



City of Pekin

**SPECIAL CITY COUNCIL MEETING
WEDNESDAY, FEBRUARY 22, 2023
4:00 PM**

1.	Pledge of Allegiance
2.	Call to Order
3.	Approve Agenda
4.	Public Input
5.	New Business
5.1.	Resolution No. 545-22/23 Authorizing Mayor Pro Tem to Sign All Contracts Approved by the City Council ACTION REQUESTED: Approve and Adopt the Resolution.
6.	Adjourn



REQUEST FOR COUNCIL ACTION

Agenda Date: February 22, 2023
To: Council Members
From: Kate Swise, City Attorney

AGENDA ITEM: Resolution No. 545-22/23 Authorizing Mayor Pro Tem to Sign Contracts

ACTION REQUESTED: Approve and Adopt the Resolution.

DESCRIPTION: The City Code provides that the Mayor Pro Tem can sign ordinances and resolutions and preside over meetings, but it is silent as to whether the Mayor Pro Tem can sign contracts on behalf of the City. The City is in the process of obtaining a loan from HUD for the purchase of a fire engine, with the loan to be repaid from the City's CDBG entitlement. Due to the timing of the loan and payment of CDBG entitlements, it is necessary for the City to execute the loan documents before the vacancy in the office of the Mayor will be filled. The HUD loan further requires certification that the person signing the documents on behalf of the City has the authority to do so. In order to provide the certification HUD requires, staff has recommended that the Council explicitly grant the authority to sign contracts—including the HUD loan documents—to the Mayor Pro Tem. The attached resolution would grant this authority until the current vacancy in the Mayor's office is filled by appointment or by the upcoming election, and would further ratify any contracts signed by the Mayor pro tem. Staff recommends approval.

FINANCIAL IMPACT:

Requested Amount:

Line Item:

Budgeted Amount:

Remaining Funds:

IMPACT IF APPROVED:

IMPACT IF DENIED:

ALTERNATIVES:

REQUIRED SIGNATURES

Finance Department (Certification of Availability of Funds):

Date:

City Manager:

Date:

Resolution No. 545-22/23 Authorizing Mayor Pro Tem to Sign All Contracts Approved by the City Council

WHEREAS, on December 13, 2021, the City Council adopted Resolution No. 350-21/22 approving the purchase of a new fire engine from MacQueen Equipment, LLC and authorizing the Mayor to take such action as necessary to carry out the purchase; and

WHEREAS, the City intends to secure a loan from the U.S. Department of Housing and Urban Development (HUD), to be repaid from the City's CDBG entitlement funds, to purchase the fire engine; and

WHEREAS, the loan documents from HUD have been finalized and are ready for execution; and

WHEREAS, in the interim between the passage of Resolution No. 350-21/22 and the finalization of the loan documents, there has occurred a vacancy in the office of Mayor; and

WHEREAS, the CDBG entitlement funds intended to repay the loan must be drawn on prior to March 1, 2023, or else they will be no longer available to pay the loan 1/22to HUD; and

WHEREAS, due to the vacancy in the office of the Mayor, it is necessary for the City Council to appoint another officer or official to sign the loan documents in the Mayor's place; and

WHEREAS, it is in the best interests of the City to provide for the execution of contracts and agreements by the City until the vacancy in the office of the Mayor is filled by appointment or election.

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

Section 1. The above recitals are found to be true and correct and are incorporated herein.

Section 2. Becky Cloyd, as Mayor Pro Tem, is authorized to execute any documents necessary to secure a loan from HUD to effectuate the purchase of the fire engine as approved in Resolution No. 350-21/22.

Section 3. Becky Cloyd, as Mayor Pro Tem, is authorized to execute all contracts approved by the City Council until the current vacancy in the Office of Mayor is filled by appointment or election.

Section 4. The authority granted by this Resolution shall retroactively apply to any contracts signed by the Mayor Pro Tem since the Office of Mayor became vacant on January 9, 2023, and to the extent any such contracts have been so-executed, they are hereby ratified by the City Council.

ADOPTED AND APPROVED at a regular meeting of the City Council of the City of Pekin this _____ day of _____, 20____.

MAYOR

ATTEST:

CITY CLERK