



CITY OF
BLOOMINGTON
COUNCIL MEETING
NOVEMBER 14, 2016

CONSENT AGENDA

RECOGNITION

REGULAR AGENDA

AGENDA



City Logo Design Rationale

The symbol for the City of Bloomington is multifaceted in its visual and conceptual approach. Visually the symbol and the City's identity represent a modern progressive style which is consistent with the City's government. The symbol is based on three different concepts which combine to represent the City in a contemporary and appropriate way.

First and foremost is the chevron. The City government is a respected agency dedicated to serving the public. In this way, the chevron represents service, rank and authority.

The symbol may also be seen as a three dimensional building. This represents growth and diversity in our community.

Finally, the flower or plant derived from the original name "Blooming Grove," represents a community that is friendly and safe. Progress and growth are also associated with plant life as well as regeneration and renewal.

The symbol's positive upward movement is representative of the City's commitment to excellence!

Brief Summary of Five Council Priorities

Five Priorities

At the September retreat, Council informally selected its top five priorities, and since that time staff has seen that these five areas are the dominant focus of the Council's policy deliberations. The selected priorities are:

1. Economic Development
2. Infrastructure
3. Financial Planning
4. Reduced Emergency Response Times
5. Downtown Implementation Plan

The value in naming priorities is to establish policy direction, make that direction known to stakeholders and guide policy, budget and operational decisions. As we work to develop the City's FY17 budget, staff would find value in formalizing the five priorities for the next fiscal year.

Prior to formalization, we have prepared this brief summary to begin the dialogue about what each priority means, where it stands and what it will take to advance each going forward.

1. Economic Development

- A. Economic development was overwhelmingly recognized by the Council as **essential to the financial sustainability** of the community. It is our prime means to diversify our tax base and expand our revenue streams.
- B. City of Bloomington economic development is undertaken in parallel with **regional collaboration** and economic development initiatives of the EDC, B/N Advantage and others.
- C. The time is right to review our **economic development strategic plan and incentive policy**. Tools such as TIF are invaluable for the redevelopment of areas such as Colonial Plaza, and will be key to our success.
- D. Economic development cannot stand alone and depends on sound infrastructure and quality of life to successfully ensure a financially-sound future for our community.

2. Infrastructure

- A. The City is decades behind in funding much-needed **infrastructure maintenance**, estimated to total \$400M or more. Reliable infrastructure with the capacity to handle growth is essential to economic development, quality of life and the City's financial long-term stability.
- B. Our City's recently completed **infrastructure Master Plans**, encompassing streets, sanitary sewers, storm water, facilities, sidewalks and more provide detailed inventory, condition rating and make it possible for us to assess and prioritize critical needs.
- C. The next essential step is to develop a **five year Capital Improvement Plan** to address the most urgent/timely needs, AND a funding strategy.
- D. Some projects included in the City's Master Plans are prime candidates for borrowing. Financing options are many, and Council will determine a preferred strategy, ranging from conservative to aggressive.

3. Financial Planning

- A. Since the Great Recession, we are all adapting to a new economy that requires us to have a **long-term, continuously evolving plan for financial sustainability**, including a plan for appropriate reserves. We must have a balanced budget to avoid the pitfalls and reputational damage that many other governments continue to experience.
- B. A deficit in the City's General Fund was averted in the near term through Budget Task Force recommendations and the Council's recent adoption of a 1% sales tax increase. However, the City's expenses, especially those tied to Police and Fire pensions and labor costs, will continue to increase over the years. The **potential for a General Fund structural deficit** will continue to threaten future budgets.
- C. It will take all of us, including our citizens, to develop solutions for achievement of financial sustainability. We must focus on refining our financial projections, re-forecasting when appropriate, identifying programs and services, establishing appropriate levels of service performance measures, and prioritization.
- D. A **Capital Improvement Plan and funding** is critical to the City's financial strategy now and going forward.

4. Reduced Emergency Response Times

- A. Despite the excellent efforts of our first responders, the Fire Master Plan identified that **service to the City's northeast portion is inadequate and response times are below our standards**. Long-term, the Master Plan recommends a new Fire Station facility to serve the northeast area of the City. In the short-term, we must identify creative and innovative methods to reduce EMS and fire suppression response times.
- B. Quality public safety services are essential to a community's Economic Development and, with so many financial resources devoted to public safety, **finding efficient solutions to public safety issues** contributes to the long-term financial health of the community.

5. Downtown Implementation Plan

- A. The Downtown Master Plan was adopted by the City Council in 2013 without an Implementation Plan. Increased interest in Downtown economic development, notably in the proposed addition of hotel and/or convention center space, indicates this is the time to **design the City's role** in success of the Downtown.
 - a. It will take inside and outside **resources to vet potential Downtown projects**.
 - b. We must determine the amount and type of **public engagement** that is appropriate for Downtown development proposals.
 - c. Traditionally, municipalities play a role in Downtown **streetscape improvements** and meeting its **parking needs**.
- B. We can **build upon the qualities that make our Downtown special**, such as our ties to President Lincoln and Route 66, both expertly displayed in the new Visitors Center at the McLean County Museum of History. Smart economic development in Downtown will expand on existing assets and attractions like the Museum, the BCPA and the Coliseum.

RESOLUTION NO. 2016 -29

**A RESOLUTION ADOPTING A MISSION, VISION AND VALUES STATEMENT FOR THE
CITY OF BLOOMINGTON**

WHEREAS, the City of Bloomington ("City") is an Illinois home-rule municipality; and

WHEREAS, the City is known as the "Jewel of the Midwest;" and

WHEREAS, the City is a great place to live, work and play; and

WHEREAS, the City Council desires to adopt a statement expressing the Organizational Mission, Vision and Values of the City.

NOW, THEREFORE, BE IT RESOLVED BY THE City Council of the City of Bloomington, McLean County, Illinois, as follows:

Section 1. The above stated recitals are incorporated herein by reference.

Section 2. The City Council of the City of Bloomington hereby formally adopt the following as the City's Organizational Mission, Vision and Values:

Mission: To lead, serve and uplift the City of Bloomington

Vision: A Jewel of Midwest Cities

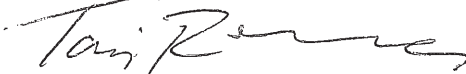
Values: Service-centered, results-driven, inclusive.

Section 3. All resolutions in conflict with this Resolution, as well as any previous statements adopted on the mission, vision and values of the City are hereby repealed.

Section 4. This Resolution shall be in full force and effect immediately after its passage and approval.

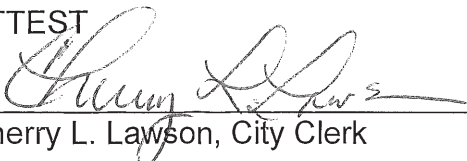
APPROVED by the City Council of the City of Bloomington, McLean County, Bloomington, Illinois, July 25, 2016, by a vote of 7 to 1. (Nay: Alderman Kevin Lower) (Absent: Alderman David Sage)

CITY OF BLOOMINGTON



Tari Renner, Mayor

ATTEST



Cherry L. Lawson, City Clerk



2015 Strategic Plan Goals

Goal 1. Financially Sound City Providing Quality Basic Services

- Objective
- a. Budget with adequate resources to support defined services and level of services
 - b. Reserves consistent with city policies
 - c. Engaged residents that are well informed and involved in an open governance process
 - d. City services delivered in the most cost-effective, efficient manner
 - e. Partnering with others for the most cost-effective service delivery

Goal 2. Upgrade City Infrastructure and Facilities

- Objective
- a. Better quality roads and sidewalks
 - b. Quality water for the long term
 - c. Functional, well maintained sewer collection system
 - d. Well-designed, well maintained City facilities emphasizing productivity and customer service
 - e. Investing in the City's future through a realistic, funded capital improvement program

Goal 3. Grow the Local Economy

- Objective
- a. Retention and growth of current local businesses
 - b. Attraction of new targeted businesses that are the "right" fit for Bloomington
 - c. Revitalization of older commercial homes
 - d. Expanded retail businesses
 - e. Strong working relationship among the City, businesses, economic development organizations

Goal 4. Strong Neighborhoods

- Objective
- a. Residents feeling safe in their homes and neighborhoods
 - b. Upgraded quality of older housing stock
 - c. Preservation of property/home valuations
 - d. Improved neighborhood infrastructure
 - e. Strong partnership with residents and neighborhood associations
 - f. Residents increasingly sharing/taking responsibility for their homes and neighborhoods

Goal 5. Great Place – Livable, Sustainable City

- Objective
- a. Well-planned City with necessary services and infrastructure
 - b. City decisions consistent with plans and policies
 - c. Incorporation of "Green Sustainable" concepts into City's development and plans
 - d. Appropriate leisure and recreational opportunities responding to the needs of residents
 - e. More attractive city: commercial areas and neighborhoods

Goal 6. Prosperous Downtown Bloomington

- Objective
- a. More beautiful, clean Downtown area
 - b. Downtown Vision and Plan used to guide development, redevelopment and investments
 - c. Downtown becoming a community and regional destination
 - d. Healthy adjacent neighborhoods linked to Downtown
 - e. Preservation of historic buildings



CITY COUNCIL MEETING AGENDA

CITY COUNCIL CHAMBERS

109 E. OLIVE STREET, BLOOMINGTON, IL 61701

MONDAY, NOVEMBER 14, 2016 7:00 P.M.

- 1. Call to order**
- 2. Pledge of Allegiance to the Flag**
- 3. Remain Standing for a Moment of Silent Prayer**
- 4. Roll Call**
- 5. Recognition/Appointments**
 - A. Proclamation declaring November 17, 2016 as "Prematurity Awareness Day".
 - B. Proclamation of Gordon Vayo Placing 2nd In the World Series of Poker of 2016.
 - C. Recognition of the Heritage Award for Preservation Excellence to Gaye Beck; Greg Shaw and Mollie Ward; Matthew and Rebecca Spears, and Keith and Diane Thompson.
 - D. Recognition of receiving the Public Service Award to the Bloomington Fire Department and LeRoy Ambulance, from the American Red Cross.
 - E. Recognition of receiving the Good Samaritan Award to Jon Caponi, from the American Red Cross.
 - F. Appointment of Kellie Williams to the Cultural District Commission.
- 6. Public Comment**
- 7. "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

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Counsel so requests, in which event, the item will be removed from the Consent Agenda and considered in the Regular Agenda, which is Item #8.

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

- A. Consideration of approving the Minutes of the October 24, 2016 Regular City Council Meeting and the Minutes of the September 19, 2016 Special Session Meeting. *(Recommend that the reading of the minutes of the October 24, 2016 Regular City Council Meeting and the minutes of the September 19, 2016 Special Session Meeting, be dispensed with and the minutes approved as printed.)*
- B. Consideration of approving Bills, Payroll, and Electronic Transfers in the amount of \$7,098,164.09. *(Recommend that the Bills, Payroll, and Electronic Transfers be allowed in the amount of \$7,098,164.09, and orders drawn on the Treasurer for the various amounts as funds are available.)*
- C. Consideration of approving an appointment to the Cultural District Commission. *(Recommend that Kellie Williams be appointed to the Cultural District Commission.)*
- D. Consideration of approving the issuance of a Purchase Order in the amount of \$147,576.83 to CDWG, Inc. from the State of Illinois Department of Central Management Services (CMS) Joint Purchasing Contract (CMS69451150) for Microsoft Enterprise Agreement licensing. *(Recommend that Council approve a Purchase Order to CDWG, Inc. for the 2016 Microsoft Enterprise Agreement (EA) software maintenance and support covering the City's Microsoft licensing, in the amount of \$147,576.83 from the State of Illinois Department of Central Management Services (CMS649451150), and the Procurement Manager be authorized to issue same.)*
- E. Consideration of approving a Land Donation and Construction Agreement with Habitat for Humanity of McLean County for the distribution of vacant property for development of affordable housing for low and moderate income residents in the City. *(Recommend that Council approves the Land Donation and Construction Agreement with Habitat of McLean County for the distribution of vacant lots obtained through activities of the Community Development Department's Code Enforcement Division.)*
- F. Consideration of approving a Land Donation Agreement with Youthbuild McLean County for the donation of land (vacant lots and vacant single-family homes) for development of new and rehabilitated affordable housing for low and moderate income residents in the City. *(Recommend that Council approves the Land Donation Agreement with Youthbuild McLean County for the donation of land (vacant lots and vacant single-family homes) obtained through activities of the Community Development Department's Code Enforcement Division.)*

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- G. Consideration of adopting a Resolution approving a change order to the contract with JG Stewart Inc., for the construction of two (2) concrete basketball courts at Sunnyside Park. *(Recommend that the Resolution approving a change order to the contract with JG Stewart, Inc. for the construction of two (2) basketball courts at Sunnyside Park in the amount of \$49,200 be approved, and authorize the Mayor and City Clerk to execute the Resolution, and authorize the City Manager and City Clerk to execute the necessary documents for the expanded work.)*
- H. Consideration of a Resolution approving a cost modification associated with the IDOT Motor Fuel Tax Agreement with Farnsworth Group, Inc. for Professional Engineering Design Services for Linden Street Bridge Rehabilitation Improvements, RFQ No. 2015 - 26. *(Recommend that the City Council approve a Resolution authorizing a change order with Farnsworth Group, Inc. regarding Professional Engineering Services Agreement for Design and Construction Plan Preparation of Linden Street Bridge Rehabilitation, and that an IDOT Resolution for Improvement By Municipality be approved, in the amount of \$7,100.00, and authorize the Mayor and City Clerk to execute the necessary documents, and the City Manager to take all actions, including execution of documents, necessary to authorize the work.)*
- I. Consideration of an Ordinance approving a Petition from Greyhound Properties, LLC, for an Expedited Final Plat for Morrissey Crossing Subdivision, located South of Veterans Parkway and West of Morrissey Drive, and rescinding Ordinance No. 2013-83 and Ordinance No. 2016-40. *(Recommend that the Ordinance be approved for the Expedited Final Plat for Morrissey Crossing, rescinding Ordinance NO. 2013-83, and rescinding Ordinance No. 2016-40, and that the Mayor and City Clerk be authorized to sign the necessary documents.)*
- J. Consideration of the application of Crawford's Corner Pub, LLC, d/b/a Crawford's Corner Pub, located at 610 W Chestnut, requesting a TAS liquor license which would allow the sale of all types of alcohol by the glass for consumption on the premises seven (7) days a week. *(Recommend that the application of Crawford's Corner Pub, LLC, d/b/a Crawford's Corner Pub, located at 610 W Chestnut, requesting a TAS liquor license which would allow the sale of all types of alcohol by the glass for consumption on the premises seven (7) days a week be approved contingent upon: 1.) Closing hours Sunday through Thursday are 11:00 p.m. and closing on Friday and Sunday at midnight (12:00 a.m.) then if there are no issues for six (6) months the applicant could submit a request to have the Liquor Commission review the condition and 2.) No signage including banners facing Chestnut St.)*
- K. Consideration of approving an Ordinance Suspending Portions of Section 701 of Chapter 31 and Section 26(d) of Chapter 6 of the City Code for a Wedding Reception on November 19, 2016. *(Recommend that the Ordinance Suspending Portions of Section 701 of Chapter 31 and Section 26(d) of Chapter 6 of the City Code for a Wedding Reception on November 19, 2016,*

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at the Davis Lodge be approved, and that the Mayor and City Clerk be authorized to execute the necessary documents.)

- L. Consideration of approving an Ordinance Suspending Portions of Section 701 of Chapter 31 and Section 26(d) of Chapter 6 of the City Code for a Wedding Reception on January 14, 2017. *(Recommend that the Ordinance Suspending Portions of Section 701 of Chapter 31 and Section 26(d) of Chapter 6 of the City Code for a Wedding Reception on January 14, 2017, at the Davis Lodge be approved, and that the Mayor and City Clerk be authorized to execute the necessary documents.)*
- M. Consideration of approving an Ordinance Suspending Portions of Section 701 of Chapter 31 and Section 26(d) of Chapter 6 of the City Code for a Wedding Reception on April 29, 2017. *(Recommend that the Ordinance Suspending Portions of Section 701 of Chapter 31 and Section 26(d) of Chapter 6 of the City Code for a Wedding Reception on April 29, 2017, at the Davis Lodge be approved, and that the Mayor and City Clerk be authorized to execute the necessary documents.)*

8. “Regular Agenda”

- A. Consideration of adopting a Resolution urging Illinois State Leaders To Release Downstate Operating Assistance Grant Funds To Public Transportation providers, including Connect Transit. *(Recommend that the Resolution be adopted urging Illinois state leaders to release downstate operating assistance grant funds to public transportation providers, including Connect Transit, and authorize the Mayor and City Clerk to execute the necessary document.) (Council discussion 10 minutes.)*
- B. Consideration of an Ordinance approving the proposed *Estimated* 2016 Tax Levy for the Bloomington Public Library. *(Recommend that Council approves the Ordinance adopting the Estimated 2016 Property Tax Levy in the amount of \$4,683,111, and authorize the Mayor and City Clerk to execute the necessary documents.) (Presentation by Jeanne Hamilton, Library Director 5 minutes, and Council discussion 10 minutes.)*
- C. Consideration of an Ordinance approving the proposed *Estimated* 2016 Tax Levy for the City of Bloomington. *(Recommend that Council approves the Ordinance to adopt the Estimated 2016 Property Tax Levy in the amount of \$20,061,265, and authorize the Mayor and City Clerk to execute the necessary documents.) (Presentation by David Hales, City Manager and Patti-Lynn Silva, Finance Director 5 minutes, and Council discussion 10 minutes.)*
- D. Consideration of approving a Professional Services Contract with the BKV Group for Professional Architectural Services to design an elevator to comply with the Americans with Disabilities Act (ADA) at the Coliseum, (RFQ 2016-04). *(Recommend that the Professional*

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Services Contract with the BKV Group for Professional Architectural Services to design an elevator to comply with the Americans with Disabilities Act (ADA) at the Coliseum in the amount of \$120,270.00 be approved, and authorize the City Manager and City Clerk to execute the necessary documents.)(Presentation by Russ Waller, Facilities Manager 5 minutes, and Council discussion 10 minutes.)

- E. Consideration of approving a purchase of 2- 2018 International Navistar 4300LP Horton Type MED, Model 623 Type I Ambulances. *(Recommend that the City Manager and City Clerk be authorized to execute the necessary documents to purchase two (2) – 2018 International Navistar 4300LP Horton Type MED, Model 623 Type I ambulances from Foster Coach of Sterling, IL through the Northwest Municipal Conference (NWMC) Joint Purchasing Cooperative for the amount of \$523,746.00.)(Presentation by Brian Mohr, Fire Chief, 5 minutes, and Council discussion 10 minutes.)*

- 9. City Manager’s Discussion**
- 10. Mayor’s Discussion**
- 11. City Aldermen’s Discussion**
- 12. Executive Session – *Cite Section***
- 13. Adjournment**
- 14. Notes**

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COUNCIL AGENDA ITEM NO. 5

RECOGNITION/APPOINTMENT

5. Recognition/Appointments
 - A. Proclamation Declaring November 17, 2016 as “Prematurity Awareness Day.”
 - B. Proclamation of Gordon Vayo Placing 2nd In The World Series of Poker of 2016.
 - C. Recognition of the Heritage Award for Preservation Excellence to Gaye Beck; Greg Shaw and Mollie Ward; Matthew and Rebecca Spears, and Keith and Diana Thompson.
 - D. Appointment of Kellie Williams to the Cultural District Commission.

PROCLAMATION

Declaring

November 17, 2016 Prematurity Awareness Day

WHEREAS, the March of Dimes Foundation is a pioneer in improving the health of infants and women of childbearing age by preventing birth defects, premature birth and infant mortality; and,

WHEREAS, the March of Dimes was founded by President Franklin D. Roosevelt in 1938 to fight polio, and funded the development of two vaccines – still in use today – that virtually eliminated the crippling disease; and,

WHEREAS, the March of Dimes in 1958, having achieved its initial mission, shifted its attention from polio to the prevention of birth defects, and through federal and state advocacy lead the way in establishing a nationwide network of birth defects monitoring programs and research centers; and,

WHEREAS, the March of Dimes in 2003 launched the Prematurity Campaign to address the crisis of premature birth and help families have full-term, healthy babies, and authored the Premature Research Expansion and Education Act for Mothers (PREEMIE) Act, which Congress enacted in 2006 and reauthorized in 2013 to expand research, education, and services to fight premature births; and,

WHEREAS, the March of Dimes has set a national goal of reducing preterm birth to 5.5 percent in every state by 2030, which will result in a healthier start in life for tens of thousands of infants; and,

WHEREAS, over 16,000 babies are born premature in the state of Illinois, representing 10.2 percent of all state births; and,

WHEREAS, the March of Dimes in Illinois has worked extensively to promote tobacco-related policies that help to reduce premature birth and promote health equity; and,

WHEREAS, the month of November is recognized as World Prematurity Awareness Month to bring about recognition of this global health crisis, and November 17 is recognized as Prematurity Awareness day across the United States; and,

WHEREAS, the March of Dimes and its volunteers continue to advocate for national and state health policies and programs that affect women of childbearing age, infants, children, and families; and,

NOW, THEREFORE, I, Tari Renner, Mayor, do hereby extend special recognition to the March of Dimes in Illinois and declare November 17, 2016 a Prematurity Awareness day.

Tari Renner
Mayor

Cherry Lawson
City Clerk

Proclamation Gordon Vayo

WHEREAS, we are here to celebrate the achievement of Gordon Vayo, a professional poker player who attended University High School and a Bloomington native; and

WHEREAS, Gordon recently competed in the World Series of Poker; and,

WHEREAS, Gordon placed second in the tournament; and,

WHEREAS, He has 4 Circuit cashes and 27 World Series of Poker cashes; and,

WHEREAS, He has \$44,853 in Circuit earnings and \$5,269.364 in World Series of Poker earning; and,

WHEREAS, I, Tari Renner, Mayor of the City of Bloomington, do hereby deem it an honor and pleasure to extend this proclamation to Gordon Vayo, with sincere congratulations.

THEREFORE, IN WITNESS WHEREOF, I do hereby set my hand, and cause the seal of The City of Bloomington be affixed, this 14th day of November.

Tari Renner

Tari Renner
Mayor



Cherry L. Lawson

Cherry L. Lawson
City Clerk

The City of Bloomington Historic Preservation Commission

Presents this

Heritage Award for Preservation Excellence

to

GAYE BECK

*In recognition of the adaptive reuse of the property located at 312 N Main Street and of the contributions made to the built environment which reflect the unique historic character of the City of Bloomington, Illinois.
Heritage Awards are presented to those who by their vision, talents and hard work have made exemplary contribution to preservation excellence.*

Signed this 14th day of November in the year of 2016

Brad Williams, Chairperson

Tari Renner, Mayor

The City of Bloomington Historic Preservation Commission

Presents this

Heritage Award for Preservation Excellence

to

GREG SHAW AND MOLLIE WARD

*In recognition of the restoration of the property located at 1104 N. Roosevelt Avenue and of the contributions made to the
built environment which reflect the unique historic character of the City of Bloomington, Illinois.
Heritage Awards are presented to those who by their vision, talents and hard work have made exemplary contribution to
preservation excellence.*

Signed this 14th day of November in the year of 2016

Brad Williams, Chairperson

Tari Renner, Mayor

The City of Bloomington Historic Preservation Commission

Presents this

Heritage Award for Preservation Excellence

to

MATTHEW AND REBECCA SPEARS

*In recognition of the restoration of the property located at 901 W. MacArthur Avenue and of the contributions made to the
built environment which reflect the unique historic character of the City of Bloomington, Illinois.
Heritage Awards are presented to those who by their vision, talents and hard work have made exemplary contribution to
preservation excellence.*

Signed this 14th day of November in the year of 2016

Brad Williams, Chairperson

Tari Renner, Mayor

The City of Bloomington Historic Preservation Commission

Presents this

Heritage Award for Preservation Excellence

to

KEITH AND DIANE THOMPSON

*In recognition of the restoration of the property located at 301 E. Grove Street and of the contributions made to the built environment which reflect the unique historic character of the City of Bloomington, Illinois.
Heritage Awards are presented to those who by their vision, talents and hard work have made exemplary contribution to preservation excellence.*

Signed this 14th day of November in the year of 2016

Brad Williams, Chairperson

Tari Renner, Mayor

 CITY OF
Bloomington **ILLINOIS**
CONSENT AGENDA ITEM NO: 7A

FOR COUNCIL: November 14, 2016

SUBJECT: Consideration of approving the Minutes of the October 24, 2016 Regular City Council Meeting and the Minutes of the September 19, 2016 Special Session Meeting.

RECOMMENDATION/MOTION: That the reading of the minutes of the October 24, 2016 Regular City Council Meeting and the minutes of the September 19, 2016 Special Session Meeting, be dispensed with and the minutes approved as printed.

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 within thirty (30) days after the meeting or at the Council's second subsequent regular meeting whichever is later.

In accordance with the Open Meetings Act, Council Proceedings are made available for public inspection and posted to the City's web site within ten (10) days after Council approval.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Not applicable.

FINANCIAL IMPACT: Not applicable

Respectfully submitted for Council consideration.

Prepared by: Cherry L. Lawson, C.M.C., City Clerk

Recommended by:



David A. Hales
City Manager

Attachments:

- October 24, 2016 Regular Session Meeting Minutes
- September 19, 2016 Special Session Meeting Minutes

Motion: That the reading of the minutes of the October 24, 2016 Regular City Council Meeting and the minutes of the September 19, 2016 Special Session Meeting, be dispensed with and the minutes approved as printed.

**SUMMARY MINUTES
PUBLISHED BY THE AUTHORITY OF THE CITY COUNCIL
OF BLOOMINGTON, ILLINOIS
MONDAY, OCTOBER 24, 2016; 7:00 P.M.**

1. Call to Order

The Council convened in Regular Session in the Council Chambers, City Hall Building, at 7:00 p.m., Monday, October 24, 2016. The Meeting was called to order by Mayor Tari Renner.

2. Pledge of Allegiance to the Flag

The Meeting was opened by Pledging Allegiance to the Flag followed by a moment of silent prayer.

3. Remain Standing for a Moment of Silent Prayer

4. Roll Call

Mayor Renner directed the City Clerk to call the roll and the following members of Council answered present:

Aldermen: Kevin Lower, David Sage, Mboka Mwilambwe, Amelia Buragas, Joni Painter, Karen Schmidt, Scott Black, Diana Hauman, Jim Fruin, and Mayor Tari Renner.

Alderman absent: None.

Staff Present: David Hales; City Manager, Steve Rasmussen; Assistant City Manager, Jeffery Jurgens; Corporation Counsel, Cherry L. Lawson; City Clerk, Tom Dabareiner; Community Development Director, Nicole Albertson; Director of Human Resources, Jim Karch; Public Works Director, Austin Grammer; Economic Development Coordinator, and other City staff were also present.

5. Recognition / Appointments

The following were presented:

- A. Appointment of Lauren Lacy to the Connect Transit Board.
- B. Reappointment of Tricia Stiller to the Cultural District Commission.

6. Public Comment

Mayor Renner opened the meeting to receive Public Comment. The following individuals provided comments during the meeting.

Paula Stubblefield
Patricia Marton
Alton Franklin
Glen Ludwig
Donna Boelen
Jamie Evans
Max Beck
Jason Jankowiak
Ceclia Tuchardt
Gary Lambert

6. Consent Agenda

The following was presented:

Mayor Renner asked Council whether there were any items to be removed from the Consent Agenda for further discussion.

Motion by Alderman Schmidt, seconded by Alderman Hauman, that the Consent Agenda Items be approved with the exceptions of items 7I and 7J.

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

Ayes: Aldermen Lower, Sage, Mwilambwe, Buragas, Painter, Schmidt, Black, Hauman and Fruin.

Nays: None.

Motion carried.

The following was presented:

Item 7A. Consideration of approving the Minutes of the October 10, 2016, Regular City Council Meeting.

The following was presented:

Item 7B. Consideration of approving Bills, Payroll, Procurement Card Purchases, and Electronic Transfers in the amount of \$5,686,300.30.

The following was presented:

Item 7C. Consideration of approving Reappointments and Appointments to Various Commissions and Committees.

The following was presented:

Item 7D. Consideration of approval of Continuum of Care Grant Agreements.

The following was presented:

Item 7E. Consideration of approving the purchase of eight (8) 2017 Ford Utility Police Interceptor All Wheel Drive (AWD) vehicles using the (SPC) Suburban Purchasing Cooperative Contract number #152, from Currie Motors of Frankfort, Illinois in the amount of \$243,129.00.

The following was presented:

Item 7F. Consideration of approving a Professional Services Contract with Patrick Engineering, Inc. for Professional Engineering Services related to Arc Flash Study at Bloomington Water Treatment Plant and Evergreen Lake Pump Station, (RFQ 2017-08).

The following was presented:

Item 7G. Consideration of approving a Resolution waiving the bidding requirements that identifies Helena Chemical as a single source distributor, and enter into an Early Order Program for procurement of Syngenta, BASF, Bayer, and Nufarm (the manufacturers) golf course chemicals and fertilizer products utilized in the management of turf-grass maintenance.

RESOLUTION NO. 2016 - 37

A RESOLUTION AUTHORIZING WAIVING THE TECHNICAL BIDDING REQUIREMENTS AND APPROVING THE PURCHASE OF CHEMICALS FOR GOLF TURF GRASS MANAGEMENT FOR THE 2017 GOLF SEASON (CITY FISCAL YEAR 2018).

The following was presented:

Item 7H. Consideration of adopting an Ordinance approving a Petition from Larry Huffman, for a final plat for ABM Subdivision, located east of Main Street and north of Woodrig Road.

ORDINANCE NO. 2016 - 111

AN ORDINANCE APPROVING THE FINAL PLAT OF ABM SUBDIVISION

The following was presented:

Item 7I. Consideration of approving an Ordinance setting the Compensation for City Elected Officials. *(This item was pulled from the agenda for further Council discussion.)*

ORDINANCE 2016 - 112

AN ORDINANCE SETTING THE COMPENSATION FOR CITY ELECTED OFFICIALS
AND AMENDING THE CITY CODE PROVISIONS ON SAME

The following was presented:

Item 7J. Consideration of approving an Ordinance Validating and Providing for the Corrected Publication of an Ordinance Amending Chapter 6, Section 7B of the Bloomington City Code Providing for a Graduated Increase in Liquor License Fees. *(This item was pulled from the agenda for further Council discussion.)*

CORRECTED ORDINANCE NO. 2016-113

AN ORDINANCE AMENDING BLOOMINGTON
CITY CODE CHAPTER 6

The following was presented:

Item 7K. Consideration of approving a Lake Bloomington Lease Transfer Petition for Lot 5, Block 24 of Camp Potowatomie, from George F. & Marlene Kahlfeldt to J. Craig & Patria A. Bouas.

The following was presented:

Item 7I. Consideration of approving an Ordinance setting the Compensation for City Elected Officials. *(This item was pulled from the agenda for further Council discussion.)*

ORDINANCE 2016 - 112

AN ORDINANCE SETTING THE COMPENSATION FOR CITY ELECTED OFFICIALS
AND AMENDING THE CITY CODE PROVISIONS ON SAME

Alderman Fruin stated that the data presented to Council shows the City Alderman and the City Mayor are in a lower paid position than other surrounding communities. The last salary increase for City Council Members or Mayor was approved sixteen (16) years ago in October of 2000.

Alderman Black stated a calendar for this topic needs to be created so that it is discussed on a regular basis; every four years, as with any other salary increases.

Mayor Renner suggested another entity; such as the budget task force, reviewing and presenting this data to Council on a periodic basis and recommending changes as needed.

Motion by Alderman Fruin, seconded by Alderman Schmidt, that the Ordinance Setting the Compensation for City Elected Officials and Amending the City Code Provisions on Compensation be adopted and the Mayor and City Clerk authorized to execute the ordinance.

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

Ayes: Aldermen Lower, Sage, Mwilambwe, Buragas, Painter, Schmidt, Black, Hauman, and Fruin.

Nays: None.

Motion carried.

The following was presented:

Item 7J. Consideration of approving an Ordinance Validating and Providing for the Corrected Publication of an Ordinance Amending Chapter 6, Section 7B of the Bloomington City Code Providing for a Graduated Increase in Liquor License Fees. *(This item was pulled from the agenda for further Council discussion.)*

CORRECTED ORDINANCE NO. 2016-113

AN ORDINANCE AMENDING BLOOMINGTON CITY CODE CHAPTER 6

Alderman Sage stated concerns with the inconsistencies between the Council Memo presented in the packet and the minutes from the April 25, 2016 Council Meeting. The report states there was a unanimous vote to pass an Ordinance to increase Liquor taxes over a five year period, however the minutes from the April 25, 2016 meeting, do not show this vote as being unanimous.

Mr. Hales stated the Memo would be modified to correctly display the voting results.

Alderman Sage stated he would support the motion of the Ordinance once the correct roll call voting information was displayed.

Motion by Alderman Sage, seconded by Alderman Painter, that the Ordinance be adopted, with the clarification on the voting to be spelled out within the Resolution, declaring Ordinance No. 2016-35 valid and providing for publication of a corrected copy of the Ordinance to be published within 30 days of passage of the declaratory ordinance.

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

Ayes: Aldermen Lower, Sage, Mwilambwe, Buragas, Painter, Schmidt, Black, Hauman, and Fruin.

Nays: None.

Motion carried.

Regular Agenda

The following was presented:

Item 8A. Consideration of adopting three ordinances to establish the proposed Downtown-Southwest Redevelopment Project Area (TIF District).

(a) Ordinance approving the TIF Redevelopment Plan for the Downtown-Southwest Redevelopment Project Area be approved and authorize the Mayor and City Clerk to execute the necessary documents.

ORDINANCE NO. 2016 - 114

AN ORDINANCE OF THE CITY OF BLOOMINGTON, MCLEAN COUNTY, ILLINOIS,
APPROVING THE TAX INCREMENT FINANCING
REDEVELOPMENT PLAN FOR THE DOWNTOWN-SOUTHWEST REDEVELOPMENT
PROJECT AREA

(b) Ordinance designating the proposed Downtown-Southwest Redevelopment Project Area, a Redevelopment Project Area pursuant to the Tax Increment Allocation Redevelopment Act be approved and authorize the Mayor and City Clerk to execute the necessary documents.

ORDINANCE NO. 2016 - 115

AN ORDINANCE OF THE CITY OF BLOOMINGTON, MCLEAN COUNTY, ILLINOIS,
DESIGNATING THE PROPOSED DOWNTOWN-SOUTHWEST REDEVELOPMENT
PROJECT AREA, A REDEVELOPMENT PROJECT AREA PURSUANT TO THE TAX
INCREMENT ALLOCATION REDEVELOPMENT ACT

(c) Ordinance adopting Tax Increment Allocation Financing for the Downtown-Southwest Redevelopment Project Area be approved and authorize the Mayor and City Clerk to execute the necessary documents.)

ORDINANCE NO. 2016 - 116

AN ORDINANCE OF THE CITY OF BLOOMINGTON, MCLEAN COUNTY, ILLINOIS,
ADOPTING TAX INCREMENT ALLOCATION FINANCING FOR THE DOWNTOWN-
SOUTHWEST REDEVELOPMENT PROJECT AREA

Mr. Grammer stated in prior presentations he presented maps and illustrations to show the outlines of the TIF district and the different blighted factors that qualified the area. This presentation will be focusing on the pictures that were included in the eligibility study that were taken by The City's consultant at PGAV. They show the actual excising conditions of the buildings. The City is trying to eliminate all the blighted factors from the buildings in this area. These buildings can then be used for recreational areas, places of employment, or mixed use development. Municipal involvement and help will be necessary to turn these properties around. Mr. Grammer presented Council with three Ordinances that would put into place the TIF district; an Ordinance to adopt the TIF Plan and Redevelopment project, an Ordinance to designate the area for tax increment financing, and an Ordinance to adopt tax increment financing for the area.

Alderman Lower asked for a quote on the actual appraised value of these properties for the public to be aware of the total price. He stated concerns that the total price value is holding these building back.

Motion by Alderman Black, seconded by Alderman Schmidt, that the three Ordinances are adopted.

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

Ayes: Aldermen Sage, Mwilambwe, Buragas, Painter, Schmidt, Black, Hauman, and Fruin.

Nays: Alderman Lower.

Motion carried.

The following was presented:

Item 8B. Consideration of an Ordinance approving a Redevelopment Agreement between the City of Bloomington and Milan Hotels (Magnus Hotels LLC) for its proposed acquisition and redevelopment of the Baymont Inn & Suites at 604 ½ IAA Drive.

ORDINANCE NO. 2016 - 117

ORDINANCE APPROVING A REDEVELOPMENT AGREEMENT BY AND BETWEEN
THE CITY OF BLOOMINGTON, MCLEAN COUNTY, ILLINOIS AND MAGNUS HOTELS
LLC

Mr. Grammer stated the property of discussion is the Baymont Inn and Suites, located at 604 ½ IAA Drive. By renovating this building the City is hoping to eliminate qualifying factors of putting it in a TIF district. By assisting with private development, the City is hoping to prevent it from becoming a “blighted area.” Mulan Hotels proposed to take over this property and redevelop it into a Best Western Plus Hotel.

Alderman Sage asked for clarification on the hotel/motel tax incentive. He asked whether hotel/motel taxes from all hotels and motels in Bloomington or whether the tax incentive is being applied to this particular property’s hotel/motel taxes being used?

Mr. Grammer confirmed it was just this particular property’s hotel/motel taxes.

Alderman Sage asked who was in charge of paying back real-estate and hotel/motel taxes owed.

Mr. Grammer stated, the way the contract is written, it is the developer; Mulan Hotels, who is in charge of paying these back real-estate payments and hotel/motel taxes owed.

Alderman Lower stated that the Hotel Motel businesses in Bloomington have slowed down and occupancy levels are only hitting in the 50 (%) percentile from August of 2015 to August of 2016. He wanted Council to note these declining numbers.

Alderman Black reiterated, this is a self-funding project. The revenues generated from the project are solely what will be used to pay the TIF.

Motion by Alderman Schmidt, seconded by Alderman Painter, that the Ordinance approving a Redevelopment Agreement between the City of Bloomington and Magnus Hotels LLC be approved, and authorize the Mayor and City Clerk to execute the necessary documents.

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

Ayes: Aldermen Lower, Sage, Mwilambwe, Buragas, Painter, Schmidt, Black, Hauman, and Fruin.

Nays: None.

Motion carried.

The following was presented:

Item 8C. Consideration of the analysis of Bids and Approval of the FY 2017 Sewer Rehabilitation Contract, City Bid No. 2017-17

&

Item 8D. Consideration of the analysis of Proposals and Approval of the FY 2017 CCTV Sewer Inspection Contract, City Bid No. 2017-16.

Mr. Karch stated one presentation would be given on two different contracts for Council to consider. Most of the sewers throughout Bloomington have not been assessed or rated. Most sewer analysis currently is driven by emergencies and the street resurfacing schedule. The condition of the underground infrastructure is largely unknown. The two contracts are a CCTV contract and a lining contract.

Through the CCTV contract, a 4-wheel vehicle will be sent into the sewer equipment and sewer piping, allowing the vehicle to televise and rate the infrastructure. Through the lining contract the City would be restoring the sewer to like-new conditions at a fraction of new construction costs. The lining would provide a barrier for the water. It is much more cost effective to be proactive and line the sewers than to be reactive when a problem arises. First staff assesses the damage with televising through the CCTV contract. They look for structural breaks. Different crews will then go in and do point repairs. Some sewer lines will not be able to be repaired due to excessive damage. Lining can then be done through the lining contract. Once lining is done, a company comes in and re-drills the holes where resident's laterals were prior.

In the last three years, the City has lined about eight (8) miles of sewer lines. Out of 350 miles of sewers; however, there is still a significant amount of mileage to finish. Without changes to funding, the best management practices will not be able to continue.

Motion by Alderman Painter, seconded by Alderman Schmidt, to approve items 8C and 8D together in one motion; that the unit prices from Hoerr Construction, Inc. for the Base Bid and Alternate Bid A be accepted, and a contract awarded in the amount of \$1,695,000.00, and that the prices from Hoerr Construction, Inc. for the base bid and additive alternates be accepted, and the contract be awarded in the amount of \$175,000.00 and the City Manager and City Clerk be authorized to execute the necessary documents.

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

Ayes: Aldermen Lower, Sage, Mwilambwe, Buragas, Painter, Schmidt, Black, Hauman, and Fruin.

Nays: None.

Motion carried.

The following was presented:

Item 8E. Consideration of approving Resolution in support of Privately-Funded Renovations to the Creativity Center and Long-term Maintenance to the Facility.

RESOLUTION NO. 2016- 38

RESOLUTION IN SUPPORT OF PRIVATELY-FUNDED RENOVATIONS TO THE CREATIVITY CENTER AND LONG-TERM MAINTENANCE TO THE FACILITY

Mr. Hales stated the final Resolution for the Creativity Center is being presented to Council for approval. With approval, the public would understand Council's policy moving forward is that the Creativity Center is going to be a long-term asset to the community. The Resolution will give the approval for fundraising by friends of the BCPA and others who will raise money to pay for any renovations to the Creativity Center. The Resolution would allow the City to move quickly with existing funds to address high priority, critical, immediate needs.

Alderman Sage stated this is a great example of a private and public partnership. He stated concern with the annual maintenance and upkeep costs that they City is stating they will take care of once the build out is finished. There have been no reports given as to estimated annual costs of maintenance.

Alderman Buragas cited the 14th clause of the Resolution. It specifically states the City, at this point in time, is not in favor of additional City funds. She is in full support of this paragraph, stating that she would not support City funding in the future without great proof that Private Sector fundraising was unsuccessful.

Alderman Lower is concerned with ownership of the building. If the City is the owner of the building it ultimately falls back on the City to keep the building up to code, which over time can become very expensive.

Alderman Black expressed the importance of the arts within any community. This building brings great things to the City of Bloomington. While there are costs for up keeping the building, if the upkeep is performed in phases, it will be reasonable for the City to manage and maintain.

Motion by Alderman Schmidt, seconded by Alderman Buragas, that the Resolution approving Privately-Funded Renovations to the Creativity Center and Long-term Maintenance to the Facility; be approved and authorize the Mayor and City Clerk to execute the necessary documents.

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

Ayes: Aldermen Mwilambwe, Buragas, Schmidt, Black, Hauman, and Fruin.

Nays: Alderman Lower and Sage.

Recused: Alderman Joni Painter

[8:19 PM Minutes:] Alderman Joni Painter left the dais.

[8:21 PM Minutes:] Alderman Joni Painter returned to the Meeting.

Motion carried.

City Manager's Discussion

Mr. Hales asked Mr. Karch to come forward and discuss leaf collection.

Mr. Karch stated there will be a shortened time for leaf collection this year, as the warmer weather has kept most leaves from falling thus far. The procedure this year will be a bit different. Staff will be making signs to put out as to where they will be collecting leaves the following week. Leaf collection has started and will continue until snow fall begins.

Mr. Hales presented Council with information on the Economic Development Council "One voice" project guidelines. Currently Staff is looking to put forth two projects as "One Voice" projects. The first is the Main Street/ Center Street area. The second project is Hamilton Road/ Bunn Street to Commerce. Staff will be presenting these two projects to Council at the last Council meeting in November.

At our next Council meeting, on November 14, 2016, Andy Johnson; the General Manager for Connect Transit, will be in attendance with members of his staff. This is an opportunity to discuss issues that have been presented to Council over the past few months and to ask Connect Transit how they are addressing many of these issues.

Mr. Hales wanted to thank Staff and Austin Grammer for all the hard work they have taken on and accomplished through creating our second TIF district in Bloomington.

Mayor Discussion

Mayor Renner thanked Alderman Schmidt for stepping in as Mayor Pro-Tem and Alderman Scott Black for filling in for him while he was in Cuba. He spoke of his travels and what he brought back from that educational trip.

City Alderman's Discussion

Alderman Fruin stated he will be retiring from his City Council position. He will finish out the rest of this term; to the end of April of 2017, but there after will no longer be a Council Member.

Adjournment

Motion made by Alderman Lower, seconded by Alderman Schmidt, to adjourn the meeting at 8:48 p.m.

Motion carried (viva voce).

CITY OF BLOOMINGTON

ATTEST

Tari Renner, Mayor

Cherry L. Lawson, City Clerk



**SPECIAL MEETING SESSION
PUBLISHED BY THE AUTHORITY OF THE CITY COUNCIL OF
BLOOMINGTON, ILLINOIS
MONDAY, SEPTEMBER 19TH, 2016; 5:30 P.M.**

1. Call to Order

The Council convened in a Special Meeting Session in the Council Chambers, City Hall Building, at 5:30 p.m., Monday, September 19th, 2016. Mayor Renner called the meeting to order and directed the City Clerk to call the roll.

2. Roll Call

Aldermen: Kevin Lower, David Sage, Mboka Mwilambwe, Amelia Buragas, Joni Painter, Scott Black, Diana Hauman and Jim Fruin.

Staff Present: David Hales, City Manager; Steve Rasmussen, Assistant City Manager; Jeffrey Jurgens, Corporation Counsel; Cherry Lawson, City Clerk; Jim Karch, Public Service Director; Melissa Hon, Assistant to the City Manager; Scott Sprouls, Information Services Director; Bob Yehl, Water Director; Brendan Heffner, Bloomington Police Department Chief; and other City staff were present.

Alderman Absent: Karen Schmidt

3. Consideration of approving an Ordinance Suspending Portions Of Section 26(D) Of Chapter 6 And Section 701 Of Chapter 31 of the Bloomington City Code To Allow Possession Of Open Alcohol On Public Property During The ZooDo To Be Held At The Miller Park Zoo And Pavilion on September 24, 2016.

Mayor Renner asked for a motion on this item.

Motion by Alderman Hauman, second by Alderman Black, that the Ordinance be adopted Suspending Portions Of Section 26(D) Of Chapter 6 And Section 701 Of Chapter 31 of the Bloomington City Code To Allow Possession Of Open Alcohol On Public Property During The ZooDo To Be Held At The Miller Park Zoo And Pavilion on September 24, 2016.

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

Ayes: Aldermen Lower, Sage, Mwilambwe, Buragas, Painter, Black, Hauman and Fruin.

Nays: None.

Motion carried. (viva voce)

7. Adjournment

Motion by Alderman Painter, seconded by Alderman Lower, to adjourn the Special Meeting Session. Time: 5:32 p.m.

Motion carried. (viva voce)

CITY OF BLOOMINGTON

ATTEST

Tari Renner, Mayor

Cherry L. Lawson, City Clerk

 CITY OF
Bloomington **ILLINOIS**
CONSENT AGENDA ITEM: 7B

FOR COUNCIL: November 14, 2016

SUBJECT: Consideration of approving Bills, Payroll, and Electronic Transfers in the amount of \$7,098,164.09.

RECOMMENDATION/MOTION: That the Bills, Payroll, and Electronic Transfers be allowed in the amount of \$7,098,164.09, and orders drawn on the Treasurer for the various amounts as funds are available.

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.

FINANCIAL IMPACT: Total disbursements to be approved \$7,098,164.09 (Payroll total \$2,667,423.73, Accounts Payable total \$4,082,963.86, and Electronic Transfers total \$347,776.50).

Respectfully submitted for Council consideration.

Prepared by: Frances Watts, Accounts Payable

Reviewed by: Jon C. Johnston, Procurement Manager

Recommended by:



David A. Hales, City Manager

Attachment:

- Bills, Payroll, and Electronic Transfers on file in the Clerk's office. Also available at www.cityblm.org.
- Summary Sheet Bills, Payroll, and Electronic Transfers

Motion: That the Bills, Payroll, and Electronic Transfers be allowed in the amount of \$7,098,164.09 and orders drawn on the Treasurer for the various amounts as funds are available.

CITY OF BLOOMINGTON FINANCE REPORT					
Council of November 14, 2016					
PAYROLL					
Date	Gross Pay	Employer Contribution	Totals		
10/21/2016	\$ 234,414.49	\$ 80,685.88	\$ 315,100.37		
10/27/2016	\$ 1,329,076.09	\$ 362,053.16	\$ 1,691,129.25		
10/28/2016	\$ 230,297.77	\$ 79,696.43	\$ 309,994.20		
11/4/2016	\$ 236,103.74	\$ 79,651.82	\$ 315,755.56		
10/26/2016-10/27/2016 Off Cycle Adjustments	\$ 29,383.84	\$ 6,060.51	\$ 35,444.35		
		PAYROLL GRAND TOTAL	\$ 2,667,423.73		
ACCOUNTS PAYABLE				PCARD	
Date	Bank	Total			
11/14/2016	AP General	\$ 2,255,202.82			
	AP BCPA			PCARD GRAND TOTAL	
10/10/2016	AP Comm Devel	\$ 43,842.37			
	AP IHDA	\$ -			
10/10/2016	AP Library	\$ 30,651.63		WIRES	
10/10/2016	AP MFT	\$ 28,021.53		Date	Total
10/13/2016 - 10/14/2016	Off Cycle Check Runs	\$ 1,725,245.51		10/20/2016-11/05/2016	\$ 347,776.50
	AP GRAND TOTAL	\$ 4,082,963.86		WIRE GRAND TOTAL	\$ 347,776.50
		TOTAL			\$ 7,098,164.09
			Respectfully,		
				Patti-Lynn Silva	
				Finance Director	

 CITY OF
Bloomington **ILLINOIS**
CONSENT AGENDA ITEM NO. 7C

FOR COUNCIL: November 14, 2016

SUBJECT: Consideration of Approving an appointment to the Cultural District Commission.

RECOMMENDATION/MOTION: That Kellie Williams be appointed to the Cultural District Commission.

STRATEGIC PLAN LINK: Goal 4. Strong neighborhoods.

STRATEGIC PLAN SIGNIFICANCE: Objective 4e. Strong partnership with residents and neighborhood associations.

BACKGROUND: The Mayor of the City of Bloomington has nominated and I ask your concurrence in the appointment of:

Kellie Williams of 2804 Powell Drive, Bloomington, Illinois 61704, to the Cultural District Commission. She will be replacing Roger Elliott whose term expired 4-30-16. Mr. Elliott was not eligible to reapply. Ms. Williams' term is effective immediately and will expire 4-30-19. Application is on file in the Administration Office.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Mayor contacts all recommended appointments.

FINANCIAL IMPACT: None.

Respectfully submitted for Council consideration for approval.

Prepared by: M. Beth Oakley, Executive Assistant

Recommended by:



Tari Renner
Mayor

Attachments: Roster

Motion: Consideration of Approving Appointment to the Cultural District Commission.

Motion: _____

Seconded by: _____

	Aye	Nay	Other		Aye	Nay	Other
Alderman Black				Alderman Mwilambwe			
Alderman Buragas				Alderman Painter			
Alderman Fruin				Alderman Sage			
Alderman Hauman				Alderman Schmidt			
Alderman Lower							
				Mayor Renner			

Cultural District Commission

Mayor Appointed	Staff/Chair	First Name	Last Name	Expiration	Appointment Date	Year First Appt	Email	Street	City	Zip	Ward	Home Phone	Work Phone	Cell Phone	Reappointment
x		Ryan	Huette	04/30/18	05/11/15	2015	ryan@nuwav.com	1502 Kickapoo Creek Rd.	Bloomington	61705	8				
x		Angelique	Racki	04/30/17	02/08/16	2016	breakinchains116@gmail.com	322 E Mulberry St	Bloomington	61701	4				
x		Tricia	Siller	04/30/19	10/24/16	2015	triciasiller@msn.com	305 W Monroe #5	Bloomington	61701	6				completing 4th year
x	not elig	Roger	Elliot	04/30/16	05/13/13	2007	2433254152@gmail.com	212 Doud Dr	Normal	61761					term limit on 4/2016
x	resigned	Sherry	Galbreath	04/30/18	04/13/15	2012	sherrygalbreath@gmail.com	3 Mallard Ct	Bloomington	61704	3				resigned 4/25/16
x	resigned 6/28/16	Matthew	Giordano	04/30/18	04/13/15	2012	matthewgiordano@gmail.com	2 Turtleback Ct	Bloomington	61705	2				Appt. 2nd term
x	resigned	Neeraj	Joshi	04/30/16	10/14/13	2013	neerajjoshi@icloud.com	1 Ashling Ct	Bloomington	61704	3				
x	final term	Mike	Kerber	04/30/19	04/25/16	2009	mkerber44@gmail.com	1014 Broadway Ave	Normal	61761					3rd/final term
x		Jessielee	Hinshaw	04/30/18	06/08/15	2015	jessieleeh@hotlmail.com	1410 Fell Avenue	Bloomington	61701	4				1st term
x		Carole	Ringer	04/30/19		2010	carole.ringer@gmail.com	110 Hawthorne Lake Dr	Bloomington	61704	3				3rd/final term
x	resigned	Karen	Schmidt	04/30/17	05/12/14	2008	karen.schmidt@fox.com	409 E Grove	Bloomington	61701					resigned 9/30/15
x	Chair	Vicki Lynn	Tilton	04/30/18	02/23/15	2012	vltf@fox-n-hounds.com	200 W Monroe, #501	Bloomington	61701	6				Reappointed 2015
x	resgnd 3/9/16	Kiasha	Henry	04/30/18	7/27/2015	2015	h2525253333@gmail.com	702 W Mill Street	Bloomington	61701	6				replaced expired Trout
x		Jamie	Mathy	04/30/17	05/12/14	2014	jamie@lamiemathy.com	611 E Washington	Bloomington	61701	1			706-9891	
	Staff	Jay	Teizloff				jteizloff@cityblm.org						434-2825		
	Staff	Tina	Salamone				tsalamone@cityblm.org						434-2764		
	Staff	Brandy	Maloney				brmaloney@cityblm.org						434-2785		

Details:

Term: 3 years
Term Limit per City Code: 3 terms/9 years
Members: 14 members
Number of members the Mayor appoints: 14
Type: Internal
City Code: Chapter 2, Section 81
Required by State Statute: No
Intergovernmental Agreements: None
Funding budgeted from COB for FY2014: None
Meetings: 2nd Thurs of each month at 7:30 am - Creativity Center Conference Room
Number of Vacancies: 6
Number of Expired Board Members (Blm Appointments only): 2
Number of Expired Board Members Eligible for Reappointment: 1

Appointment/Reappointment Notes:

 CITY OF
Bloomington **ILLINOIS**
CONSENT AGENDA ITEM NO. 7D

FOR COUNCIL: November 14, 2016

SUBJECT: Consideration of approving the issuance of a Purchase Order in the amount of \$147,576.83 to CDWG, Inc. from the State of Illinois Department of Central Management Services (CMS) Joint Purchasing Contract (CMS69451150) for Microsoft Enterprise Agreement licensing.

RECOMMENDATION/MOTION: That Council approve a Purchase Order to CDWG, Inc. for the 2016 Microsoft Enterprise Agreement (EA) software maintenance and support covering the City's Microsoft licensing, in the amount of \$147,576.83 from the State of Illinois Department of Central Management Services (CMS649451150), and the Procurement Manager be authorized to issue same.

STRATEGIC PLAN LINK: Goal 1 - Financially Sound City Providing Quality Basic Services

STRATEGIC PLAN SIGNIFICANCE: Objective 4 – City Services delivered in the most cost-effective, efficient manner. Microsoft software licenses (PC/Server operating systems, enterprise databases, office productivity software, etc.) are used by staff within every City department supporting daily operations of the City. As such, it is a critical component of achieving the high level of customer service the City of Bloomington strives for.

BACKGROUND: The City participates in an EA with Microsoft Corporation for the use of all of its Microsoft licenses. The EA is implemented in successive three (3) year agreements. The current EA was approved by Council during the October 27, 2014 meeting. This purchase order request is for the third of three years under the current agreement and will provide Microsoft licensing through October 2017.

These licenses include desktop and server operating systems, enterprise databases, office productivity software, network management software and terminal emulation software used to provide desktop application services across some of the City's slower WAN (Wide Area Network) links. Participation in the EA agreement provides version updates to all software, support, training and transition rights to software when computer hardware is replaced.

Costs for the previous two (2) years of Microsoft EA licensing were:

FY2016	\$147,576.83
FY2015	\$147,576.83

As the Microsoft EA is a three year agreement, licensing costs are spread across all three years. Assuming Council approval, the FY2017 renewal will be the final of the three year agreement.

Staff anticipates the EA agreement will be renegotiated (between Microsoft and the State of Illinois) and renewed before the October 2017 expiration. Next year at this time, staff will most likely be coming to Council seeking approval to enter into another three year agreement that would provide Microsoft licensing through October 2020. There are provisions within the agreement allowing the City to terminate should funds not be available in future budget years.

The City is able to participate in the Microsoft EA under the State of Illinois Joint Purchasing Contract (Contract: Illinois Microsoft EA Agreement, CMS6945110 – valid through 9/30/19) under which the State of Illinois has negotiated with Microsoft for lower licensing costs. The Microsoft reseller selected to manage the State of Illinois contract is CDWG, Inc., of Vernon Hills, IL. As such, the City may only participate in the Microsoft EA by purchasing through CDWG.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Not Applicable

FINANCIAL IMPACT: The \$147,576.83 has been budgeted in the FY2017 Approved Budget under Information Services-Repair/Maintenance Office and Computer Equipment (10011610-70530). Stakeholders can locate this in the FY2017 Proposed Budget Book titled “Budget Overview & General Fund” on page 172.

FUTURE OPERATIONAL COST ASSOCIATED WITH NEW FACILITY CONSTRUCTION: N/A

Respectfully submitted for Council consideration.

Prepared by: Scott Sprouls, Information Services Director

Financial & budgetary review by: Chris Tomerlin, Budget Analyst
Carla A. Murillo, Budget Manager

Legal review by: Jeffrey R. Jurgens, Corporation Counsel

Recommended by:



David A. Hales
City Manager

Attachments:

- State of Illinois Contract
- Microsoft Quote Confirmation

Motion: That Council approve a Purchase Order to CDWG, Inc. for the 2016 Microsoft Enterprise Agreement (EA) software maintenance and support covering the City's Microsoft licensing, in the amount of \$147,576.83 from the State of Illinois Department of Central

Management Services (CMS649451150), and the Procurement Manager be authorized to issue same.

Motion: _____ Seconded by: _____

	Aye	Nay	Other		Aye	Nay	Other
Alderman Black				Alderman Mwilambwe			
Alderman Buragas				Alderman Painter			
Alderman Fruin				Alderman Sage			
Alderman Hauman				Alderman Schmidt			
Alderman Lower							
				Mayor Renner			

STATE OF ILLINOIS

CONTRACT

Illinois Department of Central Management Services (CMS)

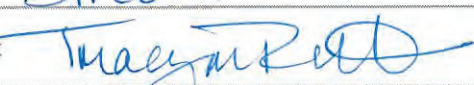
Microsoft Large Account Reseller

CMS6945110

VENDOR

Vendor Name: CDW Government, LLC	Address: 230 N. Milwaukee Avenue, Vernon Hills, IL 60061
Signature: 	Phone: 312.547.2993
Printed Name: Tara K Barbieri	Fax: 312.752.3910
Title: Director, Program Sales	Email: tarabar@cdwg.com
Date: 29 September, 2015	

STATE OF ILLINOIS

Procuring Agency or University: Central Management Services	Phone: 312-814-5655
Street Address: 100 W. Randolph	Fax: 312-814-6886
City, State ZIP: Chicago, IL 60601	
Official Signature: 	Date: 10/21/15
Printed Name: Tom Tyrrell	
Official's Title: Director	
By: Signature: 	Date: 10/21/15
By: Printed Name: Tracy Rutter	
By: Title: BOSS - CDD	

1. DESCRIPTION OF SUPPLIES AND SERVICES

1.1. GOAL: The Illinois Department of Central Management Services (CMS) requires the services of a Microsoft certified Large Account Reseller (LAR) to provide products and services available under the Microsoft Select Plus, Enterprise, and Premier Support Agreements. Additionally, the State requires value added services such as reporting, on-line tracking, etc.

1.2. SUPPLIES AND/OR SERVICES REQUIRED: The Illinois Department of Central Management (CMS) is executing a statewide master contract with a single Microsoft certified reseller for the purchase of software products, software assurance, support and premier services available via the State's Microsoft Select Plus, Enterprise, and Premier Support Agreements. This contract is available to all state agencies, boards, commissions and educational institutions to purchase software products, software assurance, support and premier services on an as needed, if needed basis. In addition, all State and other governmental units (including not-for-profit entities) authorized by law to participate in the Joint Purchasing Program may utilize this contract. This authority is governed by the State's Procurement Code and Rules and the Governmental Joint Purchasing Act [30 ILCS 525].

The State of Illinois has entered into a Select Plus Agreement, a Master Services Agreement, a Premier Support Agreement, and an Enterprise Agreement with Microsoft.

Vendor shall act as agent of record during the term of this contract and shall maintain and update the licensing records of each eligible agency that purchases from this contract. Vendor shall be responsible for fulfilling orders placed against the Premier, Select Plus and Enterprise Agreements.

Vendor shall be responsible for the preparation and submission of applicable reports in proper format to Microsoft to ensure the Buyer receives proper credit for all purchases of Microsoft software products against the Microsoft Select Plus and Enterprise Agreements. Vendor shall be responsible for the resolution of any report discrepancies with Microsoft to ensure the Buyer receives appropriate credit for all Microsoft Select Plus and Enterprise software product purchases.

The State shall have no minimum purchase obligation or minimum order requirement under this contract. Orders against this contract will be made by the State using a State approved form (e.g. Basic Ordering Agreement (BOA)) on an as needed, if needed basis. Other governmental units of the State will submit their own purchase forms. Orders written through and including the last day of the resulting contract shall be honored. Each individual order will have its own ship to/bill to information.

All products furnished shall be new, unused, or most recent manufacture and not discontinued. If an item becomes discontinued or otherwise not available during the term, the vendor may propose to substitute an equivalent or better product at no additional cost, subject to approval by the Department of Central Management Services.

The State recognizes that the manufacturer may make changes to service offerings at any time during the contract term (including optional renewals). Vendor is responsible for notifying buyer of such changes. Discount levels/pricing structure shall remain consistent. Vendor shall pass on any price decreases that take effect during the term of the contract, including optional renewals, to the customer.

1.2.1 The Vendor, at no cost, must have in place a purchase tracking system, which will include an accurate inventory record of all purchases under this Contract, and must also have the capability of

keeping track of maintenance renewal and other significant due dates. At a minimum, this system must be able to provide this information by each State of Illinois agency, board, commission, county and municipality. Vendor shall work with the State of Illinois, Microsoft, subsequent software vendors and hardware computer vendors to ensure the most comprehensive record of licenses is created, maintained, and the information transferrable. Details on how licenses are to be tracked and managed under the contract will be determined by the State of Illinois. The foregoing information shall be made available upon request and at no cost.

1.2.2 Vendor shall, within 60 days of the execution of the contract, make available an Internet website dedicated to the State of Illinois for this contract. Vendor shall post current State of Illinois Contract pricing to the website and shall ensure posted pricing is current for the duration of the contract. Throughout the contract period, Vendor shall be responsible for updating website pricing and product content within two weeks of receipt of updated product pricing information from Microsoft.

1.2.3 Vendor shall be responsible for providing training, at purchasing entity's request and at no cost to the purchasing entity, on the use of the Microsoft Volume Licensing System website, as well as the overall structure of the State's Select Plus, Premier and Enterprise Agreements.

1.2.4 Vendor must be authorized by Microsoft to resell and deliver Microsoft brand software products, software assurance, support and premier services throughout the term of this Contract.

1.3 MILESTONES AND DELIVERABLES: N/A

1.4 VENDOR / STAFF SPECIFICATIONS: Vendor shall be authorized by Microsoft to resell Microsoft brand software products, software assurance, support and premier services and must have the ability to resell and deliver products and services to the customer on behalf of the manufacturer.

1.5 TRANSPORTATION AND DELIVERY: Transportation and delivery shall be as stated on each individual order. The State prefers electronic delivery of licenses. Vendor shall not charge for shipping/handling.

1.6. SUBCONTRACTING

Subcontractors are allowed.

1.6.1. Will subcontractors be utilized? ☐ Yes ☒ No

A subcontractor is a person or entity that enters into a contractual agreement with a total value of \$50,000 or more with a person or entity who has a contract subject to the Illinois Procurement Code pursuant to which the person or entity provides some or all of the goods, services, real property, remuneration, or other monetary forms of consideration that are the subject of the primary State contract, including subleases from a lessee of a State contract.

All contracts with subcontractors must include Standard Certifications completed and signed by the subcontractor.

- 1.6.2. Please identify below subcontracts with an annual value of \$50,000 or more that will be utilized in the performance of the contract, the names and addresses of the subcontractors, and a description of the work to be performed by each.

- Subcontractor Name: N/A

Amount to Be Paid: N/A

Address: N/A

Description of Work: N/A

If additional space is necessary to provide subcontractor information, please attach an additional page.

- 1.6.3. For the subcontractors identified above, the Vendor must provide each subcontractor's Financial Disclosures and Conflicts of Interest to the State.

- 1.6.4. If the subcontractor is registered in the Illinois Procurement Gateway (IPG) and the Vendor is using the subcontractor's Standard Certifications or Financial Disclosures and Conflicts of Interest from the IPG, then the Vendor must also provide to the State a completed Forms B for the subcontractor.

- 1.6.5. If at any time during the term of the Contract, Vendor adds or changes any subcontractors, Vendor is required to promptly notify, in writing, the State Purchasing Officer or the Chief Procurement Officer of the names and addresses and the expected amount of money that each new or replaced subcontractor will receive pursuant to this Contract. Any subcontracts entered into prior to award of this Contract are done at the sole risk of the Vendor and subcontractor(s).

- 1.7. **WHERE SERVICES ARE TO BE PERFORMED:** Unless otherwise disclosed in this section all services shall be performed in the United States. If the Vendor performs the services purchased hereunder in another country in violation of this provision, such action may be deemed by the State as a breach of the contract by Vendor.

Vendor shall disclose the locations where the services required shall be performed and the known or anticipated value of the services to be performed at each location. If the Vendor received additional consideration in the evaluation based on work being performed in the United States, it shall be a breach of contract if the Vendor shifts any such work outside the United States.

- Location where services will be performed: United States

Value of services performed at this location: The values of services to be performed on location will be determined on a project-by-project basis and accompanied with a Statement of Work (SOW) detailing the location and effort of services.

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Value of services performed at this location: The values of services to be performed on location will be determined on a project-by-project basis and accompanied with a Statement of Work (SOW) detailing the location and effort of services.

2. PRICING

2.1 FORMAT OF PRICING:

2.1.1 Vendor's pricing in the format shown below, is based on the terms and conditions set forth in section 1 of this Contract.

Percentage discount to be applied to the Microsoft published ERP pricing level D for purchases placed against both the Select Plus and Enterprise Agreements.

Software/Software Assurance Purchases		
Description	Discount	
Select Plus Agreement	21.19%	
Enterprise Agreement	17.58%	

Percentage mark up to be applied to purchases of premier Support Services.

Premier Support		
Description		Mark Up
Premier Support		3.5%

2.2 **TYPE OF PRICING:** The Illinois Office of the Comptroller requires the State to indicate whether the contract value is firm or estimated at the time it is submitted for obligation. The total value of this contract is firm.

2.3 **EXPENSES ALLOWED:** Expenses are not allowed.

2.4 **DISCOUNT:** The State may receive a N/A % discount for payment within N/A days of receipt of correct invoice. This discount will not be a factor in making the award.

2.5 **VENDOR'S PRICING:** Attach additional pages if necessary or if the format of pricing specified above in Section 2.1 requires additional pages.

2.5.1. Vendor's Price for the Initial Term: Pricing/Discount Percentage/Mark Up Percentage as shown in Tables in Section 2.1.1.

2.5.2. Renewal Compensation: If the contract is renewed, the price shall be at the same rate as for the initial term unless a different compensation or formula for determining the renewal compensation is stated in this section.

2.5.2.1. Agency/University Formula for Determining Renewal Compensation: N/A.

2.5.2.2. Vendor's Price for Renewal(s): N/A

- 2.6 MAXIMUM AMOUNT:** The total payments under this contract shall not exceed \$N/A without a formal amendment. The maximum amount will be entered by the State prior to execution of the contract.

3. TERM AND TERMINATION

3.1 TERM OF THIS CONTRACT: The initial term of this contract shall begin upon execution by the State or October 1, 2015 (whichever is later), and expire on September 30, 2019.

3.1.1 In no event will the total term of the contract, including the initial term, any renewal terms and any extensions, exceed ten (10) years.

3.1.2 Vendor shall not commence billable work in furtherance of the contract prior to final execution of the contract except when permitted pursuant to 30 ILCS 500/20-80.

3.2 RENEWAL: None

3.3 TERMINATION FOR CAUSE: The State may terminate this contract, in whole or in part, immediately upon notice to the Vendor if: (a) the State determines that the actions or inactions of the Vendor, its agents, employees or subcontractors have caused, or reasonably could cause, jeopardy to health, safety, or property, or (b) the Vendor has notified the State that it is unable or unwilling to perform the contract.

If Vendor fails to perform to the State's satisfaction any material requirement of this contract, is in violation of a material provision of this contract, or the State determines that the Vendor lacks the financial resources to perform the contract, the State shall provide written notice to the Vendor to cure the problem identified within the period of time specified in the State's written notice. If not cured by that date the State may either: (a) immediately terminate the contract without additional written notice or (b) enforce the terms and conditions of the contract.

For termination due to any of the causes contained in this Section, the State retains its rights to seek any available legal or equitable remedies and damages.

3.4 TERMINATION FOR CONVENIENCE: The State may, for its convenience and with thirty (30) days prior written notice to Vendor, terminate this contract in whole or in part and without payment of any penalty or incurring any further obligation to the Vendor.

Upon submission of invoices and proof of claim, the Vendor shall be entitled to compensation for supplies and services provided in compliance with this contract up to and including the date of termination.

3.5 AVAILABILITY OF APPROPRIATION: This contract is contingent upon and subject to the availability of funds. The State, at its sole option, may terminate or suspend this contract, in whole or in part, without penalty or further payment being required, if (1) the Illinois General Assembly or the federal funding source fails to make an appropriation sufficient to pay such obligation, or if funds needed are insufficient for any reason (30 ILCS 500/20-60), (2) the Governor decreases the Agency's funding by reserving some or all of the Agency's appropriation(s) pursuant to power delegated to the Governor by the Illinois General Assembly, or (3) the Agency determines, in its sole discretion or as directed by the Office of the Governor, that a reduction is necessary or advisable based upon actual or projected budgetary considerations. Contractor will be notified in writing of the failure of appropriation or of a reduction or decrease.

4. STANDARD BUSINESS TERMS AND CONDITIONS

4.1 PAYMENT TERMS AND CONDITIONS:

- 4.1.1 Late Payment: Payments, including late payment charges, will be paid in accordance with the State Prompt Payment Act and rules when applicable. 30 ILCS 540; 74 Ill. Adm. Code 900. This shall be Vendor's sole remedy for late payments by the State. Payment terms contained in Vendor's invoices shall have no force or effect.
- 4.1.2 Minority Contractor Initiative: Any Vendor awarded a contract of \$1,000 or more under Section 20-10, 20-15, 20-25 or 20-30 of the Illinois Procurement Code (30 ILCS 500) is required to pay a fee of \$15. The Comptroller shall deduct the fee from the first check issued to the Vendor under the contract and deposit the fee in the Comptroller's Administrative Fund. 15 ILCS 405/23.9.
- 4.1.3 Expenses: The State will not pay for supplies provided or services rendered, including related expenses, incurred prior to the execution of this contract by the Parties even if the effective date of the contract is prior to execution.
- 4.1.4 Prevailing Wage: As a condition of receiving payment Vendor must (i) be in compliance with the contract, (ii) pay its employees prevailing wages when required by law, (iii) pay its suppliers and subcontractors according to the terms of their respective contracts, and (iv) provide lien waivers to the State upon request. Examples of prevailing wage categories include public works, printing, janitorial, window washing, building and grounds services, site technician services, natural resource services, security guard and food services. The prevailing wages are revised by the Illinois Department of Labor (DOL) and are available on DOL's official website, which shall be deemed proper notification of any rate changes under this subsection. Vendor is responsible for contacting DOL at 217-782-6206 or (<http://www.state.il.us/agency/idol/index.htm>) to ensure understanding of prevailing wage requirements.
- 4.1.5 Federal Funding: This contract may be partially or totally funded with Federal funds. If Federal funds are expected to be used, then the percentage of the good/service paid using Federal funds and the total Federal funds expected to be used will be provided to the awarded Vendor in the notice of intent to award.
- 4.1.6 Invoicing: By submitting an invoice, Vendor certifies that the supplies or services provided meet all requirements of this contract, and the amount billed and expenses incurred are as allowed in this contract. Invoices for supplies purchased, services performed and expenses incurred through June 30 of any year must be submitted to the State no later than July 31 of that year; otherwise Vendor may have to seek payment through the Illinois Court of Claims. 30 ILCS 105/25. All invoices are subject to statutory offset. 30 ILCS 210.
 - 4.1.6.1 Vendor shall not bill for any taxes unless accompanied by proof that the State is subject to the tax. If necessary, Vendor may request the applicable Agency's/University's Illinois tax exemption number and Federal tax exemption information.
 - 4.1.6.2 Vendor shall invoice upon delivery of each order.

Send invoices to:

Agency/University:	Per Order
Attn:	Per Order
Address:	Per Order
City, State Zip	Per Order

- 4.2 ASSIGNMENT:** This contract may not be assigned or transferred in whole or in part by Vendor without the prior written consent of the State.
- 4.3 SUBCONTRACTING:** For purposes of this section, subcontractors are those specifically hired to perform all or part of the work covered by this contract. Vendor must receive prior written approval before use of any subcontractors in the performance of this contract. Vendor shall describe, in an attachment if not already provided, the names and addresses of all authorized subcontractors to be utilized by Vendor in the performance of this contract, together with a description of the work to be performed by the subcontractor and the anticipated amount of money that each subcontractor is expected to receive pursuant to this contract. If required, Vendor shall provide a copy of any subcontracts within fifteen (15) days after execution of this contract. All subcontracts must include the same certifications that Vendor must make as a condition of this contract. Vendor shall include in each subcontract the subcontractor certifications as shown on the Standard Certification form available from the State. If at any time during the term of the Contract, Vendor adds or changes any subcontractors, then Vendor must promptly notify, by written amendment to the Contract, the State Purchasing Officer or the Chief Procurement Officer of the names and addresses and the expected amount of money that each new or replaced subcontractor will receive pursuant to the Contract.
- 4.4 AUDIT/RETENTION OF RECORDS:** Vendor and its subcontractors shall maintain books and records relating to the performance of this contract and any subcontract necessary to support amounts charged to the State pursuant this contract or subcontract. Books and records, including information stored in databases or other computer systems, shall be maintained by the Vendor for a period of three (3) years from the later of the date of final payment under the contract or completion of the contract, and by the subcontractor for a period of three (3) years from the later of final payment under the term or completion of the subcontract. If Federal funds are used to pay contract costs, the Vendor and its subcontractors must retain their respective records for five (5) years. Books and records required to be maintained under this section shall be available for review or audit by representatives of: the procuring Agency/University, the Auditor General, the Executive Inspector General, the Chief Procurement Officer, State of Illinois internal auditors or other governmental entities with monitoring authority, upon reasonable notice and during normal business hours. Vendor and its subcontractors shall cooperate fully with any such audit and with any investigation conducted by any of these entities. Failure to maintain books and records required by this section shall establish a presumption in favor of the State for the recovery of any funds paid by the State under this contract or any subcontract for which adequate books and records are not available to support the purported disbursement. The Vendor or subcontractors shall not impose a charge for audit or examination of the Vendor's or subcontractor's books and records. 30 ILCS 500/20-65.
- 4.5 TIME IS OF THE ESSENCE:** Time is of the essence with respect to Vendor's performance of this contract. Vendor shall continue to perform its obligations while any dispute concerning this contract is being resolved unless otherwise directed by the State.

- 4.6 **NO WAIVER OF RIGHTS:** Except as specifically waived in writing, failure by a Party to exercise or enforce a right does not waive that Party's right to exercise or enforce that or other rights in the future.
- 4.7 **FORCE MAJEURE:** Failure by either Party to perform its duties and obligations will be excused by unforeseeable circumstances beyond its reasonable control and not due to its negligence, including acts of nature, acts of terrorism, riots, labor disputes, fire, flood, explosion, and governmental prohibition. The non-declaring Party may cancel this contract without penalty if performance does not resume within thirty (30) days of the declaration.
- 4.8 **CONFIDENTIAL INFORMATION:** Each Party to this contract, including its agents and subcontractors, may have or gain access to confidential data or information owned or maintained by the other Party in the course of carrying out its responsibilities under this contract. Vendor shall presume all information received from the State or to which it gains access pursuant to this contract is confidential. Vendor information, unless clearly marked as confidential and exempt from disclosure under the Illinois Freedom of Information Act, shall be considered public. No confidential data collected, maintained, or used in the course of performance of this contract shall be disseminated except as authorized by law and with the written consent of the disclosing Party, either during the period of this contract or thereafter. The receiving Party must return any and all data collected, maintained, created or used in the course of the performance of this contract, in whatever form it is maintained, promptly at the end of this contract, or earlier at the request of the disclosing Party, or notify the disclosing Party in writing of its destruction. The foregoing obligations shall not apply to confidential data or information lawfully in the receiving Party's possession prior to its acquisition from the disclosing Party; received in good faith from a third Party not subject to any confidentiality obligation to the disclosing Party; now is or later becomes publicly known through no breach of confidentiality obligation by the receiving Party; or that is independently developed by the receiving Party without the use or benefit of the disclosing Party's confidential information.
- 4.9 **USE AND OWNERSHIP:** No work for hire is contemplated as of the date this contract is executed. Provided, however, to the extent work for hire is contemplated during the term of this contract, an agreement with regard to work for hire will be negotiated and set forth in the SOW giving rise to such work for hire.
- 4.10 **INDEMNIFICATION AND LIABILITY:** The Vendor shall indemnify and hold harmless the State of Illinois, its agencies, officers, employees, agents and volunteers from any and all costs, demands, expenses, losses, claims, damages, liabilities, settlements and judgments, including in-house and contracted attorneys' fees and expenses, arising out of: (a) any breach or violation by Vendor of any of its certifications, representations, warranties, covenants or agreements; (b) any actual or alleged death or injury to any person, damage to any real or personal property, or any other damage or loss claimed to result in whole or in part from Vendor's negligent performance; (c) any negligent act, activity or omission of Vendor or any of its employees, representatives, subcontractors or agents; or (d) the services or goods provided under the contract infringing, misappropriating, or otherwise violating any intellectual property (patent, copyright, trade secret, or trademark) rights of a third party. Neither Party shall be liable for incidental, special, consequential, or punitive damages. Further, except for Vendor's indemnification obligations and any damage to person (including death) or property, Vendor's liability for any other damages shall not exceed \$1 million.
- 4.11 **INSURANCE:** Vendor shall, at all times during the term and any renewals maintain and provide a Certificate of Insurance. The State shall be included as additionally insured under general liability insurance and evidenced on the Certificate. Insurance may not be modified or canceled until Vendor provides at least 30 days' notice to the State. Vendor shall provide (a) General Commercial Liability occurrence form in amount of \$1,000,000 per occurrence (Combined Single Limit Bodily Injury and Property Damage) and \$2,000,000 Annual Aggregate; (b) Auto Liability, including Hired Auto and Non-

owned Auto, (Combined Single Limit Bodily Injury and Property Damage) in amount of \$1,000,000 per occurrence; and (c) Worker's Compensation Insurance in amount required by law. Insurance shall not limit Vendor's obligation to indemnify, defend, or settle any claims.

4.12 INDEPENDENT CONTRACTOR: Vendor shall act as an independent contractor and not an agent or employee of, or joint venturer with the State. All payments by the State shall be made on that basis.

4.13 SOLICITATION AND EMPLOYMENT: Vendor shall not employ any person employed by the State during the term of this contract to perform any work under this contract. Vendor shall give notice immediately to the Agency's director if Vendor solicits or intends to solicit State employees to perform any work under this contract.

4.14 COMPLIANCE WITH THE LAW: The Vendor, its employees, agents, and subcontractors shall comply with all applicable Federal, State, and local laws, rules, ordinances, regulations, orders, Federal circulars and all license and permit requirements in the performance of this contract. Vendor shall be in compliance with applicable tax requirements and shall be current in payment of such taxes. Vendor shall obtain at its own expense, all licenses and permissions necessary for the performance of this contract.

4.15 BACKGROUND CHECK: Whenever the State deems it reasonably necessary for security reasons, the State may conduct, at its expense, criminal and driver history background checks of Vendor's and subcontractors officers, employees or agents. Vendor or subcontractor shall immediately reassign any individual who, in the opinion of the State, does not pass the background check.

4.16 APPLICABLE LAW:

4.16.1 PREVAILING LAW: This contract shall be construed in accordance with and is subject to the laws and rules of the State of Illinois.

4.16.2 EQUAL OPPORTUNITY: The Department of Human Rights' Equal Opportunity requirements are incorporated by reference. 44 ILL. ADM. CODE 750.

4.16.3 COURT OF CLAIMS; ARBITRATION; SOVEREIGN IMMUNITY: Any claim against the State arising out of this contract must be filed exclusively with the Illinois Court of Claims. 705 ILCS 505/1. The State shall not enter into binding arbitration to resolve any dispute arising out of this contract. The State of Illinois does not waive sovereign immunity by entering into this contract.

4.16.4 OFFICIAL TEXT: The official text of the statutes cited herein is incorporated by reference. An unofficial version can be viewed at (www.ilga.gov/legislation/ilcs/ilcs.asp).

4.17 ANTI-TRUST ASSIGNMENT: If Vendor does not pursue any claim or cause of action it has arising under Federal or State antitrust laws relating to the subject matter of this contract, then upon request of the Illinois Attorney General, Vendor shall assign to the State all of Vendor's rights, title and interest to the claim or cause of action.

4.18 CONTRACTUAL AUTHORITY: The Agency that signs this contract on behalf of the State of Illinois shall be the only State entity responsible for performance and payment under this contract. When the Chief Procurement Officer or authorized designee or State Purchasing Officer signs in addition to an Agency, he/she does so as approving officer and shall have no liability to Vendor. When the Chief Procurement Officer or authorized designee or State Purchasing Officer signs a master contract on behalf of State agencies, only the Agency that places an order or orders with the Vendor shall have any liability to the Vendor for that order or orders.

- 4.19 NOTICES:** Notices and other communications provided for herein shall be given in writing via electronic mail whenever possible. If transmission via electronic mail is not possible, then notices and other communications shall be given in writing via registered or certified mail with return receipt requested, via receipted hand delivery, via courier (UPS, Federal Express or other similar and reliable carrier), or via facsimile showing the date and time of successful receipt. Notices shall be sent to the individuals who signed this contract using the contact information following the signatures. Each such notice shall be deemed to have been provided at the time it is actually received. By giving notice, either Party may change its contact information.
- 4.20 MODIFICATIONS AND SURVIVAL:** Amendments, modifications and waivers must be in writing and signed by authorized representatives of the Parties. Any provision of this contract officially declared void, unenforceable, or against public policy, shall be ignored and the remaining provisions shall be interpreted, as far as possible, to give effect to the Parties' intent. All provisions that by their nature would be expected to survive, shall survive termination. In the event of a conflict between the State's and the Vendor's terms, conditions and attachments, the State's terms, conditions and attachments shall prevail.
- 4.21 PERFORMANCE RECORD / SUSPENSION:** Upon request of the State, Vendor shall meet to discuss performance or provide contract performance updates to help ensure proper performance of this contract. The State may consider Vendor's performance under this contract and compliance with law and rule to determine whether to continue this contract, suspend Vendor from doing future business with the State for a specified period of time, or whether Vendor can be considered responsible on specific future contract opportunities.
- 4.22 FREEDOM OF INFORMATION ACT:** This contract and all related public records maintained by, provided to, or required to be provided to the State are subject to the Illinois Freedom of Information Act (FOIA) notwithstanding any provision to the contrary that may be found in this contract. 5 ILCS 140.
- 4.23 SCHEDULE OF WORK:** Any work performed on State premises shall be performed during the hours designated by the State and performed in a manner that does not interfere with the State and its personnel.
- 4.24 WARRANTIES FOR SUPPLIES AND SERVICES:**
- 4.24.1. Vendor warrants that the supplies furnished under this contract will: (a) conform to the standards, specifications, drawing, samples or descriptions furnished by the State or furnished by the Vendor and agreed to by the State, including but not limited to all specifications attached as exhibits hereto; (b) be merchantable, of good quality and workmanship, and free from defects for a period of twelve months or longer if so specified in writing, and fit and sufficient for the intended use; (c) comply with all federal and state laws, regulations and ordinances pertaining to the manufacturing, packing, labeling, sale and delivery of the supplies; (d) be of good title and be free and clear of all liens. Vendor agrees to reimburse the State for any losses, costs, damages or expenses, including without limitations, reasonable attorney's fees and expenses, arising from failure of the supplies to meet such warranties.
- 4.24.2. Vendor shall ensure that all manufacturers' warranties are transferred to the State and shall provide to the State copies of such warranties. These warranties shall be in addition to all other warranties, express, implied or statutory, and shall survive the State's payment, acceptance, inspection or failure to inspect the supplies.
- 4.24.3. Vendor warrants that all services will be performed to meet the requirements of this contract in an efficient and effective manner by trained and competent personnel. Vendor shall monitor

performances of each individual and shall immediately reassign any individual who does not perform in accordance with this contract, who is disruptive or not respectful of others in the workplace, or who in any way violates the contract or State policies.

- 4.25 REPORTING, STATUS AND MONITORING SPECIFICATIONS:** Vendor shall immediately notify the State of any event that may have a material impact on Vendor's ability to perform this contract.
- 4.26 EMPLOYMENT TAX CREDIT:** Vendors who hire qualified veterans and certain ex-offenders may be eligible for tax credits. 35 ILCS 5/216, 5/217. Please contact the Illinois Department of Revenue (telephone #: 217-524-4772) for information about tax credits.
- 4.27 SUPPLEMENTAL TERMS:** Notwithstanding any provision to the contrary in the Vendor's supplemental terms and conditions, or in any licensing agreement attached hereto:
- 4.27.1 The procuring Agency and the State do not waive sovereign immunity;
 - 4.27.2 The procuring Agency and the State do not consent to be governed by the laws of any state other than Illinois;
 - 4.27.3 The procuring Agency and the State do not consent to be represented in any legal proceeding by any person or entity other than the Illinois Attorney General or his or her designee;
 - 4.27.4 The procuring Agency and the State shall not be bound by the terms and conditions contained in any click-wrap agreement, click-wrap license, click-through agreement, click-through license, end user license agreement or any other agreement or license contained or referenced in the software or any quote provided by Vendor, except as attached to this Contract.
 - 4.27.5 The procuring Agency and the State shall not indemnify Vendor or its subcontractors (including any equipment manufacturers or software companies);
 - 4.27.6 Vendor shall indemnify the procuring Agency and State pursuant to the terms and conditions of Section 4.10 of the Contract; and
 - 4.27.7 Vendor's liability shall be governed by the terms and conditions contained in Section 4.10 of the Contract.

5. STATE SUPPLEMENTAL PROVISIONS

☐ Agency/University Definitions

[Click here to enter text.](#)

☒ Required Federal Clauses, Certifications and Assurances

Vendor certifies that during the last five (5) years no order, judgment or decree of any Federal authority has been issued barring, suspending, or otherwise limiting its right to contract with any governmental entity, including school districts, or to engage in any business practice or activity. Vendor further certifies that it will include this certification within every subcontract related to performance of this contract.

☐ Public Works Requirements (construction and maintenance of a public work) 820 ILCS 130/4.

[Click here to enter text.](#)

☐ Prevailing Wage (janitorial cleaning, window cleaning, building and grounds, site technician, natural resources, food services, security services, and printing, if valued at more than \$200 per month or \$2,000 per year) 30 ILCS 500/25-60.

[Click here to enter text.](#)

☐ Agency/University Specific Terms and Conditions

[Click here to enter text.](#)

☐ Other (describe)

6. STATE OF ILLINOIS STANDARD CERTIFICATIONS

Vendor acknowledges and agrees that compliance with this subsection in its entirety for the term of the contract and any renewals is a material requirement and condition of this contract. By executing this contract Vendor certifies compliance with this subsection in its entirety, and is under a continuing obligation to remain in compliance and report any non-compliance.

This subsection, in its entirety, applies to subcontractors used on this contract. Vendor shall include these Standard Certifications in any subcontract used in the performance of the contract using the Standard Certification form provided by the State.

If this contract extends over multiple fiscal years, including the initial term and all renewals, Vendor and its subcontractors shall confirm compliance with this section in the manner and format determined by the State by the date specified by the State and in no event later than July 1 of each year that this contract remains in effect.

If the Parties determine that any certification in this section is not applicable to this contract it may be stricken without affecting the remaining subsections.

6.1 As part of each certification, Vendor acknowledges and agrees that should Vendor or its subcontractors provide false information, or fail to be or remain in compliance with the Standard Certification requirements, one or more of the following sanctions will apply:

- the contract may be void by operation of law,
- the State may void the contract, and
- the Vendor and its subcontractors may be subject to one or more of the following: suspension, debarment, denial of payment, civil fine, or criminal penalty.

Identifying a sanction or failing to identify a sanction in relation to any of the specific certifications does not waive imposition of other sanctions or preclude application of sanctions not specifically identified.

6.2 Vendor certifies it and its employees will comply with applicable provisions of the United States Civil Rights Act, Section 504 of the Federal Rehabilitation Act, the Americans with Disabilities Act, and applicable rules in performance of this contract.

6.3 Vendor, if an individual, sole proprietor, partner or an individual as member of a LLC, certifies he/she is not in default on an educational loan. 5 ILCS 385/3.

6.4 Vendor, if an individual, sole proprietor, partner or an individual as member of a LLC, certifies it he/she has not received (i) an early retirement incentive prior to 1993 under Section 14-108.3 or 16-133.3 of the Illinois Pension Code or (ii) an early retirement incentive on or after 2002 under Section 14-108.3 or 16-133.3 of the Illinois Pension Code. 30 ILCS 105/15a; 40 ILCS 5/14-108.3; 40 ILCS 5/16-133.

6.5 Vendor certifies that it is a legal entity authorized to do business in Illinois prior to submission of a bid, offer, or proposal. 30 ILCS 500/1-15.80, 20-43.

- 6.6 To the extent there was a current Vendor providing the services covered by this contract and the employees of that Vendor who provided those services are covered by a collective bargaining agreement, Vendor certifies (i) that it will offer to assume the collective bargaining obligations of the prior employer, including any existing collective bargaining agreement with the bargaining representative of any existing collective bargaining unit or units performing substantially similar work to the services covered by the contract subject to its bid or offer; and (ii) that it shall offer employment to all employees currently employed in any existing bargaining unit who perform substantially similar work to the work that will be performed pursuant to this contract. This does not apply to heating, air conditioning, plumbing and electrical service contracts. 30 ILCS 500/25-80.
- 6.7 Vendor certifies it has neither been convicted of bribing or attempting to bribe an officer or employee of the State of Illinois or any other State, nor made an admission of guilt of such conduct that is a matter of record. 30 ILCS 500/50-5.
- 6.8 If Vendor has been convicted of a felony, Vendor certifies at least five years have passed after the date of completion of the sentence for such felony, unless no person held responsible by a prosecutor's office for the facts upon which the conviction was based continues to have any involvement with the business. 30 ILCS 500/50-10.
- 6.9 If Vendor or any officer, director, partner, or other managerial agent of Vendor has been convicted of a felony under the Sarbanes-Oxley Act of 2002, or a Class 3 or Class 2 felony under the Illinois Securities Law of 1953, Vendor certifies at least five years have passed since the date of the conviction. Vendor further certifies that it is not barred from being awarded a contract and acknowledges that the State shall declare the contract void if this certification is false. 30 ILCS 500/50-10.5.
- 6.10 Vendor certifies it is not barred from having a contract with the State based upon violating the prohibitions related to either submitting/writing specifications or providing assistance to an employee of the State of Illinois by reviewing, drafting, directing, or preparing any invitation for bids, a request for proposal, or request of information, or similar assistance (except as part of a public request for such information). 30 ILCS 500/50-10.5(e), *amended* by Pub. Act No. 97-0895 (August 3, 2012).
- 6.11 Vendor certifies that it and its affiliates are not delinquent in the payment of any debt to the State (or if delinquent has entered into a deferred payment plan to pay the debt), and Vendor and its affiliates acknowledge the State may declare the contract void if this certification is false or if Vendor or an affiliate later becomes delinquent and has not entered into a deferred payment plan to pay off the debt. 30 ILCS 500/50-11, 50-60.
- 6.12 Vendor certifies that it and all affiliates shall collect and remit Illinois Use Tax on all sales of tangible personal property into the State of Illinois in accordance with provisions of the Illinois Use Tax Act and acknowledges that failure to comply may result in the contract being declared void. 30 ILCS 500/50-12.
- 6.13 Vendor certifies that it has not been found by a court or the Pollution Control Board to have committed a willful or knowing violation of the Environmental Protection Act within the last five years, and is therefore not barred from being awarded a contract. 30 ILCS 500/50-14.
- 6.14 Vendor certifies it has neither paid any money or valuable thing to induce any person to refrain from bidding on a State contract, nor accepted any money or other valuable thing, or acted upon the promise of same, for not bidding on a State contract. 30 ILCS 500/50-25.

- 6.15 Vendor certifies it is not in violation of the "Revolving Door" provisions of the Illinois Procurement Code. 30 ILCS 500/50-30.
- 6.16 Vendor certifies that it has not retained a person or entity to attempt to influence the outcome of a procurement decision for compensation contingent in whole or in part upon the decision or procurement. 30 ILCS 500/50-38.
- 6.17 Vendor certifies that if it has hired a person required to register under the Lobbyist Registration Act to assist in obtaining any State contract, that none of the lobbyist's costs, fees, compensation, reimbursements, or other remuneration were billed to the State. 30 ILCS 500\50-38.
- 6.18 Vendor certifies it will report to the Illinois Attorney General and the Chief Procurement Officer any suspected collusion or other anti-competitive practice among any bidders, offerors, contractors, proposers, or employees of the State. 30 ILCS 500/50-40, 50-45, 50-50.
- 6.19 Vendor certifies steel products used or supplied in the performance of a contract for public works shall be manufactured or produced in the United States, unless the executive head of the procuring Agency/University grants an exception. 30 ILCS 565.
- 6.20 Drug Free Workplace
- 6.20.1 If Vendor employs 25 or more employees and this contract is worth more than \$5,000, Vendor certifies it will provide a drug free workplace pursuant to the Drug Free Workplace Act.
- 6.20.2 If Vendor is an individual and this contract is worth more than \$5000, Vendor certifies it shall not engage in the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance during the performance of the contract. 30 ILCS 580.
- 6.21 Vendor certifies that neither Vendor nor any substantially owned affiliate is participating or shall participate in an international boycott in violation of the U.S. Export Administration Act of 1979 or the applicable regulations of the United States. Department of Commerce. 30 ILCS 582.
- 6.22 Vendor certifies it has not been convicted of the offense of bid rigging or bid rotating or any similar offense of any state or of the United States. 720 ILCS 5/33 E-3, E-4.
- 6.23 Vendor certifies it complies with the Illinois Department of Human Rights Act and rules applicable to public contracts, which include providing equal employment opportunity, refraining from unlawful discrimination, and having written sexual harassment policies. 775 ILCS 5/2-105.
- 6.24 Vendor certifies it does not pay dues to or reimburse or subsidize payments by its employees for any dues or fees to any "discriminatory club." 775 ILCS 25/2.
- 6.25 Vendor certifies that no foreign-made equipment, materials, or supplies furnished to the State under the contract have been or will be produced in whole or in part by forced labor or indentured labor under penal sanction. 30 ILCS 583.
- 6.26 Vendor certifies that no foreign-made equipment, materials, or supplies furnished to the State under the contract have been produced in whole or in part by the labor of any child under the age of 12. 30 ILCS 584.

- 6.27 Vendor certifies that any violation of the Lead Poisoning Prevention Act, as it applies to owners of residential buildings, has been mitigated. 410 ILCS 45.
- 6.28 Vendor warrants and certifies that it and, to the best of its knowledge, its subcontractors have and will comply with Executive Order No. 1 (2007). The Order generally prohibits Vendors and subcontractors from hiring the then-serving Governor's family members to lobby procurement activities of the State, or any other unit of government in Illinois including local governments if that procurement may result in a contract valued at over \$25,000. This prohibition also applies to hiring for that same purpose any former State employee who had procurement authority at any time during the one-year period preceding the procurement lobbying activity.
- 6.29 Vendor certifies that information technology, including electronic information, software, systems and equipment, developed or provided under this contract comply with the applicable requirements of the Illinois Information Technology Accessibility Act Standards as published at (www.dhs.state.il.us/iitaa) 30 ILCS 587.
- 6.30 Vendor certifies that it has read, understands, and is in compliance with the registration requirements of the Elections Code (10 ILCS 5/9-35) and the restrictions on making political contributions and related requirements of the Illinois Procurement Code. 30 ILCS 500/20-160 and 50-37. Vendor will not make a political contribution that will violate these requirements.

In accordance with section 20-160 of the Illinois Procurement Code, Vendor certifies as applicable:

☐ Vendor is not required to register as a business entity with the State Board of Elections.

or

☐ Vendor has registered with the State Board of Elections. As a registered business entity, Vendor acknowledges a continuing duty to update the registration as required by the Act.

- 6.31 Vendor certifies that if it is awarded a contract through the use of the preference required by the Procurement of Domestic Products Act, then it shall provide products pursuant to the contract or a subcontract that are manufactured in the United States. 30 ILCS 517.
- 6.32 A person (other than an individual acting as a sole proprietor) must be a duly constituted legal entity and authorized to do business in Illinois prior to submitting a bid or offer. 30 ILCS 500/20-43. If you do not meet these criteria, then your bid or offer will be disqualified.

Vendor must make one of the following four certifications by checking the appropriate box. If C or D is checked, then Vendor must attach to this form the requested documentation.

- A. ☐ Vendor certifies it is an individual acting as a sole proprietor and is therefore not subject to the requirements of section 20-43 of the Procurement Code.
- B. ☐ Vendor certifies that it is a legal entity, and was authorized to do business in Illinois as of the date for submitting this bid or offer. The State may require Vendor to provide evidence of compliance before award.
- C. ☐ Vendor certifies it is a legal entity, and is a foreign corporation performing activities that do not constitute transacting business in Illinois as defined by Illinois Business Corporations Act (805 ILCS 5/13.75). A vendor claiming exemption under the Act must include a detailed explanation of the legal basis for the claim with its bid or offer and must provide additional detail upon request. If Vendor fails to provide the mandatory documentation with the bid or offer, or does not provide additional detail upon request within the timeframe specified in said request, then the State may deem the Vendor as

being non-responsive or not responsible and may disqualify the Vendor.

- D. ☐ Vendor certifies it is a legal entity, and is an entity otherwise recognized under Illinois law as eligible for a specific form of exemption similar to those found in the Illinois Business Corporation Act (805 ILCS 5/13.75). A vendor claiming exemption under a specific law must provide a detailed explanation of the legal basis for the claim with its bid or offer and must provide additional detail upon request. If Vendor fails to provide the mandatory documentation with the bid or offer, or does not provide additional detail upon request within the timeframe specified in said request, then the State may deem the Vendor as being non-responsive or not responsible and may disqualify the Vendor.

6.33 Vendor certifies that, for the duration of this contract it will:

- post its employment vacancies in Illinois and border states on the Department of Employment Security's IllinoisJobLink.com website or its successor system; or
- will provide an online link to these employment vacancies so that this link is accessible through the IllinoisJobLink.com website or its successor system; or is exempt from 20 ILCS 1005/1005-47 because the contract is for construction-related services as that term is defined in section 1-15.20 of the Procurement Code; or the contract is for construction and vendor is a party to a contract with a bona
- fide labor organization and performs construction. (20 ILCS 1005/1005-47).

**STATE OF ILLINOIS
TAXPAYER IDENTIFICATION NUMBER**

I certify that:

The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me), and

I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding, and

I am a U.S. person (including a U.S. resident alien).

- If you are an individual, enter your name and SSN as it appears on your Social Security Card.
- If you are a sole proprietor, enter the owner's name on the name line followed by the name of the business and the owner's SSN or EIN.
- If you are a single-member LLC that is disregarded as an entity separate from its owner, enter the owner's name on the name line and the D/B/A on the business name line and enter the owner's SSN or EIN.
- If the LLC is a corporation or partnership, enter the entity's business name and EIN and for corporations, attach IRS acceptance letter (CP261 or CP277).
- For all other entities, enter the name of the entity as used to apply for the entity's EIN and the EIN.

Name: CDW Government LLC

Business Name: Click here to enter text.

Taxpayer Identification Number:

Social Security Number: Click here to enter text.

or

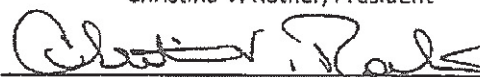
Employer Identification Number: 36-3310735

Legal Status (check one):

- | | |
|--|---|
| ☐ Individual | ☐ Governmental |
| ☐ Sole Proprietor | ☐ Nonresident alien |
| ☐ Partnership | ☐ Estate or trust |
| ☐ Legal Services Corporation | ☐ Pharmacy (Non-Corp.) |
| ☐ Tax-exempt | ☐ Pharmacy/Funeral Home/Cemetery (Corp.) |
| ☐ Corporation providing or billing
medical and/or health care services | ☒ Limited Liability Company
(select applicable tax classification) |
| ☐ Corporation NOT providing or billing
medical and/or health care services | ☒ C = corporation |
| | ☐ P = partnership |

Christina V. Rother, President

Signature of Authorized Representative:



Date: September 4, 2015

Vendor Registration: View Form



Business Name: CDW GOVERNMENT LLC

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Vendor Registration

Form Name	I. Financial Disclosure & Conflicts of Interest
Description	Complete the Financial Disclosure & Conflicts of Interest form
Date Submitted	9/14/2015
Status	Accepted
Business Name	CDW GOVERNMENT LLC
Point of Contact	<u>YOLANDA BLOMQUIST</u>
Flag Form	Add Flag

I. Financial Disclosures & Conflicts of Interest

A. Identify the applicable entity type.

Other Privately Held Entity (i.e. LLC, partnership, privately held corporation with 100 or fewer shareholders, or other entity type not clearly identified in another option)

B. Is there a parent entity that owns 100% of the business?

Yes

Document	Status
Parent Form 10K (PDF, 1.17 MB)	Attached by YOLANDA BLOMQUIST on 9/14/2015
Parent Form (PDF, 787.19 KB)	

C. Instrument of Ownership or Beneficial Interest

Limited Liability Company Membership Agreement (Series LLC, Low-Profit Limited Liability Partnership)

1. Is there any individual or entity who meets ANY of the following thresholds: (a) Owns more than 5% of the business, (b) Holds ownership share of the business valued in excess of \$106,447.20, (c) Is entitled to more than 5% of the business' distributive income, or (d) Is entitled to more than \$106,447.20 of the business' distributive income?

Yes, the information is not publicly available (If any Individuals are listed, answer Yes or No to questions 5-8 and 11-20.)

Document	Status
List of Individuals or entities meeting one or more of the listed thresholds. IPG Percentage of Ownership and Distributive Income Form (DOCX, 146.59 KB)	Attached by YOLANDA BLOMQUIST on 9/14/2015

2. Please certify that the following statement is true: all individuals or entities that hold an ownership interest in the business of greater than 5% or valued greater than \$106,447.20 have been disclosed in Question 1.

Yes

3. Please certify that the following statement is true: all individuals or entities that were entitled to receive distributive income in an amount greater than \$106,447.20 or greater than 5% of the total distributive income of the business have been disclosed in Question 1.

Yes

4. Disclosure of Board of Directors for Not-for-Profit entities.

Not applicable - For-Profit Entity

5. For the individuals disclosed above in question 1 and for sole proprietors, are any of them a person who holds an elective office in the State of Illinois or holds a seat in the General Assembly, or are they the spouse or minor child of such person?

No

6. For the individuals disclosed above in question 1 and for sole proprietors, are any of them appointed to or employed in any offices or agencies of State government and receive compensation for such employment in excess of 60% (\$106,447.20) of the salary of the Governor, or are any of them the spouse or minor child of such person?

No

7. For the individuals disclosed above in question 1 and for sole proprietors, are any of them an officer or employee of the Capital Development Board or the Illinois Toll Highway Authority, or are any of them the spouse or minor child of such person?

No

8. For the individuals disclosed above in question 1 and for sole proprietors, are any of them appointed as a member of a board, commission, authority, or task force authorized or created by State law or by executive order of the Governor, or are they the spouse or an immediate family member who currently resides or resided with such person within the last 12 months?

No

9. If any question in 5-8 above is answered yes, please answer the following: Do any of the individuals identified, their spouse, or minor child receive from the entity more than 7.5% of the entity's total distributable income or an amount of distributable income in excess of the salary of the Governor (\$177,412.00)?

No

10. If any question in 5-8 above is answered yes, please answer the following: Is there a combined interest of any individual identified along with their spouse or minor child of more than 15% in the aggregate of the entity's distributable income or an amount of distributable income in excess of two times the salary of the Governor (\$354,824.00)?

No

11. For the individuals disclosed above in question 1 and for sole proprietors, do any of them currently have, or in the previous 3 years had State employment, including contractual employment of services? This does not include contracts to provide goods or services to the State as a vendor.

No

12. For the individuals disclosed above in question 1 and for sole proprietors, have their spouse, father, mother, son, or daughter, had State employment, including contractual employment for services, in the previous 2 years? This does not include contracts to provide goods or services to the State as a vendor.

No

13. For the individuals disclosed above in question 1 and for sole proprietors, do any of them currently hold or have held in the previous 3 years elective office of the State of Illinois, the government of the United States, or any unit of local government authorized by the Constitution of the State of Illinois or the statutes of the State of Illinois?

No

14. For the individuals disclosed above in question 1 and for sole proprietors, do any of them have a relationship to anyone (spouse, father, mother, son, or daughter) holding elective office currently or in the previous 2 years?

No

15. For the individuals disclosed above in question 1 and for sole proprietors, do any of them hold or have held in the previous 3 years any appointive government office of the State of Illinois, the United States of America, or any unit of local government authorized by the Constitution of the State of Illinois or the statutes of the State of Illinois, which office entitles the holder to compensation in excess of expenses incurred in the discharge of that?

No

16. For the individuals disclosed above in question 1 and for sole proprietors, do any of them have a relationship to anyone (spouse, father, mother, son, or daughter) holding appointive office currently or in the previous 2 years?

No

17. For the individuals disclosed above in question 1 and for sole proprietors, do any of them currently have or in the previous 3 years had employment as or by any registered lobbyist of the State government?

No

18. For the individuals disclosed above in question 1 and for sole proprietors, do any of them currently have or in the previous 2 years had a relationship to anyone (spouse, father, mother, son, or daughter) that is or was a registered lobbyist?

No

19. For the individuals disclosed above in question 1 and for sole proprietors, do any of them currently have or in the previous 3 years had compensated employment by any registered election or re-election committee registered with the Secretary of State or any county clerk in the State of Illinois, or any political action committee registered with either the Secretary of State or the Federal Board of Elections?

No

20. For the individuals disclosed above in question 1 and for sole proprietors, do any of them currently have or in the previous 2 years had a relationship to anyone (spouse, father, mother, son, or daughter) who is or was a compensated employee of any registered election or reelection committee registered with the Secretary of State or any county clerk in the State of Illinois, or any political action committee registered with either the Secretary of State or the Federal Board of Elections?

No

21. Has there been any debarment from contracting with any governmental entity within the previous ten years? This applies to all sole proprietors, for-profit entities, not-for-profit entities, and for the individuals disclosed in question 1 above.

No

22. Has there been any professional licensure discipline within the previous ten years? This applies to all sole proprietors, for-profit entities, not-for-profit entities, and for the individuals disclosed in question 1 above.

No

23. Has there been any bankruptcy within the previous ten years? This applies to all sole proprietors, for-profit entities, not-for-profit entities, and for the individuals disclosed in question 1 above.

No

24. Have there been any adverse civil judgments and/or administrative findings within the previous ten years? This applies to all sole proprietors, for-profit entities, not-for-profit entities, and for the individuals disclosed in question 1 above.

No

25. Have there been any criminal felony convictions within the previous ten years? This applies to all sole proprietors, for-profit entities, not-for-profit entities, and for the individuals disclosed in question 1 above.

No

**ILLINOIS PROCUREMENT GATEWAY
FINANCIAL DISCLOSURES AND CONFLICTS OF INTEREST FORM
FOR PARENT ENTITY**

This disclosure is submitted for : CDW LLC (parent to CDW Government LLC)

This Financial Disclosures and Conflicts of Interest Form must be accurately completed and submitted by the Parent Entity with 100% ownership of the Vendor applying for or holding registration within the Illinois Procurement Gateway. If Parent Entity is 100% owned by another entity ("Parent's Parent Entity"), then the Parent's Parent Entity must complete this disclosure form. This disclosure requirement continues for each successive parent until the level where the parent entity does not have 100% ownership. Parent entities with less than 100% ownership do not need to complete this form.

There are seven steps to this form and each must be completed as instructed. The Agency/University will consider this form when evaluating the vendor's bid, offer, or proposal or awarding the contract.

The requirement of disclosure of financial interests and conflicts of interest is a continuing obligation. If circumstances change and the disclosure is no longer accurate, then disclosing entities must provide an updated form.

Vendor Name	CDW Government LLC
Doing Business As (DBA)	N/A
Disclosing Entity	CDW LLC (parent to CDW Government LLC)
Disclosing Entity's Parent Entity	CDW Corporation
Instrument of Ownership or Beneficial Interest	Other ☒ If you selected Other, please describe: Limited Liability Company

**FINANCIAL DISCLOSURES AND CONFLICTS OF INTEREST FORM
FOR PARENT ENTITY**

**STEP 1
SUPPORTING DOCUMENTATION SUBMITTAL**

You must select one of the six options below and select the documentation you are submitting. You must provide the documentation the applicable section requires with this form.

☐ Option 1 – Publicly Traded Entities

- 1.A. ☐ Complete Step 2, Option A for each qualifying individual or entity holding any ownership or distributive income share in excess of 5% or an amount greater than 60% (\$106,447.20) of the annual salary of the Governor.

OR

- 1.B. ☐ Attach a copy of the Federal 10-K or provide a web address of an electronic copy of the Federal 10-K, and skip to Step 3.

☐ Option 2 – Privately Held Entities with more than 200 Shareholders

- 2.A. ☐ Complete Step 2, Option A for each qualifying individual or entity holding any ownership or distributive income share in excess of 5% or an amount greater than 60% (\$106,447.20) of the annual salary of the Governor.

OR

- 2.B. ☐ Complete Step 2, Option A for each qualifying individual or entity holding any ownership share in excess of 5% and attach the information Federal 10-K reporting companies are required to report under 17 CFR 229.401.

☒ Option 3 – All other Privately Held Entities, not including Sole Proprietorships

- 3.A. ☒ Complete Step 2, Option A for each qualifying individual or entity holding any ownership or distributive income share in excess of 5% or an amount greater than 60% (\$106,447.20) of the annual salary of the Governor.

☐ Option 4 – Foreign Entities

- 4.A. ☐ Complete Step 2, Option A for each qualifying individual or entity holding any ownership or distributive income share in excess of 5% or an amount greater than 60% (\$106,447.20) of the annual salary of the Governor.

OR

- 4.B. ☐ Attach a copy of the Securities Exchange Commission Form 20-F or 40-F and skip to Step 3.

☐ Option 5 – Not-for-Profit Entities

- ☐ Complete Step 2, Option B.

☐ Option 6 – Sole Proprietorships

- ☐ Skip to Step 3.

**FINANCIAL DISCLOSURES AND CONFLICTS OF INTEREST FORM
FOR PARENT ENTITY**

- ☐ Option 5 – Not-for-Profit Entities
 - ☐ Complete Step 2, Option B.
- ☐ Option 6 – Sole Proprietorships
 - ☐ Skip to Step 3.

**FINANCIAL DISCLOSURES AND CONFLICTS OF INTEREST FORM
FOR PARENT ENTITY**

**STEP 2
DISCLOSURE OF FINANCIAL INTEREST OR BOARD OF DIRECTORS**

Complete either Option A (for all entities other than not-for-profits) or Option B (for not-for-profits). Additional rows may be inserted into the tables or an attachment may be provided if needed.

OPTION A – Ownership Share and Distributive Income

Ownership Share – If you selected Option 1.A., 2.A., 2.B., 3.A., or 4.A. in Step 1, provide the name and address of each individual or entity and their percentage of ownership if said percentage exceeds 5%, or the dollar value of their ownership if said dollar value exceeds \$106,447.20.

☐ Check here if including an attachment with requested information in a format substantially similar to the format below.

TABLE – X			
Name	Address	Percentage of Ownership	\$ Value of Ownership
CDW Corporation	230 N. Milwaukee Ave, Vernon Hills, IL 60061	100%	Click here to enter text.
Click here to enter text.	Click here to enter text.	Click here to enter text.	Click here to enter text.
Click here to enter text.	Click here to enter text.	Click here to enter text.	Click here to enter text.
Click here to enter text.	Click here to enter text.	Click here to enter text.	Click here to enter text.
Click here to enter text.	Click here to enter text.	Click here to enter text.	Click here to enter text.

Distributive Income – If you selected Option 1.A., 2.A., 3.A., or 4.A. in Step 1, provide the name and address of each individual or entity and their percentage of the disclosing vendor's total distributive income if said percentage exceeds 5% of the total distributive income of the disclosing entity, or the dollar value of their distributive income if said dollar value exceeds \$106,447.20.

☐ Check here if including an attachment with requested information in a format substantially similar to the format below.

TABLE – Y			
Name	Address	% of Distributive Income	\$ Value of Distributive Income
Click here to enter text.	Click here to enter text.	Click here to enter text.	Click here to enter text.
Click here to enter text.	Click here to enter text.	Click here to enter text.	Click here to enter text.
Click here to enter text.	Click here to enter text.	Click here to enter text.	Click here to enter text.
Click here to enter text.	Click here to enter text.	Click here to enter text.	Click here to enter text.
Click here to enter text.	Click here to enter text.	Click here to enter text.	Click here to enter text.

**FINANCIAL DISCLOSURES AND CONFLICTS OF INTEREST FORM
FOR PARENT ENTITY**

Please certify that the following statements are true.

I have disclosed all individuals or entities that hold an ownership interest of greater than 5% or greater than \$106,447.20.

☒ Yes ☐ No

I have disclosed all individuals or entities that were entitled to receive distributive income in an amount greater than \$106,447.20 or greater than 5% of the total distributive income of the disclosing entity.

☒ Yes ☐ No

OPTION B – Disclosure of Board of Directors (Not-for-Profits)

If you selected Option 5 in Step 1, list members of your board of directors. Please include an attachment if necessary.

TABLE – Z	
Name	Address
Click here to enter text.	Click here to enter text.
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Click here to enter text.	Click here to enter text.
Click here to enter text.	Click here to enter text.

**STEP 3
PROHIBITED CONFLICTS OF INTEREST**

Step 3 must be completed for each person disclosed in Step 2, Option A and for sole proprietors identified in Step 1, Option 6 above. Please provide the name of the person for which responses are provided: N/A

1. Do you hold or are you the spouse or minor child who holds an elective office in the State of Illinois or hold a seat in the General Assembly? ☐ Yes ☐ No
2. Have you, your spouse, or minor child been appointed to or employed in any offices or agencies of State government and receive compensation for such employment in excess of 60% (\$106,447.20) of the salary of the Governor? ☐ Yes ☐ No
3. Are you or are you the spouse or minor child of an officer or employee of the Capital Development Board or the Illinois Toll Highway Authority? ☐ Yes ☐ No

**FINANCIAL DISCLOSURES AND CONFLICTS OF INTEREST FORM
FOR PARENT ENTITY**

4. Have you, your spouse, or an immediate family member who lives in your residence currently or who lived in your residence within the last 12 months been appointed as a member of a board, commission, authority, or task force authorized or created by State law or by executive order of the Governor? ☐ Yes ☐ No
5. If you answered yes to any question in 1-4 above, please answer the following: Do you, your spouse, or minor child receive from the vendor more than 7.5% of the vendor's total distributable income or an amount of distributable income in excess of the salary of the Governor (\$177,412.00)? ☐ Yes ☐ No
6. If you answered yes to any question in 1-4 above, please answer the following: Is there a combined interest of self with spouse or minor child more than 15% (\$354,824.00) in the aggregate of the vendor's distributable income or an amount of distributable income in excess of two times the salary of the Governor? ☐ Yes ☐ No

**STEP 4
POTENTIAL CONFLICTS OF INTEREST RELATING TO PERSONAL RELATIONSHIPS**

Step 4 must be completed for each person disclosed in Step 2, Option A and for sole proprietors identified in Step 1, Option 6 above.

Please provide the name of the person for which responses are provided: N/A

1. Do you currently have, or in the previous 3 years have you had State employment, including contractual employment of services? ☐ Yes ☐ No
2. Has your spouse, father, mother, son, or daughter, had State employment, including contractual employment for services, in the previous 2 years? ☐ Yes ☐ No
3. Do you hold currently or have you held in the previous 3 years elective office of the State of Illinois, the government of the United States, or any unit of local government authorized by the Constitution of the State of Illinois or the statutes of the State of Illinois? ☐ Yes ☐ No
4. Do you have a relationship to anyone (spouse, father, mother, son, or daughter) holding elective office currently or in the previous 2 years? ☐ Yes ☐ No
5. Do you hold or have you held in the previous 3 years any appointive government office of the State of Illinois, the United States of America, or any unit of local government authorized by the Constitution of the State of Illinois or the statutes of the State of Illinois, which office entitles the holder to compensation in excess of expenses incurred in the discharge of that office? ☐ Yes ☐ No
6. Do you have a relationship to anyone (spouse, father, mother, son, or daughter) holding appointive office currently or in the previous 2 years? ☐ Yes ☐ No
7. Do you currently have or in the previous 3 years had employment as or by any registered lobbyist of the State government? ☐ Yes ☐ No

**FINANCIAL DISCLOSURES AND CONFLICTS OF INTEREST FORM
FOR PARENT ENTITY**

8. Do you currently have or in the previous 2 years had a relationship to anyone (spouse, father, mother, son, or daughter) that is or was a registered lobbyist? ☐ Yes ☐ No
9. Do you currently have or in the previous 3 years had compensated employment by any registered election or re-election committee registered with the Secretary of State or any county clerk in the State of Illinois, or any political action committee registered with either the Secretary of State or the Federal Board of Elections? ☐ Yes ☐ No
10. Do you currently have or in the previous 2 years had a relationship to anyone (spouse, father, mother, son, or daughter) who is or was a compensated employee of any registered election or reelection committee registered with the Secretary of State or any county clerk in the State of Illinois, or any political action committee registered with either the Secretary of State or the Federal Board of Elections? ☐ Yes ☐ No

**STEP 5
EXPLANATION OF AFFIRMATIVE RESPONSES**

If you answered "Yes" in Step 3 or Step 4, please provide on an additional page a detailed explanation that includes, but is not limited to the name, salary, State agency or university, and position title of each individual.

N/A

**STEP 6
POTENTIAL CONFLICTS OF INTEREST
RELATING TO DEBARMENT & LEGAL PROCEEDINGS**

This step must be completed for each person disclosed in Step 2, Option A, Step 3, and for each entity and sole proprietor disclosed in Step 1.

Please provide the name of the person or entity for which responses are provided: N/A

1. Within the previous ten years, have you had debarment from contracting with any governmental entity? ☐ Yes ☒ No
2. Within the previous ten years, have you had any professional licensure discipline? ☐ Yes ☒ No
3. Within the previous ten years, have you had any bankruptcies? ☐ Yes ☒ No

**FINANCIAL DISCLOSURES AND CONFLICTS OF INTEREST FORM
FOR PARENT ENTITY**

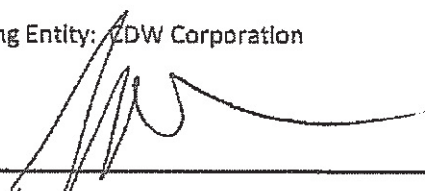
4. Within the previous ten years, have you had any adverse civil judgments and administrative findings? ☐ Yes ☒ No
5. Within the previous ten years, have you had any criminal felony convictions? ☐ Yes ☒ No

If you answered "Yes", please provide a detailed explanation that includes, but is not limited to the name, State agency or university, and position title of each individual. N/A

**STEP 7
SIGN THE DISCLOSURE**

This disclosure is signed, and made under penalty of perjury for all for-profit entities, by an authorized officer or employee on behalf of the bidder or offeror pursuant to Sections 50-13 and 50-35 of the Illinois Procurement Code. This disclosure information is submitted on behalf of:

Name of Disclosing Entity: CDW Corporation

Signature: 

Date: Wednesday, September 2, 2015

Printed Name: Matt Flood

Title: Proposals Supervisor

Phone Number: 203-851-7229

Email Address: mattflo@cdw.com

**ILLINOIS PROCUREMENT GATEWAY
FINANCIAL DISCLOSURES AND CONFLICTS OF INTEREST FORM
FOR PARENT ENTITY**

This disclosure is submitted for : CDW Coporation (parent to CDW LLC, and ultimate parent to Vendor (CDW Government LLC))

This Financial Disclosures and Conflicts of Interest Form must be accurately completed and submitted by the Parent Entity with 100% ownership of the Vendor applying for or holding registration within the Illinois Procurement Gateway. If Parent Entity is 100% owned by another entity ("Parent's Parent Entity"), then the Parent's Parent Entity must complete this disclosure form. This disclosure requirement continues for each successive parent until the level where the parent entity does not have 100% ownership. Parent entities with less than 100% ownership do not need to complete this form.

There are seven steps to this form and each must be completed as instructed. The Agency/Unlversity will consider this form when evaluating the vendor's bid, offer, or proposal or awarding the contract.

The requirement of disclosure of financial interests and conflicts of interest is a continuing obligation. If circumstances change and the disclosure is no longer accurate, then disclosing entities must provide an updated form.

Vendor Name	CDW Government LLC
Doing Business As (DBA)	N/A
Disclosing Entity	CDW Corporation (parent to CDW LLC, and ultimate parent to Vendor (CDW Government LLC))
Disclosing Entity's Parent Entity	N/A
Instrument of Ownership or Beneficial Interest	Corporate Stock (C-Corporation, S-Corporation, Professional Corporation, Service Corporation) ☐ If you selected Other, please describe: Click here to enter text.

**FINANCIAL DISCLOSURES AND CONFLICTS OF INTEREST FORM
FOR PARENT ENTITY**

**STEP 1
SUPPORTING DOCUMENTATION SUBMITTAL**

You must select one of the six options below and select the documentation you are submitting. You must provide the documentation the applicable section requires with this form.

☒ **Option 1 – Publicly Traded Entities**

- 1.A. ☐ Complete Step 2, Option A for each qualifying individual or entity holding any ownership or distributive income share in excess of 5% or an amount greater than 60% (\$106,447.20) of the annual salary of the Governor.

OR

- 1.B. ☒ Attach a copy of the Federal 10-K or provide a web address of an electronic copy of the Federal 10-K, and skip to Step 3.

****Please note that all revenue for CDW Government LLC and its affiliates is aggregated, and the reporting is done solely through CDW Government's ultimate parent company, CDW Corporation. The 10-K can be found here:**

<http://investor.cdw.com/financials.cfm>

☐ **Option 2 – Privately Held Entities with more than 200 Shareholders**

- 2.A. ☐ Complete Step 2, Option A for each qualifying individual or entity holding any ownership or distributive income share in excess of 5% or an amount greater than 60% (\$106,447.20) of the annual salary of the Governor.

OR

- 2.B. ☐ Complete Step 2, Option A for each qualifying individual or entity holding any ownership share in excess of 5% and attach the information Federal 10-K reporting companies are required to report under 17 CFR 229.401.

☐ **Option 3 – All other Privately Held Entities, not including Sole Proprietorships**

- 3.A. ☐ Complete Step 2, Option A for each qualifying individual or entity holding any ownership or distributive income share in excess of 5% or an amount greater than 60% (\$106,447.20) of the annual salary of the Governor.

☐ **Option 4 – Foreign Entities**

- 4.A. ☐ Complete Step 2, Option A for each qualifying individual or entity holding any ownership or distributive income share in excess of 5% or an amount greater than 60% (\$106,447.20) of the annual salary of the Governor.

OR

- 4.B. ☐ Attach a copy of the Securities Exchange Commission Form 20-F or 40-F and skip to Step 3.

**FINANCIAL DISCLOSURES AND CONFLICTS OF INTEREST FORM
FOR PARENT ENTITY**

☐ Option 5 – Not-for-Profit Entities

☐ Complete Step 2, Option B.

☐ Option 6 – Sole Proprietorships

☐ Skip to Step 3.

**FINANCIAL DISCLOSURES AND CONFLICTS OF INTEREST FORM
FOR PARENT ENTITY**

**STEP 2
DISCLOSURE OF FINANCIAL INTEREST OR BOARD OF DIRECTORS**

Complete either Option A (for all entities other than not-for-profits) or Option B (for not-for-profits). Additional rows may be inserted into the tables or an attachment may be provided if needed.

OPTION A – Ownership Share and Distributive Income

Ownership Share – If you selected Option 1.A., 2.A., 2.B., 3.A., or 4.A. in Step 1, provide the name and address of each individual or entity and their percentage of ownership if said percentage exceeds 5%, or the dollar value of their ownership if said dollar value exceeds \$106,447.20.

☐ Check here if including an attachment with requested information in a format substantially similar to the format below.

TABLE – X			
Name	Address	Percentage of Ownership	\$ Value of Ownership
Click here to enter text.	Click here to enter text.	Click here to enter text.	Click here to enter text.
Click here to enter text.	Click here to enter text.	Click here to enter text.	Click here to enter text.
Click here to enter text.	Click here to enter text.	Click here to enter text.	Click here to enter text.
Click here to enter text.	Click here to enter text.	Click here to enter text.	Click here to enter text.
Click here to enter text.	Click here to enter text.	Click here to enter text.	Click here to enter text.

Distributive Income – If you selected Option 1.A., 2.A., 3.A., or 4.A. in Step 1, provide the name and address of each individual or entity and their percentage of the disclosing vendor's total distributive income if said percentage exceeds 5% of the total distributive income of the disclosing entity, or the dollar value of their distributive income if said dollar value exceeds \$106,447.20.

☐ Check here if including an attachment with requested information in a format substantially similar to the format below.

TABLE – Y			
Name	Address	% of Distributive Income	\$ Value of Distributive Income
Click here to enter text.	Click here to enter text.	Click here to enter text.	Click here to enter text.
Click here to enter text.	Click here to enter text.	Click here to enter text.	Click here to enter text.
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Click here to enter text.	Click here to enter text.	Click here to enter text.	Click here to enter text.

**FINANCIAL DISCLOSURES AND CONFLICTS OF INTEREST FORM
FOR PARENT ENTITY**

Please certify that the following statements are true.

I have disclosed all individuals or entities that hold an ownership interest of greater than 5% or greater than \$106,447.20.

☐ Yes ☐ No

I have disclosed all individuals or entities that were entitled to receive distributive income in an amount greater than \$106,447.20 or greater than 5% of the total distributive income of the disclosing entity.

☐ Yes ☐ No

OPTION B – Disclosure of Board of Directors (Not-for-Profits)

If you selected Option 5 in Step 1, list members of your board of directors. Please include an attachment if necessary.

TABLE – Z	
Name	Address
Click here to enter text.	Click here to enter text.
Click here to enter text.	Click here to enter text.
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Click here to enter text.	Click here to enter text.
Click here to enter text.	Click here to enter text.
Click here to enter text.	Click here to enter text.

**STEP 3
PROHIBITED CONFLICTS OF INTEREST**

Step 3 must be completed for each person disclosed in Step 2, Option A and for sole proprietors identified in Step 1, Option 6 above. Please provide the name of the person for which responses are provided: N/A

1. Do you hold or are you the spouse or minor child who holds an elective office in the State of Illinois or hold a seat in the General Assembly? ☐ Yes ☐ No
2. Have you, your spouse, or minor child been appointed to or employed in any offices or agencies of State government and receive compensation for such employment in excess of 60% (\$106,447.20) of the salary of the Governor? ☐ Yes ☐ No
3. Are you or are you the spouse or minor child of an officer or employee of the Capital Development Board or the Illinois Toll Highway Authority? ☐ Yes ☐ No

**FINANCIAL DISCLOSURES AND CONFLICTS OF INTEREST FORM
FOR PARENT ENTITY**

4. Have you, your spouse, or an immediate family member who lives in your residence currently or who lived in your residence within the last 12 months been appointed as a member of a board, commission, authority, or task force authorized or created by State law or by executive order of the Governor? ☐ Yes ☐ No
5. If you answered yes to any question in 1-4 above, please answer the following: Do you, your spouse, or minor child receive from the vendor more than 7.5% of the vendor's total distributable income or an amount of distributable income in excess of the salary of the Governor (\$177,412.00)? ☐ Yes ☐ No
6. If you answered yes to any question in 1-4 above, please answer the following: Is there a combined interest of self with spouse or minor child more than 15% (\$354,824.00) in the aggregate of the vendor's distributable income or an amount of distributable income in excess of two times the salary of the Governor? ☐ Yes ☐ No

**STEP 4
POTENTIAL CONFLICTS OF INTEREST RELATING TO PERSONAL RELATIONSHIPS**

Step 4 must be completed for each person disclosed in Step 2, Option A and for sole proprietors identified in Step 1, Option 6 above.

Please provide the name of the person for which responses are provided: N/A

1. Do you currently have, or in the previous 3 years have you had State employment, including contractual employment of services? ☐ Yes ☐ No
2. Has your spouse, father, mother, son, or daughter, had State employment, including contractual employment for services, in the previous 2 years? ☐ Yes ☐ No
3. Do you hold currently or have you held in the previous 3 years elective office of the State of Illinois, the government of the United States, or any unit of local government authorized by the Constitution of the State of Illinois or the statutes of the State of Illinois? ☐ Yes ☐ No
4. Do you have a relationship to anyone (spouse, father, mother, son, or daughter) holding elective office currently or in the previous 2 years? ☐ Yes ☐ No
5. Do you hold or have you held in the previous 3 years any appointive government office of the State of Illinois, the United States of America, or any unit of local government authorized by the Constitution of the State of Illinois or the statutes of the State of Illinois, which office entitles the holder to compensation in excess of expenses incurred in the discharge of that office? ☐ Yes ☐ No
6. Do you have a relationship to anyone (spouse, father, mother, son, or daughter) holding appointive office currently or in the previous 2 years? ☐ Yes ☐ No
7. Do you currently have or in the previous 3 years had employment as or by any registered lobbyist of the State government? ☐ Yes ☐ No

**FINANCIAL DISCLOSURES AND CONFLICTS OF INTEREST FORM
FOR PARENT ENTITY**

8. Do you currently have or in the previous 2 years had a relationship to anyone (spouse, father, mother, son, or daughter) that is or was a registered lobbyist? ☐ Yes ☐ No
9. Do you currently have or in the previous 3 years had compensated employment by any registered election or re-election committee registered with the Secretary of State or any county clerk in the State of Illinois, or any political action committee registered with either the Secretary of State or the Federal Board of Elections? ☐ Yes ☐ No
10. Do you currently have or in the previous 2 years had a relationship to anyone (spouse, father, mother, son, or daughter) who is or was a compensated employee of any registered election or reelection committee registered with the Secretary of State or any county clerk in the State of Illinois, or any political action committee registered with either the Secretary of State or the Federal Board of Elections? ☐ Yes ☐ No

**STEP 5
EXPLANATION OF AFFIRMATIVE RESPONSES**

If you answered "Yes" in Step 3 or Step 4, please provide on an additional page a detailed explanation that includes, but is not limited to the name, salary, State agency or university, and position title of each individual.

N/A

**STEP 6
POTENTIAL CONFLICTS OF INTEREST
RELATING TO DEBARMENT & LEGAL PROCEEDINGS**

This step must be completed for each person disclosed in Step 2, Option A, Step 3, and for each entity and sole proprietor disclosed in Step 1.

Please provide the name of the person or entity for which responses are provided: N/A

1. Within the previous ten years, have you had debarment from contracting with any governmental entity? ☐ Yes ☒ No
2. Within the previous ten years, have you had any professional licensure discipline? ☐ Yes ☒ No
3. Within the previous ten years, have you had any bankruptcies? ☐ Yes ☒ No

**FINANCIAL DISCLOSURES AND CONFLICTS OF INTEREST FORM
FOR PARENT ENTITY**

4. Within the previous ten years, have you had any adverse civil judgments and administrative findings? ☐ Yes ☒ No
5. Within the previous ten years, have you had any criminal felony convictions? ☐ Yes ☒ No

If you answered "Yes", please provide a detailed explanation that includes, but is not limited to the name, State agency or university, and position title of each individual. N/A

**STEP 7
SIGN THE DISCLOSURE**

This disclosure is signed, and made under penalty of perjury for all for-profit entities, by an authorized officer or employee on behalf of the bidder or offeror pursuant to Sections 50-13 and 50-35 of the Illinois Procurement Code. This disclosure information is submitted on behalf of:

Name of Disclosing Entity: CDW Corporation

Signature: _____

Date: Wednesday, September 2, 2015

Printed Name: Matt Flood

Title: Proposals Supervisor

Phone Number: 203-851-7229

Email Address: mattflo@cdw.com

QUOTE CONFIRMATION



DEAR MEGAN HORATH,

Thank you for considering CDW•G for your computing needs. The details of your quote are below. [Click here](#) to convert your quote to an order.

QUOTE #	QUOTE DATE	QUOTE REFERENCE	CUSTOMER #	GRAND TOTAL
HLRN962	10/21/2016	EA	1328378	\$147,576.83

QUOTE DETAILS				
ITEM	QTY	CDW#	UNIT PRICE	EXT. PRICE
MS EA CORE CAL SA PLAT UCAL SLG Mfg. Part#: W06-01072-SLG Electronic distribution - NO MEDIA Contract: MARKET	540	2084661	\$32.57	\$17,587.80
MS EA CORE CAL LIC/SA PLAT UCAL SLG Mfg. Part#: W06-01066-SLG Electronic distribution - NO MEDIA Contract: MARKET	160	2078574	\$58.62	\$9,379.20
MS EA WIN ENT SNGL SA Mfg. Part#: CW2-00307-SLG Electronic distribution - NO MEDIA Contract: MARKET	540	3285065	\$28.79	\$15,546.60
MS EA OFFICE PRO PLUS SA PLAT SLG Mfg. Part#: 269-12442-SLG Electronic distribution - NO MEDIA Contract: MARKET	540	2084642	\$77.41	\$41,801.40
MS EA O365 PLANG3 SHRD SRV Mfg. Part#: 6U3-00003-12-SLG Electronic distribution - NO MEDIA Contract: MARKET	50	3458179	\$66.45	\$3,322.50
MS EA PROJECT STD SA SLG Mfg. Part#: 076-01912-SLG Electronic distribution - NO MEDIA Contract: MARKET	6	2026955	\$106.62	\$639.72
MS EA SHAREPOINT ENT UCAL SA Mfg. Part#: 76N-02550-SLG Electronic distribution - NO MEDIA Contract: MARKET	500	2431732	\$15.70	\$7,850.00
MS EA SHAREPT ENT UCAL LIC/SA Mfg. Part#: 76N-02427-SLG Electronic distribution - NO MEDIA Contract: MARKET	150	2689175	\$36.37	\$5,455.50
MS EA SQL CAL SA MVL DCAL SLG Mfg. Part#: 359-00792-SLG	24	2186887	\$33.89	\$813.36

QUOTE DETAILS (CONT.)				
Electronic distribution - NO MEDIA Contract: MARKET				
<u>MS EA SQL SERVER STD SA SLG</u>	6	2106689	\$145.46	\$872.76
Mfg. Part#: 228-04433-SLG Electronic distribution - NO MEDIA Contract: MARKET				
<u>MS EA SQL SRV STD CORE SA</u>	18	2716749	\$581.86	\$10,473.48
Mfg. Part#: 7NQ-00292-SLG Electronic distribution - NO MEDIA Contract: MARKET				
<u>MS EA SYS CENT STD 2PROC SA</u>	1	2747379	\$143.81	\$143.81
Mfg. Part#: T9L-00223-SLG Electronic distribution - NO MEDIA Contract: MARKET				
<u>MS EA VISIO PRO SA SLG</u>	11	2026965	\$90.92	\$1,000.12
Mfg. Part#: D87-01159-SLG Electronic distribution - NO MEDIA Contract: MARKET				
<u>MS EA WIN RIGHTS MGT SVCS DCAL SA</u>	1	2552970	\$6.61	\$6.61
Mfg. Part#: T98-00798-SLG Electronic distribution - NO MEDIA Contract: MARKET				
<u>MS EA WIN RDS DCAL SA SLG</u>	46	2026969	\$16.53	\$760.38
Mfg. Part#: 6VC-01253-SLG Electronic distribution - NO MEDIA Contract: MARKET				
<u>MS EA CIS STD LIC/SA 2PROC</u>	9	3199430	\$634.75	\$5,712.75
Mfg. Part#: YJD-01075-SLG Electronic distribution - NO MEDIA Contract: MARKET				
<u>MS EA CISDATACTR ALNG LICSA PK MVL</u>	1	3253064	\$3,077.89	\$3,077.89
Mfg. Part#: FUD-00936-SLG Electronic distribution - NO MEDIA Contract: MARKET				
<u>MS EA CIS DATA LIC/SA W/O WIN SRV 2</u>	5	3367802	\$1,813.34	\$9,066.70
Mfg. Part#: FUD-01148-SLG Electronic distribution - NO MEDIA Contract: MARKET				
<u>MS EA CIS STD LIC/SA W/O WIN SRV 2</u>	31	3367803	\$453.75	\$14,066.25
Mfg. Part#: YJD-01206-SLG Electronic distribution - NO MEDIA Contract: MARKET				

PURCHASER BILLING INFO		SUBTOTAL	\$147,576.83
Billing Address: CITY OF BLOOMINGTON MELODY BECKER PO BOX 3157 BLOOMINGTON, IL 61702-3157 Phone: (309) 434-2509 Payment Terms: Net 30 Days-Govt State/Local		SHIPPING	\$0.00
		GRAND TOTAL	\$147,576.83
DELIVER TO	Please remit payments to:		

Shipping Address:
BLOOMINGTON CITY HALL
MEGAN HORATH
109 E OLIVE ST
BLOOMINGTON, IL 61701-5219
Shipping Method: ELECTRONIC DISTRIBUTION

CDW Government
75 Remittance Drive
Suite 1515
Chicago, IL 60675-1515

Need Assistance? CDW•G SALES CONTACT INFORMATION



Philippe Stapp

|

(866) 551-9995

|

philsta@cdwg.com

This quote is subject to CDW's Terms and Conditions of Sales and Service Projects at
<http://www.cdwg.com/content/terms-conditions/product-sales.aspx>
For more information, contact a CDW account manager

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CITY OF
Bloomington
ILLINOIS

REGULAR AGENDA ITEM NO. 7E

FOR COUNCIL: November 14, 2016

SUBJECT: Consideration of approving a Land Donation and Construction Agreement with Habitat for Humanity of McLean County for the distribution of vacant property for development of affordable housing for low and moderate income residents in the City.

RECOMMENDATION/MOTION: That Council approves the Land Donation and Construction Agreement with Habitat of McLean County for the distribution of vacant lots obtained through activities of the Community Development Department's Code Enforcement Division.

STRATEGIC PLAN LINK: Goal #4 Strong Neighborhoods

STRATEGIC PLAN SIGNIFICANCE: Objective C: Preservation of property/home valuations. Replacement of dilapidated housing structures with new, affordable housing helps preserve property/home values for the entire neighborhood.

BACKGROUND: During the remainder of the City's Community Development Block Grant Consolidated Plan (May 1, 2015 – April 30, 2020), the Community Development Department proposes to donate up to 6 vacant lots per year to Habitat for Humanity of McLean County for the purpose of the provision of affordable housing to households whose income does not exceed 60% of the Area Median Income (AMI).

The City of Bloomington and Habitat for Humanity McLean County have partnered in the provision of affordable housing for more than twenty years. Community Development acquires dilapidated structures through code enforcement and/or tax sales; demolishes and clears the structures; vacates back taxes and liens due; then deeds the lots over to Habitat for the new construction of affordable homes. Habitat constructs 6-10 homes per year.

The Department of Housing and Urban Development requires "one for one replacement" under Section 104 (d) of the Housing and Community Development Act of 1974. When a unit of affordable housing is removed, another unit must be provided so as to not deplete a community's affordable housing stock.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:

Stan Geison, Habitat for Humanity
Bill Waller, Habitat for Humanity
Tracey Polson, Youthbuild McLean County

FINANCIAL IMPACT: There is no direct financial impact to the City of Bloomington's general fund. All activities related to the acquisition, demolition (if necessary) and disposition of the property is done with grant funding, primarily the Community Development Block Grant.

**FUTURE OPERATIONAL COSTS ASSOCIATED WITH NEW FACILITY
CONSTRUCTION:**

Respectfully submitted for Council consideration.

Prepared by: Jennifer Toney, Grants Coordinator

Reviewed by: Tom Dabareiner AICP, CD Director

Financial & budgetary review by: Chris Tomerlin, Budget Analyst
Carla A. Murillo, Budget Manager

Legal review by: Jeffrey R. Jurgens, Corporation Counsel

Recommended by:



David A. Hales
City Manager

Attachments:

2016 Habitat Donation Agreement

Motion: That Council approve the Land Donation and Construction Agreement with Habitat of McLean County for the distribution of vacant lots obtained through activities of the Community Development Department's Code Enforcement Division.

Motion: _____ Seconded by: _____

	Aye	Nay	Other		Aye	Nay	Other
Alderman Black				Alderman Painter			
Alderman Hauman				Alderman Sage			
Alderman Fruin				Alderman Schmidt			
Alderman Lower				Alderman Buragas			
Alderman Mwilambwe							
				Mayor Renner			

LAND DONATION and CONSTRUCTION AGREEMENT

CITY OF BLOOMINGTON, COMMUNITY DEVELOPMENT DEPARTMENT

and

HABITAT FOR HUMANITY OF MCLEAN COUNTY, INC

This agreement made this ____ day of November, 2016 between the City of Bloomington, a municipal corporation, Community Development Department, hereafter called “City” with its principal place of business at 115 East Washington Street, Bloomington, Illinois, hereby enters into land donation and construction agreement with Habitat for Humanity of McLean County, Inc, hereafter called “Habitat” as approved by City Council.

WHEREAS, the City wishes to donate cleared vacant land to Habitat and allow Habitat to construct new single-family homes on the aforementioned vacant land. Locations to be announced, up to 6 lots per year will be donated, over the remainder of the CDBG Consolidated Plan period (present - April 30, 2020).

WHEREAS, the completed homes are to be sold to low-income households with earnings up to 60 % of the area median income.

NOW, THEREFORE, it is agreed between the parties hereto that:

I. RESPONSIBILITIES OF THE CITY AND HABITAT:

1. The City will utilize CDBG funding to cover acquisition, demolition and site infrastructure expenses.
2. The City will provide the vacant land, at locations to be determined for the construction of the projects.
3. The City will complete all inspections, as required by the issuance of building permits.
4. The City will waive all permitting fees and construction fees normally associated with residential construction projects.
5. The City will donate the property on an “as is, where is” and “with all faults” basis; and Habitat acknowledges that it is accepting the property based on its own investigation, with all faults and defects – latent and otherwise, and without any warranties – express or implied – by the City. Notwithstanding any provision of this Agreement, Habitat reserves the right to reject donation of any property for any reason whatsoever at any time.

6. The City will provide any technical assistance and guidance through the Community Development Department with the assistance of Habitat to facilitate completion of the project.
7. The City will review plans and specifications for the construction project through the normal permitting process.
8. Habitat will obtain competitive bids and prepare all written construction contracts between each subcontractor, as necessary.
9. Habitat agrees to keep the yard mowed and trimmed and the property otherwise in compliance with City Code throughout its ownership period.
10. Habitat will maintain insurance on the property throughout its period of ownership.
11. Habitat agrees to indemnify and hold the City harmless against any and all claims, demands, damages, rights of action, or causes of action, of any person, or entity that may arise from injuries or damages occurring on the property during Habitat's period of ownership.
12. Habitat will handle all general accounting associated with and during the construction of the single family dwelling.
13. Habitat will make all payouts for materials and/or subcontractors and will obtain lien waivers for each.
14. Habitat, at the conclusion of construction, will sell the completed homes to low-income households with earnings up to 60 % of the area median income.

II. NOTICES

Communications and details concerning this contract shall be directed to the following contract representatives:

City of Bloomington:
Jennifer Toney, Grants Coordinator
Community Development Department
P.O. Box 3157
Bloomington, IL 61702-3157
Phone 309-434-2342, Fax 309-434-2801

Habitat for Humanity of McLean County, Inc:
Stan Geison
Executive Director
103 W. Jefferson St.
Bloomington Ill. 61701
Phone 309-827-3931 Fax 827-5347

III. AMENDMENTS

City and Habitat may amend this Agreement at any time provided that such amendments make specific reference to this Agreement, and are executed in writing, signed by a duly authorized representative of each organization, and approved by the Director of the Community Development Department, or his designated representative and City Council. Such amendments shall not invalidate this Agreement, nor relieve or release the City or Habitat from its obligations under this Agreement.

City may, in its discretion, amend this Agreement to conform with federal, state or local governmental guidelines, policies and available funding amounts, or for other reasons. If such amendments result in a change in Habitat's rights or obligations under this Agreement, or in the funding, the scope of services, or schedule of, the activities to be undertaken as part of this Agreement, such modifications will be incorporated only by written amendment by the City and Habitat.

IN WITNESS WHEREOF, the Parties have executed this construction agreement as of the date first written above.

_____ Date: _____

Tari Renner

Mayor

City of Bloomington

_____ Date: _____

Jennifer Toney, Grants Coordinator

Community Development Department

City of Bloomington

_____ Date: _____

Stan Geison

Executive Director

Habitat for Humanity of McLean County, Inc

CITY OF
Bloomington
ILLINOIS

REGULAR AGENDA ITEM NO. 7F

FOR COUNCIL: November 14, 2016

SUBJECT: Consideration of approving a Land Donation Agreement with Youthbuild McLean County for the donation of land (vacant lots and vacant single-family homes) for development of new and rehabilitated affordable housing for low and moderate income residents in the City.

RECOMMENDATION/MOTION: That Council approves the Land Donation Agreement with Youthbuild McLean County for the donation of land (vacant lots and vacant single-family homes) obtained through activities of the Community Development Department's Code Enforcement Division.

STRATEGIC PLAN LINK: Goal #4 Strong Neighborhoods

STRATEGIC PLAN SIGNIFICANCE: Objective C: Preservation of property/home valuations. Rehabilitation of properties in decline will help preserve property/home values in the entire neighborhood.

BACKGROUND: During the remainder of the City's Community Development Block Grant Consolidated Plan (May 1, 2015 – April 30, 2020), the Community Development Department proposes to donate up to 6 vacant lots per year to Youthbuild McLean County for the purpose of the provision of affordable housing construction and/or rehabilitation for households whose income does not exceed 80% of the Area Median Income (AMI).

The City of Bloomington and Youthbuild McLean County have partnered in the provision of affordable housing for nearly a decade. Community Development typically acquires vacant and neglected homes through code enforcement and deeds the property to YouthBuild, providing CDBG rehabilitation funds to assist with rehabilitation costs when possible. The City also provides cleared, vacant lots to Youthbuild for new construction as appropriate. Youthbuild provides both classroom and hands-on job training for the City's at-risk youth.

The Department of Housing and Urban Development requires "one for one replacement" under Section 104 (d) of the Housing and Community Development Act of 1974. When a unit of affordable housing is removed, another unit must be provided so as to not deplete a community's affordable housing stock.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:

Tracey Polson, Youthbuild McLean County
Stan Geison, Habitat for Humanity

FINANCIAL IMPACT: There is no direct financial impact to the City of Bloomington's general fund. All activities related to the acquisition, demolition (if necessary) and disposition of the property is done with grant funding, primarily the Community Development Block Grant.

FUTURE OPERATIONAL COSTS ASSOCIATED WITH NEW FACILITY CONSTRUCTION:

Respectfully submitted for Council consideration.

Prepared by: Jennifer Toney, Grants Coordinator

Reviewed by: Tom Dabareiner AICP, CD Director

Financial & budgetary review by: Chris Tomerlin, Budget Analyst
Carla A. Murillo, Budget Manager

Legal review by: Jeffrey R. Jurgens, Corporation Counsel

Recommended by:



David A. Hales
City Manager

Attachments:

2016 Youthbuild Donation Agreement

Motion: That the City approve the Land Donation Agreement with Youthbuild McLean County for the donation of land (vacant lots and vacant single-family homes) obtained through activities of the Community Development Department's Code Enforcement Division.

Motion: _____ Seconded by: _____

	Aye	Nay	Other		Aye	Nay	Other
Alderman Black				Alderman Painter			
Alderman Hauman				Alderman Sage			
Alderman Fruin				Alderman Schmidt			
Alderman Lower				Alderman Buragas			
Alderman Mwilambwe							
				Mayor Renner			

LAND DONATION AGREEMENT
CITY OF BLOOMINGTON, COMMUNITY DEVELOPMENT DEPARTMENT
and
YOUTHBUILD MCLEAN COUNTY

This agreement made this ____ day of November, 2016 between the City of Bloomington, a municipal corporation, Community Development Department, hereafter called “City” with its principal place of business at 115 East Washington Street, Bloomington, Illinois, hereby enters into property donation and construction agreement with YouthBuild McLean County, hereafter called “YouthBuild” as approved by City Council.

WHEREAS, the City wishes to donate single-family homes and/or cleared vacant land to YouthBuild and allow YouthBuild to rehabilitate and/or construct new single-family homes on the aforementioned vacant land. Locations to be announced, up to 5 properties per year will be donated, over the remainder of the CDBG Consolidated Plan period (present - April 30, 2020).

WHEREAS, the completed homes are to be sold to low-income households with earnings up to 80 % of the area median income.

NOW, THEREFORE, it is agreed between the parties hereto that:

I. RESPONSIBILITIES OF THE CITY AND YOUTHBUILD:

1. The City will provide the vacant land, at locations to be determined, for new construction of the projects.
2. The City will utilize CDBG funding to cover acquisition, demolition and site infrastructure expenses for properties slated for new construction.
3. The City will donate single-family homes, at locations to be determined, for rehabilitation and resale to income qualified households.
4. The City will utilize CDBG funding to provide rehabilitation funds when possible.
5. The City will complete all inspections, as required by the issuance of building permits.
6. The City will waive all permitting fees and construction fees normally associated with residential construction projects.
7. The City will donate the property on an “as is, where is” and “with all faults” basis; and YouthBuild acknowledges that it is accepting the property based on its own investigation, with all faults and defects – latent and otherwise, and without any warranties – express or implied – by the City. Notwithstanding any provision of this Agreement, YouthBuild reserves the right to reject donation of any property for any reason whatsoever at any time.
8. The City will provide any technical assistance and guidance through the Community Development Department with the assistance of YouthBuild to facilitate completion of the project.
9. The City will review plans and specifications for the construction project through the normal permitting process.

10. YouthBuild will obtain competitive bids and prepare all written construction contracts between each subcontractor, as necessary.
11. YouthBuild agrees to keep the yard mowed and trimmed and the property otherwise in compliance with the City Code throughout its ownership period.
12. YouthBuild will maintain insurance on the property throughout its period of ownership.
13. YouthBuild agrees to indemnify and hold the City harmless against any and all claims, demands, damages, rights of action, or causes of action, of any person, or entity that may arise from injuries or damages occurring on the property during YouthBuild's period of ownership.
14. YouthBuild will handle all general accounting associated with and during the construction of the single family dwelling.
15. YouthBuild will make all payouts for materials and/or subcontractors and will obtain lien waivers for each.
16. YouthBuild will provide the City with quarterly progress reports and financial documentation.
17. YouthBuild, at the conclusion of construction/rehabilitation, will market and sell the completed homes to low-income households with earnings up to 80 % of the area median income.
18. YouthBuild will reinvest the proceeds from home sales back into new construction and rehabilitation projects.

II. NOTICES

Communications and details concerning this contract shall be directed to the following contract representatives:

City of Bloomington:
Jennifer Toney, Grants Coordinator
Community Development Department
P.O. Box 3157
Bloomington, IL 61702-3157
Phone 309-434-2342, Fax 309-434-2801
jtoney@cityblm.org

YouthBuild McLean County:
Tracy Polson
Associate Executive Director
306 Wylie Dr., Suite 305.
Normal, IL. 61761
Phone 309-454-3898 Fax 464-3913
tpolson@ybmc.org

III. AMENDMENTS

City or YouthBuild may amend this Agreement at any time provided that such amendments make specific reference to this Agreement, and are executed in writing, signed by a duly authorized representative of each organization, and approved by the Director of the Community Development Department, or his designated representative and City Council. Such amendments shall not invalidate this Agreement, nor relieve or release the City or YouthBuild from its obligations under this Agreement.

City may, in its discretion, amend this Agreement to conform with federal, state or local governmental guidelines, policies and available funding amounts, or for other reasons. If such amendments result in a change in the funding, the scope of services, or schedule of, the activities to be undertaken as part of this Agreement, such modifications will be incorporated only by written amendment by the City or YouthBuild.

IN WITNESS WHEREOF, the Parties have executed this construction agreement as of the date first written above.

Tari Renner
Mayor
City of Bloomington

Date: _____

Jennifer Toney, Grants Coordinator
Community Development Department
City of Bloomington

Date: _____

Tracy Polson
Associate Executive Director
YouthBuild McLean County

Date: _____

CITY OF
Bloomington
ILLINOIS

CONSENT AGENDA ITEM NO. 7G

FOR COUNCIL: November 14, 2016

SUBJECT: Consideration of adopting a Resolution approving a change order to the contract with JG Stewart Inc., for the construction of two (2) concrete basketball courts at Sunnyside Park.

RECOMMENDATION/MOTION: That the Resolution approving a change order to the contract with JG Stewart, Inc. for the construction of two (2) basketball courts at Sunnyside Park in the amount of \$49,200 be approved, and authorize the Mayor and City Clerk to execute the Resolution, and authorize the City Manager and City Clerk to execute the necessary documents for the expanded work.

STRATEGIC PLAN LINK: Goal 5. Great Place – Livable, Sustainable City

STRATEGIC PLAN SIGNIFICANCE: Objective 5d. Appropriate leisure and recreational opportunities responding to the needs of residents.

BACKGROUND: Sunnyside Park is one of our oldest parks and the basketball court is asphalt. The court is in poor conditions with holes and heaving in the asphalt. The new courts will provide both 1 full court and 1 half court basketball. In addition the new goals will be adjustable to meet the needs of younger park users. This courts will tie in with a new playground in the near future. These additions will provide some much needed upgrades to Sunnyside Park, which will provide for the immediate and future recreational needs of the residents of this area. The project has full support of the Western Avenue Community Center, Youth Services Department and the Lawrence Irving Neighborhood Center. Attachments document existing court conditions and location of new courts.

J.G. Stewart was awarded a contract with by the City to provide City wide concrete work under Purchase Order 2017-0026. The City's Bid #2016-38 was issued in under the title 2017 Sidewalk Replacement and Handicap Ramp Program in March of 2016. Because the nature of concrete basketball court construction is similar to the construction of sidewalks, Parks Recreation and Cultural Arts staff requested a price from JG Stewart to provide the work. JG Stewart agreed to provide the work at the unit price established by the existing contract.

It is in the best interest of the City to utilize the existing unit price of the work, as previously bid by the City, and issue a separate contract for the work which will be paid for with Park funds and not Citywide Sidewalk funds. Utilizing the existing the prices established by the existing contract will expedite construction as well as provide a great price for the work.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: City Staff, JG Stewart Inc., Michael Donnelly, Director of Teen Services at Western Avenue Community Center, Dodie Dunson, Director, of Lawrence Irvin Community Center.

FINANCIAL IMPACT: Funds are included in the FY 2017 Adopted Budget under Park Dedication-Park Construction and Improvement account (24104100-72570). Stakeholders can locate this in the FY 2017 Budget Book titled “Other Funds & Capital Improvement Program” on pages 50 and 53.

Respectfully submitted for Council consideration.

Prepared by: David Lamb, Assistant Superintendent of Parks

Reviewed by: Robert Moews, Superintendent of Parks
Jay Tetzloff, Director of Parks, Recreation and Cultural Arts

Financial & budgetary review by: Chris Tomerlin, Budget Analyst
Carla A. Murillo, Budget Manager

Legal review by: Jeffrey R. Jurgens, Corporation Counsel

Recommended by:



David A. Hales
City Manager

Attachments:

- Resolution Approving a Change Order
- Contract With J.G. Stewart
- Sunnyside Court 1
- Sunnyside Court 2
- Sunnyside Court 3
- Sunnyside Map
- Scope of Work

Motion: That the Resolution approving a change order to the contract with JG Stewart, Inc. for the construction of two (2) basketball courts at Sunnyside Park in the amount of \$49,200 be approved, and authorize the Mayor and City Clerk to execute the Resolution, and authorize the City Manager and City Clerk to execute the necessary documents for the expanded work.

RESOLUTION NO. 2016 –

**A RESOLUTION APPROVING A
CHANGE ORDER TO THE CONTRACT WITH J.G. STEWART, INC. AND
AUTHORIZING THE NECESSARY CONCRETE WORK FOR TWO BASKETBALL
COURTS AT SUNNYSIDE PARK**

WHEREAS, J.G. Stewart was awarded a contract by the City to provide City-wide concrete work via bid No. 2016-38; and

WHEREAS, Sunnyside Park in the City is one of the oldest parks and the basketball courts are in poor condition and are in need of rehabilitation; and

WHEREAS, the concrete work needed to rehabilitate the basketball courts is similar to the work being performed on sidewalks in the City by J.G. Stewart who has agreed to keep the same bid prices for the needed work at Sunnyside Park; and

WHEREAS, the City Council finds it to be in the best interests of the City to approve the change order.

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

The resolution approving the change order to the contract with J.G. Stewart to lay the concrete for two basketball courts at Sunnyside Park, in the amount of \$49,200, is approved, a purchase order may be issued for same, and the City Manager and City Clerk are hereby authorized to execute the necessary documents.

ADOPTED this ____ day of November, 2016.

APPROVED this ____ day of November, 2016.

CITY OF BLOOMINGTON

ATTEST

Tari Renner, Mayor

Cherry L. Lawson, City Clerk

APPROVED AS TO FORM

Jeffrey R. Jurgens, Corporation Counsel

**CITY OF BLOOMINGTON
CONTRACT WITH**

**FOR
Sunnyside Basketball Court**

THIS AGREEMENT, dated this 10th day of October, 2016, is between the City of Bloomington (hereinafter "CITY") and (hereinafter "CONTRACTOR").

NOW THEREFORE, the parties agree as follows:

Section 1. Recitals. The recitals set forth above are incorporated into this Section 1 as if specifically stated herein.

Section 2. Incorporation of Bid/RFP/RFO & Proposal Terms / Prevailing Wage. This work was subject to the following procurement initiative by the CITY:
Concrete contract with J.G. Stewart Sidewalk Contract # 20170026-00 (hereinafter "Request")

Accordingly, the provisions of the Request and the proposal submitted by CONTRACTOR (hereinafter collectively referred to as "Procurement Documents" and attached as Exhibit A), shall be incorporated into this Contract and made a part thereof and shall be considered additional contractual requirements that must be met by CONTRACTOR. In the event of a direct conflict between the provisions of this contract and the incorporated documents, the provisions of this contract shall apply. This contract calls for the construction of a "public work," within the meaning of the Illinois Prevailing Wage Act, 820 ILCS 130/.01 et seq. ("the Act"). The Act requires contractors and subcontractors to pay laborers, workers and mechanics performing services on public works projects no less than the current "prevailing rate of wages" (hourly cash wages plus amount for fringe benefits) in the county where the work is performed. The Department publishes the prevailing wage rates on its website. The Department revises the prevailing wage rates and the contractor/subcontractor has an obligation to check the Department's web site for revisions to prevailing wage rates. For information regarding current prevailing wage rates, please refer to the Illinois Department of Labor's website. All contractors and subcontractors rendering services under this contract must comply with all requirements of the Act, including but not limited to, all wage requirements and notice and record keeping duties.

Section 3. Description of Services. CONTRACTOR shall provide the services/work identified in the Procurement Documents, and specifically as follows: 2 Courts, 1 50 x 100 and 1 50' x 50'. 6" thick concrete. Broom finish. Remove forms, fill dirt and seed.

Section 4. Payment. For the work performed by CONTRACTOR under this Contract, the CITY shall pay CONTRACTOR one of the following:



A flat fee of \$ 49,200 as set forth in the Procurement Documents.



Fees as set forth in the Procurement Documents.

Section 5. Default and Termination. Either party shall be in default if it fails to perform all or any part of this Contract. If either party is in default, the other party may terminate this Contract upon giving written notice of such termination to the party in default. Such notice shall be in writing and provided thirty (30) days prior to termination. The non-defaulting party shall be entitled to all remedies, whether in law or equity, upon the default or a violation of this Contract. In addition, the prevailing party shall be entitled to reimbursement of attorney's fees and court costs.

Section 6. Representations of Vendor. CONTRACTOR hereby represents it is legally able to perform the work that is subject to this Contract.

Section 7. Assignment. Neither party may assign this Contract, or the proceeds thereof, without written consent of the other party.

Section 8. Compliance with Laws. CONTRACTOR agrees that any and all work by CONTRACTOR shall at all times comply with all laws, ordinances, statutes and governmental rules, regulations and codes.

Section 9. Compliance with FOIA Requirements. CONTRACTOR further explicitly agrees to furnish all records related to this Contract and any documentation related to CITY required under an Illinois Freedom of Information Act (ILCS 140/1 et. seq.) ("FOIA") request within five (5) business days after CITY issues notice of such request to CONTRACTOR. CONTRACTOR agrees to not apply any costs or charge any fees to the CITY regarding the procurement of records required pursuant to a FOIA request. CONTRACTOR shall be responsible for any damages/penalties assessed to CITY for CONTRACTOR'S failure to furnish all documentation in CONTRACTOR'S possession responsive and related to a request within five (5) days after CITY issues a notice of a request.

Section 10. Governing Law. This Agreement shall be governed by and interpreted pursuant to the laws of the State of Illinois.

Section 11. Joint Drafting. The parties expressly agree that this agreement was jointly drafted, and that both had opportunity to negotiate its terms and to obtain the assistance of counsel in reviewing it terms prior to execution. Therefore, this agreement shall be construed neither against nor in favor of either party, but shall construed in a neutral manner.

Section 12. Attorney Fees. In the event that any action is filed in relation to this agreement, the unsuccessful party in the action shall pay to the successful party, in addition to all the sums that either party may be called on to pay, a reasonable sum for the successful party's attorneys' fees.

Section 13. Paragraph Headings. The titles to the paragraphs of this agreement are solely for the convenience of the parties and shall not be used to explain, modify, simplify, or aid in the interpretation of the provisions of this agreement.

Section 14. Counterparts. This agreement may be executed in any number of counterparts, each of which shall be deemed to be an original, but all of which together shall constitute the same instrument.

CITY OF BLOOMINGTON

By: _____
Its City Manager

By: _____
Its _____

ATTEST:

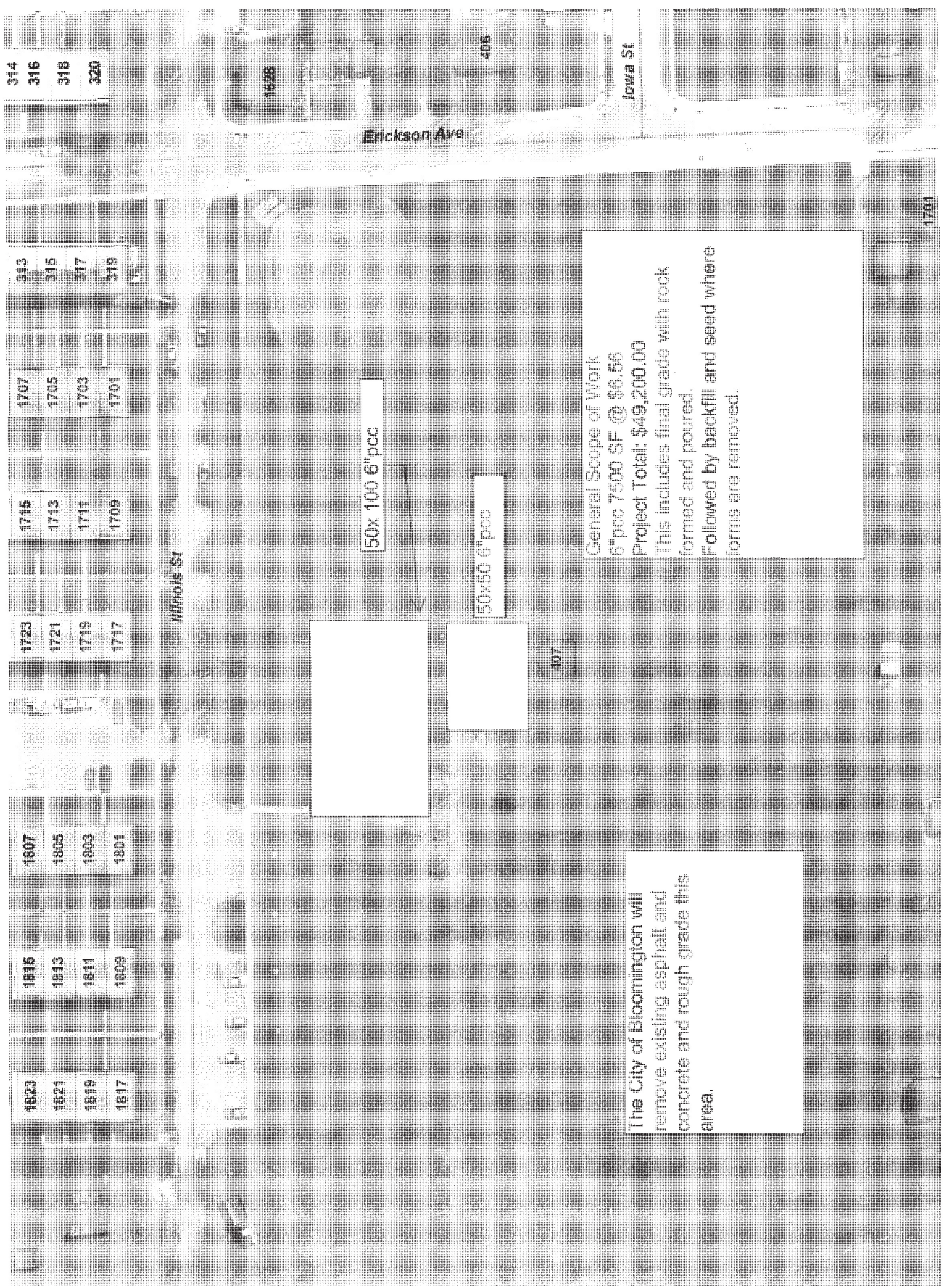
By: _____
City Clerk

By: _____
Its _____









The City of Bloomington will remove existing asphalt and concrete and rough grade this area.

General Scope of Work
6\"pcc 7500 SF @ \$6.56
Project Total: \$49,200.00
This includes final grade with rock formed and poured.
Followed by backfill and seed where forms are removed.

Sunnyside Basketball Court

SCOPE OF WORK:

1-Basketball Court 50x100

1-Basketball Court 50x50

J.G. Stewart will provide:

Install 7500' sq. feet of 6" inch thick concrete

Finish will be a light broom finish

The final grade will include all necessary concrete forms
and 3/8 pea gravel sub base.

When concrete is cured the forms will be removed and black dirt will be used for back
fill. Grass seed will then be applied.

City of Bloomington will provide:

Removal and disposal of any existing concrete or asphalt for project completion.

Rough grade prior to final grade

Labor and material for 4 new basketball hoops



CONSENT AGENDA ITEM NO. 7H

FOR COUNCIL: November 14, 2016

SUBJECT: Consideration of a Resolution approving a cost modification associated with the IDOT Motor Fuel Tax Agreement with Farnsworth Group, Inc. for Professional Engineering Design Services for Linden Street Bridge Rehabilitation Improvements, RFQ No. 2015 – 26.

RECOMMENDATION/MOTION: That the City Council approve a Resolution authorizing a change order with Farnsworth Group, Inc. regarding Professional Engineering Services Agreement for Design and Construction Plan Preparation of Linden Street Bridge Rehabilitation, and that an IDOT Resolution for Improvement By Municipality be approved, in the amount of \$7,100.00, and authorize the Mayor and City Clerk to execute the necessary documents, and the City Manager to take all actions, including execution of documents, necessary to authorize the work.

STRATEGIC PLAN LINK: Goal 2 - Upgrade City Infrastructure and Facilities.

STRATEGIC PLAN SIGNIFICANCE: Objective 2a “Better quality roads and sidewalks”, and 2d “Well-designed, well-maintained City facilities emphasizing productivity and customer service”.

BACKGROUND: At the Council Meeting of September 14, 2015 Council approved the selection of Farnsworth Group, Inc. (FGI) to perform structural engineering design of the Linden Street Bridge Rehabilitation Project at the contract price of \$220,336.58. During performance of the environmental clearance review it was discovered that a Recognized Environmental Condition (REC) was present that included ongoing groundwater monitoring of a site near the bridge that was previously operated as a fuel filling station. Because of the potential for exposing contaminated soil during project excavation, the Illinois Department of Transportation (IDOT) required the additional step of performing a Preliminary Site Investigation (PSI). It was not anticipated that a PSI would be necessary and therefore FGI did not include it in their scope of work. The additional cost for the PSI is \$5,000.00. Additionally, FGI based portions of their estimate of fee on the City Manual of Practice that calls for concrete as the required material for storm sewer pipe. Staff requested FGI to evaluate alternate materials for storm drainage conveyance at an additional cost of \$2,100.00. The total change order amount requested is \$7,100.00.

Currently the plans are ready to go out for bid after easement negotiations with the Bloomington Normal Water Reclamation District (BNWRD) are complete. It is expected that various utility companies will perform their needed relocation work over the winter months and that bridge construction will begin in early spring and continue through the entire 2017 construction season.

It is intended to use a portion of the City's Motor Fuel Tax (MFT) Fund allotment to pay the cost for this engineering, and it is necessary for Council to approve the allocation of MFT Funds for the work and report the amount to the Illinois Department of Transportation (IDOT).

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Bloomington Citizen and Council input were sought regarding inclusion of an underpass for Constitution Trail with bridge construction.

FINANCIAL IMPACT: Funds are available in the Motor Fuel Tax FY 2017 Budget under Motor Fuel Tax - Street Construction and Improvements account (20300300-72530). Stakeholders can locate this in the FY 2017 Budget Book titled "Other Funds & Capital Improvement Plan" on page 10.

Respectfully submitted for Council consideration.

Prepared by: Greg Kallevig, PE, Project Engineer
Reviewed by: Jim Karch, PE CFM, Director of Public Works
Financial & budgetary review by: Chris Tomerlin, Budget Analyst
Carla A. Murillo, Budget Manager

Legal review by: Jeffrey R. Jurgens, Corporation Counsel

Recommended by:



David A. Hales
City Manager

Attachments: 1. Change Order Resolution
2. IDOT Resolution for Improvement by Municipality

Motion: That the City Council approve a Resolution authorizing a change order with Farnsworth Group, Inc. regarding Professional Engineering Services Agreement for Design and Construction Plan Preparation of Linden Street Bridge Rehabilitation, and that an IDOT Resolution for Improvement By Municipality be approved, in the amount of \$7,100.00, and authorize the Mayor and City Clerk to execute the necessary documents, and the City Manager to take all actions, including execution of documents, necessary to authorize the work.

Motion: _____ Seconded by: _____

	Aye	Nay	Other		Aye	Nay	Other
Alderman Black				Alderman Mwilambwe			

Alderman Buragas				Alderman Painter			
Alderman Fruin				Alderman Sage			
Alderman Hauman				Alderman Schmidt			
Alderman Lower							
				Mayor Renner			

RESOLUTION NO. 2017 -

**A RESOLUTION AUTHORIZING A CHANGE ORDER
IN THE AMOUNT OF \$7,100.00 IN THE CONTRACT BETWEEN THE
CITY OF BLOOMINGTON AND FARNSWORTH GROUP, INC.**

WHEREAS, the City of Bloomington has previously entered into a contract with Farnsworth Group, Inc. for the Linden Street Bridge Design Contract; and

WHEREAS, for the reasons set forth in the City Council memo on November 14, 2016 it was necessary to; and

WHEREAS, it is the finding of the City Council that the work described in the November 26, 2016 memo is germane to the original contract as signed and is in the best interest of the City of Bloomington and authorized by law.

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

That a change order in the amount of \$7,100.00 in the contract between the City of Bloomington and Farnsworth Group, Inc. be approved.

ADOPTED this 14th day of November, 2016.

APPROVED this ____ day of November, 2016.

APPROVED:

Tari Renner
Mayor

ATTEST:

Cherry Lawson
City Clerk



Illinois Department of Transportation

Resolution for Improvement by Municipality Under the Illinois Highway Code

BE IT RESOLVED, by the Council of the City, Town or Village of Bloomington Illinois

that the following described street(s) be improved under the Illinois Highway Code:

Name of Thoroughfare	Route	From	To
Linden Street	FAU 6405	Emerson Street	+/- 100' N. of Dawes Place

BE IT FURTHER RESOLVED,

1. That the proposed improvement shall consist of Engineering design of superstructure replacement and partial substructure replacement of the Linden Street Bridge over Sugar Creek, new multi-use trail under the bridge including retaining walls, and necessary roadway improvements.

and shall be constructed 59' (o-o) wide and be designated as Section 15-00354-00-BR

2. That there is hereby appropriated the (additional ☒ Yes ☐ No) sum of Seven thousand one hundred and no/100 Dollars (7100) for the improvement of said section from the municipality's allotment of Motor Fuel Tax funds.

3. That work shall be done by Contract ; and,

Specify Contract or Day Labor

BE IT FURTHER RESOLVED, that the Clerk is hereby directed to transmit two certified copies of this resolution to the district office of the Department of Transportation.

Approved

Date

Department of Transportation

Regional Engineer

I, Cherry Lawson Clerk in and for the

City of Bloomington

City, Town or Village

County of McLean, hereby certify the

foregoing to be a true, perfect and complete copy of a resolution adopted

by the Council

Council or President and Board of Trustees

at a meeting on November 14, 2016

Date

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this

day of

(SEAL)

City, Town, or Village Clerk

CITY OF
Bloomington
ILLINOIS

CONSENT AGENDA ITEM NO. 7I

FOR COUNCIL: November 14, 2016

SUBJECT: Consideration of an Ordinance approving a Petition from Greyhound Properties, LLC, for an Expedited Final Plat for Morrissey Crossing Subdivision, located South of Veterans Parkway and West of Morrissey Drive, and rescinding Ordinance No. 2013-83 and Ordinance No. 2016-40.

RECOMMENDATION/MOTION: That the Ordinance be approved for the Expedited Final Plat for Morrissey Crossing, rescinding Ordinance No. 2013-83, and rescinding Ordinance No. 2016-40, and that the Mayor and City Clerk be authorized to sign the necessary documents.

STRATEGIC PLAN LINK: Goal 3: Grow the Local Economy

STRATEGIC PLAN SIGNIFICANCE: Objective 3.a Retention and growth of current local businesses

BACKGROUND:

This final plat consists of three lots in the area formerly known as Brandtville. The subject plat subdivides the land into three lots. The plat also dedicates easements for several existing City owned and maintained utilities that heretofore may not have had formal easements. This area is currently zoned B-1. There is no Preliminary Plan for this area. There are no public improvements proposed or required at this time. As such, there are no tap-on fees or sureties required. The proposed three lot subdivision falls under the rules for expedited Final Plats and therefore a Preliminary Plan is not required.

There is existing commercial development on lots 1 and 2. Lots 1 and 2 currently have a partial fee in lieu of detention provided. City Code compliant stormwater detention shall be provided for each of the three lots on the final plat at time of development where not covered by a previous fee in lieu of detention.

The City Council approved a similar three lot final plat for this area on October 28, 2013. The City Council also approved a similar two lot final plat for this area on May 9, 2016. Neither plat was recorded by the Petitioner, presumably because the Petitioner's vision for the property had changed. This Ordinance rescinds Ordinance NOS. 2016-40 and 2013-83, which had approved the previous final plats.

It is the understanding of City staff that Lot 3 on the final plat is intended to be sold to Sam Leman to construct a car dealership on the site.

As with the previous final plats, the instant Petition and plat conform to the expedited final plat procedure set forth in Chapter 24, Section 3.5.6 of the Bloomington City Code.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Greyhound Properties, LLC.

FINANCIAL IMPACT: None. All survey and plat costs were paid by Greyhound Properties, LLC.

Respectfully submitted for Council consideration.

Prepared by: Anthony J. Meizelis P.E., Civil Engineer I

Reviewed by: Jim Karch, PE CFM, Director of Public Works

Financial & budgetary review by: Chris Tomerlin, Budget Analyst
Carla A. Murillo, Budget Manager

Legal review by: George D. Boyle, Assistant Corporation Counsel

Recommended by:



David A. Hales
City Manager

Attachments:

- Attachment 1 - Petition
- Attachment 2 - Ordinance
- Attachment 3 - Exhibit A: Legal Description
- Attachment 4 - School District Certificate
- Attachment 5 - County Clerk's Certificate
- Attachment 6 - Owner's Certificate
- Attachment 7 - Drainage Statement
- Attachment 8 - Final Plat Checklist
- Attachment 9 - Council Map and Final Plat
- Attachment 10 - Tap on memo
- Attachment 11 – Request for waiver of Preliminary Plan

Motion: That the Ordinance be approved for the Expedited Final Plat for Morrissey Crossing, rescinding Ordinance No. 2013-83, and rescinding Ordinance No. 2016-40, and that the Mayor and City Clerk be authorized to sign the necessary documents.

PETITION FOR APPROVAL OF FINAL PLAT

State of Illinois)
)ss.
County of McLean)

TO: THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF
BLOOMINGTON, MCLEAN COUNTY, ILLINOIS

Now come Greyhound Properties LLC, an Illinois Partnership, hereinafter referred to as your petitioner, respectfully representing and requesting as follows:

1. That your petitioner is the owner 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.
2. That your petitioner seeks approval of the Final Plat for the subdivision of said premises to be known and described as Morrissey Crossing, which Final Plat is attached hereto and made a part hereof;

WHEREFORE, your petitioner respectfully prays that said Final Plat for Morrissey Crossing subdivision submitted herewith be approved with the exemptions or variations as requested herein.

Respectfully submitted,

By

Isle of Man

ORDINANCE NO. _____

AN ORDINANCE RESCINDING TWO PRIOR FINAL PLATS AND APPROVING THE FINAL PLAT OF MORRISSEY CROSSING

WHEREAS, a final plat of the subject property legally described in Exhibit A, attached hereto and made a part hereof by this reference was approved by the City Council on May 9, 2016 as Ordinance Number 2016-40; and

WHEREAS, a final plat of the subject property legally described in Exhibit A, attached hereto and made a part hereof by this reference was approved by the City Council on October 28, 2013 as Ordinance Number 2013-83; and

WHEREAS, said final plats were never recorded; and

WHEREAS, a Petition for final plat for Morrissey Crossing, dated October 21, 2016, has been filed with the City Clerk and said Petition requests no exemptions or variations from the provisions of the Bloomington City Code, 1960, as amended except for waiver of a preliminary plan; and

WHEREAS, said Petition 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 the requirements of the Bloomington City Code; and

WHEREAS, a written request was made on behalf of the Petitioner to waive the requirement for a preliminary plan and to utilize the expedited final plat process set forth in Chapter 24, Section 3.5.6 of the Bloomington City Code;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BLOOMINGTON, MCLEAN COUNTY, ILLINOIS:

1. That Ordinance No. 2013 - 83 approved by Council on October 28, 2013 is hereby rescinded;
2. That Ordinance No. 2016 - 40 approved by Council on May 9, 2016 is hereby rescinded;
3. That the Final Plat of Morrissey Crossing, dated October 21, 2016, is hereby approved;
4. That this Ordinance shall be in full force and effective as of the date of its passage and approval.

PASSED THIS 14th DAY OF NOVEMBER 2016.

APPROVED THIS ____ DAY OF NOVEMBER 2016.

CITY OF BLOOMINGTON

ATTEST

Tari Renner, Mayor

Cherry L. Lawson, City Clerk

APPROVED AS TO FORM

Jeffrey R. Jurgens, Corporate Counsel

"Exhibit A"

Description of Property

Lot 1 in Arthur Brandt Subdivision in the City of Bloomington, according to the Plat thereof recorded June 15, 1987 as Document No. 87-11834, EXCEPT (1) the following described real estate: Beginning at the South West corner of said Lot 1; thence East 865.79 feet along the south line of said Lot 1 to the South East corner thereof, said Corner being also the South West corner of Lot 2 in said Subdivision; thence North 503.19 feet along the West line of said Lot 2 which forms an angle to the right of 90 degrees 06 minutes with the last described course to the North West corner of said Lot 2; thence East 433.62 feet along the North line of said Lot 2 which forms an angle to the right of 269 degrees 54 minutes with the last described course to the West Right-of-Way line of S.B.I. Route 39 (marked U.S. Route 150); thence North West 52.73 feet along said West Right-of-Way Line which forms an angle to the right of 71 degrees 30 minutes with the last described course; thence West 910 feet along a line which forms an angle to the right of 108 degrees 30 minutes with the last described course; thence North West 163.10 feet along a line which forms an angle to the right of 249 degrees 14 minutes with the last described course; thence West 314.44 feet along a line which forms an angle to the right of 110 degrees 22 minutes with the last described course to the West line of said Lot 1; thence South 703.05 feet along the West line of said Lot 1 which forms an angle to the right of 90 degrees 30 minutes with the last described course to the Point of Beginning, ALSO EXCEPT (2) That part conveyed to The State Illinois, Department of Transportation by Warranty Deed recorded January 16, 1992 as Document No. 92-1183; ALSO EXCEPT (3) A part of Lot 1 in the Arthur Brandt Subdivision more particularly described as follows: Commencing at the Northeast corner of Lot 2 in the Arthur Brandt Subdivision (at the New Right-of-Way line of S.B.I. 39 & F.A.U. U.S. 150); thence North 20 degrees 00 minutes 00 seconds West, 52.81 feet along the Westerly Right-of-Way line of S.B.I. 39 & F.A.U. 6406. U.S. 150 to the Point of Beginning; thence, North 20 degrees 00 minutes 00 seconds West, 12.62 feet along the Westerly Right-of-Way of S.B.I. 39 and F.A.U. 6404. U.S. 150; thence, South 89 degrees 55 minutes 08 seconds West, 846.41 feet; thence, North 01 degrees 23 minutes 44 seconds West, 120.17 feet; thence South 88 degrees 06 minutes 27 seconds West, 96.65 feet; thence South 22 degrees 19 minutes 42 seconds East, 163.12 feet; thence North 88 degrees 29 minutes 53 seconds East, 888.89 feet to the Point of Beginning, ALSO EXCEPT (4) Commencing at the Northwest corner of the Northeast 1/4 of said Section 15; thence South 88 degrees 35 minutes 29 seconds West, 369.34 feet to the Point of Beginning; thence South 88 degrees 35 minutes 29 seconds West 160.00 feet; thence South 01 degrees 16 minutes 56 seconds East, 762.58 feet; thence North 88 degrees 06 minutes

27 seconds East, 200.01 feet; thence North 01 degree 16 minutes 56 seconds West, 365.96 feet; thence south 88 degrees 43 minutes 04 seconds West, 40.00 feet; thence North 01 degree 16 minutes 56 seconds West, 394.74 feet to the Point of Beginning, Also EXCEPTING therefrom (5) that part conveyed in Deed recorded December 26, 2008 as Document No. 2008-33227, Also EXCEPT (6) that portion used for S.B.I. Route 39 (U.S. Route 150) in McLean County, Illinois.

This property is part of P.I.N. 21-15-126-020, 21-15-126-021, 21-15-201-020, 21-15-201-023, 21-15-201-026, 21-15-201-028, 21-15-201-029, 21-15-201-030, 21-15-201-031 and 21-15-201-042.

SCHOOL DISTRICT CERTIFICATE

This is to certify that Greyhound Properties LLC, an Illinois Partnership, as Owner/Developer of the property herein described in the Surveyor's Certificate, which will be known as Morrissey Crossing, to the best of my knowledge, is located within the boundaries of Community Unit School District #87 and Community Unit School District #5 in McLean County, Illinois.

Dated this 25th day of October, 2016.



Owner/Developer

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 30 day of August, 2016, 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.

Kathy Michael

County Clerk, McLean County, Illinois

21-15-126-020
21-15-126-021
21-15-201-020
21-15-201-023
21-15-201-026
21-15-201-028
21-15-201-029
21-15-201-030
21-15-201-031
21-15-201-042

OWNER'S CERTIFICATE

State of Illinois)
)ss.
County of McLean)

KNOW ALL MEN BY THESE PRESENTS, That we, the undersigned, hereby certify that we are the owners of all the premises embodied in the attached Plat of Morrissey Crossing in 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 "Morrissey Crossing" Subdivision in the City of Bloomington, McLean County, Illinois as laid off in lots by Brent Bazan Registered Illinois Land Surveyor Number 3715; and we, the undersigned, hereby dedicate and set apart to the City of Bloomington easements for general utility purposes.

IN WITNESS WHEREOF, we have hereunto set our hands and affixed our seals this 25th day of October, 2016.

Leslie Youn
Owner/Developer

NOTARY CERTIFICATE

State of Illinois)
)ss.
County of McLean)

I, Patti A. Gregory, a Notary Public in and for the county and State aforesaid, do hereby certify that Leslie Youn personally known to be the same person 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 his free and voluntary act.

Given under my hand and notarial seal this 25th day of October, 2016.

Patti A. Gregory
Notary Public

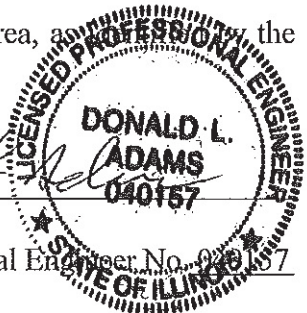
My commission expires 4.27.2019.



DRAINAGE STATEMENT

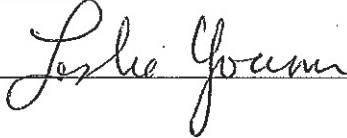
I, Donald L. Adams, Registered Professional Engineer, and Greyhound Properties LLC being the owner of the premises heretofore platted by Brent A. Bazan, Illinois Professional Land Surveyor No. 3715, to be and become "Morrissey Crossing", in the City of Bloomington, McLean County, Illinois, do hereby state that to the best of their knowledge and belief, the drainage of surface waters will not be changed by the construction of said Subdivision or any part thereof; or that if such surface waters drainage will be changed, reasonable provision has been made for collection and diversion of such surface waters into public areas or drains which the Subdivider has a right to use and that such 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 Subdivision.

I further state that no lots are within the Special Flood Hazard Area, as shown on the Federal Emergency Management Agency.



Registered Professional Engineer No. 040157

OWNERS:

BY:  _____



MORRISSEY CROSSING SUBDIVISION - FINAL PLAT CHECKLIST

Date Prepared: 10/31/2016

Shown on Final Plat:		Initial
	Easements shown for all public improvements	TJM
	City Engineer's Signature Block	TJM
	Clerk's Signature Block	TJM
	Areas or facilities to be dedicated to the public	N/A
	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)	TJM
	Front Yard Setbacks	TJM
The following shall be provided:		
	School District Certificate	TJM
	County Clerk's Certificate	TJM
	Owner's Certificate	TJM
	Drainage Statement	TJM
	Owner's Petition	TJM
	Ordinance	TJM
	Utility Company Signoffs	N/A
	Digital PDF Submittal provided to Public Works	In Progress
	Digital CAD format submittal provided to Public Works	In Progress
	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	TJM

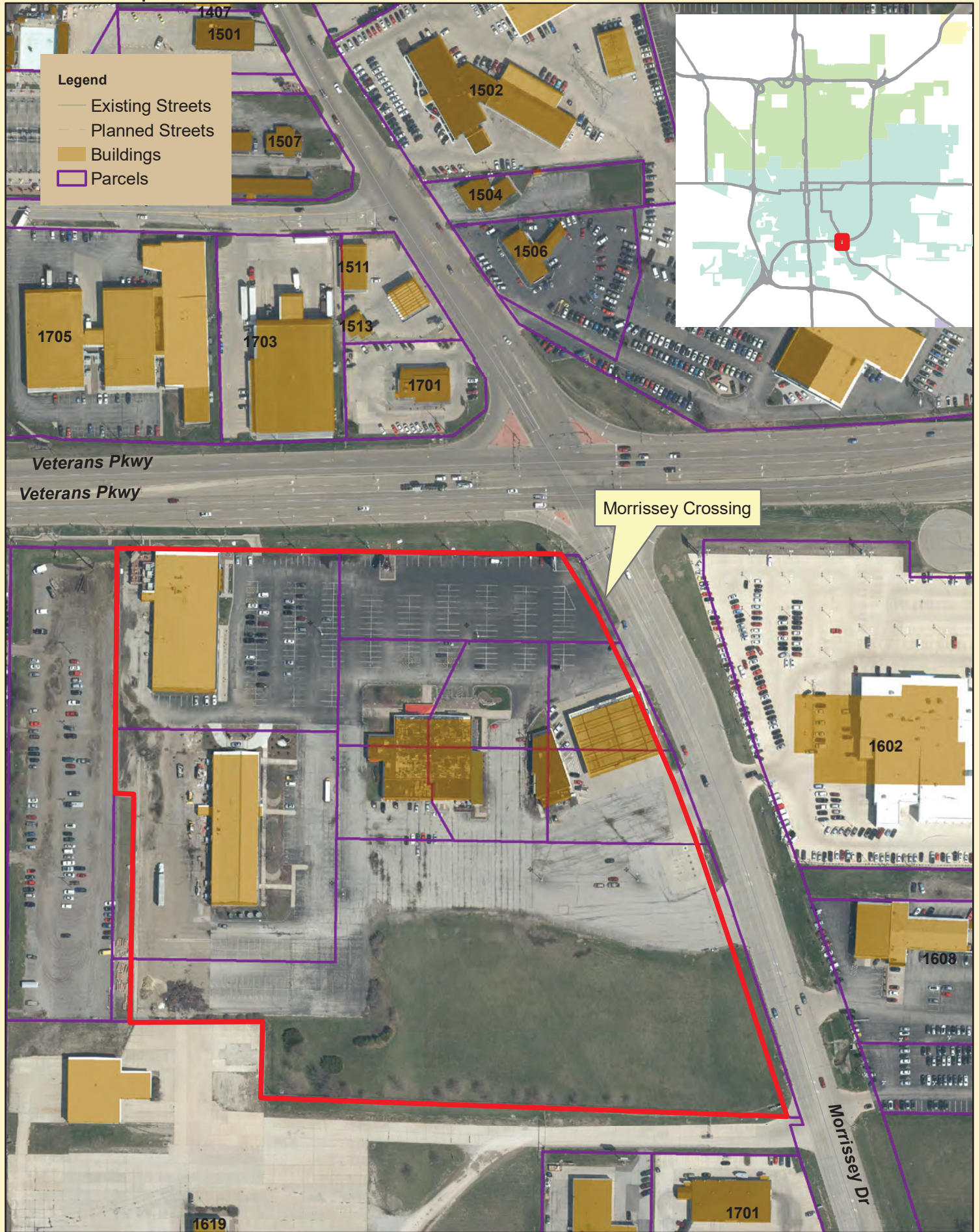
Morrissey Crossing



0 110 220 Feet

Public Works Department

DATE 04/25/16



MORRISSEY CROSSING

PART OF NE & NW 1/4 SEC 15, TOWNSHIP 24 NORTH, RANGE 2 EAST OF THE THIRD PRINCIPAL MERIDIAN
CITY OF BLOOMINGTON, McLEAN COUNTY, ILLINOIS



2709 McGRAW DRIVE
BLOOMINGTON, ILLINOIS 61704
(309) 663-8435 / info@t-w.com

www.f-i-w.com
Engineers | Architects | Surveyors | Scientists

ISSUE:	#	Date:	Description:
	1	08/16/13	REMOVED TO INCLUDE LOT 2
	2	10/02/13	ADDED UTILITY EASEMENTS
	3	02/27/16	REMOVED 1 & 2 REMOVED LOT 3
	4	08/28/16	ADDED LOT 3 REMOVED LOTS 1 & 2
	5	10/11/16	REMOVED EASEMENTS

110707

MORRISSEY
CROSSING

BLOOMINGTON, ILLINOIS

Date:	8-26-16
Design/Drawn:	DJM
Reviewed:	
Book No.:	Field:
Project No.:	0130327.00
SHEET 10 OF 10	

FINAL PLAT

DISCUSSION

2

File No.:

24-8870

MEMORANDUM

October 31, 2016

TO: Cherry Lawson, City Clerk
FROM: Tony Meizelis, Engineering Division Public Works
RE: Performance Guarantees and Tap-On Fees

The following are the Performance Guarantee and Tap On fees required from the developer for **Morrissey Crossing Subdivision**.

A: Tap-On Fees:

No tap on fees are required, as the subdivision is served by existing public improvements

B: Performance Guarantee:

No public improvements are proposed for this subdivision; No performance guarantee required.

C: Bond for adjacent substandard street improvement:

There are no pending public improvements adjacent to this subdivision; No adjacent substandard street improvement bond required.

D: Detention Requirements:

Storm water detention in compliance with City Code shall be provided for all development within this subdivision occurring in areas not already covered by existing detention or fees paid in lieu of detention.

cc: Jim Karch, Director of Public Works
Kevin Kothe, City Engineer
Patti-Lynn Silva, Finance



2709 McGraw Drive
Bloomington, Illinois 61704
p 309.663.8435 f 309.663.1571

www.f-w.com | www.greeninavigation.com

November 1, 2016

Ms. Renee Gooderham Records and Information Manager
Bloomington City Clerk
Bloomington City Hall
109 E. Olive Street
Bloomington, IL 61704

Subject: Morrissey Crossing
Request for Waiver of Preliminary Plan

The Developer respectfully requests a waiver of the preliminary plan, submission, review, and approval process pursuant to Chapter 24, Sec. 3.5.6(b)(1) of the Bloomington City Code. The reason is in order to qualify for the expedited final plat process. Morrissey Crossing divides property in the Northeast Quarter and Northwest Quarter of Section 15 into 3 lots. These new lots are to be used as part of a redevelopment project.

Very truly yours,

FARNSWORTH GROUP, INC.

A handwritten signature in black ink, appearing to read "Bazan", written over the printed name.

Brent A. Bazan
PLS

cc: Tony Meizelis - COB Engineering
Leslie Smith-Yocum - Developer



CONSENT AGENDA ITEM: 7J

FOR COUNCIL: November 14, 2016

SUBJECT: Consideration of the application of Crawford's Corner Pub, LLC, d/b/a Crawford's Corner Pub, located at 610 W. Chestnut, requesting a TAS liquor license which would allow the sale of all types of alcohol by the glass for consumption on the premises seven (7) days a week.

RECOMMENDATION/MOTION: That the application of Crawford's Corner Pub, LLC, d/b/a Crawford's Corner Pub, located at 610 W. Chestnut, requesting a TAS liquor license which would allow the sale of all types of alcohol by the glass for consumption on the premises seven (7) days a week be approved contingent upon: 1.) closing hours Sunday through Thursday are 11:00 p.m. and closing on Friday and Sunday at midnight (12:00 a.m.); 2.) no signage including banners facing Chestnut Street; and 3.) compliance with health, safety and building codes.

STRATEGIC PLAN LINK: Goal 5. Great place – livable, sustainable City.

STRATEGIC PLAN SIGNIFICANCE: Objective 5.d. Appropriate leisure and recreational opportunities responding to the needs of residents.

BACKGROUND: On October 18, 2016, the Bloomington Liquor Commissioner, Tari Renner, convened a public hearing to consider the application submitted by Crawford's Corner Pub, LLC, d/b/a Crawford's Corner Pub, located at 610 W. Chestnut, requesting a TAS liquor license which would allow the sale of all types of alcohol by the glass for consumption on the premises seven (7) days a week.

Present were Tari Renner, Commissioner, George Boyle, Asst. Corporation Counsel, Asst. Police Chief Greg Scott, and Renee Gooderham, Chief Deputy Clerk.

Bob and Amy Crawford, owners/operators, addressed the Commissioner. Commissioner Renner questioned the business model. Mr. Crawford explained that the location was the former Beningo's Italian Restaurant (Beningo's). This would be a family friendly pub. Food would be served. To begin, there would be a light breakfast menu, then lunch and dinner. Commissioner Renner questioned a restaurant license versus a tavern. Mr. Crawford stated they anticipated selling more alcohol than food.

Commissioner Renner noted that the impact to the neighborhood had to be considered. Mr. Crawford responded, stating that he was invested in the neighborhood. He owned/operated Crawford Properties, LLC which purchased homes for rehabilitation and selling. The business had invested \$250,000 in a three (3) block radius in the last six (6) years. He resided two (2) blocks from the Pub. He considered himself fifth generation in the neighborhood. Larry Salvator, his partner in the applicant business, owned two (2) businesses in the neighborhood. Initially, they would invest \$100,000 to upgrade the building's exterior and interior.

Mr. Crawford believed that they, through the other businesses, had made good connections which would bring different people to the west side. The Pub would be his livelihood. He would be there daily. He stated that an empty building was not good. Mrs. Crawford noted that they have raised their children in the neighborhood. The Pub would be similar to Western Tap.

Commissioner Renner cited concern with changing from a restaurant to a tavern in residential areas. He questioned video gaming. Mr. Crawford responded that they intended to have video gaming. Commissioner Renner stated concern with a tavern and gambling near Chestnut Health Systems, located at 702 W. Chestnut Street which offers addiction treatment. Mr. Crawford noted Chestnut's proximity to Thornton Oil and A & P Tap which are located in the neighborhood and also sell alcohol.

Mr. Boyle questioned the businesses owned by Mr. Salvator. Mr. Crawford stated LS Mechanical and Studio K9 located at 802 W. Chestnut Street. Mr. Boyle questioned operating hours. Mr. Crawford stated they would open at 9:00 a.m. to serve breakfast. Closing would be the same as taverns, 1:00 a.m. weekdays and 2:00 a.m. weekends. Commissioner Renner cited concern with the closing hours. He noted that there could be a recommendation for earlier closing hours.

Mr. Boyle questioned available parking. Mr. Crawford noted additional parking was available in the adjacent lot across the street. He believed same had twenty-five to thirty (25-30) spaces. He did not believe there would be overflow parking on the streets. Mr. Boyle questioned a beer garden. Mr. Crawford stated that same was not currently in the plans.

Commissioner Renner opened the meeting for public testimony on this application.

David Sharr, Chief Clinical Officer at Chestnut Health Systems (CHS), spoke in opposition to the application. He noted that CHS had been in operation since 1973. They treat individuals with chemical dependency and mental health issues. They also provide housing for persons with mental illness. The location on Chestnut Street had a startup federally qualified Health Center to serve the health care needs of uninsured and Medicaid recipients. CHS had a great neighborhood relationship with Beningo's. The concern was the applicant's tavern license request versus a restaurant. The proposed tavern was directly across the street, approximately 90' to 100' from their entrance. Clientele would not be able to enter/exit CHS without seeing tavern signage. They serve approximately 1600 patients yearly. He believed the first (1st) ninety (90) days individuals were at the greatest risk for relapse. He believed a tavern with signage across the street could be a trigger. He noted that enhanced access to behavioral health services, partially substance abuse, was a priority for McLean County government. There was a behavioral health committee which was focused on improved access and providing resources to the community and law enforcement as an alternative to incarceration. He believed a tavern across the street was counter to the goal.

Commissioner Renner believed this business was potentially similar to Schooner's neighborhood operation. He questioned seeing signs after treatment effecting patients' relapse. Mr. Sharr stated that he could not list any scientific articles. Clinical experience suggested that there could be some individuals for whom having a tavern across the street would trigger an event.

Commissioner Renner questioned limiting external signage. Mr. Sharr stated they would be more reassured if the request was for a restaurant license. He believed this plan was to serve more alcohol than food.

Surrena Fish, 909 W. Wood St., addressed the Commission. She noted her experience with a neighborhood restaurant/tavern. The situation was resolved when the establishment was limited to no alcohol sales after 10:30 p.m. She had concerns with a tavern located in a residential neighborhood.

Johanna Chambers, 602 W. Chestnut Street, addressed the Commission. She had lived and raised her children in the neighborhood for seventeen years. Her family continued to reside in the neighborhood. She believed the applicant's commitment would be similar to Beningo's. She noted that CHS medical entrance was across from A & P Tap. Mr. Boyle questioned where her home was located. Ms. Chambers stated that she was three (3) houses away, same side of the street. Mr. Boyle questioned noise in relationship to an establishment which was open until 2:00 a.m. on the weekends. Ms. Chambers stated that she can hear ISU's Horton's field house football games. She believed that she would be able to address those concerns with Mr. Crawford and Mr. Salvator.

Janet Whitworth, owner of Beningo's Italian Restaurant, addressed the Commission. She cited her belief in Mr. Crawford's and Mr. Salvator's business plan. She noted that this was a neighborhood which binds together. She questioned the difference between a restaurant and tavern, either one a person could obtain alcohol anytime. Mr. Boyle questioned Beningo's operating hours. Mrs. Whitworth stated 5:00 p.m. to 10:00 p.m. weeknights and 5:00 p.m. to 11:00 p.m. weekends.

Elmer Alseen, 916 N. Oak St., addressed the Commissioner. He was approximately four (4) houses from the proposed establishment. He was happy to see the investment and believes same would be an asset to the community. Crawford Properties, LLC maintained their homes.

Tom Crawford, Bob Crawford's father, addressed the Commissioner. He had resided in the neighborhood for approximately his entire life. Bob Crawford was family oriented.

Karen Baumen, 813 E. Miller St., addressed the Commissioner. She did not reside in the neighborhood. She was employed by Mr. Salvator. She had known Mr. Salvator for thirty (30) years. She believed Mr. Salvator was engaged in the community. He had invested \$200,000 in Studio K9 and LS Mechanical. She believed both owners would care for the building and be available to answer questions.

Alison Dixon, 614 W. Locust St., addressed the Commissioner. She resides across the street from Carls Ice Cream, located 601 W. Locust St. She cited her belief in the owner's ability to run a good establishment. She did not want to see a vacant building. Mr. Boyle questioned concerns with operation hours. Ms. Dixon stated negatively. She was able to hear things from Downtown Bloomington.

Carey Sneed, 608 W. Empire St., addressed the Commissioner. He had known the family for several years. He noted that Crawford Properties, LLC had rehabilitated several homes which were safe and livable. He believed they took pride in their neighborhood.

Commissioner Renner noted his original concern with the application. He noted the support from the stakeholders in the neighborhood. He questioned closing hours. Mr. Crawford responded 1:00 a.m. weeknights and 2:00 a.m. weekends. He was willing to negotiate.

Commissioner Renner questioned signage. Mr. Crawford noted that the building front would change to windows. All advertising would face away from Chestnut Street. Potential signs would include weekly specials and sports memorabilia. Commissioner Renner cited a condition was to not allow banners facing Chestnut Street. Mr. Crawford noted his support.

Commissioner Renner noted concern with closing hours. He would recommend closing at 11:00 Sunday through Thursday and midnight (12:00 a.m.) Friday and Saturday. If there were no problems or issues after 6 months, Mr. Crawford could submit a request to have the Liquor Commission review the condition. He questioned BASSETT (Beverage Alcohol Sellers and Servers Education) training. Mr. Crawford stated he was BASSETT certified.

Commissioner Renner summarized the recommendation to the November 14, 2016 City Council Meeting: that the application of Crawford's Corner Pub, LLC, d/b/a Crawford's Corner Pub, located at 610 W. Chestnut, requesting a TAS liquor license which would allow the sale of all types of alcohol by the glass for consumption on the premises seven (7) days a week be approved contingent upon: 1.) closing hours Sunday through Thursday are 11:00 p.m. and closing on Friday and Sunday at midnight (12:00 a.m.). 2.) no signage including banners facing Chestnut Street.

COMMUNITY DEVELOPMENT REVIEW: 610 W. Chestnut is zoned B-2, General Business Service District. The intent of this zoning district is to provide commercial activities with a functional relationship to major street systems and an economic relationship to the B-3 Central Business District. Bars and taverns are permitted by right in the B-2 District but require twice as much parking as restaurants, one (1) parking space per fifty (50) square feet of gross floor area. Signage is regulated by Chapter 3 of the City Code.

610 W. Chestnut is located within the Regeneration Area identified in the City of Bloomington Comprehensive Plan 2035. The Plan identifies the revitalization of the Regeneration Area as a high priority. Developing 610 W. Chestnut for commercial use is in line with goal N-1 "Ensure compact development of the City through denser, mixed-use developments and reinvestments in the established older neighborhoods."

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Public notice was published in the Pantagraph on September 5, 2016 and October 11, 2016 in accordance with City Code. In accordance with City Code, approximately three courtesy copies of the Public Notice were mailed on September 2, 2016 to adjacent properties. On October 11, 2016, approximately 116 courtesy copies of the Public Notice were mailed to properties within 500 feet of the proposed establishment. In addition, the Agenda for the September 13, 2016 and October 18,

2016 Meeting of the Liquor Commission was placed on the City's web site. There also is a list serve feature for the Liquor Commission.

FINANCIAL IMPACT: This is a new liquor license. The current annual license fee is \$2,210. If approved, the revenue would be realized in Non-Departmental – Liquor Licenses account (10010010-51010).

Respectfully submitted for Council consideration.

Prepared by: Renee Gooderham, Chief Deputy Clerk

Reviewed by: Katie Simpson, City Planner
Cherry L. Lawson, City Clerk

Financial & budgetary review by: Chris Tomerlin, Budget Analyst
Carla A. Murillo, Budget Manager

Legal review by: George D. Boyle, Assistant Corporation Counsel

Recommended by:



Tari Renner
Mayor

Attachments:

- Chapter 6: Section 4B Creation of New License - Findings
- Liquor License Questionnaire
- License Application for the Sale of Alcoholic Beverages
- License Application for Sunday Sales of Alcoholic Beverages
- Map

Motion: That the application of Crawford's Corner Pub, LLC, d/b/a Crawford's Corner Pub, located at 610 W. Chestnut, requesting a TAS liquor license which would allow the sale of all types of alcohol by the glass for consumption on the premises seven (7) days a week be approved contingent upon: 1.) closing hours Sunday through Thursday are 11:00 p.m. and closing on Friday and Sunday at midnight (12:00 a.m.); 2.) no signage including banners facing Chestnut Street; and 3.) compliance with health, safety and building codes.

Chapter 6: Section 4B: Creation of New License – Findings

(a) Standard for Creation. The City Council shall not create a new liquor license unless it has previously found that the creation of such license is necessary for the public convenience of residents of Bloomington and is in the best interest of the City of Bloomington. (Ordinance No. 1981-18)

(b) Factual Criteria. In deciding whether creation of a new license is necessary, the City Council shall consider:

- (1) The class of liquor license applied for;
- (2) Whether most of the establishment's anticipated gross revenue will be from sale of alcohol or other resources;
- (3) The character and nature of the proposed establishment;
- (4) The general design, layout and contents of the proposed establishment;
- (5) The location of the proposed establishment and the probable impact of a liquor establishment at that location upon the surrounding neighborhood or the City as a whole giving particular consideration to; (Ordinance No. 2004-2)

(a) the type of license(s) requested in the application;

(b) the nature of the proposed establishment; (Ordinance No. 2004-2)

(c) the location of the building of the proposed establishment in relation to any dwelling, church, school, hospital, home for the aged, indigent or veteran's and their wives, or any military or naval station with particular emphasis on its entrances/exits, windows and parking facilities; (Ordinance No. 2004-2)

(d) the hours of operation of the proposed establishment; (Ordinance No. 2004-2)

(e) the effect of live entertainment and/or amplified music in the proposed establishment upon persons in the surrounding area, particularly with respect to any dwelling, church, school, hospital, home for the aged, indigent or veteran's and their wives, or any military or naval station; (Ordinance No. 2004-2)

(f) signs and lights which are visible from the exterior of the proposed establishment;

(g) whether a Sunday license is being requested for the proposed establishment;

(h) the extent to which other businesses are licensed to sell alcoholic beverages at retail in the area under consideration;

(i) whether and what types of alcohol the applicant proposes to sell in single serving sizes for consumption off of the premises. (Ordinance No. 2004-2)

- (6) The probable demand for the proposed liquor establishment in the City;
- (7) The financial responsibility of the applicant;
- (8) Whether the applicant, or (if the applicant is a partnership or corporation) whether any partner, officer or director of the applicant has ever held a liquor license and his or her performance as a licensee; (Ordinance No. 1977-69)
- (9) Whether the applicant intends to furnish live entertainment in the establishment, and if so, the nature of such entertainment;
- (10) Whether the applicant intends to obtain a dancing permit pursuant to Chapter 7 of Bloomington City Code;
- (11) Whether the proposed establishment poses any problem to the Bloomington Police Department or Liquor Commissioner in the enforcement of City Ordinance or State and Federal Law;
- (12) Whether a current City of Bloomington liquor license has been issued for the premises sought to be licensed in the application;
- (13) Whether the premises complies with all pertinent health and safety codes applicable within the City of Bloomington;
- (14) No license shall be created for, or maintained by, an establishment whose primary or major focus is video gaming. In determining whether an establishment's primary or major focus is video gaming, the following factors may be considered.

(a) The layout and design of the establishment, including such factors as:

- 1. The number of video gaming machines relative to the customer seating capacity of the establishment; and
- 2. The square footage of space devoted to video gaming relative to the amount of space devoted to other activities;

(b) Whether the probable revenue derived from the establishment will be primarily from video gaming;

(c) The number of employees at the establishment and their proposed function;

(d) Other relevant factors. (Ordinance No. 2013-13)

(15) The recommendation of the Liquor Commission. (Ordinance No. 2013-13)

(c) All licenses created hereby are subject to issuance by the Mayor in his discretion as provided in 235 ILCS 5/4-4 and Section 37 of this Chapter. (Ordinance No. 2013-13)

LIQUOR LICENSE QUESTIONNAIRE

TO THE APPLICANT:

On August 28, 1972, the Bloomington City Council enacted Ordinance No. 1972-57 revising standards for issuance of liquor licenses. The Ordinance, in addition to providing for an increase in the number of licenses, reflected a change in public attitude toward liquor licenses. Rather than lucrative privileges to be bought or sold, they are viewed as potential tools for community development, which can be an asset to the community. Consequently, licenses will be approved, not as a matter of right, but only where a need can be shown to exist and where the issuance of a license for a particular kind of establishment is supportive of and consistent with sound community planning. The following questions and the answers thereto can be of significant value in allowing the Liquor Commission to make an intelligent assessment of your application. Your cooperation in completing it as fully and in as much detail as possible is appreciated.

The questions in the Questionnaire apply equally to yourself and any partner, or any officer or director of a corporation. If more space is needed to answer any question completely, use additional paper.

1. LEGAL REQUIREMENTS:

- | | | |
|-----|--|------------|
| (a) | Have you attained the age of 21 years? | <u>YES</u> |
| (b) | Have you been a resident of the City of Bloomington for one year? | <u>YES</u> |
| (c) | Are you a citizen of the United States? | <u>YES</u> |
| (d) | Are you a person of good character and reputation? | <u>YES</u> |
| (e) | Have you ever been convicted of a felony under the laws of the United States or any state? | <u>NO</u> |
| (f) | Have you ever been convicted of being the keeper, or are you now the keeper of a house of prostitution? | <u>NO</u> |
| (g) | Have you ever been convicted of pandering or any other crime opposed to decency and morality? | <u>NO</u> |
| (h) | Have you ever had a Bloomington liquor license revoked for any cause? | <u>NO</u> |
| (i) | (If applicant is a corporation). Is a holder of over 5% of corporate stock ineligible to hold a liquor license for any reason other than citizenship or residence? | <u>N/A</u> |
| (j) | Is the Manager of the establishment ineligible to hold a liquor license for any reason other than citizenship or residence? | <u>NO</u> |

- (k) Have you ever been convicted of a violation of any federal or state law concerning the manufacture, possession or sale of alcoholic liquor? NO
- (l) Do you own or have a valid lease to the premises for which the license is sought? NO
- (m) Are you eligible for a state retail liquor dealer's license? YES
- (n) Is the establishment located within 100' of any church, school, hospital, home for aged or indigent persons or war veterans, their wives or children? NO

2. NATURE OF LICENSE:

- (a) What class liquor licenses are you seeking? TAS
- (b) What type of establishment do you intend to operate with this license? (e.g. lounge, ~~tavern, restaurant~~, wine & cheese shop). _____
- (c) State the significance of a liquor license to your establishment, present or future. We will not have a business without one,

- (d) How will a liquor license of the kind requested benefit the City of Bloomington and its residents? Food and Entertainment on the westside of Bloomington, City will make money off of taxes and liquor license & gaming revenue
- (e) Upon what facts do you base your answers to the previous question? The City makes money off of Property Taxes, gaming revenue & liquor licenses

- (f) Do you intend to furnish live entertainment in the establishment to be licensed? Yes
- (g) If you answer "YES" to the previous question, state the nature of such entertainment. Bands

- (h) Will most of the establishment's gross revenue come from sources other than sale of alcohol? Yes

- (i) If you answered "YES" to the previous question, from what sources will such revenue be derived? Food
- (j) Do you intend to obtain and use a dance license? No
- (k) If establishment is not in operation, attach a drawing showing:
 (1) General design of establishment;
 (2) Where alcohol is to be distributed and/or served.

3. IMPACT OF ESTABLISHMENT:

- (a) State the location of the establishment. 610 W Chestnut
- (b) What hours will the establishment be open? weekdays 9 AM - 1 AM weekends 9 AM - 2 AM
- (c) What type or types of building(s) adjoin the establishment? None
- (d) If any adjoining buildings are office or commercial, approximately what hours are they open for business? No
- (e) If adjoining buildings are predominately residential, are they single or multi-family and what other business establishments are in the area? Carls Ice Cream, Van Hook's upholstery, A & P Tap, LS mechanical, McGraw Ornamental
- (f) Describe streets immediately adjoining the establishment (e.g. Approximate width, one or two-way, parking restrictions, etc.) Two way parking on Chestnut, Two way parking on major st
- (g) How much additional traffic do you expect the establishment with a liquor license to generate? No more than existing restaurant
- (h) Describe on and off street parking facilities to handle traffic anticipated. existing Restaurant holds more traffic than we will have, plus a parking lot across the street that we will own.
- (i) How many establishments with liquor licenses are located within the immediate area of your establishment? One
- (j) What do you estimate to be the demand for your establishment in the area in which it is or will be located? High Demand

(k) Upon what facts do you base your answer to the previous question? There is no other food establishment in the area and previous restaurant was high demand.

4. RESPONSIBILITY:

- (a) If establishment is presently in operation, attach a financial statement of the establishment's last fiscal year.
- (b) If establishment is not presently in operation, attach a statement showing your assets and liabilities (or if a corporation, the assets and liabilities of the corporation).
- (c) Do you now or have you ever had a Bloomington liquor licenses? No
- (d) If you answer to the previous question is "YES", how many times have you been found guilty by the Bloomington Liquor Commission of violating Bloomington's liquor ordinance? _____

DATED this 4th day of August, 2016.

SIGNED: _____

(Name) /

(Address) _____

(City) IL

(State)

(Name) _____

(Address) _____

(City)

(State)

(Name) _____

(Address) _____

(City)

(State)

LICENSE APPLICATION
For the Sale of Alcoholic Beverages

TO THE LOCAL LIQUOR CONTROL COMMISSIONER OF THE CITY OF BLOOMINGTON,
McLEAN COUNTY, ILLINOIS:

1. Application is herein made a CLASS TAS LICENSE to sell Malt Vinous Beverages, pursuant to Chapter 6 of the Bloomington City Code 1960.

2. The undersigned applicant is _____ an individual; _____ a partnership; LLC ~~a corporation~~ (Check one)

A. If an individual: Name _____ Age _____
Address _____

Legal resident of City of Bloomington for more than One (1) year? Yes _____ No _____

B. If a partnership: Following are the names of all partners who are entitled to share in any profit of the business:

Name: _____ Address: _____

Legal resident of City of Bloomington for more than One (1) year? Yes _____ No _____

Name: _____ Address: _____

Legal resident of City of Bloomington for more than One (1) year? Yes _____ No _____

C. If a corporation, state whether same is organized for profit ☒ or nonprofit _____, under laws of the State of Illinois

Date of incorporation 9-1-2016

Objects of incorporation according to Charter of corporation. (Attach additional information by separate sheet if necessary)

Following are the names and addresses of all officers and directors of the said corporation and if the majority of stock is owned by one person, his name and address:

Name: Bob Crawford Title or position: _____

Address: _____ City/State/Zip IL

Name: Larry Salvatore Title or position: _____

Address: _____ City/State/Zip _____

Name: _____ Title or position: _____

Address: _____ City/State/Zip _____

Name: _____ Title or position: _____
Address: _____ City/State/Zip _____

3. This application is for renewal of license now held _____ or an original application ☒ (Check one)

4. Location and description of the premises or place of business to be operated under this license

610 W Chestnut Bloomington, IL 61201 Commonly Known as Beninges Restaurant

A. Trade Name _____

5. Is this location within 100 feet of any church, school, hospital, home of aged, or indigent persons, or for War Veterans, their wives, or children? Yes _____ No ☒

6. Does the place of business have access to any other portion of the same building or structure which is used for dwelling or lodging purposes, and which is permitted to be used or kept accessible for use by the public? Yes _____ No ☒

7. Is it proposed to sell food in this place of business? Yes ☒ No _____

8. Is applicant or any partner, officer, director, or majority stockholder engaged in the business of manufacturing or bottling malt vinous beverages or is the agent or any such person or corporation, or is a jobber of malt or vinous beverages? Yes _____ No ☒

9. Has applicant, or any partner, officer, director, or majority stockholder ever been convicted of a felony, or of the violation of any law relating to the prohibition of the sale of intoxicating liquors, or any other crime or misdemeanor, (other than minor traffic violations)? Yes _____ No ☒ If yes, fully explain.

10. Has any other license issued to individual applicant, or to any partner, officer, director, or majority stockholder, issued for sale of alcoholic beverages, ever been revoked? Yes _____ No ☒ If yes, give further details.

11. Has a similar application ever been refused for cause that has been made by any of the foregoing persons? Yes _____ No ☒

12. Is the applicant herein, the owner of the premises for which this license is sought? Yes ☒ No _____

13. If no, the name of the building owner: Name _____
Address _____

Term of written lease, from (date) _____ to _____
(Copy of Lease attached)

14. Do you know of any reason whether stated in the above questions or not, that this application does not comply with the laws of the State of Illinois, or the Bloomington City Code 1960 in connection with the proposed sale of alcoholic beverages?
Yes _____ No ☒

Applicants and each of them jointly and severally, including all partners, officers, directors, or majority stockholders, hereinafter named and whose signatures are affixed to this application, agree and acknowledge that they and each of them fully understand that any license issued hereunder may be revoked in accordance with the Ordinance of this City.

Dated this 1 day of September, 2016.

A. (Individual)

Individual's signature

B. (Partnership)

Business Name

(All Partners of applicant)

C. (Corporation)

Crawford's Corner Pub
(Corporate Name)

(President of Corporation)

Attest: _____
(Secretary)

And the following officers, directors, or majority stockholder:

STATE OF ILLINOIS.)
) SS
COUNTY OF McLEAN)

being first duly sworn on their respective oaths say that they comprise all of the owners, partners, officers, directors, or majority stockholders of the above named applicant in accordance with definitions of the Bloomington City Code; that they and each of them have read and signed the foregoing application for license, know the contents thereof, and that all the statements made therein are true.

Subscribed and Sworn to before me this 1st day of August, 2016.

Janice D Schuff
My commission expires on 3-7, 2019.



LICENSE APPLICATION
FOR SUNDAY SALE OF ALCOHOLIC BEVERAGES

TO: The Liquor Control Commissioner of the City of Bloomington, McLean County, Illinois

NAME OF APPLICANT Crawford's Corner Pub LLC
Hereinafter referred to as the "Applicant" represents to the Bloomington Liquor Commission the following:

1. A CLASS TAS LIQUOR LICENSE is currently held by or is being applied for by the Applicant and it authorizes or will authorize the liquor sales on Monday-Saturday.
2. The Applicant herein requests a CLASS S LICENSE to authorize the operation of the Applicant's liquor establishment on Sundays in the same manner as is or will be authorized by and during the valid period of the license referred to in Paragraph 1 hereof.
3. The Applicant and each and every partner, officer, director, majority stockholder or agent thereof, agree and acknowledge the following:
 - (a) Any license issued hereunder may be revoked in accordance with the Ordinances of the City of Bloomington;
 - (b) All persons who are employed by or who have an ownership interest in the Applicant will testify under oath to all competent, relevant, and material questions propounded to any of them in any hearing conducted by the local Liquor Commissioner;
 - (c) Failure of any person to testify according to the provisions of subsection (b) above shall be sufficient reason for suspension or revocation of any license which may be issued pursuant to this Application; and
 - (d) The Applicant will furnish, upon request from the Liquor Commissioner, any books and/or records of its business operations which are relevant to the question of whether such Applicant qualifies or has qualified at any time for the basic license or for the license which may be issued pursuant to this Application.

Dated this 1 day of 9, 2016.

A. (Individual)

(Name)

B. (Partnership)

(Business Name)

All partners of applicant:

Crawford's Corner Pub

C. (Corporation)

(Corporate Name)

By:

(Name of Officer: President)

Attest:

Secretary

And the following officers, directors, or majority stockholders:

STATE OF ILLINOIS,)
) ss.
County of McLean,)

_____,
_____,

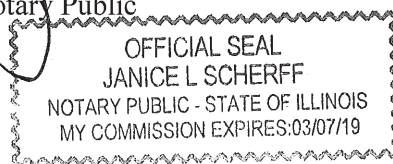
_____,
_____,

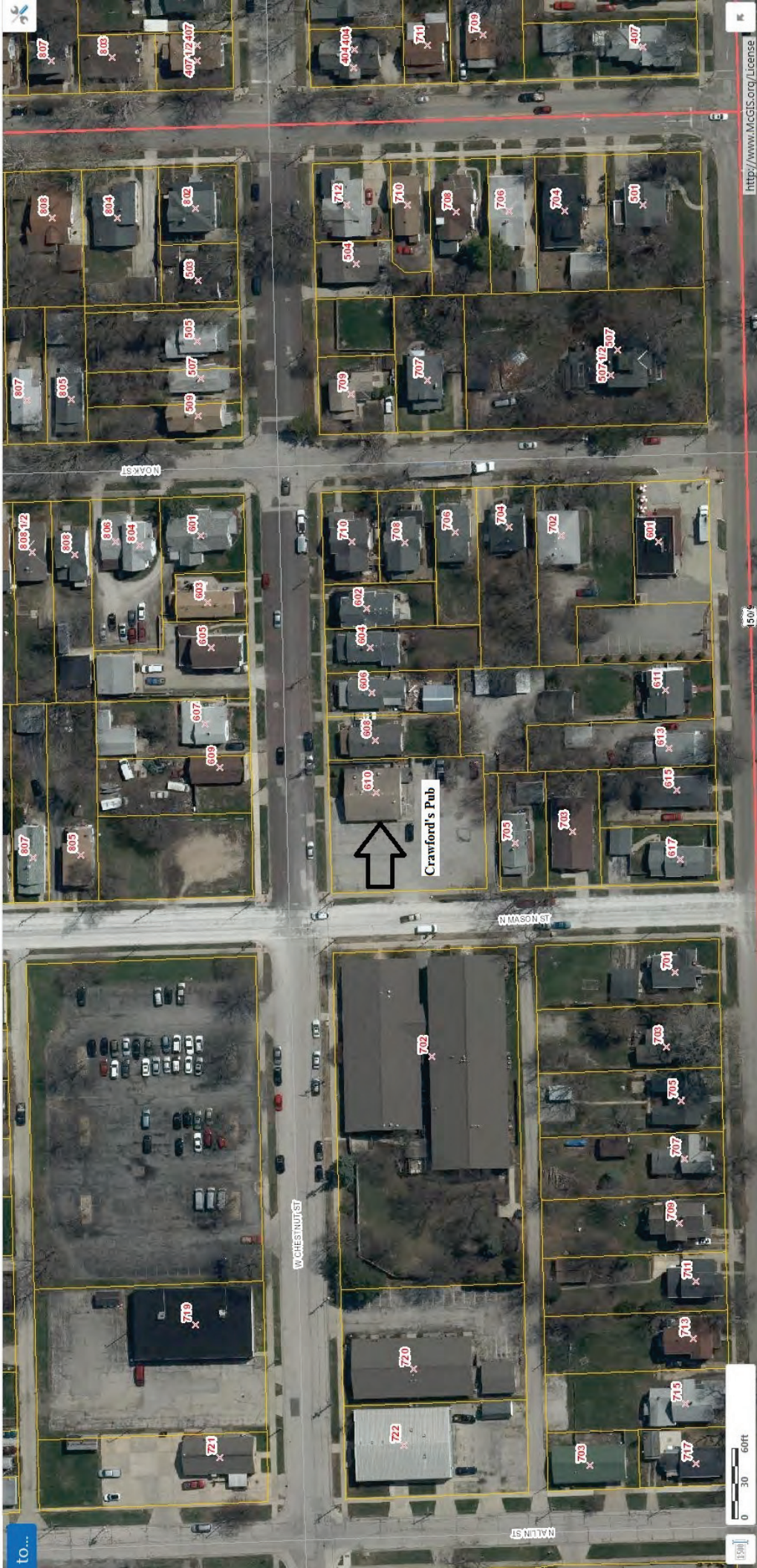
being first sworn on their respective oaths say that they comprise all of the owners, partners, officers, directors, or majority stockholders of the above named applicant in accordance with definitions of the Bloomington City Code 1960; that they and each of them have read and signed the foregoing application for license, know the contents thereof, and that all the statements made therein are true.

Subscribed and sworn to before me this 1st day of August, 2016

Janice L Scherff

Notary Public







CONSENT AGENDA ITEM: 7K

FOR COUNCIL: November 14, 2016

SUBJECT: Consideration of approving an Ordinance Suspending Portions of Section 701 of Chapter 31 and Section 26(d) of Chapter 6 of the City Code for a Wedding Reception on November 19, 2016.

RECOMMENDATION/MOTION: That the Ordinance Suspending Portions of Section 701 of Chapter 31 and Section 26(d) of Chapter 6 of the City Code for a Wedding Reception on November 19, 2016, at the Davis Lodge be approved, and that the Mayor and City Clerk be authorized to execute the necessary documents.

STRATEGIC PLAN LINK: Goal 5. Great place – livable, sustainable City.

STRATEGIC PLAN SIGNIFICANCE: Objective 5.d. Appropriate leisure and recreational opportunities responding to the needs of residents.

BACKGROUND: On October 18, 2016, Bloomington Liquor Commissioner, Tari Renner, called a public hearing to order to hear the request of Charles Sollars & Paige Porzelius to allow moderate consumption of alcohol at their November 19, 2016, wedding reception to be held at Davis Lodge.

Present were: Tari Renner, Commissioner; George Boyle, Asst. Corporation Counsel, Asst. Police Chief Greg Scott, and Renee Gooderham, Chief Deputy Clerk.

Charles Sollars addressed the Commission. Mr. Sollars stated that Times Past Inn would cater the reception. Beer and wine only would be served. Approximately 135 guests were anticipated.

Commissioner Renner stated that the request would appear on the November 14, 2016, Council Agenda.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: The Agenda for the October 18, 2016, Meeting of the Liquor Commission was placed on the City's web site. There also is a list serve feature for the Liquor Commission.

FINANCIAL IMPACT: None.

Respectfully submitted for Council consideration.

Prepared by: Renee Gooderham, Chief Deputy Clerk

Reviewed by: Robert D. Yehl, PE, Water Director
Cherry L. Lawson, City Clerk

Reviewed by: George D. Boyle, Assistant Corporation Counsel

Recommended by:

A handwritten signature in black ink that reads "Tari Renner". The script is fluid and cursive, with the first name "Tari" and last name "Renner" clearly distinguishable.

Tari Renner
Mayor

Attachments:

- Ordinance
- Letter of Request

ORDINANCE NO. 2016 -

**AN ORDINANCE SUSPENDING PORTIONS OF SECTION 701 OF CHAPTER 31 AND
SECTION 26(d) OF CHAPTER 6 OF THE CITY CODE FOR A WEDDING
RECEPTION ON NOVEMBER 19, 2016, AT DAVIS LODGE**

WHEREAS, Charles Sollars & Paige Porzelius are planning to hold their wedding reception on November 19, 2016, from 5:00 p.m. to 11:00 p.m. at Davis Lodge; and

WHEREAS, Charles Sollars & Paige Porzelius have requested permission from the City to serve beer and wine during this event; and

WHEREAS, in order to legally possess alcohol in a City Park, Sections 701(a), (b) and (c) of Chapter 31 of the Bloomington City Code, which prohibit the drinking, selling and possessing of alcoholic beverages within the City parks and Section 26(d) of Chapter 6 of the Bloomington City Code, which prohibits possession of open alcohol on public property, must be suspended:

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

Section 1: That Sections 701(a), (b) and (c) of Chapter 31 and Section 26(d) of Chapter 6 of the Bloomington City Code, 1960, as amended, are suspended as those ordinances pertain to the Davis Lodge, for the wedding reception on November 19, 2016, from 5:00 p.m. to 11:00 p.m. at Davis Lodge.

Section 2: Except for the date, location and time set forth in Section 1 of this Ordinance, Sections 701(a), (b) and (c) of Chapter 31 and Section 26(d) of Chapter 6 of the Bloomington City Code, 1960, as amended, shall remain in full force and effect. Nothing in this Ordinance shall be interpreted as repealing said Sections 701(a), (b) and (c) of Chapter 31 and Section 26(d) of Chapter 6 of the Bloomington City Code.

Section 3: This Ordinance shall be effective on the date of its passage and approval.

Section 4: This Ordinance is adopted pursuant to the home rule authority granted the City of Bloomington by Article VII, Section 6 of the 1970 Illinois Constitution.

PASSED this 14th of November, 2016.

APPROVED this ____ day of November, 2016.

CITY OF BLOOMINGTON

ATTEST

Tari Renner, Mayor

Cherry L. Lawson, C.M.C, City Clerk

APPROVED AS TO FORM

Jeffrey R. Jurgens, Corporation Counsel

From: Paige Porzelius <[REDACTED]>
To: "cityclerk@cityblm.org" <cityclerk@cityblm.org>
Date: Thursday, September 15, 2016 01:06PM
Subject: Liquor Request for Davis Lodge

Date of event: Saturday November 19, 2016
Time: 8am-12pm - Liquor Service 5pm-11pm
Type of Event: Wedding/Reception
Location: Davis Lodge Lake Bloomington IL
Bride: Paige Porzelius
Groom: Chas Sollars
Caterer: Times Past Inn Catering, Art Donaldson (309) 828-8312
Guest Count: 135

Thank you!
Paige Porzelius

Websense: Click [here](#) to report this email as spam.



CONSENT AGENDA ITEM: 7L

FOR COUNCIL: November 14, 2016

SUBJECT: Consideration of approving an Ordinance Suspending Portions of Section 701 of Chapter 31 and Section 26(d) of Chapter 6 of the City Code for a Wedding Reception on January 14, 2017.

RECOMMENDATION/MOTION: That the Ordinance Suspending Portions of Section 701 of Chapter 31 and Section 26(d) of Chapter 6 of the City Code for a Wedding Reception on January 14, 2017, at the Davis Lodge be approved, and that the Mayor and City Clerk be authorized to execute the necessary documents.

STRATEGIC PLAN LINK: Goal 5. Great place – livable, sustainable City.

STRATEGIC PLAN SIGNIFICANCE: Objective 5.d. Appropriate leisure and recreational opportunities responding to the needs of residents.

BACKGROUND: On October 18, 2016, Bloomington Liquor Commissioner, Tari Renner, called a public hearing to order to hear the request of Brian Scidmore & Janice Pettigrew to allow moderate consumption of alcohol at their January 14, 2017, wedding reception to be held at Davis Lodge.

Present were: Tari Renner, Commissioner; George Boyle, Asst. Corporation Counsel, Asst. Police Chief Greg Scott, and Renee Gooderham, Chief Deputy Clerk.

Janice Pettigrew addressed the Commission. Ms. Pettigrew stated that Nelson's Catering would cater the reception. Beer and wine only would be served. Approximately 100 guests were anticipated.

Commissioner Renner stated that the request would appear on the November 14, 2016, Council Agenda.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: The Agenda for the October 18, 2016, Meeting of the Liquor Commission was placed on the City's web site. There also is a list serve feature for the Liquor Commission.

FINANCIAL IMPACT: None.

Respectfully submitted for Council consideration.

Prepared by: Renee Gooderham, Chief Deputy Clerk

Reviewed by: Robert D. Yehl, PE, Water Director
Cherry L. Lawson, City Clerk

Reviewed by: George D. Boyle, Assistant Corporation Counsel

Recommended by:

A handwritten signature in black ink that reads "Tari Renner". The signature is written in a cursive, flowing style.

Tari Renner
Mayor

Attachments:

- Ordinance
- Letter of Request

ORDINANCE NO. 2016 -

**AN ORDINANCE SUSPENDING PORTIONS OF SECTION 701 OF CHAPTER 31 AND
SECTION 26(d) OF CHAPTER 6 OF THE CITY CODE FOR A WEDDING
RECEPTION ON JANUARY 14, 2017, AT DAVIS LODGE**

WHEREAS, Brian Scidmore & Janice Pettigrew are planning to hold their wedding reception on January 14, 2017, from 5:00 p.m. to 10:00 p.m. at Davis Lodge; and

WHEREAS, Brian Scidmore & Janice Pettigrew have requested permission from the City to serve beer and wine during this event; and

WHEREAS, in order to legally possess alcohol in a City Park, Sections 701(a), (b) and (c) of Chapter 31 of the Bloomington City Code, which prohibit the drinking, selling and possessing of alcoholic beverages within the City parks and Section 26(d) of Chapter 6 of the Bloomington City Code, which prohibits possession of open alcohol on public property, must be suspended:

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

Section 1: That Sections 701(a), (b) and (c) of Chapter 31 and Section 26(d) of Chapter 6 of the Bloomington City Code, 1960, as amended, are suspended as those ordinances pertain to the Davis Lodge, for the wedding reception on January 14, 2017, from 5:00 p.m. to 10:00 p.m. at Davis Lodge.

Section 2: Except for the date, location and time set forth in Section 1 of this Ordinance, Sections 701(a), (b) and (c) of Chapter 31 and Section 26(d) of Chapter 6 of the Bloomington City Code, 1960, as amended, shall remain in full force and effect. Nothing in this Ordinance shall be interpreted as repealing said Sections 701(a), (b) and (c) of Chapter 31 and Section 26(d) of Chapter 6 of the Bloomington City Code.

Section 3: This Ordinance shall be effective on the date of its passage and approval.

Section 4: This Ordinance is adopted pursuant to the home rule authority granted the City of Bloomington by Article VII, Section 6 of the 1970 Illinois Constitution.

PASSED this 14th of November, 2016.

APPROVED this ____ day of November, 2016.

CITY OF BLOOMINGTON

ATTEST

Tari Renner, Mayor

Cherry L. Lawson, C.M.C, City Clerk

APPROVED AS TO FORM

Jeffrey R. Jurgens, Corporation Counsel

From:
To: acoffey@cityblm.org

Date: Thursday, October 06, 2016 03:09PM
Subject: Wedding at Davis Lodge

History: ✎ This message has been replied to.

To whom it may concern

My name is Janice Pettigrew and my fiancé is Brian Scidmore. My phone number is and his is . We are getting married January 14, 2017 at Davis Lodge. We are having our reception from 5 – 10 pm with approximately 100 guests. We would like to serve beer and wine catered by Nelson's Catering.

Let me know if you need anything else from me

Janice Pettigrew
Teller Supervisor
East College Branch

PNC Bank
1501 East College Avenue (D2-Y728-01-1)
Normal, IL 61761
(p) 309.823.3185 | (f) 309.452.9287

Websense: Click [here](#) to report this email as spam.



CONSENT AGENDA ITEM: 7M

FOR COUNCIL: November 14, 2016

SUBJECT: Consideration of approving an Ordinance Suspending Portions of Section 701 of Chapter 31 and Section 26(d) of Chapter 6 of the City Code for a Wedding Reception on April 29, 2017.

RECOMMENDATION/MOTION: That the Ordinance Suspending Portions of Section 701 of Chapter 31 and Section 26(d) of Chapter 6 of the City Code for a Wedding Reception on April 29, 2017, at the Davis Lodge be approved, and that the Mayor and City Clerk be authorized to execute the necessary documents.

STRATEGIC PLAN LINK: Goal 5. Great place – livable, sustainable City.

STRATEGIC PLAN SIGNIFICANCE: Objective 5.d. Appropriate leisure and recreational opportunities responding to the needs of residents.

BACKGROUND: On October 18, 2016, Bloomington Liquor Commissioner, Tari Renner, called a public hearing to order to hear the request of Alan Hughes & Staci Gardner to allow moderate consumption of alcohol at their April 29, 2017, wedding reception to be held at Davis Lodge.

Present were: Tari Renner, Commissioner; George Boyle, Asst. Corporation Counsel, Asst. Police Chief Greg Scott, and Renee Gooderham, Chief Deputy Clerk.

Alan Hughes addressed the Commission. Mr. Hughes stated that Hy-Vee would cater the reception. Beer and wine only would be served. Approximately 137 guests were anticipated.

Commissioner Renner stated that the request would appear on the November 14, 2016, Council Agenda.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: The Agenda for the October 18, 2016, Meeting of the Liquor Commission was placed on the City's web site. There also is a list serve feature for the Liquor Commission.

FINANCIAL IMPACT: None.

Respectfully submitted for Council consideration.

Prepared by: Renee Gooderham, Chief Deputy Clerk

Reviewed by: Robert D. Yehl, PE, Water Director
Cherry L. Lawson, City Clerk

Reviewed by: George D. Boyle, Assistant Corporation Counsel

Recommended by:

A handwritten signature in black ink that reads "Tari Renner". The script is fluid and cursive, with the first name "Tari" and last name "Renner" clearly distinguishable.

Tari Renner
Mayor

Attachments:

- Ordinance
- Letter of Request

ORDINANCE NO. 2016 -

**AN ORDINANCE SUSPENDING PORTIONS OF SECTION 701 OF CHAPTER 31 AND
SECTION 26(d) OF CHAPTER 6 OF THE CITY CODE FOR A WEDDING
RECEPTION ON APRIL 29, 2017, AT DAVIS LODGE**

WHEREAS, Alan Hughes & Staci Gardner are planning to hold their wedding reception on April 29, 2017, from 1:00 p.m. to 12:59 p.m. at Davis Lodge; and

WHEREAS, Alan Hughes & Staci Gardner have requested permission from the City to serve beer and wine during this event; and

WHEREAS, in order to legally possess alcohol in a City Park, Sections 701(a), (b) and (c) of Chapter 31 of the Bloomington City Code, which prohibit the drinking, selling and possessing of alcoholic beverages within the City parks and Section 26(d) of Chapter 6 of the Bloomington City Code, which prohibits possession of open alcohol on public property, must be suspended:

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

Section 1: That Sections 701(a), (b) and (c) of Chapter 31 and Section 26(d) of Chapter 6 of the Bloomington City Code, 1960, as amended, are suspended as those ordinances pertain to the Davis Lodge, for the wedding reception on April 29, 2017, from 1:00 p.m. to 12:59 p.m. at Davis Lodge.

Section 2: Except for the date, location and time set forth in Section 1 of this Ordinance, Sections 701(a), (b) and (c) of Chapter 31 and Section 26(d) of Chapter 6 of the Bloomington City Code, 1960, as amended, shall remain in full force and effect. Nothing in this Ordinance shall be interpreted as repealing said Sections 701(a), (b) and (c) of Chapter 31 and Section 26(d) of Chapter 6 of the Bloomington City Code.

Section 3: This Ordinance shall be effective on the date of its passage and approval.

Section 4: This Ordinance is adopted pursuant to the home rule authority granted the City of Bloomington by Article VII, Section 6 of the 1970 Illinois Constitution.

PASSED this 14th of November, 2016.

APPROVED this ____ day of November, 2016.

CITY OF BLOOMINGTON

ATTEST

Tari Renner, Mayor

Cherry L. Lawson, C.M.C, City Clerk

APPROVED AS TO FORM

Jeffrey R. Jurgens, Corporation Counsel

From: STACI GARDNER <
To: cityclerk@cityblm.org

Date: Monday, October 10, 2016 06:33PM
Subject: Liquor Request Davis Lodge

Good Evening,

My name is Staci Gardner and I am emailing in regards to submitting a Liquor Request for a wedding at Davis Lodge. The information for the wedding is below.

Date: April 29th, 2017

Time: 1:00pm – 11:59pm

Location: Davis Lodge (Reserved on September 12th for April 29th)

Bride's information: Staci Gardner

Groom's Information: Alan Hughes

Additional Representatives:

Terrell Gardner (Father of the Bride)

Sharon Gardner (Mother of the Bride)

Number of Guest: 137 Maximum

Caterer: Hy-Vee catering Bloomington Illinois

Please let me know if there is any more information needed.

CITY OF
Bloomington **ILLINOIS**
REGULAR AGENDA ITEM NO. 8A

FOR COUNCIL: November 14, 2016

SUBJECT: Consideration of adopting a Resolution urging Illinois State Leaders to release downstate operating assistance grant funds to public transportation providers, including Connect Transit.

RECOMMENDATION/MOTION: that the Resolution be adopted urging Illinois State Leaders to release downstate operating assistance grant funds to public transportation providers, including Connect Transit, and authorize the Mayor and City Clerk to execute the necessary document.

STRATEGIC PLAN LINK: 5. Great Place – Livable, Sustainable City

STRATEGIC PLAN SIGNIFICANCE: b. City decisions consistent with plans and policies

BACKGROUND: The Downstate Public Transportation Act authorizes the State of Illinois, acting by and through the Illinois Department of Transportation, to provide grants and make funds available to assist in the development and operation of public transportation systems. Connect Transit relies on consistent funding from the State of Illinois as it represents 65% of Connect Transit's current operating budget. The State of Illinois has not made a payment to Connect Transit in Fiscal Year 2017, equating to approximately \$5 million dollars that Connect Transit applies toward items such as fuel, salaries, healthcare, facilities management, and maintenance expenses. Without these funds, Connect Transit will be forced to suspend service causing many in the Bloomington/Normal community to be unable to access healthcare, education, jobs, and retail.

On October 17, 2016, the Connect Transit Board of Directors passed a resolution urging Illinois state leaders to release downstate operating assistance grant funds to public transportation providers, including Connect Transit. Shortly thereafter, the Board requested the City pass the same or a similar resolution. The Town of Normal passed a similar resolution on November 7, 2016.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Connect Transit

FINANCIAL IMPACT: Not applicable

Respectfully submitted for Council consideration.

Prepared by:

Nora Dukowitz, Communication Manager

Financial & budgetary review by:

Chris Tomerlin, Budget Analyst
Carla A. Murillo, Budget Manager

Legal review by:

Jeffrey R. Jurgens, Corporation Counsel

Recommended by:

A handwritten signature in black ink, appearing to read "David A. Hales".

David A. Hales
City Manager

Attachments:

- Connect Transit resolution
- Bloomington Resolution

Motion: That the Resolution be adopted urging Illinois State Leaders to release downstate operating assistance grant funds to public transportation providers, including Connect Transit, and authorize the Mayor and City Clerk to execute the necessary document.

RESOLUTION NO. 2016-__

**A RESOLUTION URGING ILLINOIS STATE LEADERS TO RELEASE DOWNSTATE
OPERATING ASSISTANCE GRANT FUNDS TO PUBLIC TRANSPORTATION PROVIDERS,
INCLUDING CONNECT TRANSIT**

WHEREAS, the State of Illinois has been operating without a State budget since July 1, 2015; and

WHEREAS, the provision of public transportation service is essential to the people of Illinois; and

WHEREAS, the Downstate Public Transportation Act (30 ILCS 740/2-1 et seq.) (“Act”) authorizes the State of Illinois, acting by and through the Illinois Department of Transportation, to provide grants and make funds available to assist in the development and operation of public transportation systems; and

WHEREAS, Connect Transit relies on consistent funding from the State of Illinois as it represents 65% of Connect Transit’s current operating budget; and

WHEREAS, without these funds, Connect Transit will be forced to suspend service causing many in the Bloomington/Normal community to be unable to access healthcare, education, jobs, and retail; and

WHEREAS, the State of Illinois has not made a payment to Connect Transit in Fiscal Year 2017. This equates to approximately \$5 million dollars that Connect Transit applies toward items such as fuel, salaries, healthcare, facilities management, and maintenance expenses; and

NOW, THEREFORE, BE IT RESOLVED that we call upon the Governor and General Assembly to take action to immediately release all Downstate Operating Assistance Funds owed to Downstate public transportation providers, which includes Connect Transit.

BE IT FURTHER RESOLVED that a copy of this Resolution is forwarded to the Governor, Senate President, Senate Minority Leader, House Speaker, House Minority Leader, as well as the State Senators and Representatives serving the City of Bloomington and Town of Normal.

Passed by the Mayor and City Council of the City of Bloomington, Illinois, this 14TH day of November, 2016.

CITY OF BLOOMINGTON

ATTEST

Tari Renner, Mayor

Cherry L. Lawson, City Clerk



RESOLUTION URGING ILLINOIS STATE LEADERS TO RELEASE DOWNSTATE OPERATING ASSISTANCE GRANT FUNDS

Whereas, the State of Illinois has been operating without a State budget since July 1, 2015; and

Whereas, the provision of public transportation service is essential to the people of Illinois; and

Whereas, the Downstate Public Transportation Act (30 ILCS 740/2-1 et seq.) ("Act") authorizes the State of Illinois, acting by and through the Illinois Department of Transportation, to provide grants and make funds available to assist in the development and operation of public transportation systems; and

Whereas, Connect Transit relies on consistent funding from the State of Illinois as it represents 65% of Connect Transit's current operating budget; and

Whereas, without these funds, Connect Transit will be forced to suspend service causing many in the Bloomington/Normal community to be unable to access healthcare, education, jobs, and retail.

Whereas, the State of Illinois has not made a payment to Connect Transit in Fiscal Year 2017. This equates to approximately \$5 million dollars that Connect Transit applies toward items such as fuel, salaries, healthcare, facilities management, and maintenance expenses; and

NOW THEREFORE BE IT RESOLVED BY THE CONNECT TRANSIT BOARD OF TRUSTEES that we call upon the Governor and General Assembly to take action to immediately release all Downstate Operating Assistance Funds owed to Downstate public transportation providers, which includes Connect Transit.

BE IT FURTHER RESOLVED that a copy of this Resolution is forwarded to the Governor, Senate President, Senate Minority Leader, House Speaker, House Minority Leader, as well as the State Senators and Representatives serving the City of Bloomington and Town of Normal.

Passed this 17th Day of October, 2016

APPROVED this 17th Day of October, 2016

Vice Chairman Mike McCurdy

ATTEST: _____
Secretary Ryan Whitehouse





REGULAR AGENDA ITEM NO. 8B

FOR COUNCIL: November 14, 2016

SUBJECT: Consideration of an Ordinance approving the proposed *Estimated* 2016 Tax Levy for the Bloomington Public Library.

RECOMMENDATION/MOTION: Council approves the Ordinance adopting the Estimated 2016 Property Tax Levy in the amount of \$4,683,111, and authorize the Mayor and City Clerk to execute the necessary documents.

STRATEGIC PLAN LINK: Goal 1. Financially Sound City Providing Quality Basic Services.

STRATEGIC PLAN SIGNIFICANCE: Objective 1c. Engaged residents that are well informed and involved in an open governance process.

BACKGROUND: In responding to feedback from the Council and the public, the FY18 budget approved by the Library Board of Trustees includes a new full time position focused on outreach to the community. This outreach position will include fostering relationships with agencies serving the West side population and developing a plan to enhance services to the Bloomington community. The FY18 budget also includes a transfer of \$213,944 to the Library's fixed asset fund. This is an investment in the Library's future equipment. In the past, the fixed asset fund has been used to fund purchases like the bookmobile. Some future project plans include a techmobile (a van with equipment that would support technology programs in the community) and preparing for the fixed asset needs of a building expansion project. As of 9/30/16, the Library's fixed asset fund balance was \$935,762.80 and the Library's capital fund balance was \$2,292,697.07.

The Bloomington Public Library does not receive any sales tax revenues and the property tax rate is much lower than its nearby counterparts: Normal is .4505, Urbana is .566, Champaign is .4222, and Peoria is .43966.

In spite of the limited funds, the Bloomington Public Library continues to be a responsible fiscal steward with a 483% return on investment per taxpayer dollar. In FY16, there is a substantial amount of savings between budget and actual expenses, this is due in a large part to the departure of former director Bouda. Her departure caused lower salary and benefits expenses and also resulted in the delay of several projects. In order to continue the high return on investment and level of service, it is imperative that we capture the new growth reflected in the EAV.

It is estimated that by increasing the 2016 dollar levy by \$136,311 it would increase a \$165,000 home owner's property tax by \$0.03 and slightly increase the tax rate from the prior year. Finance recommends this approach to provide property tax revenue to support the growing population that the Library is servicing.

2016 Tax formula Estimate
(Preliminary EAV):

$$\frac{\$ 4,683,111}{\$ 1,865,422,518} = 0.2510\%$$

Historically the Library expenditures included in the property tax levy are approximately 19% of the total tax levy.

Except for a \$33,233 increase in FY15, the Library property tax levy has been flat for the past 7 years, resulting in a continually decreasing tax rate. In the past year, the Library also received a \$36,000 decrease in state funding. These decreases have occurred at the same time that people are turning to libraries for more and more. This includes things like books, movies, music, eResources, access to technology, access to physical spaces, and educational programs.

COUNCIL COMMITTEE BACKGROUND: N/A

FINANCIAL IMPACT/ANALYSIS: The Library Board recommends the Council adopt the tax levy estimate of \$4,683,111 which increases the overall levy by \$136,311 to support the growing population that the Library is servicing.

The attached four exhibits have been created to facilitate Council's decision making process. Exhibit 1 shows the 2016 proposed levy and historical levy information. Exhibit 2 depicts the impact of the \$136,311 increase in levy to a \$165,000 homeowner. Exhibit 3 is the FY18 Budget Approved by the Library Board of Trustees, which includes the 2016 proposed levy. Exhibit 4 depicts the FY16 Bloomington Public Library Return on Investment.

Respectfully submitted for Council consideration.

Prepared by: Jeanne Hamilton, Library Director
Carla Murillo, Budget Manager

Reviewed by: Patti-Lynn Silva, Finance Director

Legal review: Jeffrey R. Jurgens, Corporation Counsel

Attachments:

- Ordinance
- Exhibit 1 - Estimated Tax Levy Proposals
- Exhibit 2 – Estimated Impact to Homeowners
- Exhibit 3 – FY18 Library Board of Trustees Approved Budget
- Exhibit 4 - Bloomington Public Library FY16 Return on Investment
- Certificate

Motion: Council approves the Ordinance adopting the *Estimated* 2016 Property Tax Levy in the amount of \$4,683,111, and authorize the Mayor and City Clerk to execute the necessary documents.

ORDINANCE 2016 - ____

**AN ORDINANCE LEVYING TAXES FOR THE CITY OF BLOOMINGTON –
LIBRARY, MCLEAN COUNTY, ILLINOIS FOR THE FISCAL YEAR BEGINNING
MAY 1, 2016 AND ENDING APRIL 30, 2017 FOR THE CITY OF BLOOMINGTON**

**BE IT ORDAINED BY THE CITY COUNCIL
OF THE CITY OF BLOOMINGTON, ILLINOIS:**

Section One: (a) The sum of four million six hundred eighty-three thousand one hundred eleven dollars (\$4,683,111) being the total sum of the appropriation heretofore legal made which is to be collected from the tax levy of the fiscal year of the City of Bloomington, McLean County, Illinois beginning May 1, 2016 and ending April 30, 2017 for the Public Library as appropriated for the fiscal year beginning May 1, 2016 and ending April 30, 2017 as passed by the City Council of said City at its regular meeting held on the 11th of April, 2016, shall be and the same is hereby levied on all taxable property within the said City of Bloomington, subject to taxation for said current fiscal year. The specific amounts as levied for the various objects heretofore named appear in the right hand column under the designation “Amount to be raised by Taxation,” the said tax so levied being for appropriations heretofore made for said tax levy, the current fiscal year which are to be collected from said tax levy, the total amount of which has been ascertained as aforesaid for the objects and purposes as follows:

CITY OF BLOOMINGTON – LIBRARY, MCLEAN COUNTY, ILLINOIS

(b) The tax rate against the said taxable property of the City of Bloomington for the year 2016 for and on account of the aforesaid tax levy be, and the same is hereby set for said taxable year as follows:

Public Library Fund	\$4,683,111
---------------------	-------------

Section Two: The City Clerk shall make and file with the County Clerk of said County of McLean, a duly certified copy of this Ordinance; the amount levied by Section One of this Ordinance is required by said City to be levied by taxation as aforesaid and extended upon the appropriate tax books for the fiscal year of said City beginning May 1, 2016 and ending April 30, 2017.

Section Three: If any section, subdivision, sentence or clause of this Ordinance for any reason is held invalid or to be unconstitutional, such decision shall not affect the validity of the remaining portion of this Ordinance.

Section Four: Where a rate is shown in Section 1(b), the County Clerk is directed to levy a tax at that rate without regard to either statutory rate for such levy or the number of dollars shown in that fund. Where no rate is shown in Section 1(b), the rate of tax for each such fund shall be the rate necessary to collect the number of dollars levied by the City for such fund.

Section Five: This Ordinance is enacted pursuant to and as an exercise of the City of Bloomington's authority as a home rule unit pursuant to Article VII, Section 6 of the 1970 Constitution of the State of Illinois. Any and all provisions of the Statutes of the State of Illinois regarding rates of tax are hereby declared to be superseded to the extent that they conflict herewith.

Section Six: This Ordinance shall be in full force and effect from and after its passage, signing, approval, and recording, according to law.

Passed this 14th day of November, 2016.

Approved this ____ day of November, 2016.

CITY OF BLOOMINGTON

ATTEST

Tari Renner, Mayor

Cherry L. Lawson, City Clerk

APPROVED AS TO FORM

Jeffery R. Jurgens, Corporation Counsel

Library - Exhibit 1: 2016 Proposed & Historical Tax Levy

<i>Levy Type</i>	<i>2016 Proposed Tax Levy</i>	<i>2015 Adjusted Levy Amount</i>	<i>2014 Adjusted Levy Amount</i>	<i>2013 Adjusted Levy Amount</i>	<i>2012 Adjusted Levy Amount</i>	<i>2011 Adjusted Levy Amount</i>
LIBRARY	\$ 4,683,111	\$ 4,546,800	\$ 4,546,682	\$ 4,546,793	\$ 4,513,489	\$ 4,513,477
Dollar Increase/(Decrease)	\$ 136,311	118	(111)	33,304	12	12
Percent Increase/(Decrease)	3.00%	0.00%	0.00%	0.74%	0.00%	0.00%
Estimated Tax Rate	0.2510%	0.2510%	0.2532%	0.2581%	0.2562%	0.2507%

Library - Exhibit 2: 2016 Tax Levy Impact to the Taxpayer

Information Table	
Prior Year Tax Levy	\$4,546,800
Prior Year Tax Rate	0.2510%
Avg Home Value	\$165,000
**2016 Preliminary EAV	\$1,865,422,518
** The preliminary EAV is subject to change through the tax appeals process.	
Proposed Levy Increase	
\$136,311	
Revised Levy	\$4,683,111
New Rate	0.2510%
Avg Home Value	\$165,000
Old Bill	\$138
New Bill	\$138
Increase/(Decrease)	\$0.03

Library - Exhibit 3: FY18 Library Board of Trustees Approved Budget

LIBRARY MAINTENANCE & OPERATING BUDGET								
FISCAL YEAR 2016-2018								
Account	Account	FY 16	FY 16	FY 17	FY 17		\$ Diff From	% Diff From
Number	Title	Budget	Actual	Budget	Actual Thru 9/26	FY 18 Proposed	FY 17 to FY 18 Budget	FY 17 to FY 18 Budget
50110	Property Taxes	4,546,710	4,544,765	4,546,710	4,412,280	4,683,111	136,401	3.0
53020	Replacement Tax	130,400	130,400	130,400	130,400	130,400	-	-
53120	State Grants	95,000	95,763	95,000	59,055	59,000	(36,000)	(37.9)
53370	From Golden Prairie PL Dist	370,000	373,125	392,000	365,886	400,000	8,000	2.0
54490	Library Fees & Rentals	80,000	81,496	83,000	29,282	85,000	2,000	2.4
54720	Copies	3,800	3,593	3,200	1,428	3,500	300	9.4
56010	Interest from Investments	1,000	5,748	1,000	4,332	5,000	4,000	400.0
56020	Interest From Taxes	-	27	-	-	-	-	#DIV/0!
57110	Sale of Property	1,000	2,775	1,000	631	1,000	-	-
57310	Donations	20,000	24,221	28,000	24,932	27,150	(850)	(3.0)
57350	Other Private Grants	-	1,150	-	-	-	-	#DIV/0!
57610	Cash Over/Short	-	(24)	-	23	-	-	#DIV/0!
57990	Other Misc Income	30,000	39,921	40,000	15,154	41,200	1,200	3.0
	Total Revenues	5,277,910	5,302,960	5,320,310	5,043,403	5,435,361	115,051	2.2
61100	Full Time Salaries	2,015,233	2,007,991	2,149,887	808,024	2,139,895	(9,992)	(0.5)
61110	Part Time Salaries	453,600	362,143	402,086	135,879	435,888	33,802	8.4
61130	Seasonal Salaries	35,586	47,073	47,701	36,711	62,005	14,304	30.0
61150	Overtime Salaries	1,100	-	1,100	-	1,100	-	-
62101	Dental Insurance	11,273	9,763	12,400	4,139	13,122	722	5.8
62102	Vision Insurance	2,894	2,379	3,050	968	2,155	(895)	(29.3)
62104	Health Insurance PPO BC/BS	210,104	250,621	294,901	112,969	236,544	(58,357)	(19.8)
62106	Health Insurance HAMP HMO	118,062	78,889	100,429	29,445	84,996	(15,433)	(15.4)
62110	Life Insurance	3,097	2,958	3,100	1,247	3,100	-	-
62120	IMRF	299,867	280,208	310,000	116,891	318,417	8,417	2.7
62130	FICA	162,368	143,046	163,000	58,248	170,762	7,762	4.8
62140	Medicare	36,315	33,513	39,000	13,623	38,248	(752)	(1.9)
62160	Worker's Comp	37,675	13,188	17,000	(467)	17,075	75	0.4
62190	Staff Uniforms	600	347	600	69	700	100	16.7
62210	Tuition Reimbursement	30,000	36,252	-	488	20,000	20,000	#DIV/0!
62990	Other Benefits	-	17,400	20,000	10,886	20,000	-	-
70420	Equipment Rental	22,000	19,816	22,000	6,668	30,000	8,000	36.4
70510	Building Maintenance	135,000	73,300	120,000	24,234	123,600	3,600	3.0
70520	Vehicle Maintenance	5,000	6,525	5,300	1,038	5,500	200	3.8
70530	Office/Equipment Maintenance	165,000	122,543	165,000	107,444	169,950	4,950	3.0
70590	Other Property Maintenance	25,000	1,045	-	-	-	-	#DIV/0!
70610	Advertising	19,000	19,260	32,574	16,169	33,000	426	1.3
70611	Printing/Binding	19,000	16,135	19,000	3,004	19,570	570	3.0
70630	Travel	6,000	11,498	1,000	28	1,000	-	-
70631	Membership Dues	5,000	3,770	5,000	1,794	5,150	150	3.0
70632	Professional Development	8,000	6,738	13,000	2,351	14,000	1,000	7.7
70690	Other Purchased Services	100,000	128,719	184,918	43,848	130,000	(54,918)	(29.7)
70714	Property Insurance	23,000	19,699	24,000	-	25,000	1,000	4.2
70715	Vehicle Insurance	5,000	3,063	4,000	-	4,200	200	5.0
70790	Other Insurance	5,000	5,067	5,500	-	5,700	200	3.6
71010	Office Supplies	20,000	17,637	12,000	4,799	15,000	3,000	25.0
71013	Computer Supplies	85,000	76,010	82,462	17,307	82,400	(62)	(0.1)
71015	Copier Supplies	3,300	3,810	3,400	1,359	3,500	100	2.9
71017	Postage	12,000	9,595	12,000	2,858	12,360	360	3.0
71020	Library Supplies	72,000	82,031	75,000	20,480	77,250	2,250	3.0
71024	Janitorial Supplies	16,000	10,413	16,000	3,244	16,480	480	3.0
71070	Fuel	8,000	3,253	4,290	1,128	4,500	210	4.9
71080	Bldg & Maint Supplies	10,000	12,427	10,000	2,788	10,300	300	3.0
71310	Natural Gas	35,000	18,562	32,000	4,594	25,000	(7,000)	(21.9)
71320	Electricity	95,000	88,148	80,000	45,185	89,000	9,000	11.3
71330	Water	8,500	8,435	8,000	2,011	8,500	500	6.3
71340	Telecommunications	26,000	33,474	26,780	13,937	35,000	8,220	30.7
71410	Professional Collection	7,000	1,144	3,500	288	1,000	(2,500)	(71.4)
71420	Periodicals	35,000	37,451	36,050	19,599	38,000	1,950	5.4
71430	Adult Books	170,000	164,705	159,100	63,474	162,000	2,900	1.8
71440	Children's Books	125,000	120,381	128,000	49,392	130,000	2,000	1.6
71470	AVV Materials	168,000	166,900	151,000	71,501	147,000	(4,000)	(2.6)
71480	Public Access Software	140,000	149,360	144,200	92,452	148,000	3,800	2.6
71490	Ebooks	70,000	70,000	60,000	24,680	70,000	10,000	16.7
79120	Employee Relations	6,000	3,760	6,000	1,359	6,180	180	3.0
79990	Other Misc. Expenses	13,000	6,103	9,000	2,814	9,270	270	3.0
89112	To ERI Reimbursement	36,732	36,732	36,732	36,732	-	(36,732)	(100.0)
89237	To Library Equip Replacement	156,604	156,604	122,104	122,104	213,944	91,840	75.2
	To Capital Fund	-	-	-	-	-	-	#DIV/0!
	Total Expenses	5,277,910	4,999,884	5,383,164	2,139,783	5,435,361		
	Total Revenues	5,277,910	5,302,960	5,320,310	5,043,403	5,435,361		
	Rev Over Exp (Surplus)	-	303,076	(62,854)	2,903,620	(0)		

Library - Exhibit 4: Bloomington Public Library FY16 Return on Investment

Dollar Value of Select Materials, Services, and Programs at the Bloomington Public Library

Books: 702,854 checkouts @ \$20 <i>Based on the estimated average cost of books in the collection</i>	Items Requested from Other Libraries: 6,405 items requested @ \$3 <i>Based on the estimated cost to mail a book</i>	Children's Programs: 13,986 attendees @ \$5 <i>Based on the average cost of a children's activity</i>
Movies: 502,862 checkouts @ \$3.50 <i>Based on the cost of renting a new release at a video store</i>	eMaterials: 67,317 checkouts @ \$13 <i>Based on the average cost of a Kindle book</i>	Teen's Programs 575 teens @ \$5 <i>Based on the average cost of a teen activity</i>
Audio Books/Music: 86,834 checkouts @ \$40 <i>Based on the average cost of audio books/music CDs in the collection</i>	Internet Access (Public Computers & Wireless Access): 181,884 sessions @ \$.67 <i>Based on a monthly residential rate of \$19.99</i>	Adult Programs: 2,300 adults @ \$8 <i>Based on the average cost of an adult activity</i>
Magazines: 15,378 checkouts @ \$4 <i>Based on the average cost of a magazine</i>	Online Databases: 56,733 sessions @ \$20 <i>Estimated value to purchase similar information online</i>	Additional services with no quantitative data for value placement: Research, reference questions, genealogy, homebound delivery, use of technology, fostering connections, and much MORE.
Other Items: 16,877 checkouts @ \$15 <i>Based on the average cost of miscellaneous items, i.e. kits, games, etc.</i>	Meeting Rooms: 1,477 reservations @ \$75 <i>Based on the estimated cost of renting a local meeting room</i>	
\$253,155.00	\$110,775.00	\$18,400.00

GRAND TOTAL: \$21,957,962.28
In fiscal year 2016 (May 2015-April 2016),
Bloomington city residents provided \$4,544,764.95
in real estate taxes in support of the Library.
Users of the Bloomington Public Library
received **over \$21,957,962.28** in
materials, services, and programs.

Community Return on Investment
483%

For every \$1 received, Bloomington Public Library provides
over
\$4.83 in materials, services, and programs!!

STATE OF ILLINOIS)
)ss.
COUNTY OF MCLEAN)

CERTIFICATE

I, Cherry L. Lawson, certify that I am the duly appointed and qualified municipal clerk of the City of Bloomington, County of McLean, Illinois.

I further certify that on the Corporate Authorities of the above municipality passed and approved Ordinance No. 2016-__, entitled, An Ordinance Levying taxes for the City of Bloomington – Library, McLean County, Illinois for the fiscal year beginning May 1, 2016 and ending April 30, 2017 for the City of Bloomington, which provided by its terms that it should be published in pamphlet form.

The pamphlet form of this Ordinance, including the Ordinance and cover sheet thereof, was prepared, and a copy of the Ordinance was posted in the municipal building, commencing on _____ and continuing for at least ten days thereafter. Copies of the Ordinance were also available for public inspection upon request in the office of the municipal clerk.

Dated at Bloomington, Illinois, on _____.

Cherry L. Lawson, C.M.C
City Clerk



REGULAR AGENDA ITEM NO. 8C

FOR COUNCIL: November 14, 2016

SUBJECT: Consideration of an Ordinance approving the proposed *Estimated* 2016 Tax Levy for the City of Bloomington.

RECOMMENDATION/MOTION: that Council approves the Ordinance to adopt the *Estimated* 2016 Property Tax Levy in the amount of \$20,061,265, and authorize the Mayor and City Clerk to execute the necessary documents.

STRATEGIC PLAN LINK: Goal 1. Financially Sound City Providing Quality Basic Services.

STRATEGIC PLAN SIGNIFICANCE: Objective 1c. Engaged residents that are well informed and involved in an open governance process.

BACKGROUND: Ideally, each year the City would adjust its property tax levy in relation to *new* growth in assessed values in order to build capacity into the levy for costs associated with City services used by those new residents or businesses. Approximately \$14M of the preliminary EAV is estimated to be from new residential and commercial construction. Under this assumption the levy should be increased by \$150K, which would not increase the tax rate.

Based on total appreciation of property values in the preliminary EAV, the City can raise its levy by \$545K without increasing the tax rate. This would not only capture new growth but could provide an incremental increase to help sustain existing services, lessening the need to increase the tax rate in the future. Finally, these dollars could be used to add to a critical or underperforming service level, keeping in mind that there is no increase in the tax rate for taxpayers.

Upon reviewing Council priorities, it is evident that improving emergency response time is a high priority. The National Fire Protection Association 1710 is a standard concerning personnel deployment and response times to fires and medical emergencies. The City achieves a NFPA-recommended six minute response time approximately 73% of the time in fire calls, 83% of the time in structure fires and 67% of the time on EMS calls. Moreover, the City's 90% percentile response times are eight minutes for fire and nine for EMS.

Frequently an ambulance from one of the outstations is dispatched to respond into the Headquarters response district. This has a negative impact on response times throughout the community when resources are not available in their primary response district. Based on its location Medic 3 (Empire St.) is often called as closest response to downtown. This adds to the northeast response time when Medic 3 is out of district because Medic 2 will be called in if available, which continues as a ripple effect.

Staff recommends using these funds to add six (6) Firefighter/Paramedics to staff a second ambulance at Fire Headquarters. At this time, no additional ambulance vehicle is needed, only

personnel. Therefore adding the six (6) personnel to staff this ambulance would cost approximately \$88K per firefighter/paramedic, or \$528K per year. Firefighting costs, i.e. academy and turnout gear, would be absorbed in the fire status quo 2018 budget.

Although, it is difficult to project the return on investment (ROI) at this time, adding this additional resource would have an immediate impact on Medic 3 on Empire St., allowing it to stay in its district in the northeast where two new extended care facilities will be opening. This would not cure the needs of the northeast but would mitigate the upcoming increased demand on Medic 3 and improve response times throughout the community.

It is estimated that by increasing the 2016 dollar levy by \$545,000 it would decrease a \$165,000 homeowner's property tax by (\$1.02) and slightly lower the tax rate from the prior year

$$\begin{array}{rcl} \text{2016 Tax formula Estimate} & \$ & 20,061,265 \\ \text{(Preliminary EAV):} & \$ & 1,865,422,518 \end{array} = 1.0754\%$$

Historically, expenditures included in the property tax levy are related to public safety pension and operations (45%), non-public safety pensions (16%) and bond debt service payments (9%).

Tax Levy Procedure:

According to the Illinois Property Tax Code Division 2 Truth in Taxation (35ILCS 200/18-60), the City must formally adopt an *estimated* tax levy not less than 20 days prior to the adoption of the final tax levy. 35ILCS 200/18-85 requires said estimate be compared to the prior year aggregate levy (excluding amounts for bond debt service), and if a 5% increase exists then a public hearing in addition to a public notice must occur.

The final tax levy ordinance must be passed by a vote of the Council and a certified copy, thereof, filed with the County Clerk on or before the last working Tuesday in December, which is December 27, 2017. Therefore, the adoption of the 2016 Tax Levy Ordinance is recommended to be placed on the Council's December 12 meeting agenda. In addition, it is our goal to abate taxes at this same meeting. The City can abate debt service payments needed to keep the bond and interest portion of the levy flat, which has been the practice historically. By bond covenant any debt service payments abated are guaranteed from other revenues sources.

The City adopts its *estimated* tax levy based on a preliminary EAV provided by the Bloomington Township, which is subject to the tax appeals process. The Final EAV is completed by January 1, 2017. The tax rate generated is later applied to individual property owner's tax bills on April 1, 2017, and bills are sent out on May 1 and due in June and September.

COUNCIL COMMITTEE BACKGROUND: N/A

FINANCIAL IMPACT/ANALYSIS: Finance recommends the Council adopt the tax levy estimate of \$20,061,265 which increases the overall levy by \$545,000 to help decrease emergency response times. The tax rate is projected to decrease by -.0019.

Finance has created the attached two exhibits to facilitate Council's decision making process. Exhibit 1 shows the 2016 proposed levy and historical levy information. Exhibit 2 depicts the impact of the \$545,000 increase in levy to a \$165,000 homeowner.

Respectfully submitted for Council consideration.

Prepared by: Carla Murillo, Budget Manager

Reviewed by: Patti-Lynn Silva, Finance Director

Legal review: Jeffrey R. Jurgens, Corporation Counsel

Recommended by:



David A. Hales
City Manager

Attachments:

- Ordinance for Levy
- Exhibit 1 - Estimated Tax Levy Proposals
- Exhibit 2 – Estimated Impact to Homeowners
- 2016 Tax Levy Presentation

Motion: that Council approves the Ordinance to adopt the *Estimated* 2016 Property Tax Levy in the amount of \$20,061,265, and authorize the Mayor and City Clerk to execute the necessary documents.



REGULAR AGENDA ITEM NO. 8C

FOR COUNCIL: November 14, 2016

SUBJECT: Consideration of adopting the proposed 2016 Estimated Tax Levy for the City

RECOMMENDATION/MOTION: that Council makes a motion to adopt the *estimated* 2016 property tax levy in the amount of \$20,061,265.

STRATEGIC PLAN LINK: Goal 1. Financially Sound City Providing Quality Basic Services.

STRATEGIC PLAN SIGNIFICANCE: Objective 1c. Engaged residents that are well informed and involved in an open governance process.

BACKGROUND: Ideally, each year the City would adjust its property tax levy in relation to *new* growth in assessed values in order to build capacity into the levy for costs associated with City services used by those new residents or businesses. Approximately \$14M of the preliminary EAV is estimated to be from new residential and commercial construction. Under this assumption the levy should be increased by \$150K, which would not increase the tax rate.

Based on total appreciation of property values in the preliminary EAV, the City can raise its levy by \$545K without increasing the tax rate. This would not only capture new growth but could provide an incremental increase to help sustain existing services, lessening the need to increase the tax rate in the future. Finally, these dollars could be used to add to a critical or underperforming service level, keeping in mind that there is no increase in the tax rate for taxpayers.

Upon reviewing Council priorities, it is evident that improving emergency response time is a high priority. The National Fire Protection Association 1710 is a standard concerning personnel deployment and response times to fires and medical emergencies. The City achieves a NFPA-recommended six minute response time approximately 73% of the time in fire calls, 83% of the time in structure fires and 67% of the time on EMS calls. Moreover, the City's 90% percentile response times are eight minutes for fire and nine for EMS.

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Staff recommends using these funds to add six (6) Firefighter/Paramedics to staff a second ambulance at Fire Headquarters. At this time, no additional ambulance vehicle is needed, only personnel. Therefore adding the six (6) personnel to staff this ambulance would cost

approximately \$88K per firefighter/paramedic, or \$528K per year. Firefighting costs, i.e. academy and turnout gear, would be absorbed in the fire status quo 2018 budget.

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It is estimated that by increasing the 2016 dollar levy by \$545,000 it would decrease a \$165,000 homeowner's property tax by (\$1.02) and slightly lower the tax rate from the prior year

$$\begin{array}{rcl} \text{2016 Tax formula Estimate} & \$ & 20,061,265 \\ \text{(Preliminary EAV):} & \frac{\$}{\$} & \frac{20,061,265}{1,865,422,518} = 1.0754\% \end{array}$$

Historically, expenditures included in the property tax levy are related to public safety pension and operations (45%), non-public safety pensions (16%) and bond debt service payments (9%).

Tax Levy Procedure:

According to the Illinois Property Tax Code Division 2 Truth in Taxation (35ILCS 200/18-60), the City must formally adopt an *estimated* tax levy not less than 20 days prior to the adoption of the final tax levy. 35ILCS 200/18-85 requires said estimate be compared to the prior year aggregate levy (excluding amounts for bond debt service), and if a 5% increase exists then a public hearing in addition to a public notice must occur.

The final tax levy ordinance must be passed by a vote of the Council and a certified copy, thereof, filed with the County Clerk on or before the last working Tuesday in December, which is December 27, 2017. Therefore, the adoption of the 2016 Tax Levy Ordinance is recommended to be placed on the Council's December 12 meeting agenda. In addition, it is our goal to abate taxes at this same meeting. The City can abate debt service payments needed to keep the bond and interest portion of the levy flat, which has been the practice historically. By bond covenant any debt service payments abated are guaranteed from other revenues sources.

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COUNCIL COMMITTEE BACKGROUND: N/A

FINANCIAL IMPACT/ANALYSIS: Finance recommends the Council adopt the tax levy estimate of \$20,061,265 which increases the overall levy by \$545,000 to help decrease emergency response times. The tax rate is projected to decrease by -.0019.

Finance has created the attached two exhibits to facilitate Council's decision making process. Exhibit 1 shows the 2016 proposed levy and historical levy information. Exhibit 2 depicts the impact of the \$545,000 increase in levy to a \$165,000 homeowner.

Respectfully submitted for Council consideration.

Prepared by: Carla Murillo, Budget Manager

Reviewed by: Patti-Lynn Silva, Finance Director

Legal review:

Recommended by:

David A. Hales
City Manager

Attachments:

Exhibit 1 - Estimated Tax Levy Proposals
Exhibit 2 – Estimated Impact to Homeowners
Ordinance for Levy
2016 Tax Levy Presentation

Motion: that Council makes a motion to adopt the *estimated* 2016 property tax levy in the amount of \$20,061,265.

Motion: _____ Seconded by: _____

	Aye	Nay	Other		Aye	Nay	Other
Alderman Black				Alderman Mwilambwe			
Alderman Buragas				Alderman Painter			
Alderman Fruin				Alderman Sage			
Alderman Hauman				Alderman Schmidt			
Alderman Lower							
				Mayor Renner			

City - Exhibit 1: 2016 Proposed & Historical Tax Levy

Levy Type	2016 Proposed Tax Levy	2015 Adjusted Levy Amount	2014 Adjusted Levy Amount	2013 Adjusted Levy Amount	2012 Adjusted Levy Amount	2011 Adjusted Levy Amount
BONDS & INTEREST	\$ 2,180,143	\$ 2,180,102	\$ 2,180,246	\$ 2,201,965	\$ 2,180,287	\$ 2,180,143
FIRE PENSION	\$ 4,196,000	\$ 4,196,070	\$ 4,196,026	\$ 3,945,921	\$ 2,908,399	\$ 3,111,532
FIRE PROTECTION	\$ 1,900,228	\$ 1,355,272	\$ 1,183,218	\$ 1,183,248	\$ 1,183,161	\$ 1,183,228
GENERAL CORPORATE	\$ 1,287,311	\$ 1,287,155	\$ 1,287,176	\$ 1,287,181	\$ 2,901,176	\$ 2,973,822
IMRF	\$ 2,502,841	\$ 2,502,932	\$ 2,502,893	\$ 2,502,841	\$ 2,502,855	\$ 2,502,907
POLICE PENSION	\$ 4,008,000	\$ 4,008,024	\$ 4,008,040	\$ 3,757,961	\$ 3,181,640	\$ 3,306,847
POLICE PROTECTION	\$ 1,526,473	\$ 1,526,470	\$ 1,354,507	\$ 1,354,473	\$ 1,354,399	\$ 1,354,421
PUBLIC PARKS	\$ 1,001,454	\$ 1,001,282	\$ 1,001,337	\$ 1,001,454	\$ 1,001,353	\$ 1,001,415
SOCIAL SECURITY	\$ 1,458,934	\$ 1,459,077	\$ 1,459,003	\$ 1,458,934	\$ 1,459,044	\$ 1,459,009
TOTALS	\$ 20,061,384	\$ 19,516,384	\$ 19,172,446	\$ 18,693,978	\$ 18,672,314	\$ 19,073,324
Dollar Increase/(Decrease)	\$ 545,000	\$ 343,938	\$ 478,468	\$ 21,664	\$ (401,010)	\$ (160)
Percent Increase/(Decrease)	2.79%	1.79%	2.56%	0.12%	-2.10%	0.00%
Estimated Tax Rate	1.0754%	1.0773%	1.0678%	1.0612%	1.0599%	1.0596%

City - Exhibit 2: 2016 Tax Levy Impact to the Taxpayer

Information Table	
Prior Year Tax Levy	\$19,516,384
Prior Year Tax Rate	1.0773%
Avg Home Value	\$165,000
**2016 Preliminary EAV	\$1,865,422,518

**** The preliminary EAV is subject to change through the tax appeals process.**

Proposed Levy Increase	Revised Levy	New Rate	Avg Home Value	Old Bill	New Bill	Increase/(Decrease)
\$50,000	\$19,566,384	1.0489%	\$165,000	\$593	\$577	(\$15.61)
\$100,000	\$19,616,384	1.0516%	\$165,000	\$593	\$578	(\$14.14)
\$250,000	\$19,766,384	1.0596%	\$165,000	\$593	\$583	(\$9.72)
\$450,000	\$19,966,384	1.0703%	\$165,001	\$593	\$589	(\$3.82)
\$500,000	\$20,016,384	1.0730%	\$165,001	\$593	\$590	(\$2.35)
\$545,000	\$20,061,384	1.0754%	\$165,014	\$593	\$592	(\$1.02)
\$600,000	\$20,116,384	1.0784%	\$165,015	\$593	\$593	\$0.60
\$750,000	\$20,266,384	1.0864%	\$165,016	\$593	\$598	\$5.02
\$1,000,000	\$20,516,384	1.0998%	\$165,017	\$593	\$605	\$12.40

ORDINANCE 2016 - ____

AN ORDINANCE LEVYING TAXES FOR THE CITY OF BLOOMINGTON, MCLEAN COUNTY, ILLINOIS FOR THE FISCAL YEAR BEGINNING MAY 1, 2016 AND ENDING APRIL 30, 2017 FOR THE CITY OF BLOOMINGTON

BE IT ORDAINED BY THE CITY COUNCIL
OF THE CITY OF BLOOMINGTON, ILLINOIS:

Section One. (a) The sum of Twenty-four Million, Sixty-three Thousand and Sixty Six dollars (\$20,061,384) being the total sum of the appropriation heretofore legally made which is to be collected from the tax levy of the fiscal year of the City of Bloomington, McLean County, Illinois, beginning May 1, 2016 and ending April 30, 2017, for all corporate purposes and including General Corporate Purposes, Payment of Bonds and Interest on Bonds, Public Library, Fire Pension Fund, Police Pension Fund, Public Parks Fund, Fire Protection Fund, Police Protection Fund, IMRF Fund, and FICA Taxes Fund as appropriated for the fiscal year beginning May 1, 2016 and ending April 30, 2017 as passed by the City Council of said City at its regular meeting held on the 11th of April, 2016, shall be and the same is hereby levied on all taxable property within the said City of Bloomington, subject to taxation for said current fiscal year. The specific amounts as levied for the various objects heretofore named appear in the right hand column under the designation "Amount to be raised by Taxation", the said tax so levied being for appropriations heretofore made for said tax levy, the current fiscal year which are to be collected from said tax levy, the total amount of which has been ascertained as aforesaid for the objects and purposes as follows:

CITY OF BLOOMINGTON, MCLEAN COUNTY ILLINOIS

(b) The tax rate against the said taxable property of the City of Bloomington for the year 2014 for and on account of the aforesaid tax levy be, and the same is hereby set for said taxable year as follows:

I.	General Corporate Purposes	\$1,287,311
II.	Police Protection Fund	\$1,526,473
III.	Fire Protection Fund	\$1,900,228
IV.	Public Parks	\$1,001,454
V.	Fire Pension Fund	\$4,196,000
VI.	Police Pension Fund	\$4,008,000
VII.	Illinois Municipal Retirement Fund	\$2,502,841
VIII.	FICA Taxes Fund	\$1,458,934
IX.	General Bond and Interest	<u>\$2,180,143</u>
		\$20,061,384

Section Two: The City Clerk shall make and file with the County Clerk of said County of McLean, a duly certified copy of this Ordinance; the amount levied by Section One of this Ordinance is required by said City to be levied by taxation as aforesaid and extended upon the

appropriate tax books for the fiscal year of said City beginning May 1, 2015 and ending April 30, 2016.

Section Three: If any section, subdivision, sentence or clause of this Ordinance for any reason is held invalid or to be unconstitutional, such decision shall not affect the validity of the remaining portion of this Ordinance.

Section Four: Where a rate is shown in the Table in Section 1(b), the County Clerk is directed to levy a tax at that rate without regard to either statutory rate for such levy or the number of dollars shown in that fund. Where no rate is shown in the Table above, the rate of tax for each such fund shall be the rate necessary to collect the number of dollars levied by the City for such fund. The rate at which a tax shall be levied for General Corporate purpose shall be that rate necessary, after rates for all other funds are established, to result in a total levy of \$24,063,066.

Section Five: This Ordinance is enacted pursuant to and as an exercise of the City of Bloomington's authority as a home rule unit pursuant to Article VII, Section 6 of the 1970 Constitution of the State of Illinois. Any and all provisions of the Statutes of the State of Illinois regarding rates of tax are hereby declared to be superseded to the extent that they conflict herewith.

Section Six: This Ordinance shall be in full force and effect from and after its passage, signing, approval, and recording, according to law.

PASSED this 14th day of November, 2016.

APPROVED this ____ day of November, 2016.

CITY OF BLOOMINGTON

ATTEST:

Tari Renner, Mayor

Cherry L. Lawson, City Clerk

APPROVED AS TO FORM

Jeffrey R. Jurgens
Corporation Counsel

TRUTH IN TAXATION CERTIFICATE OF COMPLIANCE
ALL COUNTIES EXCEPT COOK

I, the undersigned, hereby certify that I am the presiding officer of _____

_____, (Legal Name of Taxing District), and as such presiding officer I certify that the levy ordinance, a copy of which is attached, was adopted pursuant to, and in all respects in compliance with the provisions of Section 18-60 through 18-85 of the "Truth in Taxation" law.

Check one of the choices below:

- ☐ 1) The taxing district published a notice in the newspaper and conducted a hearing meeting the requirements of the Truth in Taxation Law.
- ☐ 2) The taxing district's aggregate levy did not exceed a 5% increase over the prior year's extension. Therefore, a notice and a hearing were not necessary.
- ☐ 3) The proposed aggregate levy did not exceed a 5% increase over the prior year's extension. Therefore, a hearing was not held. The adopted aggregate tax levy exceeded 5% of the prior year's extension and a notice was published within 15 days of its adoption in accordance with the Truth in Taxation Law.
- ☐ 4) The adopted levy exceeded the amount stated in the published notice. A second notice was published within 15 days of the adoption in accordance with the Truth in Taxation Law.

Date: _____
Presiding Officer: _____



2016 Property Tax Levy Information

Council Meeting
November 14, 2016

Property Tax & How is it Calculated

Property Tax is a local tax on the value of real property, land, buildings and homes.

- ▶ There are three main components in the Property Tax formula:
 1. The Levy (dollar amount desired)
 2. The Equalized Assessed Value (1 / 3 of market value)
 3. The Tax Rate

Tax formula:	Dollar Levy	=	Tax Rate
	Final EAV		

Bloomington Real Property Owners have 8 Overlapping Taxing Authorities/Districts

1. School District as applicable
2. City of Bloomington
3. Bloomington Public Library
4. McLean County
5. Heartland Community College
6. Bloomington Normal Water Reclamation District
7. Bloomington Normal Airport
8. Bloomington Township

City - Exhibit 1: 2016 Proposed & Historical Tax Levy

<i>Levy Type</i>	<i>2016 Proposed Tax Levy</i>	<i>2015 Adjusted Levy Amount</i>	<i>2014 Adjusted Levy Amount</i>	<i>2013 Adjusted Levy Amount</i>	<i>2012 Adjusted Levy Amount</i>	<i>2011 Adjusted Levy Amount</i>
BONDS & INTEREST	\$ 2,180,143	\$ 2,180,102	\$ 2,180,246	\$ 2,201,965	\$ 2,180,287	\$ 2,180,143
FIRE PENSION	\$ 4,196,000	\$ 4,196,070	\$ 4,196,026	\$ 3,945,921	\$ 2,908,399	\$ 3,111,532
FIRE PROTECTION	\$ 1,900,228	\$ 1,355,272	\$ 1,183,218	\$ 1,183,248	\$ 1,183,161	\$ 1,183,228
GENERAL CORPORATE	\$ 1,287,311	\$ 1,287,155	\$ 1,287,176	\$ 1,287,181	\$ 2,901,176	\$ 2,973,822
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POLICE PENSION	\$ 4,008,000	\$ 4,008,024	\$ 4,008,040	\$ 3,757,961	\$ 3,181,640	\$ 3,306,847
POLICE PROTECTION	\$ 1,526,473	\$ 1,526,470	\$ 1,354,507	\$ 1,354,473	\$ 1,354,399	\$ 1,354,421
PUBLIC PARKS	\$ 1,001,454	\$ 1,001,282	\$ 1,001,337	\$ 1,001,454	\$ 1,001,353	\$ 1,001,415
SOCIAL SECURITY	\$ 1,458,934	\$ 1,459,077	\$ 1,459,003	\$ 1,458,934	\$ 1,459,044	\$ 1,459,009
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Dollar Increase/(Decrease)	\$ 545,000	\$ 343,938	\$ 478,468	\$ 21,664	\$ (401,010)	\$ (160)
Percent Increase/(Decrease)	2.79%	1.79%	2.56%	0.12%	-2.10%	0.00%
Estimated Tax Rate	1.0754%	1.0773%	1.0678%	1.0612%	1.0599%	1.0596%

Library - Exhibit 1: 2016 Proposed & Historical Tax Levy

<i>Levy Type</i>	<i>2016 Proposed Tax Levy</i>	<i>2015 Adjusted Levy Amount</i>	<i>2014 Adjusted Levy Amount</i>	<i>2013 Adjusted Levy Amount</i>	<i>2012 Adjusted Levy Amount</i>	<i>2011 Adjusted Levy Amount</i>
LIBRARY	\$ 4,683,111	\$ 4,546,800	\$ 4,546,682	\$ 4,546,793	\$ 4,513,489	\$ 4,513,477
Dollar Increase/(Decrease)	\$ 136,311	118	(111)	\$ 33,304	\$ 12	\$ 12
Percent Increase/(Decrease)	3.00%	0.00%	0.00%	0.74%	0.00%	0.00%
Estimated Tax Rate	0.2510%	0.2510%	0.2532%	0.2581%	0.2562%	0.2507%

City - Exhibit 2: 2016 Tax Levy Impact to the Taxpayer

Information Table

Prior Year Tax Levy	\$19,516,384
Prior Year Tax Rate	1.0773%
Avg Home Value	\$165,000

**2016 Preliminary EAV \$1,865,422,518 ** The preliminary EAV is subject to change through the tax appeals process.

Proposed Levy Increase	Revised Levy	New Rate	Avg Home Value	Old Bill	New Bill	Increase/(Decrease)
\$50,000	\$19,566,384	1.0489%	\$165,000	\$593	\$577	(\$15.61)
\$100,000	\$19,616,384	1.0516%	\$165,000	\$593	\$578	(\$14.14)
\$250,000	\$19,766,384	1.0596%	\$165,000	\$593	\$583	(\$9.72)
\$450,000	\$19,966,384	1.0703%	\$165,001	\$593	\$589	(\$3.82)
\$500,000	\$20,016,384	1.0730%	\$165,001	\$593	\$590	(\$2.35)
\$545,000	\$20,061,384	1.0754%	\$165,014	\$593	\$592	(\$1.02)
\$600,000	\$20,116,384	1.0784%	\$165,015	\$593	\$593	\$0.60
\$750,000	\$20,266,384	1.0864%	\$165,016	\$593	\$598	\$5.02
\$1,000,000	\$20,516,384	1.0998%	\$165,017	\$593	\$605	\$12.40

Library - Exhibit 2: 2016 Tax Levy Impact to the Taxpayer

Information Table

Prior Year Tax Levy	\$4,546,800
Prior Year Tax Rate	0.2510%
Avg Home Value	\$165,000

****2016 Preliminary EAV \$1,865,422,518 ** The preliminary EAV is subject to change through the tax appeals process.**

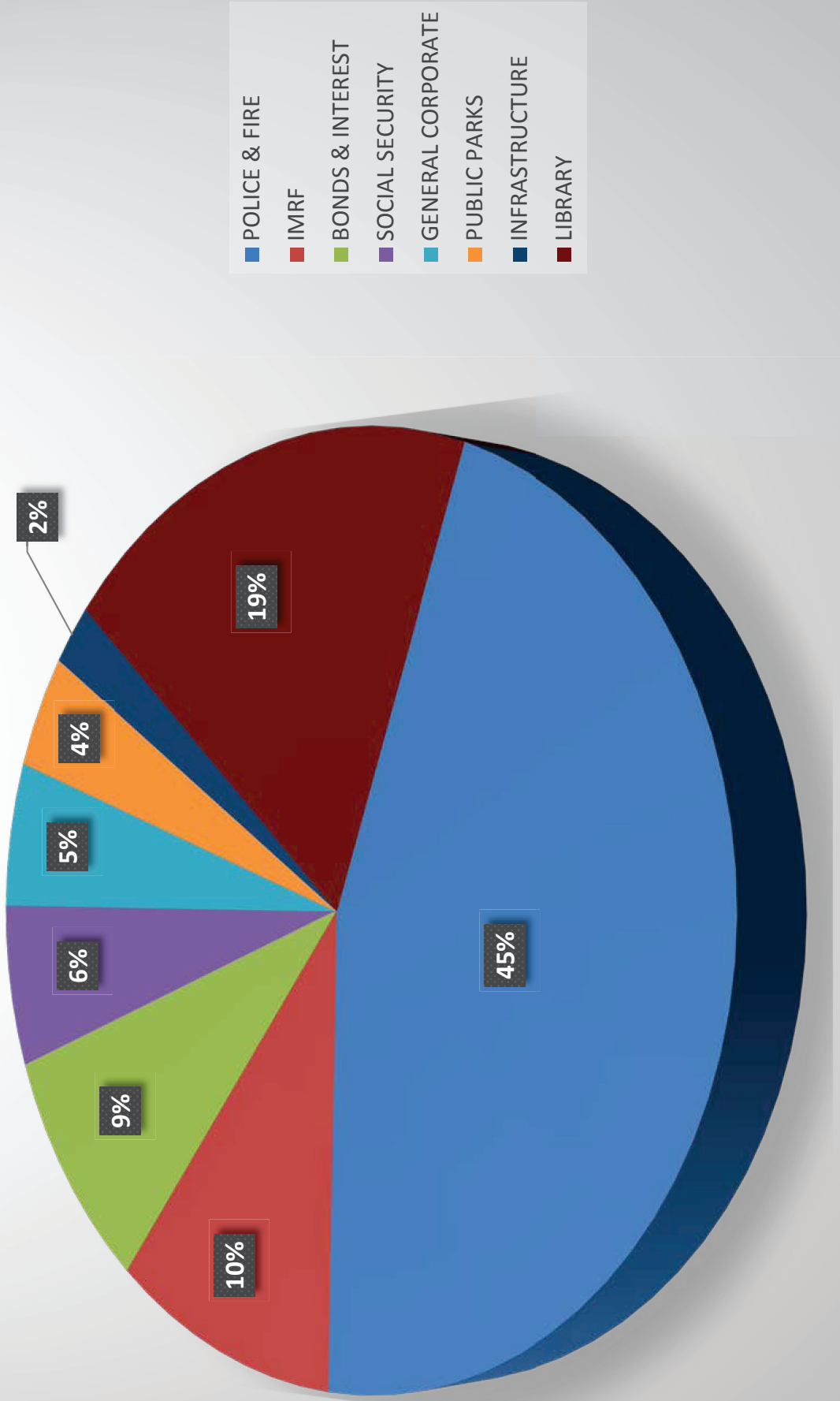
Proposed Levy Increase	Revised Levy	New Rate	Avg Home Value	Old Bill	New Bill	Increase/(Decrease)
\$136,311	\$4,683,111	0.2510%	\$165,000	\$138	\$138	\$0.03

For Every Tax Dollar a Taxpayer Pays in Property Tax



** 2015
Tax Levy Depicted Above

2016 Proposed Tax Levy



City - Direct Tax Rate

Library - Direct Tax Rate

Levy Year	City Tax Rate	% Change	Library Tax Rate	% Change	Total Direct Rate
2008	0.9954	-1.12%	0.2611	-0.49%	1.25651
2009	1.0762	8.11%	0.2547	-0.64%	1.3308
2010	1.0601	-1.49%	0.2509	-0.38%	1.3110
2011	1.0596	-0.05%	0.2507	-0.01%	1.3103
2012	1.0599	0.03%	0.2562	2.18%	1.3161
2013	1.0612	0.12%	0.2581	0.19%	1.3193
2014	1.0678	0.62%	0.2532	-1.89%	1.3210
2015	1.0773	0.89%	0.2510	-0.89%	1.3283
2016**	1.0754	-0.18%	0.2510	0.01%	1.3264

City 2016 rate includes a \$545,000K increase and the Library 2016 rate includes a \$136,311K increase.

Equalized Assessed Value (EAV)

Levy Year	Equalized Assessed Value	% Change
2006	\$1,559,440,896	4.71%
2007	\$1,648,273,644	5.70%
2008	\$1,728,787,894	4.88%
2009	\$1,772,326,819	2.52%
2010	\$1,799,164,559	1.51%
2011	\$1,800,134,282	0.05%
2012	\$1,761,705,365	-2.13%
2013	\$1,768,687,513	0.40%
2014	\$1,795,475,453	1.51%
2015	\$1,811,618,358	0.90%
2016	\$1,865,422,518**	2.97%

** This is the preliminary EAV estimate and subject to change through the tax appeals process.

City – Taxes Levied

Fiscal Year (effected)	Tax Year	Property Tax Levied	% Change
2008	2006	\$19,778,090	4.479%
2009	2007	\$20,976,683	6.060%
2010	2008	\$21,721,837	3.552%
2011	2009	\$23,586,675	8.585%
2012	2010	\$23,586,905	0.001%
2013	2011	\$23,592,905	0.025%
2014	2012	\$23,185,833	-1.725%
2015	2013	\$23,219,066	0.143%
2016	2014	\$23,719,066	2.153%
2017	2015	\$24,063,066	1.450%
2018	2016	\$24,608,066	2.265%

Library – Taxes Levied

Fiscal Year (effected)	Tax Year	Property Tax Levied	% Change
2008	2006	\$ 4,225,929	4.479%
2009	2007	\$ 4,384,573	3.754%
2010	2008	\$ 4,513,519	2.941%
2011	2009	\$ 4,513,585	0.001%
2012	2010	\$ 4,513,564	0.000%
2013	2011	\$ 4,513,477	-0.002%
2014	2012	\$ 4,513,489	0.000%
2015	2013	\$ 4,546,793	0.738%
2016	2014	\$ 4,546,682	-0.002%
2017	2015	\$ 4,546,800	0.003%
2018	2016	\$ 4,683,111	2.998%

2016 City & Library Tax Levy/FY18 Budget Proposed Timeline

1. November 14, 2016 – Present Estimated City & Library Tax Levy
2. December 12, 2016 – Adopt Final City & Library Tax Levy Ordinance
3. December 19th, 2016 – If Needed – Adoption of Tax Levy
4. December 27th, 2016 – Last day to file City & Library tax levy documents with County Clerk
5. February 13th, 2017 – Distribution of Proposed FY2018 Budget
6. March 11th, 2017 – Saturday, Budget Workshop with CC
7. March 27th, 2017 – FY 2018 Proposed Budget Public Hearing
8. April 10th, 2017 – Proposed Adoption of the FY2018 Budget
9. April 24th, 2017 – Backup Adoption of the FY2018 Budget

**February 13, 2017 through April 10, 2017 leaves a full eight weeks for public engagement and review of the proposed budget.

Appendix

Supplemental information includes:

- Definitions of Key Terms
- Key Dates in the Property Tax & Levy Cycle
- Historical Trend of Full Value

Definitions of Key Terms

- ▶ **Property Tax:** The local tax on the value of real property, land, buildings and homes.
- ▶ **Assess:** To place a value on property for tax purposes. Steven Scudder is the Township assessor.
- ▶ **Equalized Assessed Valuation (EAV):** The assessed valuation multiplied by the equalization factor.
- ▶ **Equalization Factor:** A factor determined by the Illinois Department of Revenue each year to ensure an equal assessment among all 102 counties in the state. State statute requires that the aggregate value of assessments within each county must be equalized at 33 1/3% of the estimated fair market value of real property in the county. This factor is also known as the "multiplier."
- ▶ **Tax Levy:** The dollar amount in real estate taxes adopted by each taxing body.
- ▶ **Tax Rate:** The tax levy (i.e. dollar amount) divided by the total equalized assessed valuation. This figure is compiled by the McLean County Clerk and applied to the equalized assessed valuation to determine the amount paid in property taxes.
- ▶ ***State of Illinois Statute – (35 ILCS 200/) Property Tax Code.***

Property Assessment & Levy Cycle – need to verify these dates

County/Township Tax Cycle	Performed by	Fiscal Year
January 1 st , 2016 Real Property Assessed	Township Assessor	2016
September 30 th , 2016 <i>Preliminary</i> EAV Determined	Township Assessor	2017
December 31 st , 2016 Assessments Finalized	Township Assessor	2017
January 1 st , 2017 EAV Final Determination	County Assessor	2017
April 1 st , 2017 Tax Rate Applied and Levy Extended	County Clerk	2017
May 1 st , 2017 Tax Bills Sent	County Treasurer	2018
June 1 st , 2017 First tax payment due	County Treasurer	2018
September 1 st , 2017 Second tax payment due	County Treasurer	2018

Full Assessed Value

Levy Year	Fully Assessed Value	% Change year over year
2006	\$ 4,678,322,688	4.71%
2007	\$ 4,944,820,932	5.70%
2008	\$ 5,186,363,682	4.88%
2009	\$ 5,316,980,457	2.52%
2010	\$ 5,397,493,677	1.51%
2011	\$ 5,400,402,846	0.05%
2012	\$ 5,285,116,095	-2.13%
2013	\$ 5,306,062,539	0.40%
2014	\$ 5,386,426,359	1.51%
2015	\$ 5,434,855,074	0.90%
2016	\$ 5,596,267,554	2.97%

** This is the preliminary EAV estimate and subject to change through the tax appeals process.

CITY OF
Bloomington **ILLINOIS**
REGULAR AGENDA ITEM NO. 8D

FOR COUNCIL: November 14, 2016

SUBJECT: Consideration of approving a Professional Services Contract with the BKV Group for Professional Architectural Services to design an elevator to comply with the Americans with Disabilities Act (ADA) at the Coliseum, (RFQ 2016-04).

RECOMMENDATION/MOTION: That the Professional Services Contract with the BKV Group for Professional Architectural Services to design an elevator to comply with the Americans with Disabilities Act (ADA) at the Coliseum in the amount of \$120,270.00 be approved, and authorize the City Manager and City Clerk to execute the necessary documents.

STRATEGIC PLAN LINK: Goal 2. Upgrade City Infrastructure & Facilities.

STRATEGIC PLAN SIGNIFICANCE: Objective 2d. Well-designed, well maintained City facilities emphasizing productivity and customer service.

BACKGROUND: The City is undergoing work at the Coliseum to address various Americans with Disabilities Act (ADA) issues. Specifically, architectural design services are needed for an elevator on the south side of the Coliseum. The Illinois Attorney General ADA deficiency notification is attached and restated below.

At least one accessible route shall connect each story and mezzanine in multistory buildings and facilities. IAC § 400.310(a)(7); Standards §206.2.3. Current route is not compliant with the IAC and ADA as discussed in previous meetings.

The Coliseum was planned, designed and constructed primarily as a hockey and other sports venue. As such, security and access restrictions in the facility was not a major consideration and the general public was expected to have open access to the hallways adjacent to locker rooms and dressing rooms. Since the facility opened, the venue has become increasingly used for concerts, shows and other entertainment events. The artists at these type of events require security and restricted access to many areas including hallways adjacent to the dressing rooms. When these restrictions are imposed, access to the existing elevators in the facility is closed and the general public must use stairways to move between the levels of the building. In the past, individuals with disabilities were either escorted through the restricted access areas or ask to exist the building and enter through an adjacent door to gain access to an elevator. Neither of these options complies with the ADA regulations. Construction of the proposed elevator is the most viable option to bring the facility into compliance with the ADA requirements and the Illinois Attorney General has directed the City to submit a plan which addresses this issue by July 11, 2017. Executing this agreement for Professional Architectural Services is necessary in order to meet this deadline.

At the March 14, 2016 Meeting, Council adopted resolution 2016-10 (A Resolution Establishing the Firms in General Architectural, Engineering and Land Surveying that are Deemed to be the

Most Qualified to Perform Services to the City for a Three-Year Period, with the Option for Requalification for Two Additional One-Year Periods). The BKV Group was listed as one of the most qualified firms in the Architectural category, which is a key service of this project as described above.

Based on the BKV Group's selection under RFQ 2016-04 and their prior history with similar projects, their firm was asked to submit a proposal for this project. For this specific project, as outlined above, the BKV Group was deemed to be the most qualified and best fit for the work out of the pre-qualified firms.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: The Request for Qualifications was advertised in The Pantagraph on December 4, 2015. Interviews were held in the Public Works Conference Room on February 10, 12 & 17, 2016. This issue has also been discussed with the Illinois Attorney General's Office, VenuWorks and the Bloomington Thunder Hockey.

FINANCIAL IMPACT: This is an emergency and mandated expense that is not in the budget. This expense will be charged to the City Coliseum – Other Professional & Technical Services account (57107110-70220). It is possible that the rollup groups will be able to cover the additional cost but if needed, a budget amendment will be processed in the future.

Respectfully submitted for Council consideration.

Prepared by: Russel Waller, Facilities Manager

Reviewed by: Steve Rasmussen, Assistant City Manager

Financial & Budgetary review by: Chris Tomerlin, Budget Analyst
Carla A. Murillo, Budget Manager

Legal review by: Jeffrey R. Jurgens, Corporation Counsel

Recommended by:



David A. Hales City Manager

Attachments:

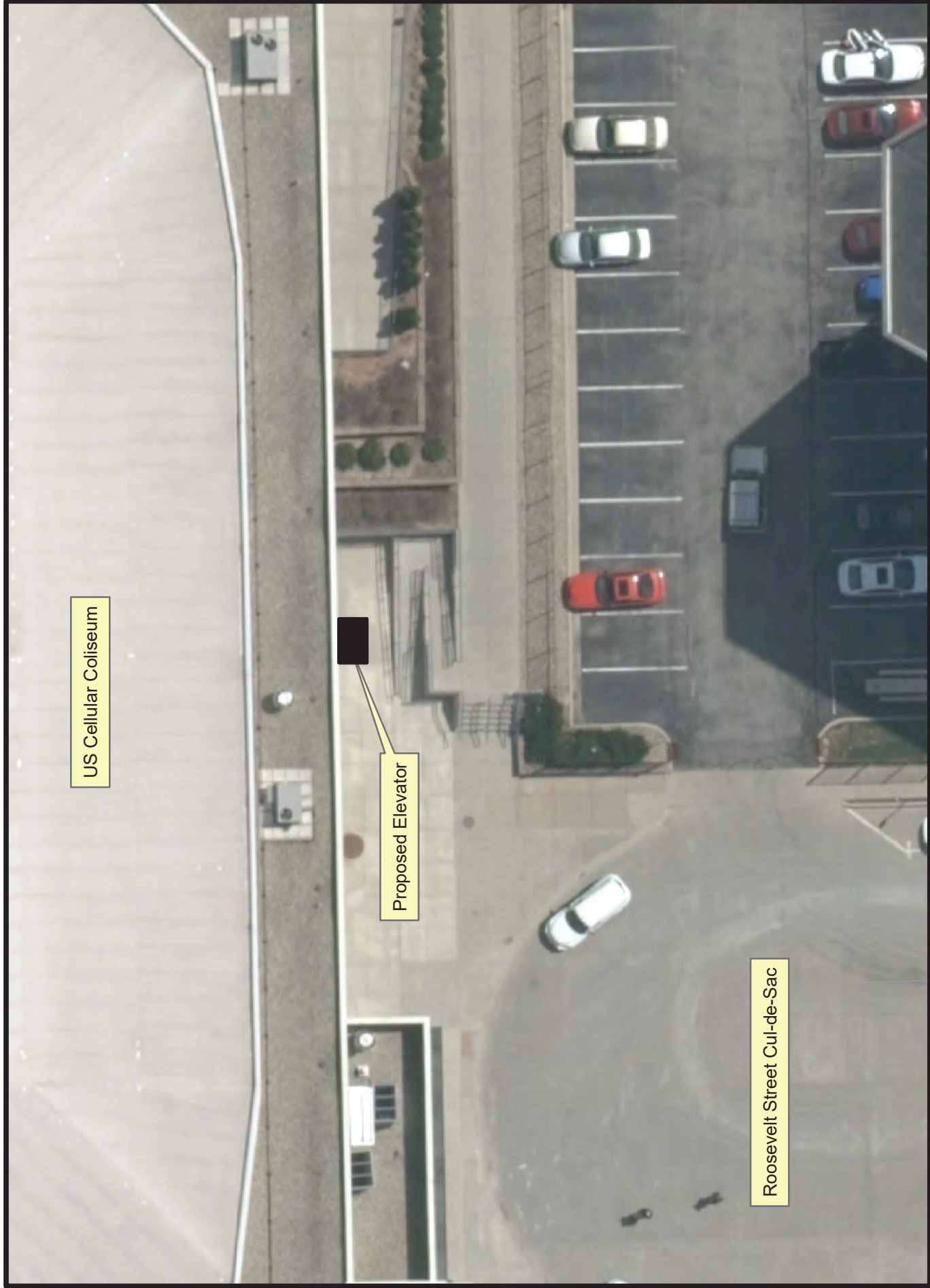
- ADA Elevator Map
- Illinois Attorney General ADA Deficiency Notification
- Architectural Services Proposal from the BKV Group
- Professional Services Agreement with the BKV Group
- Existing ADA Patron Plan

Motion: That the Professional Services Contract with the BKV Group for Professional Architectural Services to design an elevator to comply with the Americans with Disabilities Act (ADA) at the Coliseum in the amount of \$120,270.00 be approved, and authorize the City Manager and City Clerk to execute the necessary documents.

Motion: _____ Seconded by: _____

	Aye	Nay	Other		Aye	Nay	Other
Alderman Black				Alderman Mwilambwe			
Alderman Buragas				Alderman Painter			
Alderman Fruin				Alderman Sage			
Alderman Hauman				Alderman Schmidt			
Alderman Lower							
				Mayor Renner			

US CELLULAR COLISEUM ACCESSIBILITY ISSUE



**US Cellular Coliseum
101 South Madison Street
Bloomington, IL 61701**

ELEVATOR ADA ISSUE

At least one accessible route shall connect each story and mezzanine in multistory buildings and facilities.
IAC § 400.310(a)(7); Standards §206.2.3.

- Current route is not compliant with the IAC and ADA as discussed in previous meetings.



Architecture
Interior Design
Landscape Architecture
Engineering

**Boarman
Kroos
Vogel
Group
Inc.**

343 South Dearborn Street
Suite 203, Chicago, IL 60604
Telephone: 312.279.0470
www.bkvgroup.com
EQE

October 18, 2016

City of Bloomington
115 E. Washington St.
PO Box 3157
Bloomington, Illinois 61702

Attention: Russ Waller, Facilities Manager

RE: Professional Services Proposal for Coliseum Elevator Addition

Dear Mr. Waller:

On behalf of BKV Group, thank you for the opportunity to provide the City of Bloomington a fee and schedule proposal for the Coliseum Elevator Addition. Outlined below is a scope, fee, and schedule proposal based on your Scoping Document and our on-site meeting and tour.

BKV Group will be responsible for overall project management, and will provide Architecture, Interior Design, Structural Engineering, Mechanical/ Plumbing Engineering, and Electrical/ Communications Engineering with our in-house staff. Our cost estimating, code review, quality assurance, and construction administration tasks will also be completed in-house. We will contract with consultants to perform other services. Civil Engineering and Land Surveying will be provided by Farnsworth Group. Geotechnical Engineering will be provided by Ramsey Geotechnical Engineering.

SCOPE OF WORK

The Scope of Work is a small building addition on the south side of the existing US Cellular Coliseum to house a three-stop elevator. The goal of the project is to provide accessibility from the concourse level to the event level during concerts and other similar events.

SCOPE OF SERVICES

Design – Carefully document existing conditions, including on-site measurements by our team of architects and engineers and a land survey of the vicinity. Provide soil borings and a geotechnical report. Prepare conceptual plan and elevation options and review with City staff via online meeting platform. Provide non-rendered 3D views of exterior to convey overall appearance. Provide 30% deliverable to City (including Architectural plans and elevations; Structural, Mechanical, and Electrical narratives; cost estimate; and project schedule). Formally respond to any comments received. Present to City Council for feedback. Submit project information to Illinois Attorney General for review and acceptance.

Documentation – Prepare detailed Construction Documents typical of building construction projects. Meet with City staff via online meeting platform to review progress and discuss building systems. Provide 60% and 100% deliverables to City (including plans, details, schedules, and specifications for Civil, Architectural, Structural, Mechanical, and Electrical disciplines; updated cost estimate; and updated project schedule). Formally respond to any comments received. Obtain final approval to release for bid.

Bidding/ Permitting – Assist with advertisement for bid, conduct pre-bid meeting, respond to contractor questions and substitution requests, prepare and release addenda as necessary, assist with evaluation of bidders and the preparation of a recommended award letter. Submit final construction documents to City for permit approval, respond to any comments and resubmit documents.

Construction Administration – Construction layout and staking. Attend bi-weekly Owner-Architect-Contractor meetings, observe the construction for compliance with design intent only, review the Contractor's redline set, and prepare Field Reports. Review and certify Contractor's Pay Applications and Lien Waivers. Review and respond to Submittals, Shop Drawings, and Requests for Information. Prepare Architect's Supplemental Instructions, Proposal Requests, and/or Change Orders if necessary. Conduct a punch list walkthrough and prepare Certificate of Substantial Completion. Conduct a final walkthrough and review Operations and Maintenance information, including Warranties. Prepare Record Documents for the City. Participate in 11-month walkthrough if desired.

Excluded Tasks – Specifically excluded are photo-realistic renderings, full measurement and documentation of the entire existing building for inclusion into the Revit model, attendance at neighborhood meetings, submission to sustainability rating systems, and commissioning activities.

COMPENSATION

Design	\$ 26,800
Documentation	\$ 32,900
Bidding/ Permitting	\$ 6,200
Construction Administration	\$ 32,700
SUBTOTAL	\$ 98,600
Civil Engineering	\$ 7,910
Land Surveying and Construction Staking	\$ 3,860
Geotechnical Engineering	\$ 1,900
Reimbursable Expenses *	\$ 8,000
TOTAL	\$ 120,270

* Expenses to cover the costs of printing, vehicular travel, long-distance phone charges, shipping, etc. will be submitted for reimbursement. This budget is an estimate only and BKV Group will invoice only for expenses incurred with no mark ups.

SCHEDULE

Our fee proposal is based upon 3 months to complete the design, 3 months to complete the documentation, 2 months for bidding/permitting, and 20 weeks for construction. Reductions to the design and documentation timeframes or extension of the construction administration schedule may result in a request for Additional Services. We understand that there may be delays between phases for City or State review processes, and these delays between phases will not affect our fee proposal. At the start of the project one of our first tasks will be to meet with the City to discuss project timing, milestone dates, meeting dates and overall schedule. We do not anticipate any difficulty meeting the deadlines imposed by the Illinois Attorney General.

PAYMENT TERMS AND CONDITIONS

Monthly Invoices – Services will be invoiced monthly as a percentage of work completed. Invoices are dated the 25th of each month. Payments are to be made 60 days after receipt. Payments later than 60 days may be subject to interest charges at current prime rate plus 2%.

Additional Services – Work falling outside the outlined Scope of Services and agreed upon by the Owner and BKV Group will be considered “Additional Services” and shall be compensated using the hourly billing rates for the various technical levels. No work will be considered an Additional Service unless requested and approved, in writing, by the client or their representative.

Use of the Architect's Instruments of Service – Drawings, specifications and other documents, including those in electronic form, prepared by the architect and the architect's consultants are Instruments of Service for use solely with respect to this project and are not transferable to others without the architect's written consent. The architect and the architect's consultants shall be deemed the authors and owners of their respective Instruments of Service and shall retain all common law, statutory and other reserved rights, including copyrights.

Dispute Resolution – Any claim, dispute or other matter in question arising out of or related to this agreement shall be subject to mediation as a condition precedent to the institution of legal or equitable proceedings by either party. If such matter relates to or is the subject of a lien arising out of the architect's services, the architect may proceed in accordance with applicable law to comply with the lien notice or filing deadlines prior to resolution of the matter by mediation.

Project Termination – Should the project be terminated at any time by the Owner prior to completion of any phase, the architect will be compensated for any work completed up to the date of project termination.

INDICATION OF APPROVAL

If the proposal is acceptable please sign below as your approval and acknowledgment to proceed with the work described above. Upon receiving an approved copy we will make arrangements with you to immediately begin the process. If desired by the City we can

also execute the AIA document B201 – 2009 or the Bloomington Standard Professional Services Contract.

David Hales, City Manager

Date

Thank you again for the opportunity to provide this proposal. We look forward to helping create a solution that will serve the City well. Please feel free to contact Bruce at your convenience should you have any questions about this proposal.

Sincerely,

BKV Group, Inc.



Bruce Schwartzman, AIA
Partner



Craig Carter, AIA
Senior Associate

Cc: Lois Nicolas, BKV Group; Emily Rappe, BKV Group; file

**CITY OF BLOOMINGTON CONTRACT WITH
BKV GROUP
FOR PROFESSIONAL SERVICES FOR
COLISEUM ELEVATOR DESIGN**

THIS AGREEMENT, dated this 14th day of November, 2016, is between the City of Bloomington (hereinafter "CITY") and BKV GROUP (hereinafter "CONTRACTOR").

NOW THEREFORE, the parties agree as follows:

Section 1. Recitals. The recitals set forth above are incorporated into this Section 1 as if specifically stated herein.

Section 2. Description of Services. CONTRACTOR shall provide the services/work identified on Exhibit A.

Section 3. Payment. For the work performed by CONTRACTOR under this Contract, the CITY shall pay CONTRACTOR one of the following:

- ☐ A flat fee of \$_____ as set forth in the payment terms attached as Exhibit B.
- ☒ Fees as set forth in the Payment Terms attached as Exhibit B.

Section 4. Default and Termination. Either party shall be in default if it fails to perform all or any part of this Contract. If either party is in default, the other party may terminate this Contract upon giving written notice of such termination to the party in default. Such notice shall be in writing and provided thirty (30) days prior to termination. The non-defaulting party shall be entitled to all remedies, whether in law or equity, upon the default or a violation of this Contract. In addition, the prevailing party shall be entitled to reimbursement of attorney's fees and court costs.

Section 5. Reuse of Documents. All documents including reports, drawings, specifications, and electronic media furnished by CONTRACTOR pursuant to this Contract are instruments of CONTRACTOR'S services. Nothing herein, however, shall limit the CITY'S right to use the documents for municipal purposes, including but not limited to the CITY'S right to use the documents in an unencumbered manner for purposes of remediation, remodeling and/or construction. CONTRACTOR further acknowledges any such documents may be subject to release under the Illinois Freedom of Information Act.

Section 6. Standard of Care. Services performed by CONTRACTOR under this Agreement will be conducted in a manner consistent with that level of care and skill ordinarily exercised by members of the profession currently practicing under similar conditions.

Section 7. Indemnification. To the fullest extent permitted by law, CONTRACTOR shall indemnify and hold harmless CITY, its officers, officials, agents and employees from and against liability arising out of CONTRACTOR'S negligent acts, errors, or omissions in performance of services under this Contract. This indemnification shall extend to claims occurring after this Contract is terminated as well as while it is in force.

Section 8. Insurance Requirements. CONTRACTOR shall maintain an errors and omissions policy in the amount of \$2,000,000.00 and shall further maintain general liability insurance for bodily injury and property damage arising directly from its negligent acts or omissions, with general limits not less than \$2,000,000.00. Certificates of insurance shall be provided to CITY and CITY shall be named as an additional insured under the policy.

Section 9. Representations of Vendor. CONTRACTOR hereby represents it is legally able to perform the work that is subject to this Contract.

Section 10. Assignment. Neither party may assign this Contract, or the proceeds thereof, without written consent of the other party.

Section 11. Compliance with Laws. CONTRACTOR agrees that any and all work by CONTRACTOR shall at all times comply with all laws, ordinances, statutes and governmental rules, regulations and codes.

Section 12. Compliance with FOIA Requirements. CONTRACTOR further explicitly agrees to furnish all records related to this Contract and any documentation related to CITY required under an Illinois Freedom of Information Act (ILCS 140/1 et. seq.) ("FOIA") request within five (5) business days after CITY issues notice of such request to CONTRACTOR. CONTRACTOR agrees to not apply any costs or charge any fees to the CITY regarding the procurement of records required pursuant to a FOIA request. CONTRACTOR shall be responsible for any damages/penalties assessed to CITY for CONTRACTOR'S failure to furnish all documentation in CONTRACTOR'S possession responsive and related to a request within five (5) days after CITY issues a notice of a request.

Section 13. Governing Law. This Agreement shall be governed by and interpreted pursuant to the laws of the State of Illinois.

Section 14. Joint Drafting. The parties expressly agree that this agreement was jointly drafted, and that both had opportunity to negotiate its terms and to obtain the assistance of counsel in reviewing its terms prior to execution. Therefore, this agreement shall be construed neither against nor in favor of either party, but shall be construed in a neutral manner.

Section 15. Attorney Fees. In the event that any action is filed by a party in relation to this contract and the party prevails in court and obtains a court order or judgment as a result of said litigation, the non-prevailing party in the action shall pay to the prevailing party, in addition to the sums that either party may be called on to pay, a reasonable sum for the prevailing party's attorneys' fees and court costs (including expert witness fees).

Section 16. Paragraph Headings. The titles to the paragraphs of this agreement are solely for the convenience of the parties and shall not be used to explain, modify, simplify, or aid in the interpretation of the provisions of this agreement.

Section 17. Term. The term of this Contract shall be:



Until all of the services and/or deliverables required to provided within this Contract are completed.



From one (1) year from the date of execution.



From two (2) years from the date of execution.



Other:_____

The Contract shall also be subject to the following renewal terms, if any:_____

Notwithstanding anything herein, the provisions in Sections 7 and 12 shall survive termination.

Section 18. Counterparts. This agreement may be executed in any number of counterparts, each of which shall be deemed to be an original, but all of which together shall constitute the same instrument.

CITY OF BLOOMINGTON

BKV GROUP

By: _____

Its City Manager

By: _____

Its_____

ATTEST:

By: _____

City Clerk

By: _____

Its_____

EXHIBIT A
SCOPE OF SERVICES / WORK PROVIDED

See attached October 18, 2016 Proposal from BKV Group.

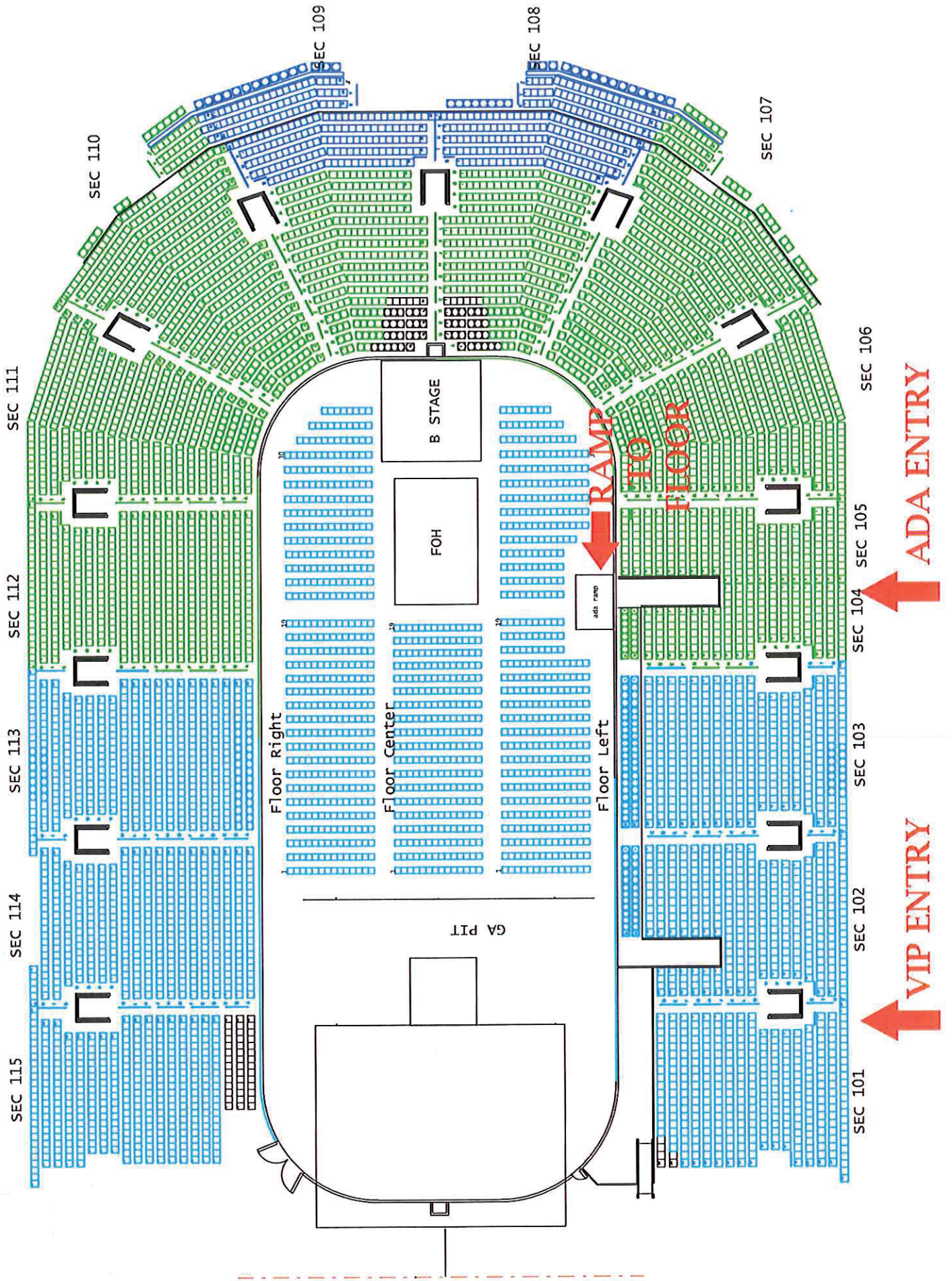
EXHIBIT B
PAYMENT TERMS

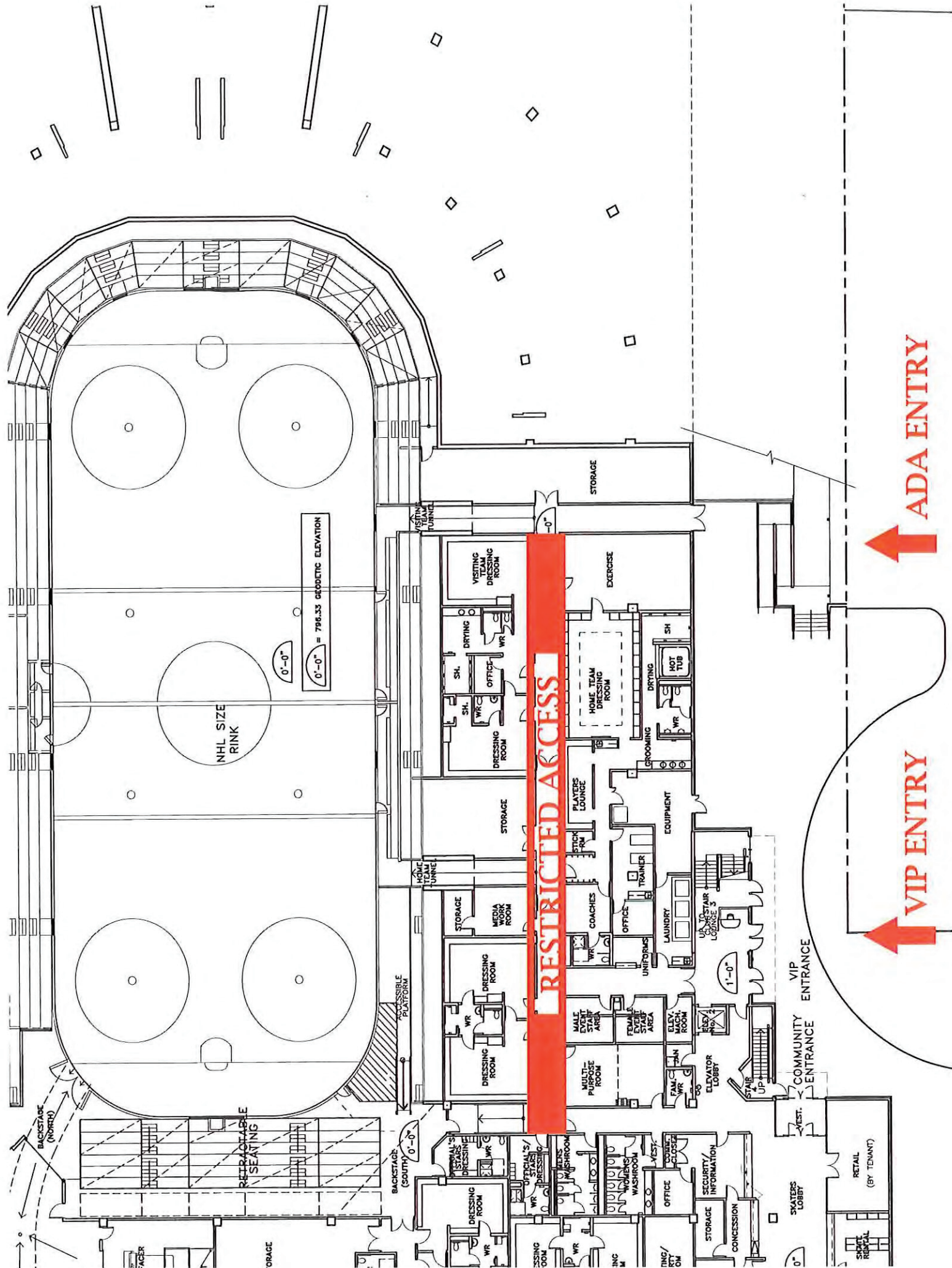
See attached October 18, 2016 Proposal from BKV Group.

Our ADA patrons are directed to enter at the VIP entry off the circle drive. From there they are scanned in and take the elevator to either the concourse or suite levels. Should they require assistance an usher is dispatched to assist them.

If their tickets are floor level, they are escorted to our floor level ADA entry. This door takes patrons directly to or from the event floor. When an ADA patron needs to go to the concourse level from the floor for concessions, merchandise, or restrooms they are escorted outside to the VIP entry, and directed to the elevator to reach the concourse.

When they return to the entry, they are again escorted outside, from the VIP entry to the ADA entry where they can return to the floor.





CITY OF
Bloomington
ILLINOIS

CONSENT AGENDA ITEM NO. 8E

FOR COUNCIL: November 14, 2016

SUBJECT: Consideration of approving the purchase of 2- 2018 International Navistar 4300LP Horton Type MED, Model 623 Type I Ambulances.

RECOMMENDATION/MOTION: That Council approves the purchase of two (2) – 2018 International Navistar 4300LP Horton Type MED, Model 623 Type I ambulances from Foster Coach of Sterling, IL through the Suburban Purchasing Cooperative for the amount of \$523,746.00, and authorizes City Manager and City Clerk be authorized to execute the necessary documents.

STRATEGIC PLAN LINK: Goal #1 – Financially Sound City Providing Quality Basic Services.

STRATEGIC PLAN SIGNIFICANCE:

Objective A – Budget with adequate resources to support defined services and level of service.

Objective D – City services delivered in the most cost effective and efficient manner.

BACKGROUND: The City Council authorized the purchase of a replacement ambulance as part of the Fiscal Year 2017 budget approved May, 2016. At that time the Fire Department had planned on the replacement of a 2006 Ford E450 Wheeled Coach ambulance. However, since that time the Department's 2008 Ford E450 Wheeled Coach ambulance has suffered a major engine breakdown. Fleet Services has evaluated this unit and determined that the cost of repair outweighs the actual cost of the vehicle itself. This ambulance is out of service and has been removed from the fleet. This caused the Department's ready reserve unit (2006 Ford E450) to be pressed into service. It was the Fire Department's plan to request the 2008 unit be replaced in FY2019. Both of the Ford ambulances are powered by 6.4L diesel engines that have proved to be unreliable and prone to catastrophic failure.

The Council originally approved FY2017 vehicle capital lease for the Fire Department including one (1) ambulance (\$238,000) and two (2) fire apparatus (\$721,000/unit- \$1,442,000). Per the City Manager's approval, the Fire Department is requesting that the Council approve an amended plan to purchase: two (2) ambulances (\$261,873/unit- \$523,746.00), and one (1) fire apparatus (\$721,000). This would constitute a saving of \$523,746.

Pending Council approval the ambulances will be purchased from Foster Coach, Inc. through the Suburban Purchasing Cooperative (SPC). The SPC is a joint purchasing program sponsored by the Northwest Municipal Conference (NWMC), DuPage Mayors & Managers Conference (DMMC), South Suburban Mayors and Managers Association (SSMMA), and Will County Governmental League (WCGL). SPC exemplifies the benefits of intergovernmental cooperation on a regional basis. SPC is a competitive bidding process and awarded Foster Coach the original contract in January, 2013 and extended it through October, 2017. Utilizing SPC, we avoid the needless duplication of effort through in-house coordination of several function involved in the

procurement process. As a home rule community, the City Code allows for participation in this joint purchasing group. The City has made numerous purchases through SPC.

The ambulances mentioned above (2006 and 2008 Ford E450 Wheeled Coach) obtained by the City for use by the Bloomington Fire Department need to be declared surplus and disposed. The assets are being replaced by two (2) 2018 International Horton Type I ambulances. The units being replaced, has outlived their useful life and needed to be replaced. Removal of the above referenced property from the City's "inventory will be coordinated with the Finance Department. In accordance Chapter 16, Section 57 of the City Code (revised) the vehicles being replaced are not presently needed nor are they needed in the future. The units will be offered for sale by public auction. A negotiated sale of the units is requested should the units fail to sell at auction.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:

There were no other vendors contacted.

FINANCIAL IMPACT: These replacement units are budgeted in the City's FY 2017 Budget under Capital Lease – Capital Outlay Licensed Vehicles (40110135-72130). Stakeholders can locate this in the FY 2017 Budget Book titled "Other Funds & Capital Improvement Program" on pages 92 and 95.

FUTURE OPERATIONAL COST ASSOCIATED WITH NEW FACILITY CONSTRUCTION:

Respectfully submitted for Council consideration.

Prepared by: Eric Vaughn, Deputy Chief of Administration

Reviewed by: Brian Mohr, Fire Chief

Financial & budgetary review by: Chris Tomerlin, Budget Analyst
Carla A. Murillo, Budget Manager

Legal review by: Jeffrey R. Jurgens, Corporation Counsel

Recommended by:



David A. Hales
City Manager

Attachments:

- Foster Coach Quote 2018 BLOOMINGTON 623
 - SPC Foster Coach Extension Letter dated 11-12-2015
 - Ford E450 Wheeled Coach Ambulances
-

Motion: That Council approves the purchase two (2) – 2018 International Navistar 4300LP Horton Type MED, Model 623 Type I ambulances from Foster Coach of Sterling, IL through the Suburban Purchasing Cooperative for the amount of \$523,746.00, and authorizes City Manager and City Clerk be authorized to execute the necessary documents.

Motion: _____ Seconded by: _____

	Aye	Nay	Other		Aye	Nay	Other
Alderman Black				Alderman Mwilambwe			
Alderman Buragas				Alderman Painter			
Alderman Fruin				Alderman Sage			
Alderman Hauman				Alderman Schmidt			
Alderman Lower							
				Mayor Renner			

FOSTER COACH SALES, INC.

903 Prosperity Drive P.O. Box 700
Sterling, Illinois 61081

AF00871

Phone: (815) 625-3276

(800) 369-4215

Fax: (815) 625-7222

Web site: <http://www.fostercoach.com/>**QUOTATION**

TO: CITY OF BLOOMINGTON
109 EAST OLIVE STREET
PO BOX 3157
BLOOMINGTON, IL 61702-3157

DATE: 10/26/16

ATTN: CHIEFR VAUGHN

REFERENCE: NEW AMBULANCES

We are pleased to submit the following quotation in accordance with your request and subject to the Terms and Conditions listed below and on the reverse side hereof.

QTY.	DESCRIPTION	EACH	NET PRICE
2	2018 INTERNATIONAL 4300LP CUSTOM BUILT ON A HORTON 623 (177") ALL ALUMINUM CONVERSION PER SPECIFICATION. NOTE: HORTON WILL PAY 3%% ANNUALIZED INTEREST ON ANY PRE-PAYMNETS MADE DURING THE BUILD PROCESS. THE INTEREST WILL ACCRUE FROM THE TIME THE MONEY IS RECEIVED UNTIL THE UNIT IS COMPLETED AT THE PLANT.	\$ 261,873.00	\$ 523,746.00
ACCEPTED BY: _____		Total	\$ 523,746.00
TITLE: _____ Date: _____			

ESTIMATED DELIVERY:
275 AFTER RECEIPT CHASSIS & APPROVED ORDER

PROPOSED BY: _____
[ANDREW FOSTER, VICE PRESIDENT](#)



A Joint Purchasing Program For Local Government Agencies

November 12, 2015

Mr. Steve Foster
President
Foster Coach Sales, Inc.
PO Box 700, 903 Prosperity Drive
Sterling, IL 61081

Dear Mr. Foster,

This letter is to inform you that the Governing Board of the Suburban Purchasing Cooperative has agreed to award the third and final contract extension of the SPC 2016 Type I Additional Duty Ambulance Contract #133 to Foster Coach Sales Inc. /Horton Emergency Vehicles from January 21, 2016 through October 1, 2017. The Governing Board also agrees to grant Foster Coach a price increase as follows:

<u>CHASSIS</u>	<u>2015 PRICE</u>	<u>PROPOSED 2016 PRICE</u>	<u>TOTAL WITH 4-POINT SEATS</u>
2016 Ford F650 per SPC specifications	\$ 255,709.00	\$ 264,658.00	\$ 266,458.00
2016 Ford F450 4 x 2 per SPC specifications	\$ 223,340.00	\$ 231,156.00	\$ 232,956.00
2017 International 4300 per SPC specifications	\$ 255,725.00	\$ 264,675.00	\$ 266,475.00
2017 Freightliner M2 per SPC specifications	\$ 251,580.00	\$ 260,385.00	\$ 262,185.00
2016 Dodge D4500 per SPC specifications	\$ 234,692.00	\$ 242,906.00	\$ 244,706.00
2016 International TerraStar per SPC specifications (if chassis is available for 2016)	\$ 238,092.00	\$ 246,425.00	\$ 248,225.00
2016 Ford E450 Cutaway per SPC specifications	\$ 199,246.00	\$ 206,219.00	\$ 208,019.00
2016 Ford F550 4 x 2 per SPC specifications	\$ 224,340.00	\$ 232,191.00	\$ 233,991.00

Federal and Illinois Specifications now require a 4-point harness for seating areas in the patient compartment, making it safer for the attendant in the back of the ambulance. Each one of those seating areas will have a safety vest supplied on the Horton units at an additional cost of \$450.00 at each of the four locations. This total price including four 4-point harnesses at \$1,800.00 is indicated after the 3.5% price increase. If there is no CPR seat, customers will be charged \$1,350 for three locations instead of \$1,800.00.

With acceptance of this contract extension, Foster Coach, Sterling, IL agrees to all terms and conditions set forth in the specifications contained within the Request for Proposals to which you responded.

Foster Coach Sales Inc., Sterling, IL will handle all billing. Each ambulance will be assessed an administrative fee of \$600.00 per ambulance for members and \$850.00 per ambulance for non-members, which shall be paid directly by the vendor to the SPC on a quarterly basis.

**DuPage Mayors &
Managers Conference**
1220 Oak Brook Road
Oak Brook, IL 60523
Suzette Quintell
Phone: (630) 571-0480
Fax: (630) 571-0484

**Northwest Municipal
Conference**
1600 East Golf Rd., Suite 0700
Des Plaines, IL 60016
Ellen Dayan
Phone: (847) 296-9200
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**South Suburban Mayors
And Managers Association**
1904 West 174th Street
East Hazel Crest, IL 60429
Ed Paesel
Phone: (708) 206-1155
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**Will County
Governmental League**
3180 Theodore Street, Suite 101
Joliet, IL 60435
Cherie Belom
Phone: (815) 729-3535
Fax: (815) 729-3536

The SPC looks forward to a productive experience working with Foster Coach Sales, Inc., Sterling for the duration of Contract 133. Please sign and date this agreement below, retaining copies for your files and returning the original to my attention.

Sincerely,



Ellen Dayan, CPPB
Program Manager for Purchasing
Northwest Municipal Conference



Ellen Dayan, NWMC

11/12/15

Date



Steve Foster, President
Foster Coach Sales

11/13/15

Date

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2008 Ford E450 Wheeled Coach Ambulance (Medic 6)



2006 Ford E450 Wheeled Coach Ambulance (Medic 7)

