CITY OF BLOOMINGTON ILLINOIS

CITY OF BLOOMINGTON COMMITTEE OF THE WHOLE MEETING MAY 17, 2021

CITY OF Bloomington ILLINOIS

COMPONENTS OF THE COMMITTEE OF THE WHOLE AGENDA

On the third Thursday of each month at 6pm, the City Council meets as a Committee of the Whole. The purpose of this meeting is to present and consider agenda items that may be proposed for Regular City Council meetings, but that require further discussion before going in front of Council for an actual vote. The Committee of the Whole meeting is also a forum that allows the Mayor and Council Members to individually initiate proposed agenda items for discussion.

Council does not vote on any of this meeting's agenda items, outside of voting to approve the minutes of the previous Committee of the Whole meeting. Committee of the Whole agenda items discussed can be moved to a future regular City Council meeting agenda, if a consensus exists.

PUBLIC COMMENT

Each regular Committee of the Whole Meeting shall have a public comment period not to exceed 30 minutes. Every speaker is entitled to speak for up to 3 minutes. To be considered for public comment, please complete a public comment card at least 5 minutes prior to the start of the meeting. The Mayor will randomly draw from the cards submitted and call names of submitters to come forward to speak.

Public comment is a time for citizens to give comment. It is not a question and answer period and City Council Members do not respond to public comments. Speakers who engage in threatening or disorderly behavior will have their time ceased.

REGULAR AGENDA

All agenda items that provide Council an opportunity to listen to a presentation, ask questions of City Staff, deliberate, and seek additional information prior to making a decision will be placed on the Committee of the Whole Regular Agenda. No final action, beyond action on setting future agenda items and/or Agenda Initiatives, may be taken at a meeting of a Committee of the Whole unless it has been called as a Special Meeting.

A portion of the meeting is dedicated to previewing non-routine items. A non-routine agenda item shall include: (1) the expenditure of money over $250,000; (2) development agreements; (3) amending the City Code and/or (4) the implementation or modification of policies. The failure to preview a non-routine agenda item at a Committee of the Whole meeting shall not prohibit its consideration and/or action at a future meeting.

MAYOR AND COUNCIL MEMBERS

Mayor: Mboka Mwilambwe

City Council Members:

Ward 1 – Jamie Mathy
Ward 2 – Donna Boelen
Ward 3 – Sheila Montney
Ward 4 - Julie Emig
Ward 5 – Nick Becker
Ward 6 – Jenn Carrillo
Ward 7 - Mollie Ward
Ward 8 – Jeff Crabill
Ward 9 – Tom Crumpler

City Manager: Tim Gleason
Deputy City Manager: Billy Tyus

CITY LOGO DESIGN RATIONALE

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

MISSION, VISION, AND VALUE STATEMENT

MISSION
To lead, serve and uplift the City of Bloomington

VISION
A Jewel of the Midwest Cities

VALUES
Service-Centered,
Results-Driven,
Inclusive

STRATEGIC PLAN GOALS

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

AGENDA

COMMITTEE OF THE WHOLE MEETING AGENDA
CITY COUNCIL CHAMBERS
109 EAST OLIVE STREET, BLOOMINGTON, IL 61701
MONDAY, MAY 17, 2021, 6:00 P.M.

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

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

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

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

1. **Call to Order**
2. **Roll Call of Attendance**
3. **COVID-19 Update by City Manager**
4. **Public Comment**

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

5. **Consent Agenda**

   Electronic Roll Call Vote

   A. Consideration and action to approve the Minutes of the March 15, 2021 Committee of the Whole Meeting, as requested by the City Clerk Department. *(Recommended Motion: The proposed Minutes be approved.)*

6. **Presentation, Discussion, and Direction on Future Agenda Topics**

   A. Presentation of the Bloomington Police Department's 2020 Annual Report, as requested by the Police Department. *(Recommended Motion: None; presentation and discussion only.) (Presentation by Greg Scott, Interim Chief of Police, 20 minutes; and City Council discussion, 15 minutes.)*

B. Presentation of the Bloomington Fire Department's 2020 Annual Report, as requested by the Fire Department. *(Recommended Motion: None; presentation and discussion only.) (Presentation by Eric West, Fire Chief, 20 minutes; and City Council discussion, 15 minutes.)*

C. Review of the American Rescue Plan - COVID Relief Package, as requested by the Finance Department. *(Recommended Motion: None; presentation and discussion only.) (Presentation by Tim Gleason, City Manager; Scott Rathbun, Finance Director, 10 minutes; and City Council discussion, 20 minutes.)*

7. Council Initiatives

i. Discussion regarding a Council Initiative submitted by Council Member Ward to direct City Staff to seek input from representatives of the local disability community and provide City Council with an updated recommendation for an ADA accessibility transition plan, as requested by Ward 7 Mollie Ward. *(Recommended Motion: To (1) have the initiative placed on a future City Council agenda for further consideration or action; (2) have staff evaluate and prepare an analysis on the proposed initiative and bring it back for further Council discussion; OR (3) deny the initiative being placed on a future agenda and/or having City staff evaluate and analyze the proposed initiative.) (Presentation by Mollie Ward, City Council Member, 3 minutes; and City Council discussion, 3 minutes.)*

ii. Discussion regarding a Council Initiative submitted by Council Member Ward to direct City staff to research and develop a Rust Fund resolution as directed, as requested by Ward 7 Mollie Ward. *(Recommended Motion: To (1) have the initiative placed on a future City Council agenda for further consideration or action; (2) have staff evaluate and prepare an analysis on the proposed initiative and bring it back for further Council discussion; OR (3) deny the initiative being placed on a future agenda and/or having City staff evaluate and analyze the proposed initiative.) (Presentation by Mollie Ward, City Council Member, 3 minutes; and City Council discussion, 3 minutes.)*

8. City Manager's Report (5 minutes)

9. Executive Session - Cite Section

Clerk-led Roll Call Vote

10. Adjournment

Voice Vote

CONSENT AGENDA

CONSENT AGENDA ITEM NO. 5.A

FOR COMMITTEE OF THE WHOLE: May 17, 2021

SPONSOR: City Clerk Department

WARD IMPACTED: City-Wide Impact

SUBJECT: Consideration and action to approve the Minutes of the March 15, 2021 Committee of the Whole Meeting, as requested by the City Clerk Department.

RECOMMENDED MOTION:
The proposed Minutes be approved.

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

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

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

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: N/A

FINANCIAL IMPACT: N/A

COMMUNITY DEVELOPMENT IMPACT: N/A

Respectfully submitted for Council consideration.

Prepared by: Amanda Mohan, Deputy Clerk

Reviewed by:

Leslie Yocum

Leslie Yocum, City Clerk 5/12/2021

Tara Henry

Tara Henry, Legislative Assistant 5/13/2021

Recommended by:

Tim Gleason, City Manager

Attachments:
- CLK 1B March 15, 2021 COW Minutes

MINUTES
COMMITTEE OF THE WHOLE CITY COUNCIL MEETING
MONDAY, MARCH 15, 2021, 6:00 P.M.

This meeting was conducted under Governor Pritzker's Executive Order 2020-07 §6, which was reissued and extended by Executive Order 2021-05. The Order, implemented in response to COVID-19, suspended in-person attendance under the Open Meeting Act, 5 ILCS 120.

The City Council convened in regular session virtually via Zoom conferencing with Mayor Tari Renner, City Manager Tim Gleason, and City Clerk Leslie Yocum, in-person in City Hall's Council Chambers at 6:00 p.m., Monday, March 15, 2021. The meeting was called to order by Mayor Tari Renner.

Roll Call

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

COVID-19 Update by City Manager

City Manager Gleason expressed appreciation on behalf of Camille Rodriguez, McLean County Administrator, for use of the Arena as a vaccination site. He then provided vaccination statistics.

Public Comment

Mayor Renner opened the meeting for public comment. No public comment was received.

Consent Agenda

No items were considered.

Presentation, Discussion, and Direction on Future Agenda Topics

The following item was presented:

Item 6.A. Presentation and discussion of the Current Design of the O'Neil Park Pool Project, as requested by the Parks, Recreation and Cultural Arts Department.

City Manager Gleason introduced the item and expressed excitement for next steps in remodeling O'Neil Park Pool. He then asked Jay Tetzloff, Director of Parks, Recreation and Cultural Arts ("PRCA") Department, to address Council.

Mr. Tetzloff highlighted large improvements at Wittenburg Woods Park, Sweeney Park, and Evergreen Park. He then provided an update on the preparations for reopening, upcoming events, and the COVID-19 vaccination site at the current Grossinger Motors Arena. He discussed the upcoming Debrazza's Monkey and South American exhibits at Miller Park Zoo, noting the Zoo would receive a new logo along with updated Zoo re-branding. He moved on to provide a quick history and background on the O'Neil Park Pool project and highlighted community engagement efforts. He then introduced Andrew Caputo, Project Manager with Williams Architects and Aquatics, and asked him to address Council.

Mr. Caputo highlighted various contractors that had assisted in the creation of the plan and then discussed the phases and timelines of the project schedule, noting the grand opening scheduled for Memorial Day 2022. He presented the Master Plan and expanded on the master plan in detail: (1) pool (including lap pool, activity pool, lazy river, plunge pool, tower and water slides, pool play feature, and ground spray features); (2) bathhouse; (3) filter buildings; (4) community room; (5) parking lot; (6) skate park; (7) athletic fields; (8) stormwater detention for project; and (9) splash pad.

Mr. Tetzloff weighed in on the plan, stating that the presentation presented was the staff-preferred plan.

City Manager Gleason explained that the project was a culmination of three years of planning and effort and reported that the original proposed total cost of the project was $10.5 million. He discussed how the project had increased to $11.7 million to include a buffer, which had the potential to be reduced if construction was tightly managed. He expressed that while the park would be a destination for those outside of the City, it was designed for the community to enjoy. He reported that the project would be little to no cost to the community and expressed the importance of such a project on the westside.

Mr. Tetzloff discussed the importance of the project pointing out that Holiday Pool, another public pool in the City, was the same age as O'Neil pool and that it was only a matter of time before it, too, would fail. He noted the potential economic development impact the new pool project would have on the neighborhood and City.

Mayor Renner expressed the importance of amenities in underdeveloped areas and his support in the project.

Council Member Painter expressed concern with ensuring the pool would be accessible to all. She made several suggestions such as reduced pool passes, and making sure all could afford to use the new facility. Mayor Renner supported her suggestions.

Mr. Tetzloff discussed PRCA scholarships currently available for pool passes funded by donations, and encouraged the community to donate and apply for the scholarships.

Council Member Bray asked if the athletic fields would be refurbished. Mr. Tetzloff explained that staff planned to restore equipment at current athletic fields over purchasing new. Council Member Bray expressed concerns with installing diving boards. Mr. Tetzloff stated that the previous pool had diving boards. Mr. Caputo stated that diving boards tended to not be included due to costs with excavation and that no pool could be designed to be injury proof. Council Member Bray preferred to fund additional pool amenities and activities verses family suites in the bathhouse. Mr. Caputo stated that men's and women's locker rooms were required by building code and that the two proposed family suites had been positively received in past projects, but that they were optional.

Council Member Emig expressed appreciation for all the community input efforts and attention to inclusion features. She noted that gender-neutral bathrooms should be included and further supported inclusion of local native plants. Mr. Tetzloff pointed out that family suites would address gender-neutral accessibilities. Council Member Emig echoed Council Member Painter's comments on affordability.

Council Member Crabill asked for additional details on cost breakdown to ascertain where costs could be reduced. City Manager Gleason responded that a breakdown menu could be provided to Council.

Council Member Crabill brought up the idea of charging non-residents a higher pool entry fee and asked staff and Council to also consider separate access to the splash pad from the enclosed pool to allow free access to certain features. City Manager Gleason reminded Council that many changes were available to be adjusted and that they would determine if loss of revenue for the splash pad outweighed the service.

Council Member Crabill asked for additional details on the athletic fields and skatepark timelines. Mr. Tetzloff explained that the current skate park would be displaced due to the expanded parking lot and, since it was an amenity that was well utilized, staff planned to have it included in the initial construction. He stated that the basketball courts would be removed temporarily due to the required water retention area but, that staff planned to relocate the courts to a different area of the park in the future.

Council Member Mwilambwe highlighted the project being unique and expressed appreciation for the development being on the West side. He echoed comments on reduced-rate pool passes and encouraged fundraising for the pool pass scholarship fund. He suggested that staff look into other ways to generate revenue for the program and encouraged the implementation of energy cost-saving features. Mr. Caputo explained the energy cost savings plans discussed throughout the design phase such as solar panels. Council Member Mwilambwe supported the recommendations. City Manager Gleason stated that staff would continue to seek alternative grant funding sources.

Council Member Mathy asked for additional information on the inclusion park with Sheridan School. Mr. Tetzloff explained the park had been installed and was located just to the east of the planned development. Council Member Mathy expressed appreciation on the inclusion of diving boards. He also strongly supported the inclusion of solar panels and, if solar panels could not be purchased upfront, to prepare for them for future add-ons to power the entire park. He supported the inclusion of pollinator gardens and native plants over grass to reduce maintenance costs and didn't support the addition of batting cages as he did not believe there was enough demand for them.

Council Member Boelen expressed appreciation for the inclusion features and the family suites. She discussed various costs associated with park maintenance and believed the footprint of the greenspace should be increased and was concerned with the amount of parking lot. She noted that State Farm and the City of Decatur had similar parks and disagreed with comments made about increased economic development opportunities.

Mayor Renner summarized the statements made by Council.

Council Member Mathy asked for staff to prepare park options for Council to consider and how the changes would affect bond financing.

Council Member Boelen asked about the longevity of the pool and the bond term length. Mr. Caputo responded that an aquatic park typically had a 30-year life expectancy without a major renovation. City Manager Gleason stated that Council had multiple options of bond term length and that he would provide a menu of possible reductions with varying bond terms.

City Manager's Report

City Manager Gleason discussed multiple events in the Downtown area and at Miller Park. He then welcomed multiple new staff hires and provided an update on Fire Chief recruitment update. He then discussed $1.45 million in grant funds awarded to Bloomington from the State, as well as the next steps the City needed to take to apply the funding to infrastructure projects.

Executive Session

No Executive Session was held.

Adjournment

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

Motion carried (viva voce).

The meeting adjourned at 6:43 p.m.

CITY OF BLOOMINGTON	**ATTEST**
Mboka Mwilambwe, Mayor	Amanda Mohan, Deputy City Clerk

PRESENTATION, DISCUSSION, AND DIRECTION ON FUTURE AGENDA TOPICS

PRESENTATION, DISCUSSION, AND DIRECTION ON FUTURE AGENDA TOPICS
ITEM NO. 6.A

FOR COMMITTEE OF THE WHOLE: May 17, 2021

SPONSOR: Police Department

WARD IMPACTED: City-Wide Impact

SUBJECT: Presentation of the Bloomington Police Department's 2020 Annual Report, as requested by the Police Department.

RECOMMENDED MOTION:
None; presentation and discussion only.

STRATEGIC PLAN LINK:
-Goal 5. Great Place – Livable, Sustainable City
-Goal 4. Strong Neighborhoods

STRATEGIC PLAN SIGNIFICANCE:
-Objective 5a. Well-planned City with necessary services and infrastructure
-Objective 4e. Strong partnership with residents and neighborhood associations
-Objective 4a. Residents feeling safe in their homes and neighborhoods

BACKGROUND: This presentation will provide an overview of the Uniform Crime Report and crime occurrences during the calendar year 2020. The presentation will also compare and contrast the City's own historical data. In addition, the Police Department's goals and priorities for 2021 will be outlined.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: N/A

FINANCIAL IMPACT: N/A

COMMUNITY DEVELOPMENT IMPACT: N/A

Respectfully submitted for Council consideration.

Prepared by: Gregory Scott, Interim Chief of Police

Reviewed by:

Tara Henry

Tara Henry, Legislative Assistant 5/12/2021

Recommended by:

Tim Gleason, City Manager

City of Bloomington Illinois

PRESENTATION, DISCUSSION, AND DIRECTION ON FUTURE AGENDA TOPICS
ITEM NO. 6.B

FOR COMMITTEE OF THE WHOLE: May 17, 2021

SPONSOR: Fire Department

WARD IMPACTED: City-Wide Impact

SUBJECT: Presentation of the Bloomington Fire Department's 2020 Annual Report, as requested by the Fire Department.

RECOMMENDED MOTION:
None; presentation and discussion only.

STRATEGIC PLAN LINK:
-Goal 5. Great Place – Livable, Sustainable City
-Goal 4. Strong Neighborhoods

STRATEGIC PLAN SIGNIFICANCE:
-Objective 5a. Well-planned City with necessary services and infrastructure
-Objective 4e. Strong partnership with residents and neighborhood associations
-Objective 4a. Residents feeling safe in their homes and neighborhoods

BACKGROUND: This presentation will provide an overview of the year 2020 for the Bloomington Fire Department. The presentation will review how COVID-19 affected the department, what accomplishments occurred in 2020, items the Fire Department will be working on in 2021, Fire Department incident statistics for 2020, and the overall Fire Department operations for 2020.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: N/A

FINANCIAL IMPACT: N/A

COMMUNITY DEVELOPMENT IMPACT: N/A

Respectfully submitted for Council consideration.

Prepared by: Eric West, Fire Chief

Reviewed by:

Tara Henry

Tara Henry, Legislative Assistant 5/12/2021

Recommended by:

Tim Gleason, City Manager

City of Bloomington ILLINOIS

REGULAR AGENDA ITEM NO. 6.C

FOR COMMITTEE OF THE WHOLE: May 17, 2021

SPONSOR: Finance Department

WARD IMPACTED: City-Wide Impact

SUBJECT: Review of the American Rescue Plan - COVID Relief Package, as requested by the Finance Department.

RECOMMENDED MOTION:
None; presentation and discussion only.

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

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

BACKGROUND: On March 11, 2021 the American Rescue Plan was signed into law. The American Rescue Plan is a $1.9 trillion COVID-19 relief package that includes $350 billion in aid for state and local governments (Fiscal Recovery Funds), along with additional funding for other areas like education, rental assistance and transit.

The City of Bloomington has been allocated $13.95M of Fiscal Recovery Funds. The first half is expected to be paid yet this month. The second half is to be paid no earlier than 12 months after the first payment.

The democrats.senate.gov website has summarized the eligible uses of the funds as follows:

- To respond to the pandemic or its negative economic impacts, including assistance to households, small businesses, and nonprofits, or aid to impacted industries such as tourism, travel, and hospitality;
- For premium pay to eligible workers performing essential work (as determined by each recipient government) during the pandemic, providing up to $13 per hour above regular wages;
- For the provision of government services to the extent of the reduction in revenue due to the pandemic (relative to revenues collected in the most recent full fiscal year prior to the emergency);
- To make necessary investments in water, sewer, or broadband infrastructure;

Of note is that additional detailed guidance from the Treasury is still pending related to the above.

Funds are available until December 31, 2024. Total funds to be received of $13.95M will have a material long-term impact on the City of Bloomington. Advisors therefore recommend taking the time needed in assessing the needs and priorities of the community.

While the focus of this memo has been on the Fiscal Recovery Funds components (state and local governments), there are many other relief fund categories. Information on those can be found at:

US Dept. of Treasury Fact Sheet on the American Rescue Plan can be found here:
https://home.treasury.gov/news/featured-stories/fact-sheet-the-american-rescue-plan-will-deliver-immediate-economic-relief-to-families

Summary information on the American Rescue Plan by category can be found here:
https://www.democrats.senate.gov/imo/media/doc/ARP%20-%20Title-by-Title%20Summary.pdf

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: N/A

FINANCIAL IMPACT: The receipt of the Fiscal Recovery Funds will have a positive material impact to the City. No funds have been captured in the coming Fiscal Year's budget.

COMMUNITY DEVELOPMENT IMPACT: N/A

Respectfully submitted for Council consideration.

Prepared by: F. Scott Rathbun, Finance Director

Reviewed by:

Chris Tomerlin, Budget Manager 5/5/2021

Jeffrey R. Jurgens, Corporation Counsel 5/13/2021

Tara Henry, Legislative Assistant 5/13/2021

Recommended by:

Tim Gleason, City Manager

Attachments:
- FIN 1B ARP State and Local Fiscal Recovery Funds Information Sheet FINAL

American Rescue Plan Act of 2021
Coronavirus State and Local Fiscal Recovery Funds Fact Sheet

Summary

The American Rescue Plan Act of 2021 creates new Coronavirus State and Local Fiscal Recovery Funds to keep first responders, frontline health workers, teachers, and other providers of vital services safely on the job as states, local governments, Tribes, and territories roll out vaccines and fight to rebuild Main Street economies. Funds are available until December 31, 2024.

Now that the legislation has been cleared by Congress, all matters of execution—including allocations of funding, regulations prescribing eligible uses of payments, and resolving matters of statutory ambiguity—will be determined by the guidance and regulations promulgated by the Secretary of the Treasury, which will be determinative.

What follows is a summary of the key aspects of the recovery funds, and describes the intent of the legislation, along with a preliminary understanding of how the Treasury will execute the proposals.

- States and the District of Columbia: $195.3 billion
  - $25.5 billion will be equally divided.
  - $755 million will be allocated to make the District of Columbia whole after it did not receive a fair allocation under the CARES Act.
  - The remaining funds will be distributed based on the share of total unemployed workers.
  - If a state's combined state and local funding total is less than what they received under the CARES Act, the difference will be allocated to the state (this guarantees a minimum of $1.25 billion for each state).
  - To the extent practicable, states and the District of Columbia will receive allocations from the Department of Treasury (Treasury) within 60 days of submitting a Certification of Need.
  - If Treasury decides that a payment to a State requires additional justification, the Secretary could choose to withhold up to 50% of the allocation to each state for up to 12 months from the date the certification of need is received. Such a withholding would not be required, and if the State submits a second certification of need, the Secretary would be required to release the withheld amount by the 12-month deadline.

- Local governments: $130.2 billion divided evenly between cities and counties
  - $65.1 billion will be allocated to metropolitan cities.
    - $45.57 billion will be allocated to municipalities with populations of generally at least 50,000 using a modified Community Development Block Grant formula and sent directly from Treasury to the city.

    - $19.53 billion will be allocated to municipalities with populations of generally fewer than 50,000 in states and territories, with allocations capped at 75% of the locality's most recent budget as of January 27, 2020. Funds will be sent to the state to distribute to the local community based on population within 30 days of receipt unless an extension is granted. Even if granted an extension, States must distribute the funds to the local community not later than 120 days after they receive this funding for distribution or face monetary penalty, and <u>cannot</u> change the allocations or impose additional requirements.
  - $65.1 billion will be allocated to counties based on population and sent directly from the Department of Treasury to the counties.
  - Funding will be distributed by Treasury in two tranches—one within 60 days of enactment to the extent practicable, and the second one year after the disbursement of the first tranche.

- Territories: $4.5 billion

  - $2.25 billion will be divided equally.
  - $2.25 billion will be allocated based on population.
  - To the extent practicable, territories will receive allocations from Treasury within 60 days of submitting a Certification of Need.
  - If Treasury decides that a payment to a territory requires additional justification, the Secretary could choose to withhold up to 50% of the allocation to the territory for up to 12 months from the date the certification of need is received. Such a withholding would not be required, and if the Territory submits a second certification of need, the Secretary would be required to release the withheld amount.

- Tribes: $20 billion to federally recognized Tribal governments.

  - $1 billion will be divided equally.
  - $19 billion will be divided as determined by Treasury, which is expected to engage in Tribal consultation and to make use of data previously collected from Tribes to improve the distribution formula used in the CARES Act.
  - To the extent practicable, funding will be distributed by Treasury within 60 days of enactment.

In addition to these Funds, the law creates a new $10 billion **Coronavirus Capital Projects Fund** for "critical capital projects directly enabling work, education, and health monitoring, including remote options, in response to the public health emergency with respect to the Coronavirus Disease." To implement this Fund, Treasury is required to establish a process of applying for grants within 60 days of enactment. The Fund will provide:

- $100 million for each state, the District of Columbia, and Puerto Rico;
- $100 million split equally between the Virgin Islands, Guam, American Samoa, the Northern Mariana Islands, the Marshall Islands, Micronesia, and Palau;

- $100 million split equally between Tribal governments and Hawaii, with each receiving a minimum of $50,000; and
- The remaining $4.7 billion will be distributed to states, the District of Columbia, and Puerto Rico as follows:
  - 50% based on population
  - 25% based on rural population
  - 25% based on household income that is below 150% of the poverty line

The law also creates an additional $2 billion **Local Assistance and Tribal Consistency Fund** that will allocate $750 million to eligible revenue sharing counties (defined to include the District of Columbia, Puerto Rico, Guam, and the Virgin Islands) and $250 million to eligible Tribes for any government purpose other than lobbying. These funds will be distributed based on economic conditions of the recipient entities in fiscal years 2022 (beginning October 1, 2021) and 2023 (beginning October 1, 2022). Among other things, this fund is intended to assist counties currently reliant on the Payment in Lieu of Taxes (PILT) and Secure Rural Schools (SRS) programs, among other revenue sharing programs, but based on their real economic conditions rather than historic payments.

<u>**Frequently Asked Questions**</u>

How can recipient governments use relief allocations from the State and Local Fiscal Recovery Funds?

The Department of Treasury will issue guidance detailing its interpretation and implementation of eligible uses, but the statutory language specifically authorizes use of the funds. Each of the following is a separate allowable use of the funds for the recipient:

- To respond to the pandemic or its negative economic impacts, including assistance to households, small businesses, and nonprofits, or aid to impacted industries such as tourism, travel, and hospitality;
- For premium pay to eligible workers performing essential work (as determined by each recipient government) during the pandemic, providing up to $13 per hour above regular wages;
- For the provision of government services to the extent of the reduction in revenue due to the pandemic (relative to revenues collected in the most recent full fiscal year prior to the emergency);
- To make necessary investments in water, sewer, or broadband infrastructure;

In addition, a recipient may transfer its allocation to a private nonprofit organization, Tribal organization, public benefit corporation involved in the transportation of passengers or cargo, or special-purpose unit of State or local government, if the recipient government so chooses. The recipient entity would need to use the funds consistent with the purposes listed above.

The recipient government must send Treasury periodic reports with a detailed accounting of the uses of the funds (States and territories must also provide all modifications to tax revenue sources since March 3, 2020).

The language explicitly prohibits funds from being deposited into a pension fund.

States and territories are also prohibited from using the funds to offset, either directly or indirectly, a tax cut made since March 3, 2021.

While the State and Local Fiscal Recovery Fund eligible uses are broader than those of the CARES Act Coronavirus Relief Fund, guidance previously released for the Coronavirus Relief Fund may provide insight into how Treasury may interpret and implement these American Rescue Plan provisions.

How will state and local governments receive the relief allocations?

States and territories will receive their allocations within 60 days of submitting to Treasury a certification signed by an authorized officer that the funds are needed to respond to the pandemic and will be used in compliance with the eligible uses. If Treasury decides that a payment to a state requires additional justification, the Secretary could choose to withhold up to 50% of the allocation to each state and territory for up to 12 months from the date the certification of need is received. Such a withholding would not be required, and if the state or territory submits a second certification of need, the Secretary would be required to release the withheld amount by the 12-month deadline.

Funding for counties, metropolitan cities, and nonentitlement units of local government (generally those under 50,000 inhabitants) will be separated into two tranches. To the extent practicable, Treasury is required to send out the first tranche (equal to 50% of the recipient's allocation) within 60 days of enactment, and the second tranche (the remaining 50%) not earlier than one year after the first disbursement. Counties, metropolitan cities, and nonentitlement units of local government are not required to submit a signed certification of need to Treasury.

Because it could take a full year for Treasury to calculate and disburse the allocations for nonentitlement units of local government, Treasury is instead required to send the amounts intended for those recipients to each state (including territories) within 60 days. States and territories would then have 30 days to disburse the funds to the nonentitlements based on population. Because of the potential administrative burden of evaluating the eligibility for all of these smaller localities, a state could, if necessary, ask Treasury for up to three extensions for distributing one or more of those allocations. The state or territory would need to justify why the extension is warranted, and would have **no** authority to change the amount of, or attach additional requirements to, the payments allocated to the intended local government recipients.

Why have the allocations on the estimates spreadsheet changed over time?

- **States**: The bill was amended in the Senate to replace the minimum base payment to states of $500 million with a total state- and local-level combined allocation equal to what the states received under the CARES Act, guaranteeing a minimum of $1.25 billion for each state.
- **Counties**:
  - A correction was made to an error in the way the CDBG allocations were weighted across counties. This resulted in a greater number of urban counties receiving the CDBG markup (up to 14, from 11 previously) and a subsequent reduction in the amounts received by other counties.
  - A correction was made to a data sorting error that resulted in the wrong population inputs being used for roughly 3% of all counties.
- **Metropolitan Cities**:
  - A correction was made for an error in the way the CDBG allocations were weighted across metro cities. This resulted in increases in the projected assistance to each metropolitan city by about 9%.
  - Eligible metropolitan cities that did not receive a FY2020 CDBG award and were therefore left off initial runs were manually identified and added when possible.
- **Nonentitlement Units of Local Government**: The estimates gained more precision over time based on updates to how Treasury will calculate the nonentitlement allocation for each state, as well as a change to the definition of "nonentitlement unit of local government" to more accurately cover active local governments performing the functions of municipalities, as had been the intent. For example, the prior definition would have inadvertently made non-governmental entities eligible for allocations, which while

appropriate for the CDBG program, was not the policy intent of the state and local funding in the American Rescue Plan.

What will cause final allocations to differ from the estimates spreadsheet?

- Interpretation and implementation decisions by the Department of Treasury, including the possibility of using the FY2021 CDBG formula for metro cities or 2020 population data for counties and nonentitlements (that data was not available at the time that the Congressional Research Service's preliminary estimates were calculated).
- The cap on nonentitlement allocations at 75% of the entity's most recent budget as of January 27, 2020. Congressional Research Service analysts do not have local budget information sufficient to calculate this cap, so it is not reflected in the estimates.
- Redistribution of funds from inactive counties to the local governments within the county.
- Potential addition of eligible metro cities that did not receive a FY2020 CDBG award and were therefore not included on the spreadsheet.
- Projected amounts for nonentitlements may be divided between more than one nonentitlement government to the extent that eligible nonentitlement governments have overlapping populations (for example, residents of a village government and town government in New York). In cases where an eligible government does not appear on this list but another government representing some or all of its population is listed, the total estimate provided represents all of the nonentitlement funding attributable to the government's underlying population. Treasury guidance on how to distribute amounts for overlapping government will be determinative.

What if a city, town, village, or township is not included on the estimates spreadsheet?

The updated spreadsheet is <u>not</u> a comprehensive list of eligible nonentitlement units of local government; rather, it uses publicly available data to estimate how Treasury might interpret the law.

The legislation defines "nonentitlement unit of local government" as either:

(1) Any "municipality" (as defined by the Census) that is a city, county, town, township, parish, village, or other general purpose political subdivision of a State; Guam, the Northern Mariana Islands, the Virgin Islands, and American Samoa, or a general purpose political subdivision thereof; a combination of such political subdivisions that, except as provided in section 5306(d)(4) of this title, is recognized by the Secretary; and the District of Columbia.

or,

(2) any non-municipality (as defined by the Census) that is a town or township and which:

(i) possesses powers and performs functions comparable to these associated with municipalities,

(ii) is closely settled, and

(iii) contains within its boundaries no incorporated places as defined by the United States Bureau of the Census which have not entered into cooperation agreements with such town or township to undertake or to assist in the undertaking of essential community development and housing assistance activities.

The Treasury Department will determine how this will be interpreted and implemented.

In cases where an eligible government does not appear on this list but another government representing some or all of its population is listed, the total estimate provided represents all of the nonentitlement funding attributable to the government's underlying population. Treasury will determine how such amounts are divided among such overlapping units of government.

What about cases where a local government appears more than once?

The legislation provides for funding to cities (including both metro cities and nonentitlements) and counties to be separate and distinct. In cases where cities are also incorporated as counties, those governments should expect to receive funding both as a city and as a county.

However, any case where a local government is listed once as a city – either as both a metro city and a nonentitlement government, or twice as a nonentitlement government – is likely the product of error inherent in the estimating process. For any government that is listed as both a metro city and a nonentitlement government, the metro city estimate is likely to be more accurate. In cases where a government is listed more than once as a nonentitlement, any duplication should be ignored and the estimate should only be counted once, keeping in mind that some states have governments with identical names in different counties.

PRESENTATION, DISCUSSION, AND DIRECTION ON FUTURE AGENDA TOPICS
ITEM NO. 7.1

FOR COMMITTEE OF THE WHOLE: May 17, 2021

SPONSOR: City Council

WARD IMPACTED: City-Wide Impact

SUBJECT: Discussion regarding a Council Initiative submitted by Council Member Ward to direct City Staff to seek input from representatives of the local disability community and provide City Council with an updated recommendation for an ADA accessibility transition plan, as requested by the City Council.

RECOMMENDED MOTION:
To (1) have the initiative placed on a future City Council agenda for further consideration or action; (2) have staff evaluate and prepare an analysis on the proposed initiative and bring it back for further Council discussion; OR (3) deny the initiative being placed on a future agenda and/or having City staff evaluate and analyze the proposed initiative.

STRATEGIC PLAN LINK:
-Goal 5. Great Place – Livable, Sustainable City
-Goal 4. Strong Neighborhoods

STRATEGIC PLAN SIGNIFICANCE:
-Objective 5b. City decisions consistent with plans and policies
-Objective 4e. Strong partnership with residents and neighborhood associations

BACKGROUND: Per Chapter 2, Section 18.2A(2): Agenda items and voting, the Mayor and Council Members may put forth agenda initiatives by completing an Agenda Initiative Form and submitting it to the City Clerk. Upon submission, the form is added to the agenda of the next Committee of the Whole for consideration.

At the Committee of the Whole, a majority of the Council Members present can vote to: (1) have the initiative placed on a future City Council agenda for further consideration or action; (2) have staff evaluate and prepare an analysis on the proposed initiative and bring it back for further Council discussion; or (3) deny the initiative being placed on a future agenda and/or having City staff evaluate and analyze the proposed initiative. The same agenda initiative cannot be brought forward more than once in a six-month period unless two-thirds of the City Council votes to place the agenda initiative back on the table for consideration.

The attached Council Initiative by Council Member Ward has been timely submitted to the City Clerk for consideration.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: N/A

FINANCIAL IMPACT: N/A

COMMUNITY DEVELOPMENT IMPACT: N/A

Respectfully submitted for Council consideration.

Prepared by: Leslie Yocum, City Clerk

Attachments:

- CC 1B Council Member Agenda Initiative_Mollie Ward

CITY OF Bloomington ILLINOIS

MAYOR & COUNCIL MEMBER AGENDA INITIATIVE PROPOSAL FORM

SPONSOR: Ward 7 Alderwoman Mollie Ward

PROPOSED INITIATIVE:

Direct City Staff to seek input from representatives of the local disability community and provide City Council with an updated recommendation for an ADA accessibility transition plan to be voted on by the City Council no later than the last City Council meeting of calendar year 2021.

ESTIMATED CITY STAFF TIME TO RESEARCH & PREPARE FULL COUNCIL MEMO ON PROPOSED INITIATIVE, INCLUDING BACKGROUND AND ANY NECESSARY RESEARCH:

_____ Nominal (less than 5 hours)

_____ Moderate (5 to 10 hours)

__✓__ Significant (more than 10 hours)

ESTIMATED COST OF PROPOSED INITIATIVE: unknown

WILL THE PROPOSED INITIATIVE REQUIRE A BUDGET AMENDMENT?

_____ Yes

__☒__ No

WHAT CITY PROGRAMS OR STAFF ACTIVITIES ARE PROPOSED TO BE CUT OR REDUCED IN LIEU OF THE PROPOSED INITIATVE, IF ANY:

eSigned via SeamlessDocs.com
M.C. Ward
Key: 8e44c1dfbc3400bc6e49f408eea20962

SPONSOR SIGNATURE

05/10/2021

DATE SUBMITTED

CITY OF Bloomington ILLINOIS

PRESENTATION, DISCUSSION, AND DIRECTION ON FUTURE AGENDA TOPICS
ITEM NO. 7.2

FOR COMMITTEE OF THE WHOLE: May 17, 2021

SPONSOR: City Council

WARD IMPACTED: City-Wide Impact

SUBJECT: Discussion regarding a Council Initiative submitted by Council Member Ward to direct City staff to research and develop a Rust Fund resolution as directed, as requested by the City Council.

RECOMMENDED MOTION:
To (1) have the initiative placed on a future City Council agenda for further consideration or action; (2) have staff evaluate and prepare an analysis on the proposed initiative and bring it back for further Council discussion; OR (3) deny the initiative being placed on a future agenda and/or having City staff evaluate and analyze the proposed initiative.

STRATEGIC PLAN LINK:
-Goal 5. Great Place – Livable, Sustainable City
-Goal 4. Strong Neighborhoods

STRATEGIC PLAN SIGNIFICANCE:
-Objective 5b. City decisions consistent with plans and policies
-Objective 4e. Strong partnership with residents and neighborhood associations

BACKGROUND: Per Chapter 2, Section 18.2A(2): Agenda items and voting, the Mayor and Council Members may put forth agenda initiatives by completing an Agenda Initiative Form and submitting it to the City Clerk. Upon submission, the form is added to the agenda of the next Committee of the Whole for consideration.

At the Committee of the Whole, a majority of the Council Members present can vote to: (1) have the initiative placed on a future City Council agenda for further consideration or action; (2) have staff evaluate and prepare an analysis on the proposed initiative and bring it back for further Council discussion; or (3) deny the initiative being placed on a future agenda and/or having City staff evaluate and analyze the proposed initiative. The same agenda initiative cannot be brought forward more than once in a six-month period unless two-thirds of the City Council votes to place the agenda initiative back on the table for consideration.

The attached Council Initiative by Council Member Ward has been timely submitted to the City Clerk for consideration.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: N/A

FINANCIAL IMPACT: N/A

COMMUNITY DEVELOPMENT IMPACT: N/A

Respectfully submitted for Council consideration.

Prepared by: Leslie Yocum, City Clerk

Attachments:

- Council Initiative Submitted by Council Member Ward_Rust Fund

CITY OF Bloomington ILLINOIS

MAYOR & COUNCIL MEMBER
AGENDA INITIATIVE PROPOSAL FORM

SPONSOR: Ward 7 Alderwoman Mollie Ward

PROPOSED INITIATIVE:

Direct City Staff to research and develop a resolution to
-- increase the amount of Rust Fund grants available for accessibility projects from the current 50% to 75%,
-- provide options for a cost share between the City and eligible business owners for the remaining 25%, and
-- develop a plan to improve marketing of the Rust Fund for accessibility projects.

ESTIMATED CITY STAFF TIME TO RESEARCH & PREPARE FULL COUNCIL MEMO ON PROPOSED INITIATIVE, INCLUDING BACKGROUND AND ANY NECESSARY RESEARCH:

- [x] Nominal (less than 5 hours)
- [ ] Moderate (5 to 10 hours)
- [ ] Significant (more than 10 hours)

ESTIMATED COST OF PROPOSED INITIATIVE: unknown

WILL THE PROPOSED INITIATIVE REQUIRE A BUDGET AMENDMENT?

- [x] Yes
- [ ] No

WHAT CITY PROGRAMS OR STAFF ACTIVITIES ARE PROPOSED TO BE CUT OR REDUCED IN LIEU OF THE PROPOSED INITIATVE, IF ANY:

eSigned via SeamlessDocs.com
M.C. Ward+
Key: 8e44c1dfbc3400bc6e49f408eea20982

SPONSOR SIGNATURE

05/10/2021

DATE SUBMITTED