



City of Pekin

AGENDA

**REGULAR COUNCIL MEETING OF JULY 25, 2005
5:30 P.M.**

I. PLEDGE OF ALLEGIANCE

II. ROLL CALL

III. APPROVAL OF AGENDA

IV. APPROVAL OF MINUTES

Regular Council Meeting of July 11, 2005

V. PUBLIC INPUT ON AGENDA ITEMS

VI. CONSENT AGENDA

1. Receive and File Reports and Minutes: Airport Minutes, Combined Revenue/Expenditure Report (Available in Office of the City Clerk), Veteran Drive Update, Traffic Safety Committee, Building Report, Liquor Commission, and Inspections.
2. Proclamation: Save a Life Month
3. Charitable Solicitation: AMVETS "Tag Day" Veterans Day Weekend
Kathy L. Fisher Benefit August 13, 2005
4. Resolution No. 113-05/06 – Mayor's Appointment of Holly Brown to the Liquor Commission to fill the unexpired term of Donald Nell until February 28, 2008
5. Receive and File Recommendation EDFAP Loan Review Committee for Dragon's Dome II, LLC

VII. COMMUNICATIONS, PETITIONS, REPORTS

Public Hearing Consolidated Annual Plan and Evaluation Report - CAPER

(PA)

VIII. NEW BUSINESS

1. Consolidated Annual Plan and Evaluation Report - CAPER 2004 (PA)
2. Resolution No. 114-05/06 - Revising Rules and Regulations for Economic Development
Financial Assistance Program (PA)
Program Guideline 2.2 – Minimum/Maximum Loan Amounts
Program Guideline 4.1 - Eligibility Criteria
3. Resolution No. 115-05/06 - Authorizing EDFAP Loan to Dragon's Dome II, LLC (PA)
4. Illinois Criminal Justice Information Authority Grant Agreement (TG)
5. PPUATS Membership Agreement (DK)

6. Resolution No. 116-05/06 - MFT Funding \$9,269.33 (DK)
7. Ordinance No. 1462-A234 - Amending Traffic Safety Code Regarding Stops Signs - Mechanic (TB)
8. Ordinance No. 1462-A235 - Amending Traffic Code Regarding No Parking Schedule – Parkway at Sheridan and 6th Street at Washington (TB)
9. Ordinance No. 1462-A236 - Amending Traffic Code Regarding Handicapped Parking Spaces Vienna Court (TB)
10. Ordinance No. 1462-A237 - Amending Traffic Code Regarding Through Streets-Cottage Grove (TB)
11. Ordinance No. 2440 - Authorizing Moratorium on Benefits (DK)
12. Illinois PCS Lease Assignment Cell Tower (DK)

IX. ANY OTHER BUSINESS TO COME BEFORE THE COUNCIL

Public Questions

Press Time

X. EXECUTIVE SESSION

Pending or Threaten Litigation ILCS 120/2 (c) 11.

XI. ADJOURNMENT

City of Pekin
Airport Commission Meeting Minutes
July 13, 2005

Commissioners: Present – Peter Kalman, Charles Thomas, Robert Ehrich, Lillard Hedden & Merrill Parsons

Attendees: Joe Wuellner, Bruce Byerly, & Al Lurie

Chairman Kalman opened the meeting at 3:00pm.

Correspondence Received:

1. IPAA letter listing latest bid opening results.
2. Letter from the State stating that our project for next year was in the 2006 budget.

Old Business:

1. Mr. Wuellner stated that bids for the taxiway job came in 21.8 percent over the engineer's estimate and they are reviewing the prices to see what can be done. He stated that there was only one bidder, R.A. Cullinan, and the areas where the bids differed from the estimate were the asphalt pavement and removal. He felt that it would be unlikely that the City Council would agree to an additional \$50,000 from the City for this project but that IDA may have some extra funding. Once he hears back from the State and the engineers he would let everyone know what was to be done. It was discussed whether the taxiway could be patched if this work wasn't to be done this year. Several options were discussed and Mr. Wuellner will look into this once a final decision is made on the bids.
2. Mr. Wuellner sent a letter to Curless regarding the insurance form that was sent and the fact that it did not show the correct coverage. He stated that another copy was sent and it was the same thing. Until the correct copy is received, they are not going to use the airport. (NOTE: there was a revised copy of this policy in my mailbox and they are now current and ok to use the airport.)

New Business:

1. Mr. Wuellner stated that he is to start looking into hangar door manufacturers to get quotes to replace the hangar doors next year. In conjunction with this project, he will look at getting the electrical lines to the hangars upgraded.

No other business to discuss and meeting adjourned at 3:30PM.

Next meeting will be August 10, 2005 at 3pm.

FULL REPORT AVAILABLE IN THE OFFICE OF THE CITY CLERK

FUND 100 GENERAL FUND
DEPT 001 ADMINISTRATION

CITY OF PEKIN, ILLINOIS
COMBINED REVENUE/EXPENDITURE REPORT
PERIOD ENDING 6/30/05
FISCAL MONTH 02 16.67%

REPORT PRINT DATE- 7/14/05

PAGE 1

		ANNUAL BUDGET	THIS PERIOD ACTUAL	YEAR TO DATE ACTUAL	%BUDGET	BALANCE
EXPENDITURES						
EXPENDITURES						
101.00	SALARY: ELECTED OFFICIALS	40,000	3,333.35	5,000.00	12.50	35,000.00
116.00	SALARY: ALL PERSONNEL	141,869	10,178.65	18,099.06	12.76	123,769.94
155.00	VACATION PAY					
156.00	HOLIDAY PAY		527.96	527.96		527.96CR
158.00	SICK PAY					
170.00	OASDI/CITY SHARE 6.2%	10,614	856.02	1,440.09	13.57	9,173.91
170.01	MEDICARE/CITY SHARE 1.45%	2,637	200.19	336.78	12.77	2,300.22
174.01	IMRF	10,328	779.43	1,356.03	13.13	8,971.97
174.02	ICMA RETIREMENT		350.00	700.00		700.00CR
180.00	GROUP INSURANCE	32,270	2,593.16	5,186.32	16.07	27,083.68
182.00	UNEMPLOYMENT INSURANCE					
183.00	WORKERS COMP INSURANCE	340	340.00	340.00	100.00	
187.00	MILEAGE	5,000	74.12	387.94	7.76	4,612.06
190.00	TRAINING AND EDUCATION	4,500		1,979.00	43.98	2,521.00
201.00	OFFICE SUPPLIES	500	29.98	36.73	7.35	463.27
202.10	TV VIDEO SUPPLIES					
204.00	POSTAGE	500	10.81	21.19	4.24	478.81
240.00	LEASE/RENTAL OF EQUIPMENT					
290.00	EQUIPMENT	300				300.00
344.00	EQUIPMENT REPAIRS					
158.00	SICK PAY					
170.00	OASDI/CITY SHARE 6.2%	4,583		404.77	8.83	4,178.23
170.01	MEDICARE/CITY SHARE 1.45%	1,072		94.66	8.82	977.34
174.01	IMRF	5,382		501.12	9.31	4,880.88
180.00	GROUP INSURANCE	16,135		1,296.58	8.04	14,838.42
181.00	LIABILITY INSURANCE PAGKA	19,280	19,280.00	19,280.00	100.00	
183.00	WORKERS COMP INSURANCE	138	138.00	138.00	100.00	
187.00	MILEAGE	1,800		60.00	3.33	1,740.00
190.00	TRAINING AND EDUCATION	5,850	20.00	20.00	.34	5,830.00
201.00	OFFICE SUPPLIES	150				150.00
204.00	POSTAGE	600	1.06	41.63	6.94	558.37
220.00	PHOTOGRAPHIC SUPPLIES					
240.00	LEASE/RENTAL OF EQUIPMENT					
290.00	EQUIPMENT					
340.00	AUTOMOTIVE EXPENSE					
344.00	EQUIPMENT REPAIRS					
380.00	MAINTENANCE AGREEMENTS					
461.00	TRANSFER TO HUD #2					
503.00	TELEPHONE	1,800				1,800.00
510.00	PRINTING AND PUBLICATIONS	1,000	154.85	154.85	15.49	845.15
516.00	DUES AND SUBSCRIPTIONS	14,000				14,000.00
542.00	TRAVEL AND MEALS	6,500		64.45	.99	6,435.55
550.00	RADIO EXPENSE					
561.00	GASOLINE/DIESEL FUEL					
572.00	LICENSE AND INSPECTION FE					
590.00	MEDICAL EXPENSE/SUPPLIES					
605.00	CONSULTING FEES	1,000				1,000.00

Veterans Drive Update

Veteran's Drive South Route 29 to Commercial Drive

In April of 1996 the VFW Road Corridor Study was completed. The project was initiated by IDOT to look at the viability of Route 9 traffic being diverted to the VFW corridor. At that time the State couldn't justify that change. Recently they may be taking another look at that. The corridor study recommended that the alignment closely follow the existing VFW Road from Route 29 east to Towerline Road. Since that time the City has acquired several properties as they have become available for right-of-way for the proposed improvement in that section. In February 2001, a Phase 1 Study of this section of the corridor began and is nearing completion, showing the preferred alignment for the improvement. With the input received at the informational meeting held June 6, 2002, the alignment was slightly altered to address the concerns of affected property owners. The Intersection Design Studies (IDS) are being prepared at the 14th and Route 29 intersections. We are currently negotiating with FCI-Pekin to obtain the necessary Right-of-way from that facility. The City has requested \$9.9M in Federal Dollars as a part of the next Federal Transportation bill for engineering and construction. Unfortunately due to significant cuts in the budget it appears as though we will only be receiving a relatively small percentage of that request, As a result of the lack of funding, the construction timetable for this project has been pushed back.

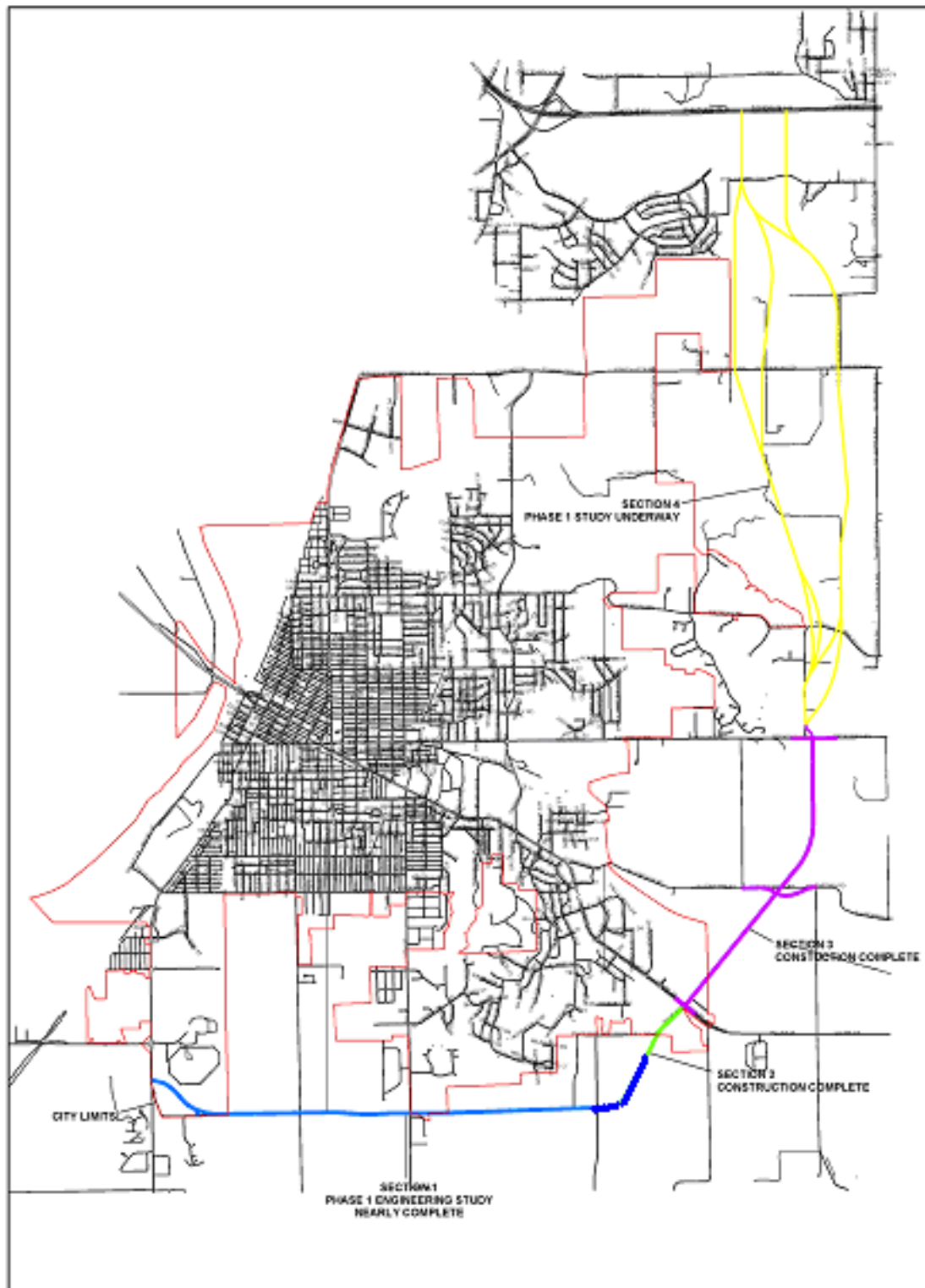
Veteran's Drive Commercial Drive to Court Street

This section also evolved from the 1996 VFW Road Corridor Study. 2 alignments were presented for this section with the direct route from the Mall Road/Veterans Drive intersection southwesterly to the Towerline at VFW Road intersection being the preferred alignment. In 1999 PPUATS the City received 60% (FY 2006) Federal funding from PPUATS for the construction of this section. In 2000, that funding was increased to 70% (FY 2005) Federal on the eligible portions of the project. The City's MFT fund was used for the local share of the project. With the ongoing renovation of the Mall as well as the April 2004 opening of the Super Wal-Mart on the east side of Veteran's Drive, we designed a major intersection (to include traffic signals) onto this section of Veteran's Drive. The construction schedule was accelerated to 2003/2004 due to the development in the area. This section of roadway opened to traffic in November of 2003. The traffic count on this new roadway was approximately 9,900 in July of 2004, up from 5,000 on Mall Road just a year earlier.

Veteran's Drive Court Street to Broadway

This 5-lane section of roadway opened to traffic in September of 2003. The traffic count on this new roadway was approximately 4,700 in July of 2004. Total cost (engineering, land acquisition and construction) of this improvement was \$6.1M. Federal Funding was \$3.7M, State \$500,000, County \$200,000 and the remainder City (revenue from \$0.02/Gallon Gas tax).

PEKIN - VETERAN'S DRIVE SECTIONS



Veteran's North (Section 1) Broadway to Route 98

In 1997, a Preliminary Corridor Study was conducted on the extension of Veteran's Drive from Broadway to I-474. The section from Court to Broadway was established as the highest priority. With construction completed on the Court to Broadway section, the City Council has established this as a priority to continue

The City of Pekin, with the support of the Village of Creve Coeur received approval of a request through PPUATS for an "Illinois Tomorrow" grant to expedite the Phase 1 and Land Use Planning of the Veteran's Drive Corridor from Broadway to I 474 (and north ½ mile to Fischer Road in Creve Coeur). The City of Marquette Heights has also expressed support for this project. 2 presentations of this Land Use "work in progress" were made to the Pekin Planning Commission. A Public Meeting on potential alignments of this section was held October 10,2002. The attendance was good and there were informative comments received by property owners, proponents of the corridor, etc.

Congressman Lahood secured \$500,000 in National Corridor Planning and Development (NCPD) funds for the Phase 1 Study (including Interchange Justification Study) from Broadway to Interstate 474. This study began in the Fall of 2003 and will be completed in early 2006.

Veteran's Drive North (Section 2) Route 98 to Interstate 474

This section was also a part of the Preliminary Corridor Study was conducted on the extension of Veteran's Drive from Broadway to I-474. This section has the most topography and environmental concerns. The connection to the interstate is an important link for Pekin.

Veteran's Drive @ Interstate 474 Interchange

When Interstate 474 was constructed there was property acquired for a potential interchange along the east side of Marquette Heights. During the development of the Veteran's Drive Corridor it has always been the intent for this to be the northerly terminus of Veteran's Drive. As we investigate the northerly alignments of Veteran's Drive, there is now the possibility that the ideal location of the interchange could shift slightly to the east. The ideal location continues to be evaluated. Although property is there for an interchange the approval to actually have an interchange was never granted. We are in the preliminary phases of pursuing that approval process. The interchange evaluation is being coordinated with IDOT.

RELATED PROJECTS:

In anticipation of this corridor development, traffic signals were installed and geometric improvements were completed at the **Veteran's @ Court intersection** the Spring of 2001 as a separate 70% Federally funded PPUATS project. The City also extended the Northeast Interceptor (sewer) out to Veteran's Drive in 2002.

The need to **Widen Broadway** from Schramm Drive to the new Veteran's Drive is now being considered a related part of this overall project. This project (City of Pekin and Tazewell County) has received 2008 (Construction) Federal Funding through the PPUATS organization and engineering work should begin shortly. The Intergovernmental Agreement was completed between the 2 agencies in July 2004. A Design contract has been awarded to a consultant and that engineering work is underway.

VETERAN'S DRIVE CORRIDOR PROJECT WORKPLAN SCHEDULE

SECTION	YEAR(S)
Veteran's Drive South 2ND STREET (ROUTE 29) TO COMMERCIAL DR = 20,000' @ \$11.0M	
Phase 1	2002-2004
Right of Way Plats	2005
Right of Way Acquisition	2006
Design and Plans	2006
Construction	2008-2009
Veteran's Drive North (Section 1) BROADWAY TO ROUTE 98 = 14,000' @ \$9.5M	
Phase I	2004-2006
Right of Way Plats	2007
Right of Way Acquisition	2008
Design and Plans	2008
Construction	2009-2010
SECTION	YEAR(S)
Veteran's Drive North (Section 2) ROUTE 98 TO I-474 = 9,500' @ \$9.8M	
Phase I	2004-2006
Interchange Evaluation	2004-2006
Right of Way Plats	2008
Right of Way Acquisition	2008-2009
Design and Plans	2008-2009
Construction	2010-2011
Broadway Road SCHRAMM TO VETERAN'S DR = 7,700' @ \$2.0M	
Phase I	2004
Right of Way Plats	2007
Right of Way Acquisition	2006-2007
Design and Plans	2005-2006
Construction	2008-2009

Prepared by DK 4/10/05

CITY OF PEKIN TRAFFIC SAFETY COMMITTEE MINUTES
JULY 9, 2005
8:30 A.M.
CITY HALL CONFERENCE ROOM

PRESENT: Denny Kief, Tim Gillespie, Joe Wuellner, Rick Bowman, Will Taylor, Commissioner Blanchard and Dave Pagliaro. Also present were Sue McMillan and Attorney Sue Bosich

ABSENT: Chuck Lauss

The meeting was called to order by Chairman Blanchard. Request was made to allow two residents present at the meeting to address items on the agenda first.

1. Parking Permit South 13th Street.

Gerald Kempf presented a petition from 27 residents on S. 13th Street and Center Street requesting the creation of a Parking Sticker. The residents supported purchasing the sticker for a nominal fee to allow their vehicles to park on the street with proof of residency and vehicle registration at the City. Dave and Tim advised that the precedence would need to be monitored closely and to be aware that Post Office employees and the St. Joseph area residents would be asking for the same exemption of 2 hour parking. Parking Enforcement Officer (Tammy) supported proposal.

DECISION: Approved for 6 month trial

ACTION: Police Department to order stickers. Sue B. to draft amendment to traffic code as a subsection of No Parking provisions.

7. Request to Remove “Blinker” Stop Sign at 6th and Washington

The solar powered lighted Stop Sign was installed at the intersection with the intention to alert drivers and reduce accidents. Washington resident Sue Bosich felt the issue was a matter of 6th Street traffic easing out on to Washington because of visibility easterly down Washington and the fact that motorist were unaware that Washington does not stop at 6th Street. Suggestion made to move no parking back.

DECISION: “Blinking” Stop was not permanent. Suggestions approved. Tree not a visibility issue – do not remove.

ACTION: Dave to replace “blinking” sign with permanent sign. Place “Cross Traffic Does Not Stop” signs on 6th Street both north and south. Sue M. to draft ordinance to restrict parking on north side of Washington 60 ft beyond the standard 30 ft.

Members further discussed similar issue of vehicles easing out on to Park Avenue at 10th Street and speed motorist on Park Avenue. Dave in favor of waiting until August as planned to evaluate the intersection after three months of having the signs moved on 10th for better visibility. Place “blinking” warning stop signs on 10th Street.

5. Request for No Parking one side on Sycamore from Royal to Lucille

Activities at the Park have increased and reduced residents parking and ability to maneuver vehicles down street. Request also for speed limit to be reduced from 30 mph to 20 mph. Dave supported 20 mph to mirror 20 mph restriction in the Park.

DECISION: Fire Department to take engines through to evaluate access. Members to consider action at August meeting.

ACTION: Dave to call Alfred Graham to inform him of the delayed action. Tim to ask Park District Police to run radar.

2. Traffic Count, Accident Report, Tree Trim 7th St. and Prince.

Request made at April and May TSC to change yield signs to stops. Dave reported tree that obstructed traffic had been trimmed. Tim advised that yield was effective based on presented Traffic Analyzer Study for the intersection.

DECISION: Request for stops denied unanimously

ACTION: Dave directed to call Ed Culp 267-9799

UNFINISHED BUISNESS:

3. Follow-up Triathlon Special Event

Sue M. reported that application for Special Event was completed and information sent to appropriate departments to advise them of the intended route for swimmers, bikers and runners on July 9th.

Homeowners in the Sunset Hills area were notified by the sponsor, Andy Weiberg to be cautious when driving and he planned to station volunteers throughout the event. It was decided no streets were necessary to be barricaded.

4. No Parking on N. 14th Street Between Arthur and Monroe

This was 2nd request and denial from Brian Williamson. The gentleman was not in attendance to explain the situation.

DECISION: All agreed leave as is. Request denied.

6. Ordinance Draft Traffic Safety Committee Structure

Sue M. presented the ordinance that Council would consider at the meeting of July 11. The language change will reflect the present structure of 7 voting members; and remove Engineer, add Street Superintendent, City Manager and at-large staff representative.

NEW BUSINESS:

1. Elm and Mechanic

Com'r. Blanchard expressed concern that children riding on bikes are at risk of being struck by a motor vehicle at the intersection. There is a block wall and blind spot where road T's into Elm Street. Discussion followed regarding request for Yield at Elm. Will recommended traffic stop. Denny and Dave supported stops on Mechanic Street.

DECISION: Intersection warrants stops

ACTION: Sue M. to draft ordinance for stop signs.

2. Request for Handicapped Parking Space 1825 Vienna Court Apt 3

Marsha Elliott Sunset Hills Apartments 347-4331 made a request for Isabel Detoye. The tenant processes a handicapped sticker but needs parking stall in front of the unit.

DECISION: Request approved. Handicapped stall requires annual documentation.

ACTION: Com'r. Blanchard to contact Sunset Apartments. Sue M. to draft ordinance.

3. Request for "Deaf Child" Sign 1824 Victoria

Dave reported that Mary Beth Brungart 241-7249 asked for signage for her 4 year old deaf son as an advance warning for safety reasons. He advised her if the TSC approved, the sign would say "Handicapped Person" and that each year there would be a check to document the handicapped person resides at that address.

DECISION: None

ACTION: Place on August Agenda

4. Request for Enforcement of stops at Royal and 13th Streets

Will reported that he has worked the area and that the intersection is not a high accident location.

DECISION: Will to work location again for enforcement of running stops.

ACTION: Denny to contact the Mr. Agee

5. Request for No Parking Sign at Stub Street on Parkway before Sheridan

Mike Underwood informed the Street Department that exiting his new home onto Parkway just before Sheridan on the east side is difficult and unsafe because of neighbors vehicles being parked on the street that was never built. This location is also used by the Police Department to run radar. Committee agreed that there was a visibility problem.

DECISION: Approved No Parking

ACTION: Sue M draft ordinance. Dave provide measurements.

6. Policy for Service Clubs Collecting Litter

Lieutenant Lowe had inquired about a policy, possibly from a question of a group that was interested in controlling cleanup of a specific section of roadway. Committee discussed but no one was aware of any type of written policy. The Kiwanis for N. Parkway Drive and Moose Ladies for upper Broadway notified the police department and requested sign from Street Department.

AROUND THE TABLE:

Dave requested that the committee consider a stop at the NE corner of Cottage Grove and Cherry Lane.

DECISION: Approved

ACTION: Sue M. draft ordinance making Cottage Grove through from Court to dead end.

Meeting Adjourned at 10:40 A.M.

BUILDING REPORT 2005																					
MONTH	DWELLINGS		GARAGES		MULTI-FAMILY		COMMERCIAL		COMMERCIAL REMODELING		RESIDENTIAL REMODELING		MISC.		RESIDENTIAL DEMOLITIONS		COMMERCIAL DEMOLITIONS		BUILDING DOLLARS		BLDG PERMITS
JANUARY	2.00	\$419,750	2.00	\$21,520	2.00	\$265,000	3.00	\$835,000	4.00	\$554,000	6.00	\$109,000	1.00	\$12,000	0.00	0.00 #	0.00	0.00	\$2,216,270	20.00	
FEBRUARY	5.00	\$908,850	1.00	\$2,880	2.00	\$270,000	5.00	\$573,000	0.00	\$0	8.00	\$77,032	10.00	\$93,910	1.00	0.00	2.00	9,730.00	\$1,935,402	34.00	
MARCH	11.00	\$2,168,250	4.00	\$36,980	0.00	\$0	4.00	\$1,546,000	4.00	\$15,000	9.00	\$72,408 #	25.00	\$84,604	0.00	0.00	0.00	0.00	\$3,923,242	57.00	
APRIL	4.00	\$851,250	8.00	\$81,000	2.00	\$255,000	1.00	\$40,000	0.00	\$0	14.00	\$133,709	37.00	\$69,342	3.00	3,400.00	0.00	0.00	\$1,433,701	69.00	
MAY	5.00	\$1,164,000	2.00	\$20,000	19.00	\$2,226,750	4.00	\$56,400	1.00	\$14,000	28.00	\$334,523	46.00	\$76,013	1.00	0.00	1.00	0.00	\$3,891,686	107.00	
JUNE	8.00	\$1,376,250	5.00	\$42,980	1.00	\$125,000	3.00	\$1,449,000	2.00	\$252,000	0.00	\$0	26.00	\$123,064	0.00	0.00	0.00	0.00	\$3,368,294	45.00	
TOTAL 6 MO.	35.00	\$6,888,350	22.00	\$205,360	26.00	\$3,141,750	20.00	\$4,499,400	11.00	\$835,000	65.00	\$726,672	145.00	\$458,933	5.00	3,400.00	3.00	9,730.00	\$16,768,595		
JULY	0.00	\$0	0.00	\$0	0.00	\$0	0.00	\$0	0.00	\$0	0.00	\$0	0.00	\$0	0.00	0.00	0.00	0.00	\$0	0.00	
AUGUST	0.00	\$0	0.00	\$0	0.00	\$0	0.00	\$0	0.00	\$0	0.00	\$0	0.00	\$0	0.00	0.00	0.00	0.00	\$0	0.00	
SEPTEMBER	0.00	\$0	0.00	\$0	0.00	\$0	0.00	\$0	0.00	\$0	0.00	\$0	0.00	\$0	0.00	0.00	0.00	0.00	0.00	0.00	
OCTOBER	0.00	\$0	0.00	\$0	0.00	\$0	0.00	\$0	0.00	\$0	0.00	\$0	0.00	\$0	0.00	0.00	0.00	0.00	\$0	0.00	
NOVEMBER	0.00	\$0	0.00	\$0	0.00	\$0	0.00	\$0	0.00	\$0	0.00	\$0	0.00	\$0	0.00	0.00	0.00	0.00	0.00	0.00	
DECEMBER	0.00	\$0	0.00	\$0	0.00	\$0	0.00	\$0	0.00	\$0	0.00	\$0	0.00	\$0	0.00	0.00	0.00	0.00	\$0	0.00	
TOTAL 6 MO.	0.00	\$0	0.00	\$0	0.00	\$0	0.00	\$0	0.00	\$0	0.00	\$0	0.00	\$0	0.00	0.00	0.00	0.00	\$0	0.00	
YEAR	35	\$6,888,350	22.00	\$205,360	26.00	\$3,141,750	20.00	\$4,499,400	11.00	\$835,000	65.00	\$726,672	145.00	\$458,933	5.00	3,400.00	3.00	9,730.00 #	\$16,768,595	132.00	

City of Pekin

LIQUOR COMMISSION MINUTES

THURSDAY, JULY 14, 2005

4:00 P.M.

CITY HALL CONFERENCE ROOM

Roll Call

Roll was called and the following members were present: David Eitenmiller, Acting Chairman, Fire Chief Chuck Lauss, John McCabe and Police Chief Tim Gillespie.

Absent: Chairman Roy Bockler and Gary Allen

Also present: Attorney Sue Bosich, Public Works Director Joe Wuellner, and Community Development Coordinator Pamela Anderson.

Acting Chairman Eitenmiller opened the meeting at 4:07pm.

Approval of Agenda

Motion by Lauss, seconded by Gillespie to approve the Agenda as presented for July 14th, 2005. On roll call vote all present voted Aye. Motion carried.

Approval of Minutes

Acting Chairman Eitenmiller entertained a motion to approve the minutes of June 23rd as submitted. Motion by Gillespie, seconded by Lauss that the minutes of June 23rd be approved as written. On roll call vote, all present voted Aye. Motion carried.

NEW BUSINESS

Attorney Sue Bosich had two items to discuss: Police Report on Ol' Dads of selling alcohol to a minor. Bosich had the bartender in court and fined. Explained that this minor was using a fake ID and had been carded in there several times before, this night she was not carded and was served. Liquor Commissioner wanted the Commissions recommendation on this situation. Discussion followed: No recommendation from the Commission at this time. Recommends Bosich send a letter to the licensee holder of Ol' Dads.

Nik's 4th Street Pub: Police Report on the owner Nick Grimm being attacked by a patron he was escorting out of the bar, a knife was found. Bosich did not think this would come before a Hearing. Discussion followed: Tabled until next meeting pending further information.

Acting Chairman Eitenmiller changed the order of the Agenda on New Business.

Update on Dragon's Dome Ball Fields: Wuellner stated they had been in for permits and construction has started.

Discussion on the Ball Fields: Cindy Keyes brought in a "One Day Liquor License Application" for Saturday, July 16th. Discussion followed. Sue Bosich to review the tape of the May 23rd minutes on if they have to hire off-duty police officers when they hold large events. Bosich stated if this is not on the tape, as the Commission can send a memo to the Liquor Commissioner saying although this was not on the tape we felt very strongly that they should have at least 1 Police Officer present for safety concerns.

Pamela Anderson, Community Development Coordinator stated that the Dragon's Dome Ball fields have filled out an EDFAP Application with her and it goes to Council on 7/25/05. Pamela explained the guidelines for this application. Guidelines are no restaurants, bars or liquor related. Discussion followed: Decided this was not part of the Liquor Commission.

Chief Gillespie stated last meeting he gave a verbal report on the Liaison Officers reports. No report at this time.

Materials were handed out to the Commission members. One new and one renewal liquor application, liquor license holders sheet, Tazewell County Liquor Code, and updated Check list.

Discussion on Tazewell Motel – Concorde Inn & Suites. Discussion followed: Wuellner had a question on the Check List not being filled out. It was filled out what has been turned in. Paula to get the Check List distributed to the departments involved to be completed and returned to Paula.

Discussion on the application regarding the Petitioner (name of corporation, individual, partnership) and doing business as. The person who applies for the liquor application is actually the person. Applicant being a Corporation rather than a person's actual name. Needs to be a contact person/manager on the application.

ANY OTHER BUSINESS TO COME BEFORE THE COUNCIL

- Next meeting scheduled for Thursday, July 28th @ 4:00 p.m.

No further business, motion was made by Lauss, seconded by Gillespie to adjourn. On roll call vote, all present voted Aye.

Meeting adjourned at 5:07 P.M.

Respectfully submitted by Paula Gensel

Inspection Meeting July 20, 2005

Following are the minutes of the meeting with follow up comments if any (in red):

1. Mark R. – will be attending a code seminar in Sept. Would like to get it where the department could work closer with the elected officials on complaints. Problems occur when the wrong answers get out.
2. Jack S. – everything going fine. Working on getting contractor files current and testing new applicants.
3. Juanita V. – asked about information on the shaming signs since there is now a few calls coming in. **We are looking at the use of these signs for chronic code violators for weeds, junked vehicles, and houses in disrepair. Keep a list of the calls and the complaints to be followed up on.**
4. Dave S. – keeping up with the called in complaints and will get with Ron when time allows to go over the low to mod areas. Helping with cash receipts.
5. Ron S. – stated that there will be training on the new permit program wither August 8 or 9. During this period we will be setting up the fees and forms that will be used and getting the logo changed. The third house built by Mark Short now has people living in it and there have not been any inspections. **Ron will issue him a Notice to Appear and he will not be given anymore permits until this is corrected.** Plans to check on the latest two shops at East Court Village to see if there has been any progress. Expecting drawings for Deerfield 4 and Gingoteague 5 and will contact Mike Hadden about the agreement for Marigold 10 & 11.
6. Joe W. – informed the group about a conversation he had with a lady whose neighbors had turned her in for weeds and limbs. The question she kept asking was why her neighbors didn't say anything to her about this. The group confirmed that this is generally the problem, neighbors who don't get along and communicate. The majority of calls start out with "I don't want to cause any trouble but". They ask if the person has spoken with their neighbor but usually the answer is no. These problems when checked out are usually borderline violations and become more of a nuisance to the department to have to deal with them. Mentioned that there was a problem with stray cats in the 1500 block of Henrietta and that we will check it out and turn it over to Animal Control.

NOTE:

Next meeting August 3, 2005

WHEREAS, Save A Life Foundation's mission is training and developing people, starting with school children, to be active bystanders equipped with basic Life Supporting First Aid skills to aid during emergencies; and

WHEREAS, Save A Life Foundation, utilizes only Emergency Medical Service Professionals as Instructors to teach basic Life Supporting First Aid techniques, including Cardiopulmonary-Resuscitation (CPR), the Heimlich maneuver, and the use of an Automatic External Defibrillator (AED) to school children, grades K-12 and adults; and

WHEREAS, the U.S. Surgeon General recognizes Save A Life Foundation's life-supporting first aid training programs as a medical component to his "Year of the Healthy Child" initiative; and

WHEREAS, basic Life Supporting First Aid Techniques, such as CPR, Heimlich maneuver, and the use of an AED are essential in maintaining life prior to EMS arrival; and

WHEREAS, Save A Life Foundation works with local, state and federal government organizations and the private sector to highlight the importance of public emergency preparedness and effective emergency response; and

WHEREAS, Save A Life Foundation, an affiliate of the U.S. Department of Homeland Security, Citizen's Corps, encourages all municipalities to recognize Save A Life Month in conjunction with Homeland Security's National Preparedness Month, a nationwide effort to encourage Americans to prepare for emergencies; and

WHEREAS, Save A Life Foundation will coordinate this year a national awareness campaign of activities for Save A Life Month to promote life supporting first aid training along with Citizen Corps and Medical Reserve Corps; and

WHEREAS, the month of September 2005 has been designated as National Save A Life Month, and

NOW, THEREFORE, BE IT RESOLVED that I, LYN HOWARD, Mayor of the City of Pekin, Tazewell County, Illinois, do hereby proclaim the month of September 2005, as

"SAVE A LIFE MONTH"

and ask that all citizens to participate in and celebrate the month of September.

ADOPTED, this 25th day of July, in the Year of Our Lord, Two Thousand and Five.

LYN HOWARD
Mayor

ATTEST:

SUE E. McMILLAN
City Clerk

AMVETS "Tag" Days
11/11/05
Council approved 7/25/05

15 July 2005

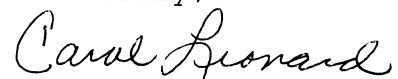
Mayor Lynn Howard
Pekin Municipal Building
111 South Capitol Street
Pekin, Illinois 61554

Dear Mayor Howard:

Friday, November 11th this year is Veterans day. This day has significant meaning to myself and my fellow members of AMVETS Post 235 here in Pekin. It is the day we honor all veterans who have honorably served their country and now we would like to give more back to them. With your permission we would like to start a yearly fund raiser on Veterans day week-end where we can stand in front of businesses, with their permission, to raise funds for our Post.

All money collected would be used to help veterans in need as well as to help civic organizations such as the VAC for Tazewell county, House of Hope, and the Boy Scouts requesting our help. We feel, with your permission, this yearly fund raiser would give us the much needed funds to help our community and our veterans.

Sincerely,



Carol Leonard
AMVETS Post 235
1426 South 2nd St.
Pekin, Illinois
61554



Kathy L. Fisher
Benefit

Saturday August 13th, 2005 12 P.M-8 P.M

Creve Coeur V.F.W.

Admission \$5.00 Adults \$2.50 Children

Hog Roast, Hot Dogs, Chips, Coffee, and Tea

50/50 Raffles, Basket Raffles, Tip Boards, and many more
Raffles

Live Entertainment
(A Little Bit Crazy-Band)

Kathy is a single mother raising her 17 year old son. She has been battling cancer since 1999 and it has advanced to stage 4 Metastatic Colon Cancer. Kathy will be traveling back and forth to Chicago for Chemo treatments.

To Whom it may Concern:

We are having a benefit for Kathy L. Fisher on Aug. 13th because she has advanced Stage 4 Metastatic Colon Cancer. She is unable to work and a single mother and has to travel to Chicago for her Chemo treatments. We would like to solicit for donations in the area for raffles and auction at the benefit.

Thank you
Helen Glenn
William Glenn
Denise Barst
Robin Lowe

7-19-05

382-4406
303-3118

RESOLUTION No._____

July 25, 2005
PEKIN, ILLINOIS, _____ 19____

RESOLUTION BY COMMISSIONER _____

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PEKIN, ILLINOIS, THAT:
the Mayor's appointment of Holly Brown to the Liquor Commission to fill the
unexpired term of Donald Nell until February 2008 is approved.

2001 Alhambra

Pekin, IL 61554

346-6884

SIGNED BY_____

MAYOR.

LIQUOR COMMISSION

4:00 P.M. SECOND AND FOURTH THURSDAY OF THE MONTH

ROY BOCKLER, CHAIRMAN
2226 AUTUMN
346-5808 TERM ENDS FEBRUARY 28, 2006
bockler@peoplesstatemanito.com

GARY ALLEN
213 GUNION
346-5583 TERM ENDS FEBRUARY 28, 2007
pekinrealtor@grics.net

JOHN MCCABE
1407 GLENDALE
346-8303 TERM ENDS FEBRUARY 28, 2007
jmccabe@pekinhigh.net

DAVID L. EITENMILLER
1518 SOUTH 5TH STREET
346-3015 TERM ENDS FEBRUARY 28, 2008
deitenmiller@yahoo.com

HOLLY BROWN
2001 ALHAMBRA
346-6884 TERM ENDS FEBRUARY 28, 2008

CHIEF OF POLICE INDEFINITE TERM
tmgillespie@ci.pekin.il.us

FIRE CHIEF INDEFINITE TERM
clauss@ci.pekin.il.us

SUE BOSICH
CORPORATION COUNSEL
attorney@ci.pekin

MEMO

To: City of Pekin Mayor & Council
From: Pamela Anderson, Asst. Dir. Of Planning & Development
CC: Denny Kief, City Manager; Sue McMillan, City Clerk; Bob Reis, Director of Finance; Pat Oberle & Bill Streeter, City Attorneys
Date: July 15, 2005
Re: EDFAP Loan Review Committee Recommendation

First, I would like to remind the Council that the EDFAP program was not part of the Five Year Consolidated Plan. Therefore, this is the last EDFAP application that will be considered for at least five years (based on the approved Five year HUD plan). This program/application has been carried over from last fiscal year. The application and fee (\$50.00) was submitted before the end of April (end of fiscal year).

The Loan Review Committee met on July 1st, 2005. After reviewing the Dragon's Dome II, LLC application a recommendation was given. The following recommendation in favor of granting an EDFAP loan to the Dragons Dome II, LLC / Softball Diamonds to Council, is contingent on the Council first addressing and changing two of the EDFAP program guidelines. A copy of the form that was used in the Loan Review Committee is inserted. A full copy of the EDFAP guidelines is included with additional history and contingent changes made to applicable guidelines.

Below (#2 & #3) are the proposed changes for the EDFAP Program Guidelines for the approval recommendation of the Dragon's Dome II, LLC / Softball Diamonds from the LRC.

The Loan Review Committee recommendation is the following for this EDFAP application:

- 1) Building permit issue – unanimously no for reimbursement of building permit fees with EDFAP dollars.
- 2) Liquor eligibility issue – Council clarify that this project is **not** for “any liquor-related business” as defined by the program guidelines under Eligibility Criteria or revise the Program Guidelines section IV, number 1 – OR – remove this guideline.
- 3) Low to moderate job creation – recommended change of the City set ratio of 1 FTE: \$10,000 to the HUD ratio of 1 FTE: \$50,000 (3/5 Committee members).
- 4) The focus of the EDFAP loan dollars is for the ball field expenses (equipment and fixtures).
- 5) The LRC recommends approval of the EDFAP application from the Dragons Dome II, LLC contingent to the Council agreeing with the above-mentioned items. Otherwise, the LRC does not recommend forward movement with this application.

CITY OF PEKIN, ILLINOIS

LOAN REVIEW COMMITTEE RECOMMENDATION

July 1, 2005, 9:00 am

1. Name of Business: Dragon's Dome II, LLC
2. Name of Contact: William Griffin
3. Address: 3401 Griffin Ave. City: Pekin State: IL Zip: 61554
4. Phone number: 309/840-0786
5. Project Description:
6. **EDFAP Loan amount requested: \$86,201.99**
Rate: $\frac{1}{2}$ National Prime rate (3.12%) Term: 10 years
7. Loan Security Offered: Personal guarantee and equipment
8. Total Project Cost: \$172,403.99

Machinery/ Equipment: \$172,403.99
9. Sources of financing, Amounts, Rates, Terms and Repayment Schedule:

<u>Source</u>	<u>Amount</u>	<u>Term</u>
Associated Bank	\$2.5 mil	20yrs

Security
land and building
10. Full-time Equivalent Jobs Created: 13 Created 0 Retained
11. Full-time Equivalent Jobs to be Held by Lower Income Persons: 10

Notes: Building permit issue (\$1,634.00) & Liquor issue

XXXXX

I recommend the CDBG loan be **approved**.

I recommend the CDBG loan be **denied**.

Comments: Contingent on the LRC comments. Please see attached memo to Council.

LEGAL NOTICE

**CONSOLIDATED
ANNUAL
PERFORMANCE
AND EVALUATION
REPORT CITY OF
PEKIN-PERIOD OF
MAY 1, 2004 TO
APRIL 30, 2005.**

The City of Pekin's Consolidated Annual Performance and Evaluation Report (CAPER) will be available for public review and comment from June 30, 2004 to July 21, 2005 in the Planning & Development Department is located on the second floor of the Pekin City Hall building, 111 S. Capitol Street, Illinois.

The first public hearing will be held on July 21, 2005 at 5:30 pm in the Council Chambers, second floor of the City Hall, 111 S. Capitol Street, Pekin, Illinois. A second public hearing will be held during the City Council meeting on July 25, 2005 at 5:30 pm in the Pekin City Council Chambers. The Council Chambers are accessible to persons with disabilities. If special accommodations are needed or if there are any questions regarding the CAPER, please contact Pamela Anderson, Department of Planning & Development at (309) 477-2300 ext. 5356.

Thank you,
s/ Pamela Anderson
Pamela Anderson
Community Development Coordinator
City of Pekin
163269 6/29

CERTIFICATE OF PUBLICATION

THE PEKIN DAILY TIMES

Gregg Ratliff, Publisher

Pekin, Illinois, June 29 20 05

I hereby certify that I am the publisher of THE PEKIN DAILY TIMES and that the annexed notice was published _____ times in the Pekin Daily Times, a secular public newspaper of general circulation, printed and published daily, except Sunday, and legal holidays, for at least 1 year prior to the 29 day of June 20 05 in the City of Pekin, Tazewell County, State of Illinois: that publication of said notice was made in said newspaper as follows:

the first on the 29 day of June 20 05 ;
the second on the _____ day of _____ 20 _____ ;
the third on the _____ day of _____ 20 _____ ;
the fourth on the _____ day of _____ 20 _____ ;

I further certify that the face of the type in which each publication of the said notice was made was the same as the body type used in the classified advertising in the issue of the said newspaper in which such publication was made.

I further certify that said newspaper is a newspaper as defined in 'An Act' to revise the law in relation to notices' as amended by Act approved July 17, 1959.-Ill. Revised Statutes, Chap. 100, Para. 1-10.

Gregg Ratliff
Publisher of

THE PEKIN DAILY TIMES

Publication Fee. \$ 40.50
Posters, Slips \$ 5.00
Total \$ 45.50

By Hanna Holder

RETAIN THIS PORTION FOR YOUR RECORDS

REMITTANCE ADDRESS DAILY TIMES - LEGAL P.O. BOX 430, PEKIN, IL 61555-0430		BILL TO CITY OF PEKIN	
AD NUMBER 163269	CLASS 0001 LEGALS	SALESPERSON cs5	BILLING DATE 06/29/05
AD DESCRIPTION LEGAL NOTICE CONSOLIDATED ANNUAL P		START DATE 06/29/05	STOP DATE 06/29/05
PUBLICATION 2 THE PEKIN DAILY TIMES - LEGAL	INSERTIONS 1	RATE LEGAL	NET AMOUNT 40.50
TOTAL AD CHARGE			40.50
2 LEGAL AFFIDAVIT		AFFID	5.00
PURCHASE ORDER		PAY THIS AMOUNT	45.50
			54.60*

* AFTER 07/14/05

MESSAGE:

DETACH AND RETURN THIS PORTION WITH YOUR PAYMENT

DAILY TIMES - LEGAL

P.O. BOX 430, PEKIN, IL 61555-0430

AD NUMBER 163269	CLASS 001 LEGALS	START DATE 06/29/05	STOP DATE 06/29/05
AD DESCRIPTION LEGAL NOTICE CONSOLIDATED ANNUAL P		BILLING DATE 06/29/05	TELEPHONE NUMBER 309-477-2300

GROSS AMOUNT OF
54.60
DUE AFTER 07/14/05

CITY OF PEKIN
111 S. CAPITOL STREET
ROOM 225
PEKIN, IL

61554



TOTAL AMOUNT DUE 45.50
ENTER AMOUNT ENCLOSED

202000000016326900000000000000000546000000045501

2004 CAPER

- CAPER – Consolidated Annual Performance and Evaluation Report (End of the fiscal year report)
- May 1, 2004 through April 30, 2005
- Actual Expenses for the CDBG allocation
- 12 projects during the HUD 2004 Fiscal Year

2004 CAPER

- Housing Needs
- Public Facility and Service Needs
- Infrastructure Improvements
- Economic Development Needs
- Affirmatively Furthering Fair Housing
- Affordable Housing
- Continuum of Care (Homeless)
- Other Actions

2004 CAPER Income

Income:

2004 Grant:	\$492,000.00
-------------	--------------

2004 Program Income:	<u>\$ 95,401.36</u>
----------------------	---------------------

Total 2004 Income:	\$587,401.36
--------------------	--------------

2004 CAPER

Administration: 20% Cap

- Funds expended: \$104,731.72
- Funds carried over: \$ 3,447.70
- 20% Administration Cap: 17.83%

2004 CAPER

Administration: 20% Cap

- Administration: \$103,179.42
- Pekin Coalition for Equality: \$ 1,552.30

2004 CAPER Housing Needs

Housing Rehabilitation Loan Program

- Funds expended: \$ 42,342.95
- Funds carried over: \$ 31,000.00

2004 CAPER Housing Needs

Emergency Forgivable Loan Program

- Funds expended: \$15,948.00

2004 CAPER Housing Needs

ADA/Senior Forgivable Loan Program

- Funds expended: \$23,838.85

2004 CAPER Housing Needs

Back Water Valve Program

- Funds expended: \$1,200.00

2004 CAPER Housing Needs

Down Payment Assistance Program

- Funds expended: \$1,501.60

2004 CAPER Housing Needs

Rehabilitation Program Delivery

- Funds expended: \$21,975.50

2004 CAPER Housing Needs

Code Enforcement Officer

- Funds expended: \$ 7,992.53

2004 Caper Public Facility & Service Needs

United Way of Pekin

- Funds expended: \$45,000.00

2004 CAPER

Infrastructure Improvements

2004 Street Maintenance

- Funds expended: \$162,572.00

2004 CAPER

Infrastructure Improvements

2001-2004 ADA Sidewalks

- Funds budgeted: \$200,000.00
- Funds expended: \$ 83.92
- Carry over to 2005: \$199,916.08

2004 CAPER

Economic Development Needs

Economic Development Financial Assistance Program (EDFAP)

- Funds budgeted: \$100,000.00
- Funds expended: \$ 0.00
- Carry over to 2005: \$ 88,000.00

2004 CAPER

Affordable Housing Assistance

- Rehabilitation programs assisted fifteen (15) households.
- Down payment assistance assisted one (1) household.

2004 CAPER

Financial Summary

- 2003 Carry Over: \$ 17,271.99
- 2004 Grant dollars: \$492,000.00
- 2004 Program Income: \$ 95,401.36
- Total income: \$604,673.35

2004 CAPER

Financial Summary

- 2004 Expenditures: \$432,187.07
- 2004 Carry Over: \$170,947.00
- Total expenses: \$603,134.07

2004 CAPER

Financial Summary

- Total income: \$604,673.35
- Total expenses: \$603,134.07
- Remaining: \$ 1,539.28
- The remaining dollars are absorbed into the CDBG account and used for HUD approved CDBG activities within the 5-year Plan.

2004 CAPER

- Questions?

July 22, 2005

TO: MAYOR & COUNCIL
FROM: PAMELA ANDERSON
SUBJECT: CDBG 2004 CAPER (FY May 1, 2004 to April 30, 2005)

I have attached for your information and consideration, pages 19-21 of the CDBG end of the year report for the 2004 CAPER and the completed 2004 CAPER document. The CAPER will be available for public review and comment in the Planning & Development Department for 15 days, beginning June 30, 2005 to July 21, 2005. Two public hearings will be held July 21, 2005 & at the Council meeting on July 25, 2005 to discuss the 2004 CAPER. The City Council will vote to approve the CDBG 2004 CAPER at its regular meeting on July 25, 2005 at 5:30 P.M.

If you would like to review a summary of the 2004 CAPER, please review pages 19-21. These tables represent a summary of affordable housing assistance, a summary of the programs, amounts budgeted, amount expended and the status of the programs for the 2004 HUD fiscal year, and fiscal year 2004 carry over funds as documented in the 2004 CAPER. Please see the enclosed table for further clarification.

The 2004 CAPER is also inserted if you would like to review the completed document. This is a year in summary of activities with the administration of the CDBG funds.

If you have any questions or need additional information, please contact me.

Respectfully Submitted,

Pamela Anderson
Community Development Coordinator

Cc: Denny Kief, City Manager / Sue E. McMillan, City Clerk / Patrick E. Oberle,
Corporation Counsel / Bob Reis, Finance Director

Enc: 2004 CAPER pages 19-21
2004 CAPER

City of Pekin * Development & Planning Department
111 S. Capitol St. * Pekin, IL * 61554
phone: (309) 477-2300 * fax: (309) 346-2095
e-mail: panderson@ci.pekin.il.us

2004 CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT

1. All Grantees Must Submit a Narrative Statement Addressing the Following:

a. Assessment of Three- to Five-Year Goals and Objectives

The City of Pekin allocated its 2004 Community Development Block Grant (CDBG) funds to twelve (12) projects during its 2004 fiscal year (May 1, 2004 to April 30, 2005). Those projects addressed high priority needs and objectives, which were outlined in the City's Five Year Consolidated Plan 2000-2004, and include the following:

Housing Needs

Housing Rehabilitation Loan Program: Improved Pekin's existing owner occupied housing through zero to low interest loans. The loans offered were typically for roof replacements, plumbing, electrical and management of lead paint hazards.

Back Water Program: This program will provide grant funds to help alleviate the issue of a flooded basement during heavy rainfalls.

ADA/Senior Program: Home maintenance repair program for homeowners 62 years old or older and/or homeowners with disabilities (any age) through which improvements, such as installation of ramps & grab bars, are made to homes of persons with disabilities to make the home more accessible.

Emergency Program: Eliminate certain deficiencies in a housing unit that constitutes an emergency (an immediate hazard to the health and safety of the inhabitants within the household).

Down Payment Assistance Program: Provided individuals and families with half of the required down payment (not to exceed \$1,500) to assist in the purchase of their first home.

Public Facility and Service Needs

United Way of Pekin: Agencies which support older people, strengthen families and assist people in crises, promote health and healing, nurture children and youth, and assist the developmentally disabled receive funding through the United Way of Pekin's forum process.

Infrastructure Improvements

2004 Street Maintenance Program: Streets located in the low to moderate income Census block group areas were overlaid and seal coated. The neighborhood streets in the 2000 U.S. Census low to moderate-income block 211.01, block groups 1 & 4 and census tract 208-block group 1 were completed.

2001 - 2004 ADA sidewalks: Action has occurred during this project year. 2001 and a portion of 2002 ADA sidewalk dollars has been approved by Council at the March 28, 2005 Council meeting. The remaining portion of 2002, 2003 and 2004 ADA Sidewalk dollars has been bid and has been approved by Council at the June 27th Council meeting. This will be reflected in the 2005 CAPER. Handicapped ramps / curb cuts of sidewalks at various locations throughout Census Tract 210 block group 01 & 211.01 block groups 1, 3 & 4. Work was targeted at the street intersections of Pekin Housing Authority area and a section of sidewalk stretching from the 1100 to 2000 block of Broadway Street based on the location of the Pekin Housing Authority and subsidized housing. As per HUD data, the highest population in the City of Pekin of disabled households resides in the 211.01 Census Tract.

Economic Development Needs

Economic Development Financial Assistance Program or (EDFAP): Two applications were processed during this project year. One application was unable to receive financing and withdrew their application. The other EDFAP application is still in process. If this application proceeds, they would be eligible for an estimated \$86,500 of the \$100,000 allocated for the FY 2004 dollars. An adjustment has been made in the IDIS activity to reflect the lesser amount allocated for this activity. FY2003 dollars were not expended during this project year and the IDIS activity was cancelled. This program provides financial assistance in the form of a low interest loan to a new or existing/expanding business. The loan was based upon the total project cost and the number of full-time equivalent jobs that would be created and/or retained within a two-year period. A bank and/or private investor(s) must also participate in the financing of the project.

b. Affirmatively Furthering Fair Housing

The City of Pekin is a member of the Pekin Coalition for Equality and has staff representation on the Coalition's Board and Council assigned to the Coalition efforts. The City, County, grade and high school districts, as well as local churches and businesses work together in support of the Coalition's efforts to eliminate discrimination and hate crimes and increase equal opportunity and understanding among people. During the last fiscal year the Coalition has taken a lead role in various events:

May – The Pekin Coalition for Equality conducted a logo contest. It was decided at our meeting that Coalition members would visit local summer camps and give a 15-minute presentation and have the children attempt to draw a new logo for the Coalition.

June – New Human Relations Commission members were designated

July – the efforts for acquiring additional logo contest entries was great. A total of 250 entries were obtained by visiting local summer camps.

August – The Coalition participated in the National Night Out Against Crime. We provided temporary tattoos to the children in a booth advertising the Coalition efforts. There were approximately 1,300 people in attendance.

September – The Coalition participated in the Marigold festival. Our booth was located near the petting zoo. We had an art project for kids – multi-colored paper hands that the children were able to decorate with jewels, stickers, and markers/crayons. The purpose of the multi-colored hands was to demonstrate that people come in different shades. We all have differences, but we are all people. These hands were later displayed at McDonalds during the Week Without Violence. The children participating in the Marigold festivities also were given a small plastic cup with the new Coalition logo and a temporary tattoo. Approximately 200 children participated.

October – Week Without Violence –

Diversity Forum: The Coalition invited several leaders of the Community and leaders of the City of Peoria to a Diversity Forum held at the Pekin City Hall. Three minorities from Peoria and three Caucasian Pekinites sat on the Forum. The Forum covered the following: Perceptions – definition of racism vs. prejudice, based in fear not hatred, internal vs. external perceptions, and perception is reality, information dispels perception and racism; why come to Pekin? What does Pekin have to offer? – Attributes of Pekin were shared by the Pekin Chamber of Commerce; the value that diversity adds to a Community – Social and economic diversity and economic losses when diverse populations go elsewhere. There was also a question / answer opportunity of the participants. The Diversity Forum was taped and portions of the tape have been used in presentations.

“Hands” – the decorated hands from the Marigold Festival (September) were on display at the local McDonalds.

Writing Contest at Pekin Community High School – 20 entries were received.

The winner was announced at the Dr. Martin Luther King Jr. breakfast in January.

November – Conference on Bias, Bigotry, Hate and Terrorism in America held in Bloomington, IL. The Coalition discussed supporting a project to raise funds to purchase a grave marker for John Taylor, a former player in the Negro leagues. Further discussions were held during the fiscal year.

December – preparation for January events

January –

MLK breakfast – The Coalition invited D. Kucha Brownlee and her husband Tony, storyteller, vocalist and percussionist; to speak at the MLK breakfast (237 people in attendance) and also to attend five elementary schools (1,274 people reached) and the Pekin Public library (150 people reached) for presentations.

City of Pekin - The City of Pekin had a display of Martin Luther King Jr. & Senator Dirksen works and pictures for the week of January 17th. There was also a DVD presentation that was compiled by the City of Pekin computer tech incorporating a message from the Director of the Pekin Coalition for Equality, excerpts of the Diversity Forum (December), MLKJ ‘I have a Dream Speech’ with photos of MLKJ throughout his life, & excerpts from the MLK breakfast. On January 17th the DVD was played in the Council chambers. The DVD was played on the local government channel throughout the week.

March – John Taylor Headstone project – progress had been made to start collecting contributions for his gravestone. Peoria Black Chamber of Commerce had agreed to partner with the Pekin Coalition for Equality in its efforts to promote this project. Strategic planning was discussed for the Coalition.

April – IMHRA conference for May 5th & 6th; Navigating the Maze was discussed. It was decided that CDBG funds would be used for the HRC members if they were able to attend this training. A report of the training will be included in the 2005 CAPER.

Housed within the Pekin Coalition for Equality is the City of Pekin Human Relations Commission (HRC). The HRC is a group of people who volunteer their time to serve as Commissioners to process and/or investigate housing discrimination complaints. No housing discrimination complaints had been filed for the 2004 HUD fiscal year. Calls that have been received in this office are often related to code enforcement issues and have been transferred to the appropriate City department. The Pekin Area Association of Realtors and the Pekin Housing Authority have coordinated efforts with the HRC regarding fair housing issues, activities and educational opportunities both agencies participate in to ensure fair housing is practiced. The HRC and/or staff attends local and regional conferences on fair housing, such as those provided by the Illinois Municipal Human Relations Association, Illinois Department of Human Rights or the Illinois Association of Realtors.

The City of Pekin is a member of the Illinois Municipal Human Relations Association (IMHRA). IMHRA is an organization comprised of municipalities in the state of Illinois and representation from the Illinois Department of Human Rights. The organization works with the State Department to promote good human relations and also focuses on eliminating employment and housing discrimination. The members of IMRHA have proved to be good networking companions and a provider of excellent educational sessions. They are very helpful in brainstorming helpful solutions for the City of Pekin, the Coalition for Equality and offering assistance. IMHRA is planning a conference for May 5th and 6th of the upcoming fiscal year. I will be in attendance along with HRC members. This conference will deal with Navigating the Maze. The workshops are the following: Managing the compliance function, Housing, Mediation I & II, Contract Compliance and Commissioners' Training. This will be reported in the 2005 CAPER.

c. Affordable Housing

Housing Rehabilitation Loans and First-time Homebuyer Grants

The City of Pekin allocates CDBG funds to its Housing Rehabilitation Loan Program and its first-time homebuyer or Down Payment Assistance Program, which supports Pekin's affordable housing goal. A total of 17 families benefited from the CDBG DPAP and Rehabilitation programs. 16 families were provided housing rehabilitation loans, and 1 was assisted with the purchase of their first home with the CDBG down payment assistance grant (see "Summary of Affordable Housing Assistance" table at the end of 2004 CAPER; page 19; for a specific breakdown of owner households).

The City of Pekin allocated its private activity bond cap from the State of Illinois, volume cap toward Stern Brothers & Co. “Assist” Program. The Assist program provided a lower interest rate and a 4.25% grant on the amount borrowed that the homeowner could use toward the required down payment or loan closing costs. In the 2003-4 series, 116 families or individuals utilized the Assist program. The average loan size was \$70,008.00 and \$8.121 million of the state volume bond cap funds were utilized.

Zoning Restrictions

The number of affordable housing units within a community is determined by the municipality's zoning ordinance. Minimum lot sizes, accessory units and multiple family housing are the three basic elements of zoning that can affect the availability of affordable housing. The City of Pekin promotes affordable housing by allowing smaller lot sizes for new construction, and also permits the construction of multi-family housing available to lower income households.

Multiple family housing is allowed within the City's boundaries. However, regulations such as restrictive zoning (can only be built in a residential, agricultural or commercial area), lot coverage, number of units per dwelling, number of dwellings per acre, landscape, parking and size of livable floor area are often required in the construction of multi-family units. The additional restrictions increase the cost of the housing, which is ultimately passed on to the renter. The City of Pekin does not prohibit the use of accessory units as residential dwellings. Instead, the City views accessory units as an option for affordable housing.

The City has a mile and one-half planning jurisdiction past its corporate limits. The 1.5-mile jurisdiction allows the Pekin Planning Commission the power to impose subdivision regulations on any subdivision development. Subdivision regulations can lead to an increase in cost to the developer such as lighting standards, road widths, storm sewers and other infrastructure regulations.

Building Codes and Inspection Fees

The City of Pekin follows the 2003 International Building Code. The City's Inspections and Zoning Department includes full-time and part-time inspectors to enforce/inspect buildings, plumbing, electrical and HVAC systems. The Inspections and Zoning Department was established in order to provide for the general health and safety of the public. The added restrictions ensure the quality and safety of the housing stock, but also increase the construction costs. Inspection and permit fees are competitive with other communities in the surrounding Peoria metropolitan area. The Inspection and Zoning Department waives the permit fees for the CDBG Rehabilitation programs.

Panelized or Manufactured Housing Construction

Alternative construction methods such as panelized and manufactured housing are allowed within the City. The State of Illinois must approve the manufactured materials. Manufactured housing not only reduces the cost of housing through cheaper materials, but also lowers the overall cost in terms of the inspection process: The initial construction is inspected at the factory. Panelized or manufactured housing produces less waste in materials versus site-built/stick-built housing. The City of Pekin does not have an impact fee system in place.

d Continuum of Care Narrative

Homeless Services and Emergency Shelter Services

The City of Pekin provided the United Way of Pekin with a \$45,000.00 grant to fund public service agencies. The Salvation Army of Pekin is one of the United Way agencies, which provides emergency shelter in the form of motel vouchers and the Harold Rust Transitional Housing Center (see next paragraph). A total of 4 families and/or individuals were provided with the vouchers for a one to two-night stay at a local motel establishment. This number is significantly less than former years. This is a result of having the Harold Rust Transitional Center.

Transitional Housing and Permanent Supportive Services

Transitional Housing: In 1999 the Salvation Army, with the cooperation of United Way and a local property manager, attempted to address the transitional housing needs of the community. The Salvation Army of Pekin applied and received a grant from the State of Illinois to rehabilitate an existing apartment within a building it planned to use as the transitional housing and emergency shelter. The furnished apartment was able to house a single person or homeless family until sufficient resources were available to remodel the Harold Rust Transitional Housing Center (or “Center”).

The Army leased a furnished apartment for a period of five months as a test. During that time three families were assisted with their transitional housing needs. The Harold Rust Transitional Center opened in February 2002, and to date has served 337 individuals. The Center accommodates 12 to 24 people (single women and families). A separate area, completely restricted, will provide housing for 5 to 10 single men. A shared kitchen, dining and recreation area, restroom and laundry facilities, staff accommodations and an intake office are part of the Center. Training is available on site for life, employment and parenting skills education.

Also, staff and board representatives from the Salvation Army of Pekin, Pekin Housing Authority and the City of Pekin have been participating in the Peoria Area Homeless Consortium. The Consortium meets monthly to discuss the priority needs and goals of the homeless in the four county areas (Peoria, Tazewell, Woodford & Fulton). Through the Consortium, grants from the U.S. Department of Housing and Urban Services and the Illinois Department of Human Services have been made available.

e. Other Actions

Meeting the Needs of the Underserved

The City of Pekin provides a portion of its CDBG funds to a number of social service agencies through the United Way, which assist the underserved population. Those agencies compete for funding through the United Way forum process. Annual budgets are submitted and presented to the board for review and questions. If an agency is duplicating a current service in the community and/or cannot prove that it has been aggressive with fundraising or seeking resources outside the United Way, the organization may not be funded or the amount is significantly less than the total amount requested.

United Way, state and federal agency funding to social service agencies in general is competitive and the total dollars available to everyone has decreased; therefore, families and individuals may not receive the assistance needed due to budget cutbacks. Fortunately, the Pekin area social service agencies are networked and cooperate with each other to provide the best available service.

Foster and Maintain Affordable Housing

In the 2004 fiscal year, the City of Pekin continued the CDBG Housing Rehabilitation Loan Program and the Down Payment Assistance Program. The City continues to allocate its State of Illinois volume bond cap to the Stern Brothers & Co. (formerly Gates Capital Corporation's) "Assist" program to promote homeownership and affordable housing in the Pekin community.

Eliminate Barriers to Affordable Housing

As stated earlier in the 2004 CAPER document, the City does not have impact fees and allows smaller lot sizes and manufactured or prefabricated materials for new housing construction. Inspection and permit fees are competitive with area communities. The CDBG funded Housing Rehabilitation Loan Program waives permit and inspection fees.

Overcome Gaps in Institutional Structures & Public Housing and Resident Initiatives

The Pekin Housing Authority (PHA) Director is a member of the City's Affordable Housing Committee, which approves or denies requests for the Down Payment Assistance Program. City staff has presented information to the PHA on the CDBG Down Payment Assistance Program. The director also addresses the City's Human Relations Commission to review fair housing and current legislation and policies that affect the Pekin Housing Authority. The director is also involved in the Salvation Army's homeless committee and participates in the Heart of Illinois Homeless Continuum of Care.

The Housing Authority and the City of Pekin Staff keeps residents informed of current programs such as GED classes, Even Start and Adult Education classes, which will prepare them for the job market. In addition job openings are posted and distributed to PHA residents.

Evaluate and Reduce Lead Based Paint Hazards

The City of Pekin includes the “Notification – Watch Out for Lead-Based Paint Poisoning” forms as part of its CDBG Housing Rehabilitation Loan and its first-time homebuyer or Down Payment Assistance Programs. The City also revised its Housing Rehabilitation Loan Program in April 1999 and June 2002 to include encapsulation and/or abatement of lead contaminated items and properties. The Tazewell County Health Department’s Nursing Division tests and performs blood screening for children in Pekin who may be contaminated with lead. The Illinois Department of Public Health also conducts inspections for cases of suspected lead poisoning in Tazewell County.

Also, the Final New HUD Regulation on Lead-Based Paint Hazards in Federally Owned Housing and Housing Receiving Federal Assistance, September 1999, Office of Lead Hazard Control into effect on September 15, 2000 for properties built before January 1, 1978. The City’s Housing Rehabilitation Specialist is registered with the State of Illinois. The City’s Housing Rehabilitation Specialist is now certified and licensed with the Illinois EPA as a lead assessor and inspector. He will provide his expertise for the City’s two housing programs: Housing Rehabilitation Loan Program and Down Payment Assistance Program.

Compliance with Program and Comprehensive Planning Requirements & Monitoring

The City has complied with all program and comprehensive planning requirements regarding the CDBG and the City of Pekin.

Anti-poverty Strategy

The City of Pekin, United Way of Pekin agencies and board of directors, the U.S. Department of Housing and Urban Development, the Salvation Army of Pekin, and the Pekin Housing Authority coordinated their efforts and resources to provide the greatest benefit to the community so that its priority needs are met. Affordable housing, housing for persons with disabilities, economic development opportunities, counseling services for victims of abuse and individuals with drug and alcohol problems, and youth and elderly programs address the needs of impoverished families and individuals who live in Pekin.

f. Leveraging Resources

Housing Rehabilitation Loan Program

CDBG:	\$77,579.53
City of Pekin Dept. of Inspections:	
Approximate dollars of donated	
permit and inspection fees	<u>\$ 724.00</u>
	\$78,303.53

United Way of Pekin

CDBG:	\$ 45,000.00
Est. Corporate Support:	\$105,070.00
Est. Individual Support:	<u>\$381,570.00</u>
	\$531,640.00

2004 Street Maintenance

CDBG:	\$167,572.00
TIF:	\$250,000.00
Motor Fuel Tax:	<u>\$500,925.33</u>
	\$918,497.33

Down Payment Assistance Program

CDBG:	\$1,497.50
First-time homebuyer's down payment:	<u>\$1,497.50</u>
	\$2,995.00

Assist Program – First-time Homebuyer Program

The City of Pekin also allocated its 2003 state volume bond cap to Stern Brothers & Co. (formerly Gates Capital Corporation's) "Assist" our first-time homebuyer program. One hundred sixteen (116) families or individuals were assisted in the purchase of their first home and a total of \$8.121 million in state bond cap funds were utilized, for an average home cost of \$70,008.00.

g. Citizen Comments

Notice was placed in the Pekin Times on **June 22, 2005** announcing the date, time, subject and location of the meeting. The Public Review period was from June 30, 2005 to July 21, 2005. A public hearing was held on Thursday, July 21, 2005 at 5:30 P.M. A second public hearing took place on Monday, July 25, 2005 at 5:30pm during the regular scheduled City Council meeting to provide an additional comment and/or question opportunity. **No comments** were received from the public in regards to the City of Pekin's 2004 CDBG Consolidated Annual Performance and Evaluation Report.

h. Self-Evaluation

Are the activities and strategies making an impact on identified needs?

Federal, state, local and City tax revenues (general fund dollars) have been pooled for the greatest impact on the priority needs of the Pekin community: housing, public services and facilities, infrastructure improvements, and economic development. The City of Pekin pursued all of the possible resources in order to address the community's priority needs.

What indicators would best describe the results?

Community support and participation of the various CDBG funded activities indicate the success and describe the results of the overall program. Historically, the CDBG funded housing programs (housing rehabilitation loan and down payment assistance activities) meet and exceed Pekin's specified goals. Local banks, realtors, Pekin Area Chamber of Commerce, regional and state development organizations support and provide information regarding the City's small business loan programs.

What barriers may have a negative impact on fulfilling the strategies and your vision?

Minimal staff and diminishing state, federal and/or local funding sources create the greatest negative impact for Pekin in fulfilling its goals to improve the community.

Overall, what is the status of grant programs?

The City of Pekin is working steadily to implement the CDBG activities and reduce the backlog of federal funds from previous grant years.

Are any activities or types of activities falling behind schedule?

The 2001, 2002, 2003 and 2004 ADA Sidewalk Improvement projects are moving forward during the 2005 fiscal year.

Are grant disbursements timely?

Yes.

Do actual expenditures differ substantially from letter of credit disbursements?

Grant expenditures are routinely completed every two weeks in conjunction with the City Finance Department's bill run and pay rolls. Actual expenditures do not typically differ from letter of credit disbursements. Income receipts are created and used to fund CDBG activities from the two loan fund programs: EDFAP and the Housing Rehabilitation Loan Program.

Are major goals on target?

Yes, major goals are on target. The City of Pekin will continue to improve its performance in its CDBG related activities and work with other agencies and institution to concentrate its efforts to improve the quality of life for its low to moderate-income community and neighborhoods.

What adjustments or improvement to strategies and activities might meet your needs more effectively?

The City of Pekin will continue to improve its working relationship with federal, state and local agencies in order to provide the most effective and beneficial services to its residents. As funding sources decrease and competition for additional revenue increases, the city and area agencies strategize by cooperating to accomplish more with fewer resources available.

2. All Grantees Receiving CDBG Entitlement Funds Must Submit a Narrative Statement Addressing the Following Issues:

a. Narrative on the 2004 CDBG Action Plan Activities.

1. Housing Rehabilitation Loan Program

Improved Pekin's existing owner occupied housing through zero to low interest loans. The loans offered were typically for roof replacements, plumbing, electrical and management of lead paint hazards.

Geographic Distribution of Services: Community Wide

Funds Budgeted: \$140,000.00

Funds Expended: \$ 42,342.95

Funds carried over: \$ 31,000.00 (2 projects will be completed in the 2005 FY)

Tenure Type of Beneficiary: 3 owner occupied households

Female Headed Households: 3

Income Levels of Beneficiaries:

Extremely Low Income: 2

Moderate: 1

Race/Ethnicity of Beneficiaries:

White: 3

2. Emergency Forgivable Loan Program

Eliminate certain deficiencies in a housing unit that constitutes an emergency (an immediate hazard to the health and safety of the inhabitants within the household).

Geographic Distribution of Services: Community Wide

Funds Budgeted: \$35,000.00

Funds Expended: \$15,948.00

Tenure Type of Beneficiary: 4 owner occupied households

Female Headed Households: 4

Income Levels of Beneficiaries:

Extremely Low Income: 1

Low Income: 2

Moderate: 1

Race/Ethnicity of Beneficiaries:

White: 4

3. ADA / Senior Forgivable Loan Program

Home maintenance repair program for homeowners 62 years old or older and/or homeowners with disabilities (any age) through which improvements, such as installation of ramps & grab bars, are made to homes of persons with disabilities to make the home more accessible.

Geographic Distribution of Services: Community Wide

Funds Budgeted: \$35,000.00
Funds Expended: \$23,838.85

Tenure Type of Beneficiary: 8 owner occupied households
Female Headed Households: 6

Income Levels of Beneficiaries:
Extremely Low Income: 5
Low Income: 3
Moderate: 0

Race/Ethnicity of Beneficiaries:
White: 8

4. Back Water valves

Geographic Distribution of Services: Community Wide

Funds Budgeted: \$9,600.00
Funds Expended: \$1,200.00

Tenure Type of Beneficiary: 1 owner occupied households
Female Headed Households: 1

Income Levels of Beneficiaries:
Extremely Low Income: 1
Low Income: 0
Moderate: 0

Race/Ethnicity of Beneficiaries:
White: 1

5. Down Payment Assistance Program

First-time homebuyers may qualify for the City's Down Payment Assistance Program where a "grant" for one-half of the required down payment, not to exceed \$1,500. The purpose of the program is to expand homeownership in the low to moderate-income community.

Geographic Distribution of Services: Community Wide

Funds Budgeted: \$5,000.00

Funds Expended: \$1,501.60

Tenure Type of Beneficiary: 1 household

Female Headed Households: 0

Income Levels of Beneficiaries:

Extremely Low Income: 0

Low Income: 0

Moderate: 1

Race/Ethnicity of Beneficiaries:

White: 1

6. United Way of Pekin

The United Way of Pekin funded agencies, which provided health, housing and disaster services, youth programs, counseling services for abused and neglected individuals, and programs for the elderly. The United Way served a total of 90,660 people who live in Pekin. The City of Pekin donates \$45,000 or 12% of \$553,000.00, which is the total United Way campaign. Therefore, the presumed benefit of CDBG dollars is estimated at assisting the 7,253 people.

Geographic Distribution of Services: Community Wide

Funds Budgeted: \$45,000.00

Funds Expended: \$45,000.00

Tenure Type of Beneficiary: 7,253 people (presumed benefit)

Female Headed Households: 342 people (presumed benefit)

Income Levels of Beneficiaries:

Low and Moderate Income: 7,253 people (presumed benefit)

7. General Administration

Administrative costs for the CDBG program. General administration includes the salaries of the Community Development Coordinator and an Administrative Secretary, training and education, telephone bills, office supplies, legal fees, and other costs relative to implementing the CDBG division of the Planning and Development Department.

Five thousand dollars of the administrative cap was set aside for use in the Pekin Coalition for Equality activity. The Pekin Coalition for Equality houses the Human Relations Committee and is committed to making Pekin a community where all individuals are welcome, regardless of race, color, religion, sex, national origin, age, familial status or disability.

Funds Budgeted:	\$108,179.42
Funds Expended (Administration):	\$104,731.72
Funds Expended (Pekin Coalition for Equality):	\$ 1,552.30

Funds carried over (Pekin Coalition for Equality): \$ 3,447.70

8. Rehab Program Delivery

Program delivery costs for the CDBG Rehabilitation programs. General expenses includes the salary of the Housing Rehabilitation Specialist, training and education, telephone bills, office supplies, and other costs relative to implementing the CDBG Rehabilitation programs.

Funds Budgeted:	\$18,474.00
Funds Expended:	\$21,975.50

9. Deputy Code Enforcement Officer

Program delivery costs for the CDBG Deputy Code Enforcement Officer. General expenses includes the salary of the Deputy Code Enforcement Officer, training and education, telephone bills, office supplies, and other costs relative to implementing the CDBG code enforcement program.

Funds Budgeted:	\$13,351.00
Funds Expended:	\$ 7,992.53

10 (houses) – 214 inspected

10. Economic Development Financial Assistance Program (EDFAP)

The City of Pekin's EDFAP provides financial assistance in the form of low interest loans to new or existing/expanding businesses. The loans are based up on the total project cost and the number of full-time equivalent jobs that are created and/or retained. During the 2004 FY, two applications were received. One loan application was withdrawn and the other application is still in process. If this application proceeds, they would be eligible for \$86,201.99 of the \$100,000 allocated for the FY 2004 dollars. An adjustment has been made in the IDIS activity to reflect the lesser amount of \$88,000.00 allocated for this activity.

FY2003 dollars were not expended during this project year and the IDIS activity was cancelled.

FY 2003	Funds Budgeted:	\$100,000.00
	Funds Expended:	cancelled
FY 2004	Funds Budgeted:	\$ 88,000.00
	Funds Expended:	<u>\$ 0.00</u>

(Still allocated for the FY2004 to be utilized in FY2005 if application is approved by Council at the July 25, 2005 meeting)

11. 2004 Street Maintenance

CDBG funds were used to overlay and seal coat within the low to moderate income Census block group areas (at least 51% low to moderate income based upon the 2000 U.S. Census). The total 2004 Street Maintenance Program budget was funded by CDBG dollars, Motor Fuel Tax and TIF funds. The streets were overlaid and/or seal coated within the low/moderate census tract 211.01-block groups 1 & 4; and census tract 208-block group 1.

Geographic Distribution of Services: Community Wide – Low to moderate Census Tracts

Census Tract: 211.01, Block Groups: 1 & 4

Census Tract: 208, Block Group: 1

Funds Budgeted: \$162,572.00

Funds Expended: \$162,572.00

12. ADA Sidewalk improvements FY 2001 to FY 2004

2001 - 2004 ADA sidewalks: Action has occurred during this project year. 2001 and a portion of 2002 ADA sidewalk dollars has been approved by Council at the March 28, 2005 Council meeting. The remaining portion of 2002, 2003 and 2004 ADA Sidewalk dollars was bid and has been approved by Council at the June 27th Council meeting. This will be reflected in the 2005 CAPER. Handicapped ramps / curb cuts of sidewalks at various locations throughout Census Tract 210 block group 01 & 211.01 block groups 1, 3 & 4. Work was targeted at the street intersections of Pekin Housing Authority area and a section of sidewalk stretching from the 1100 to 2000 block of Broadway Street based on the location of the Pekin Housing Authority and subsidized housing. As per HUD data, the highest population in the City of Pekin of disabled households resides in the 211.01 Census Tract.

Geographic Distribution of Services:

2000 U.S. Census: within Census Tract: 210, Block Group 01 & 211.01, Block Groups 1, 3 & 4

FY 2001	Funds Budgeted:	\$ 50,000.00
	Total Funds Expended in FY 2001- 2004:	\$ 0.00
FY 2002	Funds Budgeted:	\$ 50,000.00
	Total Funds Expended in FY 2002 - 2004:	\$ 0.00
FY 2003	Funds Budgeted:	\$ 50,000.00
	Total Funds Expended in FY 2003- 2004:	\$ 0.00
FY 2004	Funds Budgeted:	\$ 50,000.00
	Total Funds Expended in FY 2004:	\$ 83.92

- 2b. Not applicable, there were no changes in program objectives in the 2004 fiscal year.
- 2c. The City of Pekin made a concentrated effort to carry out its 2004 Action Plan according to the 2000 HUD approved Consolidated Plan. Pekin's 2004 CAPER has described how the City has effectively addressed the priorities and objectives outlined in the 2000 Consolidated Plan. The City of Pekin provided appropriate replies to all requested certifications of consistency for HUD programs in a fair and impartial manner. Implementation of the 2004 Action Plan proceeded as scheduled without any delays or willful inaction.
- 2d. Not applicable, CDBG funds were used to address the three national objectives.
- 2e. Not applicable, CDBG funds were not used for relocation, acquisition, rehabilitation or demolition of occupied real property.
- 2f. Please refer to item "10. Economic Development Financial Assistance Program" for Economic Development/Jobs Creation Narrative.

- 2g. Please refer to item “6. United Way of Pekin” for Limited Clientele Narratives.
- 2h. Please refer to the Financial Summary Attachment or IDIS report PR09 for more specific information regarding program income.
- 2i. Please refer to item “1-4. Housing Rehabilitation Loan Program” for Rehab projects’ narratives.
- 2j. Not applicable. The City of Pekin does not have a Neighborhood Revitalization Strategy Area.
3. All Grantees Receiving HOME Funds Must Submit the Following Narrative Information:
The City of Pekin does not receive HOME funds.
4. All Grantees Receiving HOPWA Funds Must Submit Narrative Information Addressing the Following:
The City of Pekin does not receive HOPWA funds.
5. Requirements for Grantees Receiving ESG Funds
The City of Pekin does not receive ESG funds.
6. Public Participation Requirements:
The advertisement for the public hearing was placed in the **June 22, 2005** edition of the Pekin Times newspaper. The ad stated the time, subject, place and date of the public hearing. The City of Pekin’s CAPER was made available for public review from June 30 to July 21st, 2005. **No public comments** were received regarding the CAPER during the review period or at the public hearings scheduled on July 21, 2005 at 5:30 P.M or at the regularly scheduled City Council meeting on July 25th, 2005 at 5:30pm.

**SUMMARY OF AFFORDABLE HOUSING ASSISTANCE
2004**

REHABILITATION PROGRAMS

Income Level	Owner Households Assisted
Extremely Low Income (0 – 30% of MFI)	9
Low Income (31 – 50% of MFI)	4
Moderate Income (51 – 80% of MFI)	2

DOWN PAYMENT ASSISTANCE GRANT PROGRAM

Income Level	Owner Households Assisted
Extremely Low Income (0 – 30% of MFI)	0
Low Income (31 – 50% of MFI)	0
Very Low Income (40-50%)	0
Moderate Income (51 – 80% of MFI)	1

CDBG FISCAL YEAR END – 2004

Project Name	Budgeted Amount	Expended Amount in FY2004	Status
2004 Street Maintenance Program	\$167,572.00	\$167,572.00	Completed
2003 EDFAP	\$100,000.00	\$0.00	Cancelled
2004 EDFAP	\$100,000.00	\$0.00	App. In process 2005
Housing Rehabilitation Loan Program	\$140,000.00	\$42,342.95	Completed / Carryover
Back Water Program	\$9,600.00	\$1,200.00	Completed
Emergency Program	\$35,000.00	\$15,948.00	Completed
ADA / Senior Program	\$35,000.00	\$23,838.85	Completed
Housing Rehabilitation Program Delivery	\$18,474.00	\$21,975.50	Completed
General Administration	\$113,300.00	\$103,179.42	Completed
Administration – Pekin Coalition for Equality	\$5,000.00	\$1,552.30	Carried Over
FY 2001 ADA Sidewalk Improvement	\$50,000.00	\$0.00	Carried Over
FY 2002 ADA Sidewalk Improvement	\$50,000.00	\$0.00	Carried Over
FY 2003 ADA Sidewalk Improvement	\$50,000.00	\$0.00	Carried Over
FY 2004 ADA Sidewalk Improvement	\$50,000.00	\$83.92	Carried Over
Code Enforcement	\$13,351	\$7,992.53	Completed
Down Payment Assistance Program	\$5,000.00	\$1,501.60	Completed
United Way of Pekin	\$45,000.00	\$45,000.00	Completed

* Not Applicable

FY 2004 Carry Over Funds

Completed Activity	Allocated	Drawn	Carried Over Activities to FY2005
2004 Rehabilitation program	\$140,000.00	\$42,342.95	\$31,000.00
2004 Administration Pekin Coalition for Equality	\$5,000.00	\$1,552.30	\$3,447.70
FY 2001 ADA Sidewalk Improvement	\$50,000.00	\$0.00	\$50,000.00
FY 2002 ADA Sidewalk Improvement	\$50,000.00	\$0.00	\$50,000.00
FY 2003 ADA Sidewalk Improvement	\$50,000.00	\$0.00	\$50,000.00
FY 2004 ADA Sidewalk Improvement	\$50,000.00	\$83.92	\$49,916.08
2004 EDFAP	\$100,000.00	\$0	\$86,500.00
		TOTAL:	\$322,363.78

2004 CAPER PROJECTS

Rehabilitation

Emergency: 1. 1514 Summer
 2. 304 McLean
 3. 1425 Lake
 4. 1311 South 11th

ADA/Senior: 1. 106 North 10th
 2. 1409 Glendale
 3. 1306 Janssen
 4. 2124 Dominion
 5. 1213 Charlotte
 6. 1023 Buff
 7. 1334 South 7th
 8. 217 Cooper

Backwater: 1. 1837 N Shore Dr

Gen. Rehab: 1. 1602 Lamar
 2. 1313 Highland
 3. 2603 Brooklawn
 4. 1310 Center

DOWN PAYMENT ASSISTANCE PROGRAM

1. 305 Fairlane

EDFAP PROGRAM

n/a

**SUMMARY OF AFFORDABLE HOUSING ASSISTANCE
2004**

REHABILITATION PROGRAMS

Income Level	Owner Households Assisted
Extremely Low Income (0 – 30% of MFI)	9
Low Income (31 – 50% of MFI)	4
Moderate Income (51 – 80% of MFI)	2

DOWN PAYMENT ASSISTANCE GRANT PROGRAM

Income Level	Owner Households Assisted
Extremely Low Income (0 – 30% of MFI)	0
Low Income (31 – 50% of MFI)	0
Very Low Income (40-50%)	0
Moderate Income (51 – 80% of MFI)	1

CDBG FISCAL YEAR END – 2004

Project Name	Budgeted Amount	Expended Amount in FY2004	Status
2004 Street Maintenance Program	\$167,572.00	\$167,572.00	Completed
2003 EDFAP	\$100,000.00	\$0.00	Cancelled
2004 EDFAP	\$100,000.00	\$0.00	App. In process 2005
Housing Rehabilitation Loan Program	\$140,000.00	\$42,342.95	Completed / Carryover
Back Water Program	\$9,600.00	\$1,200.00	Completed
Emergency Program	\$35,000.00	\$15,948.00	Completed
ADA / Senior Program	\$35,000.00	\$23,838.85	Completed
Housing Rehabilitation Program Delivery	\$18,474.00	\$21,975.50	Completed
General Administration	\$103,179.42	\$104,731.72	Completed
Administration – Pekin Coalition for Equality	\$5,000.00	\$1,552.30	Carried Over
FY 2001 ADA Sidewalk Improvement	\$50,000.00	\$0.00	Carried Over
FY 2002 ADA Sidewalk Improvement	\$50,000.00	\$0.00	Carried Over
FY 2003 ADA Sidewalk Improvement	\$50,000.00	\$0.00	Carried Over
FY 2004 ADA Sidewalk Improvement	\$50,000.00	\$83.92	Carried Over
Code Enforcement	\$13,351.00	\$7,992.53	Completed
Down Payment Assistance Program	\$5,000.00	\$1,501.60	Completed
United Way of Pekin	\$45,000.00	\$45,000.00	Completed

* Not Applicable

FY 2004 Carry Over Funds

Completed Activity	Allocated	Drawn	Carried Over Activities to FY2005
2004 Rehabilitation program	\$140,000.00	\$42,342.95	\$31,000.00
2004 Administration Pekin Coalition for Equality	\$5,000.00	\$1,552.30	\$3,447.70
FY 2001 ADA Sidewalk Improvement	\$50,000.00	\$0.00	\$50,000.00
FY 2002 ADA Sidewalk Improvement	\$50,000.00	\$0.00	\$50,000.00
FY 2003 ADA Sidewalk Improvement	\$50,000.00	\$0.00	\$50,000.00
FY 2004 ADA Sidewalk Improvement	\$50,000.00	\$83.92	\$49,916.08
2004 EDFAP	\$100,000.00	\$0	\$88,000.00
		TOTAL:	\$322,363.78

RESOLUTION NO. _____

***A RESOLUTION REVISING RULES AND REGULATIONS
FOR THE ECONOMIC DEVELOPMENT FINANCIAL ASSISTANCE PROGRAM***

WHEREAS, the City Council adopted Resolution #97 on December 11, 2000, which Resolution adopted new rules and regulations of the Economic Development Financial Assistance Program; and

WHEREAS, the City Council desires to amend said rules and regulations.

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

1. That the rules and regulations for the Economic Development Financial Assistance program are hereby amended as follows:
 - A. In Section II thereof, "\$10,000.00" shall be deleted, and "\$50,000.00" inserted in its place.
 - B. In Paragraph 1 of Section IV thereof, the following sentence shall be deleted: "Restaurants, restaurants serving liquor, and any liquor-related business is not eligible for EDFAP loan dollars.
2. That, except as amended herein, the rules and regulations of the Economic Development Financial Assistance Program as previously adopted shall remain in full force and effect.

PASSED BY THE CITY COUNCIL OF THE CITY OF PEKIN, ILLINOIS, this 25th day of July, 2005.

AYES	_____
NAYS	_____
ABSTENTIONS	_____
ABSENT	_____

Lyn Howard, Mayor

ATTEST:

Sue E. McMillan, City Clerk

ECONOMIC DEVELOPMENT FINANCIAL ASSISTANCE PROGRAM

EDFAP

GENERAL INFORMATION

CITY MANAGER

Denny Kief

MAYOR

Lyn Howard

COMMISSIONERS

Bill Maddox

Jim Jones

Tom Blanchard

Daryl Dagit

For Additional Information, Contact:

Pamela Anderson
Planning & Development Asst. Director
City of Pekin
111 S Capitol Street
Pekin, IL 61554
309/477-2300
panderson@ci.pekin.il.us

Economic Development Financial Assistance Program EDFAP

The City of Pekin is committed to the development of private enterprise within its corporate limits, to the retention of existing jobs and the creation of new employment opportunities through small business development. This commitment is evidenced by the creation of the Economic Development Financial Assistance Program (EDFAP). The EDFAP was established to assist viable enterprises, current and future, with a low interest loan to assist in land acquisition, new construction, code renovations (building, plumbing electrical), and machinery. The rate charged for an EDFAP loan is 50% of the current national prime rate. The term of any EDFAP loan varies, but no loan can exceed ten (10) years.

The Program is not to be considered as an alternative to conventional financing, but rather as a supplemental source of funds. If there is a viable business project that will save or create jobs in the City and a gap exists between the total project costs and the financing that can be obtained through conventional sources, the EDFAP may be available for the project.

In your consideration of the EDFAP and how it may benefit you, you will want to begin with a three (3) year business plan, calculating the necessary capital and employment projections to carry out the plan. Once the planning is completed, your first resource for capital must be from sources other than the City of Pekin, generally financial institutions. The Program is administered by the Planning & Development Department and the Loan Review Committee (LRC). The LRC is composed of five (5) members that are appointed by the Mayor.

Please review the attached documentation. If you feel that you would be eligible for an EDFAP loan, contact the Planning & Development Department to arrange a time when we could meet to discuss your project.

For More Information, Please Contact:

*Pamela Anderson, Community Development. Coordinator
Planning & Development Department
City of Pekin
111 S Capitol Street
Pekin, IL 61554
(309) 477-2300
(309) 346-2095 FAX
panderson@ci.pekin.il.us email address*

PROGRAM GUIDELINES

I. Application Fee

A \$50.00 non-refundable fee shall be paid with the submittal of a completed EDFAP loan application. An application must be completed, and submitted with required or requested documentation and fee in order to be processed.

II. Minimum and Maximum Loan Amounts

The minimum loan amount is \$10,000.00.

The maximum loan amount available is equal to the lesser of the following:

1. 50% of the total project cost; or
2. ~~\$10,000.00~~ **change to \$50,000.00** for each permanent full-time equivalent (FTE) job that is created by the project or retained (see table below), to a maximum of \$100,000.00. **The change is the minimum that HUD requires; the local jurisdiction (Pekin) initiated a higher standard.**

A permanent FTE job equals 1,820 (35 hours per week for 52 weeks) through 2,080 (40 hours per week for 52 weeks) work hours per year, excluding overtime. One full-time employee working these hours or any number of part-time employees working a total of these hours qualifies as a full-time equivalent job.

In order to claim retained jobs, the applicant must document that without the business project and this loan, jobs will be lost. The following incentives will be offered to businesses who retain positions:

Gross Salary	Amount of Incentive per Job
<\$10,000	\$3,000
\$10,001 to \$20,000	\$6,000
\$20,001 to \$30,000	\$8,000
\$30,001 +	\$10,000 \$50,00.00

* Background information from a revision to the EDFAP guidelines on December 11, 2000; resolution #97:

Jobs Created

Original: \$8,000 per full-time equivalent (FTE) job created wherein the person would work between 1,820 (35 hours per week) to 2,080 (40 hours per week) hours per year to qualify. A number of part-time employee positions could be added together in order to meet the FTE requirement.

Proposal: \$10,000 per FTE job created, wherein the person would work between 1,820 (35 hours per week) to 2,080 (40 hours per week) hours per year to qualify. A number of part-time employee positions could be added together in order to meet the FTE requirement.

Reason: The amount per FTE job has been increased \$2,000 (\$8,000 to \$10,000). Wanted to provide an incentive for new jobs created due to a new business or expanding business.

III. Loan Ratio

There shall be a minimum loan ratio of private source dollars to EDFAP dollars of 1:1.

IV. Eligibility Criteria

To be eligible for an EDFAP loan, all of the following criteria must be met:

1. ~~Manufacturing, industrial, and service or retail businesses are eligible for EDFAP loan dollars. Restaurants, restaurants serving liquor, and any liquor-related business is not eligible for EDFAP loan dollars.~~ Eliminate from guidelines or determine that the Dragon's Dome Softball Diamonds are not considered a liquor related business.

* Background information from a revision to the EDFAP guidelines on December 11, 2000; resolution #97:

Project Description

Original: almost no restrictions on what type of business could receive EDFAP funds.

Proposal: The following new language would be added to the program guidelines and requirements: "Manufacturing, industrial, and service or retail businesses could receive EDFAP loan dollars. Restaurants, restaurants serving liquor, and any liquor-related business could not receive an EDFAP loan."

Reason: Have received a directive from the council that restaurants and restaurants that serve alcohol are not desirous projects for the loan program.

2. The business project must be located in the City of Pekin or be voluntarily annexed to the City within six (6) months of loan issuance. Meets requirement.
3. The applicant must document the need for a loan through this Program. Meets requirement – letter from Associated Bank stating, "there is no money available for equipment financing".
4. The applicant must demonstrate an ability to completely secure the loan. Meets requirement.
5. The applicant must demonstrate an ability to repay the loan. Meets requirement.
6. The applicant and/or the business principals (those who own 20% or more of the business) must provide personal guarantees to repay the loan. Meets requirement – Bill Griffin.
7. The applicant must document that 51% of the jobs retained and/or created by the project will benefit lower to moderate-income persons as defined by the U.S. Department of Housing and Urban Development. Documentation is required to be completed and submitted to the City of Pekin semi-annually. Meets requirement – Dragon's Dome Hiring Schedule.
8. The applicant must agree to enter into all contractual obligations required by the City. Meets requirement – Personal guarantee by Bill Griffin and 1st position on designated equipment from

Dragon's Dome Equipment Listing. Loan Review Committee is agreeable to the above stated contractual obligations.

9. The applicant must provide a 15% investment towards financing the total project cost. The investment is separate from collateral offered to secure the loan. Meets requirement - \$86,202.00.
10. The proposed project must create and/or retain the appropriate number of promised FTE jobs within 24 months of loan issuance. If the company does not meet the appropriate number of promised FTE jobs within 24 months, they will have one additional grace year. If the company has not meet the goal by the beginning of the third year, the note can be called or the interest rate raised to 2 points above prime. Within loan agreement – Dragon's Dome Hiring Schedule.
11. The applicant must submit historical and pro forma financial information as requested by the City sufficient to determine the financial viability of the applicant and the proposed project. Meets requirement. Loan Review Committee reviewed.
12. A letter transmitting the application and describing the project and its market viability must also be submitted. Meets requirement.

V. Application Requirements

In order to be considered for an EDFAP loan, an applicant must first submit a completed application to the Department of Planning & Development requesting assistance, signed by the Chief Executive Officer (CEO) or company president. The application will contain the following information at a minimum:

1. Scope of project and total cost.
2. Amount of program funds requested for this project and for what purpose.
3. Inability on the part of the company to secure affordable financing from financial institutions, noting which financial institutions the company has been working with on this project.
4. The number of full-time jobs and/or equivalent of part-time jobs to be retained/created.
5. A statement to the effect that without the assistance of this program, jobs will be lost and/or not created.
6. Cost estimates and building plans for projects involving new construction or significant remodelling/renovation approved by the City's Zoning & Inspections Department.

The EDFAP application is designed to help the applicant meet the requirements of the Program.

An application must be completed in its entirety and submitted with the necessary documentation and fee in order to be processed.

VI. Application Review

After a completed application has been received, a meeting of the Loan Review Committee will be scheduled. The Committee will review the information presented by the loan applicant. The Committee may require additional information from the applicant. As soon as the application and support

documentation is in a form that is satisfactory to the Committee and possibly an outside credit/financial firm, a recommendation of loan approval or denial is made by a vote of the LRC to the City Council. The City Council shall consider the LRC's recommendation and provide the final decision or vote to either deny or approve the EDFAP loan request/application.

VII. Loan Approval

At the loan closing, the loan applicant will be required to enter into a formal loan agreement and all requisite loan security agreements. After the documents are prepared in a form satisfactory to the City and endorsed by the appropriate parties, a check will be released. The applicant is responsible for paying all recording and/or filing fees associated with the loan closing, as well as paying for any lien or title searches required.

VIII. Loan Repayment

Loans are to be repaid to the City of Pekin on a monthly basis, as described in the loan agreement documents.

IX. Loan Servicing

The City will work closely with the applicant's financial institution. Accordingly, the City may enter into an agreement with that financial institution for the servicing of the loan, including reasonable fees for this service.

X. Hiring Requirements / Penalties

The borrower has two (2) years after the loan issuance to satisfy its job creation and/or retention activities. The following loan repayment penalties will be imposed for the failure to create and/or retain those jobs or the City of Pekin has the option to call the loan:

1. if 75% or more of goal is met, no penalty is assessed.
2. if 50% to 74% of goal is met, interest rate is doubled.
3. if less than 50% of job goal is met, the interest rate increases to current prime rate plus two (2) points.

The City will review the borrower's job creation and/or retention status on an annual basis. The EDFAP loan's interest rate will not revert back to the original amount until the borrower has complied with the business' employment goals.

XI. Reporting Requirements

Loan recipients are required to report to the City semi-annually on the project's progress, providing all information requested in the City of Pekin's progress Report Form, until all monies are spent and proposed employment figures are met. At the end of one year from the money disbursement, the Company returns the Final Project Performance Report with copies of invoices attached.

XII. Call Provision

All loan agreement documents shall include a provision allowing the City, at its discretion, to mandate a loan balance to be immediately due and payable upon the cessation of business activities/operations of the loan recipient within the City of Pekin, and/or the failure to create and/or retain those jobs, and/or the failure to return the required reports.

XIII. Recaptured Funds

All recaptured funds; loan and interest repayments, late charges and penalties from EDFAP will be deposited into an account from which other eligible CDBG activities will be funded.

XIV. Late Payments

A penalty of five (5) percent of the monthly loan payment will be added for late payments. The flat fee will be implemented after the payment is fifteen (15) day grace period has expired. The late fee will compensate the City of Pekin for the extra administrative costs needed in order to bring the account current and to process the late payments.

APPLICATION

1. Name of Business: _____
2. Address of Business: _____
City: _____ State: _____ Zip: _____
3. Name of Contact Person(s): _____
4. Phone Number(s): _____
5. Type of Business Organization:
_____ Corporation _____ Sole Proprietor _____ Partnership
6. Project Description: _____

7. Total cost of project: \$ _____
Land Acquisition: \$ _____ Code Renovations: \$ _____
Machinery/Equipment: \$ _____ New Construction: \$ _____
8. Amount of EDFAP Loan request: \$ _____
9. Interest Rate: ½ National Prime Term: _____
10. Use of EDFAP Loan: _____

11. Security offered for EDFAP Loan: _____

12. List ALL sources of financial assistance and include a Letter of Commitment from each entity.
(See Attachment B)

Name	Amount	Rate	Term	Security/Collateral

13. Dollar amount of personal equity injected into the total project: \$ _____
14. Source of personal equity: _____
15. Total number of FTE jobs: _____ Created _____ Retained
16. Total number of low to moderate income FTE jobs created and/or retained (*See Attachment B*): _____
17. Attach Hiring Schedule (*See Attachment C*).
18. Attach Project Schedule (*See Attachment D*).
19. Attach 3-Year Business Plan with Monthly Profit and Loss Statement.
20. Attach "Sources and Uses of Funds" form (*See Attachment E*).
21. Attach resumes of principals of the business (those owning 20% or more).
22. Attach current personal financial statements and prior 3 years' personal income tax returns (1040 only) for each principal
23. Attach prior 3 years' business tax returns (if available) and current business financial statement
24. Submit cost/contractors' estimates and building plans for new construction or remodelling projects to Inspections Department for approval
25. Corporations must submit a Resolution from its Board or Directors authorizing a named representative to obtain an EDFAP loan (*See Attachment F*).

The applicant certifies that the information contained in this application is true and accurate to the best of his/her knowledge. The applicant authorizes other parties to provide information to the City of Pekin in the verification of the application's content and the credit worthiness of the applicant and/or its principals.

Signature of Principal

Date

Signature of Principal

Date

Signature of Principal

Date

INSTRUCTIONS

1. Enter the name of the business of the name by which the application will be identified.
2. Enter the business address or, if appropriate, the address where the business is now located.
3. Provide the name of the person(s) who will work with the City in the loan process.
4. Enter the phone number(s) that the contact person(s) can be reached during regular business hours.
5. Check the type of organization that would most accurately describe your business. (If you have marked "Corporation", articles of incorporation must be provided to the Planning & Development Department before the loan closing.)
6. Provide a brief description of the proposed project, such as: "Own and operate a machine shop in the Riverway Business Park. The project would involve the purchase of real estate, machinery. New construction and code renovation costs are necessary in order for the project to succeed."
7. State the total estimated cost of the project. A detailed breakdown should also be included in with your application for items like equipment, as well as contractors' estimates for code renovation costs: electrical wiring, plumbing, carpentry, etc.
8. State the EDFAP Loan amount that is being requested. The amount should incorporate the amount per FTE that is created and/or retained. This amount cannot be greater than the combined source(s) of financing listed in item #12.
9. List the collateral offered as security for the EDFAP loan.
10. Describe how the EDFAP loan will be used.
11. List the collateral that will be offered to completely secure the EDFAP loan.
12. List all other sources of financing by name, amount, interest rate, term and the security for the loan. Letter of Commitment must be provided for all sources of income that are listed and contain, at a minimum, the following information: loan amount, rate, term, security/collateral and an explanation as to why the financier has limited its participation (*See Attachment A*).
13. The applicant must be able to inject 10% to 15% of equity into the total cost of the project.
14. State the source of the personal equity, for example: real estate, stock, certificate of deposits (CD's) and vehicle titles.
15. List the total number of full-time equivalent jobs that would be created and/or retained by the project within a 24 month period. In order to claim retained jobs, the applicant must document that jobs would be lost if the business project was not undertaken, and also documentation to show the gross income per retained job should be provided.
16. In order to qualify an employee as a "low to moderate job benefit", the gross annual household income (***before hire and not what the earnings are after hire***) cannot exceed the moderate income limits listed on Attachment B. The household's gross annual income includes the combined income of all persons residing in the home that are at least 18 years of age.

17. Include a hiring schedule that details planned employment, listing the job titles, low/mod job benefit, weekly work hours and the total annual work week (*See Attachment C*).
18. Include a project schedule with an estimated start and completion date (*See Attachment D*).
19. Include a business plan that projects revenue and expenses for the first 3 years of operation in the form of an annual profit and loss statement. The business plan should also define the project's goals and objectives, as well as perceived market viability.
20. Complete the "Sources and Uses of Funds" form (*See Attachment E*).
21. Provide a resume for each business principal.
22. For each principal, provide current personal financial statements and prior 3 years' personal income tax returns.
23. For existing businesses, provide a current business financial statement and prior 3 years' income tax returns.
24. For new construction or significant remodelling projects (includes code renovations), an applicant must contact the Inspections Department before submitting building plans and construction estimates. The Inspections Department is located at 111 S Capitol Street, Pekin, (309) 477-2315.
25. Corporations must submit an approved Resolution from the Board of Directors authorizing the project, the pursuit of financing and a contact person for the corporation (*See Attachment F*).

SAMPLE LETTER OF FINANCIAL COMMITMENT
(on financial institution's letterhead)

(date)

The Honorable Lyn Howard
Mayor of the City of Pekin
c/o Pamela Anderson
Planning & Development Department
111 S Capitol Street
Pekin, IL 61554

Dear Mayor Howard:

This letter is to document our financial participation in the project proposed by _____ as described in their application for assistance through the City's EDFAP or low interest loan program. If the City of Pekin were to award a loan of \$_____ to \$_____ for this project, we would provide financing of \$_____ at _____% over the local prime rate for a term of _____ years, with the requirement that the loan made by us be secured by a first position blanket lien on the assets of the business.

Due to the lending practices of this institution, and in light of current indebtedness of _____ we are unable to finance more than the above amount for this project.

If you should have any questions or comments regarding this matter, please contact me.

Sincerely,

LOW/MODERATE GROSS HOUSEHOLD INCOME LIMITS

# of Persons	Income Limit
1	\$32,350
2	\$37,000
3	\$41,600
4	\$46,250
5	\$49,950
6	\$53,650
7	\$57,350
8	\$61,050

SAMPLE HIRING SCHEDULE

Retained Jobs	Held By Low/Mod	Not Held By Low/Mod	Average Weekly Hours for Each Employee	Work Weeks Per Year
Plant Manager		1	40	52
Treasurer/Accountant		1	40	52
Secretarial	1		40	52
Foreman		1	40	52
Bakers	1		20	52
Production Line Crew	1	1	40	52
Fork Lift Operator	1		40	52
Loading Dock Workers	2		35	52
Total:	6	4	37	52
Jobs Created				
Bakers	1	1	30	52
Production Line Crew		1	40	52
TOTAL FTE JOBS	7	6		

SAMPLE PROJECT SCHEDULE

1 Day Following Loan Award

Let electrical contract for bid
Order machinery and equipment

15 Days Following Loan Award

Award electrical contract
Electrical work begins

30 Days Following Loan Award

Electrical completed

45 Days Following Loan Award

Machinery and equipment received
Hiring process begins

60 Days Following Loan Award

Machinery and equipment installed
Calibration of machinery begins

75 Days Following Loan Award

Employees begin first day of work

SOURCES AND USES OF FUNDS

Please complete the blanks with proposed uses of all funds being used in the project. If working capital is included, please attach a description of how the funds will be used

Activity	EDFAP Funds	Private Equity	Bank Loan	Other	TOTAL
a. Land/Building Acquisition	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
b. Building Renovation/Improvement	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
c. Capital Equipment	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
d. Office Equipment/Non-Capital	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
e. Professional Fees	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
f. Developer Fees	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
g. Contingency	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
h. Working Capital	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
i. Other _____	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
j. Other _____	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
k. Other _____	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
l. Other _____	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
TOTAL PROJECT COSTS	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____

CORPORATE RESOLUTION SAMPLE

The Board of Directors hereby resolve that _____ is authorized to proceed with the project described in the application for EDFAP loan assistance from the City of Pekin.

Be it further resolved that _____ is empowered to secure all financing for the project and to incur indebtedness for the project on behalf of the corporation.

PASSED by the Board of Directors of _____ this _____ day of _____ 2003.

Approved:

Name

Attest:

Name

(seal)

BORROWER REPORTING REQUIREMENTS FOR EDFAP LOANS

As a recipient of an EDFAP loan from the City, and having entered into the Memorandum of Agreement with the City, you are required to provide semi-annual reports on your business project for the 24 month period following loan issuance and annual reports until the loan is retired. The reports must be submitted to the Planning & Development Department. The information contained in the reports assure that the EDFAP's goals are met. Supplemental to the semi-annual reports are the Employee Certification Forms to be completed by each and every employee that is subject to the business project and claimed in the EDFAP loan application to the City.

Attached are Progress Reports & the Final Project Performance Report. You will need to complete the Employment Verification section on the Progress Report. Complete the entire Final Project Performance Report and submit before the year deadline. Please contact the Planning & Development Department for additional copies of report forms, if needed.

In completing the Employment Verification section for each employee claimed in your loan application, list his or her name, social security number, address and if the employee was retained or a new hire. Also list the average weekly work hours for each employee during the reporting period and the date of hire or retention. In the "Lower Income Household" column, specify "yes" or "no" as to the employee's eligibility as a low/moderate income household.

Also attached are Employee Certification forms. Each employee must complete one form. Once the form is completed, maintain a copy in your files and submit the original to the Planning & Development Department. For each employee listed on the Progress Report, one Employee Certification form must be completed and maintained. Employee Certification Forms are strictly confidential and should be submitted to the City on a semi-annual basis.

The Final Project Performance Report is attached. The following is an explanation of the needed information: approved project component – this information will be found on your approved application under #10 (please summarize); budgeted costs – this amount will be found on your approved application under #8; and actual costs – this amount will be found on invoices used to spend the money. A copy of the invoice/s must accompany this report.

JOB CREATION/RETENTION SEMI-ANNUAL REPORT

REPORT NO.: _____

Company: _____
Project No.: _____

Report Period: _____ to _____
Date Submitted: _____ By: _____
(Signature)

Please supply the information below for each job created or retained:

Job Title		Employee’s Name	Social Security No.	Date Hired	Date of Termination	Avg. Hours Worked Per Week	LMI X	Sex: M/F	RACE, ETHNIC GROUP					Other Char.	
									White, not Hispanic	Hispanic	Black, Not Hispanic	Amer. Ind., Alaska Nat.	Asian, Pac. Islander	Handi-capped	Female HOH
1															
2															
3															
4															
5															
6															
7															
8															
9															
10															
11															
12															
13															
14															
15															
16															
17															
18															

This Report is due within 10 days of the end of 6 months throughout the 2 year eligibility probationary period of the loan. x Refers to the declaration made by the employee on the Employee Income Certification form that must be on file before this report is filed, but which can be filled in by the lender: PLEASE NOTE: If the employee was hired as a result of a referral from the Illinois Job Service or JTPA or other such source, please indicate accordingly.

EMPLOYEE INCOME CERTIFICATION
JOB CREATION / RETENTION

(Name of Company)

(date)

Dear Employee:

Please provide the information requested on this form so that we can verify to the Department of Commerce and Community Affairs that your employment here is achieving the goals of the Illinois Community Development Assistance Program. The information will be placed in your **confidential** personnel file and is available to only a limited number of company officials. This information is also subject to verification by

(name of unit of local government)

and representative of the Department of Commerce and Community Affairs.

For assistance, please see _____. Thank you.
(company official)

Step 1: Check the size of your family. Count yourself and all family members living at home.

Family Size:	1	2	3	4	5	6	7	8
County:	\$32,350	\$37,000	\$41,600	\$46,250	\$49,950	\$53,650	\$57,350	\$61,050

Step 2: Check **ABOVE** or **BELOW** in the following question:

BEFORE TAKING THIS JOB, WAS YOUR FAMILY'S TOTAL INCOME ABOVE OR BELOW THE AMOUNT FOR YOUR FAMILY SIZE AS STATED ABOVE?

Step 3: A. Please indicate your ethnic group.

_____ White, not Hispanic	_____ Asian or Pacific Islander, not Hispanic
_____ Black, not Hispanic	_____ American Indian/Native Alaskan
_____ Hispanic	_____ not Hispanic

B. Sex: _____ Male _____ Female

C. Are you a female head of household? _____ Yes _____ No

D. Are you a person with a disability? _____ Yes _____ No

Step 4: Please Complete.

Name: _____ Social Security #: _____ - _____ - _____

Signature: _____ Date of Hire: _____

FINAL PROJECT PERFORMANCE REPORT

Economic Development Financial Assistance Program

Community Development Block Grant

Project #: _____

Project Title: _____

Money Received on Date: _____

Final Report due on Date: _____

CDBG / EDFAP Approved Project

Component

Budgeted Costs

Actual Costs

_____ \$ _____ \$ _____

_____ \$ _____ \$ _____

_____ \$ _____ \$ _____

_____ \$ _____ \$ _____

_____ \$ _____ \$ _____

_____ \$ _____ \$ _____

TOTAL: \$ \$

Prepared by: _____

(Signature)

Title: _____

Date: _____

RESOLUTION NO. _____

***A RESOLUTION AUTHORIZING
An Economic Development Financial Assistance Program***

WHEREAS, the City Council of the City of Pekin is committed to improving the local economy through the retention and expansion of existing business and industry; and

WHEREAS, the City of Pekin has established the Economic Development Financial Assistance Program to assist viable business and industry with low interest rate financing; and

WHEREAS, Dragons Dome II, LLC has applied for and is eligible for an Economic Development Financial Assistance Program; and

WHEREAS, such a loan would create two (2) full-time equivalent jobs within the City of Pekin; and

WHEREAS, the Loan Review Committee for the City of Pekin has considered this loan application and has recommended that the City of Pekin award a loan to Dragons Dome II, LLC, subject to the City's EDFAP guidelines as amended, and upon the terms and conditions set forth below.

NOW, THEREFORE, BE IT RESOLVED that an Economic Development Financial Assistance Program be awarded to Dragons Dome II, LLC. in the amount of \$86,201.99 which shall bear interest at 3.12 percent per annum for a term of 120 months, and shall be retired by monthly payments in the amount of \$837.16. Said loan shall be secured by (1) a personal guarantee from William Griffin, Manager of the Dragons Dome II, LLC; and (2) a first position lien on certain softball diamond

equipment & inventory. The EDFAP Loan will be subject to and contingent upon Dragons Dome II, LLC complying with all of the terms and conditions of this Resolution and execution of a Memorandum of Agreement with the City of Pekin and proceeding with a loan closing within 90 days following the passage of this Resolution.

The Community Development Coordinator is hereby authorized to execute all documents on behalf of the City of Pekin to facilitate this loan and disburse the loan to Dragons Dome II, LLC upon obtaining the execution of a Memorandum of Agreement and all proper documentation by Dragons Dome II, LLC required by the Corporation Counsel for the City of Pekin.

BE IT FURTHER RESOLVED that this Resolution remains in full force and effect from and after its passage.

ADOPTED AND APPROVED by the City Council of the City of Pekin, Illinois, at its regular meeting held on the twenty-fifth day of July 2005.

MAYOR

ATTEST:

CITY CLERK

ILLINOIS CRIMINAL JUSTICE INFORMATION AUTHORITY
Federal and State Grants Unit

Livescan Equipment Program

Initial Cash Request

Agreement # **402415**

City of Pekin on behalf of Pekin Police Department

FEIN #

I am requesting an initial cash request of as permitted in Livescan Equipment Program Interagency Agreement # 402415

This can be signed by the Chief/Sheriff or Program Contact:

Timothy M. Gillespie
Signature

Timothy M. Gillespie
Print Name

Chief of Police
Title

07-12-05
Date

For Authority Use Only

Federal funds _____

Approved By _____

Date: _____

FISCAL INFORMATION SHEET

The following information is required to ensure that the Authority and its implementing agencies meet the financial and reporting requirements of various federal grant programs. This information is required prior to the release of funds. The Implementing Agency is the state or local unit of government accepting funds under the interagency agreement. The Program Agency is the organization responsible for performing the daily activities.

Please return this form to the attention of your program monitor at the Illinois Criminal Justice Information Authority, Federal and State Grants Unit, 120 S. Riverside Plaza, Chicago, IL 60606. If you have any questions, please call your monitor at (312) 793-8550.

Implementing Agency: City of Pekin

Implementing Agency's FEIN#

Agreement # 402415

Program Agency: **Pekin Police Department**

Program Title: **Livescan Equipment Program**

It is up to you to decide who will be named on this form.

1. Who will be responsible for preparing and submitting fiscal reports?

Name: GREG NELSON
Title: LIEUTENANT
Agency: PEKIN POLICE DEPARTMENT
Address: 111 S. CAPITOL ST., PEKIN, IL 61554
Phone: (309) 477-2340 Fax: (309) 346-5328
Email: gnelson@ci.pekin.il.us

2. Who will be responsible for preparing and submitting data/progress reports?

Name: GREG NELSON
Title: LIEUTENANT
Agency: PEKIN POLICE DEPARTMENT
Address: 111 S. CAPITOL ST., PEKIN, IL 61554
Phone: (309) 477-2340 Fax: (309) 346-5328
Email: gnelson@ci.pekin.il.us



3. Will a separate fiscal account/fund be maintained for the program?

Please check ONE

☐ Yes, this account will maintain:

☐ Federal funds only, OR

☐ Both federal and local matching funds

OR

☒ No, but all program funds will be identified by a specific account or fund number and recorded within the general accounting records for the Agency.

4. Where should program fund disbursements be sent? (*Please do not indicate bank deposit.*)

ATTN:

PEKIN POLICE DEPARTMENT.

LT. GREG NELSON

111 S. CAPITAL ST

PEKIN, IL 61554

Instructions for Certification

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below.

2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

3. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

4. The terms "covered transaction," "debarred," "suspended," "ineligible," "lower tier covered transaction," "participant," "person," "primary covered transaction," "principal," "proposes," and "voluntarily excluded," as used in this clause, have the meanings set out in the Definitions and Coverage sections of rules implementing Executive Order 12549.

5. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.

6. The prospective lower tier participant further agrees by submitting this proposal that it will include the clause titled, "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion – Lower Tier Covered Transaction," without modification in all lower tier covered transactions and in all solicitations for lower tier covered transactions.

7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may check the Non-procurement List.

8. Nothing contained in the foregoing shall be construed to require establishment of a system of reports in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is, normally possessed by a prudent person in the ordinary course of business dealings.

9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.



U.S. DEPARTMENT OF JUSTICE
OFFICE OF JUSTICE PROGRAMS
OFFICE OF THE COMPTROLLER

**Certification Regarding
Debarment, Suspension, Ineligibility and Voluntary Exclusion
Lower Tier Covered Transactions
(Sub-Recipient)**

This certification is required by the regulations implementing Executive Order 12549, Debarment and Suspension, 28 CFR Part 67, Section 67.510, Participants' responsibilities. The regulations were published as Part VII of the May 26, 1988 *Federal Register* (pages 19160-19211).

(BEFORE COMPLETING CERTIFICATION, READ INSTRUCTIONS ON REVERSE)

- (1) The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department of agency.
- (2) Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Name of Mayor

Signature of Mayor

Date

City of Pekin

111 South Capitol Street

Address of Organization

Pekin IL 61554

EQUAL EMPLOYMENT OPPORTUNITY PLAN (EEOP) CERTIFICATION INSTRUCTIONS

- Circle the grant program that the grant is funded under.
- Enter the grant number and amount, the name of the grantee/organization, the address, contact person and contact information on the lines provided. (The contact person should be someone who is familiar with the grant and able to answer questions regarding the EEOP.)

COMPLETE ONLY ONE OF THE FOLLOWING SECTIONS, SECTION A OR B

- SECTION A: Some grantees are not required to develop an EEOP. If one or more of the checkboxes in Section A apply to your organization, then your organization is exempt from the EEOP requirement and IS NOT required to develop an EEOP. If this is the case, please print the name of the individual authorized to certify to this fact, check the box(es) that apply to your organization and sign the certification.

OR

- SECTION B: If your organization is a covered entity type (state or local **unit of government**, or for-profit entity), has 50 or more employees and receives a single grant of \$25,000 or more, your organization is required to have an EEOP on file that is current and that can be reviewed by outside individuals.
- Print the name of the responsible individual who is certifying that an EEOP is required and on file, the name of the entity and the location/address of the office where the EEOP is on file.
- Sign the certification.
- If an entity receives a single grant of \$500,000 or more, or, over a period of 18 months, receives several grants totaling \$1,000,000 or more, the entity must submit a copy of the EEOP to the Authority. The Authority will then forward the EEOP to the federal Office of Civil Rights for review and approval.

CIVIL RIGHTS COMPLIANCE CERTIFICATION INSTRUCTIONS

- Circle the grant program that the grant is funded under.
- Enter the name of the grantee/organization, the address, contact person and contact information on the lines provided. (The contact person should be someone who is familiar with the grant and able to answer questions regarding civil rights compliance.)
- CERTIFICATION STATEMENT: The entity needs to certify that it is in compliance with all local, state and federal civil rights laws, regulations and guidelines as listed in the Interagency Agreement. The entity also needs to certify if it has or has not had any findings of discrimination within the past 5 years.
- Print the name of the responsible official who is certifying to compliance and the name of the entity.
- If your organization has had no findings of discrimination within the past 5 years, please check the first box. If your organization has had any findings of discrimination within the past 5 years, please check the second box. Attach a copy of all findings made within the past 5 years that have not already been submitted to the Authority. **If your organization has already submitted all current findings to the Authority, check the box indicating that; there is no need to resubmit them to the Authority.**
- Sign the certification.

EQUAL EMPLOYMENT OPPORTUNITY PLAN (EEOP) CERTIFICATION
(Complete **SECTION A** OR **SECTION B** below, as applicable. Complete **ONLY ONE SECTION.**)

Grant Program (circle applicable federal grant program):

ADAA/BYRNE, JAIBG, LLEBG, NCHIP, RSAT, VAWA, VOCA, VOITIS, Other (Specify)

Grant Number: 402415

Federal Grant Award Amount: \$ 22,790

Grantee/Organization Name (hereafter referred to as the "Entity"): **City of Pekin**

Address: 111 South Capitol Street, Pekin IL 61554

Contact Person: LT. GREG NELSON

Telephone #: (309) 477-2340

Fax #: (309) 346-5328

E-mail address: gnelson@ci.pekin.il.us

SECTION A. CERTIFICATION (EEOP NOT REQUIRED)

I, _____ [Mayor] CERTIFY THAT THE FUNDED ENTITY IS NOT REQUIRED TO PREPARE AN EEOP FOR THE REASON(S) CHECKED BELOW, PURSUANT TO 28 CFR 42.302.

Check all of the following that apply:

☐ ENTITY HAS LESS THAN 50 EMPLOYEES

☐ ENTITY IS AN INDIAN TRIBE

☒ ENTITY DOES NOT RECEIVE A GRANT OR AWARD OF AT LEAST \$25,000

☐ ENTITY IS A MEDICAL INSTITUTION

☐ ENTITY IS AN EDUCATIONAL INSTITUTION

[Signature of Mayor]

[Print Name and Title]

[Date]

OR

SECTION B. CERTIFICATION (EEOP REQUIRED AND ON FILE)

(For information regarding EEOP development, see: <http://www.ojp.usdoj.gov/ocr/eeop.htm>)

Certification Statement (For Entities with 50 or more employees that receive a single grant or award of \$25,000 or more):

I, _____ [responsible official], certify that the Entity has formulated an Equal Employment Opportunity Plan in accordance with 28 CFR 42.301, et seq., subpart E, that was signed into effect within the past two years by the proper authority and that it is available for review. The EEOP is on file in the office of _____ [agency/organization name], at _____ [address]

for review by the public and employees, or for review or audit by officials of the Illinois Criminal Justice Information Authority or the U.S. Department of Justice, Office of Justice Programs, Office of Civil Rights as required by relevant laws and regulations.

In addition to the above requirements, if Entity receives \$500,000 or more through a single grant, or \$1,000,000 or more in aggregate grant funds in an 18-month period, Entity shall submit a copy of its Equal Employment Opportunity Plan to the Authority. The Authority shall forward the Equal Employment Opportunity Plan to the Office of Civil Rights for review and approval.

[Signature of Mayor]

[Print Name and Title]

[Date]

CIVIL RIGHTS COMPLIANCE CERTIFICATION

(Complete ENTIRE certification)

Grant Program (circle applicable grant program):

ADAA/BYRNE, JAIBG, LLEBG, NCHIP, RSAT, VAWA, VOCA, VOITIS, Other (Specify)

Grantee/Organization Name (hereafter referred to as the "Entity"): **City of Pekin**

Address: 111 South Capitol Street, Pekin IL 61554

Contact Person:

Telephone #:

Fax #:

E-mail address:

Grant Number/Contract Name: 402415/Livescan Equipment Program

Certification Statement:

I, _____ [Mayor], certify to the following statements:

- Entity is in compliance with all applicable local, state and federal civil rights laws, regulations and guidelines, including but not limited to those listed in the Interagency Agreement(s)/Contract(s) in effect for the grant(s) and contract(s) listed above.
- No person shall be excluded from participation in, denied the benefits of, subjected to discrimination under, or denied employment in connection with any activity funded under this grant(s)/contract(s) on the basis of race, color, age, religion, national origin, disability, or sex.
- Entity is in compliance with the following federal guidance materials regarding the provision of meaningful access to services and programs to persons with limited English proficiency (LEP): Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons (Federal Register, June 18, 2002, Volume 67, Number 117, Page 41455-41472).

(Additional information regarding LEP requirements may be found at: <http://www.ojp.usdoj.gov/ocr/lep.htm>)

In addition, I certify that in the event that a federal or State court or administrative agency makes a finding of discrimination after a due process hearing on the grounds of race, color, age, religion, national origin, disability, or sex against the Entity, or any subgrantee or contractor of the Entity, the Entity will forward a copy of the finding to the Authority. The Authority will forward a copy of the finding to the Office for Civil Rights, Office of Justice Programs.

Check the following item(s) that apply:

- ☒ THE ENTITY, ITS SUBGRANTEES AND CONTRACTORS **HAVE HAD NO FINDINGS** OF DISCRIMINATION WITHIN THE PAST 5 YEARS
- ☐ THE ENTITY, ITS SUBGRANTEES OR CONTRACTORS **HAVE HAD FINDINGS** OF DISCRIMINATION WITHIN THE PAST 5 YEARS (You **MUST** attach a copy of all finding(s) made within the past 5 years that have not yet been submitted to the Authority)
- ☐ All current findings have already been submitted to the Authority; no additional findings have been made and no additional findings are attached

[Signature of Mayor]

[Title]

[Date]

EQUAL EMPLOYMENT OPPORTUNITY PLAN (EEOP) CERTIFICATION
(Complete **SECTION A** OR **SECTION B** below, as applicable. Complete **ONLY ONE SECTION.**)

Grant Program (circle applicable federal grant program):

ADAA/BYRNE, JAIBG, LLEBG, NCHIP, RSAT, VAWA, VOCA, VOITIS, Other (Specify)

Grant Number: 402415

Federal Grant Award Amount: \$22,790

Grantee/Organization Name (hereafter referred to as the "Entity"): **Pekin Police Department**

Address: 111 South Capitol Street, Pekin IL Pekin

Contact Person: LT. GREG NELSON

Telephone #: (309) 477-2340

Fax #: (309) 346-5328

E-mail address: gnelson@ci.pekin.il.us

SECTION A. CERTIFICATION (EEOP NOT REQUIRED)

I, LT. GREG NELSON [Lieutenant] CERTIFY THAT THE FUNDED ENTITY IS NOT REQUIRED TO PREPARE AN EEOP FOR THE REASON(S) CHECKED BELOW, PURSUANT TO 28 CFR 42.302.

Check all of the following that apply:

☐ ENTITY HAS LESS THAN 50 EMPLOYEES

☒ ENTITY DOES NOT RECEIVE A GRANT OR AWARD OF AT LEAST \$25,000

☐ ENTITY IS AN INDIAN TRIBE

☐ ENTITY IS A MEDICAL INSTITUTION

☐ ENTITY IS AN EDUCATIONAL INSTITUTION

LT. Greg Nelson
[Signature of Lieutenant]

GREG NELSON, LIEUTENANT
[Print Name and Title]

7/12/05
[Date]

OR

SECTION B. CERTIFICATION (EEOP REQUIRED AND ON FILE)

(For information regarding EEOP development, see: <http://www.ojp.usdoj.gov/ocr/eeop.htm>)

Certification Statement (For Entities with 50 or more employees that receive a single grant or award of \$25,000 or more):

I, _____ [Lieutenant], certify that the Entity has formulated an Equal Employment Opportunity Plan in accordance with 28 CFR 42.301, et seq., subpart E, that was signed into effect within the past two years by the proper authority and that it is available for review. The EEOP is on file in the office of _____ [agency/organization name], at _____ [address] for review by the public and employees, or for review or audit by officials of the Illinois Criminal Justice Information Authority or the U.S. Department of Justice, Office of Justice Programs, Office of Civil Rights as required by relevant laws and regulations.

In addition to the above requirements, if Entity receives \$500,000 or more through a single grant, or \$1,000,000 or more in aggregate grant funds in an 18-month period, Entity shall submit a copy of its Equal Employment Opportunity Plan to the Authority. The Authority shall forward the Equal Employment Opportunity Plan to the Office of Civil Rights for review and approval.

[Signature of Lieutenant]

[Print Name and Title]

[Date]

CIVIL RIGHTS COMPLIANCE CERTIFICATION

(Complete ENTIRE certification)

Grant Program (circle applicable grant program):

ADAA/BYRNE, JAIBG, LLEBG, NCHIP, RSAT, VAWA, VOCA, VOITIS, Other (Specify)

Grantee/Organization Name (hereafter referred to as the "Entity"): **Pekin Police Department**

Address: 111 South Capitol Street, Pekin IL 61554

Contact Person: LT. GREG NELSON

Telephone #: (309) 477-2340

Fax #: (309) 346-5328

E-mail address: gnelson@ci.pekin.il.us

Grant Number/Contract Name **402415 /Livescan Equipment Program**

Certification Statement:

I, LT. GREG NELSON [Lieutenant], certify to the following statements:

- Entity is in compliance with all applicable local, state and federal civil rights laws, regulations and guidelines, including but not limited to those listed in the Interagency Agreement(s)/Contract(s) in effect for the grant(s) and contract(s) listed above.
- No person shall be excluded from participation in, denied the benefits of, subjected to discrimination under, or denied employment in connection with any activity funded under this grant(s)/contract(s) on the basis of race, color, age, religion, national origin, disability, or sex.
- Entity is in compliance with the following federal guidance materials regarding the provision of meaningful access to services and programs to persons with limited English proficiency (LEP): Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons (Federal Register, June 18, 2002, Volume 67, Number 117, Page 41455-41472).

(Additional information regarding LEP requirements may be found at: <http://www.ojp.usdoj.gov/ocr/lep.htm>)

In addition, I certify that in the event that a federal or State court or administrative agency makes a finding of discrimination after a due process hearing on the grounds of race, color, age, religion, national origin, disability, or sex against the Entity, or any subgrantee or contractor of the Entity, the Entity will forward a copy of the finding to the Authority. The Authority will forward a copy of the finding to the Office for Civil Rights, Office of Justice Programs.

Check the following item(s) that apply:

- ☒ THE ENTITY, ITS SUBGRANTEES AND CONTRACTORS **HAVE HAD NO FINDINGS** OF DISCRIMINATION WITHIN THE PAST 5 YEARS
- ☐ THE ENTITY, ITS SUBGRANTEES OR CONTRACTORS **HAVE HAD FINDINGS** OF DISCRIMINATION WITHIN THE PAST 5 YEARS (You **MUST** attach a copy of all finding(s) made within the past 5 years that have not yet been submitted to the Authority)
- ☐ All current findings have already been submitted to the Authority; no additional findings have been made and no additional findings are attached

LT. Greg Nelson
[Signature of Lieutenant]

LIEUTENANT
[Title]

7/12/05
[Date]

PROGRAM TITLE:	Livescan Equipment Program
AGREEMENT NUMBER:	402415
PREVIOUS AGREEMENT NUMBER(S):	NA
ESTIMATED START DATE:	July 15, 2005
SOURCES OF PROGRAM FUNDING:	
<i>FFY02 ADAA Funds:</i>	\$ 22,790
<i>Matching Funds:</i>	\$ 7,596
Total:	\$ 30,386

IMPLEMENTING AGENCY:	City of Pekin
ADDRESS:	111 S. Capitol Street Pekin IL 61554
FEDERAL EMPLOYEE TAX IDENTIFICATION NUMBER (FEIN): (i.e. 36- or 37-.....)	37-6002169
AUTHORIZED OFFICIAL:	Lyndell Howard
TITLE:	Mayor
TELEPHONE:	309/478-5354
PROGRAM FINANCIAL OFFICER:	Robert Reis
TITLE:	Finance Director
TELEPHONE:	309/478-5382

PROGRAM AGENCY:	Pekin Police Department
ADDRESS:	111 S. Capitol Street Pekin IL 61554
PROGRAM DIRECTOR:	Tim Gillespie
TITLE:	Chief
TELEPHONE:	309/478-5300
FAX:	309/346-5328
Email:	tgillispie@ci.pekin.il.us

FISCAL CONTACT PERSON:	Ted Miller
TITLE:	Deputy Chief
TELEPHONE:	309/478-5300
FAX:	309/346-5328
Email:	tmiller@ci.pekin.il.us
PROGRAM CONTACT PERSON:	Greg Nelson
TITLE:	Lieutenant
TELEPHONE:	309/478-5300
FAX:	309/346-5328
Email:	gnelson@ci.pekin.il.us

INTERAGENCY AGREEMENT

Anti-Drug Abuse Act of 1988 Programs

This interagency agreement is entered into by the Illinois Criminal Justice Information Authority, with its offices at 120 South Riverside Plaza, Chicago, Illinois 60606, hereinafter referred to as the "Authority," and the City of Pekin on behalf of Pekin Police Department, hereinafter referred to as the "Implementing Agency," with its principal offices at 111 South Capitol Street, Pekin IL 61554, for implementation of the Livescan Equipment Program.

WHEREAS, Section 7(k) of the Illinois Criminal Justice Information Act (20 ILCS 3930/7(k)) establishes the Authority as the agency "to apply for, receive, establish priorities for, allocate, disburse and spend grants of funds that are made available...from the United States pursuant to the federal Crime Control Act of 1973, as amended, and similar federal legislation, and to enter into agreements with the United States government to further the purposes of this Act, or as may be required as a condition of obtaining federal funds;" and

WHEREAS, pursuant to the Authority's rules entitled "Operating Procedures for the Administration of Federal Funds," (20 Illinois Administrative Code 1520 et seq.) the Authority awards federal funds received by the State of Illinois pursuant to the Anti-Drug Abuse Act of 1988 and enters into interagency agreements with State agencies and units of local government for the use of these federal funds; and

WHEREAS, pursuant to the Anti-Drug Abuse Act of 1988, the Authority named the following program areas as the focus of the Illinois Statewide Drug and Violent Crime Control Strategy for federal fiscal year 2002:

1. Support prevention programs that help youth recognize the true risks associated with violent crime and drug use and that target youth to reduce their use of violence, illicit drugs, alcohol and tobacco products.
2. Support programs that strengthen multi-agency linkages at the community level among prevention, treatment and criminal justice programs, as well as other supportive social services, to better address the problems of drug abuse.
3. Support programs that enhance treatment effectiveness, quality and services so that those who need treatment can receive it.
4. Support programs that reduce drug related crime and violence.
5. Support research that identifies what works in drug treatment and the prevention of drug use and violent crime, and develop new information about drug use and violent crime and their consequences.
6. Support programs that promote the efficiency and effectiveness of the criminal justice system.
7. Support programs statewide that target prevention and early intervention for juveniles, with particular emphasis on the principles of balanced and restorative justice.

WHEREAS, the Authority designated the City of Pekin on behalf of Pekin Police Department to receive funds for the purpose of implementing a program to address one of the named areas.

NOW, THEREFORE, BE IT AGREED by and between the Illinois Criminal Justice Information Authority and the City of Pekin on behalf of Pekin Police Department as follows:

SECTION 1. DEFINITIONS

"Program": means a plan set out in a Program Description that identifies problems related to drug and violent crime law enforcement and that contains a statement of objectives, strategies for achieving those objectives, and a method for assessing the effectiveness of those strategies.

SECTION 2. PERIOD OF PERFORMANCE AND COSTS INCURRED

The period of performance of this agreement shall be from July 15, 2005 through March 31, 2006.

Costs incurred before the execution date of this agreement may be charged to this agreement if included in Exhibit B, incurred during the period of performance, and the Implementing Agency performed in accordance with the terms and conditions of this agreement.

However, no funds will flow under this agreement for the period of October 1, 2005 through March 31, 2006, unless and until the State of Illinois receives written approval of an extension to the funding period for the Byrne Formula Grant Program (02-DB-BX-0017) from the Department of Justice that covers that period, and the Executive Director of the Authority approves funding for that period. If the State of Illinois does not receive such an extension, this agreement is subject to termination.

The Authority shall not be responsible for costs incurred before or after the period of performance of this agreement.

SECTION 3. COMMENCEMENT OF PERFORMANCE

If performance has not commenced within 60 days of the starting date of this agreement, the Implementing Agency agrees to report by letter to the Authority the steps taken to initiate the program, the reasons for the delay, and the expected starting date.

If the program is not operational within 90 days of the starting date of this agreement, the Implementing Agency agrees to submit a second letter to the Authority explaining the implementation delay. The Authority may at its discretion either cancel this agreement or extend the implementation date of the program past the 90-day period.

If the program is interrupted for more than 30 days after commencement, due to loss of staff or any other reason, the Implementing Agency agrees to notify the Authority in writing explaining the reasons for the interruption and the steps being taken to resume operation of the program. The Authority may, at its discretion, reduce the amount of federal funds awarded and/or terminate this agreement if the program is interrupted for more than 90 days.

If this agreement is terminated due to this section, the Authority will only pay for those services rendered as of the date service delivery ceased. Any funds advanced to the Implementing Agency and not expended as of that date shall be repaid to the Authority upon notification by the Authority.

SECTION 4. PROGRAM DESCRIPTION AND BUDGET

The Implementing Agency agrees to undertake and perform in a satisfactory manner in accordance with the terms and conditions of this agreement, the program described in the Program Description attached and incorporated as Exhibit A and the Budget attached and incorporated as Exhibit B.

SECTION 5. PAYMENT

The Authority agrees to make payment to the Implementing Agency for the administration and implementation of the program described in Exhibit A. Upon receipt of the fiscal and progress reports described in Section 9 of this agreement, quarterly payments will be made to the Implementing Agency. No payment will be made until all outstanding reports are received by the Authority, including outstanding reports from previously funded Authority programs. In addition, due to the unique requirements of the program being funded, the Implementing Agency may request that an advance payment be made during any quarter and must include supporting documentation with the request. Requests for advance payment are subject to review and approval. No payment will be made to an Implementing Agency unless and until the Implementing Agency is in full compliance with applicable State and federal laws and the terms and conditions of this agreement.

The maximum amount of federal funds payable under this agreement is \$22,790 and is dependent on the expenditure of matching funds as described in Section 6 and Exhibit B, and the performance of the Implementing Agency in accordance with the terms and conditions of this agreement.

The Implementing Agency must provide for the deposit of program funds, including federal and matching funds, into a bank account in the name of the Implementing Agency, either depositing such funds into an account separate from any of its other bank accounts or treating such funds as a separate line item per its budget and audited financial statements. Federal funds shall be immediately deposited into such bank account.

SECTION 6. MATCH

Federal funds from the Anti-Drug Abuse Act of 1988 may be used to pay up to 75 percent of the program costs described in Exhibit B. The Implementing Agency must provide non-federal funding for at least 25 percent of the program costs described in Exhibit B. However, if the Implementing Agency is a State agency, the non-federal matching share of the program costs described in Exhibit B may be provided through the award of general revenue funds, appropriated to the Authority by the Illinois General Assembly specifically for this purpose.

Failure of the Implementing Agency to apply non-federal financial support to the program described in Exhibit A in the amount of at least 25 percent of such program's costs, shall result in a proportionate reduction in the amount of federal funds awarded under this agreement and may result in the return of funds already awarded. To meet this matching funds requirement, the Implementing Agency shall apply non-federal financial support to the program, as described in Exhibit B.

SECTION 7. OBLIGATIONAL LIMITATION

Payment under this agreement is subject to passage of a suitable and sufficient appropriation by the Illinois General Assembly. Obligations of the State of Illinois will cease immediately without penalty of further payment being required in any fiscal year should the actions of the General Assembly or any applicable funding source result in the failure to appropriate or otherwise make available sufficient funds for this agreement.

SECTION 8. NON-SUPPLANTATION

The Implementing Agency certifies that federal and matching funds made available under this agreement will not be used to supplant State or local funds, but will be used to increase the amounts of funds that, in the absence of these federal and matching funds, would be made available to the Implementing Agency for drug law enforcement or violent crime control activities.

SECTION 9. REPORTING AND EVALUATION REQUIREMENTS

Unless required on a more frequent basis by the Authority, the Implementing Agency shall submit the following

reports to the Authority on a quarterly basis, with quarters beginning at the start of the calendar year, by the 15th day of each month following the previous quarter:

- progress reports for the preceding quarter relevant to the performance indicators listed in Exhibit A;
- fiscal reports detailing financial expenditures for the previous quarter;
- and any other reports specified by the Authority.

The Implementing Agency is further required to submit a final financial status report following termination of the program, the content and form of which will be determined by the Executive Director of the Authority.

The Implementing Agency agrees to comply with the Office of Justice Program Guidelines for the evaluation of programs. The Implementing Agency agrees to report any additional information required by the Executive Director of the Authority.

SECTION 10. PROGRAM INCOME

All income, including income resulting from asset seizures or forfeitures, generated as a direct result of the program described in Exhibit A shall be deemed program income. Program income must be used for the purposes and under the conditions applicable to the use of grant funds. The federal proportion of program income must be accounted for up to the same ratio of federal participation as funded in the program. Program income may be retained by the Implementing Agency for any purpose that furthers the objectives of the Anti-Drug Abuse Act of 1988. Implementing Agency shall report and account for such program income as required by the Authority.

SECTION 11. PROCUREMENT REQUIREMENTS, REQUESTS FOR PROPOSALS, CONFLICT OF INTEREST

All procurement transactions shall be conducted by the Implementing Agency in a manner to provide, to the maximum extent practical, open and free competition. The Implementing Agency must use procurement procedures that minimally adhere to all applicable laws, executive orders and federal guidelines. The Implementing Agency shall also adhere, and assure that its contractors and subcontractors adhere, to all applicable certification and disclosure requirements of the Illinois Procurement Code.

The Implementing Agency shall follow its established procurement process if it minimally adheres to applicable federal guidelines, and the following requirements. If the Implementing Agency's established procurement process is less competitive than the following requirements, the following more competitive requirements must be adhered to in lieu of the Implementing Agency's procurement process.

- For procurements of \$100,000 or less, the Implementing Agency must solicit quotes or bids from at least three sources.
- For procurements over \$100,000, the Implementing Agency must formally advertise the proposed procurement through an Invitation for Bids (IFB), or a Request for Proposals (RFP) process.

All RFPs over \$100,000, that involve the use of federal or matching funds, must be submitted by the Implementing Agency to the Authority for review and written approval prior to their issuance. In addition, the Authority reserves the right to request that any RFP or IFB, regardless of its dollar amount, be submitted to the Authority for review and approval prior to its issuance.

As required by the Authority, the Implementing Agency shall submit documentation regarding its procurement

procedures and grant-funded purchases for Authority review and approval, to assure adherence to applicable federal guidelines.

The Implementing Agency agrees to comply with the applicable provisions of the Illinois Procurement Code (30 ILCS 500) prohibiting conflicts of interest, and all applicable terms, conditions and provisions of the code are made a part of this agreement the same as though they were incorporated and included herein.

No employee, officer or agent of the Implementing Agency shall participate in the selection, or in the award or administration of a contract supported by federal funds if a conflict of interest, real or apparent, would be involved.

SECTION 12. DISCLOSURE OF SOLICITATION FOR EMPLOYMENT

The Implementing Agency shall notify the Authority's Ethics Officer if the Implementing Agency solicits or intends to solicit for employment any of the Authority's employees during any part of the award funding process or during the term of any interagency agreement awarded.

SECTION 13. MAINTENANCE OF RECORDS

The Implementing Agency agrees to retain financial and program records for a minimum of 3 years after the expiration date of this agreement, or 3 years after closure of Implementing Agency's most recent audit report, whichever is later. The Implementing Agency shall maintain, for this 3-year period, adequate books, records, and supporting documents to verify the amounts, recipients, and uses of all disbursements of funds passing in conjunction with this agreement; the agreement and all books, records, and supporting documents related to the agreement shall be available for review and audit by the Auditor General, federal awarding agency personnel, the Authority, or any person duly authorized by the Authority; and the Implementing Agency agrees to cooperate fully with any audit conducted by the Auditor General, the federal awarding agency, the Authority or any person duly authorized by the Authority, and to provide full access to all relevant materials. Failure to maintain the books, records, and supporting documents required by this Section shall establish a presumption in favor of the State for the recovery of any funds paid by the State under the agreement for which adequate books, records, and supporting documentation are not available to support their purported disbursement.

If any litigation, claim, negotiation, audit, review, or other action involving the records has been started before the expiration of the 3-year period, the records must be retained until the completion of the action and resolution of all issues that arise from it or until the end of the regular 3-year period, whichever is later.

SECTION 14. ELIGIBILITY FOR EMPLOYMENT IN THE UNITED STATES

The Implementing Agency shall complete and keep on file, as appropriate, the Immigration and Naturalization Service Employment Eligibility Form (I-9). This form shall be used by the Implementing Agency to verify that persons employed by the Implementing Agency are eligible to work in the United States.

SECTION 15. INSPECTION AND AUDIT

If required by revised Office of Management and Budget Circular A-133 "Audits of States, Local Governments, and Non-Profit Organizations," the Implementing Agency agrees to provide for an independent audit of its activities. Audits shall be made annually, unless A-133 allows the Implementing Agency to undergo biennial audits. Audits shall be made in accordance with the General Accounting Standards for Audit of Governmental Organizations, Programs, Activities and Functions, the Guidelines for Financial and Compliance Audits of Federally Assisted Programs, any compliance supplements approved by the Office of Management and Budget, and generally accepted auditing standards established by the American Institute of Certified Public Accountants. Copies of all audits must

be submitted to the Authority no later than 9 months after the close of the Implementing Agency's audit period.

Known or suspected violations of any law encountered during audits, including fraud, theft, embezzlement, forgery, or other serious irregularities, must be immediately communicated to the Authority and appropriate federal, State, and local law enforcement officials.

The Implementing Agency agrees to develop and maintain a record-keeping system to document all agreement related activities and expenditures. These records will act as the original source material for compilation of the data required in Section 9 and all other program activity.

The Authority shall have access for purposes of monitoring, audit and examination to all relevant books, documents, papers, and records of the Implementing Agency, and to relevant books, documents, papers and records of subcontractors.

SECTION 16. CLOSE-OUT REQUIREMENTS

Within 45 days of the expiration date of this agreement or any approved extension thereof the following documents must be submitted by the Implementing Agency to the Authority: (a) final financial status report; (b) final progress reports; (c) property inventory report; and (d) other documents required by the Authority.

SECTION 17. NATIONAL ENVIRONMENTAL POLICY ACT AND RELATED LEGISLATION

If the Implementing Agency undertakes *new activities related to the use of federal grant or matching funds in connection with the program* that include one or more of the activities listed below, the Implementing Agency shall assist the Authority and the U.S. Department of Justice, Bureau of Justice Assistance (BJA), in complying with the National Environmental Policy Act (NEPA) and other related federal environmental impact analyses requirements, including but not limited to those listed in Section 18 of this agreement.

The Implementing Agency acknowledges that this section applies to *new activities whether or not they are being specifically funded with federal grant or matching funds, in connection with the program*. As long as the new activity is being conducted by the Implementing Agency, or any subgrantee, subcontractor, or any third party, and the *new activity needs to be undertaken in order to use the federal grant or matching funds in connection with the program*, the terms of this section must be met.

Prior to obligating federal grant or matching funds in connection with the program, the Implementing Agency must determine if any of the following activities will be related to the use of such federal grant or matching funds. The Implementing Agency must notify the Authority in writing if it will be conducting any of the following activities, when the activity is undertaken in order to use, or is funded with, federal grant or matching funds in connection with the program:

- New construction.
- Minor renovation or remodeling of a property either (a) listed or eligible for listing on the National Register of Historic Places or (b) located within a 100-year flood plain.
- A renovation, lease, or any other proposed use of a building or facility that will either (a) result in a change in its basic prior use or (b) significantly change its size.
- Implementation of a new program involving the use of chemicals other than chemicals that are (a) purchased as an incidental component of a funded activity and (b) traditionally used, for example, in office, household, recreational, or educational environments.

For existing and continuing programs or activities that will be funded with federal grant or matching funds through the

Authority, upon request by the Authority as directed by BJA, the Implementing Agency shall cooperate with BJA in any preparation by BJA of a national or program environmental assessment of that funded program or activity.

SECTION 18. IMPLEMENTING AGENCY COMPLIANCE

The Implementing Agency agrees to comply with all applicable laws, regulations, and guidelines of the State of Illinois, the Federal Government and the Authority in the performance of this agreement, including but not limited to:

- Those laws, regulations and guidelines specified in Sections 20 and 26 of this agreement.
- The provisions of 28 CFR applicable to grants and cooperative agreements including Part 18, Administrative Review Procedures; Part 20, Criminal Justice Information Systems; Part 22, Confidentiality of Identifiable Research and Statistical Information; Part 23, Criminal Intelligence Systems Operating Policies; Part 30, Intergovernmental Review of Department of Justice Programs and Activities; Part 42, Non-Discrimination/Equal Employment Opportunity Policies and Procedures; Part 46, Protection of Human Subjects; Part 61, Procedures for Implementing the National Environmental Policy Act; Part 63, Floodplain Management and Wetland Protection Procedures; and Part 67, Governmentwide Debarment and Suspension (Nonprocurement).
- Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons (Federal Register, June 18, 2002, Volume 67, Number 117, Page 41455-41472).
- Section 8136 of the Department of Defense Appropriations Act of 1988 (P.L. 100-463, effective October 1, 1988).
- National Environmental Policy Act of 1969, 42 U.S.C. pars. 4321 et seq.
- National Historic Preservation Act of 1966, 16 U.S.C. pars. 470 et seq.
- Flood Disaster Protection Act of 1973, 42 U.S.C. pars 4001 et seq.
- Clean Air Act of 1970, 42 U.S.C. pars. 7401 et seq.
- Clean Water Act, 33 U.S.C. pars. 1368 et seq.; Executive Order 11738; and EPA regulations (40 CFR Part 15).
- Federal Water Pollution Control Act of 1948, as amended, 33 U.S.C. pars. 1251 et seq.
- Safe Drinking Water Act of 1974, 42 U.S.C. pars. 300f et seq.
- Endangered Species Act of 1973, 16 U.S.C. pars. 1531 et seq.
- Wild and Scenic Rivers Act of 1968, as amended, 16 U.S.C. pars. 1271 et seq.
- Historical and Archeological Data Preservation Act of 1960, as amended, 16 U.S.C. pars. 469 et seq.
- Coastal Zone Management Act of 1972, 16 U.S.C. pars. 1451 et seq.

- Coastal Barrier Resources of 1982, 16 U.S.C. pars. 3501 et seq.
- Indian Self Determination Act, 25 U.S.C. par. 450f.
- Intergovernmental Cooperation Act of 1968, 42 U.S.C. 4201 et seq.
- Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, 42 U.S.C. pars. 4601 et seq.
- Hatch Political Activity Act of 1940, as amended, 5 U.S.C. pars. 1501 et seq.
- Animal Welfare Act of 1970, 7 U.S.C. pars. 2131 et seq.
- Demonstration Cities and Metropolitan Development Act of 1966, 42 U.S.C. pars. 3301 et seq.
- Federal Fair Labor Standards Act of 1938, as amended, 29 U.S.C. pars. 201 et seq.

SECTION 19. EQUAL EMPLOYMENT OPPORTUNITY PROGRAM

If the Implementing Agency has 50 or more employees and is receiving at least \$25,000 through this agreement, or another grant funded by the U.S. Department of Justice, the Implementing Agency shall formulate, implement and maintain an equal employment opportunity program in accordance with 28 CFR Part 42, Nondiscrimination; Equal Employment Opportunity; Policies and Procedures. If required by this section, the Implementing Agency certifies that an equal employment opportunity program will be in effect during the period of performance of this agreement. In addition, an Implementing Agency receiving \$500,000 or more through this agreement, or \$1,000,000 or more in aggregate grant funds in an 18 month period, shall submit a copy of its equal employment opportunity plan to the Authority.

The Implementing Agency shall complete and submit an EEO Plan Certification to the Authority. This Certification will indicate if the Implementing Agency is required to have an EEO Plan or if the Implementing Agency is exempt from this requirement.

SECTION 20. NONDISCRIMINATION

The Implementing Agency certifies that no person shall be excluded from participation in, denied the benefits of, subjected to discrimination under, or denied employment in connection with any activity funded under this agreement on the basis of race, color, age, religion, national origin, disability, or sex. The Implementing Agency agrees to have written sexual harassment policies which satisfy the requirements set forth in the Illinois Human Rights Act. (775 ILCS 5).

The Implementing Agency assures compliance with the following laws, and all associated rules and regulations:

- Non-Discrimination requirements of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, 42 U.S.C. 3789(d);
- Title VI of the Civil Rights Act of 1964, as amended;
- Section 504 of the Rehabilitation Act of 1973, as amended;
- The Americans with Disabilities Act, 42 U.S.C. 12101 et seq.;

- Title IX of the Education Amendments of 1972;
- The Age Discrimination Act of 1975;
- The Department of Justice Non-Discrimination Regulations, 28 CFR Part 42, subparts C, D, E, and G;
- The Department of Justice regulations on disability discrimination, 28 CFR Part 35 and Part 39;
- The Illinois Human Rights Act, 775 ILCS 5;
- The Public Works Employment Discrimination Act, 775 ILCS 10;
- The Illinois Environmental Barriers Act, 410 ILCS 25.

All applicable provisions, rules and regulations of these Acts are made a part of this agreement by reference as though set forth fully herein.

In the event that a federal or State court or administrative agency makes a finding of discrimination after a due process hearing on the grounds of race, color, age, religion, national origin, disability, or sex against the Implementing Agency, or any subgrantee or contractor of the Implementing Agency, the Implementing Agency will forward a copy of the finding to the Authority. The Authority will forward a copy of the finding to the Office for Civil Rights, Office of Justice Programs.

The Implementing Agency certifies that it shall not pay any dues or fees on behalf of its employees or agents or subsidize or otherwise reimburse them for payment of their dues or fees to any club which unlawfully discriminates, and that it shall comply with all provisions of the Discriminatory Club Act (775 ILCS 25).

SECTION 21. CONFIDENTIALITY OF INFORMATION

The Implementing Agency agrees not to use or reveal any research or statistical information furnished under this program by any person and identifiable to any specific private person for any purpose other than the purpose for which such information was obtained in accordance with this program and all applicable federal guidelines and legislation. Such information shall be immune from legal process and shall not, without the consent of the person furnishing the information, be admitted as evidence or used for any purpose in any action, suit or other judicial, legislative or administrative proceeding.

As applicable, the Implementing Agency agrees to protect the confidentiality of narcotic related intelligence and investigative information and to maintain the security of such information. The Implementing Agency certifies that it shall take full responsibility and will be accountable for narcotic-related intelligence and investigative information collected, maintained and disseminated as a result of the program described in Exhibit A and that program personnel will comply with all standards set forth in this agreement. As applicable, all program personnel shall comply with the obligations for confidentiality and dissemination of narcotic-related intelligence and investigative information placed on inspectors for the Department of State Police by the Department's rules of Conduct (20 Ill. Adm. Code 1220.130(h)), by the Department's internal operating procedures (DCI OPS 9 Dissemination of Narcotic-Related Information to Other Agencies, August 15, 1979; MDI-26 Dissemination of Intelligence and Investigative Information, June 15, 1981), U.S. Department of Justice Criminal Intelligence Operating Policies, F.R., vol. 43, no. 127, June 30, 1978, and by such other rules of the Department or the Authority as may hereafter be adopted.

SECTION 22. ASSIGNMENT

The Implementing Agency shall make no assignment or transfer of this agreement, any subcontract under this agreement or of any of the monies due hereunder without prior written approval of the Authority. In the event that the Authority approves such an assignment or transfer, the terms and conditions of this agreement shall apply to and bind the party or parties to whom such work is assigned or transferred as fully and completely as the Implementing Agency is bound and obligated.

SECTION 23. SUBCONTRACTING

The use of subcontractors for any work or professional services that involves the use of federal or matching funds is subject to Authority approval. Any work or professional services subcontracted for shall be specified by written contract and subject to all terms and conditions contained in this agreement. If the use of subcontractors is approved by the Authority, the terms and conditions of this agreement shall apply to and bind the party or parties to whom such work is subcontracted as fully and completely as the Implementing Agency is bound and obligated. The Implementing Agency shall make reasonable efforts to assure that all subcontractors adhere to the terms and conditions of this agreement. The Authority shall not be responsible for the performance, acts or omissions of any subcontractor.

Subcontracts over \$100,000 that are funded with federal or matching funds must be submitted by the Implementing Agency for Authority review and approval prior to their effective dates and execution by the Implementing Agency. In addition, the Authority reserves the right to require that any subcontract funded with federal or matching funds, regardless of its dollar amount, be submitted to the Authority for review and approval prior to its effective date and execution by the Implementing Agency.

As required by the Authority, the Implementing Agency shall submit documentation regarding contracts to be funded with federal or matching funds for Authority review and approval, to assure adherence to applicable federal guidelines.

Approval of the use of subcontractors by the Authority does not relieve the Implementing Agency of its obligation to assure performance under this agreement.

SECTION 24. INDEPENDENT CONTRACTOR

The Implementing Agency, in the performance of this agreement, shall act as an independent contractor and not as an agent or employee of the Authority. The Authority shall not be responsible for the performance, acts or omissions of the Implementing Agency. The Implementing Agency shall be liable, and agrees to be liable for, and shall indemnify, defend and hold the Authority harmless for all claims, suits, judgments and damages arising from the performance of this agreement, to the extent permitted by law.

SECTION 25. EXHIBITS

The documents appended are made a part of this agreement as exhibits. The Implementing Agency shall perform the services subject to this agreement in accordance with all terms, conditions, and provisions set forth in such exhibits.

SECTION 26. TERMINATION OR SUSPENSION OF THE INTERAGENCY AGREEMENT

The Implementing Agency shall operate in conformance with the following State and federal laws and guidelines, currently in effect and hereafter amended, when applicable: the Omnibus Crime Control and Safe Streets Act of 1968, as amended, the Anti-Drug Abuse Act of 1988, the Bureau of Justice Assistance's Byrne Formula Grant Program Guidance document, the Program Guidelines for the Drug Control and System Improvement Formula

Grant Program (53 FR 52244 et seq., effective December 27, 1988), the Office of Justice Programs' Financial Guide, Office of Management and Budget Circulars A-21, A-87, A-102, A-110, A-122 and A-133, the Illinois Grant Funds Recovery Act (30 ILCS 705), the Illinois Procurement Code (30 ILCS 500), the State Comptroller Act (15 ILCS 405), the U.S. Department of Justice Regulations Governing Criminal History Record Information Systems (28 CFR Part 20.1 et seq.), the U.S. Department of Justice Regulations Governing Confidentiality of Identifiable Research and Statistical Information (28 CFR Part 22.1 et seq.), the U.S. Department of Justice Regulations Governing Governmentwide Debarment and Suspension (28 CFR Part 67.100 et seq.) and the rules of the Authority (20 Ill. Adm. Code 1520 et seq.).

As applicable, the Implementing Agency shall operate in conformance with the following State drug laws and rules:

- The following Acts relating to the sharing of forfeited assets: 720 ILCS 5/36-1 through 36-4, 720 ILCS 5/37-1 through 37-5, 720 ILCS 550/12, 720 ILCS 570/505, 720 ILCS 600, 725 ILCS 150;
- Such rules and regulations as the Department of State Police establishes pursuant to Section 5 of the Intergovernmental Drug Laws Enforcement Act, 30 ILCS 715/5;
- The rules of the Department of State Police regulating the Intergovernmental Drug Laws Enforcement Act (20 Ill. Adm. Code 1220 et seq.).

As applicable, the Implementing Agency shall comply with the Illinois Law Enforcement Information Network (ILEIN) by providing any information which ILEIN may require and with all the rules promulgated in relation thereto.

The Executive Director of the Authority, in accordance with the Authority's Operating Procedures for the Administration of Federal Funds, may suspend or terminate performance of this agreement for nonconformance with any State or federal law or regulation, with such guidelines as specified in this section, or with the terms or conditions of this agreement.

SECTION 27. CERTIFICATIONS REGARDING DEBARMENT AND A DRUG-FREE WORKPLACE

As required by the Authority, the Implementing Agency shall complete and submit the Certification Regarding A Drug-Free Workplace and shall certify that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any federal department or agency.

The Implementing Agency certifies that it has not been barred from contracting with any unit of State or local government as a result of a violation of Section 33E-3 or 33E-4 of the Criminal Code of 1961, as amended.

SECTION 28. CERTIFICATION REGARDING LOBBYING.

Federal funds are prohibited from being used for influencing or attempting to influence persons in connection with covered federal transactions, which include the awarding, making, entering into, extension, continuation, renewal, amendment, or modification, of federal grants or contracts. If receiving more than \$100,000 pursuant to this agreement, Implementing Agency agrees to provide a Certification Regarding Lobbying to the Authority and, if applicable, a Disclosure of Lobbying Activities form. If a subcontractor will receive more than \$100,000 in federal funds pursuant to this agreement, Implementing Agency will provide to the Authority a Certification Regarding Lobbying and, if applicable, a Disclosure of Lobbying Activities form signed by the subcontractor. The Implementing Agency must provide these certifications and disclosures as required by the Authority.

SECTION 29. INTERNATIONAL ANTI-BOYCOTT CERTIFICATION

The Implementing Agency certifies that neither it nor any substantially-owned affiliated company is participating or shall participate in an international boycott in violation of the provisions of the U.S. Export Administration Act of 1979 or the regulations of the U.S. Department of Commerce promulgated under that Act.

SECTION 30. DRUG FREE WORKPLACE CERTIFICATION

If the Implementing Agency has 25 or more employees and is receiving \$5,000 or more under this agreement, the Implementing Agency certifies that it provides, and will continue to provide, a drug free workplace in accordance with the Drug Free Workplace Act (30 ILCS 580).

The Act requires that no grantee or contractor shall receive a grant or be considered for the purposes of being awarded a contract for the procurement of any property or services from the State unless that grantee or contractor has certified to the State that the grantee or contractor will provide a drug free workplace. False certification or violation of the certification may result in sanctions including, but not limited to, suspension of contract or grant payments, termination of the contract or grant and debarment of contracting or grant opportunities with the State for at least one (1) year but not more than five (5) years.

For the purpose of this certification, "grantee" or "contractor" means a corporation, partnership, or other entity with twenty-five (25) or more employees at the time of issuing the grant, or a department, division, or other unit thereof, directly responsible for the specific performance under a contract or grant of \$5,000 or more from the State.

The contractor/grantee certifies and agrees that it will provide a drug free workplace by:

(a) Publishing a statement:

- (1) Notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance, including cannabis, is prohibited in the grantee's or contractor's workplace.
- (2) Specifying the actions that will be taken against employees for violations of such prohibition.
- (3) Notifying the employee that, as a condition of employment on such contract or grant, the employee will:
 - (A) abide by the terms of the statement; and
 - (B) notify the employer of any criminal drug statute conviction for a violation occurring in the workplace no later than five (5) days after such conviction.

(b) Establishing a drug free awareness program to inform employees about:

- (1) the dangers of drug abuse in the workplace;
- (2) the grantee's or contractor's policy of maintaining a drug free workplace;
- (3) any available drug counseling, rehabilitation, and employee assistance program; and
- (4) the penalties that may be imposed upon an employee for drug violations.

- (c) Providing a copy of the statement required by subparagraph (a) to each employee engaged in the performance of the contract or grant and to post the statement in a prominent place in the workplace.
- (d) Notifying the contracting or granting agency within ten (10) days after receiving notice under part (B) of paragraph (3) of subsection (a) above from an employee or otherwise receiving actual notice of such conviction.
- (e) Imposing a sanction on, or requiring the satisfactory participation in a drug abuse assistance or rehabilitation program by, any employee who is so convicted, as required by section 580/5 of the Drug Free Workplace Act.
- (f) Assisting employees in selecting a course of action in the event drug counseling, treatment, and rehabilitation is required and indicating that a trained referral team is in place.
- (g) Making a good faith effort to continue to maintain a drug free workplace through implementation of the Drug Free Workplace Act.

SECTION 31. STATEMENTS, PRESS RELEASES, ETC.

When issuing statements, press releases, requests for proposals, bid solicitations, and other documents describing projects or programs funded in whole or in part with federal money, the Implementing Agency shall clearly state (1) the percentage of the total cost of the program or project which will be financed with federal money, and (2) the dollar amount of federal funds for the project or program.

SECTION 32. COPYRIGHTS, PATENTS

If this agreement results in a copyright, the Authority and the Bureau of Justice Assistance reserve a royalty-free, nonexclusive and irrevocable license to reproduce, publish or otherwise use, and to authorize others to use, for government purposes, the work or the copyright to any work developed under this agreement and any rights of copyright to which a grantee, subgrantee or a contractor purchases ownership with grant support.

If this agreement results in the production of patentable items, patent rights, processes, or inventions, the Implementing Agency shall immediately notify the Authority. The Authority will provide the Implementing Agency with further instruction on whether protection on the item will be sought and how the rights in the item will be allocated and administered in order to protect the public interest, in accordance with federal guidelines.

SECTION 33. PUBLICATIONS

The Implementing Agency shall submit to the Authority for review, a draft of any publication that will be issued by the Implementing Agency describing or resulting from programs or projects funded in whole or in part with federal or matching funds, no later than 60 days prior to its printing.

For publications over 20 pages, the Authority will submit comments to the Implementing Agency no later than 30 days after receipt of the draft. If more than one such publication is submitted, the Authority reserves the right to extend the 30-day review period.

For publications of 20 pages or less, the Authority will submit comments to the Implementing Agency no later than 10 working days after receipt of the draft. If more than one such publication is submitted, the Authority reserves the right to extend the 10-day review period.

The Authority reserves the right to require the resubmission of any publication for additional review and comment, prior to its printing.

The Implementing Agency shall submit to the Authority, copies, the number of which will be specified by the Authority, of the final publication no later than 20 days prior to release of the final publication.

Exceptions to the above publication requirements may be granted upon prior Authority approval.

Any such publication shall contain the following statement:

"This project was supported by Grant # 2002-DB-BX-0017, awarded by the Bureau of Justice Assistance, Office of Justice Programs, U.S. Department of Justice, through the Illinois Criminal Justice Information Authority. Points of view or opinions contained within this document are those of the author and do not necessarily represent the official position or policies of the U.S. Department of Justice, or the Illinois Criminal Justice Information Authority."

These publication requirements pertain to any written, visual or sound publication, but are inapplicable to press releases, newsletters and issue analyses.

SECTION 34. FEDERAL TAXPAYER IDENTIFICATION NUMBER

Under penalties of perjury, the Implementing Agency certifies that the name, correct taxpayer identification number, and legal status listed below are correct:

Name: City of Pekin

Taxpayer Identification Number:

Employer Identification Number: 37-6002169

(Enter the name of the entity as used to apply for the entity's EIN and the EIN.)

Legal Status (check one):

☐ Individual	☒ Governmental
☐ Sole Proprietor	☐ Nonresident Alien
☐ Partnership/Legal Corporation	☐ Estate or trust
☐ Tax-exempt	☐ Pharmacy (Non-Corp.)
☐ Corporation providing or billing medical and/or health care services	☐ Pharmacy/Funeral Home/Cemetery (Corp.)
☐ Corporation NOT providing or billing medical and/or health care services	☐ Other: _____

SECTION 35. FEDERAL GRANT INFORMATION

By signing this agreement, the Implementing Agency acknowledges that it has been informed of the following information regarding the federal funds received under this agreement:

- Federal Awarding Agency: Office of Justice Programs, Bureau of Justice Assistance, Department of Justice

- Catalog of Federal Domestic Assistance (CFDA) Number and Title: 16.579 Byrne Formula Grant Program
- Grant Award Name and Number: Edward Byrne Memorial State and Local Law Enforcement Assistance Formula Grant Program (2002-DB-BX-0017)
- Grant Award Year: Federal Fiscal Year 2002

SECTION 36. DISPOSITION REPORTING

The Implementing Agency certifies that it is in compliance with the reporting provisions of the Criminal Identification Act (20 ILCS 2630), when applicable, and agrees to cooperate with the Authority and other parties in the implementation of the State's Criminal Records Improvement Plan, developed by the Authority pursuant to federal law.

SECTION 37. CRIMINAL INTELLIGENCE SYSTEM OPERATING POLICIES

If the program described in Exhibit A is subject to requirements of the Criminal Intelligence System Operating Policies, 28 CFR Part 23, the Implementing Agency certifies to the Authority that the program shall conform with the operating policies set forth in 28 CFR Part 23.20 and meets funding criteria set forth in 28 CFR Part 23.30. If the program is subject to these requirements, the Implementing Agency shall cooperate with specialized monitoring and auditing of the program as may be required by 28 CFR Part 23.40(a), and shall comply with operating policies required by 28 CFR Part 23.40(b).

SECTION 38. RENEGOTIATION, MODIFICATION, OR AMENDMENT OF THE INTERAGENCY AGREEMENT

No alteration, variation, modification, termination, addition to or waiver of any provisions of this agreement shall be valid or binding unless in writing, and signed by the parties. For purposes of modification of this agreement which do not involve increases or decreases in funding, the signature of one representative of the Implementing Agency is sufficient. The parties agree to renegotiate, modify, or amend this agreement to ensure continued consistency with federal and State laws, and regulations.

SECTION 39. INTEGRATION

This document and the exhibits, amendments, and items incorporated by reference constitute the entire agreement between the parties pertaining to the subject matter of this agreement and supersede all prior and contemporaneous agreements and understandings of the parties, oral or written, which are not fully expressed herein. No alleged covenant, representation, or condition not expressed in this agreement shall affect or be effective to interpret, change or restrict the express provisions of this agreement.

SECTION 40. SEVERABILITY

If any term or provision of this agreement is held invalid, unenforceable, voidable or void, that term or provision shall not affect the other terms or provisions of this agreement which can be given effect without the invalid term or provision.

SECTION 40.1 SPECIAL CONDITIONS –

EQUIPMENT PURCHASES

If, for an item of equipment described in Exhibit B to be funded with federal funds, the Implementing Agency does not have a purchase order dated within 90 days after the start date of the agreement, the Implementing Agency shall submit a letter to the Authority explaining the delay in the purchase of equipment. The Authority may, in its discretion:

- A. Reduce the amount of federal funding;
- B. Cancel this agreement;
- C. Allow the Implementing Agency to reallocate the federal funds that were allocated for such equipment to other allowable, Authority approved costs; or
- D. Extend the period to purchase this equipment past the 90-day period.

SECTION 40.2 SPECIAL CONDITIONS –

EQUIPMENT AND INFORMATION SHARING CONDITIONS – STANDARDS, PROTECTIVE ORDER SYSTEMS, SEX OFFENDER REGISTRATION ACT

Equipment and criminal justice information systems designed, implemented or upgraded with federal or matching funds shall be year 2000 compliant and shall be able to process all time/date data after December 31, 1999, and where applicable, compatible with FBI standards, the National Incident-Based Reporting System (NIBRS), the National Crime Information Center System (NCIC), the National Instant Background Check System (NICS), the Integrated Automated Fingerprint Identification System (IAFIS), the National Sex Offender Registry (NSOR), and applicable statewide criminal justice information sharing standards and plans.

The Implementing Agency shall ensure that any Automated Fingerprint Identification System (AFIS) related equipment purchased with federal or matching funds shall conform to the American National Standards Institute (ANSI) Standard "Data Format for the Interchange of Fingerprint Information" (ANSI/NIST-CSL-1-1993) and other reporting standards of the FBI.

Protective order systems developed with federal or matching funds shall be designed to permit interface with the National Protective Order file maintained by the FBI.

The Implementing Agency shall provide all data and information that is necessary to support the operation and administration of the Sex Offender Registration Act (730 ILCS 150), in accordance with all applicable laws, regulations and guidelines.

SECTION 40.3 SPECIAL CONDITIONS –

MANAGEMENT AND DISPOSITION OF EQUIPMENT AND COMMODITIES

Equipment and commodities acquired by the Implementing Agency through this agreement shall be used for purposes of the program described in Exhibit A only. The Implementing Agency shall retain the equipment and commodities acquired with agreement funds as long as they serve to accomplish program purposes, whether or not the program continues to be supported by federal funds. The Implementing Agency certifies that it SHALL REQUEST AND RECEIVE PRIOR WRITTEN APPROVAL from the Authority before:

- using the commodities or equipment received under this agreement for any program or purpose other than described in Exhibit A.

- disposing of, trading in, replacing, selling or transferring any of the commodities or equipment received under this agreement.

The Implementing Agency must adhere to these prior approval requirements, even after the end of the grant period of performance.

The Authority may deny the Implementing Agency's acquisition of equipment and commodities, or require that the Implementing Agency relinquish equipment and commodities acquired through this agreement to the Authority, if the Implementing Agency fails to adhere to the terms and conditions of this agreement or employ an adequate property management system, governing the use, protection and management of such property. The Implementing Agency is responsible for replacing or repairing equipment and commodities that are willfully or negligently lost, stolen, damaged or destroyed. The Implementing Agency shall provide equivalent insurance coverage for equipment and commodities acquired under this agreement as provided for other equipment and commodities owned by the recipient. Any loss, damage or theft of equipment and commodities shall be investigated and fully documented, and immediately reported to the Authority.

Records for equipment and commodities acquired under this agreement shall be retained for at least three years after the final disposition, transfer, or replacement of the property, whichever is latest. If any litigation, claim, audit, fiscal review, negotiation, or other action involving the records has been started before the expiration of this three-year period, these records must be retained until completion of the action and resolution of all issues which arise from it, or until the end of the regular three-year period, whichever is later.

SECTION 40.4 INVESTIGATION AND CLOSURE OF METHAMPHETAMINE LABORATORIES

The Implementing Agency understands and agrees that any program involving either the identification, seizure, or closure of clandestine methamphetamine laboratories can result in adverse health, safety and environmental impacts to (1) the law enforcement and other governmental personnel involved; (2) any residents, occupants, users, and neighbors of the site of a seized clandestine laboratory; (3) the seized laboratory site's immediate and surrounding environment; and (4) the immediate and surrounding environment of the site(s) where any remaining chemicals, equipment, and wastes from a seized laboratory's operations are placed or come to rest.

When applicable, the Implementing Agency agrees that it shall adhere to guidelines and procedures to be developed by the Authority and ISP regarding the investigation and closure of clandestine methamphetamine laboratories as a condition of continued funding. The Implementing Agency shall also adhere to any amendments or additions to these guidelines and procedures that are necessary to assure continued compliance with federal, State and local laws, regulations and guidelines. If applicable, the Implementing Agency shall be notified of these guidelines and procedures, and any such amendments or additions, in writing, and will be required to sign an acknowledgment evidencing its receipt and agreement to adhere to these guidelines, procedures, and any amendments or additions.

In the event that the Implementing Agency encounters a clandestine methamphetamine laboratory the Implementing Agency shall immediately call the Illinois State Police (ISP) Clandestine Laboratory Coordinator, at phone # (217) 785-6623 and the appropriate Drug Enforcement Administration (DEA) field office, for further instructions. *In addition, unless otherwise required by the items listed below, the Implementing Agency acknowledges and certifies that it will not store, remove, transport or dispose any chemicals, equipment and wastes used in or resulting from the operations of clandestine methamphetamine, in connection with this program*

The Implementing Agency understands and agrees that for any program involving either the identification, seizure, or closure of clandestine methamphetamine laboratories, it shall perform the following activities in accordance with Illinois State Police procedures:

- (1) Assure that personnel assigned or to be assigned by the grantee to the seizure or closure of clandestine methamphetamine laboratories have received medical screening.
- (2) Assure that Occupational Safety and Health Administration (OSHA) required initial and refresher training has been provided for law enforcement officials and other personnel assigned by the Implementing Agency to either the seizure or the closure of clandestine methamphetamine laboratories.
- (3) As determined by their specific duties, assure that personnel assigned to the program are equipped with OSHA required protective wear and other required safety equipment.
- (4) Assure that properly trained personnel are assigned to prepare a comprehensive contamination report on each seized/closed laboratory.
- (5) If directed by the ISP Clandestine Laboratory Operator Coordinator or the DEA to store, remove, transport or dispose of any chemicals and associated glassware, equipment, and contaminated materials and wastes, the Implementing Agency shall, in accordance with direction provided by ISP and/or DEA:
 - a) Employ qualified disposal contractors to remove all chemicals and associated glassware, equipment, and contaminated materials and wastes from the site(s) of each seized clandestine laboratory.
 - b) Dispose of the chemicals, equipment, and contaminated materials and wastes removed from the sites of seized laboratories at properly licensed disposal facilities or, when allowable, properly licensed recycling facilities.
 - c) Monitor the transport, disposal, and recycling components of above subparagraphs a and b in order to ensure proper compliance.
- (6) Contact the Illinois Emergency Management Agency (IEMA) command center at 800-782-7860 within 24 hours after it encounters a clandestine laboratory, and notify IEMA of all clandestine laboratories it encounters.

IEMA serves as the single point of contact and timely notification to the IEMA command center eliminates the need for the Implementing Agency to initiate procedures to ensure that written notification is made to the Illinois Environmental Protection Agency (IEPA), the Illinois Department of Public Health (IDPH), the local health department and the property owner on each clandestine laboratory. IEMA facilitates the coordination of assistance from the above described agencies, as well as the Department of Children and Family services.
- (7) Facilitate the implementation of the written agreement regarding clandestine laboratories with the responsible state environmental agency. This agreement must provide that the responsible state environmental agency agrees to a) timely evaluate the environmental condition at and around the site of a closed clandestine laboratory and b) coordinate with the responsible party, property owner, or others to ensure that any residual contamination is remediated, if determined necessary by the state environmental agency and in accordance with existing state and federal requirements; and
- (8) Facilitate the implementation of the written agreement with the responsible state or local services agencies to properly respond to any minor, as defined by state law, at the site. This agreement must ensure immediate response by qualified personnel who can a) respond to the potential health needs of any minor at the site b) take that minor into protective custody unless the minor is criminally involved in the methamphetamine lab activities, or is subject to arrest for other criminal violations, c) ensure immediate medical testing for

methamphetamine toxicity; and d) arrange for any follow-up medical tests, examinations, or health care made necessary as a result of methamphetamine toxicity.

The Implementing Agency agrees to comply with federal, State and local environmental, health and safety laws, regulations and guidelines applicable to the investigation and closure of clandestine methamphetamine laboratories and the removal and the disposal of the chemicals, equipment and wastes used in or resulting from the operations of these laboratories, including but not limited to:

- Resource Conservation and Recovery Act (RCRA) (42 U.S.C. 6901 et seq.) as amended by the Hazardous and Solid Waste Amendments (HSWA) (Pub. L. 98-616).
- Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) (42 U.S.C. 9601 et seq.), as amended by the Superfund Amendments and Reauthorization Act (SARA).
- Hazardous Materials Transportation Act (49 U.S.C. 5101 et seq.).
- Occupational Safety and Health Act (OSHA) (29 U.S.C. 651 et seq.).
- OSHA Hazardous Waste Operations and Emergency Response Standard (29 CFR 1910.120).
- OSHA Respiratory Protection Standard (29 CFR 1910.134).
- OSHA Hazard Communication Standard (29 CFR 1910.1200).
- Applicable U.S. Drug Enforcement Administration guidelines and requirements.
- Applicable Illinois State Police policies, procedures, guidelines and requirements.

SECTION 41. ACCEPTANCE

The terms of this interagency agreement are hereby accepted and executed by the proper officers and officials of the parties hereto:

Lori G. Levin
Executive Director
Illinois Criminal Justice Information Authority

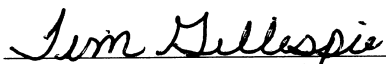
Date

Lyndell Howard
Mayor
City of Pekin

Date

Robert Reis
Finance Director
City of Pekin

Date



Tim Gillespie
Chief
Pekin Police Department

7-12-05
Date

Livescan Equipment Program
EXHIBIT A: PROGRAM NARRATIVE
AGREEMENT 402415

I. SUMMARY OF PROGRAM

The Pekin Police Department is seeking \$22,790 in grant funding to acquire a Livescan fingerprinting system. The Pekin Police Department does not currently have a Livescan system and believes that such a system would offer several key benefits that would help this agency fulfill its mission. Budgetary funding for such a system is not likely to be available for the foreseeable future. The anticipated benefits would include:

- Improved accuracy and timeliness of submitted fingerprints.
- Improved efficiency in the booking process which leads to more officers on the street.
- Improved effectiveness as we seek to work collaboratively with the Tazewell County Sheriff's Department in building a fingerprint and photograph database of arrestees.
- Improved responsiveness to the community in providing timely background investigations for school employees, public housing applicants, and others.
- Improved safety for the community by obtaining fingerprints of sex offenders during their registration process.

II. STATEMENT OF PROBLEM

The Pekin Police Department consists of 54 sworn officers serving the City of Pekin, which has a population of approximately 34,000 and is the county seat of Tazewell County. The Pekin Police Department is the largest law enforcement agency in Tazewell County and handles over 20,000 calls for service per year. Pekin's crime rate for 2003 was very close to the state average.

On an average year, the Pekin Police Department makes about 2,300 adult criminal arrests and about 670 juvenile arrests. The Pekin Police Department is a full-service police department providing continuous patrol coverage, follow-up investigations, crime scene processing, crime prevention, D.A.R.E. and many other functions that serve our community.

The Pekin Police Department has successfully used federal funding several times in the past to enhance the police services provided to the community. Most notably, the Pekin Police Department used federal assistance in creating a methamphetamine task force and has seen a 75% reduction in methamphetamine crimes in the last two years.

The Pekin Police Department does not currently have a Livescan system and all fingerprinting is done manually with ink and cards. Because this process is very manual, it is both time consuming and prone to error. This causes problems for our community because it hampers the efficiency and effectiveness of police services.

The Pekin Police Department envisions that a Livescan system would also benefit the community by providing a much faster turnaround on necessary background checks for school employees, public housing applicants and many others.

Another problem that exists because of manual fingerprinting is the amount of time it takes to have recovered fingerprints compared to a suspect's fingerprints. The Pekin Police Department utilizes the Illinois State Police Forensic Science Laboratories for fingerprint comparisons. Because of their high workload, the turnaround time for latent fingerprint comparisons is in excess of 100 days. A solution that has worked in many communities is to store fingerprints captured locally with Livescan systems and use an automated system to compare recovered latent prints to the stored ones. Funding of this project would accomplish a significant step toward the creation of this "mini-AFIS" in that it would provide a Livescan system to capture fingerprints and store them in a database. The Pekin Police Department and the Tazewell County Sheriff's Department envision sharing this database for an increased effect.

III. GOALS, OBJECTIVES

The first goal of this program is to improve the accuracy and timeliness of data entered into the state repository for criminal history record information.

The second goal of this program is to work in a collaborative manner with the Tazewell County Sheriff's Department in building a fingerprint and photograph database of arrestees.

The objectives of this program are to reduce the number of unclassifiable fingerprint cards to 1% or less, to reduce the arrest processing time and to reduce the time to complete background investigations.

IV. PERFORMANCE INDICATORS

- Number of prints taken using the Livescan device.
- Reduction in time of the booking process.
- Number of prints returned as unclassifiable.
- Number of prints added to local database.
- Response time on background investigations.

V. PROGRAM STRATEGY

This program will purchase the equipment, supplies and telecommunication needs for the development of electronic capture and submission of arrest information, including fingerprints. All arrestees will be booked and fingerprints processed using the Livescan device. Fingerprints will be sent electronically to the Illinois State Police Bureau of Identification.

Additionally, all fingerprinting for background investigations and fee applicants will be done through the Livescan system. This increases the accuracy of submitted fingerprints and provides a superior service to the citizenry over the manual method.

It has long been known that most criminals are local residents. A review of the 2004 arrests in Pekin showed that over 90% of the arrestees were local residents. Having a local fingerprint database that can be searched using a small Automated Fingerprint Identification System would be a tremendous advantage to the citizens of this community. While the purchase of an AFIS is outside of the scope of this program, a significant step will still be accomplished in that the Pekin Police Department will work cooperatively with the Tazewell County Sheriff's Department in storing Livescan fingerprints and booking photographs in a common local database.

Budget Narrative
City of Pekin on behalf of the Pekin Police Department
Agreement #402415

Equipment

Cost is for one Livescan device with printer, cabinet to hold the equipment, flat panel display and mugshot camera. The equipment is designed to work in collaboration with the Tazewell County Sheriff Department's Livescan system to share information and build a common database.

Commodities

Supply costs are based on estimates from other Livescan users and is for two printer toners @ \$325 each.

Contractual

Contractual costs include installation and training by the vendor. Connection costs is the cost to connect the Livescan to the state network and the Tazewell County Sheriff's Department.

Other

There are no other costs.

EXHIBIT B: BUDGET

Livescan Equipment Program
Agreement #402415

IDENTIFICATION OF SOURCES OF FUNDING

	<u>SOURCE</u>	<u>AMOUNT</u>
Federal Amount:	FFY02 ADAA	\$ 22,790
Match:		\$ 7,596
Program Income:	None	
Non-Match:	None	
	GRAND TOTAL	\$ 30,386

	Program Title:	Livescan Equipment Program				
	Agreement #	402415				
				Federal	Match	
<u>Equipment</u>				<u>Amount</u>	<u>Contribut.</u>	<u>Total Cost</u>
Livescan system				\$ 12,810	\$ 4,270	\$ 17,080
Printer				\$ 1,271	\$ 424	\$ 1,695
Cabinet				\$ 2,438	\$ 812	\$ 3,250
FlatPanel/Touch Screen Display				\$ 896	\$ 299	\$ 1,195
Mugshot camera & lighting kit				\$ 1,646	\$ 549	\$ 2,195
	TOTAL EQUIPMENT COST			\$ 19,061	\$ 6,354	\$ 25,415

	Program Title:	Livescan Equipment Program				
	Agreement #	402415				
Commodities						
				Federal	Match	
Description				Amount	Contribut.	Total Cost
Printer Toner				\$ 488	\$ 162	\$ 650
	TOTAL COMMODITIES COST			\$ 488	\$ 162	\$ 650

	Program Title:	Livescan Equipment Program				
	Agreement #	402415				
Contractual						
				Federal	Match	
Description				Amount	Contribut.	Total Cost
Connectivity			\$	3,241	\$ 1,080	\$ 4,321
		TOTAL CONTRACTUAL COST	\$	3,241	\$ 1,080	\$ 4,321
<i>*Due to federal regulations for grant funding as of July 1, 2005 we are unable to fund 2nd year maintenance/warranty budget This item has been removed from your budget.</i>						

	Program Title:	Livescan Equipment Program				
		402415				
Other Costs						
				Federal	Match	
				<u>Amount</u>	<u>Contribut.</u>	<u>Total Cost</u>
		TOTAL OTHER COSTS	\$ -	\$ -	\$ -	-

Exhibit B - Budget

	Program Title:	Livescan Equipment Program				
	Agreement #	402415				
				Federal	Match	
				Amount	Contribut.	Total Cost
EQUIPMENT				\$ 19,061	\$ 6,354	\$ 25,415
COMMODITIES				\$ 488	\$ 162	\$ 650
CONTRACTUAL				\$ 3,241	\$ 1,080	\$ 4,321
OTHER COSTS				\$ -	\$ -	\$ -
				\$ 22,790	\$ 7,596	\$ 30,386



City of Pekin
City Manager

Memo

To: City Council

From: Dennis Kief, City Manager

111 South Capitol Street

Pekin, Illinois 61554 – 4108

309 – 477 –2300 (Phone) 309 – 346 – 2095 (Fax)

dkief@ci.pekin.il.us

CC: City Clerk

Date: July 7, 2005

Re: PPUATS

The State of Illinois designates certain Metropolitan Planning Organizations (MPO's) for Federal Planning and Construction dollars. Locally, the City of Pekin is a member of the Peoria – Pekin Urbanized Area Transportation Study (PPUATS). The other agencies (cities and counties) are mentioned in the Funding Agreement that is on the 7/25/03 City Council agenda.

The PPUATS organization funding is derived from several places, including approximately \$95,000 from the local government agencies. The City of Pekin's share (based on population) was \$9,875.89 in 2005. This year it is \$9,269.33.

What do we get for our (less than) \$10,000 annually? We have requested and PPUATS has funded a number of Transportation Studies for the City of Pekin. See me for a list of past and ongoing studies. More

importantly, our membership makes us eligible for a significant amount of Federal Highway Dollars.

Since we have been active (since mid 1980's) we have received the following Federal Dollars through the PPUATS organization:

1986 Front Street	\$ 358,567
1987 Allentown @ Court	\$ 54,392
1989 N. 3 rd /Somerset	\$ 546,000
1993 S. 14 th Phase 1	\$ 845,848
1998 S. 14 th Phase 2	\$ 560,000
2001 Court @ Veteran's	\$ 160,000
2004 Veteran's (Court SW)	\$1,225,000
2006 14 th @ Park Avenue	\$ 175,000
2009 Broadway @ Parkway	<u>\$ 350,000</u>
TOTAL	\$4,274,806

In addition, in 2004 we submitted a joint application for a project with Tazewell County for the widening of Broadway from Schramm Drive to Veteran's Drive. Approximately ½ of the distance is in the City and ½ in the County. As you can see from the list of funded projects above, the City of Pekin has done quite well in receiving the Federal funding. Inasmuch as Tazewell County has not received as much of the funding, we agreed to have Tazewell County be the lead agency in this application with the City being in a joint role. We received 70% funding for the \$1,996,000 project or \$1,397,200 for FY 2008. In the past 2 months we also received supplemental funding for the Broadway at Parkway intersection improvement.

As you can see from the above numbers we get a lot of "bang for our buck" from being member of the PPUATS organization. Contact me should you have any questions how the PPUATS structure works.



July 1, 2005

TRI-COUNTY REGIONAL PLANNING COMMISSION

1ST VICE CHAIRMAN
Caroline F. Schertz
Woodford County Board

CHAIRMAN
George W. Murray
Village of Peoria Heights

2ND VICE CHAIRMAN
Joyce M. Antonini
Tazewell County Board

TREASURER
Sharon Kennedy
Peoria County Board

EXECUTIVE DIRECTOR
Terry D. Kohlbus

SECRETARY
Fred J. Luedtke
Woodford County Board

Honorable Lyn Howard
City of Pekin
111 South Capital
Pekin, Illinois 61554

*7/25 Agenda with
Memo and MET
Funding Resolution*



**Recommended For
Approval**

Dear Mayor Howard:

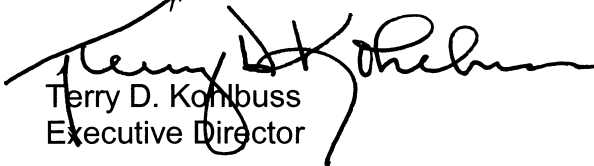
The Peoria/Pekin Urbanized Area Transportation Study (PPUATS) Policy Committee and the Tri-County Regional Planning Commission have approved the format assessment funding levels to provide the local match for the FY 2006 transportation planning and highway project funding process.

It is requested that your unit of government place the Agreement on your next agenda for consideration. The period covered by the Agreement begins July 1, 2005, and extends to June 30, 2006. Your representatives on the PPUATS Technical and Policy Committees can advise you on the Agreement, or if you desire, I will be available to answer any questions you or your board may have.

I have attached two (2) copies of the Agreement as already signed by the Chairman of the Tri-County Regional Planning Commission and the Chairman of the Peoria/Pekin Urbanized Area Transportation Study Policy Committee. Please sign both copies and return one to me. Also attached is an invoice for your unit of government's share of the FY 2006 PPUATS local match of the Federal Planning, FTA Section 5303, and FTA Section 9 funds.

Thank you for your continued support of our area transportation planning program. If you have any questions, please contact me at (309) 673-9330 or tkohlbus@tricountyrpc.org

Sincerely,


Terry D. Kohlbus
Executive Director

TDK:lla
Enclosures

JOINT PPUATS FUNDING AGREEMENT ANNUAL ELEMENT OWP FY 2006

This agreement is hereby entered into by the members of the participating agencies and the Tri-County Regional Planning Commission as the designated MPO under Section 134 of the Transportation Efficiency Act of 1998 for the Peoria/Pekin Urbanized Area transportation planning process. It is intended to set forth the procedures and methods agreed upon to provide sufficient local matching funds enabling the Peoria/Pekin urbanized area to receive approximately \$373,447 in Federal Planning (PL) funds, \$85,728 in Federal Transit Administration (FTA) Section 5303 planning funds and \$3,800 in FTA Section 9 funds. All funding sources require a 20% local match; requiring a total local match of \$115,744 for Fiscal Year 2006. It is further agreed that the Greater Peoria Mass Transit District provides the FTA Section 9 funds as a pass through membership fee for participation in the planning process.

The federal planning funds, FTA funds and local matching monies will be utilized for the work and services performed in accordance with the Overall Work Program for Fiscal Year 2006. The work and services and their associated costs as contained in the Overall Work Program were adopted by both the PPUATS Policy Committee and the Tri-County Regional Planning Commission.

Each participating agency identified herein, hereby agrees to pay its entire share to the MPO (Tri-County Regional Planning Commission) not later than November 1, 2005. The MPO is hereby designated to deposit local funds in a special bank account. Withdrawals from this account shall be for reimbursement for work accomplished on the appropriate work tasks designated in the Overall Work Program to the responsible agency. The MPO shall make a monthly report to the PPUATS Policy Committee accounting for the expenses incurred on the work tasks identified in the Overall Work Program. Federal and State funds shall be requested by and dispersed directly to the MPO in accordance with agreements of the State of Illinois and the Greater Peoria Mass Transit District.

The local matching money for FY 2006 shall be provided by each of the participating agencies noted herein by the contributing percentage of MFT funds each such agency received in Calendar Year 2004.

Agency	Local Agency Share
Peoria County	26,272.92
Tazewell County	23,069.99
City of Peoria	30,919.49
Pekin	9,269.33
East Peoria	6,197.81
Morton	4,160.89
Washington	3,185.96
Peoria Heights	1,816.52
Creve Coeur	1,491.55
Bartonville	1,727.54
West Peoria	1,303.72
Woodford County	6,328.27
TOTAL	115,743.99

Any surplus of local matching money with accumulated interest will remain on deposit in the special bank account managed by the MPO (Tri-County Regional Planning Commission) along with any excess from previous years and may be used for such purposes and projects as designated by the PPUATS Policy Committee.

This agreement is approved as indicated by signature of an agent of the undersigned participating agency represented on the PPUATS Policy Committee and the Tri-County Regional Planning Commission.

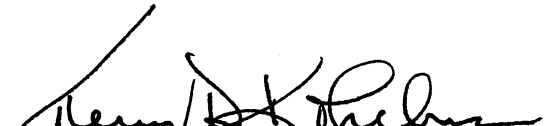
Bartonville	_____	Date	_____
Creve Coeur	_____	Date	_____
East Peoria	_____	Date	_____
Morton	_____	Date	_____
Pekin	_____	Date	_____
Peoria	_____	Date	_____
Peoria Heights	_____	Date	_____
Washington	_____	Date	_____
West Peoria	_____	Date	_____
Peoria County	_____	Date	_____
Tazewell County	_____	Date	_____
Woodford County	_____	Date	_____

The foregoing agreement setting forth the procedures and methods for the reimbursement of local matching funds to the MPO (Tri-County Regional Planning Commission) for work performed in accordance with the Overall Work Program for FY 2006 is hereby agreed to by the Tri-County Regional Planning Commission this 30th day of June, 2005.


George W. Murray, Chairman
Tri-County Regional Planning Commission


Jeffrey D. Joyce, Chairman
Peoria/Pekin Urbanized Area
Transportation Study

ATTEST:


Terry D. Kohlbus, Executive Director
Tri-County Regional Planning Commission



**Resolution for Improvement by
Municipality Under the Illinois
Highway Code**

BE IT RESOLVED, by the City Council of the
Council or President and Board of Trustees
City of Pekin Illinois
City, Town or Village

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

Name of Thoroughfare	Route	From	To
PPIATS Assessment			

BE IT FURTHER RESOLVED,

1. That the proposed improvement shall consist of the City of Pekin's share as per funding agreement FY2002
Peoria-Pekin Urbanized Transportation Study (PPUATS)

and shall be constructed _____ wide
and be designated as Section 75-00107-10ES

2. That there is hereby appropriated the (additional) sum of Nine thousand two hundred sixty-nine
and 33/100 Dollars (\$9,269.33) 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

District Engineer

I, Sue E. McMillan Clerk in and for the

City Pekin

City, Town or Village

County of Tazewell and Peoria . 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 July 25, 2005

Date

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

25th day of July A.D. 2005

(SEAL)

City Clerk
City, Town or Village

ORDINANCE NO. 1462-A

**AN ORDINANCE AMENDING TITLE 8, CHAPTER 2, SECTIONS 9
OF THE CODE OF THE CITY OF PEKIN 1995
REGARDING AUTHORIZED STOP SIGNS
MECHANIC STREET AT ELM**

WHEREAS, the Code of the City of Pekin 1995 was adopted on April 10, 1995, and duly published in book form;

WHEREAS, the City Council has determined that it is in the best interests of the City to amend the City Code regarding authorized stop signs Mechanic Street at Elm.

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

1. That Title 8, Chapter 2, Section 9 be amended by deleting the following stop sign:

<u>Control</u>	<u>On Street</u>	<u>At or From</u>	<u>Direction</u>
Stop	Mechanic Street	Elm Street	North-South

BE IT FURTHER ORDAINED that all other parts of the Code of the City of Pekin 1995 as amended except as modified herein are hereby reaffirmed and ratified and are in full force and effect.

BE IT FURTHER ORDAINED that all Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

BE IT FURTHER ORDAINED that this Ordinance shall be in full force and effect upon its passage, approval and publication as required by law.

PASSED AND APPROVED at the regular meeting of the City Council of the City of Pekin,
this _____ day of _____, 2005; and upon roll call the vote was as follows:

AYES: _____

NAYS: _____

ABSENT: _____

ABSTAINING: _____

APPROVED this _____ day of _____, 2005.

Mayor

ATTEST:

City Clerk

Proposed Signs



ORDINANCE NO. 1462-A

**AN ORDINANCE AMENDING TITLE 8, CHAPTER 4, SECTION 1
OF THE CODE OF THE CITY OF PEKIN 1995
REGARDING NO PARKING
WASHINGTON AT SOUTH SIXTH STREET AND PARKWAY AT SHERIDAN ROAD**

WHEREAS, the Code of the City of Pekin 1995 was adopted on April 10, 1995, and duly published in book form;

WHEREAS, the City Council has determined that it is in the best interests of the City to amend the City Code NO PARKING SCHEDULE regarding Washington at South sixth Street and Parkway at Sheridan Road

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

1. That Title 8, Chapter 4, Section 1. D. be amended by deleting the existing No Parking Schedule dated February 14, 2005 in its entirety, and inserting the No Parking Schedule dated July 25, 2005 attached hereto and incorporated herein by this reference.

BE IT FURTHER ORDAINED that all other parts of the Code of the City of Pekin 1995 as amended except as modified herein are hereby reaffirmed and ratified and are in full force and effect.

BE IT FURTHER ORDAINED that all Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

BE IT FURTHER ORDAINED that this Ordinance shall be in full force and effect upon its passage, approval and publication as required by law.

PASSED AND APPROVED at the regular meeting of the City Council of the City of Pekin,
this _____ day of _____, 2005; and upon roll call the vote was as follows:

AYES:

NAYS:

ABSENT:

ABSTAINING:

APPROVED this _____ day of _____, 2005.

Mayor

ATTEST:

City Clerk

Time	Duration	Days	On Street	At or From	To	Direction	Side
2 hours	9am-5pm	Mon-Sat	North 4th Street	Caroline Street	Ann Eliza	South	Both
2 hours	9am-5pm	Mon-Sat	North 6th Street	Caroline Street	Court Street	South	West
2 hours	9am-5pm	Mon-Sat	North 6th Street	Court Street	North to Alley	North	East
2 hours	9am-5pm	Mon-Sat	Park Avenue	South 12th Street	Court Street	East	South
2 hours	9am-5pm	Mon-Sat	South Capitol Street	Broadway	Court Street	North	Both
2 hours	9am-5pm	Mon-Sat	South Capitol Street	Court Street	Sabella Street	South	Both
Total	Always	All days	South Capitol Street	Washington Street	Broadway	North	West
2 hours	9am-5pm	Mon-Sat	South 4th Street	Broadway	Washington Street	South	Both
2 hours	9am-5pm	Mon-Sat	South 4th Street	Court Street	Broadway	South	Both
2 hours	9am-5pm	Mon-Sat	South 4th Street	St Mary Street	Court Street	North	Both
2 hours	9am-5pm	Mon-Sat	South 7th Street	Washington	Court Street	North-South	Both
2 hours	9am-5pm	Mon-Sat	South 6th Street	Hillyer Street	St Joseph Place	North	Both
2 hours	9am-5pm	Mon-Sat	Sabella Street	South 3rd Street	Broadway	East-West	Both
2 hours	9am-5pm	Mon-Sat	Sabella Street	South 3rd Street	South 2nd Street	West	Both
2 hours	9am-5pm	Mon-Sat	St Mary Street	South 3rd Street	Broadway	East-West	Both
2 hours	9am-5pm	Mon-Sat	St Joseph Place	South 7th Street	Haines Avenue	West	Both
2 hours	9am-5pm	Mon-Sat	St Joseph Place	South 6th Street	South 7th Street	East	South
30 minutes	9am-5pm	Mon-Sat	North 7th Street	Ann Eliza Street	Margaret Street	South	East
30 minutes	9am-5pm	Mon-Sat	South 4th Street	St Mary Street	North 100'	North-South	Both
15 minutes	9am-5pm	Mon-Sat	Park Avenue	South 13th Street	266' E of South 13th Stree	West	North
15 minutes	9am-5pm	Mon-Sat	South 6th Street	St Joseph Place	Broadway	North	Both
2 hours	8am-4pm	School	Court Street (Fronta	East Shore Drive	West Shore Drive	East-South	Both
2 hours	8am-4pm	School	East Shore Drive	Court Street	Commonwealth	North-South	Both
2 hours	8am-4pm	School	Monge Avenue	Court Street	Commonwealth	North-South	Both
15 minutes	9am to 5pm	Mon-Sat	Park Avenue	256' East 13th Street	South 14th Street	West	North
2 hours	8am-4pm	School	North Shore Drive	East Shore Drive	West Shore Drive	East-West	Both
Total	7:30am-5pm	School	Prince Street	South Capitol Street	South 4th Street	East	South
Total	7:30am-5pm	School	South Capitol Street	Prince Street	South 80'	North	Both
Total	10pm-6am	All days	North 19th Street	Market Street	Broadway	South	West
Total	8:15am-8:45	School	Matilda Street	North 13th Street	North 14th Street	East-West	North
Total	Always	All days	Ann Eliza Street	North 8th Street	North 2nd Street	West	Both
Total	Always	All days	Barney Avenue	Court Street	Griffin Drive	North	Both
Total	Always	All days	Broadway	Front Street	Eastern City Limit	East-West	Both

Time	Duration	Days	On Street	At or From	To	Direction	Side
Total	Always	All days	Caroline Street	North 2nd Street	P & PU Railroad	East	South
Total	Always	All days	Court Street	Broadway	North 6th Street	West	Both
Total	Always	All days	Court Street	South 8th Street	Eastern City Limit	East-West	Both
Total	Always	All days	Court Street	South 4th Street	80' West	East	South
15 minutes	6am-6pm	Mon-Fri	Buena Vista	Broadway	South 540'	South	West
Total	6:00am-6:00	Mon-Fri	Buena Vista	Broadway	South 620'	North	East
2 hours	9am-5pm	Mon-Sat	Center Street	South 13th Street	Garden Street	East-West	Both
2 hours	9am-5pm	Mon-Sat	Court Street	North 6th Street	North 2nd Street	West	Both
2 hours	9am-5pm	Mon-Sat	Elizabeth Street	Broadway	South 3rd Street	West	Both
2 hours	9am-5pm	Mon-Sat	Court Street	South 2nd Street	Broadway	East	Both
2 hours	9am-5pm	Mon-Sat	Elizabeth Street	South 3rd Street	South 5th Street	East	Both
2 hours	9am-5pm	Mon-Sat	Haines Avenue	Hillyer Street	St Joseph Place	North-South	Both
2 hours	9am-5pm	Mon-Sat	Hillyer Street	South 6th Street	South 8th Street	East-West	Both
2 hours	9am-5pm	Mon-Sat	N Capitol Street	Court Street	Caroline Street	North-South	Both
Total	Always	All days	Cynthiana Street	Broadway	South 2nd Street	West	Both
Total	Always	All days	Derby Street	Hoff Street	South 2nd Street	West	Both
Total	Always	All days	Derby Street	Morton Street	South 10th Street	West	Both
Total	Always	All days	Elizabeth Street	Broadway	South 5th Street	West	South
Total	Always	All days	Enterprise Drive	South 2nd Street	Riverway Drive	East-West	Both
Total	Always	All days	Entrance Drive	Orr Avenue	Court Street	North-South	Both
Total	Always	All days	Hanna Drive	South 2nd Street	East end	East-West	Both
Total	Always	All days	Highwood Avenue	Valle Vista Boulevar	Summit Drive	South	Both
Total	Always	All days	Illinois Street	North 14th Street	Earl Street	West	Both
Total	Always	All days	Koch Street	South 2nd Street	South 14th Street	East	Both
Total	Always	All days	Koch Street	Summer Street	100' East	West	North
Total	Always	All days	Lawndale Avenue	North 8th Street	Terrace Boulevard	East	Both
Total	Always	All days	Margaret Street	North 2nd Street	Court Street	East	Both
Total	Always	All days	Margaret Street	North 12th Street	North 13th Street	East	South
Total	Always	All days	Market Street	North 19th Street	East dead end of street	East-West	Both
Total	Always	All days	Market Street	North 7th Street	North 8th Street	East-West	Both
Total	Always	All days	Market Street	North 6th Street	North 5th Street	West	Both
Total	Always	All days	North 8th Street	North 7th Street	Northern city limits	North-South	Both
Total	Always	All days	North 11th Street	Broadway	Willow Street	North	Both

Time	Duration	Days	On Street	At or From	To	Direction	Side
Total	Always	All days	North 5th Street	Broadway	Willow Street	North-South	Both
Total	Always	All days	North 14th Street	Broadway	Ann Eliza Street	North	Both
Total	Always	All days	North 2nd Street	Ann Eliza Street	Caroline Street	North	East
Total	Always	All days	North 2nd Street	P & PU Railroad	Catherine Street	South	Both
Total	Always	All days	North 2nd Street	Railroad tracks	Court Street	South	Both
Total	Always	All days	North 2nd Street	Sheridan Road	Caroline Street	South	Both
Total	Always	All days	Washington Street	165' East of Buena Vi	230' East of Buena Vista	West	North
Total	Always	All days	Washington Street	South 6th Street	50' East	West	North
Total	Always	All days	North 2nd Street	Sommerset Street	Sheridan Road	North-South	Both
Total	Always	All days	North 7th Street	Ann Eliza Street	Margaret Street	South	West
Total	Always	All days	North 7th Street	North 8th Street	Ann Eliza Street	South	Both
Total	Always	All day	North 6th Street	Court Street	100' North	North	East
Total	Always	All days	North 6th Street	Margaret Street	Caroline Street	North	East
Total	Always	All days	North 3rd Street	Court Street	Sommerset Street	North	Both
Total	Always	All days	North 20th Street	Broadway	Market Street	North	West
Total	Always	All days	North 20th Street	Broadway	Market Street	North	East
Total	Always	All days	Olt Avenue	Court Street	Valle Vista Boulevard	North-South	Both
Total	Always	All days	Park Avenue	235' East of South 13	255' East of South 13th St	East	South
Total	Always	All days	Parkway Drive	Court Street	Northern city limit	North-South	Both
Total	Always	All days	Powers Avenue	Highwood Avenue	Entrance Drive	East-West	Both
Total	Always	All days	Pine Street	Maple Park Drive	70' West	West	North
Total	Always	All days	Prince Street	South 8th Street	South 9th Street	East-West	Both
Total	Always	All days	Prince Street	South 8th Street	300' West	West	North
Total	Always	All days	Riverway Drive	Koch Street	Hanna Drive	North-South	Both
Total	Always	All days	RWBP Frontage Ro	Enterprise Drive	North end	North-South	Both
Total	Always	All days	South 18th Street	West Shore Drive	40' South	South	East
Total	Always	All days	South 18th Street	Tennell Road	40' South	South	East
Total	Always	All days	South 14th Street	Broadway Road	Alley south	South	Both
Total	Always	All days	South 14th Street	Center Street	Court Street	North-South	Both
Total	Always	All days	South 4th Street	Broadway	St Mary Street	North	Both
Total	Always	All days	South 4th Street	Broadway	400' South	South	Both
Total	Always	All days	South 4th Street	St Mary Street	100' South	South	
Total	Always	All days	South 2nd Street	Court Street	Washington Street	South	Both

Time	Duration	Days	On Street	At or From	To	Direction	Side
Total	Always	All days	South 2nd Street	Southern city limit	Washington Street	North-South	Both
Total	Always	All days	South 7th Street	60' North of Derby	95' North of Derby	North	West
Total	Always	All days	South 6th Street	Broadway	Court Street	North-South	Both
Total	Always	All days	South 6th Street	Broadway	Washington Street	South	Both
Total	Always	All days	South 3rd Street	Broadway	Court Street	North	Both
Total	Always	All days	South 13th Street	Center Street	Court Street	North-South	Both
Total	Always	All days	St Joseph Place	South 7th Street	South 6th Street	West	North
Total	Always	All days	Sabella Street	South 2nd Street	South 3rd street	East	Both
Total	Always	All days	Sommerset Street	North 3rd Street	North 2nd Street	North	Both
Total	Always	All days	Stadium Drive	Court Street	Parkway Drive	East-West	Both
Total	Always	All days	State Street	North 5th Street	40'	East-West	Both
Total	Always	All days	Third Avenue	Washington Street	Broadway	North	Both
Total	Always	All days	Washington Street	South 6th Street	50' West	West	North
Total	Always	All days	Washington Street	South 10th Street	75' East of South 10th Str	East	South
Total	Always	All days	South 13th Street	Park Avenue	Martha Street	North	East
Total	Always	All days	South 10th Street	Park Avenue	105' S	North	East
Total	Always	All days	Washington Street	Bacon Street	South 6th Street	East	South
Total	Always	All days	Veerman Street	535' North of Willow	620' North of Willow	North	East
Total	Always	All days	Veerman Street	810' North of Willow	895' North of Willow	North	East
Total	Always	All days	North 14th Street	100' North of Willow	135' North of Willow	South	West
2 hours	9am-5pm	Mon-Sat	Elizabeth Street	South Third Street	Capitol Street	East	South
Total	Always	All days	Elizabeth Street	South Third Street	Capitol Street	West	North
2 hours	9am-5pm	Mon-Sat	North 4th Street	Margaret Street	Court Street	South-North	Both
2 hours	9am-5pm	Mon-Sat	South 4th Street	Elizabeth Street	Court Street	South-North	Both
2 hour	8am-4pm	School	Commonwealth	East Shore Drive	East End	East-West	Both
Total	Always	All days	Highwood Avenue	Valle Vista Boulevar	Summit Drive	South	West
Total	8:15am-8:45	School	Highwood Avenue	341' south of Melanie	456' north of Powers	North	East
Total	Always	All days	South 7th Street	Derby Street	88' North of Derby Street	North	East
Total	Always	All days	Sunnyridge				
Total	Always	All days	South Capitol Street	Washington Street	from stop signs 90' South	North	Both
Total	Always	All days	Washington Street	South 6th Street	88'	East	North
Total	Always	All days	Parkway Drive	368' south of Sherida	427' south of Sheridan	North	East

Proposed Signs

Legend

- Handicap_Space
- ⊗ No_Parking_Sign
- ▲ Yeild_Sign
- Stop_Signs
- Street_Centerlines
- major_trans arc
- parcels_polygon

Value

High : 255

Low : 0



Proposed Signs



ORDINANCE NO. 1462-A

**AN ORDINANCE AMENDING TITLE 8, CHAPTER 4, SECTION 3 F.
OF THE CODE OF THE CITY OF PEKIN 1995
REGARDING HANDICAPPED SPACES
VIENNA COURT**

WHEREAS, the Code of the City of Pekin 1995 was adopted on April 10, 1995, and duly published in book form;

WHEREAS, the City Council has determined that it is in the best interests of the City to amend the City Code regarding Handicapped Parking Spaces.

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

1. That Title 8, Chapter 4, Section 3. F. be amended by adding the following designated Handicapped Space:

<u>Control</u>	<u>On Street</u>	<u>At or From</u>	<u>To</u>	<u>Direction</u>	<u>Location</u>
Handicapped	Vienna Court	392' south of Highwood	415' South of Highwood	North	1 space Sunset Hills Apt

BE IT FURTHER ORDAINED that all other parts of the Code of the City of Pekin 1995 as amended except as modified herein are hereby reaffirmed and ratified and are in full force and effect.

BE IT FURTHER ORDAINED that all Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

BE IT FURTHER ORDAINED that this Ordinance shall be in full force and effect upon its passage, approval and publication as required by law.

PASSED AND APPROVED at the regular meeting of the City Council of the City of Pekin, this

_____ day of _____, 2005; and upon roll call the vote was as follows:

AYES:

NAYS:

ABSENT:

ABSTAINING:

APPROVED this _____ day of _____, 2005.

Mayor

ATTEST:

City Clerk

Proposed Signs

Legend

-  Handicap_Space
-  No_Parking_Sign
-  Yeild_Sign
-  Stop_Signs
- Street_Centerlines
- major_trans arc
- parcels_polygon

Value

High : 255

Low : 0



ORDINANCE NO. 1462-A_____

**AN ORDINANCE AMENDING TITLE 8, CHAPTER 2, SECTIONS 10 AND 11
OF THE CODE OF THE CITY OF PEKIN 1995
REGARDING AUTHORIZED YIELD SIGNS
AND THROUGH STREETS
COTTAGE GROVE – STOP CHERRY**

WHEREAS, the Code of the City of Pekin 1995 was adopted on April 10, 1995, and duly published in book form;

WHEREAS, the City Council has determined that it is in the best interests of the City to amend the City Code regarding authorized yield signs and through streets.

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

1. That Title 8, Chapter 2, Section 11 be amended by adding the following Through Streets:

<u>Control</u>	<u>On Street</u>	<u>At or From</u>	<u>To</u>
Through	Cottage Grove	Court Street	Northern End

2. That Title 8, Chapter 2, Section 10 be amended by deleting the following Yield Streets:

<u>Control</u>	<u>On Street</u>	<u>At or From</u>	<u>Direction</u>
Yield	Cherry Lane	Cottage Grove Avenue	West

BE IT FURTHER ORDAINED that all other parts of the Code of the City of Pekin 1995 as amended except as modified herein are hereby reaffirmed and ratified and are in full force and effect.

BE IT FURTHER ORDAINED that all Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

BE IT FURTHER ORDAINED that this Ordinance shall be in full force and effect upon its passage, approval and publication as required by law.

PASSED AND APPROVED at the regular meeting of the City Council of the City of Pekin, this _____ day of _____, 2005; and upon roll call the vote was as follows:

AYES: _____

NAYS: _____

ABSENT: _____

ABSTAINING: _____

APPROVED this _____ day of _____, 2005.

Mayor

ATTEST:

City Clerk

Proposed Signs

Legend

-  Handicap_Space
-  No_Parking_Sign
-  Yield_Sign
-  Stop_Signs
- Street_Centerlines
- major_trans arc
- parcels_polygon

Value

High : 255

Low : 0



ORDINANCE NO. _____

**AN ORDINANCE ON REIMBURSEMENT OF EXPENSES AND MISCELLANEOUS
BENEFITS
FOR MAYOR AND COUNCIL MEMBERS**

WHEREAS, the City of Pekin is a home rule municipality as described in Section 6(a), Article VII of the 1970 Constitution of the State of Illinois, and as such may exercise any power and function pertaining to its government and its affairs; and

WHEREAS, on July 24, 2000, the City Council duly considered and passed Ordinance No. 2203, establishing Reimbursement of Expenses and Miscellaneous Benefits for the Mayor and Council Members; and

WHEREAS, it is in the best interest of the citizens of Pekin that said Reimbursements and Miscellaneous Benefits be clearly stated in a Policy for Mayor and Council Members; and

WHEREAS, it is in the best interest of the citizens of Pekin that no Reimbursement of Expenses and Miscellaneous Benefits of the Mayor and Council members be paid pursuant to the acceptance and approval of a Policy for the Mayor and Council Members.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PEKIN, ILLINOIS, AS FOLLOWS:

No further Reimbursement of Expenses or Miscellaneous Benefits shall be paid as stipulated in Ordinance No. 2203 until such time as a Policy on such payments is accepted and approved by the City Council.

PASSED by the City Council of the City of Pekin, Illinois at its meeting held on the _____ day of _____, 2005.

AYES: _____

NAYES: _____

ABSENT: _____

ABSTAINING: _____

APPROVED this _____ day of _____, 2005.

MAYOR

ATTEST:

CITY CLERK

June 6, 2005

VIA FEDERAL EXPRESS

City of Pekin
400 Margaret Street
Pekin, IL 61554

Attention: City Manager, Dick Herstein

Re: Site Lease Agreement ("Ground Lease") dated September 13, 1999 between City of Pekin, an Illinois Home Rule Municipal Corporation, hereinafter referred to as ("Landlord") and iPCS Wireless, Inc., a Delaware corporation, successor by merger to Illinois PCS, L.L.C. ("Tenant") with respect to that certain portion of real property situated in 11 South 2nd St., Pekin, Tazewell County, Illinois ("Property")

Dear City Manager:

Global Tower, LLC ("GTP") and Tenant have signed an agreement under which GTP may take assignment of the Ground Lease from Tenant and purchase certain of Tenant's assets located on the Property including the wireless communications tower.

With respect to the Ground Lease and the above-referenced transaction, we would ask that you confirm the following:

1. You consent to the proposed assignment of the Tenant's rights and interests under the Ground Lease to GTP with the understanding that this consent will be effective only if the proposed transaction closes and an assignment agreement is entered into between GTP and Tenant.
2. The Ground Lease is valid and in full force and effect between the Landlord and Tenant. Neither you nor Tenant is in default under the Ground Lease and there is no event which, with the giving of notice and/or the passage of time, would constitute such a default.
3. You have no claim or defense of any nature whatsoever against Tenant with respect to the Ground Lease, there is no event which, with the giving of notice and/or the passage of time, would constitute the basis of such a claim or defense, and you hereby forever release Tenant from any further obligations arising under the Ground Lease.
4. You acknowledge that the representations contained herein may be relied upon by Tenant and GTP.

We would appreciate you reviewing and signing this letter at your earliest possible convenience as we would like to conclude this transaction by June 30, 2005. Please return an executed copy of this letter to Harold N. Adams in the preaddressed overnight envelope provided herein. If you have any questions or comments, please do not hesitate to contact me at 616-633-9730, or Harold N. Adams at 217-352-1800.

Sincerely,

iPCS Wireless, Inc.

By: /s/ Nathan Olson

ACKNOWLEDGED AND CONFIRMED:

BY: _____
ITS: _____

FEIN: _____

cc: MetroSite Management, LLC