



REGULAR COUNCIL MEETING MONDAY, MARCH 23, 2015
5:30 P.M.

	1	2
1.0 CALL TO ORDER		
2.0 PLEDGE OF ALLEGIANCE <i>Mayor Laurie L. Barra</i>		
3.0 ROLL CALL <i>Clerk to Call the Roll</i>		
4.0 APPROVAL OF AGENDA <i>ACTION: Motion to approve the meeting agenda.</i> VOTE REQUIRED		
5.0 APPROVAL OF MINUTES <i>ACTION: Motion to approve minutes of the Regular Council Meeting March 9, 2015.</i> VOTE REQUIRED		
6.0 PUBLIC INPUT <i>Speakers to state name. Speakers may address the Council on any topic.</i>		
7.0 CONSENT AGENDA		
7.1 Receive and File Monthly Reports: February Building Department Inspections and Zoning Reports and Tazewell County Animal Control.		
7.2 Proclamations: "Young Authors Week" March 23, 2015 "Community College Month" April 2015 "Stand Against Racism" April 24, 2015		
7.3 Resignation of Tomas G. Tesar from the Fire Pension Board.		
7.4 Resolution: Appointments of Adrienne Southerland to the Human Rights Committee to fill the unexpired term of Michele Moul until May 2017 and Brian Byne to fill the unexpired term of Teleisa Crnkovich until May 2016.		
<i>ACTION: Motion to approve all items listed on the Consent Agenda by Omnibus Vote.</i> VOTE REQUIRED TO APPROVE CONSENT AGENDA		
8.0 COMMUNICATIONS, PETITIONS, REPORTS		
9.0 NEW BUSINESS		

9.1 IDOT Agreement Federal Participation Allentown Road Project DESCRIPTION: Agreement for 10% local share of engineering for Allentown Road project to improve safety of dangerous curve located near city limits. Project was awarded Highway Safety Improvement Program (HSIP) funding last fall for 90% engineering up to \$36,000.00 ACTION: Motion to approve the agreement in the amount of \$3,600.00. VOTE REQUIRED	MG	3
10.0 ANY OTHER BUSINESS TO COME BEFORE THE COUNCIL 10.1 Staff 10.2 Council # 10.3 Press Time		
11.0 EXECUTIVE SESSION 65 ILCS 120/2 (c)		
12.0 ADJOURN No Vote Required		

Column 1 Key:

DG Darin Girdler City Manager

MG Michael Guerra City Engineer

Column 2 Key:

- 1 A Prosperous Community.** To promote and sustain a balanced economy that supports expansion and retention of family-wage jobs.
- 2 A Safe Community.** To protect community life and property by providing effective, principled police and fire services.
- 3 A Strong Foundation.** To improve and maintain existing infrastructure and leverage opportunities for new infrastructure.
- 4 A High Quality of Life.** To support or provide services that improve the quality of life for Pekin's residents.
- 5 An Effective Government.** To deliver effectively the services that Pekin's residents want, need, and are willing to support.

**PROCEEDINGS OF THE REGULAR MEETING
OF THE CITY COUNCIL OF THE CITY OF PEKIN, ILLINOIS,
HELD IN THE COUNCIL CHAMBERS OF CITY HALL
111 SOUTH CAPITOL STREET
ON MONDAY, MARCH 9, 2015 AT 5:30 O'CLOCK P.M.
JOHN P. ABEL * MAYOR PRO TEM * PRESIDING**

**PRESENT: COUNCIL MEMBERS, GOLDEN, ORRICK, HENDRICKS, MCCABE
AND ABEL**

ABSENT: COUNCIL MEMBER GILLESPIE AND MAYOR BARRA

As provided by Resolution No. 69-13/14, Council Member Abel was appointed in the absence of Mayor Barra as Mayor Pro Tem.

The **Pledge of Allegiance** was led by Mayor Pro Tem Abel.

Roll was called. All members were physically present except Council Member Gillespie and Mayor Barra. A quorum was present.

AGENDA

Motion by Council Member Hendricks, seconded by Council Member McCabe that the **agenda be approved as presented**. On roll call vote all present voted Aye.

MINUTES

Motion by Council Member Hendricks, seconded by Council Member Orrick that the **minutes of the Regular City Council Meeting of February 23, 2015 be approved as written**. On roll call vote, Ayes, Golden, Orrick, McCabe, Abel; Abstain, Hendricks. Motion Carried.

PUBLIC INPUT

Ed Schwinn addressed the Council on a traffic ticket he had received during February 26, 2015 snow event. He noted discrepancies in the provisions of the code, how the code was enforced, and records of media announcements to the public.

Bob Bramham asked the status of a citizen's request at a previous meeting regarding the differential provisions of the Code for commercial cell tower and amateur radio operators. Mr. Bramham was informed that the Pekin Planning Commission would discuss the matter at the April 8, 2015 meeting. He also questioned the dollar amount received for the Veteran Drive Road project and was informed that the total dollars were \$30.5 million with an approximate amount left after construction of \$6 million dollars for Court Street.

Jim Mangan read from a prepared statement his concerns respecting the Community Development Block Grant Consolidated Plan goal to develop economic opportunities for low and moderate income households. He felt Council needed to police the program better to assure dollars were well spent. He asked Council to reject the plan and reevaluate the goals which required measurements of need.

Ann Witzig voiced her opinion and observations on the following matters: law suit against the City of Pekin; the 9 month financial report; and the CDBG Consolidated Plan. Her concerns of the amount of families helped out of poverty and administrative costs were addressed by Community Development Director Pamela Anderson.

Lyn Johnson, a social service provider, spoke in support of the 5 Year Consolidated Plan. She indicated names of persons that benefited from the plan could be discussed outside of the privacy matters that a public meeting would compromise. She urged the Council to vote in favor of the plan.

Mary Ann Ladendorf asked the Council if there were strings attached to receiving the HUD money from the CDBG program. She indicated she had previously been informed that the City would be obligated to play

by HUD rules. She remarked that she was not opposed to helping those in poverty but the City of Pekin did not need subsidized housing units.

CONSENT AGENDA

Motion by Council Member Hendricks, seconded by Council Member McCabe that the **CONSENT AGENDA be approved as presented.** The following was presented for consideration of the Consent Agenda items by Omnibus Vote.

7.1 Receive and File Monthly Reports: Traffic Safety Committee Minutes dated February 6, 2015.		
7.2 Receive and File: Zoning Board of Appeals Minutes dated February 11, 2015.		
7.3 Receive and File: Pekin Planning Commission Minutes dated February 11, 2015.		
7.4 Receive and File: Pekin Planning Commission Hearings and Recommendations: a. Hearing #02-1888 recommends the infrastructures (Street Lights) be installed and working as approved by the previous Council for Gingoteague Subdivision #5 located on Remington Road in Tazewell County, Illinois.		
7.5 Resolution No. 115-14/15 – Zoning Map of the City of Pekin		
7.6 Resolution No. 116-14/15 – Urging The Governor and General Assembly to Protect Full Funding of Local Government Distributive Fund Revenues		

On roll call vote, Ayes, Orrick, McCabe, Hendricks; Nay, Golden. Council Member Golden asked if he could explain his no vote. He read from his prepared notes. Members Golden, using the example of Caterpillar, Inc. being a well run and efficient business, indicated if the City was run as efficiently the urging of full funding to the State would not be an issue. He felt CAT would have not stayed in Peoria without the election of Governor Rauner. Council Member McCabe raised Point of Order. He asked that roll call be continued for Consent Agenda motion on the table. It was Attorney Dancey's opinion that the vote should be completed. The clerk continued with yes vote Mayor Pro-Tem Abel. Motion carried.

COMMUNICATIONS, PETITIONS, REPORTS

NINE MONTHS ENDED JANUARY 31, 2015 FINANCIAL REPORT

Treasurer James Wolf distributed his report to the Council, staff and the public. Several figures and line items were highlighted from the Revenues Over Expenses, Major Revenue Sources, and the Investment Earnings Reports. Noted were:

Revenues Over Expenses

- Solid Waste (garbage) revenue only reflected the collection of 6 months revenue due to initial billing cycle.
- Tourism negative numbers relate to payment of Griffin Drive.
- Sewer operation loss result of unexpected sewer repairs.
- Storm water revenue and expenses were addressed and noted that mandates would require revenues in the future.

Council Member Golden commented that Council had not been asked to approve any contracts for unexpected sewer repairs. He requested the City Engineer provide data for the emergency work. In answer to public input that amounts were being left out of the reports, Mr. Wolf noted that the Library's property tax levy was not included under Major Revenue sources because the \$1.1 million was not recorded on City books. The Library has its own advisory board and separate audit.

Major Revenues Sources

- Below budget numbers for Sales and Home Rule tax trends finally reversed in August 2014.
- Restaurant / tavern food & beverage taxes remain strong.
- Video gaming taxes continues steady climb.
- Overall revenues were down from budget due to delayed garbage fee and school bus funds collections.
- Drop in General Fund property tax result from increase allocated to police / fire levies even though increase in overall tax levy.

Investment Earnings

The Treasurer informed the Council that the Federal Reserve was ready to raise interest rates which would impact the City investments.

Mr. Wolf summarized by stating the finances were fairly positive with revenues steady, indicating city being good stewards.

NEW BUSINESS

Motion by Council Member Hendricks, seconded by Council Member Orrick that the **TAX INCREMENT FINANCING COMMERCIAL LOAN PROGRAM FOR SEICO, INC.** in the amount of \$57,123.30 be approved. Council Member Hendricks questioned the amount of the funding and it was clarified that the maximum eligible amount of the program should be \$25,000. The motion was restated by Council Member Hendricks, seconded by Council Member Orrick that **TAX INCREMENT FINANCING COMMERCIAL LOAN PROGRAM FOR SEICO, INC.** in an amount not to exceed \$25,000.00 be approved. Economic Director Leigh Ann Brown presented the recommendation of the Pekin Main Street Design Committee to authorize the payment to the property owner of 132 Court Street for eligible interior expense for expansion of offices. Council was advised that 2 additional employees would be hired and that a significant amount of the property tax bill was the TIF District. Council Member Golden questioned Mrs. Brown on building documents he felt should be contained in the packet materials. Mrs. Brown noted site plan and other documents were available in the Inspections Department for their expertise in the applicant's construction phase. On roll call vote, Ayes, Orrick, Hendricks, McCabe, Abel; Nay, Golden. Motion Carried.

Motion by Council Member McCabe, seconded by Council Member Hendricks that **CHANGE ORDER 6 FOR PHASE 2B WASTEWATER TREATMENT PLANT PROJECT** in the amount of \$3,180.00 be approved. City Engineer Michael Guerra advised the Council the change order included the addition an extension of the hoist crane and a credit for an adjustment for flashing not needed. Council Member Golden brought to Council's attention the potential legal danger in work being authorized by the City Engineer before the governing body's formal approval by change order. The Council Member read several briefings from Construction Specifications Institute Project Resource Manual and Magazine of the severity if not approved by the Council after the work had already been ordered. It was Attorney Dancey's opinion that no legal dangers existed for the motion before Council or similar practices on construction change orders. On roll call vote, Ayes, Orrick, Hendricks, McCabe, Abel; Nay, Golden. Motion Carried.

RESOLUTION NO. 117-14/15

MOTOR FUEL TAX FUND GENERAL MAINTENANCE OPERATIONS FOR STREET DEPARTMENT

Motion by Council Member McCabe, seconded by Council Member Orrick that Resolution No. 117-14/15 be adopted. City Engineer Michael Guerra told the Council that the appropriation of \$542,000.00 allows MFT Funds to pay items such as salt for snow plowing, electricity and repairs of street and traffic lights, materials for bituminous street repair, and tree removal on ROW. He advised the higher estimate was due to the increase in the price of salt. Council Member Golden questioned how materials for streets could be estimated when there was no requested 2 year comprehensive plan presented for street maintenance. Council Member Orrick stated he was in favor of outsourcing that project if the engineer was limited on time due to of staff. On roll call vote, Ayes, Orrick, Hendricks, McCabe, Abel; Nay, Golden. Motion Carried.

Motion by Council Member Orrick, seconded by Council Member Hendricks that **COMMUNITY DEVELOPMENT BLOCK GRANT 2015-2019 CONSOLIDATED PLAN** be approved. Community Development Director Pamela Anderson previously presented the plan to the Council and the public and requested action for approval of the Plan at this meeting. HUD required a plan that states the needs and priorities for the City and the plans for the CDBG dollars for 5 years. Additional comments and questions were received from Council. Council Member Golden stated that other than the use of the money for sidewalks he was not in favor. He did not see where the programs were working, yet created a culture that people did not need to work to bring themselves out of poverty. He suggest funds be given to trade unions for training or property donated for construction of homes by Habitat for Humanity to help those in poverty. Council Member Hendricks called for the question. Comments continued. Council Member Hendricks left the meeting at 6:10 p.m. and returned at 6:12 p.m. On roll call vote, Ayes, Orrick, Hendricks, McCabe, Abel; Nay, Golden. Motion Carried.

Motion by Council Member Orrick, seconded by Council Member McCabe that **2015 ACTION PLAN COMMUNITY DEVELOPMENT BLOCK GRANT** be approved. On roll call vote, Ayes, Orrick, Hendricks, McCabe, Abel; Nay, Golden. Motion Carried.

ORDINANCE NO. 2718-14/15

**APPROVING THE TRANSFER OF VOLUME CAP IN CONNECTION WITH PRIVATE ACTIVITY
BOND ISSUES AND RELATED MATTERS**

Motion by Council Member Golden, seconded by Council Member Orrick that Ordinance No. 2718-14/15 be adopted. Ordinance authorized the transfer of Pekin's allocation to apply to the issuance of the Assist Program for first time home buyers. On roll call vote, all present voted Aye.

ANY OTHER BUSINESS TO COME BEFORE THE COUNCIL

Council Member McCabe announced fundraiser for Honor Flights for Veterans this week at Kouri's. Council Member Golden finished his prepared comments addressing the Resolution Urging Governor to Protect Full Funding of Local Government Distributed Funds. Member Golden next commented on the following:

- Barricades at the riverfront property to deter dumping not working. He asked for long term plan
- Asked staff to review inconsistencies of snow ban ticket
- Manager's weekly update helpful

No further business to come before the Council, motion by Council Member Golden, seconded by Council Member Orrick that Council adjourn. Motion carried voice vote. Mayor Pro Tem Abel adjourned the meeting.

COUNCIL ADJOURNED AT 7:15 P.M.

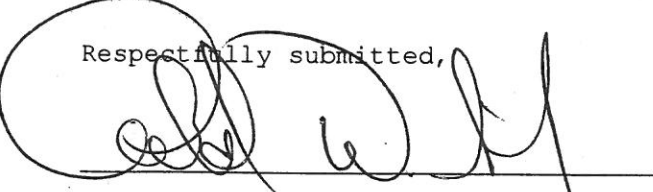
Sue E. McMillan
City Clerk

BUILDING DEPARTMENT REPORTS
INSPECTIONS & ZONING
February '2015

	PERMITS	VALUE	FEEs
BUILDING DEPT	12	\$ 112,045.00	\$ 732.00
ELECTRIC DEPT	6	\$ 6,500.00	\$ 246.00
HVAC DEPT	24	\$ 44,350.00	\$ 580.00
PLUMBING DEPT	16	\$.00	\$ 160.00
STORM SEWER PERMITS	0		\$.00
STORM WATER PERMITS	0		\$.00
SEWER PERMITS	11		\$ 550.00
SEWER TAP RES	0		\$.00
SEWER TAP COMM	0		\$.00
DEPARTMENT TOTAL	69	\$ 162,895.00	\$ 2,268.00

TOTAL CODE ENFORCEMENT COMPLAINTS - 50

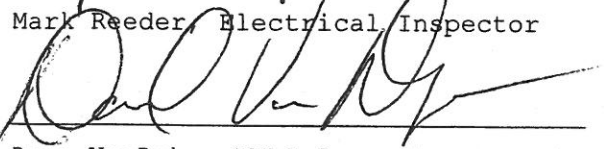
Respectfully submitted,



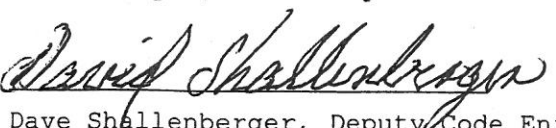
Ronald Sieh, Building Inspector



Mark Reeder, Electrical Inspector



Dave VanDyke, HVAC Inspector



Dave Shallenberger, Deputy Code Enforcement Officer

BUILDING REPORT 2015

MONTH	DWELLINGS 1	GARAGES 2	MULTI-FAMILY 3	COMMERCIAL 4	COMMERCIAL REMODELING 5	RESIDENTIAL REMODELING 6	MISC. 7	RESIDENTIAL DEMOLITIONS 8	COMMERCIAL DEMOLITIONS 9	BUILDING DOLLARS	BLDG PERMITS			
JANUARY	1.00	\$192,331			2.00	\$20,000	5.00	\$87,000	6.00	\$0	1.00	\$0	\$299,331	15.00
FEBRUARY				1.00	\$2,000	6.00	\$87,500	3.00	\$11,700	2.00	\$10,845		\$112,045	12.00
MARCH													\$0	0.00
APRIL													\$0	0.00
MAY													\$0	0.00
JUNE													\$0	0.00
TOTAL \$ MO.	1.00	\$192,331	0.00	1.00	8.00	\$20,000	8.00	\$87,000	8.00	\$0	2.00	\$0	\$411,376	27.00
JULY													\$0	0.00
AUGUST													\$0	0.00
SEPTEMBER													\$0	0.00
OCTOBER													\$0	0.00
NOVEMBER													\$0	0.00
DECEMBER													\$0	0.00
TOTAL \$ MO.	0.00	\$0	0.00	0.00	0.00	\$0	0.00	\$0	0.00	\$0	0.00	\$0	\$0	0.00
YEAR	1	\$192,331	0.00	1.00	8.00	\$20,000	8.00	\$87,000	8.00	\$0	2.00	\$0	\$411,376	27.00

Tazewell County Animal Control

City: City of Pekin

Date:

Billing for Month of:

February 2015

\$3,753.83

Tazewell Animal Control

Po Box 158

Tremont, IL 61568

City of Pekin

111 S. Capitol Room 242

Pekin, IL 61554

Animal Counts Brought in by Wardens between February 1, 2015 and February 28, 2015

City	Warden	Origin	PickUp Site	PickUp Dat	Species	Breed	Disposition	Days	Log #
Pekin									
	LOHNES	City	100 TAPS LANE	2/18/2015	Cat	DSH	REL	9	150296
	LOHNES	City	912 CATHERINE	2/18/2015	Cat	DSH	E	9	150295
	LOHNES	City	1301 LAWDALE	2/12/2015	Dog	BASSETT/BEAGL	R	1	150280
	LOHNES	City	100 TAPS LANE	2/10/2015	Dog	LAB MIX			150271
	LOHNES	City	100 TAPS LANE	2/10/2015	Dog	DACH MIX			150270
	LOHNES	City	218 STATE	2/10/2015	Cat	DSH	E	10	150269
	LOHNES	City	243 DERBY	2/6/2015	Other	SQUIRREL	REL	0	150257
	LOHNES	City	WILLOW /MANOR	2/10/2015	Dog	HEELER MIX	E	1	150267
	LOHNES	City	1610 ARTHUR	2/9/2015	Cat	DSH	REL	10	150266
	LOHNES	City	1913 MEMORIAL	2/6/2015	Dog	SHIHTZU	R	11	150256
	LOHNES	City	122 14TH	2/3/2015	Cat	DSH	REL	9	150246
	LOHNES	City	2110 SUNSET	2/23/2015	Other	OPPOSUM	REL	0	150315
	LOHNES	City	TAPS	2/6/2015	Dog	JACK RUSSEL	A	17	150254
	HARMS	City	100 TAPS LANE	2/17/2015	Dog	TERRIER MIX	REL	10	150288
	LOHNES	City	100 TAPS LANE	2/2/2015	Dog	LAB MIX	REL	25	150240
	HARMS	City	2410 lakeshore	2/20/2015	Dog	ausie/border	R	0	150298
	HOMER	City	PPD	2/23/2015	Dog	PUG	R	1	150317
	HOMER	City	1702 N 14TH	2/23/2015	Dog	YORKIE	D	0	150316
	HOMER	City	TACO BELL COURT ST	2/22/2015	Dog	HUSKY	R	1	150306
	HARMS	City	1305 S 12TH	2/24/2015	Dog	MALTESE	R	1	150319
	HARMS	City	100 TAPS LANE	2/23/2015	Dog	BORDER	REL	4	150314
	HARMS	City	2410 lakeshore	2/20/2015	Dog	aussie	R	0	150299
	LOHNES	City	325 CAROLINE	2/24/2015	Cat	DSH	E	0	150322
	HARMS	City	1400 N PARKWAY	2/14/2015	Dog	LAB/BORDER	E	3	150285
	SANDER	City	718 GRANDVIEW	2/3/2015	Other	OPPOSUM	E	0	150247
	HARMS	City	1426 FISHER	2/13/2015	Dog	DLH	REL	6	150282
	HARMS	City	15TH & CATHERINE	2/11/2015	Dog	PIT	R	0	150273
	LOHNES	City	KOCH ST	2/28/2015	Dog	BOXER	R	0	150346
	LOHNES	City	TPCCC	2/27/2015	Dog	LAB	R	0	150345

Total Dogs picked up in Pekin: 20

Total Cats picked up in Pekin: 6

Total Others picked up in Pekin: 3

Animal Counts Brought in by Individuals between February 1, 2015 and February 28, 2015

City	In By	Origin	PickUp Site	PickUp Dat	Species	Breed	Disposition	Days	Log #
Pekin									
Individua	City		427 FAIRLANE	2/23/2015	Cat	DSH	E	4	150309
Individua	City		427 FAIRLANE	2/4/2015	Cat	DSH	E	5	150250
Individua	City		427 FAIRLANE	2/6/2015	Cat	DSH	E	7	150255
Individua	City		427 FAIRLANE	2/9/2015	Cat	DSH	E	4	150261
Individua	City		1107 JEFFERSON ST	2/9/2015	Cat	DSH	E	11	150265
Individua	City		1001 CAROLINE ST	2/10/2015	Cat	DLH	A	13	150268
Individua	County		TOWNLINE/14TH	2/11/2015	Dog	PIT			150274
Individua	City		PEKIN BRIDGE	2/11/2015	Dog	LAB	E	9	150275
Individua	City		427 FAIRLANE	2/2/2015	Cat	DSH	E	7	150236
Individua	City		1015 BUFF ST	2/17/2015	Cat	DSH	REL	10	150290
Owner R	City		1225 S CAPITAL	2/26/2015	Cat	DLH			150333
Individua	City		427 FAIRLANE	2/26/2015	Cat	DSH			150335
Individua	City		405 LAKESIDE #B	2/27/2015	Cat	DSH	REL	0	150337
Owner R	City		1411 N 5TH	2/12/2015	Dog	PIT MIX	E	15	150279
Owner R	City		1807 QUAKER ST	2/13/2015	Dog	BOSTON	E	0	150281
Owner R	City		1705 JESSICA CT	2/24/2015	Cat	DLH	E	3	150318
Owner R	City		1401 MECHANIC	2/24/2015	Dog	LAB/HUSKY			150321
Owner R	City		1225 s capital	2/26/2015	Cat	DSH	REL	1	150332
Individua	City		427 FAIRLAND	2/17/2015	Cat	DSH	E	8	150287

Total Dogs picked up in Pekin: 5

Total Cats picked up in Pekin: 14

Total Others picked up in Pekin: 0

Office of the Mayor



Proclamation

WHEREAS, Young Authors is a District-wide program and in its twenty-ninth year in our Pekin Elementary Schools, District No. 108; and

WHEREAS, over 3400 students, kindergarten through eighth grade, have an opportunity to participate and to write their own books; and

WHEREAS, this program entails teachers using District writing assignments and helping students turn those assignments into books, illustrated, laminated, and bound, to give each student a lasting memento; and

WHEREAS, 150 District representatives were chosen for the Young Authors District Conference which is being held in the auditorium at Wilson Intermediate School on Monday, March 23, 2015, with the children's books on display; and

WHEREAS, six representatives will be selected to represent District 108 at the State Young Authors Conference at Illinois State University on Saturday, May 16, 2015.

WHEREAS, the staff and parents of District 108 deserve recognition for their many hours of direction and encouragement;

NOW, THEREFORE, BE IT RESOLVED that I, Laurie L. Barra, Mayor of the City of Pekin, Tazewell County, Illinois, do hereby proclaim the week of March 23rd to be

"YOUNG AUTHORS WEEK"

in the City of Pekin, Tazewell County, Illinois, and ask the citizens of our community to join in paying special recognition to all of our young writers of today.

ADOPTED, this 23rd day of March, in the Year of Our Lord, Two Thousand and Fifteen.

WHEREAS, the 48 community colleges within 39 college districts in Illinois serve nearly one million residents each year; and

WHEREAS, the Illinois Community College System is the third largest in the nation; and

WHEREAS, nine out of 10 of Illinois' community college graduates choose to remain in Illinois after graduation to live, work, pay taxes and raise their families; and

WHEREAS, the benefits of earning an Associate in Applied Science or long-term certificate from an Illinois community college translates to an average of more than \$570,000 in lifetime earnings; and

WHEREAS, nearly 74 percent of Illinois employers have hired a community college student; and

WHEREAS, Illinois community colleges partnered with local school districts to offer 8,780 dual credit courses to 82,895 high school students; and

WHEREAS, the colleges within the Illinois Community College System share a common mission to prepare people for college and the workforce, to transfer to other colleges and universities, and continually respond to the communities they serve through adult, literacy and continuing education services; and

NOW, THEREFORE, BE IT RESOLVED that I, Laurie L. Barra, Mayor of the City of Pekin, Tazewell County, Illinois, do hereby proclaim the month of April 2015 to be

"COMMUNITY COLLEGE MONTH"

in the City of Pekin, Tazewell County, Illinois, urge citizens to recognize that Illinois Community College Board declares April to be Community College Month in the State of Illinois

ADOPTED, this 23rd day of March, in the Year of Our Lord, Two Thousand and Fifteen.

Laurie Barra
Mayor

ATTEST:

SUE E. MCMILLAN
City Clerk

WHEREAS, April 24, 2015 marks the occasion of the "Stand Against Racism," an event sponsored by the YWCA of Pekin, an organization devoted to eliminating injustices and empowering women throughout our community; and,

WHEREAS, the City of Pekin is pleased to honor and salute the YWCA of Pekin and its praiseworthy mission to eliminate racial inequalities in employment, education, health care, housing, human services, and other areas that affect the quality of an individual's life; and

WHEREAS, individual organizations and businesses will participate in the YWCA's "Stand Against Racism" and many participants will share in activities designed to raise awareness of this ongoing issue; and,

WHEREAS, the leaders of the YWCA of Pekin, have compiled a record of service to the citizens of this community, through its Adult Literacy, Aquatics, Child Care, Coalition for Equality, and Fitness programs,

WHEREAS, The strength and success of the City of Pekin, the vitality of our communities, and the effectiveness of our American society depend, in great measure, upon organizations, such as the YWCA of Pekin; now, therefore,

NOW, THEREFORE, BE IT RESOLVED that I, Laurie L. Barra, Mayor of the City of Pekin, Illinois, do hereby join in honoring the YWCA for its record of service to the community, and extends best wishes for a successful and informative "Stand Against Racism" event on April 24, 2015;

in the City of Pekin, Tazewell County, Illinois and ask the citizens of our community to join me in supporting this effort by the YWCA of Pekin, a member of the YWCA of the U.S.A., dedicated to their communities and representing more than one million women, girls, and their families."

ADOPTED, this 13th day of April, in the Year of Our Lord, Two Thousand and Fifteen.

LAURIE L. BARRA
Mayor

ATTEST:

SUE E. McMILLAN
City Clerk

Thomas G. Tesar
3507 Cattail Cove
Pekin, IL 61554

RECEIVED

MAR 6 2015

CITY CLERK

February 28, 2015

Honorable Laurie Barra
City of Pekin
111 S Capitol St. 100
Pekin, IL 61554

Dear Ms. Barra,

Since being appointed to the Pekin Firefighters Pension board by Interim mayor Frank Mackaman I have truly enjoyed serving in the capacity of trustee.

During this period I have been afforded the opportunity to take part in many important decisions and truly educational experiences. I have thoroughly enjoyed the chance to become familiar with the workings of the board and the firefighters concerns and their relationship with the City of Pekin.

That being said, I am approaching a time in my life where I may not be able to properly serve in this capacity due, primarily, to both scheduled and unscheduled travel in the immediate future. Accordingly, I would like to tender my resignation from the Firefighters Pension Board at the end of my term, which expires in April 2015.

I wish to thank all parties I have had the privilege to work with and wish nothing but the best for continued success in administering the needs of the firefighters retirement and pension concerns.

Sincerely,



Thomas G Tesar, CPA, CFP

RESOLUTION No. 118-14/15

PEKIN, ILLINOIS, March 23, 2015 19

RESOLUTION BY COMMISSIONER _____

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

the Mayor's appointments of Adrienne Southerland to fill the unexpired term of
Michele Moul until May, 2017 and Brian Byne to fill the unexpired term of Teleisa Crnkovich
until May, 2016 to the Human Rights Committee are hereby approved.

SIGNED BY _____

MAYOR.



Application for Appointment to a City Commission, Board, or Committee

The City of Pekin welcomes your interest in an appointment to a commission, board, or committee. These organizations are intended to help city government deliver high quality programs and services to the residents of our community and to our visitors. Broad community representation on these groups is crucial to their effectiveness.

Your Name: BRIAN BYRNE SR. MINISTER ST PAUL UCC

Your Address: 1811 OAK WOOD DR

Your Telephone Number: 309-361-0052

Your E-Mail Address: bcbpekin@gmail.com

You are interested in serving on which commission, board, or committee?

CITY OF PEKIN HUMAN RIGHTS

Why are you interested in serving?

I WOULD LOVE TO HELP PEKIN GROW IN
BECOMING MORE INCLUSIVE & MORE SENSITIVE

What qualifications do you have to serve? A resume is not required, but if you have one please attach it to this application.

30 YEARS SERVING CHURCHES & A GREAT
DEAL OF COMMUNITY LEADERSHIP. EXTENSIVE
WORK WITH POVERTY & RACISM, LEADERSHIP
TOWARD INCLUSION OF LGBT COMMUNITY.

What happens next?

Your application will be evaluated by the Mayor, the City Manager, and the department head who works most closely with the commission, board, or committee. If you are selected, the Mayor will propose your appointment at a meeting of the Council subject to ratification by the Council. We will let you know of our decision before the meeting takes place.



Application for Appointment to a City Commission, Board, or Committee

The City of Pekin welcomes your interest in an appointment to a commission, board, or committee. These organizations are intended to help city government deliver high quality programs and services to the residents of our community and to our visitors. Broad community representation on these groups is crucial to their effectiveness.

Your Name: ADRIENNE SOUTHERLAND

Your Address: 600 SOUTH 13TH ST. PEKIN, IL 61554

Your Telephone Number: (309) 353-0204

Your E-Mail Address: asoutherland@pekinhospital.com

You are interested in serving on which commission, board, or committee?

Human Rights Committee

Why are you interested in serving?

I'm interested in learning more about the Pekin Community and to help implement programs & services to help educate the community on diversity.

What qualifications do you have to serve? A resume is not required, but if you have one please attach it to this application.

In my past positions, I was involved and helped implement programs & services for the community that helped educate the community on diversity. Such events included the Roots & Heritage Festival, Black Achievers in Lexington, Ky, Heritage Days in Paris, Ky. just to name a few.

What happens next?

Your application will be evaluated by the Mayor, the City Manager, and the department head who works most closely with the commission, board, or committee. If you are selected, the Mayor will propose your appointment at a meeting of the Council subject to ratification by the Council. We will let you know of our decision before the meeting takes place.

HUMAN RIGHTS COMMITTEE
4TH WEDNESDAY OF EACH MONTH 7:30 A.M.

BILL FLEMING
466 WILDWOOD DRIVE
GROVELAND, IL 61535
bfleming@pekin.com
346-2106..... TERM ENDS MAY 2015

DANIELLE OWENS
335C COUNTRY CLUB DRIVE
dnowens@pekinhigh.net
453-3304 (cell) 477-4228 (work)..... TERM ENDS MAY 2015

LINDA SETH
135 LINDA STREET
EAST PEORIA, ILLINOIS 61611
Linda.seth@pekin.net
472-1593 TERM ENDS MAY 2015

BRIAN BYNE
1811 OAKWOOD DRIVE
bcbpekin@gmail.com
361-0052 (cell) TERM ENDS MAY 2016

BECKY SABAN
1511 ROYAL AVENUE
becky@massagetherapy.com
472-1522 TERM ENDS MAY 2016

MELINDA FIGGE
12000 NICHOLS ROAD
GREENVALLEY, IL 61534
mfiggeywca@grics.net
256-0481/347-9922 EX 25 TERM ENDS MAY 2016

ADRIENNE SOUTHERLAND
600 SOUTH 13TH STREET
asoutherland@pekinhospital.com
353-0204 TERM ENDS MAY 2017

LYNNE JOHNSON
303 LINDEN STREET
Lynnehognson220@yahoo.com
613-0014... TERM ENDS MAY 2017

ROGER GOODSON
20621 N. BLUFFS DRIVE
CHILLICOTHE, IL 61523
roger.goodson@amwater.com
208-8386..... TERM ENDS MAY 2017



REQUEST FOR COUNCIL ACTION

To: Mayor and Council

CC: City Clerk & City Manager

From: Michael Guerra, City Engineer

AGENDA ITEM: Local Agency Agreement with IDOT

AGENDA DATE REQUESTED: March 23, 2015

ACTION REQUESTED: To approve the Local Agency Agreement for Allentown Road Improvement

DESCRIPTION: This is an agreement with IDOT in regards to utilizing federal funding for Allentown Road project to improve the safety of the dangerous curve located near city limits. This project was awarded federal Highway Safety Improvement Program (HSIP) funding last fall in which the City will receive 90% funding for engineering up to \$36,000. By approving this agreement, the City will be required to provide a 10% local share of \$3,600 for the engineering services.

On November 24, 2014, the Council approved an agreement with Midwest Engineering Associates to provide the engineering services for this project along with a corresponding MFT resolution to cover the City's share of the cost. Therefore this agreement is needed with the Illinois Department of Transportation (IDOT) who distributes the funding on behalf of the federal government.

I recommend that the agreement be approved.

FINANCIAL IMPACT: Funding for the local share which is project specific and budgeted

NEIGHBORHOOD CONCERNS: This curve has caused several serious accidents that have led to fatalities, injuries and property damage.

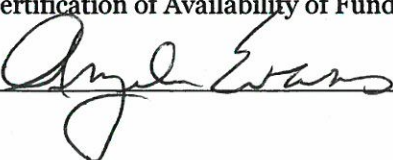
IMPACT IF APPROVED: The City will receive federal funding for the engineering services

IMPACT IF DENIED: The City will not receive federal funds for the engineering services

ALTERNATIVES: Use 100% of City Funding for improvements

RELATIONSHIP TO THE CONCEPTUAL PLANNING PROCESS: [check no more than 2 boxes. Copy this check mark √ and paste it to the left of the relevant theme.]

	A Prosperous Community. To promote and sustain a balanced economy that supports expansion and retention of family-wage jobs.
	A Safe Community. To protect community life and property by providing effective, principled police and fire services.
√	A Strong Foundation. To improve and maintain existing infrastructure and leverage opportunities for new infrastructure.
	A High Quality of Life. To support or provide services that improves the quality of life for Pekin's residents.
	An Effective Government. To deliver effectively the services that Pekin's residents want,

	need, and are willing to support.
REQUIRED SIGNATURES	
Department Director:	
Date:	3/17/15
Finance Department (Certification of Availability of Funds):	
Date:	3-17-15 
Corporation Counsel:	
Date:	
City Manager:	
Date:	03/18/15 

 Illinois Department of Transportation Local Agency Agreement for Federal Participation	Local Agency City of Pekin	State Contract	Day Labor	Local Contract X	RR Force Account
	Section 14-00190-00-SP	Fund Type HSIP	ITEP and/or SRTS Number		

Construction		Engineering		Right-of-Way	
Job Number	Project Number	Job Number	Project Number	Job Number	Project Number
		P-94-007-15	HSIP-5093(173)		

This Agreement is made and entered into between the above local agency hereinafter referred to as the "LA" and the state of Illinois, acting by and through its Department of Transportation, hereinafter referred to as "STATE". The STATE and LA jointly propose to improve the designated location as described below. The improvement shall be constructed in accordance with plans prepared by, or on behalf of the LA, approved by the STATE and the STATE's policies and procedures approved and/or required by the Federal Highway Administration hereinafter referred to as "FHWA".

Location

Local Name Allentown Road Route FAU 6765 Length 0.21 mi
Termini Beginning 1200 feet east of Court Street to the end at 2300 feet east of Court Street

Current Jurisdiction City of Pekin TIP Number Existing Structure No N/A

Project Description

Design improvements including vertical and horizontal realignment, safety improvements including widened shoulders, signage and safety slopes. Includes both PE I and PE II.

Division of Cost

Type of Work	HSIP	%	%	LA	%	Total
Participating Construction		()	()		()	
Non-Participating Construction		()	()		()	
Preliminary Engineering	32,400	(*)	()	3,600	(BAL)	36,000
Construction Engineering		()	()		()	
Right of Way		()	()		()	
Railroads		()	()		()	
Utilities		()	()		()	
Materials						
TOTAL	\$ 32,400	\$		\$ 3,600	\$	36,000

* 90% HSIP funds NTE \$32,400

NOTE: The costs shown in the Division of Cost table are approximate and subject to change. The final LA share is dependent on the final Federal and State participation. The actual costs will be used in the final division of cost for billing and reimbursement.

If funding is not a percentage of the total, place an asterisk in the space provided for the percentage and explain above.

Local Agency Appropriation

By execution of this Agreement, the LA attests that sufficient moneys have been appropriated or reserved by resolution or ordinance to fund the LA share of project costs. A copy of the resolution or ordinance is attached as an addendum.

Method of Financing (State Contract Work)

METHOD A--Lump Sum (80% of LA Obligation) _____
METHOD B-- _____ Monthly Payments of _____ due by the _____ of each successive month.
METHOD C--LA's Share _____ divided by estimated total cost multiplied by actual progress payment.

(See page two for details of the above methods and the financing of Day Labor and Local Contracts)

Agreement Provisions

THE LA AGREES:

- (1) To acquire in its name, or in the name of the state if on the state highway system, all right-of-way necessary for this project in accordance with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, and established state policies and procedures. Prior to advertising for bids, the **LA** shall certify to the **STATE** that all requirements of Titles II and III of said Uniform Act have been satisfied. The disposition of encroachments, if any, will be cooperatively determined by representatives of the **LA**, and **STATE** and the **FHWA**, if required.
 - (2) To provide for all utility adjustments, and to regulate the use of the right-of-way of this improvement by utilities, public and private, in accordance with the current Utility Accommodation Policy for Local Agency Highway and Street Systems.
 - (3) To provide for surveys and the preparation of plans for the proposed improvement and engineering supervision during construction of the proposed improvement.
 - (4) To retain jurisdiction of the completed improvement unless specified otherwise by addendum (addendum should be accompanied by a location map). If the improvement location is currently under road district jurisdiction, an addendum is required.
 - (5) To maintain or cause to be maintained, in a manner satisfactory to the **STATE** and **FHWA**, the completed improvement, or that portion of the completed improvement within its jurisdiction as established by addendum referred to in item 4 above.
 - (6) To comply with all applicable Executive Orders and Federal Highway Acts pursuant to the Equal Employment Opportunity and Nondiscrimination Regulations required by the U.S. Department of Transportation.
 - (7) To maintain, for a minimum of 3 years after the completion of the contract, adequate books, records and supporting documents to verify the amounts, recipients and uses of all disbursements of funds passing in conjunction with the contract; the contract and all books, records and supporting documents related to the contract shall be available for review and audit by the Auditor General and the department; and the **LA** agrees to cooperate fully with any audit conducted by the Auditor General and the department; 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 contract for which adequate books, records and supporting documentation are not available to support their purported disbursement.
 - (8) To provide if required, for the improvement of any railroad-highway grade crossing and rail crossing protection within the limits of the proposed improvement.
 - (9) To comply with Federal requirements or possibly lose (partial or total) Federal participation as determined by the **FHWA**.
 - (10) (State Contracts Only) That the method of payment designated on page one will be as follows:
 - Method A - Lump Sum Payment. Upon award of the contract for this improvement, the **LA** will pay to the **STATE** within thirty (30) calendar days of billing, in lump sum, an amount equal to 80% of the **LA**'s estimated obligation incurred under this Agreement. The **LA** will pay to the **STATE** the remainder of the **LA**'s obligation (including any nonparticipating costs) within thirty (30) calendar days of billing in a lump sum, upon completion of the project based upon final costs.
 - Method B - Monthly Payments. Upon award of the contract for this improvement, the **LA** will pay to the **STATE**, a specified amount each month for an estimated period of months, or until 80% of the **LA**'s estimated obligation under the provisions of the Agreement has been paid, and will pay to the **STATE** the remainder of the **LA**'s obligation (including any nonparticipating costs) in a lump sum, upon completion of the project based upon final costs.
 - Method C - Progress Payments. Upon receipt of the contractor's first and subsequent progressive bills for this improvement, the **LA** will pay to the **STATE** within thirty (30) calendar days of receipt, an amount equal to the **LA**'s share of the construction cost divided by the estimated total cost, multiplied by the actual payment (appropriately adjusted for nonparticipating costs) made to the contractor until the entire obligation incurred under this Agreement has been paid.
- Failure to remit the payment(s) in a timely manner as required under Methods A, B, or C, shall allow the **STATE** to internally offset, reduce, or deduct the arrearage from any payment or reimbursement due or about to become due and payable from the **STATE** to **LA** on this or any other contract. The **STATE**, at its sole option, upon notice to the **LA**, may place the debt into the the Illinois Comptroller's Offset System (30 ILCS 105/10.05) or take such other and further action as may be required to recover the debt.
- (11) (Day Labor or Local Contracts) To provide or cause to be provided all of the initial funding, equipment, labor, material and services necessary to construct the complete project.
 - (12) (Preliminary Engineering) In the event that right-of-way acquisition for, or actual construction of the project for which this preliminary engineering is undertaken with Federal participation is not started by the close of the tenth fiscal year following the fiscal year in which this agreement is executed, the **LA** will repay the **STATE** any Federal funds received under the terms of this Agreement.
 - (13) (Right-of-Way Acquisition) In the event that the actual construction of the project on this right-of-way is not undertaken by the close of the twentieth fiscal year following the fiscal year in which this Agreement is executed, the **LA** will repay the **STATE** any Federal Funds received under the terms of this Agreement.

- (14) (Railroad Related Work Only) The estimates and general layout plans for at-grade crossing improvements should be forwarded to the Rail Safety and Project Engineer, Room 204, Illinois Department of Transportation, 2300 South Dirksen Parkway, Springfield, Illinois, 62764. Approval of the estimates and general layout plans should be obtained prior to the commencement of railroad related work. All railroad related work is also subject to approval by the Illinois Commerce Commission (ICC). Final inspection for railroad related work should be coordinated through appropriate IDOT District Bureau of Local Roads and Streets office.
- Plans and preemption times for signal related work that will be interconnected with traffic signals shall be submitted to the ICC for review and approval prior to the commencement of work. Signal related work involving interconnects with state maintained traffic signals should also be coordinated with the IDOT's District Bureau of Operations.
- The **LA** is responsible for the payment of the railroad related expenses in accordance with the **LA**/railroad agreement prior to requesting reimbursement from IDOT. Requests for reimbursement should be sent to the appropriate IDOT District Bureau of Local Roads and Streets office.
- Engineer's Payment Estimates in accordance with the Division of Cost on page one.
- (15) And certifies to the best of its knowledge and belief its officials:
- (a) are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from covered transactions by any Federal department or agency;
 - (b) have not within a three-year period preceding this Agreement been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements receiving stolen property;
 - (c) are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, local) with commission of any of the offenses enumerated in item (b) of this certification; and
 - (d) have not within a three-year period preceding the Agreement had one or more public transactions (Federal, State, local) terminated for cause or default.
- (16) To include the certifications, listed in item 15 above and all other certifications required by State statutes, in every contract, including procurement of materials and leases of equipment.
- (17) (State Contracts) That execution of this agreement constitutes the **LA's** concurrence in the award of the construction contract to the responsible low bidder as determined by the **STATE**.
- (18) That for agreements exceeding \$100,000 in federal funds, execution of this Agreement constitutes the **LA's** certification that:
- (a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress or any employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any cooperative agreement, and the extension, continuation, renewal, amendment or modification of any Federal contract, grant, loan or cooperative agreement;
 - (b) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress or an employee of a Member of Congress, in connection with this Federal contract, grant, loan or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying", in accordance with its instructions;
 - (c) The **LA** shall require that the language of this certification be included in the award documents for all subawards at all ties (including subcontracts, subgrants and contracts under grants, loans and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.
- (19) To regulate parking and traffic in accordance with the approved project report.
- (20) To regulate encroachments on public right-of-way in accordance with current Illinois Compiled Statutes.
- (21) To regulate the discharge of sanitary sewage into any storm water drainage system constructed with this improvement in accordance with current Illinois Compiled Statutes.
- (22) That the **LA** may invoice the **STATE** monthly for the **FHWA** and/or **STATE** share of the costs incurred for this phase of the improvement. The **LA** will submit supporting documentation with each request for reimbursement from the **STATE**. Supporting documentation is defined as verification of payment, certified time sheets, vendor invoices, vendor receipts, and other documentation supporting the requested reimbursement amount.
- (23) To complete this phase of the project within three years from the date this agreement is approved by the **STATE** if this portion of the project described in the Project Description does not exceed \$1,000,000 (five years if the project costs exceed \$1,000,000).
- (24) Upon completion of this phase of the improvement, the **LA** will submit to the **STATE** a complete and detailed final invoice with all applicable supporting supporting documentation of all incurred costs, less previous payments, no later than one year from the date of completion of this phase of the improvement. If a final invoice is not received within one year of completion of this phase of the improvement, the most recent invoice may be considered the final invoice and the obligation of the funds closed.

- (25) (Single Audit Requirements) That if the **LA** expends \$500,000 or more a year in federal financial assistance they shall have an audit made in accordance with the Office of Management and Budget (OMB) Circular No. A-133. **LA's** that expend less than \$500,000 a year shall be exempt from compliance. A copy of the audit report must be submitted to the **STATE** (Office of Finance and Administration, Audit Coordination Section, 2300 South Dirksen Parkway, Springfield, Illinois, 62764), within 30 days after the completion of the audit, but no later than one year after the end of the **LA's** fiscal year. The CFDA number for all highway planning and construction activities is 20.205.
- (26) That the **LA** is required to register with the System for Award Management or SAM (formerly Central Contractor Registration (CCR)), which is a web-enabled government-wide application that collects, validates, stores, and disseminates business information about the federal government's trading partners in support of the contract award and the electronic payment processes. To register or renew, please use the following website: <https://www.sam.gov/portal/public/SAM/#1>.

THE STATE AGREES:

- (1) To provide such guidance, assistance and supervision and to monitor and perform audits to the extent necessary to assure validity of the **LA's** certification of compliance with Titles II and III requirements.
- (2) (State Contracts) To receive bids for the construction of the proposed improvement when the plans have been approved by the **STATE** (and **FHWA**, if required) and to award a contract for construction of the proposed improvement, after receipt of a satisfactory bid.
- (3) (Day Labor) To authorize the **LA** to proceed with the construction of the improvement when Agreed Unit Prices are approved and to reimburse the **LA** for that portion of the cost payable from Federal and/or State funds based on the Agreed Unit Prices and Engineer's Payment Estimates in accordance with the Division of Cost on page one.
- (4) (Local Contracts) That for agreements with Federal and/or State funds in engineering, right-of-way, utility work and/or construction work:
- (a) To reimburse the **LA** for the Federal and/or State share on the basis of periodic billings, provided said billings contain sufficient cost information and show evidence of payment by the **LA**;
 - (b) To provide independent assurance sampling, to furnish off-site material inspection and testing at sources normally visited by **STATE** inspectors of steel, cement, aggregate, structural steel and other materials customarily tested by the **STATE**.

IT IS MUTUALLY AGREED:

- (1) Construction of the project will utilize domestic steel as required by Section 106.01 of the current edition of the Standard Specifications for Road and Bridge Construction.
- (2) That this Agreement and the covenants contained herein shall become null and void in the event that the **FHWA** does not approve the proposed improvement for Federal-aid participation or the contract covering the construction work contemplated herein is not awarded within three years of the date of execution of this Agreement.
- (3) This Agreement shall be binding upon the parties, their successors and assigns.
- (4) For contracts awarded by the **LA**, the **LA** shall not discriminate on the basis of race, color, national origin or sex in the award and performance of any USDOT – assisted contract or in the administration of its DBE program or the requirements of 49 CFR part 26. The **LA** shall take all necessary and reasonable steps under 49 CFR part 26 to ensure nondiscrimination in the award and administration of USDOT – assisted contracts. The **LA's** DBE program, as required by 49 CFR part 26 and as approved by USDOT, is incorporated by reference in this Agreement. Upon notification to the recipient of its failure to carry out its approved program, the department may impose sanctions as provided for under part 26 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. 1001 and/or the Program Fraud Civil Remedies Act of 1986 (31 U.S.C. 3801 et seq.). In the absence of a USDOT – approved **LA** DBE Program or on State awarded contracts, this Agreement shall be administered under the provisions of the **STATE's** USDOT approved Disadvantaged Business Enterprise Program.
- (5) In cases where the **STATE** is reimbursing the **LA**, obligations of the **STATE** shall cease immediately without penalty or further payment being required if, in any fiscal year, the Illinois General Assembly or applicable Federal Funding source fails to appropriate or otherwise make available funds for the work contemplated herein.
- (6) All projects for the construction of fixed works which are financed in whole or in part with funds provided by this Agreement and/or amendment shall be subject to the Prevailing Wage Act (820 ILCS 130/0.01 et seq.) unless the provisions of that Act exempt its application

ADDENDA

Additional information and/or stipulations are hereby attached and identified below as being a part of this Agreement.

Number 1- Location Map.

(Insert addendum numbers and titles as applicable)

The LA further agrees, as a condition of payment, that it accepts and will comply with the applicable provisions set forth in this Agreement and all exhibits indicated above.

APPROVED

Local Agency

Laurie Barr

Name of Official (Print or Type Name)

Mayor

Title (County Board Chairperson/Mayor/Village President/etc.)

(Signature)

Date

The above signature certifies the agency's TIN number is
060859394 conducting business as a Governmental
Entity.

DUNS Number 37-6002169

APPROVED

State of Illinois
Department of Transportation

Erica J. Borggren, Acting Secretary

Date

By:

Aaron A. Weatherholt, Deputy Director of Highways

Date

Omer Osman, Director of Highways/Chief Engineer

Date

Michael A. Forti, Chief Counsel

Date

Tony Small, Director of Finance and Administration

Date

NOTE: If signature is by an APPOINTED official, a resolution authorizing said appointed official to execute this agreement is required.

