thence N 15° 02' 51" W, 85.00 feet to the east line of said Lot 9; thence N 74° 57' 09" E, 160.00 feet to the southerly extension of the east line of Lot 8 in Southgate Commercial Plaza Subdivision 2nd Addition; thence N 15° 02' 51" W, 250.00 feet to the northeast corner of said Lot 8 on the southerly right of way line of Hamilton Road; thence N 74° 57' 09" E, 203.75 feet on said right of way line; thence northeasterly on said right of way line 678.11 feet on a tangential curve concave to the northwest, said curve having a radius of 2727.89 feet, central angle of 14° 14' 34" and a chord of 676.35 feet bearing N 67° 49' 52" E, from the last described corner; thence N 60° 42' 35" E, 276.22 feet on said right of way line of Hamilton Road; thence northeasterly on said right of way line 209.88 feet on a tangential curve concave to the southeast, said curve having a radius of 452.53 feet, central angle of 26° 34' 23" and a chord of 208.00 feet bearing N 73° 59' 46" E, from the last described corner; to the east line of Lot 3 in School Commissioners Subdivision in the SE¼ of said Section 16; thence S 02° 24' 59" E, 629.82 feet to the southeast corner of said Lot 3, also being the northeast corner of Lot 6 in School Commissioners Subdivision in the SE¼ of said Section 16; thence S 02° 23' 05" E, 233.92 feet on the east line of said Lot 6; thence N 88° 48' 06" W, 846.20 feet; thence S 02° 22' 41" E, 447.23 feet to the south line of Lot 5 in School Commissioners Subdivision in the SE¼ of said Section 16; thence S 88° 47' 07" W, 423.64 feet on the south line of said Lot 5 to a point 1269.90 feet west of the southeast corner of said Lot 6, said point also lying 125 feet east of the southwest corner of said Lot 5 in School Commissioners Subdivision and 77 feet east of the southeast corner of a tract of land commonly referred to as the former Houghton School Lot; thence N 00° 12' 17" W, 145.28 feet to the easterly extension of the north line of said Houghton School Lot; thence S 87° 58' 57" W, 221.67 feet on the easterly extension and north line of said former Houghton School Lot to the easterly right of way line of F.A. Route 2 shown on a plat recorded as Document No. 70-89, the McLean County Recorder of Deeds Office; thence N 13° 37' 49" W, 243.16 feet on said right of way line to the Point of Beginning, containing 23.05 acres, more or less, with assumed bearings given for description purposes only.

City of Bloomington, IL
Tuesday, October 6, 2020

Chapter 44. Zoning

Article XIII. Landscaping and Screening

§ 44-1301. [Ch. 44, 13-1] Purpose and intent.

NEW PROPERTY OWNER WILL SUBMIT DESIGN ALTERNATIVE PER THE ZONING CODE AREA, INDICATED BY [A] LOCATION.

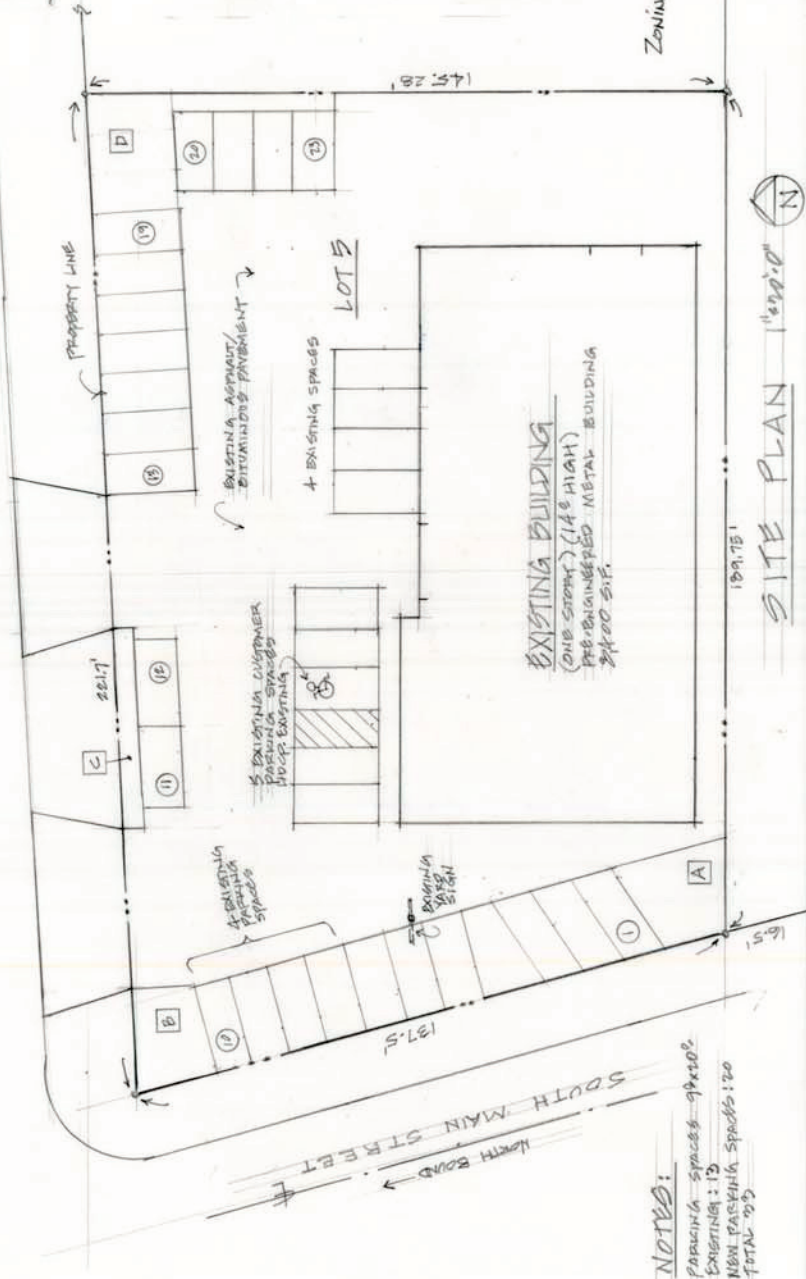
LANDSCAPING SCORING		7 Oct-20	Qty.	Unit Points	Total Points
Common Name	South Main Street				
Red Set Maple 2"			1		
Parson's Juniper - 3 gal.			8	2	
Frontage 135 feet					Total
Southgate Drive					
Red Set Maple 2"			1		
Green Velvet Boxwood 5 gal.			11	3	
Golden Spirea			4	4	
Frontage 221 feet					Total
South Property Line					
Dwarf Burning Bush - 5 gal., 15" - 18"			1	4	
Red Set Maple 2"					
Frontage 189 feet					Total

Zoning: B-1 Highway Business,

BANAZAN MUHAMMADI
2420 SOUTH MAIN STREET, BLOOMINGTON, IL 61701
SCALE: 1"=50'-0"
DATE: 10/06/20
APPROVED BY: [Signature]
DRAWN BY: [Signature]
REVIEWED: [Signature]
PROJECT: PERKINS DESIGN GROUP LLC (300) 530-3582
1 JIMPARSON @ B B M LLC
DRAWING NUMBER
SPECIAL PERMIT-SITE PLAN SITE 1



SOUTHGATE DRIVE



NOTES:
PARKING SPACES - 9x12'
EXISTING: 13
NEW PARKING SPACES: 20
TOTAL: 33



DRAFT
MINUTES

**PUBLISHED BY THE AUTHORITY OF
THE ZONING BOARD OF APPEALS OF BLOOMINGTON, ILLINOIS
WEDNESDAY, NOVEMBER 18, 2020, 4:00 P.M.
WWW.CITYBLM.ORG/LIVE**

The Zoning Board of Appeals convened in Regular Session virtually via zoom conferencing with the City Planner, Katie Simpson, in-person in City Hall's Council Chambers at 4:03 p.m., Wednesday, November 18, 2020. The meeting was live streamed to the public at www.cityblm.org/live. The Meeting was called to order by Chairperson Victoria Harris.

Roll Call

Attendee Name	Title	Status
Ms. Victoria Harris	Chairperson	Present
Mr. Terry Ballantini	Commissioner	Present
Mr. Michael McFarland	Commissioner	Present
Mr. Michael Straza	Commissioner	Present
Mr. Tyler Noonan	Commissioner	Present
Mr. Michael Rivera Jr	Commissioner	Absent
Ms. Nikki Williams	Commissioner	Present
Mr. George Boyle	Assistant Corporate Counsel	Present
Ms. Melissa Hon	Economic & Community Development Director	Absent
Ms. Kimberly Smith	Assistant Economic & Community Development Director	Present
Ms. Katie Simpson	City Planner	Present
Ms. Caitlin Kelly	Assistant City Planner	Present

Regular Agenda:

- A. SP-07-20 Public hearing, review and action on a petition for a special use permit submitted by Ramazan Muharemoski to allow vehicle sales in the B-1 General Commercial District at 2426 S. Main Street, Bloomington, IL 61704. (Ward 2).**

Chairperson Harris introduced case SP-07-20 and asked for the staff report.

Ms. Simpson, City Planner, recommended in favor of approving the special use permit with the condition that a fence or landscaping screen be added to the eastern side of the subject property if and when pending residential development occurs.

Ms. Simpson provided the Commission with a property and neighborhood overview. The subject property is zoned B-1 and is surrounded by B-1 zoning to the north and south, B-2 and R-4 to the east, and M-1 to the west. Neighboring uses include outdoor storage, a gas station, and a mobile home park. Ms. Simpson elaborated on the existing parking, dumpster storage, and landscaping between the site and the adjacent land to the east, stating that additional screening would be needed in order to screen residential uses from light and noise.

Ms. Simpson shared the findings of fact, asserting that the special use permit with the suggested conditions would meet each standard.

Chairperson Harris swore in Erol Muharemoski, son of the applicant Ramazan Muharemoski, for testimony on the case. He described the property's history and plans for establishing a used car dealership at the site, and expressed willingness to comply with the screening conditions. Mr. Muharemoski clarified the screening requirements as they relate to the visibility of the dumpsters with Ms. Simpson.

Mr. Ballantini confirmed that Mr. Muharemoski would be willing to install a six foot tall fence as screening.

Mr. Noonan made a motion to accept the Findings of Fact as a whole including the conditions. Mr. Ballantini proposed that the condition be that the fencing be six feet tall, and Chairperson Harris added that the dumpster enclosure would be included. Mr. Straza seconded it. Roll call vote: Mr. Ballantini - Yes, Mr. McFarland - Yes, Mr. Straza - Yes, Mr. Noonan - Yes, Ms. Williams - Yes, and Chairperson Harris - Yes (6-0-0).

Chairperson Harris moved to approve the petition for special use permit, seconded by Mr. Ballantini. Roll call vote: Mr. Ballantini - Yes, Mr. McFarland - Yes, Mr. Straza - Yes, Mr. Noonan - Yes, Ms. Williams - Yes, and Chairperson Harris - Yes (6-0-0).

Ms. Simpson informed Mr. Muharemoski that the petition would be heard by City Council on December 14th.



CONSENT AGENDA ITEM NO. 8.I

FOR COUNCIL: December 14, 2020

SPONSOR: Economic & Community Development Department

WARD IMPACTED: Ward 7

SUBJECT: Consideration and action on an Ordinance Approving a Special Use Permit for Vehicle Repair and Service in the M-1 Restricted Manufacturing District for Property Located at 604 W. Division Street, Bloomington, IL 61701, as requested by the Economic & Community Development Department.

RECOMMENDED MOTION:

The proposed Ordinance be approved.

STRATEGIC PLAN LINK:

-Goal 3. Grow the Local Economy

STRATEGIC PLAN SIGNIFICANCE:

-Objective 3c. Revitalization of older commercial homes

BACKGROUND: The subject property, 604 W. Division Street, is located at the southeast corner of the intersection of W. Division Street and S. Mason Street. The property is improved with a 72' x 140' pole building which was constructed in 1971. The building was previously used by PEMCO Mutual Insurance Company. According to City inspection records, PEMCO used the pole building at 604 W. Division for cold storage and occasional fleet vehicle maintenance. The PEMCO office was located at the building at 1321 N. Mason. Originally, all buildings were located on one lot, but in 2018 the property was subdivided into three different lots consisting of 604 W. Division, 1321 N. Mason, and 1315 N. Mason Street. Each lot is now under separate ownership. The subject property is adjacent to the Union Pacific Railroad (east), the Bloomington Water Division (north) and single-family residences (west). The property is zoned M-1, Restricted Manufacturing District. The District allows for a multitude of uses by right, ranging from urban gardens and agriculture to vehicle fueling stations. The district contemplates light manufacturing and secondary assembly. Many of the vehicular related uses require a special use permit when adjacent to residential districts. The petitioner is requesting a special use permit to allow for vehicle repair and service. The petitioner also requested variances to the required setbacks and separations outlined in 44.10-34. These included 1.) a 80' decrease in the setback from residential district, 2.) 30' decrease in front yard setback, and 3.) 20' decrease in rear yard setback.

The Zoning Board of Appeals held a public hearing on the requested special use permit on November 18, 2020. The hearing is available online at www.cityblm.org/live. The meeting materials are online at <https://www.cityblm.org/Home/ShowDocument?id=25451>. Staff received 8 emails in opposition to the petition prior to the public hearing. The emails were shared with the Board and with the petitioner. Two people, in addition to the petitioner, spoke in favor of the petition. Three people spoke against the petition. The Zoning Board of Appeals found the petition to meet the City's standards for a special use permit with the

following additional conditions added to the permit: 1.) An opaque fence 3-4 feet in height and/or landscape screen is added to the west boundary of the property. The fence should obstruct headlights from the residential neighbors and in accordance with Division 13 and Division 12 of City Code. 2.) All inoperable vehicles shall be stored on-site and must be fully screened from the residential boundary and public-rights-of-way on Division Street and Mason Street. 3.) All exterior lighting should have a cut-off fixture and be directed down and away from the adjunct residential properties. The petitioner was agreeable to the proposed conditions. The Board unanimously recommended approval of the special use permit, the variances, and the additional conditions. The Board voted to table consideration of a requested variance to allow the sale of vehicles. Vehicle sales would be considered under a separate special use permit submitted later.

City staff are aware of heightened concerns regarding the current COVID-19 pandemic. However, this agenda item was initiated by a private entity working to redevelop an existing site. Staff is recommending action and approval, since delay could negatively impact this investment in our community. This project is expected to have little to no impact on City resources or finances.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: The Zoning Board of Appeals held a public hearing on the requested special use permit on November 18, 2020. The hearing was held virtually and livestreamed online at www.cityblm.org/live. City Hall was open to the public in accordance with city COVID-19 protocols. Notice of the hearing was published in *The Pantagraph* on Monday, November 2, 2020. Courtesy notices were mailed to 61 property owners within 500 feet of the subject property. A large metal sign was also placed on the property. Staff received 8 emails in opposition to the petition prior to the public hearing. The emails were shared with the Board and with the petitioner. Two people, in addition to the petitioner, spoke in favor of the petition. Three people spoke against the petition. The Zoning Board of Appeals found the petition to meet the City's standards for a special use permit with the following additional conditions added to the permit: 1.) An opaque fence 3-4 feet in height and/or landscape screen is added to the west boundary of the property. The fence should obstruct headlights from the residential neighbors and in accordance with Division 13 and Division 12 of City Code. 2.) All inoperable vehicles shall be stored on-site and must be fully screened from the residential boundary and public-rights-of-way on Division Street and Mason Street. 3.) All exterior lighting should have a cut-off fixture and be directed down and away from the adjunct residential properties. The petitioner was agreeable to the proposed conditions. The Board unanimously recommended approval of the special use permit, the variances, and the additional conditions (6-0-0).

FINANCIAL IMPACT: The special use permit encourages reinvestment in an underutilized parcel of land, which could result in additional property tax revenues for the City.

COMMUNITY DEVELOPMENT IMPACT: Goal N-1.1 Enhance the livability of all Bloomington neighborhoods, Objective N-1.1b Ensure sensitive transitions from residential to nonresidential; Goal ED-4.2 Prioritize infill and redevelopment to spur growth and reinvestment in the City; and Goal ED-1.1 Focus on retention and expansion of existing businesses.

Respectfully submitted for Council consideration.

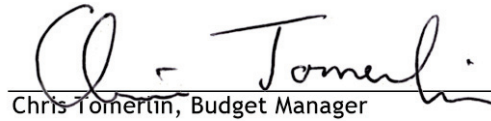
Prepared by: Katie Simpson, City Planner

Reviewed by:



Melissa Holt, Economic and Community Development Director

12/6/2020



Chris Tomertlin, Budget Manager

12/8/2020



Jeffrey R. Jurgens, Corporation Counsel

12/9/2020



Tara Henry, Legislative Assistant

12/9/2020

Recommended by:



Tim Gleason, City Manager

Attachments:

- E&CD 4B Ordinance 604 W Division
- E&CD 4C Exhibit B 604 W Division Street
- E&CD 4D DRAFT ZBA Minutes 11-18-20

ORDINANCE NO. 2020 - _____

AN ORDINANCE APPROVING A SPECIAL USE PERMIT FOR VEHICLE REPAIR AND SERVICE IN THE M-1 RESTRICTED MANUFACTURING DISTRICT FOR PROPERTY LOCATED AT 604 W. DIVISION STREET, BLOOMINGTON, IL 61701

WHEREAS, there was heretofore filed with the Economic & Community Development Department of the City of Bloomington, McLean County, Illinois, a petition and site plan requesting a Special Use Permit for vehicle repair and service in the M-1 Restricted Manufacturing District for certain premises hereinafter described in Exhibit A and an application for variances requesting relief from 44.10-34, specifically, 1.) a 80' decrease in the setback from residential district, 2.) 30' decrease in front yard setback and 3.) 20' decrease in rear yard setback; and

WHEREAS, the Bloomington Board of Zoning Appeals, after proper notice was given, conducted a public hearing on said petition; and

WHEREAS, the Bloomington Zoning Board of Appeals, made findings of fact that such Special Use as illustrated in the Site and Landscape Plans hereinafter described in Exhibit(B, complied with the standards for granting such special use upon meeting certain conditions, specifically:

- 1.) The establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, comfort or general welfare;
- 2.) That the special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood;
- 3.) That the establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the zoning district;
- 4.) That adequate utilities, access roads, drainage and/or necessary facilities have been or will be provided;
- 5.) That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets;
- 6.) That the special use shall, in all other respects, conform to the applicable regulations of the district in which it is located.

WHEREAS the Board of Zoning Appeals also voted to add the following conditions to the Special Use permit: 1.) An opaque fence and/or landscape screen is added to the west boundary of the property. The fence should obstruct headlights from the residential neighbors and in accordance with Division 13 and Division 12 of City Code; 2.) All inoperable vehicles shall be stored on-site and must be fully screened from the residential boundary and public-rights-of-way on Division Street and Mason Street, and

3.) all exterior lighting should have a cut-off fixture and be directed down and away from the adjunct residential properties.

WHEREAS, the Bloomington Board of Zoning Appeals, also voted to approve the requested variance also denoted on Exhibit B.

WHEREAS the City Council of the City of Bloomington has the power to pass this Ordinance and grant this special use permit with the recommended conditions.

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Bloomington, McLean County, Illinois:

1. That the above recitals are hereby incorporated by reference.
2. That the following conditions are added to the special use permit
 - a. An opaque fence and/or landscape screen is added to the west boundary of the property. The fence should obstruct headlights from the residential neighbors and in accordance with Division 13 and Division 12 of City Code;
 - b. All inoperable vehicles shall be stored on-site and must be fully screened from the residential boundary and public-rights-of-way on Division Street and Mason Street, and
 - c. All exterior lighting should have a cut-off fixture and be directed down and away from the adjunct residential properties.
3. That the Special Use Permit for the expansion of a vehicle repair and service facility in the M-1 Restricted Manufacturing District for the property at 604 W Division Street legally described in Exhibit A and depicted in Exhibit(s) B, be approved.
4. That the City approves the following variances from Chapter 44 Division 10-34:
 - a. a 80' decrease in the setback from residential district,
 - b. 30' decrease in front yard setback and
 - c. 20' decrease in rear yard setback
5. This Ordinance shall take effect immediately upon passage and approval.

PASSED this 14th day of December 2020.

APPROVED this _____ day of December 2020.

CITY OF BLOOMINGTON

ATTEST

Tari Renner, Mayor

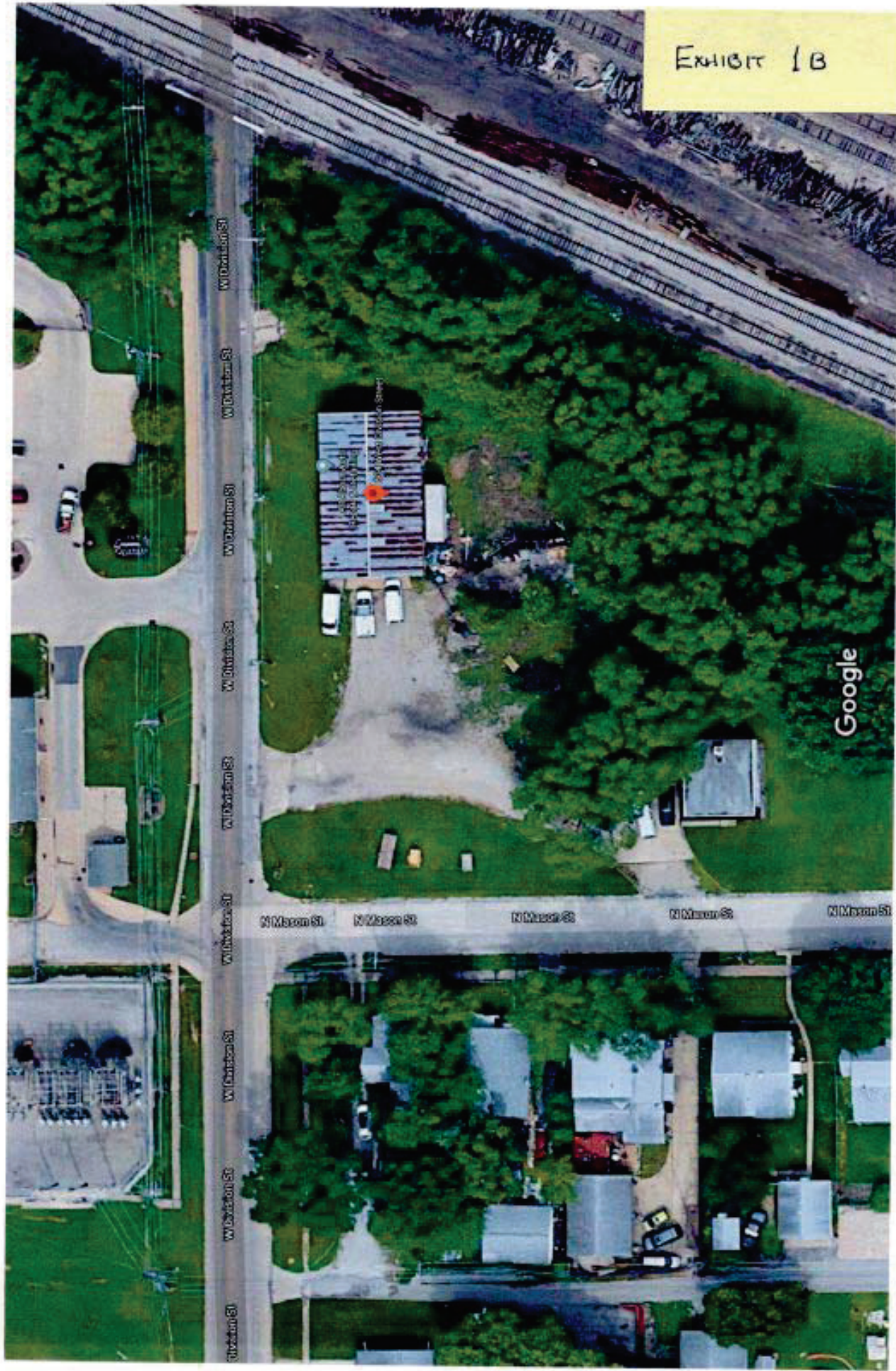
Leslie Smith-Yocum, City Clerk

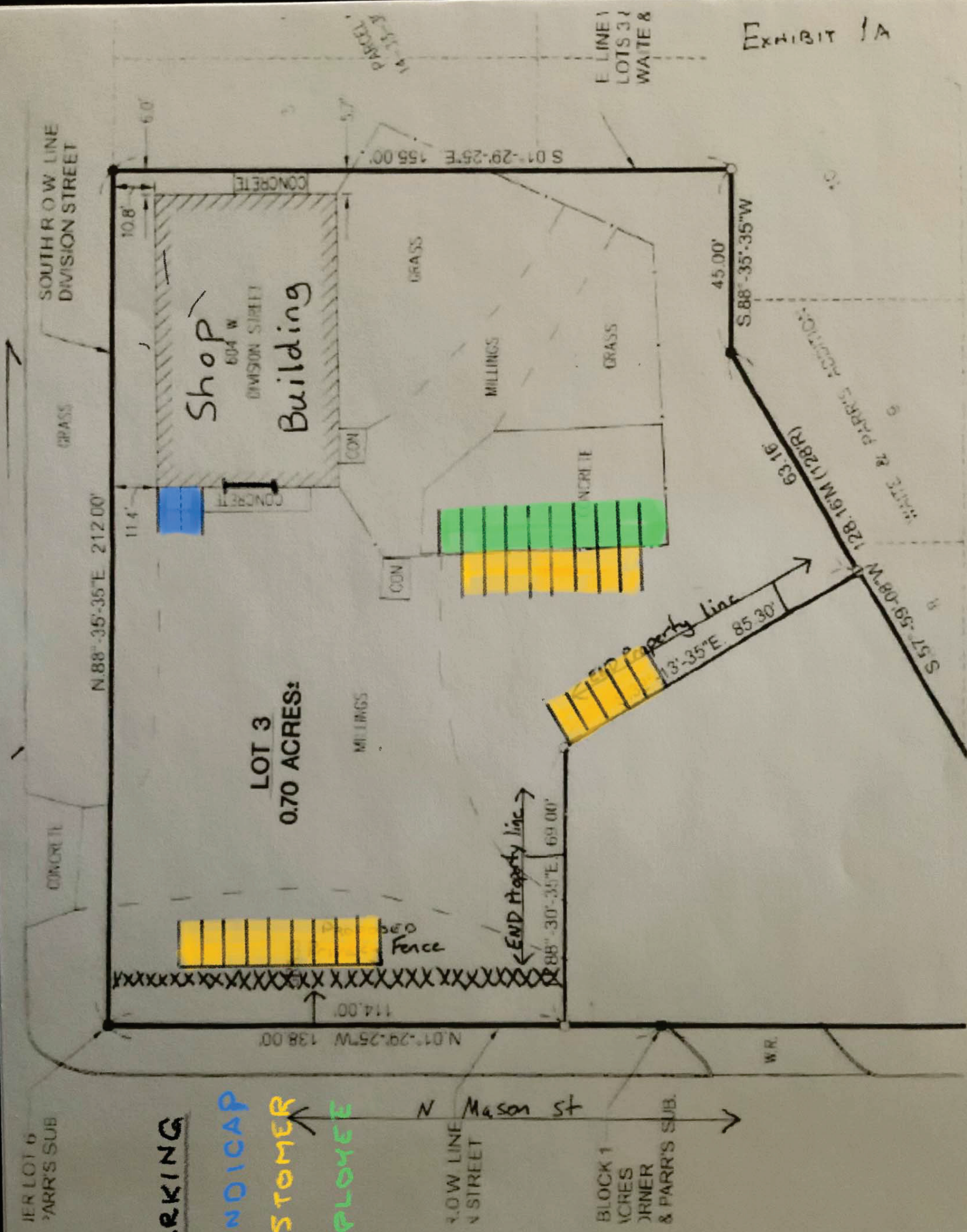
Exhibit A
“Legal Description”

LEGRAND SUB LOT 3

Exhibit B
604 W Division Street







Parking

Handicap

Customer

Employee

N Mason St

ROW LINE
STREET

BLOCK 1
ACRES
ORNER
& PARR'S SUB.



DRAFT
MINUTES

**PUBLISHED BY THE AUTHORITY OF
THE ZONING BOARD OF APPEALS OF BLOOMINGTON, ILLINOIS
WEDNESDAY, NOVEMBER 18, 2020, 4:00 P.M.
WWW.CITYBLM.ORG/LIVE**

The Zoning Board of Appeals convened in Regular Session virtually via zoom conferencing with the City Planner, Katie Simpson, in-person in City Hall's Council Chambers at 4:03 p.m., Wednesday, November 18, 2020. The meeting was live streamed to the public at www.cityblm.org/live. The Meeting was called to order by Chairperson Victoria Harris.

Roll Call

Attendee Name	Title	Status
Ms. Victoria Harris	Chairperson	Present
Mr. Terry Ballantini	Commissioner	Present
Mr. Michael McFarland	Commissioner	Present
Mr. Michael Straza	Commissioner	Present
Mr. Tyler Noonan	Commissioner	Present
Mr. Michael Rivera Jr	Commissioner	Absent
Ms. Nikki Williams	Commissioner	Present
Mr. George Boyle	Assistant Corporate Counsel	Present
Ms. Melissa Hon	Economic & Community Development Director	Absent
Ms. Kimberly Smith	Assistant Economic & Community Development Director	Present
Ms. Katie Simpson	City Planner	Present
Ms. Caitlin Kelly	Assistant City Planner	Present

C. SP-08-20 Public hearing, review and action on a petition for a special use permit and variances submitted by Diego Villagomez to allow vehicle sales and service in the M-1 Restricted Manufacturing District at 604 W. Division Street, Bloomington, IL 61701. (Ward 7)

Chairperson Harris introduced case SP-08-20 and asked for the staff report. Ms. Simpson suggested considering only the special use permit for vehicle repair at this meeting, tabling the variances for the next meeting. She stated that staff recommended in favor of approving the special use permit and variances for vehicle repair with conditions regarding screening, storage, parking, and lighting in consideration of the site's adjacent residential uses, making the point that this may be the only opportunity to mitigate the impacts of industrial uses on the residential zoning via screening.

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Ms. Simpson explained that the applicant seeks to use the site primarily for vehicle repair, with vehicle sales occurring on a separate property as an accessory use. The variances requested by the applicant relate to vehicle sales and setback requirements. She also brought up the potential for traffic impacts on the surrounding neighborhood were the special use permit to be granted. Additionally, Ms. Simpson mentioned that the requested setback variances enable the repair and sales sites to be situated further away from residential neighbors than the code would permit.

Mr. Ballantini and Chairperson Harris inquired as to whether the site's previous use as a PEMCO repair shop entailed the same intensity of work and vehicle traffic. Ms. Simpson indicated that both were likely less intense than the current usage.

Chairperson Harris swore in Mr. Diego Villagomez, the applicant, for testimony. No questions were asked of him.

Mr. Tom Synder, a neighbor, was sworn in for testimony. He spoke in favor of the application.

Mr. Dwayne Young, another neighbor, was sworn in for testimony. He spoke against the application, citing difficulties with parking, communication with the employees, and concerns about diminished property values. He mentioned that the PEMCO facility was quieter.

Mr. Henry Dawdy, another neighbor, was sworn in, speaking against the application. He also cited parking and screening concerns, and inquired about enforcement.

Ms. Cheryl Dawdy, another neighbor, was sworn in. She spoke against the application, mentioning parking concerns and communication difficulties. Ms. Dawdy brought up the fact that garbage trucks have difficulty getting down the street as a result of the crowded parking conditions and expressed concerns over whether fire trucks or other emergency vehicles would be able to fit on the street. She requested screening for the dumpster and cars being worked on.

Mr. Gene LeGrand was sworn in. He spoke in favor of the application, stating that the concerns raised about parking in particular can easily be addressed.

Ms. Simpson shared several emails providing comment on the application. Many were in opposition to the petition.

Mr. Villagomez stated that his site would be able to accommodate more off-street parking in order to relieve neighbors' concerns about parking. He mentioned that screening would be able to be installed immediately.

Mr. Ballantini asked whether the cars parked on the street are generally employee cars or customer cars. Mr. Villagomez stated that five cars belong to employees and that no inoperable cars are stored on the street. Mr. Ballantini clarified Mr. Villagomez's willingness to accommodate the additional screening, lighting, and parking conditions.

DRAFT

MEETING MINUTES

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Page | 2

Mr. Ballantini made a motion to accept the Findings of Fact and conditions as presented by staff. Chairperson Harris seconded the motion. Roll call vote: Mr. Ballantini - Yes, Mr. McFarland - Yes, Mr. Straza - Yes, Mr. Noonan- Yes, Ms. Williams - Yes, and Chairperson Harris - Yes (6-0-0).

Mr. Ballantini made a motion to approve the special use petition along with the conditions recommended by staff. Mr. Noonan seconded the motion. Roll call vote: Mr. Ballantini - Yes, Mr. McFarland - Yes, Mr. Straza - Yes, Mr. Noonan- Yes, Ms. Williams - Yes, and Chairperson Harris - Yes (6-0-0).

Mr. Straza made a motion to table consideration of the variance regarding vehicle sales. Mr. Noonan seconded. Roll call vote: Mr. Ballantini - Yes, Mr. McFarland - Yes, Mr. Straza - Yes, Mr. Noonan- Yes, Ms. Williams - Yes, and Chairperson Harris - Yes (6-0-0).

Mr. Ballantini made a motion to consider all remaining variances. Chairperson Harris seconded. Roll call vote: Mr. Ballantini - Yes, Mr. McFarland - Yes, Mr. Straza - Yes, Mr. Noonan- Yes, Ms. Williams - Yes, and Chairperson Harris - Yes (6-0-0).

Chairperson Harris made a motion to accept staff Findings of Fact with respect to the variances. Mr. Ballantini seconded. Roll call vote: Mr. Ballantini - Yes, Mr. McFarland - Yes, Mr. Straza - Yes, Mr. Noonan- Yes, Ms. Williams - Yes, and Chairperson Harris - Yes (6-0-0).

Mr. Ballantini made a motion to approve the remaining variances. Mr. Noonan seconded. Roll call vote: Mr. Ballantini - Yes, Mr. McFarland - Yes, Mr. Straza - Yes, Mr. Noonan- Yes, Ms. Williams - Yes, and Chairperson Harris - Yes (6-0-0). The motion was passed.



CONSENT AGENDA ITEM NO. 8.J

FOR COUNCIL: December 14, 2020

SPONSOR: Public Works Department

WARD IMPACTED: Ward 8

SUBJECT: Consideration and action on an Ordinance Approving the Final Plat of Parkway Village Phase 6 Subdivision and Vacating Certain Easements, as requested by the Public Works Department.

RECOMMENDED MOTION:

The proposed Ordinance be approved with the condition that the necessary supporting documentation is provided to the City within 90 days of action by Council.

STRATEGIC PLAN LINK:

-Goal 5. Great Place - Livable, Sustainable City

STRATEGIC PLAN SIGNIFICANCE:

-Objective 5e. More attractive city: commercial areas and neighborhoods

BACKGROUND: Public Works is recommending the approval of an Ordinance Approving the Final Plat of Parkway Village Planned Unit Development (PUD), Phase 6 and vacating certain easements with the condition that the petitioner provide the required written proof from utility companies showing no objection to the vacation before recording said plat. The Petitioner would have 90 days to provide the necessary supplemental documentation to the city. This plat is to prepare the property for a development to be constructed on a part of the property described by the final plat.

This Planned Unit Development commercial subdivision is located south of Veterans Parkway, and east of Mercer Avenue. The Final Plat is generally in conformance with the amended Preliminary PUD Plan approved by Council on June 8, 2015. The proposed final plat vacates Greenview Avenue which is a private street and has no City public utilities within the limits of the vacation. Any private utilities will be relocated at the expense of the developer. There are no tap-on fees due for this subdivision.

The proposed final plat consists of two lots and is located north of Ireland Grove Road and east of Mercer Avenue. The existing Parcel Identification Numbers (PINs) for the property are 21-11-351-010 and 21-11-351-028.

The zoning in this area is B-1, General Commercial District. Approval of this final plat will facilitate construction of a new grocery store within the commercial subdivision. The proposed use is permitted in this zoning district. City Council approved a legislative site plan review for the new facility on Monday, November 23, 2020. The final plat complies with City engineering standards (Manual of Practice and Chapter 24 of City Code). City staff has no objections to the plat.

The petition has been signed by Aldi Inc. The City is in receipt of a redacted purchase agreement between the buyer and seller which shows that Aldi has enough interest in the property to sign the documents even though the sale has not been completed yet.

City staff is aware of heightened concerns regarding the current COVID-19 pandemic. However, this agenda item was initiated by a private entity working to redevelop an existing site. Staff is recommending action and approval, since delay could negatively impact this investment in our community. This project is expected to have little to no impact on City resources or finances.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Parkway Partners-One, Inc.

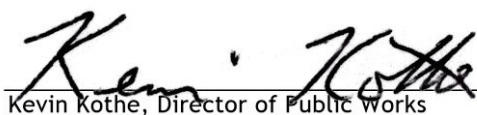
FINANCIAL IMPACT: Parkway Partners-One, Inc. paid all survey and plat costs. Approval of the final plat will facilitate the development of vacant property in the city of Bloomington with a grocery store resulting in increased revenues related to property and sales tax.

COMMUNITY DEVELOPMENT IMPACT: Goal ED.1. Ensure a broad range of employment opportunities for all residents, Objective ED.1-1. Focus on retention and expansion of existing businesses; Goal ED.4. Enhance the image of Bloomington as a business-friendly community, Objective ED 4.2. Prioritize infill and redevelopment to spur growth and reinvestment in the City; Action ED 42f. Improve the appearance of the City's primary entrances; Tier 1 Infill Redevelopment Priority.

Respectfully submitted for Council consideration.

Prepared by: Tony Meizelis, Civil Engineer I

Reviewed by:



Kevin Kothe, Director of Public Works

12/1/2020



Chris Tomerlin, Budget Manager

12/9/2020



George Boyle, Assistant Corporation Counsel

12/10/2020



Tara Henry, Legislative Assistant

12/10/2020

Recommended by:



Tim Gleason, City Manager

Attachments:

- PW 2B Ordinance and Legal Description_Parkway Village Phase 6 Subdivision

- PW 2C Final Plat_Parkway Village Phase 6 Subdivision
- PW 2D Owner's Petition_Parkway Village Phase 6 Subdivision
- PW 2E County Clerk's Certificate_Parkway Village Phase 6 Subdivision
- PW 2F Owner's Certificate_Parkway Village Phase 6 Subdivision
- PW 2G School District Certificate_Parkway Village Phase 6 Subdivision
- PW 2H Final Plat Checklist_Parkway Village Phase 6 Subdivision
- PW 2I Final Plat Map_Parkway Village Phase 6 Subdivision
- PW 2J Tap-On Memo_Parkway Village Phase 6 Subdivision
- PW 2K Drainage Statement_Aldi Bloomington 55

ORDINANCE NO. 2020 - ____

**AN ORDINANCE APPROVING THE FINAL PLAT OF PARKWAY VILLAGE PHASE 6
SUBDIVISION AND VACATING CERTAIN EASEMENTS**

WHEREAS, there was heretofore filed with the Economic & Community Development Department of the City of Bloomington, McLean County, Illinois, a Petition for approval of Parkway Village - Phase 6 Final Plat, legally described in Exhibit A, attached hereto and made a part hereof by this reference; and

WHEREAS, said Petition requests no exemptions or variations from the provisions of the Bloomington City Code, 1960, as amended; and

WHEREAS, said Final Plat, dated October 21, 2020 and last revised December 8, 2020, also requests vacation of certain easements depicted upon the Final Plat; and,

WHEREAS, as part of the vacation process, the Petitioner must provide written proof from the utility companies showing no objection to the vacation; and

WHEREAS, the petition submitted at the date of this Ordinance does not include the aforementioned written proof, but otherwise is valid and sufficient and conforms to the requirements of the statutes in such cases made and provided, and the Final Plat attached to said Petition was prepared in compliance with requirements of the Bloomington City Code; and,

WHEREAS, pursuant to Chapter 24 of the Bloomington City Code, the Bloomington City Council has full authority to approve said Final Plat with the condition that the necessary documents are provided within 90 days of passage of this ordinance and prior to recording the approved plat document.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Bloomington, McLean County, Illinois:

SECTION 1. The above recitals are incorporated herein by this reference as if specifically stated in full.

SECTION 2. That the Final Plat of Parkway Village - Phase 6 dated October 21, 2020 and last revised December 8, 2020 is hereby approved with the condition that all necessary documents, specifically the written proof from utility companies showing no objection to the requested easement vacation, are provided within 90 days of passage of this ordinance.

SECTION 3. This ordinance shall be effective immediately after the date of its passage and approval.

SECTION 4. This ordinance is passed and approved pursuant to the home rule authority granted by Article VII, Section 6 of the 1970 Illinois Constitution.

PASSED this 14th day of December 2020.

APPROVED this ____ day of December 2020.

CITY OF BLOOMINGTON

ATTEST

Tari Renner, Mayor

Leslie Smith-Yocum, City Clerk

EXHIBIT A:
Legal Description

LOTS 101 OF PARKWAY VILLAGE PHASE I PLANNED UNIT DEVELOPMENT BEING A PART OF THE SOUTHWEST 1/4 OF SECTION 11, TOWNSHIP 23 NORTH, RANGE 2 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 23, 2009 AS DOCUMENT NO. 2009-8540 IN THE CITY OF BLOOMINGTON, IN MCLEAN COUNTY, ILLINOIS.

TOGETHER WITH

BEGINNING AT THE SOUTHWEST CORNER OF SECTION 11, TOWNSHIP 23 NORTH, RANGE 2 EAST OF THE THIRD PRINCIPAL MERIDIAN; THENCE NORTH 02 DEGREES 13 MINUTES 33 SECONDS WEST LINE OF SAID SECTION 11, 30.21 FEET TO THE OCCUPIED NORTH LINE OF IRELAND GROVE ROAD; THENCE SOUTH 85 DEGREES 06 MINUTES 12 SECONDS EAST ALONG SAID OCCUPIED NORTH LINE, 17.23 FEET TO THE EAST RIGHT-OF-WAY LINE OF MERCER AVENUE; THENCE NORTH 45 DEGREES 00 MINUTES 19 SECONDS WEST ALONG SAID EAST RIGHT-OF-WAY LINE 25.17 FEET TO A POINT LYING 46.55 FEET NORTH OF THE AFORESAID SOUTHWEST CORNER OF SECTION 11; THENCE NORTH 02 DEGREES 13 MINUTES 33 SECONDS WEST ALONG THE EAST RIGHT-OF-WAY LINE OF MERCER AVENUE AND WEST LINE OF SECTION 11, 494.93 FEET TO THE SOUTHEASTERLY RIGHT-OF-WAY OF VETERAN'S PARKWAY (U.S. ROUTE 66) (F.A. ROUTE 5); THENCE NORTH 88 DEGREES 13 MINUTES 06 SECONDS EAST ALONG SAID RIGHT-OF-WAY LINE 7.66 FEET; THENCE NORTH 01 DEGREES 48 MINUTES 36 SECONDS WEST, ALONG SAID RIGHT-OF-WAY LINE, 21.23 FEET TO A POINT LYING 75.00 FEET NORMAL DISTANCE SOUTHEASTERLY OF THE SURVEYED CENTERLINE OF SAID VETERAN'S PARKWAY, THENCE NORTHEASTERLY, ALONG THE SOUTHEASTERLY RIGHT-OF-WAY OF SAID VETERAN'S PARKWAY, A CURVE TO THE LEFT, CONVEX TO THE SOUTHEAST WITH A RADIUS OF 4985.61 FEET AND AN INITIAL TANGENT BEARING NORTH 63 DEGREES 27 MINUTES 23 SECONDS EAST, A DISTANCE OF 735.66 FEET TO A POINT ON CURVE LYING 75.00 FEET NORMAL DISTANCE SOUTHEASTERLY OF SAID CENTERLINE; THENCE NORTH 57 DEGREES 38 MINUTES 41 SECONDS EAST ALONG SAID SOUTHEASTERLY RIGHT-OF-WAY LINE, 160.83 FEET TO A POINT LYING 85.00 FEET NORMAL DISTANCE SOUTHEASTERLY OF SAID CENTERLINE; THENCE NORTHEASTERLY, ALONG SAID SOUTHEASTERLY RIGHT-OF-WAY LINE, A CURVE TO THE LEFT, CONVEX TO THE SOUTHEAST WITH A RADIUS OF 4995.61 FEET AND AN INITIAL TANGENT BEARING NORTH 53 DEGREES 09 MINUTES 33 SECONDS EAST A DISTANCE OF 253.61 FEET TO A POINT ON CURVE LYING 85.00 FEET NORMAL DISTANCE SOUTHEASTERLY OF SAID CENTERLINE; THENCE SOUTH 02 DEGREES 14 MINUTES 12 SECONDS EAST, ALONG SAID SOUTHEASTERLY RIGHT-OF-WAY LINE, 6.30 FEET TO A POINT OF LYING 90.00 FEET NORMAL DISTANCE SOUTHEASTERLY OF SAID CENTERLINE; THENCE NORTHEASTERLY, ALONG SAID SOUTHEASTERLY RIGHT-OF-WAY LINE, A CURVE TO THE LEFT, CONVEX TO THE SOUTHEAST, WITH A RADIUS OF 5000.61 FEET AND AN INITIAL TANGENT BEARING NORTH 50 DEGREES 17 MINUTES 40 SECONDS EAST, A DISTANCE OF 8.01 FEET TO A POINT ON THE WEST LINE OF STATE FARM SOUTH SUBDIVISION FIRST ADDITION RECORDED ON OCTOBER 24, 2000 AS DOCUMENT NO. 2000-26512, IN MCLEAN COUNTY RECORDER'S OFFICE; THENCE SOUTH 02 DEGREES 10

MINUTES 33 SECONDS EAST, ALONG THE WEST LINE OF SAID ADDITION, 1177.43 FEET TO THE AFORESAID OCCUPIED NORTH LINE OF IRELAND GROVE ROAD; THENCE CONTINUING SOUTH 02 DEGREES 10 MINUTES 33 SECONDS EAST ALONG AFORESAID WEST LINE 30.06 FEET TO THE SOUTH LINE OF AFORESAID SECTION 11, THENCE NORTH 88 DEGREES 31 MINUTES 00 SECONDS WEST, ALONG SAID SOUTH LINE OF SECTION 11, 1004.97 FEET TO THE POINT OF BEGINNING, IN MCLEAN COUNTY, ILLINOIS.

EXCEPTING THEREFROM:

THAT PART CONVEYED TO THE PEOPLE OF THE STATE OF ILLINOIS, DEPARTMENT OF TRANSPORTATION PER DOCUMENT RECORDED JANUARY 26, 2001 AS DOCUMENT NO. 2001-2848.

EXCEPTING THEREFROM:

PARKWAY VILLAGE PHASE 1 PLANNED UNIT DEVELOPMENT BEING A PART OF THE SOUTHWEST 1/4, SECTION 11, TOWNSHIP 23 NORTH, RANGE 2 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 23, 2009 AS DOCUMENT NO. 2009-8590, IN THE CITY OF BLOOMINGTON, IN MCLEAN COUNTY, ILLINOIS.

ALSO EXCEPTING THEREFROM:

PARKWAY VILLAGE PHASE 2 PLANNED UNIT DEVELOPMENT BEING A PART OF THE SOUTHWEST 1/4, SECTION 11, TOWNSHIP 23 NORTH, RANGE 2 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 1, 2010 AS DOCUMENT NO. 2010-27103, IN MCLEAN COUNTY, ILLINOIS.

ALSO EXCEPTING THEREFROM:

PARKWAY VILLAGE PHASE 3 BEING A PART OF THE SOUTHWEST 1/4 OF SECTION 11, TOWNSHIP 23 NORTH, RANGE 2 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED FEBRUARY 25, 2015 AS DOCUMENT NO. 2015-3032, IN MCLEAN COUNTY, ILLINOIS.

ALSO EXCEPTING THEREFROM:

PARKWAY VILLAGE PHASE 4 PLANNED UNIT DEVELOPMENT BEING A PART OF THE SOUTHWEST 1/4 OF SECTION 11, TOWNSHIP 23 NORTH, RANGE 2 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JULY 2, 2015 AS DOCUMENT NO. 2015-11645, IN MCLEAN COUNTY, ILLINOIS.

ALSO EXCEPTING THEREFROM:

PARKWAY VILLAGE PHASE 5 BEING A PART OF THE SOUTHWEST 1/4 OF SECTION 11, TOWNSHIP 23 NORTH, RANGE 2 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING

TO THE PLAT THEREOF RECORDED FEBRUARY 22, 2018 AS DOCUMENT NO. 2018-3096, IN
MCLEAN COUNTY, ILLINOIS.

PETITION FOR APPROVAL OF FINAL PLAT

State of Illinois)
County of Grundy)ss.

TO: THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF
BLOOMINGTON, MCLEAN COUNTY, ILLINOIS

Now comes Aldi Inc., an Illinois corporation

hereinafter referred to as your petitioner(s), respectfully representing and requesting as follows:

1. That your petitioner is the equitable owner(s) of the freehold or lesser estate therein of the premises hereinafter legally described in Exhibit A which is attached hereto and made a part hereof by this reference, of is are) a mortgagee or vendee in possession, assignee of rents, receiver, executor (executrix), trustee, lessee or other person, firm or corporation or the duly authorized agents of any of the above persons having proprietary interest in said premises;
2. That your petitioner seeks approval of the Final Plat for the subdivision of said premises to be known and described as

PARKWAY VILLAGE – PHASE 6

3. That your petitioner also seeks approval of the following exemptions or variations from the provisions of Chapter 24 of the Bloomington City Code, 1960:

All those listed on any approved Preliminary Plan, PUD plan, or other agreement with the City of Bloomington

WHEREFORE, your petitioner respectfully prays that said Final Plat for the
PARKWAY VILLAGE – PHASE 6

subdivision submitted herewith be approved with the exemptions or variations as requested herein.

Respectfully submitted,

Aldi Inc.

By: 
Name: Paul Cornejo
Its: Director of Real Estate

EXHIBIT A

Parkway Village Legal Description

LOTS 101 OF PARKWAY VILLAGE PHASE I PLANNED UNIT DEVELOPMENT BEING A PART OF THE SOUTHWEST 1/4 OF SECTION 11, TOWNSHIP 23 NORTH, RANGE 2 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 23, 2009 AS DOCUMENT NO. 2009-8540 IN THE CITY OF BLOOMINGTON, IN MCLEAN COUNTY, ILLINOIS.

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LINE OF IRELAND GROVE ROAD; THENCE CONTINUING SOUTH 02 DEGREES 10 MINUTES 33 SECONDS EAST ALONG AFORESAID WEST LINE 30.06 FEET TO THE SOUTH LINE OF AFORESAID SECTION 11, THENCE NORTH 88 DEGREES 31 MINUTES 00 SECONDS WEST, ALONG SAID SOUTH LINE OF SECTION 11, 1004.97 FEET TO THE POINT OF BEGINNING, IN MCLEAN COUNTY, ILLINOIS.

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THAT PART CONVEYED TO THE PEOPLE OF THE STATE OF ILLINOIS, DEPARTMENT OF TRANSPORTATION PER DOCUMENT RECORDED JANUARY 26, 2001 AS DOCUMENT NO. 2001-2848.

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ALSO EXCEPTING THEREFROM:

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ALSO EXCEPTING THEREFROM:

PARKWAY VILLAGE PHASE 3 BEING A PART OF THE SOUTHWEST 1/4 OF SECTION 11, TOWNSHIP 23 NORTH, RANGE 2 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED FEBRUARY 25, 2015 AS DOCUMENT NO. 2015-3032, IN MCLEAN COUNTY, ILLINOIS.

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PARKWAY VILLAGE PHASE 4 PLANNED UNIT DEVELOPMENT BEING A PART OF THE SOUTHWEST 1/4 OF SECTION 11, TOWNSHIP 23 NORTH, RANGE 2 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JULY 2, 2015 AS DOCUMENT NO. 2015-11645, IN MCLEAN COUNTY, ILLINOIS.

ALSO EXCEPTING THEREFROM:

PARKWAY VILLAGE PHASE 5 BEING A PART OF THE SOUTHWEST 1/4 OF SECTION 11, TOWNSHIP 23 NORTH, RANGE 2 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED FEBRUARY 22, 2018 AS DOCUMENT NO. 2018-3096, IN MCLEAN COUNTY, ILLINOIS.

COUNTY CLERK'S CERTIFICATE

State of Illinois)
)ss.
County of McLean)

I, Kathy Michael, County Clerk of McLean County, State of Illinois, do hereby certify that on the 2 day of December, 2020, there were no delinquent general or special assessments unpaid, special assessments or delinquent special assessments unpaid against the tract of land shown on the plat attached to this certificate and described in the certificate of the Surveyor attached hereto and to said Plat.

21-11-351-010
21-11-351-028

Kathy Michael
County Clerk, McLean County, Illinois

OWNER'S CERTIFICATE

State of Illinois)
County of Grundy)ss.

KNOW ALL MEN BY THESE PRESENTS, That we, the undersigned, hereby certify that we are the equitable owners of all the premises embodied in the attached Plat of **Parkway Village Phase 6** Subdivision to the City of Bloomington, McLean County, Illinois, and that we have caused said Plat to be made and that it is a true and correct plat of "Parkway Village Phase 6" Subdivision to the City of Bloomington, McLean County, Illinois as laid off in lots and streets by Kurt Apner, registered Illinois Land Surveyor Number 325; and we, the undersigned, hereby dedicate and set apart to the City of Bloomington for general utility purposes, (and further dedicated the public use areas as shown on said Plat)*

IN WITNESS WHEREOF, we have hereunto set our hands and affixed our seals this 20 day of November, 2020.

Aldi Inc.

By: [Redacted]
Name: Paul Cornejo
Its: Director of Real Estate

*where dedication is required under Section 3.5.

State of Illinois)
County of Grundy)ss.

I, Sheri L. Colebank, a Notary Public in and for the county and State aforesaid, do hereby certify that Paul Cornejo personally known to be the Director of Real Estate of Aldi Inc., whose name is subscribed to the foregoing owner's statement, appeared before me, this day, in person and acknowledged the execution of this statement as the free and voluntary act of the himself/herself, on behalf of the corporation.

Given under my hand and notarial seal this 20 day of November, 2020.

Sheri L. Colebank
Notary Public

My commission expires October 30, 2024.



SCHOOL DISTRICT CERTIFICATE

This is to certify that Aldi Inc., as equitable Owner/Developer of the property herein described in the Surveyor's Certificate, which will be known as Parkway Village Phase 6 Subdivision, to the best of my knowledge, is located within the boundaries of Community Unit School District #87 in McLean County, Illinois.

Dated this 20 day of November, 2020.

Aldi Inc.

By: 

Name: Paul Cornejo

Its: Director of Real Estate

State of Illinois)
County of Grundy)ss.

I, Sheri L. Colebank, a Notary Public in and for the county and State aforesaid, do hereby certify that Paul Cornejo, personally known to be the Director of Real Estate of Aldi Inc., whose name is subscribed to the foregoing School District Certificate, appeared before me, this day, in person and acknowledged the execution of this statement as the free and voluntary act of himself/herself on behalf of the corporation.

Given under my hand and notarial seal this 20 day of November, 2020.

Sheri L. Colebank
Notary Public

My commission expires October 30, 2024.





Parkway Village Phase 6 Subdivision

Date Prepared: 11/25/2020

Shown on Final Plat:	Initial
Easements shown for all public improvements	TJM
City Engineer's Signature Block	KLS
Clerk's Signature Block	TJM
Areas or facilities to be dedicated to the public	TJM
Railroad Right of Ways	N/A
Subdivision Boundaries	TJM
References to nearest street lines, Township, Sections lines, or monuments.	TJM
Name of Subdivision	TJM
Legal Description	TJM
Existing Parcel Id Number (PIN)	TJM
Surveyor's statement regarding any Special Flood Hazard Areas.	TJM
Total Acreage	TJM
Street Names	TJM
Proposed Lot numbers (consecutively numbered)	KLS
Front Yard Setbacks	N/A
The following shall be provided:	
School District Certificate	TJM
County Clerk's Certificate	TJM
Owner's Certificate	TJM
Drainage Statement	Split out separately
Owner's Petition	TJM
Ordinance	TJM
Utility Company Signoffs	Not submitted yet
Digital PDF Submittal provided to Public Works	TJM
Digital CAD format submittal provided to Public Works	TJM
2 Mylar Copies	
12 Paper Copies	
The following requirements shall be met:	
Final plat retains the design characteristics of a valid Preliminary Plan that has not expired	TJM
Retains the design characteristics of approved public improvement engineering plans and specifications.	TJM
Final Plat is signed by IL licensed surveyor	TJM
Plans for all public improvements approved by Public Works	N/A

Parkway Village
Phase 6
Final Plat Map



0 100 200
Feet

Date: 11/25/2020



MEMORANDUM

November 25, 2020

TO: Katie Simpson, City Planner
FROM: Anthony Meizelis P.E., Civil Engineer I
RE: Parkway Village PUD – Phase 5
Performance Guarantees and Tap-On Fees

The following are the Performance Guarantee and Tap On fees required from the developer before releasing for recording: **Parkway Village P.U.D Phase 6** approved by City Council on December 14, 2020.

A: Tap-On Fees:

There are no tap-on fees due from Parkway Village P.U.D. Phase III. The sanitary sewers and water mains in Mercer Avenue and Ireland Grove Road adjacent to Parkway Village P.U.D. were previously paid for by special assessment.

B. Performance Guarantee:

There are no public improvements required for this phase of the development. A performance guarantee is not needed.

C: Substandard Adjacent Roadway Improvement Payment:

No substandard roadway improvement fees are due.

cc: Kevin Kothe, Director of Public Works
Craig Shonkwiler, City Engineer
Chris Tomerlin, Finance Dept.
file

ms consultants, inc.

engineers, architects, planners

2221 Schrock Road
Columbus, Ohio 43229-1547
p 614.898.7100
f 614.898.7570
www.msconsultants.com



December 9, 2020

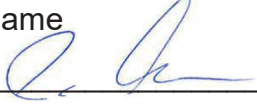
Katie Simpson
City Planner
City of Bloomington, Illinois
Economic and Community Development Department
Planning Division
115 E Washington Street Ste. 201
Bloomington, IL 61701
309-434-2341

Drainage Statement

I, Ian Aultman, Registered Professional Engineer, and Paul Cornejo, owner of the premises heretofore platted by Kurt K. Aper, Illinois Professional Land Surveyor No. 035-3265 to be and to become to the City of Bloomington, McLean County, Illinois, do hereby certify that to the best of their knowledge and belief, the drainage of surface waters will not be changed by the construction of said planned unit development, or any part thereof; or that if such surface water drainage will be changed, reasonable provisions have been made for collection and diversion of such surface waters into public areas or drains which the owner has the right to use and that such surface waters will be planned for in accordance with generally accepted engineering practices so as to reduce the likelihood of damage to the adjoining property because of the construction of the planned unit development.

I further certify that no part of the property is located within a Special Flood Hazard Area as identified by the Federal Emergency Management Agency, Flood Insurance Rate Map Number 17113C0504E, with an effective date of July 16, 2008.

Registered Professional Engineer:

<u>12/09/2020</u>	<u>Ian Aultman</u>
Date	Name
	
	Signature
	<u>062.069531</u>
	Registration number
	<u>11/30/2021</u>
	Expiration date

Owner:

<u>12/09/2020</u>	<u>Paul Cornejo</u>
Date	Name
	
	Signature

REGULAR AGENDA



REGULAR AGENDA ITEM NO. 9.A

FOR COUNCIL: December 14, 2020

SPONSOR: City Clerk Department

WARD IMPACTED: City-Wide Impact

SUBJECT: Consideration and action on an Ordinance Amending Chapter 7 of the City Code to Create a Video Gaming License Waitlist, as requested by the City Clerk Department.

RECOMMENDED MOTION:

The proposed Ordinance be approved.

STRATEGIC PLAN LINK:

- Goal 5. Great Place - Livable, Sustainable City
- Goal 3. Grow the Local Economy
- Goal 1. Financially Sound City Providing Quality Basic Services

STRATEGIC PLAN SIGNIFICANCE:

- Objective 5e. More attractive city: commercial areas and neighborhoods
- Objective 5d. Appropriate leisure and recreational opportunities responding to the needs of residents
- Objective 3e. Strong working relationship among the City, businesses, economic development organizations
- Objective 3d. Expanded retail businesses
- Objective 3b. Attraction of new targeted businesses that are the "right" fit for Bloomington
- Objective 3a. Retention and growth of current local businesses
- Objective 1c. Engaged residents that are well informed and involved in an open governance process

BACKGROUND: The moratorium on City video gaming license was lifted on March 1, 2019 and a cap (maximum) of 60 video gaming licensed establishments was placed. Since then, staff have completed two annual video gaming license renewal periods, and have also completed the review of multiple applications when only one video gaming license was available. In doing so, staff have recognized hardships created by the cap on video gaming and thereby recommend the creation of a Video Gaming Waitlist.

The proposed ordinance changes, if approved, would require the City Clerk to maintain and publish a Video Gaming Waitlist of establishments interested and qualified for a license. Interested establishments looking to be placed on the Video Gaming Waitlist will be required to submit to the City Clerk a full and complete application including all required attachments. If, upon review, the applicant would have qualified for a video gaming license had one been available, the applicant will be placed on the Video Gaming Waitlist. Once placed on the Waitlist and in an effort to promote quality business operation, listed applicants will have to remain in good standing to stay on the Waitlist. Similar to reasons

why a licensed business can have a license revoked, listed applicants could be removed from the Waitlist for the following reasons:

- 1) Violation of any law occurring on the establishment's premises committed by the establishment or an employee of the establishment;
- 2) Violation of any law or state regulation regarding video gaming or video gaming terminals;
- 3) Violation of any law occurring on the establishment's premises which the establishment did not take adequate means to prevent, or to which the establishment did not respond in an appropriate manner after it became aware of such violation;
- 4) Failure to pay any tax, fee, or bill due to the City of Bloomington;
- 5) Failure to provide current information regarding the ownership or location of the business;
- 6) Ceasing to meet the video gaming licensure requirements of § 7-1303A, except as may be permitted by § 7-1321.

In an effort to provide additional transparency, the Video Gaming Waitlist will be maintained and published on the City's website, which will also allow applicants and the public to clearly monitor the applicant status.

When a license becomes available, the City Clerk will notify the interested establishment (applicant) at the top of the list and give them 14 days to update any materials or attachments associated to the application that qualified them to be listed. If, upon review, the applicant still qualifies for a Video Gaming License the application shall be approved and the applicant shall be removed from the Waitlist. If, upon review, the applicant does not qualify, the Clerk shall notice the applicant of denial, remove the applicant from the Waitlist, and move to the next interested establishment.

The Video Gaming Waitlist will even the playing field for those interested in a license, promote good stewards of local business, and will encourage interested businesses to keep up their good work and efforts in the community, knowing that a video gaming license will become available for them in good time.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: N/A

FINANCIAL IMPACT: N/A

COMMUNITY DEVELOPMENT IMPACT: N/A

Respectfully submitted for Council consideration.

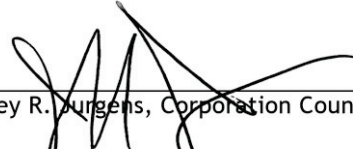
Prepared by: Amanda Mohan, Records and Licensing Specialist

Reviewed by:



Leslie Yocum, City Clerk

12/8/2020



Jeffrey R. Jurgens, Corporation Counsel

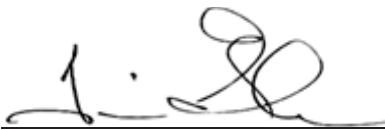
12/9/2020



Tara Henry, Legislative Assistant

12/9/2020

Recommended by:



Tim Gleason, City Manager

Attachments:

- CLK 3B Amendments to Ch.7 Video Gaming License_VG Waitlist

ORDINANCE NO. 2020 - _____

**AN ORDINANCE AMENDING CHAPTER 7 OF THE CITY CODE TO CREATE
A VIDEO GAMING LICENSE WAITLIST**

WHEREAS, the City of Bloomington, McLean County, Illinois (hereinafter “City”) is an Illinois home-rule municipality; and

WHEREAS, the City Council has the authority to regulate video gaming in a manner not inconsistent with the provision of the Illinois Video Gaming Act; and

WHEREAS, the City Council has placed a cap (maximum) of 60 video gaming licensed establishments in the City at any given time; and

WHEREAS, the video gaming license application and issuance process is managed and administered by the City Clerk; and

WHEREAS, the City Clerk recently issued the last available (60th) video gaming license and has no more available for issuance; and

WHEREAS, the City Council looks to increase fairness in the application and issuance process associated to video gaming by establishing a Video Gaming Waitlist; and

WHEREAS, the City Council instructs the City Clerk to create a Video Gaming Waitlist whereby when no video gaming license are available applicants shall still be able to apply and wait for a license.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Bloomington, McLean County, Illinois, as follows:

SECTION 1. The above recitals are incorporated herein by this reference as if specifically stated in full.

SECTION 2. That Article XIII in Chapter 7 shall be updated as follows:

AMUSEMENTS (CHAPTER 7)

**§ 7-1307 [Ch. 7, Sec. 126] Limitation on number of video gaming licenses in City;
License waitlist.**

- A. There shall be no more than 60 establishments licensed to operate video gaming terminals in the City at any given time.
- B. The City Clerk shall be responsible for creating, maintaining, and publishing a Video Gaming Waitlist of establishments interested in a video gaming license.
- C. Effective at 8:00 a.m. on December 21, 2020, the City Clerk will begin accepting applications for the Waitlist in accordance with procedures established by the City Clerk. Interested establishments looking to be placed on the Video Gaming

Waitlist must submit to the City Clerk a full and complete application including all required attachments.

(1) If, upon review, the applicant would have qualified for a Video Gaming License had one been available, the applicant will be placed on the Video Gaming Waitlist based on the order in which it was filed with the City Clerk.

(2) Applicants placed on the Waitlist may be removed from the Waitlist at the discretion of the City Clerk for the following reasons:

- i. Violation of any law occurring on the establishment's premises committed by the establishment or an employee of the establishment;
- ii. Violation of any law or state regulation regarding video gaming or video gaming terminals;
- iii. Violation of any law occurring on the establishment's premises which the establishment did not take adequate means to prevent, or to which the establishment did not respond in an appropriate manner after it became aware of such violation;
- iv. Failure to pay any tax, fee, or bill due to the City of Bloomington;
- v. Failure to provide current information regarding the ownership or location of the business;
- vi. Ceasing to meet the video gaming licensure requirements of § 7-1303A, except as may be permitted by § 7-1321.

D. When a video gaming license becomes available, the City Clerk shall notify in writing the interested establishment at the top of the list and give them 14 calendar days to update any materials or attachments associated to the original application.

(1) If, upon review, the applicant still qualifies for a Video Gaming License the application shall be approved and the applicant shall be removed from the Waitlist.

(2) If, upon review, the applicant does not meet the qualifications of licensure, the Clerk shall notice the applicant of denial, remove the applicant from the Waitlist, and move to the next interested establishment.

SECTION 3. Except as provided herein, the Bloomington City Code, 1960, as amended shall remain in full force and effect.

SECTION 4. In the event that any section, clause, provision, or part of this Ordinance shall be found and determined to be invalid by a court of competent jurisdiction, all valid parts that are severable from the invalid parts shall remain in full force and effect.

SECTION 5. The City Clerk is hereby authorized to publish this ordinance in pamphlet form as provided by law.

SECTION 6. This ordinance shall be effective immediately after its approval and publication as required by law.

PASSED this 14th day of December 2020.

APPROVED this ____ day of December 2020.

CITY OF BLOOMINGTON

ATTEST

Tari Renner, Mayor

Leslie Smith-Yocum, City Clerk



REGULAR AGENDA ITEM NO. 9.B

FOR COUNCIL: December 14, 2020

SPONSOR: Administration Department

WARD IMPACTED: City-Wide Impact

SUBJECT: Consideration and action on Council Member Boelen's Agenda Initiative Proposal to adopt a Resolution for the purpose of investigating and implementing the Welcoming America Initiative, a national non-for-profit established in 2009, to seek designation as a Welcoming America Community, as requested by the Administration Department.

RECOMMENDED MOTION:

That staff be provided direction on and directed to draft an Ordinance regarding Welcoming America.

STRATEGIC PLAN LINK:

-Goal 5. Great Place - Livable, Sustainable City

STRATEGIC PLAN SIGNIFICANCE:

-Objective 5b. City decisions consistent with plans and policies

BACKGROUND: Per Chapter 2, Section 18.2A(2): Agenda items and voting, the Mayor and Council Members may put forth agenda initiatives by completing an Agenda Initiative Form and submitting it to the City Clerk. Upon submission, the form is added to the agenda of the next Committee of the Whole for consideration.

At the November 16, 2020 Committee of the Whole meeting, Council Member Boelen brought forward an Agenda Initiative (attached). Council Member Boelen's initiative proposed that the City adopt a Resolution for the purpose of investigating and implementing the Welcoming America Initiative, a national non-for-profit established in 2009, to seek designation as a Welcoming America Community. A majority of the Council Members present at that meeting voted to have the initiative placed on a future City Council agenda for further discussion.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: N/A

FINANCIAL IMPACT: N/A

COMMUNITY DEVELOPMENT IMPACT: N/A

Respectfully submitted for Council consideration.

Prepared by: Leslie Yocum, City Clerk

Reviewed by:



Billy Ryus, Deputy City Manager

12/8/2020



Tara Henry, Legislative Assistant

12/9/2020

Recommended by:



Tim Gleason, City Manager

Attachments:

- ADM 1B Boelen Council Initiative - Welcoming America



**MAYOR & COUNCIL MEMBER
AGENDA INITIATIVE PROPOSAL FORM**

SPONSOR: Donna Boelen, Ward 2

PROPOSED INITIATIVE:

Adopt a Resolution for the purpose of investigating and implementing the Welcoming America Initiative, a national non-for-profit established in 2009, to seek designation as a Welcoming America Community. By using the roadmap and tool kit of Welcoming America for creating inclusive communities, the Resolution will become a unique assertion of our community values of compassion and collaboration with all residents of Bloomington, regardless of their country of birth. Through these activities, we will engage fully with one another to build a community that is safe and welcoming.

Through this Resolution, the Bloomington City Council calls upon broad segments of our community, including but not limited to, religious groups, not-for-profits, judiciary, police, higher education institutions, the EDC, and the Chamber of Commerce to serve as conduits for individuals in all aspects of their lives, supporting vulnerable members of our community with education, information and guidance. Mobilizing established community resources will help make our city a place where newcomers can thrive and flourish.

ESTIMATED CITY STAFF TIME TO RESEARCH & PREPARE FULL COUNCIL MEMO ON PROPOSED INITIATIVE, INCLUDING BACKGROUND AND ANY NECESSARY RESEARCH:

☐ Nominal (less than 5 hours)

☒ Moderate (5 to 10 hours)

☐ Significant (more than 10 hours)

ESTIMATED COST OF PROPOSED INITIATIVE: None

WILL THE PROPOSED INITIATIVE REQUIRE A BUDGET AMENDMENT?

☐ Yes

☒ No

WHAT CITY PROGRAMS OR STAFF ACTIVITIES ARE PROPOSED TO BE CUT OR REDUCED IN LIEU OF THE PROPOSED INITIATIVE, IF ANY: None

Donna M. Boelen
SPONSOR SIGNATURE

11/8/20
DATE SUBMITTED



REGULAR AGENDA ITEM NO. 9.C

FOR COUNCIL: December 14, 2020

SPONSOR: Legal Department

WARD IMPACTED: City-Wide Impact

SUBJECT: Consideration and potential action regarding Ordinance 2020-18, An Ordinance Declaring a Local Emergency Due to the COVID-19 Virus & Enacting Various Emergency Measures, as requested by the Legal Department.

RECOMMENDED MOTION:

No modifications recommended at this time.

STRATEGIC PLAN LINK:

-Goal 1. Financially Sound City Providing Quality Basic Services

STRATEGIC PLAN SIGNIFICANCE:

- Objective 1e. Partnering with others for the most cost-effective service delivery
- Objective 1d. City services delivered in the most cost-effective, efficient manner
- Objective 1c. Engaged residents that are well informed and involved in an open governance process

BACKGROUND: On March 26, 2020, the City Council approved Ordinance 2020-18, An Ordinance Declaring a Local Emergency Due to the COVID-19 Virus & Enacting Various Emergency Measures. This Ordinance is effective for 28-day periods unless amended or repealed sooner by the City Council. Absent such repeal or amendment, the Ordinance continues in effect for additional 28-day periods.

As part of the passage of the Ordinance and due to its importance, the City Manager committed to placing Ordinance 2020-18 on every regular agenda. This allows the Council to repeal it as soon as the pandemic subsides, and thus end the use of the City's emergency powers.

On November 13, 2020, Governor Pritzker issued a new 30-day disaster proclamation related to the pandemic. A new proclamation is expected to be issued by the Governor prior to the City Council's meeting on December 14, 2020. As the community, including the City's businesses and residents, continue to address the impacts of the COVID-19 pandemic, City staff is not currently recommending the repeal of the Ordinance at this time.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: N/A

FINANCIAL IMPACT: There is no new financial impact associated with continuing Ordinance 2020-18 in effect.

COMMUNITY DEVELOPMENT IMPACT: The continuation of Ordinance 2020-18 allows several key functions of the Community Development Department to continue that do not include

statutorily mandated public hearings, as well as the expansion of certain business operations for outdoor dining.

Respectfully submitted for Council consideration.

Prepared by: Jeffrey Jurgens, Corporation Counsel

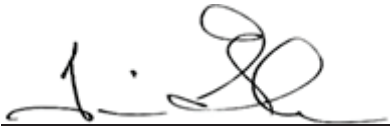
Reviewed by:



Tara Henry, Legislative Assistant

12/8/2020

Recommended by:



Tim Gleason, City Manager

Attachments:

- LGL 1B Local Emergency Declaration Ordinance 2020-18
- LGL 1C Ord. No. 2020 - 21
- LGL 1D Ord. No. 2020 - 25
- LGL 1E Ord. No. 2020 - 30
- LGL 1F Ord. No. 2020 - 38
- LGL 1G Ord. No. 2020 - 45
- LGL 1H Ord. No. 2020 - 61

ORDINANCE NO. 2020 - 18

AN ORDINANCE DECLARING A LOCAL EMERGENCY DUE TO THE COVID-19 VIRUS & ENACTING VARIOUS EMERGENCY MEASURES

WHEREAS, on January 30, 2020, the World Health Organization declared the outbreak of COVID-19 to be a public health emergency of international concern and on March 11, 2020 declared it a worldwide pandemic; and

WHEREAS, on January 31, 2020, the U.S. Health and Human Services Secretary declared a public health emergency for the United States; and

WHEREAS, the Governor of the State of Illinois issued a disaster proclamation on March 9, 2020, due to the impact of the COVID-19 virus and has activated the State Emergency Operations Center; and

WHEREAS, the State Emergency Management Agency has declared a public health emergency due to the impact of the COVID-19 virus; and

WHEREAS, on March 13, 2020, the President of the United States declared a National Emergency concerning the COVID-19 outbreak; and

WHEREAS, the City Manager and staff have been meeting for weeks to begin preparing for the potential impact of the pandemic and has coordinated its response with McLean County and the Town of Normal; and

WHEREAS, the City Council has considered the existence of a public health emergency in acting upon this ordinance and actions required to promote the health, safety and welfare of its citizens; and

WHEREAS, 20 ILCS 3305/10J, of the Emergency Management Agency Act and 65 ILCS 5/8-10-5 of the Illinois Municipal Code and Chapter 12 of the Bloomington City Code provides political subdivisions with certain emergency authority; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BLOOMINGTON, ILLINOIS as follows:

SECTION 1. Recitals. The above recitals are incorporated herein by this reference as if specifically stated in full.

SECTION 2. Emergency Authority. In accordance with the authority provided to the City by the Emergency Management Agency Act, the City Code and its home-rule authority, the following actions are authorized by the City Council:

- (A) Cancellation of Meetings. The Mayor may cancel meetings of any board or commission to which he appoints members. Any such cancellation shall automatically extend such deadlines for required actions by such board or commission as is specified in the cancellation notice. In lieu of the Mayor

cancelling said meetings, the Chairperson of any board or commission may cancel said meetings and are encouraged to do so absent a priority need.

- (B) Ability to Conduct Electronic Meetings. Any Council Member or board member of any board or commission, in accordance with Governor Pritzker's COVID-19 Executive Order No. 5 may attend any regular or special meeting via electronic means, including audio or video conferences. A physical quorum of the Trustees is not required before the remote participation is allowed.
- (C) Ability to Address Contract, Permitting and Licensure Issues. The City Manager shall have the authority, upon approval of both the Mayor and Mayor Pro Tem, to address any contract, permitting and/or licensing issues, including the suspension of any permits or licenses, as the City Manager may deem to be in the best interest of the City. The suspension of any license or permit may be overturned by a majority of the City Council at a subsequent City Council meeting.
- (D) Emergency Purchases. For any emergency purchases that are necessary, the City Manager shall follow the provisions of Chapter 16 of the Bloomington City Code.
- (E) Personnel Policies & Union Contracts. The City Manager's authority is hereby reaffirmed that he may adjust any personnel policies related to leave time, other benefits or terms and conditions of employment as are reasonably related to providing sufficient staffing during the term of the emergency. In addition, he is authorized to enter into such temporary agreements, including memoranda of understanding with the City's bargaining units in order to promote the provision of City services and the health and safety of the public and employees during the emergency.
- (F) Facility Closures. The authority of the City Manager is hereby reaffirmed to close City facilities as is reasonably required to protect the health of the public and employees of the City.
- (G) Administrative Court. The Corporation Counsel is authorized to extend any timeframe for responses related to City ordinance violations in recognition of the emergency and to suspend the City's Administrative Court and/or continue said cases.
- (H) Moratorium on Interest, Fines and Penalties. No interest, fines and/or penalties shall accrue or be assessed on amounts owed to the City as of March 1, 2020, for City utility payments, food and beverage taxes (although timely tax return filings are still required), parking tickets and/or ordinance violations, so long as said obligations to the City are paid within 30 days after the conclusion Governor Pritzker's Gubernatorial Disaster Proclamation, including any and all renewals thereof, or until this provision is amended or repealed by the City Council. The City Manager is similarly authorized, by Executive Order, to extend the deadlines for payments related to any other amounts due and owing the City.

- (I) Payment of City Bills. The City Manager may authorize the issuance of payments to City vendors, contractors and utilities if the City Council is unable to meet on a regularly scheduled meeting date. Any such payments must be reported to the City Council in writing at a future public meeting.
- (J) Water Shut Offs. All City utility shut offs for nonpayment shall be suspended while this ordinance is in effect.
- (K) Acceptance of Applications. The City is authorized to accept applications for all City licenses and permits electronically, and may accept all other documentation required related to said applications electronically.
- (L) Written Public Comment. The City Manager shall implement procedures encouraging the electronic submission of written comments for public meetings beyond those set forth in Chapter 2, Section 85(I). These procedures shall remain in effect so long as Governor Pritzker's Gubernatorial Disaster Proclamation remains in effect, including any and all renewals thereof.
- (M) Community Development Approvals. The City Manager and Director of Community Development, or City Planner in the absence of the Director of Community Development, shall have the authority to approve grant applications, the awarding of historic preservation grants, cite plans not involving special uses, certificates of appropriateness, and to postpone any meetings regarding the Planning Commission and Zoning Board of Appeals. Any applications requiring a public hearing may also be postponed by the City Manager.
- (N) Liquor Commissioner Authority to Allow Deliveries. The Liquor Commissioner shall be granted the authority to allow all restaurant liquor license holders (Class RA and Class RB), as well as all taverns (Class TA and Class TB) to provide the delivery, carryout and curbside pickup of alcoholic liquor, so long as the license holder complies with the requirements of Chapter 6, Section 32(C) for curbside pickup and Chapter 6, 32(D) for deliveries, as well as any other requirements that may be imposed by Executive Order of the Mayor. No packaged liquor license component shall be required. This authority of the Liquor Commissioner shall remain in effect so long as Governor Pritzker's Gubernatorial Disaster Proclamation remains in effect, including any and all renewals thereof, or until this authority is repealed by the City Council.
- (O) Intergovernmental Agreements. The City Manager is authorized to execute intergovernmental agreements that address the response and needs associated with this local disaster declaration that he deems to be in the best interests of the City.

SECTION 3. Other Emergency Powers Disallowed. The Emergency Powers in Chapter 12, Section 11 are not necessary to address the COVID-19 crisis. Accordingly, no such powers may be exercised by the Mayor, City Manager or their successors.

SECTION 4. Succession Planning. In the absence or incapacity of the Mayor, the Mayor Pro Tem shall serve as the Mayor of the City of Bloomington and shall have all authority and power of the Mayor, including the emergency powers set forth in this Ordinance. If the Mayor Pro Tem is incapacity or otherwise serving as Mayor, the City Council shall appoint a new Mayor Pro Tem. In the absence or incapacity of the City Manager, the Deputy City Manager shall serve as the City Manager of the City of Bloomington and shall have all authority and power of the City Manager, including the emergency powers set forth in this Ordinance. In the absence or incapacity of both the City Manager and the Deputy City Manager, the Corporation Counsel shall serve as the City Manager of the City of Bloomington and shall have all authority and power of the City Manager, including the emergency powers set forth in this Ordinance.

SECTION 5. Declaration of a Local Disaster. This Ordinance shall be construed as a declaration of a local disaster as provided for under Section 11 of the Illinois Emergency Management Agency Act, 20 ILCS 3305/11.

SECTION 6. Amendment of City Code. Except as provided herein, the Bloomington City Code, 1960, as amended shall remain in full force and effect.

SECTION 7. Severability. In the event that any section, clause, provision, or part of this Ordinance shall be found and determined to be invalid by a court of competent jurisdiction, all valid parts that are severable from the invalid parts shall remain in full force and effect.

SECTION 8. Publication. The City Clerk is hereby authorized to publish this ordinance in pamphlet form as provided by law.

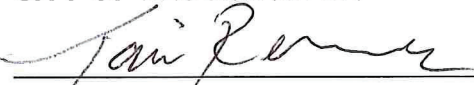
SECTION 9. Home Rule Authority. This ordinance is passed and approved pursuant to the home rule authority granted Article VII, Section 6 of the 1970 Illinois Constitution.

SECTION 10. Effectiveness & Duration. This ordinance takes effect immediately upon its passage due to the urgency of implementing appropriate responses to the COVID-19 virus, which is causing or anticipated to cause widespread impacts on the health of members of this community. The recitals are incorporated into this Section. This ordinance shall be effective for 28 days from the date of passage unless repealed or amended sooner by the City Council. The ordinance shall continue for 28-day periods thereafter unless repealed or amended by the City Council.

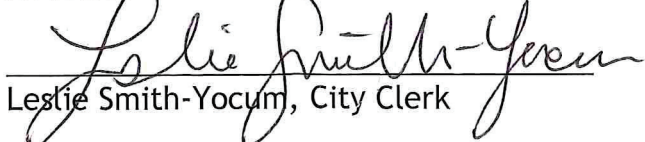
PASSED this 26th day of March 2020.

APPROVED this 27th day of March 2020.

CITY OF BLOOMINGTON


Tara Renner, Mayor

ATTEST


Leslie Smith-Yocum, City Clerk

ORDINANCE NO. 2020 - 21

**AN ORDINANCE AMENDING THE LOCAL EMERGENCY DECLARATION ORDINANCE,
ORDINANCE 2020-18, TO ADD CLUB LIQUOR LICENSES TO SECTION 2(N)**

BE IT ORDAINED by the City Council of the City of Bloomington, Illinois:

SECTION 1. That Ordinance 2020-18 is hereby amended by amending Section 2(N) to read as follows (added; deleted):

(N) Liquor Commissioner Authority to Allow Deliveries. The Liquor Commissioner shall be granted the authority to allow all restaurant liquor license holders (Class RA and Class RB), club liquor license holders (Class CA and Class CB), as well as all taverns (Class TA and Class TB) to provide the delivery, carryout and curbside pickup of alcoholic liquor, so long as the license holder complies with the requirements of Chapter 6, Section 32(C) for curbside pickup and Chapter 6, 32(D) for deliveries, as well as any other requirements that may be imposed by Executive Order of the Mayor. No packaged liquor license component shall be required. This authority of the Liquor Commissioner shall remain in effect so long as Governor Pritzker's Gubernatorial Disaster Proclamation remains in effect, including any and all renewals thereof, or until this authority is repealed by the City Council.

SECTION 2. Except as provided herein, Ordinance 2020-18, as amended, shall remain in full force and effect.

SECTION 3. The City Clerk shall be, and is hereby directed and authorized to publish this Ordinance in pamphlet form as provided by law.

SECTION 4. This Ordinance is enacted pursuant to the authority granted to the City as a home rule unit by Article VII, Section 6 of the 1970 Illinois Constitution.

SECTION 5. This ordinance shall be effective immediately after its execution and publication as required by law.

PASSED this 13th day of April 2020.

APPROVED this 15th day of April 2020.

CITY OF BLOOMINGTON

Tari R. Pendergast, Mayor

ATTEST

Leslie G. Gamm, City Clerk



ORDINANCE NO. 2020 - 25

AN ORDINANCE AMENDING THE LOCAL EMERGENCY DECLARATION ORDINANCE, ORDINANCE 2020-18, TO ADD A NEW SECTION 2(P) TO ALLOW THE PRORATION OF THE CITY'S VIDEO GAMING LICENSE FEES

BE IT ORDAINED by the City Council of the City of Bloomington, Illinois:

SECTION 1. That Ordinance 2020-18 is hereby amended by adding a new Section 2(P) as follows:

(P) Video Gaming License Fee Proration; Other License Fee Prorations. To account for the mandated closure of video gaming establishments, the City shall prorate the City's video gaming license fee as follows: (1) for the license year May 1, 2019, through April 30, 2020, the City shall reimburse license holders 12% of the license fee paid within 15 days of adoption of this Ordinance; and (2) for the license year May 1, 2020, through April 30, 2021, the City shall issue a refund of the license fee based on the prorated amount of time the establishment was not authorized to operate within said year by the Illinois Gaming Board due to the COVID-19 pandemic or may otherwise offset said amount when the license fee is paid. Any such refund shall be paid by the City within 15 days after video gaming establishments are lawfully authorized to resume operations by the Illinois Gaming Board. The City Manager is similarly authorized, by Executive Order, with the written concurrence of both the Mayor and Mayor Pro Tem, to prorate other annual City license fees for license holders that are not permitted to operate by state or federal mandate due to the COVID-19 pandemic.

SECTION 2. Except as provided herein, Ordinance 2020-18, as amended, shall remain in full force and effect.

SECTION 3. The City Clerk shall be, and is hereby directed and authorized to publish this Ordinance in pamphlet form as provided by law.

SECTION 4. This Ordinance is enacted pursuant to the authority granted to the City as a home rule unit by Article VII, Section 6 of the 1970 Illinois Constitution.

SECTION 5. This ordinance shall be effective immediately after its execution and publication as required by law.

PASSED this 27th day of April 2020.

APPROVED this 28th day of April 2020.

CITY OF BLOOMINGTON

Tari Renner
Tari Renner, Mayor

ATTEST

Leah L. Young
Leah L. Young, City Clerk



ORDINANCE NO. 2020 - 30

AN ORDINANCE AMENDING THE LOCAL EMERGENCY DECLARATION ORDINANCE, ORDINANCE 2020-18, TO ADD A NEW SECTION 2(Q) REGARDING LIQUOR LICENSE FEES AND A NEW SECTION 2(R) REGARDING COVID-19 GRANTS

BE IT ORDAINED by the City Council of the City of Bloomington, Illinois:

SECTION 1. That Ordinance 2020-18 is hereby amended by adding a new Section 2(Q) as follows:

(Q) Liquor License Fee Proration. Establishments with a City liquor license that are not operating due to the pandemic, may apply to have their license fees prorated for the license year based on the amount of time the business was closed due to Executive Order of the Governor of the State of Illinois. To qualify for a proration in the license fee, the establishment must have been closed and may not have been providing curbside pickup and/or delivery. This shall be a one-time proration and only for establishments that were closed continually for at least 30 days. Establishments must apply for the proration refund to the City Clerk and shall be required to provide proof of closure by affidavit and/or other documentation as deemed appropriate by the City Clerk. Applications must be received by the City Clerk at least 30 days after establishments are allowed to have customers/patrons “dine-in” regardless of capacity restrictions.

SECTION 2. That Ordinance 2020-18 is hereby amended by adding a new Section 2(R) as follows:

(R) COVID-19 GRANT AGREEMENTS. The City Manager, or designee, is authorized to enter into grant agreements on behalf of the City related to the COVID-19 pandemic and to submit grant applications related to same.

SECTION 3. Except as provided herein, Ordinance 2020-18, as amended, shall remain in full force and effect.

SECTION 4. The City Clerk shall be, and is hereby directed and authorized to publish this Ordinance in pamphlet form as provided by law.

SECTION 5. This Ordinance is enacted pursuant to the authority granted to the City as a home rule unit by Article VII, Section 6 of the 1970 Illinois Constitution.

SECTION 6. This ordinance shall be effective immediately after its execution and publication as required by law.

PASSED this 11th day of May 2020.

APPROVED this 12th day of May 2020.

CITY OF BLOOMINGTON

Tari Renner, Mayor

ATTEST

Leticia Young, City Clerk



ORDINANCE NO. 2020 - 38

**AN ORDINANCE AMENDING THE LOCAL EMERGENCY DECLARATION ORDINANCE,
ORDINANCE 2020-18, TO ADD A NEW SECTION 2(S) REGARDING
TEMPORARY OUTDOOR BUSINESS OPERATIONS AND STREET CLOSURES**

BE IT ORDAINED by the City Council of the City of Bloomington, Illinois:

SECTION 1. That Ordinance 2020-18 is hereby amended by adding a new Section 2(S) as follows:

(S) Temporary Outdoor Business Operations & Street Closures. The City Manager shall have the authority, through Executive Order, to temporarily close streets, or portions thereof, for outside use by businesses when said closure can be performed in a safe manner. The City Manager is also authorized to allow for the outdoor temporary expansion of premises for businesses, including but not limited to on closed public streets and/or other right-of-way areas of the City, including parking lots, parking spaces and alleys. The City Manager shall provide for the closure of any streets and the process for expansion of premises by Executive Order. No fee shall be required for any expansion, but appropriate insurance, waivers, barriers, plans, and other safety measures may be required. The City Manager may likewise waive any other requirements related to the expansion of a business premises for off-premises use and/or the placement of tents for outdoor use and may implement other Executive Orders to allow for and expedite the allowance of outdoor business operations.

SECTION 2. Except as provided herein, Ordinance 2020-18, as amended, shall remain in full force and effect.

SECTION 3. The City Clerk shall be, and is hereby directed and authorized to publish this Ordinance in pamphlet form as provided by law.

SECTION 4. This Ordinance is enacted pursuant to the authority granted to the City as a home rule unit by Article VII, Section 6 of the 1970 Illinois Constitution.

SECTION 5. This ordinance shall be effective immediately after its execution and publication as required by law.

PASSED this 26th day of May 2020.

APPROVED this 27th day of May 2020.

CITY OF BLOOMINGTON

Tari Renner
Tari Renner, City Clerk

ATTEST

Leslie Simon Recum, City Clerk



ORDINANCE NO. 2020 - 45

AN ORDINANCE AMENDING THE LOCAL EMERGENCY DECLARATION ORDINANCE,
ORDINANCE 2020-18, TO MODIFY SECTION 2(H) REGARDING THE MORATORIUM ON
INTEREST, FINES AND PENALTIES

BE IT ORDAINED by the City Council of the City of Bloomington, Illinois:

SECTION 1. That Ordinance 2020-18 is hereby amended by modifying Section 2(H) as follows:

- (S) Moratorium on Interest, Fines and Penalties. No interest, fines and/or penalties shall accrue or be assessed on amounts owed to the City as of March 1, 2020 and thereafter until our region begins Phase 4 of the Restore Illinois Plan, for City utility payments, food and beverage taxes (although timely tax return filings are still required), parking tickets and/or ordinance violations, so long as said obligations to the City are paid within ninety (90) days after our region hits Phase 4 of the Restore Illinois Plan, expected to be June 26, 2020, ~~30 days after the conclusion of Governor Pritzker's Gubernatorial Disaster Proclamation, including any and all renewals thereof,~~ or until this provision is amended or repealed by the City Council. The City Manager is similarly authorized, by Executive Order, to extend the deadlines for payments related to any other amounts due and owing the City.

SECTION 2. Except as provided herein, Ordinance 2020-18, as amended, shall remain in full force and effect.

SECTION 3. The City Clerk shall be, and is hereby directed and authorized to publish this Ordinance in pamphlet form as provided by law.

SECTION 4. This Ordinance is enacted pursuant to the authority granted to the City as a home rule unit by Article VII, Section 6 of the 1970 Illinois Constitution.

SECTION 5. This ordinance shall be effective immediately after its execution and publication as required by law.

PASSED this 24th day of June 2020.

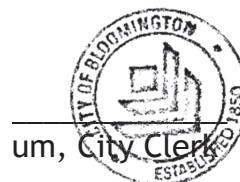
APPROVED this 25th day of June 2020.

CITY OF BLOOMINGTON

Tari Renner _____
or

ATTEST

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ORDINANCE NO. 2020 - 61

**AN ORDINANCE AMENDING THE LOCAL EMERGENCY DECLARATION ORDINANCE,
ORDINANCE 2020-18, TO ADD A NEW SECTION 2(T) SUSPENDING
DOWNTOWN SHUTTLES**

BE IT ORDAINED by the City Council of the City of Bloomington, Illinois:

SECTION 1. The City Council finds that: (1) as McLean County is currently on the warning level for the new cases per 100,000, additional emergency measures are necessary to restrict the spread of COVID-19; and (2) the operation of the downtown shuttles, used to carry patrons to and from bars in vehicles where social distancing is not possible, creates a public health and safety risk during this time of rising cases; and (3) that the suspension of downtown shuttles is necessary for the public health and safety of the community.

SECTION 2. That Ordinance 2020-18 is hereby amended by adding a new Section 2(T) as follows:

(T) Suspension of Downtown Shuttles. All licenses and certificates of public convenience for downtown shuttles issued under Chapter 40, Article X of the City Code are hereby suspended and no downtown shuttle shall operate until the repeal and/or termination of this Ordinance or provision. No additional and/or new licenses or certificates shall be issued until the repeal or termination of this Ordinance or provision.

SECTION 3. Except as provided herein, Ordinance 2020-18, as amended, shall remain in full force and effect.

SECTION 4. The City Clerk shall be, and is hereby directed and authorized to publish this Ordinance in pamphlet form as provided by law.

SECTION 5. This Ordinance is enacted pursuant to the authority granted to the City as a home rule unit by Article VII, Section 6 of the 1970 Illinois Constitution.

SECTION 6. This ordinance shall be effective immediately after its execution and publication as required by law.

PASSED this 14th day of September 2020.

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APPROVED this 16th day of September 2020.

CITY OF BLOOMINGTON

 Tari Renner
T... .., ...r

ATTEST

 Leslie Friedrich-Jung
Lesl... ..m, City Clerk

