

AGENDA

City Council

Monday, May 24, 2021

Lorraine H. Morton Civic Center, James C. Lytle City Council Chambers, Room 2800

5:30 PM

Rules Committee begins at 4pm

City Council convenes at 5:30pm or the conclusion of Rules Committee

As the result of an executive order issued by Governor J.B. Pritzker suspending in-person attendance requirements for public meetings, City Council members and City staff will be participating in this meeting in a hybrid way.

Those wishing to make public comments can sign up by completing the City Clerk's Office's online form at www.cityofevanston.org/government/city-clerk/public-comment-sign-up or by calling/texting 847-448-4311.

Community members may watch the City Council meeting online at www.cityofevanston.org/channel16 or on Cable Channel 16

Page

(I) ROLL CALL - COUNCILMEMBER WYNNE

(II) MAYOR PUBLIC ANNOUNCEMENTS AND PROCLAMATIONS

(III) CITY MANAGER PUBLIC ANNOUNCEMENTS

(IV) COMMUNICATIONS: CITY CLERK

(V) PUBLIC COMMENT

Members of the public are welcome to speak at City Council meetings. As part of the Council agenda, a period for public comments shall be offered at the commencement of each regular Council meeting. Public comments will be noted in the City Council Minutes and become part of the official record. Those wishing to speak should sign their name and the agenda item or non-agenda topic to be addressed on a designated participation sheet. If there are five or fewer speakers, fifteen minutes shall be provided for Public Comment. If there are more than five speakers, a period of forty-five minutes shall be provided for all comment, and no individual shall speak longer than three minutes. The Mayor will allocate time among the speakers to ensure that Public Comment does not exceed forty-five minutes. The business of the City Council shall commence forty-five minutes after the beginning of Public Comment. Aldermen do not respond during Public Comment. Public Comment is intended to foster dialogue in a respectful and civil manner. Public comments are requested to be made with these guidelines in mind.

(VI) SPECIAL ORDERS OF BUSINESS

SP1. **American Rescue Plan Act Funding Guidelines**

13 - 187

Staff requests City Council review the following guidelines of the American Rescue Plan Act (ARPA) and then discuss.

For Discussion

[American Rescue Plan Act Funding Guidelines - Attachment - Pdf](#)

SP2. **Approval for up to \$50,000 of CDBG-CV Funding for the Entrepreneurship Grant Program - Emergency Assistance to Support Evanston Businesses' Recovery from the Coronavirus** 188 - 189

Staff recommends City Council approval of up to \$50,000 of Community Development Block Grant CARES Act (CDBG-CV) funding to expand the resources for the Entrepreneurship Support Program - Emergency Assistance to help mitigate the economic impact of COVID-19 on Evanston businesses. The City received \$1,586,370 in CARES Act CDBG-CV funding- \$250,000 of which was allocated for economic development activities in the CARES Act budget in 215.21.5226.63065. To date \$180,000 remains unallocated. If \$50,000 is approved for the Entrepreneurship Grant Program - Emergency Assistance, approximately \$130,000 would remain for additional economic development activities.

For Action

[Approval for up to \\$50,000 of CDBG-CV Funding for the Entrepreneurship Grant Program - Emergency Assistance to Support Evanston Businesses' Recovery f - Pdf](#)

SP3. **Resolution 61-R-21, Authorizing a Pilot Program for Free Beach Access** 190 - 196

Councilmember Reid requests approval of Resolution 61-R-21, authorizing a pilot program for free beach access for the 2021 season. Approval of this resolution will authorize staff to discontinue sales of beach tokens and refund all payments received to date. Staff recommends City Council refer this item to the Human Services Committee so that a funding plan can be developed and allow the Parks and Recreation Department to continue to sell beach tokens for 2021 while planning for implementing a new procedure for free access for the 2022 season. There is no funding source for this pilot program. Season token and daily pass beach revenue is budgeted at \$1M in the 2021 adopted budget.

For Action

[Resolution 61-R-21, Authorizing a Pilot Program for Free Beach Access - Attachment - Pdf](#)

SP4. **Ordinance 60-O-21, Creating Title 12 "Workers' Rights" of the City Code and Mandating Hazard Pay for Certain Employees** 197 - 210

Councilmember Reid requested on May 10, 2021 that a special order of business be placed on the agenda to mandate hazard pay for certain employees. Staff submits ordinance 60-O-21, creating Title 12 "Workers' Rights" of the City Code and mandating hazard pay for certain employees. This ordinance requires larger retailers or franchises located in the City to pay essential workers an additional \$6.00 per hour on top of their base wage for work performed during Phases 1 through 3 of Illinois' Coronavirus Response, and an additional \$3.50 per hour on top of the base wage for work performed during Phase 4 of the Illinois Coronavirus Response. This requirement will be retroactive, going back fifteen (15) weeks from the date of passage of the ordinance. Staff is neutral on a recommendation for this ordinance due to insufficient time to conduct research, analysis and public input.

For Introduction

[Ordinance 60-O-21, Creating Title 12 "Workers' Rights" of the City Code and Mandating Hazard Pay for Certain Employees - Attachment - Pdf](#)

(VII) CONSENT AGENDA - CITY COUNCIL MINUTES

CM1. **Approval of the Minutes of the Regular City Council meeting of May 10, 2021 and Special City Council meeting of May 15, 2021** 211 - 228

Staff recommends City Council approval of the minutes of the Regular City Council meeting of May 10, 2021 and Special City Council meeting of May 15, 2021.

For Action

[City Council Minutes 05_10_2021](#)

[City Council Minutes 5_10_2021 Part 2](#)

[City Council Minutes 5_15_2021](#)

(VIII) CONSENT AGENDA - ADMINISTRATION & PUBLIC WORKS COMMITTEE

A1. **Approval of the City of Evanston Payroll, Bills, and Credit Card Activity** 229 - 264

Staff recommends City Council approval of the City of Evanston Payroll for the period of April 26, 2021, through May 9, 2021, in the amount of \$3,415,062.50 Bills List for May 25, 2021, in the amount of \$4,188,166.21 as well as credit card purchases period ending March 26, 2021, in the amount of \$181,225.31.

For Action

[Approval of the City of Evanston Payroll and Bills List and Credit Card Activity - Pdf](#)

A2. **Approval of BMO Harris Amazon Credit Card Activity** 265 - 266

Staff recommends approval of the City of Evanston's BMO Harris Amazon Credit Card Activity for the period ending March 26, 2021, in the amount of \$4,805.95.

For Action

[Approval of BMO Harris Amazon Credit Card Activity - Pdf](#)

A3. **Approval of an Agreement with Altura Solutions, LLC, for the ADA Transition Plan Update (RFP 21-09)** 267 - 271

Staff recommends City Council authorize the City Manager to execute an agreement with Altura Solutions, LLC (3616 Far West Boulevard, Suite 117-288, Austin, Texas 78731) for the ADA Transition Plan Update (RFP 21-09) in the amount of \$154,850.00. Funding will be provided through the Capital Improvement Fund 2020 General Obligation Bond (Account 415.40.4120.62145 - 621002). A more detailed breakdown of the funding is included in the memo.

For Action

[ADA Transition Plan Update \(RFP No. 21-09\)Recommendation for Consulting Award - Attachment - Pdf](#)

A4. **Change Order #1 with the Metropolitan Water Reclamation District of Greater Chicago for FY 2021 Estimated Annual User Charge for Disposal of Sludge Generated as Part of the Water Treatment Process** 272 - 273

Staff recommends City Council authorize the City Manager to execute Change Order #1 with the Metropolitan Water Reclamation District of Greater Chicago (P.O. Box 95089, Chicago, IL 60694-5089) in the amount of \$71,526.56. This will increase the total User Charge paid to the District for sludge disposal during FY2021 from \$136,038.70 to \$207,565.26. Funding is provided by the Water Fund Filtration Business Unit (Account 510.40.4220.62420), which has an approved FY 2021 budget of \$352,000.00 and a YTD balance of \$215,961.30.

For Action

[Change Order #1 with the Metropolitan Water Reclamation District of Greater Chicago for FY 2021 Estimated Annual User Charge for Disposal of Sludge Ge - Pdf](#)

A5. **Approval of Change Order No. 2 to the Agreement with Patrick Engineering, Inc. for the Main Street Improvements Project (RFQ 18-28)** 274 - 275

Staff recommends that City Council authorize the City Manager to execute Change Order No. 2 to the agreement with Patrick Engineering, Inc. (55 East Monroe Street, Suite 3450, Chicago IL 60603) for the Main Street Improvements Project (RFQ 18-28) in the amount of \$173,729.00. This will increase the overall contract amount from \$839,268.00 to \$1,012,997.00. Funding is provided from the Capital Improvement Fund 2021 General Obligation Bond Fund in the amount of \$108,857.54 and the Chicago Main TIF in the amount of \$64,871.52. A detailed breakdown of the funding is included in the memo below.

For Action

[Approval of Change Order No. 2 to the Agreement with Patrick Engineering, Inc. for the Main Street Improvements Project \(RFQ 18-28\) - Attachment - Pdf](#)

A6. **Approval of Contract for 2021 Rebuild IL/ Motor Fuel Tax (MFT) Street Resurfacing Project (Bid 21-12)** 276 - 281

Staff recommends City Council authorize the City Manager to execute a contract for the 2021 Rebuild IL/ MFT Street Resurfacing Project (Bid 21-12) with J.A. Johnson Paving Company (1025 E. Addison Court, Arlington Heights, IL 60005) in the amount of \$1,083,777. Funding will be provided from the Rebuild Illinois Funds in the amount of \$1,195,000 and Motor Fuel Tax Funds in the amount of \$179,000 (Account 200.26.5100.65515 – 421001).

For Action

[Approval of Contract for 2021 Rebuild IL/ Motor Fuel Tax \(MFT\) Street Resurfacing Project \(Bid 21-12\) - Attachment - Pdf](#)

A7. **Approval of Contract Award to Sumit Construction Co. for the 2021 50/50 Sidewalk Replacement Project (Bid 21-13)** 282 - 286

Staff recommends the City Council authorize the City Manager to execute an agreement with Sumit Construction Co., Inc. (4150 W Wrightwood Ave Chicago, IL 60039) in the amount of \$309,860.00 for the 2021 Sidewalk Replacement Project (Bid No. 21-13). Funding will be provided from the Capital Improvement Program (CIP) 2021 General Obligation Bonds in the amount of \$150,000, from 2020 General Obligation Bonds in the amount of \$86,000, and from estimated private funds in the amount of \$73,860. A detailed funding summary is included in the memo below.

For Action

[Approval of Contract Award to Sumit Construction Co. for the 2021 50/50 Sidewalk Replacement Project \(Bid 21-13\) - Attachment - Pdf](#)

A8. **Approval of a Contract with Granite Inliner, LLC, for the 2021 CIPP Sewer Rehabilitation – Contract B Project (Bid 21-22)** 287 - 292

Staff recommends the City Council authorize the City Manager to execute an agreement with Granite Inliner, LLC (5031 W. 66th Street, Bedford Park, IL 60638) for the 2021 CIPP Sewer Rehabilitation – Contract B Project (Bid 21-22) in the amount of \$332,221.00. Funding for this project is from the West Evanston TIF Fund (Account No. 335.99.5870.65515 – 421006), which has an approved FY 2021 budget of \$500,000, all of which is remaining.

For Action

[Approval of a Contract with Granite Inliner, LLC, for the 2021 CIPP Sewer Rehabilitation – Contract B Project \(Bid 21-22\) - Attachment - Pdf](#)

- A9. **Approval of Contract Award with Bolder Contractors, Inc. for the 2021 Water Main Improvements and Street Resurfacing Project (Bid No. 21-08)** 293 - 300

Staff recommends the City Council authorize the City Manager to execute an agreement with Bolder Contractors, Inc. (316 Cary Point Drive, Cary, IL 60013) for the 2021 Water Main Improvements and Street Resurfacing Project (Bid No. 21-08) in the amount of \$4,056,188.21. Funding is provided from the Water Fund in the amount of \$3,330,700.15; the Sewer Fund in the amount of \$200,000; and the Rebuild Illinois Fund in the amount of \$450,194. An additional \$75,294.23 of the contract value will be reimbursed by the Village of Wilmette through an IGA for the paving of Garrison Street. A detailed funding summary is included in the memo below.

For Action

[Approval of Contract Award with Bolder Contractors, Inc. for the 2021 Water Main Improvements and Street Resurfacing Project \(Bid No. 21-08\) - Attachm - Pdf](#)

- A10. **Approval of Contract Award with Pan-Oceanic Engineering Co, Inc. for the Main Street Water Main Improvements Project (Bid No. 21-14)** 301 - 305

Staff recommends the City Council authorize the City Manager to execute an agreement with Pan-Oceanic Engineering Co, Inc. (6436 W. Higgins Avenue, Chicago, IL 60656) for the Main Street Water Main Improvements Project (Bid No. 21-14) in the amount of \$1,589,744.00. Funding is provided from the Water Fund in the amount of \$450,000.00 and the Chicago Main TIF in the amount of \$1,065,128.48. Additional funding from the Water Fund of \$74,615.52 that was not budgeted is necessary to fund the portion of the project outside of the TIF area. A detailed summary is included in the memo below.

For Action

[Approval of Contract Award with Pan-Oceanic Engineering Co, Inc. for the Main Street Water Main Improvements Project \(Bid No. 21-14\). - Attachment - Pdf](#)

- A11. **Resolution 57-R-21, Appointing a Director and Alternate Director to the Solid Waste Agency of Northern Cook County** 306 - 308

Staff recommends City Council adoption of Resolution 57-R-21, Appointing a Director and Alternate Director to the Solid Waste Agency of Northern Cook County.

For Action

[Resolution 48-R-21, Authorizing the City Manager to Execute an Intergovernmental Agreement With the Village of Skokie, Illinois, for use of Property - Pdf](#)

A12. **Ordinance 51-O-21, Amending Title 2, Chapter 3 of the City Code to Reflect Changes in the Public Safety Civil Service Commission Rules and Regulations** 309 - 327

Staff recommends City Council adoption of Ordinance 51-O-21 amending Title 2, Chapter 3 of the City Code to reflect changes in the Public Safety Civil Service Commission Rules and Regulations, which will allow for a separate lateral police officer hiring process.

For Introduction

[Ordinance 51-O-21, Amending Title 2, Chapter 3 of the City Code to Reflect Changes in the Public Safety Civil Service Commission Rules and Regulations - Pdf](#)

A13. **Ordinance 21-O-21, Modifying the City of Evanston Grid System By Renaming A Portion of West Railroad Avenue as Norwood Court** 328 - 335

Staff recommends City Council adopt Ordinance 21-O-21, Modifying the City of Evanston Grid System By Renaming A Portion of West Railroad Avenue as Norwood Court.

For Introduction

[Ordinance 21-O-21, Modifying the City of Evanston Grid System By Renaming A Portion of West Railroad Avenue as Norwood Court - Attachment - Pdf](#)

(IX) CONSENT AGENDA - PLANNING & DEVELOPMENT COMMITTEE

P1. **Ordinance 35-O-21 granting a Special Use for an Office Use, Richard Shapiro Attorney at Law, at 1327 Chicago Ave. and 528 Greenwood St. in the R5 General Residential District** 336 - 366

The Zoning Board of Appeals recommends City Council adoption of Ordinance 35-O-21, granting a Special Use for an Office Use, Richard Shapiro Attorney at Law, at 1327 Chicago Ave. and 528 Greenwood St. in the R5 General Residential District. Planning & Zoning staff recommends denial of Ordinance 35-O-21 due to the residential nature of the properties. Specifically, staff feels that up to 15 employees each at 1327 Chicago Ave. and 528 Greenwood St., in a residential zoning district surrounded on three sides by residential zoning and uses, is not keeping with the purposes and policies of the adopted Comprehensive General Plan, causes a negative cumulative effect, potentially creates a precedent for commercial uses in residential neighborhoods, and diminishes the value of property in the residential neighborhood. Staff appreciates the modifications to the proposal the applicant has made throughout the ongoing special use process that reduces the requested occupancy, and therefore impact, at each structure from 22 employees to 15, and adds an off-site ADA-compliant office location for additional staff at 990 Grove St. in lieu of on-site ADA alterations. However, the request not to alter either structure at 1327 Chicago Ave. or 528 Greenwood St. for ADA improvements further exemplifies the inappropriateness of the special use request for a commercial use in residential structures in a residential neighborhood. Planning & Zoning staff reaffirms a recommendation for denial.

For Introduction

[Ordinance 35-O-21 granting a Special Use for an Office Use, Richard Shapiro Attorney at Law, at 1327 Chicago Ave. and 528 Greenwood St. in the R5 Gene - Pdf](#)

P2. **Ordinance 56-O-21, Granting a Special Use Permit for a Daycare Center - Domestic Animal and a Kennel Located at 2116-2120 Ashland Avenue, 1625 Payne Street, 2147-2149 Dewey Avenue in the MXE Mixed-Use Employment District ("Rex's Place")** 367 - 376

The Zoning Board of Appeals (ZBA), and staff recommend the City Council adoption of Ordinance 56-O-21, granting a Special Use for a Daycare Center - Domestic Animal and Kennel, Rex's Place, in the MXE Mixed-Use Employment District, with conditions. The applicant has complied with all zoning requirements and meets the Standards for Special Use for this district.

For Introduction

[Ordinance 56-O-21, Granting a Special Use Permit for a Daycare Center - Domestic Animal and a Kennel Located at 2116-2120 Ashland Avenue, 1625 Payne S - Pdf](#)

- P3. **Ordinance 53-O-21, Amending Portions of the City Code to Extend the Expiration Date of Permitted Uses Within the U2 Zoning District** 377 - 478

Staff recommends City Council adoption of Ordinance 53-O-21, amending the City Code to extend the expiration date of permitted uses within the U2 zoning district from December 31, 2021 to December 31, 2022.

For Action

[Ordinance 53-O-21, Amending Portions of the City Code to Extend the Expiration Date of Permitted Uses Within the U2 Zoning District - Attachment - Pdf](#)

(X) CONSENT AGENDA - RULES COMMITTEE

- R1. **Resolution 58-R-21; Authorizing the Creation of the Reimagining Public Safety Committee** 479 - 481

Mayor Biss recommends the Rules Committee considers the creation of the Reimagining Public Safety Committee, a 15-member ad-hoc committee, with the task of developing a report to the City Council in the Fall of 2021 with findings arising from a holistic, data-driven analysis of the Evanston Police Department budget deliver community-informed recommendations in preparation for the 2022 annual budget process.

For Action

[Resolution 58-R-21; Authorizing the Creation of the Reimagining Public Safety Committee - Attachment - Pdf](#)

- R2. **Ordinance 20-O-21, Amending Title 1, Chapter 10 of the Evanston City Code, "City of Evanston Code of Ethics and Board of Ethics"** 482 - 505

Staff recommends City Council adoption of Ordinance 20-O-12, Amending Title 1, Chapter 10 of the Evanston City Code, "City of Evanston Code of Ethics and Board of Ethics".

For Action

[20-O-21, Amending Title 1, Chapter 10 of the Evanston City Code, "City of Evanston Code of Ethics and Board of Ethics" - Pdf](#)

(XI) APPOINTMENTS

- AP1. **Approval of Appointments to Boards, Commissions, and Committees** 506

Mayor Biss requests City Council approval of appointments to the Reimagining Public Safety Committee.

For Action

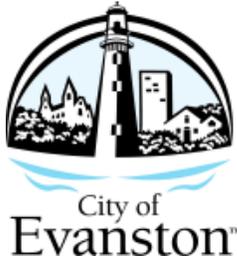
[Approval of Appointments to Boards, Commissions, and Committees - Attachment - Pdf](#)

(XII) CALL OF THE WARDS

(Aldermen shall be called upon by the Mayor to announce or provide information about any Ward or City matter which an Alderman desires to bring before the Council.) {Council Rule 2.1(10)}

(XIII) EXECUTIVE SESSION**(XIV) ADJOURNMENT****(XV) UPCOMING ALDERMANIC COMMITTEE MEETINGS**

DATE	TIME	BOARD/COMMITTEE/COMMISSION
5/26/21	9:00 AM	Public Safety Committee Meeting
5/26/21	2:30 PM	Design and Project Review Committee
5/26/21	6:00 PM	Economic Development Committee
5/26/21	7:00 PM	Plan Commission
6/2/21	2:30 PM	Design and Project Review Committee
6/2/21	6:30 PM	Citizen Police Review Commission
6/3/21	7:00 PM	Housing and Homelessness Commission
6/7/21	5:00 PM	Rules Committee
6/7/21	6:00 PM	Human Services Committee Meeting
6/8/21	2:00 PM	Board of Local Improvements
6/8/21	6:30 PM	Arts Council
6/8/21	7:00 PM	Preservation Commission Meeting
6/9/21	2:30 PM	Design and Project Review Committee
6/9/21	7:00 PM	Plan Commission
6/10/21	6:30 PM	Environment Board
6/10/21	7:00 PM	Mental Health Board
6/11/21	7:15 AM	Utilities Commission



Memorandum

To: Honorable Mayor and Members of the City Council
From: Emma Carter, Intergovernmental Affairs Coordinator
CC: Kate Lewis-Lakin, Budget Coordinator; Hitesh Desai, CFO/ Treasurer
Subject: American Rescue Plan Act Funding Guidelines
Date: May 24, 2021

Recommended Action:

Staff requests City Council review the following guidelines of the American Rescue Plan Act (ARPA) and then discuss.

Council Action:

For Discussion

Summary:

General

The American Rescue Plan Act of 2021, (ARPA) became law on March 11, 2021. This \$1.9 trillion aid package provides funding for, but is not limited to, the following:

- Agriculture and nutrition programs
- Education
- Child Care
- Programs for elderly
- COVID-19 vaccinations, testing, treatment and prevention
- Mental health
- Rental Assistance
- Payments directly to states and local governments
- Pension plans
- Small business assistance
- Health care assistance
- International and humanitarian response
- Scientific research and development
- Direct payments to eligible taxpayers

Coronavirus State and Local Fiscal Recovery Fund Guidelines

The ARPA provides \$350 billion for state and local governments. Under these provisions and based on the recent final guidelines, the Treasury Department will be allocating \$43,173,654.00 directly to the City of Evanston as a metropolitan city. Funding for metropolitan cities is determined using the formula for the CDBG entitlement program.

The key criterion used to determine if the funding can be used for a project or item is “was this impacted or harmed by the economic slowdown caused by COVID-19?” Staff is instructed to determine areas of the community that have been most impacted by the COVID-19 pandemic and identify needs. Once the needs are identified and determined to be from the COVID-19 pandemic, staff is to determine how funds from the Local Fiscal Recovery Fund would address that need. The Treasury Department also advises the City to use these funds in such a manner that would lift up the areas that were most detrimentally and disproportionately affected by the COVID-19 pandemic.

The Treasury Department released the Interim Final Rule to implement the Coronavirus State Fiscal Recovery Fund and the Coronavirus Local Fiscal Recovery Fund established under the American Rescue Plan Act that includes eligible uses of ARPA funding on May 11th, 2021. The Interim Final Rule is attached, as well as a fact sheet from the Treasury Department. Staff reviewed the guidelines in full to develop this memo with some of the highlights from the Interim Final Rule, as well as some priorities for consideration based on allowable uses of funds. This memo will proceed by outlining the eligible uses, then identifying the areas that City staff currently believes the funds should be used for.

There are four categories for which Coronavirus State and Local Fiscal Recovery Fund dollars may be used that are listed below. The eligible uses, or guidelines that are provided by the Treasury Department are summarized for each below.

1. “To respond to the public health emergency with respect to the Coronavirus Disease 2019(COVID-19) or its negative economic impacts, including assistance to households, small businesses, and nonprofits, or aid to impacted industries such as tourism, travel, and hospitality”

Eligible uses under responding to the public health emergency and helping those economically impacted include some of the following:

- COVID19 Mitigation and Prevention
- Medical Expenses
- Behavioral Health Care
- Public Health and Safety of Staff
- Expenses to Improve Design and Execution of Health & Public Health Programs
- Mental and Physical Wellness
- Assistance to Unemployed Workers
- State Unemployment Insurance Funds
- Assistance to Households
- Expenses to Improve Efficacy of Economic Relief Programs
- Small Businesses and Nonprofits
- Rehiring Government Staff
- Aid to Impacted Industries
- Address Educational Disparities

- Promoting Healthy Childhood Environments

2. “To respond to workers performing essential work during the COVID-19 public health emergency by providing premium pay to eligible workers”

Eligible uses, positions and pay rates under providing premium pay to essential workers include the following:

- Positions include: staff in healthcare, workers at farms, food production, grocery stores and restaurants, janitors/ sanitation workers, truck drivers, transit staff and warehouse workers, public health and safety staff, childcare workers, educators, school staff, social service and human services staff.
- Can provide an amount up to \$13/hr. in addition to wages, cannot exceed \$25,000 per eligible worker

3. “For the provision of government services to the extent of the reduction in revenue of such metropolitan city due to the COVID-19 public health emergency relative to revenues collected in the most recent full fiscal year prior to the emergency”

- Treasury’s Interim Final Rule establishes a methodology for the City to calculate reduction in revenue that can be replaced with ARPA funding by comparing the actual revenue to an alternative projection of what could have been expected to occur in the absence of the pandemic. Analysis of this expected trend begins with the last full fiscal year prior to the public health emergency (FY2019) and projects forward at either (a) the recipient’s average annual revenue growth over the three full fiscal years prior to the public health emergency or (b) 4.1%, the national average state and local revenue growth rate from 2015-18 (the latest available data). Additional guidance on what the Treasury will consider as general revenue is needed to determine the amount of ARPA funds that can be allocated to this category.

4. “To make necessary investments in water, sewer, or broadband infrastructure”

Eligible uses under this section are the following:

- All projects that would be approved under the EPA’s
 - Clean Water State Revolving Fund (CWSRF)
 - Drinking Water State Revolving Fund (DWSRF)
- Lead service pipe line replacement
- Water Main Replacement
- Cyber Security of water/ sewer
- Anything to address climate change
- Broadband meeting adequate speeds (download speed of 100mbps)
 - Focused on areas that are underserved, lack access to wireline connection or have minimum speeds of 25 mbps download

Within these four areas of eligible uses are a number of uses that are prohibited by Treasury

The money can not be used for:

- Pension fund deposits
- Offset reduction in tax revenue
- Legal settlements
- Funding debt service
- Infrastructure not specified in ARPA
- Funding rainy day funds or financial reserves

For Water, Sewer and Broadband projects, the City must “obligate” the funds by 12/31/2024 and have projects completed by 12/31/2026. We will also need to report out to the Treasury Department about how we are using these funds. We will need to send an Interim Report, opening on 7/31/21 due by 8/31/2021 as well as a first full report opening on 9/30/2021 and due by 10/31/2021. The reports need to include information regarding the projects, awards, and status of any project over \$50,000.

City of Evanston Plan

Staff is assessing other funding through ARPA that will be distributed to the State of Illinois, Cook County, and through different federal agencies that make up the \$1.9T total and are not included in the \$43,173,654.00 that is coming directly to the City of Evanston. The City is also receiving \$1,298,584 of HOME-ARP funding that is allocated to HOME entitlement communities under Sec. 3205 Homelessness Assistance and Supportive Services Program that must be used to address housing needs of four qualifying populations that will be part of the coordinated planning.

Staff recommends planning for funding disbursement that will build on the City’s recently-released Post-COVID19 Action Plan, which is attached to this document, to build a healthier, thriving and more resilient community through a recovery process that is equitable and inclusive. The draft Action Plan is currently posted for community input. The guiding principles of that plan are:

- People are actively involved in shaping change needed for the recovery of their city and their future
- Recovery plan is responsive to the health directives of the government, led by stewardship and collaboration
- Decisions are evidence-based and allow a flexible response
- Funding is invested in capital improvement and other projects that spur economic and workforce development

Consideration for funding using the Coronavirus State and Local Fiscal Recovery proposes to include the following:

- Economic Development
 - Help those affected build back better through financial assistance, particularly for hardest hit sectors including entertainment, tourism, and hospitality, to recover from the pandemic
 - Support childcare needs that enable parents, particularly women who suffered disproportionate loss of employment, to return to the workforce
 - Expand affordable housing to address long-standing inequities in health and wellbeing for low-income residents, particularly POC
- Improving Community Health
 - Mental and physical wellness
 - Behavioral health care
 - Ongoing COVID-19 prevention and mitigation
- Capital Improvement Projects
 - Including water, sewer and broadband infrastructure
 - Lead Service Line Replacement, because the proposed legislation for Lead Service Line Replacement (HB 3739) is likely to pass in Springfield

- and is an unfunded mandate, the City will need to use some of the ARPA funds to replace lead service lines.
- Water main replacement, Evanston has approximately 50 miles of water main that is over 100 years old. This represents 32% of all water mains.
 - Staff does not recommend using this funding source for projects at the water plant as these project costs are shared with the wholesale water customers, or for the type of projects that staff has been successful in obtaining low interest loans.
- Shore up City Finances
 - 3 parts of the final guidelines may be used to support revenue loss and costs for operating existing City programs
 - 1) Payroll and covered benefits expenses for public health, healthcare, human services, public safety and similar employees, to the extent that they work on the COVID-19 response. For public health and safety workers, recipients can use these funds to cover the full payroll and covered benefits costs for employees or operating units or divisions primarily dedicated to the COVID-19 response.
 - 2) Rebuilding public sector capacity, by rehiring public sector staff and replenishing unemployment insurance (UI) trust funds, in each case up to pre-pandemic levels. Recipients may also use this funding to build their internal capacity to successfully implement economic relief programs, with investments in data analysis, targeted outreach, technology infrastructure, and impact evaluations.
 - 3) Revenue loss - Recipients will compute the extent of their reduction in revenue by comparing their actual revenue to an alternative representing what could have been expected to occur in the absence of the pandemic. Analysis of this expected trend begins with the last full fiscal year prior to the public health emergency and projects forward at either (a) the recipient's average annual revenue growth over the three full fiscal years prior to the public health emergency or (b) 4.1%, the national average state and local revenue growth rate from 2015-18 (the latest available data).

Staff will be seeking input from the community to share with City Council to aid in determining how best to proceed with this tremendous opportunity. Staff is currently planing a series of Town Hall Meetings in partnership with Evanston non-profits to gain public feedback. The City also released a document, Post COVID-19 Action Plan which is soliciting feedback from the community. This document will help establish priorities and serve as a framework and working document for the plan of how to use this funding. The Post COVID-19 Action Plan was created based on interviews, feedback and conversations with the community, council and staff.

Attachments:

[Treasury Interim Final Rule Fact Sheet](#)

[FRF-Interim-Final-Rule](#)

[Draft Post COVID19 Action Plan](#)

FACT SHEET: The Coronavirus State and Local Fiscal Recovery Funds Will Deliver \$350 Billion for State, Local, Territorial, and Tribal Governments to Respond to the COVID-19 Emergency and Bring Back Jobs

May 10, 2021

Aid to state, local, territorial, and Tribal governments will help turn the tide on the pandemic, address its economic fallout, and lay the foundation for a strong and equitable recovery

Today, the U.S. Department of the Treasury announced the launch of the Coronavirus State and Local Fiscal Recovery Funds, established by the American Rescue Plan Act of 2021, to provide \$350 billion in emergency funding for eligible state, local, territorial, and Tribal governments. Treasury also released details on how these funds can be used to respond to acute pandemic response needs, fill revenue shortfalls among these governments, and support the communities and populations hardest-hit by the COVID-19 crisis. With the launch of the Coronavirus State and Local Fiscal Recovery Funds, eligible jurisdictions will be able to access this funding in the coming days to address these needs.

State, local, territorial, and Tribal governments have been on the frontlines of responding to the immense public health and economic needs created by this crisis – from standing up vaccination sites to supporting small businesses – even as these governments confronted revenue shortfalls during the downturn. As a result, these governments have endured unprecedented strains, forcing many to make untenable choices between laying off educators, firefighters, and other frontline workers or failing to provide other services that communities rely on. Faced with these challenges, state and local governments have cut over 1 million jobs since the beginning of the crisis. The experience of prior economic downturns has shown that budget pressures like these often result in prolonged fiscal austerity that can slow an economic recovery.

To support the immediate pandemic response, bring back jobs, and lay the groundwork for a strong and equitable recovery, the American Rescue Plan Act of 2021 established the Coronavirus State and Local Fiscal Recovery Funds, designed to deliver \$350 billion to state, local, territorial, and Tribal governments to bolster their response to the COVID-19 emergency and its economic impacts. Today, Treasury is launching this much-needed relief to:

- Support urgent COVID-19 response efforts to continue to decrease spread of the virus and bring the pandemic under control;
- Replace lost public sector revenue to strengthen support for vital public services and help retain jobs;
- Support immediate economic stabilization for households and businesses; and,
- Address systemic public health and economic challenges that have contributed to the unequal impact of the pandemic on certain populations.

The Coronavirus State and Local Fiscal Recovery Funds provide substantial flexibility for each jurisdiction to meet local needs—including support for households, small businesses, impacted industries, essential workers, and the communities hardest-hit by the crisis. These funds also deliver resources that recipients can invest in building, maintaining, or upgrading their water, sewer, and broadband infrastructure.

Starting today, eligible state, territorial, metropolitan city, county, and Tribal governments may request Coronavirus State and Local Fiscal Recovery Funds through the Treasury Submission Portal. Concurrent with this program launch, Treasury has published an Interim Final Rule that implements the provisions of this program.

FUNDING AMOUNTS

The American Rescue Plan provides a total of \$350 billion in Coronavirus State and Local Fiscal Recovery Funds to help eligible state, local, territorial, and Tribal governments meet their present needs and build the foundation for a strong recovery. Congress has allocated this funding to tens of thousands of jurisdictions. These allocations include:

Type	Amount (\$ billions)
States & District of Columbia	\$195.3
Counties	\$65.1
Metropolitan Cites	\$45.6
Tribal Governments	\$20.0
Territories	\$4.5
Non-Entitlement Units of Local Government	\$19.5

Treasury expects to distribute these funds directly to each state, territorial, metropolitan city, county, and Tribal government. Local governments that are classified as non-entitlement units will receive this funding through their applicable state government. Treasury expects to provide further guidance on distributions to non-entitlement units next week.

Local governments should expect to receive funds in two tranches, with 50% provided beginning in May 2021 and the balance delivered 12 months later. States that have experienced a net increase in the unemployment rate of more than 2 percentage points from February 2020 to the latest available data as of the date of certification will receive their full allocation of funds in a single payment; other states will receive funds in two equal tranches. Governments of U.S. territories will receive a single payment. Tribal governments will receive two payments, with the first payment available in May and the second payment, based on employment data, to be delivered in June 2021.

USES OF FUNDING

Coronavirus State and Local Fiscal Recovery Funds provide eligible state, local, territorial, and Tribal governments with a substantial infusion of resources to meet pandemic response needs and rebuild a stronger, more equitable economy as the country recovers. Within the categories of eligible uses, recipients have broad flexibility to decide how best to use this funding to meet the needs of their communities. Recipients may use Coronavirus State and Local Fiscal Recovery Funds to:

- **Support public health expenditures**, by funding COVID-19 mitigation efforts, medical expenses, behavioral healthcare, and certain public health and safety staff;
- **Address negative economic impacts caused by the public health emergency**, including economic harms to workers, households, small businesses, impacted industries, and the public sector;
- **Replace lost public sector revenue**, using this funding to provide government services to the extent of the reduction in revenue experienced due to the pandemic;
- **Provide premium pay for essential workers**, offering additional support to those who have borne and will bear the greatest health risks because of their service in critical infrastructure sectors; and,
- **Invest in water, sewer, and broadband infrastructure**, making necessary investments to improve access to clean drinking water, support vital wastewater and stormwater infrastructure, and to expand access to broadband internet.

Within these overall categories, Treasury’s Interim Final Rule provides guidelines and principles for determining the types of programs and services that this funding can support, together with examples of allowable uses that recipients may consider. As described below, Treasury has also designed these provisions to take into consideration the disproportionate impacts of the COVID-19 public health emergency on those hardest-hit by the pandemic.

1. Supporting the public health response

Mitigating the impact of COVID-19 continues to require an unprecedented public health response from state, local, territorial, and Tribal governments. Coronavirus State and Local Fiscal Recovery Funds provide resources to meet these needs through the provision of care for those impacted by the virus and through services that address disparities in public health that have been exacerbated by the pandemic. Recipients may use this funding to address a broad range of public health needs across COVID-19 mitigation, medical expenses, behavioral healthcare, and public health resources. Among other services, these funds can help support:

- **Services and programs to contain and mitigate the spread of COVID-19, including:**
 - ✓ Vaccination programs
 - ✓ Medical expenses
 - ✓ Testing
 - ✓ Contact tracing
 - ✓ Isolation or quarantine
 - ✓ PPE purchases
 - ✓ Support for vulnerable populations to access medical or public health services
 - ✓ Public health surveillance (e.g., monitoring for variants)
 - ✓ Enforcement of public health orders
 - ✓ Public communication efforts
 - ✓ Enhancement of healthcare capacity, including alternative care facilities
 - ✓ Support for prevention, mitigation, or other services in congregate living facilities and schools
 - ✓ Enhancement of public health data systems
 - ✓ Capital investments in public facilities to meet pandemic operational needs
 - ✓ Ventilation improvements in key settings like healthcare facilities

- **Services to address behavioral healthcare needs exacerbated by the pandemic, including:**
 - ✓ Mental health treatment
 - ✓ Substance misuse treatment
 - ✓ Other behavioral health services
 - ✓ Hotlines or warmlines
 - ✓ Crisis intervention
 - ✓ Services or outreach to promote access to health and social services
- **Payroll and covered benefits expenses** for public health, healthcare, human services, public safety and similar employees, to the extent that they work on the COVID-19 response. For public health and safety workers, recipients can use these funds to cover the full payroll and covered benefits costs for employees or operating units or divisions primarily dedicated to the COVID-19 response.

2. Addressing the negative economic impacts caused by the public health emergency

The COVID-19 public health emergency resulted in significant economic hardship for many Americans. As businesses closed, consumers stayed home, schools shifted to remote education, and travel declined precipitously, over 20 million jobs were lost between February and April 2020. Although many have since returned to work, as of April 2021, the economy remains more than 8 million jobs below its pre-pandemic peak, and more than 3 million workers have dropped out of the labor market altogether since February 2020.

To help alleviate the economic hardships caused by the pandemic, Coronavirus State and Local Fiscal Recovery Funds enable eligible state, local, territorial, and Tribal governments to provide a wide range of assistance to individuals and households, small businesses, and impacted industries, in addition to enabling governments to rehire public sector staff and rebuild capacity. Among these uses include:

- **Delivering assistance to workers and families**, including aid to unemployed workers and job training, as well as aid to households facing food, housing, or other financial insecurity. In addition, these funds can support survivor's benefits for family members of COVID-19 victims.
- **Supporting small businesses**, helping them to address financial challenges caused by the pandemic and to make investments in COVID-19 prevention and mitigation tactics, as well as to provide technical assistance. To achieve these goals, recipients may employ this funding to execute a broad array of loan, grant, in-kind assistance, and counseling programs to enable small businesses to rebound from the downturn.
- **Speeding the recovery of the tourism, travel, and hospitality sectors**, supporting industries that were particularly hard-hit by the COVID-19 emergency and are just now beginning to mend. Similarly impacted sectors within a local area are also eligible for support.
- **Rebuilding public sector capacity**, by rehiring public sector staff and replenishing unemployment insurance (UI) trust funds, in each case up to pre-pandemic levels. Recipients may also use this funding to build their internal capacity to successfully implement economic relief programs, with investments in data analysis, targeted outreach, technology infrastructure, and impact evaluations.

3. **Serving the hardest-hit communities and families**

While the pandemic has affected communities across the country, it has disproportionately impacted low-income families and communities of color and has exacerbated systemic health and economic inequities. Low-income and socially vulnerable communities have experienced the most severe health impacts. For example, counties with high poverty rates also have the highest rates of infections and deaths, with 223 deaths per 100,000 compared to the U.S. average of 175 deaths per 100,000.

Coronavirus State and Local Fiscal Recovery Funds allow for a broad range of uses to address the disproportionate public health and economic impacts of the crisis on the hardest-hit communities, populations, and households. Eligible services include:

- **Addressing health disparities and the social determinants of health**, through funding for community health workers, public benefits navigators, remediation of lead hazards, and community violence intervention programs;
- **Investments in housing and neighborhoods**, such as services to address individuals experiencing homelessness, affordable housing development, housing vouchers, and residential counseling and housing navigation assistance to facilitate moves to neighborhoods with high economic opportunity;
- **Addressing educational disparities** through new or expanded early learning services, providing additional resources to high-poverty school districts, and offering educational services like tutoring or afterschool programs as well as services to address social, emotional, and mental health needs; and,
- **Promoting healthy childhood environments**, including new or expanded high quality childcare, home visiting programs for families with young children, and enhanced services for child welfare-involved families and foster youth.

Governments may use Coronavirus State and Local Fiscal Recovery Funds to support these additional services if they are provided:

- within a Qualified Census Tract (a low-income area as designated by the Department of Housing and Urban Development);
- to families living in Qualified Census Tracts;
- by a Tribal government; or,
- to other populations, households, or geographic areas disproportionately impacted by the pandemic.

4. **Replacing lost public sector revenue**

State, local, territorial, and Tribal governments that are facing budget shortfalls may use Coronavirus State and Local Fiscal Recovery Funds to avoid cuts to government services. With these additional resources, recipients can continue to provide valuable public services and ensure that fiscal austerity measures do not hamper the broader economic recovery.

Many state, local, territorial, and Tribal governments have experienced significant budget shortfalls, which can yield a devastating impact on their respective communities. Faced with budget shortfalls and pandemic-related uncertainty, state and local governments cut staff in all 50 states. These budget shortfalls and staff cuts are particularly problematic at present, as these entities are on the front lines of battling the COVID-19 pandemic and helping citizens weather the economic downturn.

Recipients may use these funds to replace lost revenue. Treasury's Interim Final Rule establishes a methodology that each recipient can use to calculate its reduction in revenue. Specifically, recipients will compute the extent of their reduction in revenue by comparing their actual revenue to an alternative representing what could have been expected to occur in the absence of the pandemic. Analysis of this expected trend begins with the last full fiscal year prior to the public health emergency and projects forward at either (a) the recipient's average annual revenue growth over the three full fiscal years prior to the public health emergency or (b) 4.1%, the national average state and local revenue growth rate from 2015-18 (the latest available data).

For administrative convenience, Treasury's Interim Final Rule allows recipients to presume that any diminution in actual revenue relative to the expected trend is due to the COVID-19 public health emergency. Upon receiving Coronavirus State and Local Fiscal Recovery Funds, recipients may immediately calculate the reduction in revenue that occurred in 2020 and deploy funds to address any shortfall. Recipients will have the opportunity to re-calculate revenue loss at several points through the program, supporting those entities that experience a lagged impact of the crisis on revenues.

Importantly, once a shortfall in revenue is identified, recipients will have broad latitude to use this funding to support government services, up to this amount of lost revenue.

5. Providing premium pay for essential workers

Coronavirus State and Local Fiscal Recovery Funds provide resources for eligible state, local, territorial, and Tribal governments to recognize the heroic contributions of essential workers. Since the start of the public health emergency, essential workers have put their physical well-being at risk to meet the daily needs of their communities and to provide care for others.

Many of these essential workers have not received compensation for the heightened risks they have faced and continue to face. Recipients may use this funding to provide premium pay directly, or through grants to private employers, to a broad range of essential workers who must be physically present at their jobs including, among others:

- ✓ Staff at nursing homes, hospitals, and home-care settings
- ✓ Workers at farms, food production facilities, grocery stores, and restaurants
- ✓ Janitors and sanitation workers
- ✓ Public health and safety staff
- ✓ Truck drivers, transit staff, and warehouse workers
- ✓ Childcare workers, educators, and school staff
- ✓ Social service and human services staff

Treasury's Interim Final Rule emphasizes the need for recipients to prioritize premium pay for lower income workers. Premium pay that would increase a worker's total pay above 150% of the greater of the state or county average annual wage requires specific justification for how it responds to the needs of these workers.

In addition, employers are both permitted and encouraged to use Coronavirus State and Local Fiscal Recovery Funds to offer retrospective premium pay, recognizing that many essential workers have not yet received additional compensation for work performed. Staff working for third-party contractors in eligible sectors are also eligible for premium pay.

6. Investing in water and sewer infrastructure

Recipients may use Coronavirus State and Local Fiscal Recovery Funds to invest in necessary improvements to their water and sewer infrastructures, including projects that address the impacts of climate change.

Recipients may use this funding to invest in an array of drinking water infrastructure projects, such as building or upgrading facilities and transmission, distribution, and storage systems, including the replacement of lead service lines.

Recipients may also use this funding to invest in wastewater infrastructure projects, including constructing publicly-owned treatment infrastructure, managing and treating stormwater or subsurface drainage water, facilitating water reuse, and securing publicly-owned treatment works.

To help jurisdictions expedite their execution of these essential investments, Treasury's Interim Final Rule aligns types of eligible projects with the wide range of projects that can be supported by the Environmental Protection Agency's Clean Water State Revolving Fund and Drinking Water State Revolving Fund. Recipients retain substantial flexibility to identify those water and sewer infrastructure investments that are of the highest priority for their own communities.

Treasury's Interim Final Rule also encourages recipients to ensure that water, sewer, and broadband projects use strong labor standards, including project labor agreements and community benefits agreements that offer wages at or above the prevailing rate and include local hire provisions.

7. Investing in broadband infrastructure

The pandemic has underscored the importance of access to universal, high-speed, reliable, and affordable broadband coverage. Over the past year, millions of Americans relied on the internet to participate in remote school, healthcare, and work.

Yet, by at least one measure, 30 million Americans live in areas where there is no broadband service or where existing services do not deliver minimally acceptable speeds. For millions of other Americans, the high cost of broadband access may place it out of reach. The American Rescue Plan aims to help remedy these shortfalls, providing recipients with flexibility to use Coronavirus State and Local Fiscal Recovery Funds to invest in broadband infrastructure.

Recognizing the acute need in certain communities, Treasury's Interim Final Rule provides that investments in broadband be made in areas that are currently unserved or underserved—in other words, lacking a wireline connection that reliably delivers minimum speeds of 25 Mbps download and 3 Mbps upload. Recipients are also encouraged to prioritize projects that achieve last-mile connections to households and businesses.

Using these funds, recipients generally should build broadband infrastructure with modern technologies in mind, specifically those projects that deliver services offering reliable 100 Mbps download and 100

Mbps upload speeds, unless impracticable due to topography, geography, or financial cost. In addition, recipients are encouraged to pursue fiber optic investments.

In view of the wide disparities in broadband access, assistance to households to support internet access or digital literacy is an eligible use to respond to the public health and negative economic impacts of the pandemic, as detailed above.

8. Ineligible Uses

Coronavirus State and Local Fiscal Recovery Funds provide substantial resources to help eligible state, local, territorial, and Tribal governments manage the public health and economic consequences of COVID-19. Recipients have considerable flexibility to use these funds to address the diverse needs of their communities.

To ensure that these funds are used for their intended purposes, the American Rescue Plan Act also specifies two ineligible uses of funds:

- **States and territories may not use this funding to directly or indirectly offset a reduction in net tax revenue due to a change in law from March 3, 2021 through the last day of the fiscal year in which the funds provided have been spent.** The American Rescue Plan ensures that funds needed to provide vital services and support public employees, small businesses, and families struggling to make it through the pandemic are not used to fund reductions in net tax revenue. Treasury’s Interim Final Rule implements this requirement. If a state or territory cuts taxes, they must demonstrate how they paid for the tax cuts from sources other than Coronavirus State Fiscal Recovery Funds—by enacting policies to raise other sources of revenue, by cutting spending, or through higher revenue due to economic growth. If the funds provided have been used to offset tax cuts, the amount used for this purpose must be paid back to the Treasury.
- **No recipient may use this funding to make a deposit to a pension fund.** Treasury’s Interim Final Rule defines a “deposit” as an extraordinary contribution to a pension fund for the purpose of reducing an accrued, unfunded liability. While pension deposits are prohibited, recipients may use funds for routine payroll contributions for employees whose wages and salaries are an eligible use of funds.

Treasury’s Interim Final Rule identifies several other ineligible uses, including funding debt service, legal settlements or judgments, and deposits to rainy day funds or financial reserves. Further, general infrastructure spending is not covered as an eligible use outside of water, sewer, and broadband investments or above the amount allocated under the revenue loss provision. While the program offers broad flexibility to recipients to address local conditions, these restrictions will help ensure that funds are used to augment existing activities and address pressing needs.

DEPARTMENT OF THE TREASURY

31 CFR Part 35

RIN 1505-AC77

Coronavirus State and Local Fiscal Recovery Funds

AGENCY: Department of the Treasury

ACTION: Interim Final Rule

SUMMARY: The Secretary of the Treasury (Treasury) is issuing this Interim Final Rule to implement the Coronavirus State Fiscal Recovery Fund and the Coronavirus Local Fiscal Recovery Fund established under the American Rescue Plan Act.

DATES: *Effective date:* The provisions in this Interim Final Rule are effective [____], 2021.

Comment date: Comments must be received on or before [____], 2021.

ADDRESSES: Please submit comments electronically through the Federal eRulemaking Portal: <http://www.regulations.gov> [(if hard copy, preferably an original and two copies to the [Office of the Undersecretary for Domestic Finance], Attention: [Name], Room [#####] MT, Department of the Treasury, 1500 Pennsylvania Avenue, NW, Washington, DC 20220. Because postal mail may be subject to processing delay, it is recommended that comments be submitted electronically.] All comments should be captions with “Coronavirus State and Local Fiscal Recovery Funds Interim Final Rule Comments.” Please include your name, organization affiliation, address, email address and telephone number in your comment. Where appropriate, a comment should include a short executive summary (no more than [#] single-spaced pages).] In general, comments received will be posted on <http://www.regulations.gov> without change, including any business or personal information provided. Comments received, including attachments and other supporting materials, will be part of the public record and subject to public

disclosure. Do not enclose any information in your comment or supporting materials that you consider confidential or inappropriate for public disclosure.

FOR FURTHER INFORMATION CONTACT:

[Name], [Title], [Office], 202-622-[#####], or [Name], [Title], [Office], 202-622-[#####].

SUPPLEMENTARY INFORMATION:

I. Background Information

A. Overview

Since the first case of coronavirus disease 2019 (COVID-19) was discovered in the United States in January 2020, the disease has infected over 32 million and killed over 575,000 Americans.¹ The disease has impacted every part of life: as social distancing became a necessity, businesses closed, schools transitioned to remote education, travel was sharply reduced, and millions of Americans lost their jobs. In April 2020, the national unemployment rate reached its highest level in over seventy years following the most severe month-over-month decline in employment on record.² As of April 2021, there were still 8.2 million fewer jobs than before the pandemic.³ During this time, a significant share of households have faced food and housing insecurity.⁴ Economic disruptions impaired the flow of credit to households, State and

¹ Centers for Disease Control and Prevention, COVID Data Tracker, <http://www.covid.cdc.gov/covid-data-tracker/#datatracker-home> (last visited May 8, 2021).

² U.S. Bureau of Labor Statistics, Unemployment Rate [UNRATE], retrieved from FRED, Federal Reserve Bank of St. Louis; <https://fred.stlouisfed.org/series/UNRATE>, May 3, 2021. U.S. Bureau of Labor Statistics, Employment Level [LNU02000000], retrieved from FRED, Federal Reserve Bank of St. Louis; <https://fred.stlouisfed.org/series/LNU02000000>, May 3, 2021.

³ U.S. Bureau of Labor Statistics, All Employees, Total Nonfarm [PAYEMS], retrieved from FRED, Federal Reserve Bank of St. Louis; <https://fred.stlouisfed.org/series/PAYEMS>, May 7, 2021.

⁴ Nirmita Panchal et al., The Implications of COVID-19 for Mental Health and Substance Abuse (Feb. 10, 2021), <https://www.kff.org/coronavirus-covid-19/issue-brief/the-implications-of-covid-19-for-mental->

local governments, and businesses of all sizes.⁵ As businesses weathered closures and sharp declines in revenue, many were forced to shut down, especially small businesses.⁶

Amid this once-in-a-century crisis, State, territorial, Tribal, and local governments (State, local, and Tribal governments) have been called on to respond at an immense scale.

Governments have faced myriad needs to prevent and address the spread of COVID-19, including testing, contact tracing, isolation and quarantine, public communications, issuance and enforcement of health orders, expansions to health system capacity like alternative care facilities, and in recent months, a massive nationwide mobilization around vaccinations. Governments also have supported major efforts to prevent COVID-19 spread through safety measures in settings like nursing homes, schools, congregate living settings, dense worksites, incarceration settings, and public facilities. The pandemic's impacts on behavioral health, including the toll of pandemic-related stress, have increased the need for behavioral health resources.

At the same time, State, local and Tribal governments launched major efforts to address the economic impacts of the pandemic. These efforts have been tailored to the needs of their communities and have included expanded assistance to unemployed workers; food assistance;

health-and-substance-use/#:~:text=Older%20adults%20are%20also%20more,prior%20to%20the%20current%20crisis; U.S. Census Bureau, Household Pulse Survey: Measuring Social and Economic Impacts during the Coronavirus Pandemic, <https://www.census.gov/programs-surveys/household-pulse-survey.html> (last visited Apr. 26, 2021); Rebecca T. Leeb et al., Mental Health-Related Emergency Department Visits Among Children Aged <18 Years During the COVID Pandemic – United States, January 1 – October 17, 2020, *Morb. Mortal. Wkly. Rep.* 69(45):1675-80 (Nov. 13, 2020), <https://www.cdc.gov/mmwr/volumes/69/wr/mm6945a3.htm>.

⁵ Board of Governors of the Federal Reserve System, Monetary Policy Report (June 12, 2020), <https://www.federalreserve.gov/monetarypolicy/2020-06-mpr-summary.htm>.

⁶ Joseph R. Biden, Remarks by President Biden on Helping Small Businesses (Feb. 22, 2021), <https://www.whitehouse.gov/briefing-room/speeches-remarks/2021/02/22/remarks-by-president-biden-on-helping-small-businesses/>.

rent, mortgage, and utility support; cash assistance; internet access programs; expanded services to support individuals experiencing homelessness; support for individuals with disabilities and older adults; and assistance to small businesses facing closures or revenue loss or implementing new safety measures.

In responding to the public health emergency and its negative economic impacts, State, local, and Tribal governments have seen substantial increases in costs to provide these services, often amid substantial declines in revenue due to the economic downturn and changing economic patterns during the pandemic.⁷ Facing these budget challenges, many State, local, and Tribal governments have been forced to make cuts to services or their workforces, or delay critical investments. From February to May of 2020, State, local, and Tribal governments reduced their workforces by more than 1.5 million jobs and, in April of 2021, State, local, and Tribal government employment remained nearly 1.3 million jobs below pre-pandemic levels.⁸ These cuts to State, local, and Tribal government workforces come at a time when demand for government services is high, with State, local, and Tribal governments on the frontlines of fighting the pandemic. Furthermore, State, local, and Tribal government austerity measures can hamper overall economic growth, as occurred in the recovery from the Great Recession.⁹

⁷ Michael Leachman, House Budget Bill Provides Needed Fiscal Aid for States, Localities, Tribal Nations, and Territories (Feb. 10, 2021), <https://www.cbpp.org/research/state-budget-and-tax/house-budget-bill-provides-needed-fiscal-aid-for-states-localities>.

⁸ U.S. Bureau of Labor Statistics, All Employees, State Government [CES9092000001] and All Employees, Local Government [CES9093000001], retrieved from FRED, Federal Reserve Bank of St. Louis, <https://fred.stlouisfed.org/series/CES9092000001> and <https://fred.stlouisfed.org/series/CES9093000001> (last visited May 8, 2021).

⁹ Tracy Gordon, State and Local Budgets and the Great Recession, Brookings Institution (Dec. 31, 2012), <http://www.brookings.edu/articles/state-and-local-budgets-and-the-great-recession>.

Finally, although the pandemic's impacts have been widespread, both the public health and economic impacts of the pandemic have fallen most severely on communities and populations disadvantaged before it began. Low-income communities, people of color, and Tribal communities have faced higher rates of infection, hospitalization, and death,¹⁰ as well as higher rates of unemployment and lack of basic necessities like food and housing.¹¹ Pre-existing social vulnerabilities magnified the pandemic in these communities, where a reduced ability to work from home and, frequently, denser housing amplified the risk of infection. Higher rates of pre-existing health conditions also may have contributed to more severe COVID-19 health outcomes.¹² Similarly, communities or households facing economic insecurity before the pandemic were less able to weather business closures, job losses, or declines in earnings and were less able to participate in remote work or education due to the inequities in access to reliable and affordable broadband infrastructure.¹³ Finally, though schools in all areas faced challenges, those in high poverty areas had fewer resources to adapt to remote and hybrid

¹⁰ Sebastian D. Romano et al., Trends in Racial and Ethnic Disparities in COVID-19 Hospitalizations, by Region – United States, March–December 2020, *MMWR Morb Mortal Wkly Rep* 2021, 70:560-565 (Apr. 16, 2021), https://www.cdc.gov/mmwr/volumes/70/wr/mm7015e2.htm?s_cid=mm7015e2_w.

¹¹ Center on Budget and Policy Priorities, Tracking the COVID-19 Recession's Effects on Food, Housing, and Employment Hardships, <https://www.cbpp.org/research/poverty-and-inequality/tracking-the-covid-19-recessions-effects-on-housing-and> (last visited May 4, 2021).

¹² Lisa R. Fortuna et al., Inequity and the Disproportionate Impact of COVID-19 on Communities of Color in the United States: The Need for Trauma-Informed Social Justice Response, *Psychological Trauma* Vol. 12(5):443-45 (2020), *available at* <https://psycnet.apa.org/fulltext/2020-37320-001.pdf>.

¹³ Emily Vogles et al., 53% of Americans Say the Internet Has Been Essential During the COVID-19 Outbreak (Apr. 30, 2020), <https://www.pewresearch.org/internet/2020/04/30/53-of-americans-say-the-internet-has-been-essential-during-the-covid-19-outbreak/>.

learning models.¹⁴ Unfortunately, the pandemic also has reversed many gains made by communities of color in the prior economic expansion.¹⁵

B. The Statute and Interim Final Rule

On March 11, 2021, the American Rescue Plan Act (ARPA) was signed into law by the President.¹⁶ Section 9901 of ARPA amended Title VI of the Social Security Act¹⁷ (the Act) to add section 602, which establishes the Coronavirus State Fiscal Recovery Fund, and section 603, which establishes the Coronavirus Local Fiscal Recovery Fund (together, the Fiscal Recovery Funds).¹⁸ The Fiscal Recovery Funds are intended to provide support to State, local, and Tribal governments (together, recipients) in responding to the impact of COVID-19 and in their efforts to contain COVID-19 on their communities, residents, and businesses. The Fiscal Recovery Funds build on and expand the support provided to these governments over the last year, including through the Coronavirus Relief Fund (CRF).¹⁹

¹⁴ Emma Dorn et al., COVID-19 and student learning in the United States: The hurt could last a lifetime (June 2020), https://webtest.childrensinstitute.net/sites/default/files/documents/COVID-19-and-student-learning-in-the-United-States_FINAL.pdf; Andrew Bacher-Hicks et al., Inequality in Household Adaptation to Schooling Shocks: Covid-Induced Online Engagement in Real Time, *J. of Public Econ.* Vol. 193(C) (July 2020), available at <https://www.nber.org/papers/w27555>.

¹⁵ See, e.g., Tyler Atkinson & Alex Richter, Pandemic Disproportionately Affects Women, Minority Labor Force Participation, <https://www.dallasfed.org/research/economics/2020/1110> (last visited May 9, 2021); Jared Bernstein & Janelle Jones, The Impact of the COVID19 Recession on the Jobs and Incomes of Persons of Color, https://www.cbpp.org/sites/default/files/atoms/files/6-2-20bud_0.pdf (last visited May 9, 2021).

¹⁶ American Rescue Plan Act of 2021 (ARPA) § 9901, Pub. L. No. 117-2, codified at 42 U.S.C. § 802 *et seq.*

¹⁷ 42 U.S.C. 801 *et seq.*

¹⁸ §§ 602, 603 of the Act.

¹⁹ The CRF was established by the section 601 of the Act as added by the Coronavirus Aid, Relief, and Economic Security Act (CARES Act), Pub. L. No. 116-136, 134 Stat. 281 (2020).

Through the Fiscal Recovery Funds, Congress provided State, local, and Tribal governments with significant resources to respond to the COVID-19 public health emergency and its economic impacts through four categories of eligible uses. Section 602 and section 603 contain the same eligible uses; the primary difference between the two sections is that section 602 establishes a fund for States, territories, and Tribal governments and section 603 establishes a fund for metropolitan cities, nonentitlement units of local government, and counties.

Sections 602(c)(1) and 603(c)(1) provide that funds may be used:

- a) To respond to the public health emergency or its negative economic impacts, including assistance to households, small businesses, and nonprofits, or aid to impacted industries such as tourism, travel, and hospitality;
- b) To respond to workers performing essential work during the COVID-19 public health emergency by providing premium pay to eligible workers;
- c) For the provision of government services to the extent of the reduction in revenue due to the COVID–19 public health emergency relative to revenues collected in the most recent full fiscal year prior to the emergency; and
- d) To make necessary investments in water, sewer, or broadband infrastructure.

In addition, Congress clarified two types of uses which do not fall within these four categories. Sections 602(c)(2)(B) and 603(c)(2) provide that these eligible uses do not include, and thus funds may not be used for, depositing funds into any pension fund. Section 602(c)(2)(A) also provides, for States and territories, that the eligible uses do not include:

“directly or indirectly offset[ting] a reduction in the net tax revenue of [the] State or territory resulting from a change in law, regulation, or administrative interpretation.”

The ARPA provides a substantial infusion of resources to meet pandemic response needs and rebuild a stronger, more equitable economy as the country recovers. First, payments from the Fiscal Recovery Funds help to ensure that State, local, and Tribal governments have the resources needed to continue to take actions to decrease the spread of COVID-19 and bring the pandemic under control. Payments from the Fiscal Recovery Funds may also be used by recipients to provide support for costs incurred in addressing public health and economic challenges resulting from the pandemic, including resources to offer premium pay to essential workers, in recognition of their sacrifices over the last year. Recipients may also use payments from the Fiscal Recovery Funds to replace State, local, and Tribal government revenue lost due to COVID-19, helping to ensure that governments can continue to provide needed services and avoid cuts or layoffs. Finally, these resources lay the foundation for a strong, equitable economic recovery, not only by providing immediate economic stabilization for households and businesses, but also by addressing the systemic public health and economic challenges that may have contributed to more severe impacts of the pandemic among low-income communities and people of color.

Within the eligible use categories outlined in the Fiscal Recovery Funds provisions of ARPA, State, local, and Tribal governments have flexibility to determine how best to use payments from the Fiscal Recovery Funds to meet the needs of their communities and populations. The Interim Final Rule facilitates swift and effective implementation by establishing a framework for determining the types of programs and services that are eligible under the ARPA along with examples of uses that State, local, and Tribal governments may consider. These uses build on eligible expenditures under the CRF, including some expansions in eligible uses to respond to the public health emergency, such as vaccination campaigns. They

also reflect changes in the needs of communities, as evidenced by, for example, nationwide data demonstrating disproportionate impacts of the COVID-19 public health emergency on certain populations, geographies, and economic sectors. The Interim Final Rule takes into consideration these disproportionate impacts by recognizing a broad range of eligible uses to help States, local, and Tribal governments support the families, businesses, and communities hardest hit by the COVID-19 public health emergency.

Implementation of the Fiscal Recovery Funds also reflect the importance of public input, transparency, and accountability. Treasury seeks comment on all aspects of the Interim Final Rule and, to better facilitate public comment, has included specific questions throughout this Supplementary Information. Treasury encourages State, local, and Tribal governments in particular to provide feedback and to engage with Treasury regarding issues that may arise regarding all aspects of this Interim Final Rule and Treasury's work in administering the Fiscal Recovery Funds. In addition, the Interim Final Rule establishes certain regular reporting requirements, including by requiring State, local, and Tribal governments to publish information regarding uses of Fiscal Recovery Funds payments in their local jurisdiction. These reporting requirements reflect the need for transparency and accountability, while recognizing and minimizing the burden, particularly for smaller local governments. Treasury urges State, territorial, Tribal, and local governments to engage their constituents and communities in developing plans to use these payments, given the scale of funding and its potential to catalyze broader economic recovery and rebuilding.

II. Eligible Uses

A. Public Health and Economic Impacts

Sections 602(c)(1)(A) and 603(c)(1)(A) provide significant resources for State, territorial, Tribal governments, and counties, metropolitan cities, and nonentitlement units of local governments (each referred to as a recipient) to meet the wide range of public health and economic impacts of the COVID-19 public health emergency.

These provisions authorize the use of payments from the Fiscal Recovery Funds to respond to the public health emergency with respect to COVID-19 or its negative economic impacts. Section 602 and section 603 also describe several types of uses that would be responsive to the impacts of the COVID-19 public health emergency, including assistance to households, small businesses, and nonprofits and aid to impacted industries, such as tourism, travel, and hospitality.²⁰

Accordingly, to assess whether a program or service is included in this category of eligible uses, a recipient should consider whether and how the use would respond to the COVID-19 public health emergency. Assessing whether a program or service “responds to” the COVID-19 public health emergency requires the recipient to, first, identify a need or negative impact of the COVID-19 public health emergency and, second, identify how the program, service, or other intervention addresses the identified need or impact. While the COVID-19 public health emergency affected many aspects of American life, eligible uses under this category must be in response to the disease itself or the harmful consequences of the economic disruptions resulting from or exacerbated by the COVID-19 public health emergency.

²⁰ §§602(c)(1)(A), 603(c)(1)(A) of the Act.

The Interim Final Rule implements these provisions by identifying a non-exclusive list of programs or services that may be funded as responding to COVID-19 or the negative economic impacts of the COVID-19 public health emergency, along with considerations for evaluating other potential uses of the Fiscal Recovery Funds not explicitly listed. The Interim Final Rule also provides flexibility for recipients to use payments from the Fiscal Recovery Funds for programs or services that are not identified on these non-exclusive lists but that fall under the terms of section 602(c)(1)(A) or 603(c)(1)(A) by responding to the COVID-19 public health emergency or its negative economic impacts. As an example, in determining whether a program or service responds to the negative economic impacts of the COVID-19 public health emergency, the Interim Final Rule provides that payments from the Fiscal Recovery Funds should be designed to address an economic harm resulting from or exacerbated by the public health emergency. Recipients should assess the connection between the negative economic harm and the COVID-19 public health emergency, the nature and extent of that harm, and how the use of this funding would address such harm.

As discussed, the pandemic and the necessary actions taken to control the spread had a severe impact on households and small businesses, including in particular low-income workers and communities and people of color. While eligible uses under sections 602(c)(1)(A) and 603(c)(1)(A) provide flexibility to recipients to identify the most pressing local needs, Treasury encourages recipients to provide assistance to those households, businesses, and non-profits in communities most disproportionately impacted by the pandemic.

1. Responding to COVID-19

On January 21, 2020, the Centers for Disease Control and Prevention (CDC) identified the first case of novel coronavirus in the United States.²¹ By late March, the virus had spread to many States and the first wave was growing rapidly, centered in the northeast.²² This wave brought acute strain on health care and public health systems: hospitals and emergency medical services struggled to manage a major influx of patients; response personnel faced shortages of personal protective equipment; testing for the virus was scarce; and congregate living facilities like nursing homes and prisons saw rapid spread. State, local, and Tribal governments mobilized to support the health care system, issue public health orders to mitigate virus spread, and communicate safety measures to the public. The United States has since faced at least two additional COVID-19 waves that brought many similar challenges: the second in the summer, centered in the south and southwest, and a wave throughout the fall and winter, in which the virus reached a point of uncontrolled spread across the country and over 3,000 people died per day.²³ By early May 2021, the United States has experienced over 32 million confirmed COVID-19 cases and over 575,000 deaths.²⁴

²¹ Press Release, Centers for Disease Control and Prevention, First Travel-related Case of 2019 Novel Coronavirus Detected in United States (Jan. 21, 2020), <https://www.cdc.gov/media/releases/2020/p0121-novel-coronavirus-travel-case.html>.

²² Anne Schuchat et al., Public Health Response to the Initiation and Spread of Pandemic COVID-19 in the United States, February 24 – April 21, 2021, *MMWR Morb Mortal Wkly Rep* 2021, 69(18):551-56 (May 8, 2021), <https://www.cdc.gov/mmwr/volumes/69/wr/mm6918e2.htm>.

²³ Centers for Disease Control and Prevention, COVID Data Tracker: Trends in Number of COVID-19 Cases and Deaths in the US Reported to CDC, by State/Territory, https://covid.cdc.gov/covid-data-tracker/#trends_dailytrendscases (last visited May 8, 2021).

²⁴ *Id.*

Mitigating the impact of COVID-19, including taking actions to control its spread and support hospitals and health care workers caring for the sick, continues to require a major public health response from State, local and Tribal governments. New or heightened public health needs include COVID-19 testing, major expansions in contact tracing, support for individuals in isolation or quarantine, enforcement of public health orders, new public communication efforts, public health surveillance (e.g., monitoring case trends and genomic sequencing for variants), enhancement to health care capacity through alternative care facilities, and enhancement of public health data systems to meet new demands or scaling needs. State, local, and Tribal governments have also supported major efforts to prevent COVID-19 spread through safety measures at key settings like nursing homes, schools, congregate living settings, dense worksites, incarceration settings, and in other public facilities. This has included implementing infection prevention measures or making ventilation improvements in congregate settings, health care settings, or other key locations.

Other response and adaptation costs include capital investments in public facilities to meet pandemic operational needs, such as physical plant improvements to public hospitals and health clinics or adaptations to public buildings to implement COVID-19 mitigation tactics. In recent months, State, local, and Tribal governments across the country have mobilized to support the national vaccination campaign, resulting in over 250 million doses administered to date.²⁵

The need for public health measures to respond to COVID-19 will continue in the months and potentially years to come. This includes the continuation of the vaccination campaign for the general public and, if vaccinations are approved for children in the future, eventually for

²⁵ Centers for Disease Control and Prevention, COVID Data Tracker: COVID-19 Vaccinations in the United States, <https://covid.cdc.gov/covid-data-tracker/#vaccinations> (last visited May 8, 2021).

youths. This also includes monitoring the spread of COVID-19 variants, understanding the impact of these variants (especially on vaccination efforts), developing approaches to respond to those variants, and monitoring global COVID-19 trends to understand continued risks to the United States. Finally, the long-term health impacts of COVID-19 will continue to require a public health response, including medical services for individuals with “long COVID,” and research to understand how COVID-19 impacts future health needs and raises risks for the millions of Americans who have been infected.

Other areas of public health have also been negatively impacted by the COVID-19 pandemic. For example, in one survey in January 2021, over 40 percent of American adults reported symptoms of depression or anxiety, up from 11 percent in the first half of 2019.²⁶ The proportion of children’s emergency department visits related to mental health has also risen noticeably.²⁷ Similarly, rates of substance misuse and overdose deaths have spiked: preliminary data from the CDC show a nearly 30 percent increase in drug overdose mortality from September 2019 to September 2020.²⁸ Stay-at-home orders and other pandemic responses may have also reduced the ability of individuals affected by domestic violence to access services.²⁹

²⁶ Panchal, *supra* note 4; Mark É. Czeisler et al., Mental Health, Substance Abuse, and Suicidal Ideation During COVID-19 Pandemic– United States, June 24-30 2020, *Morb. Mortal. Wkly. Rep.* 69(32):1049-57 (Aug. 14, 2020), <https://www.cdc.gov/mmwr/volumes/69/wr/mm6932a1.htm>.

²⁷ Leeb, *supra* note 4.

²⁸ Centers for Disease Prevention and Control, National Center for Health Statistics, Provisional Drug Overdose Death Counts, <https://www.cdc.gov/nchs/nvss/vsrr/drug-overdose-data.htm> (last visited May 8, 2021).

²⁹ Megan L. Evans, et al., A Pandemic within a Pandemic – Intimate Partner Violence during Covid-19, *N. Engl. J. Med.* 383:2302-04 (Dec. 10, 2020), *available at* <https://www.nejm.org/doi/full/10.1056/NEJMp2024046>.

Finally, some preventative public health measures like childhood vaccinations have been deferred and potentially forgone.³⁰

While the pandemic affected communities across the country, it disproportionately impacted some demographic groups and exacerbated health inequities along racial, ethnic, and socioeconomic lines.³¹ The CDC has found that racial and ethnic minorities are at increased risk for infection, hospitalization, and death from COVID-19, with Hispanic or Latino and Native American or Alaska Native patients at highest risk.³²

Similarly, low-income and socially vulnerable communities have seen the most severe health impacts. For example, counties with high poverty rates also have the highest rates of infections and deaths, with 223 deaths per 100,000 compared to the U.S. average of 175 deaths per 100,000, as of May 2021.³³ Counties with high social vulnerability, as measured by factors such as poverty and educational attainment, have also fared more poorly than the national

³⁰ Jeanne M. Santoli et al., Effects of the COVID-19 Pandemic on Routine Pediatric Vaccine Ordering and Administration – United States, *Morb. Mortal. Wkly. Rep.* 69(19):591-93 (May 8, 2020), <https://www.cdc.gov/mmwr/volumes/69/wr/mm6919e2.htm>; Marisa Langdon-Embry et al., Notes from the Field: Rebound in Routine Childhood Vaccine Administration Following Decline During the COVID-19 Pandemic – New York City, March 1-June 27, 2020, *Morb. Mortal. Wkly. Rep.* 69(30):999-1001 (Jul. 31 2020), <https://www.cdc.gov/mmwr/volumes/69/wr/mm6930a3.htm>.

³¹ Office of the White House, National Strategy for the COVID-19 Response and Pandemic Preparedness (Jan. 21, 2021), <https://www.whitehouse.gov/wp-content/uploads/2021/01/National-Strategy-for-the-COVID-19-Response-and-Pandemic-Preparedness.pdf>.

³² In a study of 13 states from October to December 2020, the CDC found that Hispanic or Latino and Native American or Alaska Native individuals were 1.7 times more likely to visit an emergency room for COVID-19 than White individuals, and Black individuals were 1.4 times more likely to do so than White individuals. *See Romano, supra* note 10.

³³ Centers for Disease Control and Prevention, COVID Data Tracker: Trends in COVID-19 Cases and Deaths in the United States, by County-level Population Factors, https://covid.cdc.gov/covid-data-tracker/#pop-factors_totaldeaths (last visited May 8, 2021).

average, with 211 deaths per 100,000 as of May 2021.³⁴ Over the last year, Native Americans have experienced more than one and a half times the rate of COVID-19 infections, more than triple the rate of hospitalizations, and more than double the death rate compared to White Americans.³⁵ Low-income and minority communities also exhibit higher rates of pre-existing conditions that may contribute to an increased risk of COVID-19 mortality.³⁶

In addition, individuals living in low-income communities may have had more limited ability to socially distance or to self-isolate when ill, resulting in faster spread of the virus, and were over-represented among essential workers, who faced greater risk of exposure.³⁷ Social distancing measures in response to the pandemic may have also exacerbated pre-existing public health challenges. For example, for children living in homes with lead paint, spending substantially more time at home raises the risk of developing elevated blood lead levels, while

³⁴ The CDC's Social Vulnerability Index includes fifteen variables measuring social vulnerability, including unemployment, poverty, education levels, single-parent households, disability status, non-English speaking households, crowded housing, and transportation access.

Centers for Disease Control and Prevention, COVID Data Tracker: Trends in COVID-19 Cases and Deaths in the United States, by Social Vulnerability Index, https://covid.cdc.gov/covid-data-tracker/#pop-factors_totaldeaths (last visited May 8, 2021).

³⁵ Centers for Disease Control and Prevention, Risk for COVID-19 Infection, Hospitalization, and Death By Race/Ethnicity, <https://www.cdc.gov/coronavirus/2019-ncov/covid-data/investigations-discovery/hospitalization-death-by-race-ethnicity.html> (last visited Apr. 26, 2021).

³⁶ *See, e.g.*, Centers for Disease Control and Prevention, Risk of Severe Illness or Death from COVID-19 (Dec. 10, 2020), <https://www.cdc.gov/coronavirus/2019-ncov/community/health-equity/racial-ethnic-disparities/disparities-illness.html> (last visited Apr. 26, 2021).

³⁷ Milena Almagro et al., Racial Disparities in Frontline Workers and Housing Crowding During COVID-19: Evidence from Geolocation Data (Sept. 22, 2020), NYU Stern School of Business (forthcoming), available at https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3695249; Grace McCormack et al., Economic Vulnerability of Households with Essential Workers, JAMA 324(4):388-90 (2020), available at <https://jamanetwork.com/journals/jama/fullarticle/2767630>.

screenings for elevated blood lead levels declined during the pandemic.³⁸ The combination of these underlying social and health vulnerabilities may have contributed to more severe public health outcomes of the pandemic within these communities, resulting in an exacerbation of pre-existing disparities in health outcomes.³⁹

Eligible Public Health Uses. The Fiscal Recovery Funds provide resources to meet and address these emergent public health needs, including through measures to counter the spread of COVID-19, through the provision of care for those impacted by the virus, and through programs or services that address disparities in public health that have been exacerbated by the pandemic. To facilitate implementation and use of payments from the Fiscal Recovery Funds, the Interim Final Rule identifies a non-exclusive list of eligible uses of funding to respond to the COVID-19 public health emergency. Eligible uses listed under this section build and expand upon permissible expenditures under the CRF, while recognizing the differences between the ARPA and CARES Act, and recognizing that the response to the COVID-19 public health emergency has changed and will continue to change over time. To assess whether additional uses would be eligible under this category, recipients should identify an effect of COVID-19 on public health, including either or both of immediate effects or effects that may manifest over months or years, and assess how the use would respond to or address the identified need.

³⁸ See, e.g., Joseph G. Courtney et al., Decreases in Young Children Who Received Blood Lead Level Testing During COVID-19 – 34 Jurisdictions, January-May 2020, *Morb. Mort. Wkly. Rep.* 70(5):155-61 (Feb. 5, 2021), <https://www.cdc.gov/mmwr/volumes/70/wr/mm7005a2.htm>; Emily A. Benfer & Lindsay F. Wiley, Health Justice Strategies to Combat COVID-19: Protecting Vulnerable Communities During a Pandemic, *Health Affairs Blog* (Mar. 19, 2020), <https://www.healthaffairs.org/doi/10.1377/hblog20200319.757883/full/>.

³⁹ See, e.g., Centers for Disease Control and Prevention, *supra* note 34; Benfer & Wiley, *supra* note 38; Nathaniel M. Lewis et al., Disparities in COVID-19 Incidence, Hospitalizations, and Testing, by Area-Level Deprivation – Utah, March 3-July 9, 2020, *Morb. Mort. Wkly. Rep.* 69(38):1369-73 (Sept. 25, 2020), <https://www.cdc.gov/mmwr/volumes/69/wr/mm6938a4.htm>.

The Interim Final Rule identifies a non-exclusive list of uses that address the effects of the COVID-19 public health emergency, including:

- *COVID-19 Mitigation and Prevention.* A broad range of services and programming are needed to contain COVID-19. Mitigation and prevention efforts for COVID-19 include vaccination programs; medical care; testing; contact tracing; support for isolation or quarantine; supports for vulnerable populations to access medical or public health services; public health surveillance (e.g., monitoring case trends, genomic sequencing for variants); enforcement of public health orders; public communication efforts; enhancement to health care capacity, including through alternative care facilities; purchases of personal protective equipment; support for prevention, mitigation, or other services in congregate living facilities (e.g., nursing homes, incarceration settings, homeless shelters, group living facilities) and other key settings like schools;⁴⁰ ventilation improvements in congregate settings, health care settings, or other key locations; enhancement of public health data systems; and other public health responses.⁴¹ They also include capital investments in public facilities to meet pandemic operational needs, such as physical plant improvements to public hospitals and health clinics or adaptations

⁴⁰ This includes implementing mitigation strategies consistent with the Centers for Disease Control and Prevention’s (CDC) Operational Strategy for K-12 Schools through Phased Prevention, *available at* <https://www.cdc.gov/coronavirus/2019-ncov/community/schools-childcare/operation-strategy.html>.

⁴¹ Many of these expenses were also eligible in the CRF. Generally, funding uses eligible under CRF as a response to the direct public health impacts of COVID-19 will continue to be eligible under the ARPA, including those not explicitly listed here (e.g., telemedicine costs, costs to facilitate compliance with public health orders, disinfection of public areas, facilitating distance learning, increased solid waste disposal needs related to PPE, paid sick and paid family and medical leave to public employees to enable compliance with COVID-19 public health precautions), with the following two exceptions: 1) the standard for eligibility of public health and safety payrolls has been updated (see details on page 20) and 2) expenses related to the issuance of tax-anticipation notes are no longer an eligible funding use (see discussion of debt service on page 44).

to public buildings to implement COVID-19 mitigation tactics. These COVID-19 prevention and mitigation programs and services, among others, were eligible expenditures under the CRF and are eligible uses under this category of eligible uses for the Fiscal Recovery Funds.⁴²

- *Medical Expenses.* The COVID-19 public health emergency continues to have devastating effects on public health; the United States continues to average hundreds of deaths per day and the spread of new COVID-19 variants has raised new risks and genomic surveillance needs.⁴³ Moreover, our understanding of the potentially serious and long-term effects of the virus is growing, including the potential for symptoms like shortness of breath to continue for weeks or months, for multi-organ impacts from COVID-19, or for post-intensive care syndrome.⁴⁴ State and local governments may need to continue to provide care and services to address these near- and longer-term needs.⁴⁵
- *Behavioral Health Care.* In addition, new or enhanced State, local, and Tribal government services may be needed to meet behavioral health needs exacerbated by the pandemic and respond to other public health impacts. These services include mental health treatment, substance misuse treatment, other behavioral health services, hotlines or

⁴² Coronavirus Relief Fund for States, Tribal Governments, and Certain Eligible Local Governments, 86 Fed. Reg. 4182 (Jan. 15, 2021), *available at* https://home.treasury.gov/system/files/136/CRF-Guidance-Federal-Register_2021-00827.pdf.

⁴³ Centers for Disease Control and Prevention, *supra* note 24.

⁴⁴ Centers for Disease Control and Prevention, Long-Term Effects (Apr. 8, 2021), <https://www.cdc.gov/coronavirus/2019-ncov/long-term-effects.html> (last visited Apr. 26, 2021).

⁴⁵ Pursuant to 42 CFR 433.51 and 45 CFR 75.306, Fiscal Recovery Funds may not serve as a State or locality's contribution of certain Federal funds.

warmlines, crisis intervention, overdose prevention, infectious disease prevention, and services or outreach to promote access to physical or behavioral health primary care and preventative medicine.

- *Public Health and Safety Staff.* Treasury recognizes that responding to the public health and negative economic impacts of the pandemic, including administering the services described above, requires a substantial commitment of State, local, and Tribal government human resources. As a result, the Fiscal Recovery Funds may be used for payroll and covered benefits expenses for public safety, public health, health care, human services, and similar employees, to the extent that their services are devoted to mitigating or responding to the COVID-19 public health emergency.⁴⁶ Accordingly, the Fiscal Recovery Funds may be used to support the payroll and covered benefits for the portion of the employee's time that is dedicated to responding to the COVID-19 public health emergency. For administrative convenience, the recipient may consider public health and safety employees to be entirely devoted to mitigating or responding to the COVID-19 public health emergency, and therefore fully covered, if the employee, or his or her operating unit or division, is primarily dedicated to responding to the COVID-19 public health emergency. Recipients may consider other presumptions for assessing the extent to which an employee, division, or operating unit is engaged in activities that respond to

⁴⁶ In general, if an employee's wages and salaries are an eligible use of Fiscal Recovery Funds, recipients may treat the employee's covered benefits as an eligible use of Fiscal Recovery Funds. For purposes of the Fiscal Recovery Funds, covered benefits include costs of all types of leave (vacation, family-related, sick, military, bereavement, sabbatical, jury duty), employee insurance (health, life, dental, vision), retirement (pensions, 401(k)), unemployment benefit plans (federal and state), workers compensation insurance, and Federal Insurance Contributions Act (FICA) taxes (which includes Social Security and Medicare taxes).

the COVID-19 public health emergency, provided that the recipient reassesses periodically and maintains records to support its assessment, such as payroll records, attestations from supervisors or staff, or regular work product or correspondence demonstrating work on the COVID-19 response. Recipients need not routinely track staff hours.

- *Expenses to Improve the Design and Execution of Health and Public Health Programs.* State, local, and Tribal governments may use payments from the Fiscal Recovery Funds to engage in planning and analysis in order to improve programs addressing the COVID-19 pandemic, including through use of targeted consumer outreach, improvements to data or technology infrastructure, impact evaluations, and data analysis.

Eligible Uses to Address Disparities in Public Health Outcomes. In addition, in recognition of the disproportionate impacts of the COVID-19 pandemic on health outcomes in low-income and Native American communities and the importance of mitigating these effects, the Interim Final Rule identifies a broader range of services and programs that will be presumed to be responding to the public health emergency when provided in these communities. Specifically, Treasury will presume that certain types of services, outlined below, are eligible uses when provided in a Qualified Census Tract (QCT),⁴⁷ to families living in QCTs, or when these services are provided

⁴⁷ Qualified Census Tracts are a common, readily-accessible, and geographically granular method of identifying communities with a large proportion of low-income residents. Using an existing measure may speed implementation and decrease administrative burden, while identifying areas of need at a highly-localized level.

While QCTs are an effective tool generally, many tribal communities have households with a wide range of income levels due in part to non-tribal member, high income residents living in the community. Mixed income communities, with a significant share of tribal members at the lowest levels of income, are often not included as eligible QCTs yet tribal residents are experiencing disproportionate impacts due to the pandemic. Therefore, including all services provided by Tribal governments is a more effective means of ensuring that disproportionately impacted Tribal members can receive services.

by Tribal governments.⁴⁸ Recipients may also provide these services to other populations, households, or geographic areas that are disproportionately impacted by the pandemic. In identifying these disproportionately-impacted communities, recipients should be able to support their determination that the pandemic resulted in disproportionate public health or economic outcomes to the specific populations, households, or geographic areas to be served.

Given the exacerbation of health disparities during the pandemic and the role of pre-existing social vulnerabilities in driving these disparate outcomes, services to address health disparities are presumed to be responsive to the public health impacts of the pandemic. Specifically, recipients may use payments from the Fiscal Recovery Funds to facilitate access to resources that improve health outcomes, including services that connect residents with health care resources and public assistance programs and build healthier environments, such as:

- Funding community health workers to help community members access health services and services to address the social determinants of health;⁴⁹
- Funding public benefits navigators to assist community members with navigating and applying for available Federal, State, and local public benefits or services;

⁴⁸ U.S. Department of Housing and Urban Development (HUD), Qualified Census Tracts and Difficult Development Areas, <https://www.huduser.gov/portal/datasets/qct.html> (last visited Apr. 26, 2021); U.S. Department of the Interior, Bureau of Indian Affairs, Indian Lands of Federally Recognized Tribes of the United States (June 2016), <https://www.bia.gov/sites/bia.gov/files/assets/bia/ots/webteam/pdf/idc1-028635.pdf> (last visited Apr. 26, 2021).

⁴⁹ The social determinants of health are the social and environmental conditions that affect health outcomes, specifically economic stability, health care access, social context, neighborhoods and built environment, and education access. *See, e.g.*, U.S. Department of Health and Human Services, Office of Disease Prevention and Health Promotion, Healthy People 2030: Social Determinants of Health, <https://health.gov/healthypeople/objectives-and-data/social-determinants-health> (last visited Apr. 26, 2021).

- Housing services to support healthy living environments and neighborhoods conducive to mental and physical wellness;
- Remediation of lead paint or other lead hazards to reduce risk of elevated blood lead levels among children; and
- Evidence-based community violence intervention programs to prevent violence and mitigate the increase in violence during the pandemic.⁵⁰

2. Responding to Negative Economic Impacts

Impacts on Households and Individuals. The public health emergency, including the necessary measures taken to protect public health, resulted in significant economic and financial hardship for many Americans. As businesses closed, consumers stayed home, schools shifted to remote education, and travel declined precipitously, over 20 million jobs were lost in March and April 2020.⁵¹ Although many have returned to work, as of April 2021, the economy remains 8.2 million jobs below its pre-pandemic peak,⁵² and more than 3 million workers have dropped out of the labor market altogether relative to February 2020.⁵³

Rates of unemployment are particularly severe among workers of color and workers with lower levels of educational attainment; for example, the overall unemployment rate in the United

⁵⁰ National Commission on COVID-19 and Criminal Justice, Impact Report: COVID-19 and Crime (Jan. 31, 2021), <https://covid19.counciloncj.org/2021/01/31/impact-report-covid-19-and-crime-3/> (showing a spike in homicide and assaults); Brad Boesrup et al., Alarming Trends in US domestic violence during the COVID-19 pandemic, *Am. J. of Emerg. Med.* 38(12): 2753-55 (Dec. 1, 2020), available at [https://www.ajemjournal.com/article/S0735-6757\(20\)30307-7/fulltext](https://www.ajemjournal.com/article/S0735-6757(20)30307-7/fulltext) (showing a spike in domestic violence).

⁵¹ U.S. Bureau of Labor Statistics, All Employees, Total Nonfarm (PAYEMS), retrieved from FRED, Federal Reserve Bank of St. Louis; <https://fred.stlouisfed.org/series/PAYEMS> (last visited May 8, 2021).

⁵² *Id.*

⁵³ U.S. Bureau of Labor Statistics, Civilian Labor Force Level [CLF16OV], retrieved from FRED, Federal Reserve Bank of St. Louis, <https://fred.stlouisfed.org/series/CLF16OV> (last visited May 8, 2021).

States was 6.1 percent in April 2021, but certain groups saw much higher rates: 9.7 percent for Black workers, 7.9 percent for Hispanic or Latino workers, and 9.3 percent for workers without a high school diploma.⁵⁴ Job losses have also been particularly steep among low wage workers, with these workers remaining furthest from recovery as of the end of 2020.⁵⁵ A severe recession—and its concentrated impact among low-income workers—has amplified food and housing insecurity, with an estimated nearly 17 million adults living in households where there is sometimes or often not enough food to eat and an estimated 10.7 million adults living in households that were not current on rent.⁵⁶ Over the course of the pandemic, inequities also manifested along gender lines, as schools closed to in-person activities, leaving many working families without child care during the day.⁵⁷ Women of color have been hit especially hard: the

⁵⁴ U.S. Bureau of Labor Statistics, Labor Force Statistics from the Current Population Survey: Employment status of the civilian population by sex and age (May 8 2021), <https://www.bls.gov/news.release/empsit.t01.htm> (last visited May 8, 2021); U.S. Bureau of Labor Statistics, Labor Force Statistics from the Current Population Survey: Employment status of the civilian noninstitutional population by race, Hispanic or Latino ethnicity, sex, and age (May 8, 2021), <https://www.bls.gov/web/empsit/cpseea04.htm> (last visited May 8, 2021); U.S. Bureau of Labor Statistics, Labor Force Statistics from the Current Population Survey: Employment status of the civilian noninstitutional population 25 years and over by educational attainment (May 8, 2021), <https://www.bls.gov/web/empsit/cpseea05.htm> (last visited May 8, 2021).

⁵⁵ Elise Gould & Jori Kandra, Wages grew in 2020 because the bottom fell out of the low-wage labor market, Economic Policy Institute (Feb. 24, 2021), <https://files.epi.org/pdf/219418.pdf>. *See also*, Michael Dalton et al., The K-Shaped Recovery: Examining the Diverging Fortunes of Workers in the Recovery from the COVID-19 Pandemic using Business and Household Survey Microdata, U.S. Bureau of Labor Statistics Working Paper Series (Feb. 2021), <https://www.bls.gov/osmr/research-papers/2021/pdf/ec210020.pdf>.

⁵⁶ Center on Budget and Policy Priorities, Tracking the COVID-19 Recession's Effects on Food, Housing, and Employment Hardships, <https://www.cbpp.org/research/poverty-and-inequality/tracking-the-covid-19-recessions-effects-on-food-housing-and> (last visited May 8, 2021).

⁵⁷ Women have carried a larger share of childcare responsibilities than men during the COVID-19 crisis. *See, e.g.*, Gema Zamarro & María J. Prados, Gender differences in couples' division of childcare, work and mental health during COVID-19, *Rev. Econ. Household* 19:11-40 (2021), *available at* <https://link.springer.com/article/10.1007/s11150-020-09534-7>; Titan Alon et al., The Impact of COVID-19 on Gender Equality, National Bureau of Economic Research Working Paper 26947 (April 2020), *available at* <https://www.nber.org/papers/w26947>.

labor force participation rate for Black women has fallen by 3.2 percentage points⁵⁸ during the pandemic as compared to 1.0 percentage points for Black men⁵⁹ and 2.0 percentage points for White women.⁶⁰

As the economy recovers, the effects of the pandemic-related recession may continue to impact households, including a risk of longer-term effects on earnings and economic potential. For example, unemployed workers, especially those who have experienced longer periods of unemployment, earn lower wages over the long term once rehired.⁶¹ In addition to the labor market consequences for unemployed workers, recessions can also cause longer-term economic challenges through, among other factors, damaged consumer credit scores⁶² and reduced familial and childhood wellbeing.⁶³ These potential long-term economic consequences underscore the continued need for robust policy support.

⁵⁸ U.S. Bureau of Labor Statistics, Labor Force Participation Rate - 20 Yrs. & Over, Black or African American Women [LNS11300032], retrieved from FRED, Federal Reserve Bank of St. Louis; <https://fred.stlouisfed.org/series/LNS11300032> (last visited May 8, 2021).

⁵⁹ U.S. Bureau of Labor Statistics, Labor Force Participation Rate - 20 Yrs. & Over, Black or African American Men [LNS11300031], retrieved from FRED, Federal Reserve Bank of St. Louis; <https://fred.stlouisfed.org/series/LNS11300031> (last visited May 8, 2021).

⁶⁰ U.S. Bureau of Labor Statistics, Labor Force Participation Rate - 20 Yrs. & Over, White Women [LNS11300029], retrieved from FRED, Federal Reserve Bank of St. Louis; <https://fred.stlouisfed.org/series/LNS11300029> (last visited May 8, 2021).

⁶¹ See, e.g., Michael Greenstone & Adam Looney, Unemployment and Earnings Losses: A Look at Long-Term Impacts of the Great Recession on American Workers, Brookings Institution (Nov. 4, 2021), <https://www.brookings.edu/blog/jobs/2011/11/04/unemployment-and-earnings-losses-a-look-at-long-term-impacts-of-the-great-recession-on-american-workers/>.

⁶² Chi Chi Wu, Solving the Credit Conundrum: Helping Consumers' Credit Records Impaired by the Foreclosure Crisis and Great Recession (Dec. 2013), https://www.nclc.org/images/pdf/credit_reports/report-credit-conundrum-2013.pdf.

⁶³ Irwin Garfinkel, Sara McLanahan, Christopher Wimer, eds., Children of the Great Recession, Russell Sage Foundation (Aug. 2016), available at <https://www.russellsage.org/publications/children-great-recession>.

Impacts on Businesses. The pandemic has also severely impacted many businesses, with small businesses hit especially hard. Small businesses make up nearly half of U.S. private-sector employment⁶⁴ and play a key role in supporting the overall economic recovery as they are responsible for two-thirds of net new jobs.⁶⁵ Since the beginning of the pandemic, however, 400,000 small businesses have closed, with many more at risk.⁶⁶ Sectors with a large share of small business employment have been among those with the most drastic drops in employment.⁶⁷ The negative outlook for small businesses has continued: as of April 2021, approximately 70 percent of small businesses reported that the pandemic has had a moderate or large negative effect on their business, and over a third expect that it will take over 6 months for their business to return to their normal level of operations.⁶⁸

This negative outlook is likely the result of many small businesses having faced periods of closure and having seen declining revenues as customers stayed home.⁶⁹ In general, small businesses can face greater hurdles in accessing credit,⁷⁰ and many small businesses were

⁶⁴ Board of Governors of the Federal Reserve System, *supra* note 5.

⁶⁵ U.S. Small Business Administration, Office of Advocacy, Small Businesses Generate 44 Percent of U.S. Economic Activity (Jan. 30, 2019), <https://advocacy.sba.gov/2019/01/30/small-businesses-generate-44-percent-of-u-s-economic-activity/>.

⁶⁶ Biden, *supra* note 6.

⁶⁷ Daniel Wilmoth, U.S. Small Business Administration Office of Advocacy, The Effects of the COVID-19 Pandemic on Small Businesses, Issue Brief No. 16 (Mar. 2021), *available at* <https://cdn.advocacy.sba.gov/wp-content/uploads/2021/03/02112318/COVID-19-Impact-On-Small-Business.pdf>.

⁶⁸ U.S. Census Bureau, Small Business Pulse Survey, <https://portal.census.gov/pulse/data/> (last visited May 8, 2021).

⁶⁹ Olivia S. Kim et al., Revenue Collapses and the Consumption of Small Business Owners in the Early Stages of the COVID-19 Pandemic (Nov. 2020), <https://www.nber.org/papers/w28151>.

⁷⁰ *See e.g.*, Board of Governors of the Federal Reserve System, Report to Congress on the Availability of Credit to Small Businesses (Sept. 2017), *available at* <https://www.federalreserve.gov/publications/2017-september-availability-of-credit-to-small-businesses.htm>.

already financially fragile at the outset of the pandemic.⁷¹ Non-profits, which provide vital services to communities, have similarly faced economic and financial challenges due to the pandemic.⁷²

Impacts to State, Local, and Tribal Governments. State, local, and Tribal governments have felt substantial fiscal pressures. As noted above, State, local, and Tribal governments have faced significant revenue shortfalls and remain over 1 million jobs below their pre-pandemic staffing levels.⁷³ These reductions in staffing may undermine the ability to deliver services effectively, as well as add to the number of unemployed individuals in their jurisdictions.

Exacerbation of Pre-existing Disparities. The COVID-19 public health emergency may have lasting negative effects on economic outcomes, particularly in exacerbating disparities that existed prior to the pandemic.

The negative economic impacts of the COVID-19 pandemic are particularly pronounced in certain communities and families. Low- and moderate-income jobs make up a substantial portion of both total pandemic job losses,⁷⁴ and jobs that require in-person frontline work, which

⁷¹ Alexander W. Bartik et al., The Impact of COVID-19 on small business outcomes and expectations, PNAS 117(30): 17656-66 (July 28, 2020), available at <https://www.pnas.org/content/117/30/17656>.

⁷² Federal Reserve Bank of San Francisco, Impacts of COVID-19 on Nonprofits in the Western United States (May 2020), <https://www.frbsf.org/community-development/files/impact-of-covid-nonprofits-serving-western-united-states.pdf>.

⁷³ Wolfe & Kassa, *supra* note 7; Elijah Moreno & Heather Sobrepena, Tribal entities remain resilient as COVID-19 batters their finances, Federal Reserve Bank of Minneapolis (Nov. 10, 2021), <https://www.minneapolisfed.org/article/2020/tribal-entities-remain-resilient-as-covid-19-batters-their-finances>.

⁷⁴ Kim Parker et al., Economic Fallout from COVID-19 Continues to Hit Lower-Income Americans the Hardest, Pew Research Center (Sept. 24, 2020), <https://www.pewresearch.org/social-trends/2020/09/24/economic-fallout-from-covid-19-continues-to-hit-lower-income-americans-the-hardest/>; Gould, *supra* note 55.

are exposed to greater risk of contracting COVID-19.⁷⁵ Both factors compound pre-existing vulnerabilities and the likelihood of food, housing, or other financial insecurity in low- and moderate-income families and, given the concentration of low- and moderate-income families within certain communities,⁷⁶ raise a substantial risk that the effects of the COVID-19 public health emergency will be amplified within these communities.

These compounding effect of recessions on concentrated poverty and the long-lasting nature of this effect were observed after the 2007-2009 recession, including a large increase in concentrated poverty with the number of people living in extremely poor neighborhoods more than doubling by 2010-2014 relative to 2000.⁷⁷ Concentrated poverty has a range of deleterious impacts, including additional burdens on families and reduced economic potential and social cohesion.⁷⁸ Given the disproportionate impact of COVID-19 on low-income households discussed above, there is a risk that the current pandemic-induced recession could further increase concentrated poverty and cause long-term damage to economic prospects in neighborhoods of concentrated poverty.

The negative economic impacts of COVID-19 also include significant impacts to children in disproportionately affected families and include impacts to education, health, and welfare, all

⁷⁵ See *infra* Section II.B of this Supplementary Information.

⁷⁶ Elizabeth Kneebone, The Changing geography of US poverty, Brookings Institution (Feb. 15, 2017), <https://www.brookings.edu/testimonies/the-changing-geography-of-us-poverty/>.

⁷⁷ Elizabeth Kneebone & Natalie Holmes, U.S. concentrated poverty in the wake of the Great Recession, Brookings Institution (Mar. 31, 2016), <https://www.brookings.edu/research/u-s-concentrated-poverty-in-the-wake-of-the-great-recession/>.

⁷⁸ David Erickson et al., The Enduring Challenge of Concentrated Poverty in America: Case Studies from Communities Across the U.S. (2008), *available at* https://www.frbsf.org/community-development/files/cp_fullreport.pdf.

of which contribute to long-term economic outcomes.⁷⁹ Many low-income and minority students, who were disproportionately served by remote or hybrid education during the pandemic, lacked the resources to participate fully in remote schooling or live in households without adults available throughout the day to assist with online coursework.⁸⁰ Given these trends, the pandemic may widen educational disparities and worsen outcomes for low-income students,⁸¹ an effect that would substantially impact their long-term economic outcomes. Increased economic strain or material hardship due to the pandemic could also have a long-term impact on health, educational, and economic outcomes of young children.⁸² Evidence suggests

⁷⁹ Educational quality, as early as Kindergarten, has a long-term impact on children’s public health and economic outcomes. *See, e.g.*, Tyler W. Watts et al., The Chicago School Readiness Project: Examining the long-term impacts of an early childhood intervention, PLoS ONE 13(7) (2018), *available at* <https://journals.plos.org/plosone/article?id=10.1371/journal.pone.0200144>; Opportunity Insights, How Can We Amplify Education as an Engine of Mobility? Using big data to help children get the most from school, <https://opportunityinsights.org/education/> (last visited Apr. 26, 2021); U.S. Department of Health and Human Services (HHS), Office of Disease Prevention and Health Promotion, Early Childhood Development and Education, <https://www.healthypeople.gov/2020/topics-objectives/topic/social-determinants-health/interventions-resources/early-childhood-development-and-education> (last visited Apr. 26, 2021).

⁸⁰ *See, e.g.*, Bacher-Hicks, *supra* note 14.

⁸¹ A Department of Education survey found that, as of February 2021, 42 percent of fourth grade students nationwide were offered only remote education, compared to 48 percent of economically disadvantaged students, 54 percent of Black students and 57 percent of Hispanic students. Large districts often disproportionately serve low-income students. *See* Institute of Education Sciences, Monthly School Survey Dashboard, <https://ies.ed.gov/schoolsurvey/> (last visited Apr. 26, 2021). In summer 2020, a review found that 74 percent of the largest 100 districts chose remote learning only. *See* Education Week, School Districts’ Reopening Plans: A Snapshot (Jul. 15, 2020), <https://www.edweek.org/leadership/school-districts-reopening-plans-a-snapshot/2020/07> (last visited May 4, 2021).

⁸² HHS, *supra* note 79.

that adverse conditions in early childhood, including exposure to poverty, food insecurity, housing insecurity, or other economic hardships, are particularly impactful.⁸³

The pandemic's disproportionate economic impacts are also seen in Tribal communities across the country—for Tribal governments as well as families and businesses on and off Tribal lands. In the early months of the pandemic, Native American unemployment spiked to 26 percent and, while partially recovered, remains at nearly 11 percent.⁸⁴ Tribal enterprises are a significant source of revenue for Tribal governments to support the provision of government services. These enterprises, notably concentrated in gaming, tourism, and hospitality, frequently closed, significantly reducing both revenues to Tribal governments and employment. As a result, Tribal governments have reduced essential services to their citizens and communities.⁸⁵

Eligible Uses. Sections 602(c)(1)(A) and 603(c)(1)(A) permit use of payments from the Fiscal Recovery Funds to respond to the negative economic impacts of the COVID-19 public health emergency. Eligible uses that respond to the negative economic impacts of the public health emergency must be designed to address an economic harm resulting from or exacerbated by the public health emergency. In considering whether a program or service would be eligible under this category, the recipient should assess whether, and the extent to which, there has been

⁸³ Hirokazu Yoshikawa, Effects of the Global Coronavirus Disease – 2019 Pandemic on Early Childhood Development: Short- and Long-Term Risks and Mitigating Program and Policy Actions, *J. of Pediatrics* Vol. 223:188-93 (Aug. 1, 2020), available at [https://www.jpeds.com/article/S0022-3476\(20\)30606-5/abstract](https://www.jpeds.com/article/S0022-3476(20)30606-5/abstract).

⁸⁴ Based on calculations conducted by the Minneapolis Fed's Center for Indian Country Development using Flood et al. (2020)'s Current Population Survey." Sarah Flood, Miriam King, Renae Rodgers, Steven Ruggles and J. Robert Warren. Integrated Public Use Microdata Series, Current Population Survey: Version 8.0 [dataset]. Minneapolis, MN: IPUMS, 2020. <https://doi.org/10.18128/D030.V8.0>; see also Donna Feir & Charles Golding, Native Employment During COVID-19: Hard hit in April but Starting to Rebound? (Aug. 5, 2020), <https://www.minneapolisfed.org/article/2020/native-employment-during-covid-19-hit-hard-in-april-but-starting-to-rebound>.

⁸⁵ Moreno & Sobrepena, *supra* note 73.

an economic harm, such as loss of earnings or revenue, that resulted from the COVID-19 public health emergency and whether, and the extent to which, the use would respond or address this harm.⁸⁶ A recipient should first consider whether an economic harm exists and whether this harm was caused or made worse by the COVID-19 public health emergency. While economic impacts may either be immediate or delayed, assistance or aid to individuals or businesses that did not experience a negative economic impact from the public health emergency would not be an eligible use under this category.

In addition, the eligible use must “respond to” the identified negative economic impact. Responses must be related and reasonably proportional to the extent and type of harm experienced; uses that bear no relation or are grossly disproportionate to the type or extent of harm experienced would not be eligible uses. Where there has been a negative economic impact resulting from the public health emergency, States, local, and Tribal governments have broad latitude to choose whether and how to use the Fiscal Recovery Funds to respond to and address the negative economic impact. Sections 602(c)(1)(A) and 603(c)(1)(A) describe several types of uses that would be eligible under this category, including assistance to households, small businesses, and nonprofits and aid to impacted industries such as tourism, travel, and hospitality.

To facilitate implementation and use of payments from the Fiscal Recovery Funds, the Interim Final Rule identifies a non-exclusive list of eligible uses of funding that respond to the negative economic impacts of the public health emergency. Consistent with the discussion above, the eligible uses listed below would respond directly to the economic or financial harms resulting from and or exacerbated by the public health emergency.

⁸⁶ In some cases, a use may be permissible under another eligible use category even if it falls outside the scope of section (c)(1)(A) of the Act.

- *Assistance to Unemployed Workers.* This includes assistance to unemployed workers, including services like job training to accelerate rehiring of unemployed workers; these services may extend to workers unemployed due to the pandemic or the resulting recession, or who were already unemployed when the pandemic began and remain so due to the negative economic impacts of the pandemic.
- *State Unemployment Insurance Trust Funds.* Consistent with the approach taken in the CRF, recipients may make deposits into the state account of the Unemployment Trust Fund established under section 904 of the Social Security Act (42 U.S.C. 1104) up to the level needed to restore the pre-pandemic balances of such account as of January 27, 2020 or to pay back advances received under Title XII of the Social Security Act (42 U.S.C. 1321) for the payment of benefits between January 27, 2020 and [INSERT DATE OF PUBLICATION IN THE FEDERAL REGISTER], given the close nexus between Unemployment Trust Fund costs, solvency of Unemployment Trust Fund systems, and pandemic economic impacts. Further, Unemployment Trust Fund deposits can decrease fiscal strain on Unemployment Insurance systems impacted by the pandemic. States facing a sharp increase in Unemployment Insurance claims during the pandemic may have drawn down positive Unemployment Trust Fund balances and, after exhausting the balance, required advances to fund continuing obligations to claimants. Because both of these impacts were driven directly by the need for assistance to unemployed workers during the pandemic, replenishing Unemployment Trust Funds up to the pre-pandemic level responds to the pandemic's negative economic impacts on unemployed workers.

- *Assistance to Households.* Assistance to households or populations facing negative economic impacts due to COVID-19 is also an eligible use. This includes: food assistance; rent, mortgage, or utility assistance; counseling and legal aid to prevent eviction or homelessness; cash assistance (discussed below); emergency assistance for burials, home repairs, weatherization, or other needs; internet access or digital literacy assistance; or job training to address negative economic or public health impacts experienced due to a worker’s occupation or level of training. As discussed above, in considering whether a potential use is eligible under this category, a recipient must consider whether, and the extent to which, the household has experienced a negative economic impact from the pandemic. In assessing whether a household or population experienced economic harm as a result of the pandemic, a recipient may presume that a household or population that experienced unemployment or increased food or housing insecurity or is low- or moderate-income experienced negative economic impacts resulting from the pandemic. For example, a cash transfer program may focus on unemployed workers or low- and moderate-income families, which have faced disproportionate economic harms due to the pandemic. Cash transfers must be reasonably proportional to the negative economic impact they are intended to address. Cash transfers grossly in excess of the amount needed to address the negative economic impact identified by the recipient would not be considered to be a response to the COVID-19 public health emergency or its negative impacts. In particular, when considering the appropriate size of permissible cash transfers made in response to the COVID-19 public health emergency, State, local and

Tribal governments may consider and take guidance from the per person amounts previously provided by the Federal government in response to the COVID-19 crisis. Cash transfers that are grossly in excess of such amounts would be outside the scope of eligible uses under section 602(c)(1)(A) and 603(c)(1)(A) and could be subject to recoupment. In addition, a recipient could provide survivor's benefits to surviving family members of COVID-19 victims, or cash assistance to widows, widowers, and dependents of eligible COVID-19 victims.

- *Expenses to Improve Efficacy of Economic Relief Programs.* State, local, and Tribal governments may use payments from the Fiscal Recovery Funds to improve efficacy of programs addressing negative economic impacts, including through use of data analysis, targeted consumer outreach, improvements to data or technology infrastructure, and impact evaluations.
- *Small Businesses and Non-profits.* As discussed above, small businesses and non-profits faced significant challenges in covering payroll, mortgages or rent, and other operating costs as a result of the public health emergency and measures taken to contain the spread of the virus. State, local, and Tribal governments may provide assistance to small businesses to adopt safer operating procedures, weather periods of closure, or mitigate financial hardship resulting from the COVID-19 public health emergency, including:
 - Loans or grants to mitigate financial hardship such as declines in revenues or impacts of periods of business closure, for example by supporting payroll and benefits costs, costs to retain employees, mortgage, rent, or utilities costs, and other operating costs;

- Loans, grants, or in-kind assistance to implement COVID-19 prevention or mitigation tactics, such as physical plant changes to enable social distancing, enhanced cleaning efforts, barriers or partitions, or COVID-19 vaccination, testing, or contact tracing programs; and
- Technical assistance, counseling, or other services to assist with business planning needs.

As discussed above, these services should respond to the negative economic impacts of COVID-19. Recipients may consider additional criteria to target assistance to businesses in need, including small businesses. Such criteria may include businesses facing financial insecurity, substantial declines in gross receipts (e.g., comparable to measures used to assess eligibility for the Paycheck Protection Program), or other economic harm due to the pandemic, as well as businesses with less capacity to weather financial hardship, such as the smallest businesses, those with less access to credit, or those serving disadvantaged communities. Recipients should consider local economic conditions and business data when establishing such criteria.⁸⁷

- *Rehiring State, Local, and Tribal Government Staff.* State, local, and Tribal governments continue to see pandemic impacts in overall staffing levels: State, local, and Tribal government employment remains more than 1 million jobs lower

⁸⁷ See Federal Reserve Bank of Cleveland, *An Uphill Battle: COVID-19's Outsized Toll on Minority-Owned Firms* (Oct. 8, 2020), <https://www.clevelandfed.org/newsroom-and-events/publications/community-development-briefs/db-20201008-misera-report.aspx> (discussing the impact of COVID-19 on minority owned businesses).

in April 2021 than prior to the pandemic.⁸⁸ Employment losses decrease a state or local government's ability to effectively administer services. Thus, the Interim Final Rule includes as an eligible use payroll, covered benefits, and other costs associated with rehiring public sector staff, up to the pre-pandemic staffing level of the government.

- *Aid to Impacted Industries.* Sections 602(c)(1)(A) and 603(c)(1)(A) recognize that certain industries, such as tourism, travel, and hospitality, were disproportionately and negatively impacted by the COVID-19 public health emergency. Aid provided to tourism, travel, and hospitality industries should respond to the negative economic impacts of the pandemic on those and similarly impacted industries. For example, aid may include assistance to implement COVID-19 mitigation and infection prevention measures to enable safe resumption of tourism, travel, and hospitality services, for example, improvements to ventilation, physical barriers or partitions, signage to facilitate social distancing, provision of masks or personal protective equipment, or consultation with infection prevention professionals to develop safe reopening plans.

Aid may be considered responsive to the negative economic impacts of the pandemic if it supports businesses, attractions, business districts, and Tribal development districts operating prior to the pandemic and affected by required

⁸⁸ U.S. Bureau of Labor Statistics, All Employees, State Government [CES9092000001] and All Employees, Local Government [CES9093000001], retrieved from FRED, Federal Reserve Bank of St. Louis, <https://fred.stlouisfed.org/series/CES9092000001> and <https://fred.stlouisfed.org/series/CES9093000001> (last visited May 8, 2021).

closures and other efforts to contain the pandemic. For example, a recipient may provide aid to support safe reopening of businesses in the tourism, travel, and hospitality industries and to business districts that were closed during the COVID-19 public health emergency, as well as aid for a planned expansion or upgrade of tourism, travel, and hospitality facilities delayed due to the pandemic.

When considering providing aid to industries other than tourism, travel, and hospitality, recipients should consider the extent of the economic impact as compared to tourism, travel, and hospitality, the industries enumerated in the statute. For example, on net, the leisure and hospitality industry has experienced an approximately 24 percent decline in revenue and approximately 17 percent decline in employment nationwide due to the COVID-19 public health emergency.⁸⁹ Recipients should also consider whether impacts were due to the COVID-19 pandemic, as opposed to longer-term economic or industrial trends unrelated to the pandemic.

To facilitate transparency and accountability, the Interim Final Rule requires that State, local, and Tribal governments publicly report assistance provided to private-sector businesses under this eligible use, including tourism, travel, hospitality, and other impacted industries, and its connection to negative

⁸⁹ From February 2020 to April 2021, employment in “Leisure and hospitality” has fallen by approximately 17 percent. *See* U.S. Bureau of Labor Statistics, All Employees, Leisure and Hospitality, retrieved from FRED, Federal Reserve Bank of St. Louis, <https://fred.stlouisfed.org/series/USLAH> (last visited May 8, 2021). From 2019Q4 to 2020Q4, gross output (e.g. revenue) in arts, entertainment, recreation, accommodation, and food services has fallen by approximately 24 percent. *See* Bureau of Economic Analysis, News Release: Gross Domestic Product (Third Estimate), Corporate Profits, and GDP by Industry, Fourth Quarter and Year 2020 (Mar. 25, 2021), Table 17, https://www.bea.gov/sites/default/files/2021-03/gdp4q20_3rd.pdf.

economic impacts of the pandemic. Recipients also should maintain records to support their assessment of how businesses or business districts receiving assistance were affected by the negative economic impacts of the pandemic and how the aid provided responds to these impacts.

As discussed above, economic disparities that existed prior to the COVID-19 public health emergency amplified the impact of the pandemic among low-income and minority groups. These families were more likely to face housing, food, and financial insecurity; are over-represented among low-wage workers; and many have seen their livelihoods deteriorate further during the pandemic and economic contraction. In recognition of the disproportionate negative economic impacts on certain communities and populations, the Interim Final Rule identifies services and programs that will be presumed to be responding to the negative economic impacts of the COVID-19 public health emergency when provided in these communities.

Specifically, Treasury will presume that certain types of services, outlined below, are eligible uses when provided in a QCT, to families and individuals living in QCTs, or when these services are provided by Tribal governments.⁹⁰ Recipients may also provide these services to other populations, households, or geographic areas disproportionately impacted by the pandemic. In identifying these disproportionately impacted communities, recipients should be able to support their determination that the pandemic resulted in disproportionate public health or economic outcomes to the specific populations, households, or geographic areas to be served. The Interim Final Rule identifies a non-exclusive list of uses that address the disproportionate negative economic effects of the COVID-19 public health emergency, including:

⁹⁰ HUD, *supra* note 48.

- *Building Stronger Communities through Investments in Housing and Neighborhoods*. The economic impacts of COVID-19 have likely been most acute in lower-income neighborhoods, including concentrated areas of high unemployment, limited economic opportunity, and housing insecurity.⁹¹ Services in this category alleviate the immediate economic impacts of the COVID-19 pandemic on housing insecurity, while addressing conditions that contributed to poor public health and economic outcomes during the pandemic, namely concentrated areas with limited economic opportunity and inadequate or poor-quality housing.⁹² Eligible services include:
 - Services to address homelessness such as supportive housing, and to improve access to stable, affordable housing among unhoused individuals;
 - Affordable housing development to increase supply of affordable and high-quality living units; and
 - Housing vouchers, residential counseling, or housing navigation assistance to facilitate household moves to neighborhoods with high levels of economic opportunity and mobility for low-income residents, to help residents increase their economic opportunity and reduce concentrated areas of low economic opportunity.⁹³

⁹¹ Stuart M. Butler & Jonathan Grabiner, Tackling the legacy of persistent urban inequality and concentrated poverty, Brookings Institution (Nov. 16, 2020), <https://www.brookings.edu/blog/up-front/2020/11/16/tackling-the-legacy-of-persistent-urban-inequality-and-concentrated-poverty/>.

⁹² U.S. Department of Health and Human Services (HHS), Office of Disease Prevention and Health Promotion, Quality of Housing, <https://www.healthypeople.gov/2020/topics-objectives/topic/social-determinants-health/interventions-resources/quality-of-housing#11> (last visited Apr. 26, 2021).

⁹³ The Opportunity Atlas, <https://www.opportunityatlas.org/> (last visited Apr. 26, 2021); Raj Chetty & Nathaniel Hendren, The Impacts of Neighborhoods on Intergenerational Mobility I: Childhood Exposure Effects, *Quarterly J. of Econ.* 133(3):1107-162 (2018), available at <https://opportunityinsights.org/paper/neighborhoodsi/>.

- *Addressing Educational Disparities.* As outlined above, school closures and the transition to remote education raised particular challenges for lower-income students, potentially exacerbating educational disparities, while increases in economic hardship among families could have long-lasting impacts on children’s educational and economic prospects. Services under this prong would enhance educational supports to help mitigate impacts of the pandemic. Eligible services include:
 - New, expanded, or enhanced early learning services, including pre-kindergarten, Head Start, or partnerships between pre-kindergarten programs and local education authorities, or administration of those services;
 - Providing assistance to high-poverty school districts to advance equitable funding across districts and geographies;
 - Evidence-based educational services and practices to address the academic needs of students, including tutoring, summer, afterschool, and other extended learning and enrichment programs; and
 - Evidence-based practices to address the social, emotional, and mental health needs of students;

- *Promoting Healthy Childhood Environments.* Children’s economic and family circumstances have a long-term impact on their future economic outcomes.⁹⁴ Increases in economic hardship, material insecurity, and parental stress and behavioral health challenges all raise the risk of long-term harms to today’s children due to the pandemic. Eligible services to address this challenge include:

⁹⁴ See supra notes 52 and 84.

- New or expanded high-quality childcare to provide safe and supportive care for children;
- Home visiting programs to provide structured visits from health, parent educators, and social service professionals to pregnant women or families with young children to offer education and assistance navigating resources for economic support, health needs, or child development; and
- Enhanced services for child welfare-involved families and foster youth to provide support and training on child development, positive parenting, coping skills, or recovery for mental health and substance use challenges.

State, local, and Tribal governments are encouraged to use payments from the Fiscal Recovery Funds to respond to the direct and immediate needs of the pandemic and its negative economic impacts and, in particular, the needs of households and businesses that were disproportionately and negatively impacted by the public health emergency. As highlighted above, low-income communities and workers and people of color have faced more severe health and economic outcomes during the pandemic, with pre-existing social vulnerabilities like low-wage or insecure employment, concentrated neighborhoods with less economic opportunity, and pre-existing health disparities likely contributing to the magnified impact of the pandemic. The Fiscal Recovery Funds provide resources to not only respond to the immediate harms of the pandemic but also to mitigate its longer-term impact in compounding the systemic public health and economic challenges of disproportionately impacted populations. Treasury encourages recipients to consider funding uses that foster a strong, inclusive, and equitable recovery, especially uses with long-term benefits for health and economic outcomes.

Uses Outside the Scope of this Category. Certain uses would not be within the scope of this eligible use category, although may be eligible under other eligible use categories. A general infrastructure project, for example, typically would not be included unless the project responded to a specific pandemic public health need (e.g., investments in facilities for the delivery of vaccines) or a specific negative economic impact like those described above (e.g., affordable housing in a QCT). The ARPA explicitly includes infrastructure if it is “necessary” and in water, sewer, or broadband. *See* Section II.D of this Supplementary Information. State, local, and Tribal governments also may use the Fiscal Recovery Funds under sections 602(c)(1)(C) or 603(c)(1)(C) to provide “government services” broadly to the extent of their reduction in revenue. *See* Section II.C of this Supplementary Information.

This category of eligible uses also would not include contributions to rainy day funds, financial reserves, or similar funds. Resources made available under this eligible use category are intended to help meet pandemic response needs and provide relief for households and businesses facing near- and long-term negative economic impacts. Contributions to rainy day funds and similar financial reserves would not address these needs or respond to the COVID-19 public health emergency but would rather constitute savings for future spending needs. Similarly, this eligible use category would not include payment of interest or principal on outstanding debt instruments, including, for example, short-term revenue or tax anticipation notes, or other debt service costs. As discussed below, payments from the Fiscal Recovery Funds are intended to be used prospectively and the Interim Final Rule precludes use of these funds to cover the costs of debt incurred prior to March 3, 2021. Fees or issuance costs associated with the issuance of new debt would also not be covered using payments from the Fiscal Recovery Funds because such costs would not themselves have been incurred to address

the needs of pandemic response or its negative economic impacts. The purpose of the Fiscal Recovery Funds is to provide fiscal relief that will permit State, local, and Tribal governments to continue to respond to the COVID-19 public health emergency.

For the same reasons, this category of eligible uses would not include satisfaction of any obligation arising under or pursuant to a settlement agreement, judgment, consent decree, or judicially confirmed debt restructuring plan in a judicial, administrative, or regulatory proceeding, except to the extent the judgment or settlement requires the provision of services that would respond to the COVID-19 public health emergency. That is, satisfaction of a settlement or judgment would not itself respond to COVID-19 with respect to the public health emergency or its negative economic impacts, unless the settlement requires the provision of services or aid that did directly respond to these needs, as described above.

In addition, as described in Section V.III of this Supplementary Information, Treasury will establish reporting and record keeping requirements for uses within this category, including enhanced reporting requirements for certain types of uses.

Question 1: Are there other types of services or costs that Treasury should consider as eligible uses to respond to the public health impacts of COVID-19? Describe how these respond to the COVID-19 public health emergency.

Question 2: The Interim Final Rule permits coverage of payroll and benefits costs of public health and safety staff primarily dedicated to COVID-19 response, as well as rehiring of public sector staff up to pre-pandemic levels. For how long should these measures remain in place? What other measures or presumptions might Treasury consider to assess the extent to which public sector staff are engaged in COVID-19 response, and therefore reimbursable, in an easily-administrable manner?

Question 3: The Interim Final Rule permits rehiring of public sector staff up to the government's pre-pandemic staffing level, which is measured based on employment as of January 27, 2021. Does this approach adequately measure the pre-pandemic staffing level in a manner that is both accurate and easily administrable? Why or why not?

Question 4: The Interim Final Rule permits deposits to Unemployment Insurance Trust Funds, or using funds to pay back advances, up to the pre-pandemic balance. What, if any, conditions should be considered to ensure that funds repair economic impacts of the pandemic and strengthen unemployment insurance systems?

Question 5: Are there other types of services or costs that Treasury should consider as eligible uses to respond to the negative economic impacts of COVID-19? Describe how these respond to the COVID-19 public health emergency.

Question 6: What other measures, presumptions, or considerations could be used to assess "impacted industries" affected by the COVID-19 public health emergency?

Question 7: What are the advantages and disadvantages of using Qualified Census Tracts and services provided by Tribal governments to delineate where a broader range of eligible uses are presumed to be responsive to the public health and economic impacts of COVID-19? What other measures might Treasury consider? Are there other populations or geographic areas that were disproportionately impacted by the pandemic that should be explicitly included?

Question 8: Are there other services or costs that Treasury should consider as eligible uses to respond to the disproportionate impacts of COVID-19 on low-income populations and communities? Describe how these respond to the COVID-19 public health emergency or its negative economic impacts, including its exacerbation of pre-existing challenges in these areas.

Question 9: The Interim Final Rule includes eligible uses to support affordable housing and stronger neighborhoods in disproportionately-impacted communities. Discuss the advantages and disadvantages of explicitly including other uses to support affordable housing and stronger neighborhoods, including rehabilitation of blighted properties or demolition of abandoned or vacant properties. In what ways does, or does not, this potential use address public health or economic impacts of the pandemic? What considerations, if any, could support use of Fiscal Recovery Funds in ways that do not result in resident displacement or loss of affordable housing units?

B. Premium Pay

Fiscal Recovery Funds payments may be used by recipients to provide premium pay to eligible workers performing essential work during the COVID-19 public health emergency or to provide grants to third-party employers with eligible workers performing essential work.⁹⁵ These are workers who have been and continue to be relied on to maintain continuity of operations of essential critical infrastructure sectors, including those who are critical to protecting the health and wellbeing of their communities.

Since the start of the COVID-19 public health emergency in January 2020, essential workers have put their physical wellbeing at risk to meet the daily needs of their communities and to provide care for others. In the course of this work, many essential workers have contracted or died of COVID-19.⁹⁶ Several examples reflect the severity of the health impacts

⁹⁵ §§602(c)(1)(B), 603(c)(1)(B) of the Act.

⁹⁶ See, e.g., Centers for Disease Control and Prevention, COVID Data Tracker: Cases & Death among Healthcare Personnel, <https://covid.cdc.gov/covid-data-tracker/#health-care-personnel> (last visited May 4, 2021); Centers for Disease Control and Prevention, COVID Data Tracker: Confirmed COVID-19 Cases and Deaths among Staff and Rate per 1,000 Resident-Weeks in Nursing Homes, by Week – United States, <https://covid.cdc.gov/covid-data-tracker/#nursing-home-staff> (last visited May 4, 2021).

for essential workers. Meat processing plants became “hotspots” for transmission, with 700 new cases reported at a single plant on a single day in May 2020.⁹⁷ In New York City, 120 employees of the Metropolitan Transit Authority were estimated to have died due to COVID-19 by mid-May 2020, with nearly 4,000 testing positive for the virus.⁹⁸ Furthermore, many essential workers are people of color or low-wage workers.⁹⁹ These workers, in particular, have borne a disproportionate share of the health and economic impacts of the pandemic. Such workers include:

- Staff at nursing homes, hospitals, and home care settings;
- Workers at farms, food production facilities, grocery stores, and restaurants;
- Janitors and sanitation workers;
- Truck drivers, transit staff, and warehouse workers;
- Public health and safety staff;
- Childcare workers, educators, and other school staff; and
- Social service and human services staff.

During the public health emergency, employers’ policies on COVID-19-related hazard pay have varied widely, with many essential workers not yet compensated for the heightened

⁹⁷ See, e.g., The Lancet, The plight of essential workers during the COVID-19 pandemic, Vol. 395, Issue 10237:1587 (May 23, 2020), *available at* <https://www.thelancet.com/journals/lancet/article/PIIS0140-6736%2820%2931200-9/fulltext>.

⁹⁸ *Id.*

⁹⁹ Joanna Gaitens et al., Covid-19 and essential workers: A narrative review of health outcomes and moral injury, *Int’l J. of Env’tl. Research and Pub. Health* 18(4):1446 (Feb. 4, 2021), *available at* <https://pubmed.ncbi.nlm.nih.gov/33557075/>; Tiana N. Rogers et al., Racial Disparities in COVID-19 Mortality Among Essential Workers in the United States, *World Med. & Health policy* 12(3):311-27 (Aug. 5, 2020), *available at* <https://onlinelibrary.wiley.com/doi/full/10.1002/wmh3.358> (finding that vulnerability to coronavirus exposure was increased among non-Hispanic blacks, who disproportionately occupied the top nine essential occupations).

risks they have faced and continue to face.¹⁰⁰ Many of these workers earn lower wages on average and live in socioeconomically vulnerable communities as compared to the general population.¹⁰¹ A recent study found that 25 percent of essential workers were estimated to have low household income, with 13 percent in high-risk households.¹⁰² The low pay of many essential workers makes them less able to cope with the financial consequences of the pandemic or their work-related health risks, including working hours lost due to sickness or disruptions to childcare and other daily routines, or the likelihood of COVID-19 spread in their households or communities. Thus, the threats and costs involved with maintaining the ongoing operation of vital facilities and services have been, and continue to be, borne by those that are often the most vulnerable to the pandemic. The added health risk to essential workers is one prominent way in which the pandemic has amplified pre-existing socioeconomic inequities.

The Fiscal Recovery Funds will help respond to the needs of essential workers by allowing recipients to remunerate essential workers for the elevated health risks they have faced and continue to face during the public health emergency. To ensure that premium pay is targeted to workers that faced or face heightened risks due to the character of their work, the Interim Final Rule defines essential work as work involving regular in-person interactions or regular physical handling of items that were also handled by others. A worker would not be engaged in essential work and, accordingly may not receive premium pay, for telework performed from a residence.

¹⁰⁰ Economic Policy Institute, Only 30% of those working outside their home are receiving hazard pay (June 16, 2020), <https://www.epi.org/press/only-30-of-those-working-outside-their-home-are-receiving-hazard-pay-black-and-hispanic-workers-are-most-concerned-about-bringing-the-coronavirus-home/>.

¹⁰¹ McCormack, *supra* note 37.

¹⁰² *Id.*

Sections 602(g)(2) and 603(g)(2) define eligible worker to mean “those workers needed to maintain continuity of operations of essential critical infrastructure sectors and additional sectors as each Governor of a State or territory, or each Tribal government, may designate as critical to protect the health and well-being of the residents of their State, territory, or Tribal government.”¹⁰³ The rule incorporates this definition and provides a list of industries recognized as essential critical infrastructure sectors.¹⁰⁴ These sectors include healthcare, public health and safety, childcare, education, sanitation, transportation, and food production and services, among others as noted above. As provided under sections 602(g)(2) and 603(g)(2), the chief executive of each recipient has discretion to add additional sectors to this list, so long as additional sectors are deemed critical to protect the health and well-being of residents.

In providing premium pay to essential workers or grants to eligible employers, a recipient must consider whether the pay or grant would “respond to” to the worker or workers performing essential work. Premium pay or grants provided under this section respond to workers performing essential work if it addresses the heightened risk to workers who must be physically present at a jobsite and, for many of whom, the costs associated with illness were hardest to bear financially. Many of the workers performing critical essential services are low- or moderate-income workers, such as those described above. The ARPA recognizes this by defining premium pay to mean an amount up to \$13 per hour in addition to wages or remuneration the worker otherwise receives and in an aggregate amount not to exceed \$25,000 per eligible worker. To ensure the provision is implemented in a manner that compensates these workers, the Interim

¹⁰³ §§602(g)(2), 603(g)(2) of the Act.

¹⁰⁴ The list of critical infrastructure sectors provided in the Interim Final Rule is based on the list of essential workers under The Heroes Act, H.R. 6800, 116th Cong. (2020).

Final Rule provides that any premium pay or grants provided using the Fiscal Recovery Funds should prioritize compensation of those lower income eligible workers that perform essential work.

As such, providing premium pay to eligible workers responds to such workers by helping address the disparity between the critical services and risks taken by essential workers and the relatively low compensation they tend to receive in exchange. If premium pay would increase a worker's total pay above 150 percent of their residing state's average annual wage for all occupations, as defined by the Bureau of Labor Statistics' Occupational Employment and Wage Statistics, or their residing county's average annual wage, as defined by the Bureau of Labor Statistics' Occupational Employment and Wage Statistics, whichever is higher, on an annual basis, the State, local, or Tribal government must provide Treasury and make publicly available, whether for themselves or on behalf of a grantee, a written justification of how the premium pay or grant is responsive to workers performing essential worker during the public health emergency.¹⁰⁵

The threshold of 150 percent for requiring additional written justification is based on an analysis of the distribution of labor income for a sample of 20 occupations that generally correspond to the essential workers as defined in the Interim Final Rule.¹⁰⁶ For these

¹⁰⁵ County median annual wage is taken to be that of the metropolitan or nonmetropolitan area that includes the county. See U.S. Bureau of Labor Statistics, State Occupational Employment and Wage Estimates, <https://www.bls.gov/oes/current/oesrcst.htm> (last visited May 1, 2021); U.S. Bureau of Labor Statistics, May 2020 Metropolitan and Nonmetropolitan Area Estimates listed by county or town, https://www.bls.gov/oes/current/county_links.htm (last visited May 1, 2021).

¹⁰⁶ Treasury performed this analysis with data from the U.S. Census Bureau's 2019 Annual Social and Economic Supplement. In determining which occupations to include in this analysis, Treasury excluded management and supervisory positions, as such positions may not necessarily involve regular in-person interactions or physical handling of items to the same extent as non-managerial positions.

occupations, labor income for the vast majority of workers was under 150 percent of average annual labor income across all occupations. Treasury anticipates that the threshold of 150 percent of the annual average wage will be greater than the annual average wage of the vast majority of eligible workers performing essential work. These enhanced reporting requirements help to ensure grants are directed to essential workers in critical infrastructure sectors and responsive to the impacts of the pandemic observed among essential workers, namely the misalignment between health risks and compensation. Enhanced reporting also provides transparency to the public. Finally, using a localized measure reflects differences in wages and cost of living across the country, making this standard administrable and reflective of essential worker incomes across a diverse range of geographic areas.

Furthermore, because premium pay is intended to compensate essential workers for heightened risk due to COVID-19, it must be entirely additive to a worker's regular rate of wages and other remuneration and may not be used to reduce or substitute for a worker's normal earnings. The definition of premium pay also clarifies that premium pay may be provided retrospectively for work performed at any time since the start of the COVID-19 public health emergency, where those workers have yet to be compensated adequately for work previously performed.¹⁰⁷ Treasury encourages recipients to prioritize providing retrospective premium pay where possible, recognizing that many essential workers have not yet received additional compensation for work conducted over the course of many months. Essential workers who have already earned premium pay for essential work performed during the COVID-19 public health

¹⁰⁷ However, such compensation must be "in addition to" remuneration or wages already received. That is, employers may not reduce such workers' current pay and use Fiscal Recovery Funds to compensate themselves for premium pay previously provided to the worker.

emergency remain eligible for additional payments, and an essential worker may receive both retrospective premium pay for prior work as well as prospective premium pay for current or ongoing work.

To ensure any grants respond to the needs of essential workers and are made in a fair and transparent manner, the rule imposes some additional reporting requirements for grants to third-party employers, including the public disclosure of grants provided. *See* Section VIII of this Supplementary Information, discussing reporting requirements. In responding to the needs of essential workers, a grant to an employer may provide premium pay to eligible workers performing essential work, as these terms are defined in the Interim Final Rule and discussed above. A grant provided to an employer may also be for essential work performed by eligible workers pursuant to a contract. For example, if a municipality contracts with a third party to perform sanitation work, the third-party contractor could be eligible to receive a grant to provide premium pay for these eligible workers.

Question 10: Are there additional sectors beyond those listed in the Interim Final Rule that should be considered essential critical infrastructure sectors?

Question 11: What, if any, additional criteria should Treasury consider to ensure that premium pay responds to essential workers?

Question 12: What consideration, if any, should be given to the criteria on salary threshold, including measure and level, for requiring written justification?

C. Revenue Loss

Recipients may use payments from the Fiscal Recovery Funds for the provision of government services to the extent of the reduction in revenue experienced due to the COVID-19

public health emergency.¹⁰⁸ Pursuant to sections 602(c)(1)(C) and 603(c)(1)(C) of the Act, a recipient's reduction in revenue is measured relative to the revenue collected in the most recent full fiscal year prior to the emergency.

Many State, local, and Tribal governments are experiencing significant budget shortfalls, which can have a devastating impact on communities. State government tax revenue from major sources were down 4.3 percent in the six months ended September 2020, relative to the same period 2019.¹⁰⁹ At the local level, nearly 90 percent of cities have reported being less able to meet the fiscal needs of their communities and, on average, cities expect a double-digit decline in general fund revenues in their fiscal year 2021.¹¹⁰ Similarly, surveys of Tribal governments and Tribal enterprises found majorities of respondents reporting substantial cost increases and revenue decreases, with Tribal governments reporting reductions in healthcare, housing, social services, and economic development activities as a result of reduced revenues.¹¹¹ These budget shortfalls are particularly problematic in the current environment, as State, local, and Tribal governments work to mitigate and contain the COVID-19 pandemic and help citizens weather the economic downturn.

¹⁰⁸ ARPA, *supra* note 16.

¹⁰⁹ Major sources include personal income tax, corporate income tax, sales tax, and property tax. *See* Lucy Dadayan., States Reported Revenue Growth in July- – September Quarter, Reflecting Revenue Shifts from the Prior Quarter, State Tax and Econ. Rev. (Q. 3, 2020), *available at* https://www.urban.org/sites/default/files/publication/103938/state-tax-and-economic-review-2020-q3_0.pdf

¹¹⁰ National League of Cities, City Fiscal Conditions (2020), *available at* https://www.nlc.org/wp-content/uploads/2020/08/City_Fiscal_Conditions_2020_FINAL.pdf

¹¹¹ Surveys conducted by the Center for Indian Country Development at the Federal Reserve Bank of Minneapolis in March, April, and September 2020. *See* Moreno & Sobrepena, *supra* note 73.

Further, State, local, and Tribal government budgets affect the broader economic recovery. During the period following the 2007-2009 recession, State and local government budget pressures led to fiscal austerity that was a significant drag on the overall economic recovery.¹¹² Inflation-adjusted State and local government revenue did not return to the previous peak until 2013,¹¹³ while State, local, and Tribal government employment did not recover to its prior peak for over a decade, until August 2019 – just a few months before the COVID-19 public health emergency began.¹¹⁴

Sections 602(c)(1)(C) and 603(c)(1)(C) of the Act allow recipients facing budget shortfalls to use payments from the Fiscal Recovery Funds to avoid cuts to government services and, thus, enable State, local, and Tribal governments to continue to provide valuable services and ensure that fiscal austerity measures do not hamper the broader economic recovery. The Interim Final Rule implements these provisions by establishing a definition of “general revenue” for purposes of calculating a loss in revenue and by providing a methodology for calculating revenue lost due to the COVID-19 public health emergency.

¹¹² See, e.g., Fitzpatrick, Haughwout & Setren, *Fiscal Drag from the State and Local Sector?*, Liberty Street Economics Blog, Federal Reserve Bank of New York (June 27, 2012), <https://www.libertystreeteconomics.newyorkfed.org/2012/06/fiscal-drag-from-the-state-and-local-sector.html>; Jiri Jonas, *Great Recession and Fiscal Squeeze at U.S. Subnational Government Level*, IMF Working Paper 12/184, (July 2012), *available at* <https://www.imf.org/external/pubs/ft/wp/2012/wp12184.pdf>; Gordon, *supra* note 9.

¹¹³ State and local government general revenue from own sources, adjusted for inflation using the GDP price index. U.S. Census Bureau, *Annual Survey of State Government Finances* and U.S. Bureau of Economic Analysis, *National Income and Product Accounts*,

¹¹⁴ U.S. Bureau of Labor Statistics, *All Employees, State Government* [CES9092000001] and *All Employees, Local Government* [CES9093000001], retrieved from FRED, Federal Reserve Bank of St. Louis, <https://fred.stlouisfed.org/series/CES9092000001> and <https://fred.stlouisfed.org/series/CES9093000001> (last visited Apr. 27, 2021).

General Revenue. The Interim Final Rule adopts a definition of “general revenue” based largely on the components reported under “General Revenue from Own Sources” in the Census Bureau’s Annual Survey of State and Local Government Finances, and for purposes of this Interim Final Rule, helps to ensure that the components of general revenue would be calculated in a consistent manner.¹¹⁵ By relying on a methodology that is both familiar and comprehensive, this approach minimizes burden to recipients and provides consistency in the measurement of general revenue across a diverse set of recipients.

The Interim Final Rule defines the term “general revenue” to include revenues collected by a recipient and generated from its underlying economy and would capture a range of different types of tax revenues, as well as other types of revenue that are available to support government services.¹¹⁶ In calculating revenue, recipients should sum across all revenue streams covered as general revenue. This approach minimizes the administrative burden for recipients, provides for greater consistency across recipients, and presents a more accurate representation of the overall impact of the COVID-19 public health emergency on a recipient’s revenue, rather than relying

¹¹⁵ U.S. Census Bureau, Annual Survey of State and Local Government Finances, <https://www.census.gov/programs-surveys/gov-finances.html> (last visited Apr. 30, 2021).

¹¹⁶ The Interim Final Rule would define tax revenue in a manner consistent with the Census Bureau’s definition of tax revenue, with certain changes (i.e., inclusion of revenue from liquor stores and certain intergovernmental transfers). Current charges are defined as “charges imposed for providing current services or for the sale of products in connection with general government activities.” It includes revenues such as public education institution, public hospital, and toll revenues. Miscellaneous general revenue comprises of all other general revenue of governments from their own sources (i.e., other than liquor store, utility, and insurance trust revenue), including rents, royalties, lottery proceeds, and fines.

on financial reporting prepared by each recipient, which vary in methodology used and which generally aggregates revenue by purpose rather than by source.¹¹⁷

Consistent with the Census Bureau’s definition of “general revenue from own sources,” the definition of general revenue in the Interim Final Rule would exclude refunds and other correcting transactions, proceeds from issuance of debt or the sale of investments, and agency or private trust transactions. The definition of general revenue also would exclude revenue generated by utilities and insurance trusts. In this way, the definition of general revenue focuses on sources that are generated from economic activity and are available to fund government services, rather than a fund or administrative unit established to account for and control a particular activity.¹¹⁸ For example, public utilities typically require financial support from the State, local, or Tribal government, rather than providing revenue to such government, and any revenue that is generated by public utilities typically is used to support the public utility’s continued operation, rather than being used as a source of revenue to support government services generally.

The definition of general revenue would include all revenue from Tribal enterprises, as this revenue is generated from economic activity and is available to fund government services. Tribes are not able to generate revenue through taxes in the same manner as State and local governments and, as a result, Tribal enterprises are critical sources of revenue for Tribal

¹¹⁷ Fund-oriented reporting, such as what is used under the Governmental Accounting Standards Board (GASB), focuses on the types of uses and activities funded by the revenue, as opposed to the economic activity from which the revenue is sourced. *See* Governmental Accounting Standards Series, Statement No. 54 of the Governmental Accounting Standards Board: Fund Balance Reporting and Governmental Fund Type Definitions, No. 287-B (Feb. 2009).

¹¹⁸ *Supra* note 116.

governments that enable Tribal governments to provide a range of services, including elder care, health clinics, wastewater management, and forestry.

Finally, the term “general revenue” includes intergovernmental transfers between State and local governments, but excludes intergovernmental transfers from the Federal government, including Federal transfers made via a State to a local government pursuant to the CRF or as part of the Fiscal Recovery Funds. States and local governments often share or collect revenue on behalf of one another, which results in intergovernmental transfers. When attributing revenue to a unit of government, the Census Bureau’s methodology considers which unit of government imposes, collects, and retains the revenue and assigns the revenue to the unit of government that meets at least two of those three factors.¹¹⁹ For purposes of measuring loss in general revenue due to the COVID-19 public health emergency and to better allow continued provision of government services, the retention and ability to use the revenue is a more critical factor. Accordingly, and to better measure the funds available for the provision of government services, the definition of general revenue would include intergovernmental transfers from States or local governments other than funds transferred pursuant to ARPA, CRF, or another Federal program. This formulation recognizes the importance of State transfers for local government revenue.¹²⁰

Calculation of Loss. In general, recipients will compute the extent of the reduction in revenue by comparing actual revenue to a counterfactual trend representing what could have been expected to occur in the absence of the pandemic. This approach measures losses in

¹¹⁹ U.S. Census Bureau, Government Finance and Employment Classification Manual (Dec. 2000), <https://www2.census.gov/govs/class/classfull.pdf>

¹²⁰ For example, in 2018, state transfers to localities accounted for approximately 27 percent of local revenues. U.S. Census Bureau, Annual Survey of State and Local Government Finances, Table 1 (2018), <https://www.census.gov/data/datasets/2018/econ/local/public-use-datasets.html>.

revenue relative to the most recent fiscal year prior to the COVID-19 public health emergency by using the most recent pre-pandemic fiscal year as the starting point for estimates of revenue growth absent the pandemic. In other words, the counterfactual trend starts with the last full fiscal year prior to the COVID-19 public health emergency and then assumes growth at a constant rate in the subsequent years. Because recipients can estimate the revenue shortfall at multiple points in time throughout the covered period as revenue is collected, this approach accounts for variation across recipients in the timing of pandemic impacts.¹²¹ Although revenue may decline for reasons unrelated to the COVID-19 public health emergency, to minimize the administrative burden on recipients and taking into consideration the devastating effects of the COVID-19 public health emergency, any diminution in actual revenues relative to the counterfactual pre-pandemic trend would be presumed to have been due to the COVID-19 public health emergency.

For purposes of measuring revenue growth in the counterfactual trend, recipients may use a *growth adjustment* of either 4.1 percent per year or the recipient's average annual revenue growth over the three full fiscal years prior to the COVID-19 public health emergency, whichever is higher. The option of 4.1 percent represents the average annual growth across all State and local government "General Revenue from Own Sources" in the most recent three years

¹²¹ For example, following the 2007-09 recession, local government property tax collections did not begin to decline until 2011, suggesting that property tax collection declines can lag downturns. *See* U.S. Bureau of Economic Analysis, Personal current taxes: State and local: Property taxes [S210401A027NBEA], retrieved from Federal Reserve Economic Data, Federal Reserve Bank of St. Louis, <https://fred.stlouisfed.org/graph/?g=r3YI> (last visited Apr. 22, 2021). Estimating the reduction in revenue at points throughout the covered period will allow for this type of lagged effect to be taken into account during the covered period.

of available data.¹²² This approach provides recipients with a standardized growth adjustment when calculating the counterfactual revenue trend and thus minimizes administrative burden, while not disadvantaging recipients with revenue growth that exceeded the national average prior to the COVID-19 public health emergency by permitting these recipients to use their own revenue growth rate over the preceding three years.

Recipients should calculate the extent of the reduction in revenue as of four points in time: December 31, 2020; December 31, 2021; December 31, 2022; and December 31, 2023. To calculate the extent of the reduction in revenue at each of these dates, recipients should follow a four-step process:

- Step 1: Identify revenues collected in the most recent full fiscal year prior to the public health emergency (i.e., last full fiscal year before January 27, 2020), called the *base year revenue*.
- Step 2: Estimate *counterfactual revenue*, which is equal to $base\ year\ revenue * [(1 + growth\ adjustment)^{(n/12)}]$, where n is the number of months elapsed since the end of the base year to the calculation date, and *growth adjustment* is the greater of 4.1 percent and the recipient's average annual revenue growth in the three full fiscal years prior to the COVID-19 public health emergency.
- Step 3: Identify *actual revenue*, which equals revenues collected over the past twelve months as of the calculation date.

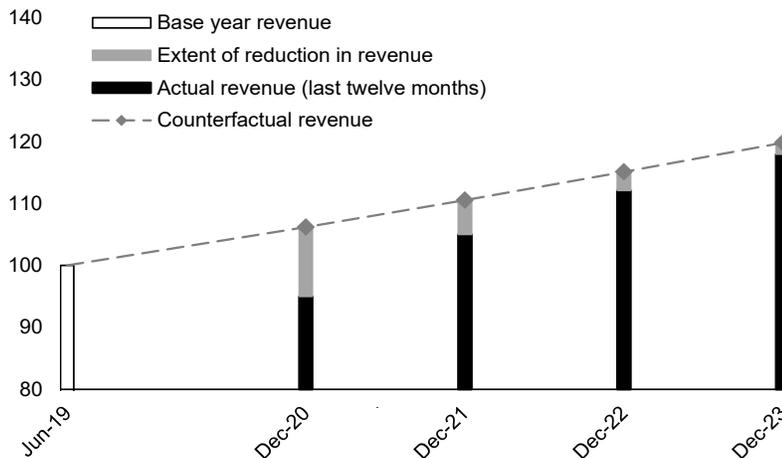
¹²² Together with revenue from liquor stores from 2015 to 2018. This estimate does not include any intergovernmental transfers. A recipient using the three-year average to calculate their growth adjustment must be based on the definition of general revenue, including treatment of intergovernmental transfers. 2015 – 2018 represents the most recent available data. See U.S. Census Bureau, State & Local Government Finance Historical Datasets and Tables (2018), <https://www.census.gov/programs-surveys/gov-finances/data/datasets.html>.

- Step 4: The extent of the reduction in revenue is equal to *counterfactual revenue* less *actual revenue*. If actual revenue exceeds counterfactual revenue, the extent of the reduction in revenue is set to zero for that calculation date.

For illustration, consider a hypothetical recipient with *base year revenue* equal to 100. In Step 2, the hypothetical recipient finds that 4.1 percent is greater than the recipient’s average annual revenue growth in the three full fiscal years prior to the public health emergency. Furthermore, this recipient’s base year ends June 30. In this illustration, *n* (months elapsed) and *counterfactual revenue* would be equal to:

As of:	12/31/2020	12/31/2021	12/31/2022	12/31/2023
<i>n</i> (months elapsed)	18	30	42	54
<i>Counterfactual revenue</i> :	106.2	110.6	115.1	119.8

The overall methodology for calculating the reduction in revenue is illustrated in the figure below:



Upon receiving Fiscal Recovery Fund payments, recipients may immediately calculate revenue loss for the period ending December 31, 2020.

Sections 602(c)(1)(C) and 603(c)(1)(C) of the Act provide recipients with broad latitude to use the Fiscal Recovery Funds for the provision of government services. Government services can include, but are not limited to, maintenance or pay-go funded building¹²³ of infrastructure, including roads; modernization of cybersecurity, including hardware, software, and protection of critical infrastructure; health services; environmental remediation; school or educational services; and the provision of police, fire, and other public safety services. However, expenses associated with obligations under instruments evidencing financial indebtedness for borrowed money would not be considered the provision of government services, as these financing expenses do not directly provide services or aid to citizens. Specifically, government services would not include interest or principal on any outstanding debt instrument, including, for example, short-term revenue or tax anticipation notes, or fees or issuance costs associated with the issuance of new debt. For the same reasons, government services would not include satisfaction of any obligation arising under or pursuant to a settlement agreement, judgment, consent decree, or judicially confirmed debt restructuring in a judicial, administrative, or regulatory proceeding, except if the judgment or settlement required the provision of government services. That is, satisfaction of a settlement or judgment itself is not a government service, unless the settlement required the provision of government services. In addition, replenishing financial reserves (e.g., rainy day or other reserve funds) would not be considered provision of a

¹²³ Pay-go infrastructure funding refers to the practice of funding capital projects with cash-on-hand from taxes, fees, grants, and other sources, rather than with borrowed sums.

government service, since such expenses do not directly relate to the provision of government services.

Question 13: Are there sources of revenue that either should or should not be included in the Interim Final Rule's measure of "general revenue" for recipients? If so, discuss why these sources either should or should not be included.

Question 14: In the Interim Final Rule, recipients are expected to calculate the reduction in revenue on an aggregate basis. Discuss the advantages and disadvantages of, and any potential concerns with, this approach, including circumstances in which it could be necessary or appropriate to calculate the reduction in revenue by source.

Question 15: Treasury is considering whether to take into account other factors, including actions taken by the recipient as well as the expiration of the COVID-19 public health emergency, in determining whether to presume that revenue losses are "due to" the COVID-19 public health emergency. Discuss the advantages and disadvantages of this presumption, including when, if ever, during the covered period it would be appropriate to reevaluate the presumption that all losses are attributable to the COVID-19 public health emergency.

Question 16: Do recipients anticipate lagged revenue effects of the public health emergency? If so, when would these lagged effects be expected to occur, and what can Treasury do support these recipients through its implementation of the program?

Question 17: In the Interim Final Rule, paying interest or principal on government debt is not considered provision of a government service. Discuss the advantages and disadvantages of this approach, including circumstances in which paying interest or principal on government debt could be considered provision of a government service.

D. Investments in Infrastructure

To assist in meeting the critical need for investments and improvements to existing infrastructure in water, sewer, and broadband, the Fiscal Recovery Funds provide funds to State, local, and Tribal governments to make necessary investments in these sectors. The Interim Final Rule outlines eligible uses within each category, allowing for a broad range of necessary investments in projects that improve access to clean drinking water, improve wastewater and stormwater infrastructure systems, and provide access to high-quality broadband service. Necessary investments are designed to provide an adequate minimum level of service and are unlikely to be made using private sources of funds. Necessary investments include projects that are required to maintain a level of service that, at least, meets applicable health-based standards, taking into account resilience to climate change, or establishes or improves broadband service to unserved or underserved populations to reach an adequate level to permit a household to work or attend school, and that are unlikely to be met with private sources of funds.¹²⁴

It is important that necessary investments in water, sewer, or broadband infrastructure be carried out in ways that produce high-quality infrastructure, avert disruptive and costly delays, and promote efficiency. Treasury encourages recipients to ensure that water, sewer, and broadband projects use strong labor standards, including project labor agreements and community benefits agreements that offer wages at or above the prevailing rate and include local hire provisions, not only to promote effective and efficient delivery of high-quality infrastructure projects but also to support the economic recovery through strong employment opportunities for workers. Using these practices in construction projects may help to ensure a reliable supply of

¹²⁴ Treasury notes that using funds to support or oppose collective bargaining would not be included as part of “necessary investments in water, sewer, or broadband infrastructure.”

skilled labor that would minimize disruptions, such as those associated with labor disputes or workplace injuries.

To provide public transparency on whether projects are using practices that promote on-time and on-budget delivery, Treasury will seek information from recipients on their workforce plans and practices related to water, sewer, and broadband projects undertaken with Fiscal Recovery Funds. Treasury will provide additional guidance and instructions on the reporting requirements at a later date.

1. Water and Sewer Infrastructure

The ARPA provides funds to State, local, and Tribal governments to make necessary investments in water and sewer infrastructure.¹²⁵ By permitting funds to be used for water and sewer infrastructure needs, Congress recognized the critical role that clean drinking water and services for the collection and treatment of wastewater and stormwater play in protecting public health. Understanding that State, local, and Tribal governments have a broad range of water and sewer infrastructure needs, the Interim Final Rule provides these governments with wide latitude to identify investments in water and sewer infrastructure that are of the highest priority for their own communities, which may include projects on privately-owned infrastructure. The Interim Final Rule does this by aligning eligible uses of the Fiscal Recovery Funds with the wide range of types or categories of projects that would be eligible to receive financial assistance through the Environmental Protection Agency's (EPA) Clean Water State Revolving Fund (CWSRF) or Drinking Water State Revolving Fund (DWSRF).¹²⁶

¹²⁵ §§ 602(c)(1)(D), 603(c)(1)(D) of the Act.

¹²⁶ Environmental Protection Agency, Drinking Water State Revolving fund, <https://www.epa.gov/dwsrf> (last visited Apr. 30, 2021); Environmental Protection Agency, Clean Water State Revolving Fund, <https://www.epa.gov/cwsrf> (last visited Apr. 30, 2021).

Established by the 1987 amendments¹²⁷ to the Clean Water Act (CWA),¹²⁸ the CWSRF provides financial assistance for a wide range of water infrastructure projects to improve water quality and address water pollution in a way that enables each State to address and prioritize the needs of their populations. The types of projects eligible for CWSRF assistance include projects to construct, improve, and repair wastewater treatment plants, control non-point sources of pollution, improve resilience of infrastructure to severe weather events, create green infrastructure, and protect waterbodies from pollution.¹²⁹ Each of the 51 State programs established under the CWSRF have the flexibility to direct funding to their particular environmental needs, and each State may also have its own statutes, rules, and regulations that guide project eligibility.¹³⁰

¹²⁷ Water Quality Act of 1987, P.L. 100-4.

¹²⁸ Federal Water Pollution Control Act as amended, codified at 33 U.S.C. §§ 1251 *et. seq.*, common name (Clean Water Act). In 2009, the American Recovery and Reinvestment Act created the Green Project Reserve, which increased the focus on green infrastructure, water and energy efficient, and environmentally innovative projects. P.L. 111-5. The CWA was amended by the Water Resources Reform and Development Act of 2014 to further expand the CWSRF's eligibilities. P.L. 113-121. The CWSRF's eligibilities were further expanded in 2018 by the America's Water Infrastructure Act of 2018, P.L. 115-270.

¹²⁹ See Environmental Protection Agency, The Drinking Water State Revolving Funds: Financing America's Drinking Water, EPA-816-R-00-023 (Nov. 2000), <https://nepis.epa.gov/Exec/ZyPDF.cgi/200024WB.PDF?Dockey=200024WB.PDF>; See also Environmental Protection Agency, Learn About the Clean Water State Revolving Fund, <https://www.epa.gov/cwsrf/learn-about-clean-water-state-revolving-fund-cwsrf> (last visited Apr. 30, 2021).

¹³⁰ 33 U.S.C. § 1383(c). See also Environmental Protection Agency, Overview of Clean Water State Revolving Fund Eligibilities (May 2016), https://www.epa.gov/sites/production/files/2016-07/documents/overview_of_cwsrf_eligibilities_may_2016.pdf; Claudia Copeland, Clean Water Act: A Summary of the Law, Congressional Research Service (Oct. 18, 2016), <https://fas.org/sgp/crs/misc/RL30030.pdf>; Jonathan L Ramseur, Wastewater Infrastructure: Overview, Funding, and Legislative Developments, Congressional Research Service (May 22, 2018), <https://fas.org/sgp/crs/misc/R44963.pdf>.

The DWSRF was modeled on the CWSRF and created as part of the 1996 amendments to the Safe Drinking Water Act (SDWA),¹³¹ with the principal objective of helping public water systems obtain financing for improvements necessary to protect public health and comply with drinking water regulations.¹³² Like the CWSRF, the DWSRF provides States with the flexibility to meet the needs of their populations.¹³³ The primary use of DWSRF funds is to assist communities in making water infrastructure capital improvements, including the installation and replacement of failing treatment and distribution systems.¹³⁴ In administering these programs, States must give priority to projects that ensure compliance with applicable health and environmental safety requirements; address the most serious risks to human health; and assist systems most in need on a per household basis according to State affordability criteria.¹³⁵

By aligning use of Fiscal Recovery Funds with the categories or types of eligible projects under the existing EPA state revolving fund programs, the Interim Final Rule provides recipients with the flexibility to respond to the needs of their communities while ensuring that investments in water and sewer infrastructure made using Fiscal Recovery Funds are necessary. As discussed above, the CWSRF and DWSRF were designed to provide funding for projects that protect public health and safety by ensuring compliance with wastewater and drinking water health

¹³¹ 42 U.S.C. 300j-12.

¹³² Environmental Protection Agency, Drinking Water State Revolving Fund Eligibility Handbook, (June 2017), https://www.epa.gov/sites/production/files/2017-06/documents/dwsrf_eligibility_handbook_june_13_2017_updated_508_version.pdf; Environmental Protection Agency, Drinking Water Infrastructure Needs Survey and Assessment: Sixth Report to Congress (March 2018), https://www.epa.gov/sites/production/files/2018-10/documents/corrected_sixth_drinking_water_infrastructure_needs_survey_and_assessment.pdf.

¹³³ *Id.*

¹³⁴ *Id.*

¹³⁵ 42 U.S.C. 300j-12(b)(3)(A).

standards.¹³⁶ The need to provide funding through the state revolving funds suggests that these projects are less likely to be addressed with private sources of funding; for example, by remediating failing or inadequate infrastructure, much of which is publicly owned, and by addressing non-point sources of pollution. This approach of aligning with the EPA state revolving fund programs also supports expedited project identification and investment so that needed relief for the people and communities most affected by the pandemic can be deployed expeditiously and have a positive impact on their health and wellbeing as soon as possible. Further, the Interim Final Rule is intended to preserve flexibility for award recipients to direct funding to their own particular needs and priorities and would not preclude recipients from applying their own additional project eligibility criteria.

In addition, responding to the immediate needs of the COVID-19 public health emergency may have diverted both personnel and financial resources from other State, local, and Tribal priorities, including projects to ensure compliance with applicable water health and quality standards and provide safe drinking and usable water.¹³⁷ Through sections 602(c)(1)(D) and 603(c)(1)(D), the ARPA provides resources to address these needs. Moreover, using Fiscal Recovery Funds in accordance with the priorities of the CWA and SWDA to “assist systems most in need on a per household basis according to state affordability criteria” would also have

¹³⁶ Environmental Protection Agency, Learn About the Clean Water State Revolving Fund, <https://www.epa.gov/cwsrf/learn-about-clean-water-state-revolving-fund-cwsrf> (last visited Apr. 30, 2021); 42 U.S.C. 300j-12.

¹³⁷ House Committee on the Budget, State and Local Governments are in Dire Need of Federal Relief (Aug. 19, 2020), <https://budget.house.gov/publications/report/state-and-local-governments-are-dire-need-federal-relief>.

the benefit of providing vulnerable populations with safe drinking water that is critical to their health and, thus, their ability to work and learn.¹³⁸

Recipients may use Fiscal Recovery Funds to invest in a broad range of projects that improve drinking water infrastructure, such as building or upgrading facilities and transmission, distribution, and storage systems, including replacement of lead service lines. Given the lifelong impacts of lead exposure for children, and the widespread nature of lead service lines, Treasury encourages recipients to consider projects to replace lead service lines.

Fiscal Recovery Funds may also be used to support the consolidation or establishment of drinking water systems. With respect to wastewater infrastructure, recipients may use Fiscal Recovery Funds to construct publicly owned treatment infrastructure, manage and treat stormwater or subsurface drainage water, facilitate water reuse, and secure publicly owned treatment works, among other uses. Finally, consistent with the CWSRF and DWSRF, Fiscal Recovery Funds may be used for cybersecurity needs to protect water or sewer infrastructure, such as developing effective cybersecurity practices and measures at drinking water systems and publicly owned treatment works.

Many of the types of projects eligible under either the CWSRF or DWSRF also support efforts to address climate change. For example, by taking steps to manage potential sources of pollution and preventing these sources from reaching sources of drinking water, projects eligible under the DWSRF and the ARPA may reduce energy required to treat drinking water. Similarly,

¹³⁸ Environmental Protection Agency, Drinking Water State Revolving Fund (Nov. 2019), https://www.epa.gov/sites/production/files/2019-11/documents/fact_sheet_-_dwsrf_overview_final_0.pdf; Environmental Protection Agency, National Benefits Analysis for Drinking Water Regulations, <https://www.epa.gov/sdwa/national-benefits-analysis-drinking-water-regulations> (last visited Apr. 30, 2020).

projects eligible under the CWSRF include measures to conserve and reuse water or reduce the energy consumption of public water treatment facilities. Treasury encourages recipients to consider green infrastructure investments and projects to improve resilience to the effects of climate change. For example, more frequent and extreme precipitation events combined with construction and development trends have led to increased instances of stormwater runoff, water pollution, and flooding. Green infrastructure projects that support stormwater system resiliency could include rain gardens that provide water storage and filtration benefits, and green streets, where vegetation, soil, and engineered systems are combined to direct and filter rainwater from impervious surfaces. In cases of a natural disaster, recipients may also use Fiscal Recovery Funds to provide relief, such as interconnecting water systems or rehabilitating existing wells during an extended drought.

Question 18: What are the advantages and disadvantages of aligning eligible uses with the eligible project type requirements of the DWSRF and CWSRF? What other water or sewer project categories, if any, should Treasury consider in addition to DWSRF and CWSRF eligible projects? Should Treasury consider a broader general category of water and sewer projects?

Question 19: What additional water and sewer infrastructure categories, if any, should Treasury consider to address and respond to the needs of unserved, undeserved, or rural communities? How do these projects differ from DWSRF and CWSRF eligible projects?

Question 20: What new categories of water and sewer infrastructure, if any, should Treasury consider to support State, local, and Tribal governments in mitigating the negative impacts of climate change? Discuss emerging technologies and processes that support resiliency of water and sewer infrastructure. Discuss any challenges faced by States and local governments when pursuing or implementing climate resilient infrastructure projects.

Question 21: Infrastructure projects related to dams and reservoirs are generally not eligible under the CWSRF and DWSRF categories. Should Treasury consider expanding eligible infrastructure under the Interim Final Rule to include dam and reservoir projects? Discuss public health, environmental, climate, or equity benefits and costs in expanding the eligibility to include these types of projects.

2. Broadband Infrastructure.

The COVID-19 public health emergency has underscored the importance of universally available, high-speed, reliable, and affordable broadband coverage as millions of Americans rely on the internet to participate in, among critical activities, remote school, healthcare, and work. Recognizing the need for such connectivity, the ARPA provides funds to State, territorial, local, and Tribal governments to make necessary investments in broadband infrastructure.

The National Telecommunications and Information Administration (NTIA) highlighted the growing necessity of broadband in daily lives through its analysis of NTIA Internet Use Survey data, noting that Americans turn to broadband Internet access service for every facet of daily life including work, study, and healthcare.¹³⁹ With increased use of technology for daily activities and the movement by many businesses and schools to operating remotely during the pandemic, broadband has become even more critical for people across the country to carry out their daily lives.

¹³⁹ See, e.g., <https://www.ntia.gov/blog/2020/more-half-american-households-used-internet-health-related-activities-2019-ntia-data-show>; <https://www.ntia.gov/blog/2020/nearly-third-american-employees-worked-remotely-2019-ntia-data-show>; and generally, <https://www.ntia.gov/data/digital-nation-data-explorer>.

By at least one measure, however, tens of millions of Americans live in areas where there is no broadband infrastructure that provides download speeds greater than 25 Mbps and upload speeds of 3 Mbps.¹⁴⁰ By contrast, as noted below, many households use upload and download speeds of 100 Mbps to meet their daily needs. Even in areas where broadband infrastructure exists, broadband access may be out of reach for millions of Americans because it is unaffordable, as the United States has some of the highest broadband prices in the Organisation for Economic Co-operation and Development (OECD).¹⁴¹ There are disparities in availability as well; historically, Americans living in territories and Tribal lands as well as rural areas have disproportionately lacked sufficient broadband infrastructure.¹⁴² Moreover, rapidly growing demand has, and will likely continue to, quickly outpace infrastructure capacity, a phenomenon acknowledged by various states around the country that have set scalability requirements to account for this anticipated growth in demand.¹⁴³

¹⁴⁰ As an example, data from the Federal Communications Commission shows that as of June 2020, 9.07 percent of the U.S. population had no available cable or fiber broadband providers providing greater than 25 Mbps download speeds and 3 Mbps upload speeds. Availability was significantly less for rural versus urban populations, with 35.57 percent of the rural population lacking such access, compared with 2.57 percent of the urban population. Availability was also significantly less for tribal versus non-tribal populations, with 35.93 percent of the tribal population lacking such access, compared with 8.74 of the non-tribal population. Federal Communications Commission, Fixed Broadband Deployment, <https://broadbandmap.fcc.gov/#/> (last visited May 9, 2021).

¹⁴¹ How Do U.S. Internet Costs Compare To The Rest Of The World?, BroadbandSearch Blog Post, *available at* <https://www.broadbandsearch.net/blog/internet-costs-compared-worldwide>.

¹⁴² *See, e.g.*, Federal Communications Commission, Fourteenth Broadband Deployment Report, *available at* <https://docs.fcc.gov/public/attachments/FCC-21-18A1.pdf>.

¹⁴³ *See, e.g.*, Illinois Department of Commerce & Economic Opportunity, Broadband Grants, h (last visited May 9, 2021), <https://www2.illinois.gov/dceo/ConnectIllinois/Pages/BroadbandGrants.aspx>; Kansas Office of Broadband Development, Broadband Acceleration Grant, <https://www.kansascommerce.gov/wp-content/uploads/2020/11/Broadband-Acceleration-Grant.pdf> (last visited May 9, 2021); New York State Association of Counties, Universal Broadband: Deploying High Speed Internet Access in NYS (Jul. 2017), [https://www.nysac.org/files/BroadbandUpdateReport2017\(1\).pdf](https://www.nysac.org/files/BroadbandUpdateReport2017(1).pdf).

The Interim Final Rule provides that eligible investments in broadband are those that are designed to provide services meeting adequate speeds and are provided to unserved and underserved households and businesses. Understanding that States, territories, localities, and Tribal governments have a wide range of varied broadband infrastructure needs, the Interim Final Rule provides award recipients with flexibility to identify the specific locations within their communities to be served and to otherwise design the project.

Under the Interim Final Rule, eligible projects are expected to be designed to deliver, upon project completion, service that reliably meets or exceeds symmetrical upload and download speeds of 100 Mbps. There may be instances in which it would not be practicable for a project to deliver such service speeds because of the geography, topography, or excessive costs associated with such a project. In these instances, the affected project would be expected to be designed to deliver, upon project completion, service that reliably meets or exceeds 100 Mbps download and between at least 20 Mbps and 100 Mbps upload speeds and be scalable to a minimum of 100 Mbps symmetrical for download and upload speeds.¹⁴⁴ In setting these standards, Treasury identified speeds necessary to ensure that broadband infrastructure is sufficient to enable users to generally meet household needs, including the ability to support the simultaneous use of work, education, and health applications, and also sufficiently robust to meet increasing household demands for bandwidth. Treasury also recognizes that different communities and their members may have a broad range of internet needs and that those needs may change over time.

¹⁴⁴ This scalability threshold is consistent with scalability requirements used in other jurisdictions. *Id.*

In considering the appropriate speed requirements for eligible projects, Treasury considered estimates of typical households demands during the pandemic. Using the Federal Communication Commission's (FCC) Broadband Speed Guide, for example, a household with two telecommuters and two to three remote learners today are estimated to need 100 Mbps download to work simultaneously.¹⁴⁵ In households with more members, the demands may be greater, and in households with fewer members, the demands may be less.

In considering the appropriate speed requirements for eligible projects, Treasury also considered data usage patterns and how bandwidth needs have changed over time for U.S. households and businesses as people's use of technology in their daily lives has evolved. In the few years preceding the pandemic, market research data showed that average upload speeds in the United States surpassed over 10 Mbps in 2017¹⁴⁶ and continued to increase significantly, with the average upload speed as of November, 2019 increasing to 48.41 Mbps,¹⁴⁷ attributable, in part to a shift to using broadband and the internet by individuals and businesses to create and share content using video sharing, video conferencing, and other applications.¹⁴⁸

The increasing use of data accelerated markedly during the pandemic as households across the country became increasingly reliant on tools and applications that require greater

¹⁴⁵ Federal Communications Commission, Broadband Speed Guide, <https://www.fcc.gov/consumers/guides/broadband-speed-guide> (last visited Apr. 30, 2021).

¹⁴⁶ Letter from Lisa R. Youngers, President and CEO of Fiber Broadband Association to FCC, WC Docket No. 19-126 (filed Jan. 3, 2020), including an Appendix with research from RVA LLC, *Data Review Of The Importance of Upload Speeds* (Jan. 2020), and Ookla speed test data, available at <https://ecfsapi.fcc.gov/file/101030085118517/FCC%20RDOF%20Jan%203%20Ex%20Parte.pdf>.

Additional information on historic growth in data usage is provided in Schools, Health & Libraries Broadband Coalition, *Common Sense Solutions for Closing the Digital Divide*, Apr. 29, 2021.

¹⁴⁷ *Id.* See also United States's Mobile and Broadband Internet Speeds - Speedtest Global Index, available at <https://www.speedtest.net/global-index/united-states#fixed>.

¹⁴⁸ *Id.*

internet capacity, both to download data but also to upload data. Sending information became as important as receiving it. A video consultation with a healthcare provider or participation by a child in a live classroom with a teacher and fellow students requires video to be sent and received simultaneously.¹⁴⁹ As an example, some video conferencing technology platforms indicate that download and upload speeds should be roughly equal to support two-way, interactive video meetings.¹⁵⁰ For both work and school, client materials or completed school assignments, which may be in the form of PDF files, videos, or graphic files, also need to be shared with others. This is often done by uploading materials to a collaboration site, and the upload speed available to a user can have a significant impact on the time it takes for the content to be shared with others.¹⁵¹ These activities require significant capacity from home internet connections to both download and upload data, especially when there are multiple individuals in one household engaging in these activities simultaneously.

This need for increased broadband capacity during the pandemic was reflected in increased usage patterns seen over the last year. As OpenVault noted in recent advisories, the pandemic significantly increased the amount of data users consume. Among data users observed by OpenVault, per-subscriber average data usage for the fourth quarter of 2020 was 482.6 gigabytes per month, representing a 40 percent increase over the 344 gigabytes consumed in the fourth quarter of 2019 and a 26 percent increase over the third quarter 2020 average of

¹⁴⁹ One high definition Zoom meeting or class requires approximately 3.8 Mbps/3.0 Mbps (up/down).

¹⁵⁰ See, e.g., Zoom, System Requirements for Windows, macOS, and Linux, https://support.zoom.us/hc/en-us/articles/201362023-System-requirements-for-Windows-macOS-and-Linux#h_d278c327-e03d-4896-b19a-96a8f3c0c69c (last visited May 8, 2021).

¹⁵¹ By one estimate, to upload a one gigabit video file to YouTube would take 15 minutes at an upload speed of 10 Mbps compared with 1 minute, 30 seconds at an upload speed of 100 Mbps, and 30 seconds at an upload speed of 300 Mbps. Reviews.org: What is Symmetrical Internet? (March 2020).

383.8 gigabytes.¹⁵² OpenVault also noted significant increases in upstream usage among the data users it observed, with upstream data usage growing 63 percent – from 19 gigabytes to 31 gigabytes – between December, 2019 and December, 2020.¹⁵³ According to an OECD Broadband statistic from June 2020, the largest percentage of U.S. broadband subscribers have services providing speeds between 100 Mbps and 1 Gbps.¹⁵⁴

Jurisdictions and Federal programs are increasingly responding to the growing demands of their communities for both heightened download and upload speeds. For example, Illinois now requires 100 Mbps symmetrical service as the construction standard for its state broadband grant programs. This standard is also consistent with speed levels, particularly download speed levels, prioritized by other Federal programs supporting broadband projects. Bids submitted as part of the FCC in its Rural Digital Opportunity Fund (RDOF), established to support the construction of broadband networks in rural communities across the country, are given priority if they offer faster service, with the service offerings of 100 Mbps download and

¹⁵² OVBI: Covid-19 Drove 15 percent Increase in Broadband Traffic in 2020, OpenVault, Quarterly Advisory, (Feb. 10, 2021), *available at* <https://openvault.com/ovbi-covid-19-drove-51-increase-in-broadband-traffic-in-2020>; *See* OpenVault's data set incorporates information on usage by subscribers across multiple continents, including North America and Europe. Additional data and detail on increases in the amount of data users consume and the broadband speeds they are using is provided in *OpenVault Broadband Insights Report Q4*, Quarterly Advisory (Feb. 10, 2021), *available at* <https://openvault.com/complimentary-report-4q20/>.

¹⁵³ OVBI Special Report: 202 Upstream Growth Nearly 4X of Pre-Pandemic Years, OpenVault, Quarterly Advisory, (April 1, 2021), *available at* <https://openvault.com/ovbi-special-report-2020-upstream-growth-rate-nearly-4x-of-pre-pandemic-years/>; Additional data is provided in *OpenVault Broadband Insights Pandemic Impact on Upstream Broadband Usage and Network Capacity*, *available at* <https://openvault.com/upstream-whitepaper/>.

¹⁵⁴ Organisation for Economic Co-operation and Development, Fixed broadband subscriptions per 100 inhabitants, per speed tiers (June 2020), <https://www.oecd.org/sti/broadband/5.1-FixedBB-SpeedTiers-2020-06.xls> www.oecd.org/sti/broadband/broadband-statistics.

20 Mbps upload being included in the “above baseline” performance tier set by the FCC.¹⁵⁵ The Broadband Infrastructure Program (BBIP)¹⁵⁶ of the Department of Commerce, which provides Federal funding to deploy broadband infrastructure to eligible service areas of the country also prioritizes projects designed to provide broadband service with a download speed of not less than 100 Mbps and an upload speed of not less than 20 Mbps.¹⁵⁷

The 100 Mbps upload and download speeds will support the increased and growing needs of households and businesses. Recognizing that, in some instances, 100 Mbps upload speed may be impracticable due to geographical, topographical, or financial constraints, the Interim Final Rule permits upload speeds of between at least 20 Mbps and 100 Mbps in such instances. To provide for investments that will accommodate technologies requiring symmetry in download and upload speeds, as noted above, eligible projects that are not designed to deliver, upon project completion, service that reliably meets or exceeds symmetrical speeds of 100 Mbps because it would be impracticable to do so should be designed so that they can be scalable to such speeds. Recipients are also encouraged to prioritize investments in fiber optic infrastructure where feasible, as such advanced technology enables the next generation of application solutions for all communities.

Under the Interim Final Rule, eligible projects are expected to focus on locations that are unserved or underserved. The Interim Final Rule treats users as being unserved or underserved if they lack access to a wireline connection capable of reliably delivering at least minimum speeds

¹⁵⁵ *Rural Digital Opportunity Fund*, Report and Order, 35 FCC Rcd 686, 690, para. 9 (2020), available at <https://www.fcc.gov/document/fcc-launches-20-billion-rural-digital-opportunity-fund-0>.

¹⁵⁶ The BIPP was authorized by the Consolidated Appropriations Act, 2021, Section 905, Public Law 116-260, 134 Stat. 1182 (Dec. 27, 2020).

¹⁵⁷ Section 905(d)(4) of the Consolidated Appropriations Act, 2021.

of 25 Mbps download and 3 Mbps upload as households and businesses lacking this level of access are generally not viewed as being able to originate and receive high-quality voice, data, graphics, and video telecommunications. This threshold is consistent with the FCC’s benchmark for an “advanced telecommunications capability.”¹⁵⁸ This threshold is also consistent with thresholds used in other Federal programs to identify eligible areas to be served by programs to improve broadband services. For example, in the FCC’s RDOF program, eligible areas include those without current (or already funded) access to terrestrial broadband service providing 25 Mbps download and 3 Mbps upload speeds.¹⁵⁹ The Department of Commerce’s BBIP also considers households to be “unserved” generally if they lack access to broadband service with a download speed of not less than 25 Mbps download and 3 Mbps upload, among other conditions. In selecting an area to be served by a project, recipients are encouraged to avoid investing in locations that have existing agreements to build reliable wireline service with minimum speeds of 100 Mbps download and 20 Mbps upload by December 31, 2024, in order to avoid duplication of efforts and resources.

Recipients are also encouraged to consider ways to integrate affordability options into their program design. To meet the immediate needs of unserved and underserved households and businesses, recipients are encouraged to focus on projects that deliver a physical broadband connection by prioritizing projects that achieve last mile-connections. Treasury also encourages recipients to prioritize support for broadband networks owned, operated by, or affiliated with

¹⁵⁸ *Deployment Report*, *supra* note 142.

¹⁵⁹ *Rural Digital Opportunity Fund*, *supra* note 156.

local governments, non-profits, and co-operatives—providers with less pressure to turn profits and with a commitment to serving entire communities.

Under sections 602(c)(1)(A) and 603(c)(1)(A), assistance to households facing negative economic impacts due to COVID-19 is also an eligible use, including internet access or digital literacy assistance. As discussed above, in considering whether a potential use is eligible under this category, a recipient must consider whether, and the extent to which, the household has experienced a negative economic impact from the pandemic.

Question 22: What are the advantages and disadvantages of setting minimum symmetrical download and upload speeds of 100 Mbps? What other minimum standards would be appropriate and why?

Question 23: Would setting such a minimum be impractical for particular types of projects? If so, where and on what basis should those projects be identified? How could such a standard be set while also taking into account the practicality of using this standard in particular types of projects? In addition to topography, geography, and financial factors, what other constraints, if any, are relevant to considering whether an investment is impracticable?

Question 24: What are the advantages and disadvantages of setting a minimum level of service at 100 Mbps download and 20 Mbps upload in projects where it is impracticable to set minimum symmetrical download and upload speeds of 100 Mbps? What are the advantages and disadvantages of setting a scalability requirement in these cases? What other minimum standards would be appropriate and why?

Question 25: What are the advantages and disadvantages of focusing these investments on those without access to a wireline connection that reliably delivers 25 Mbps download by 3 Mbps upload? Would another threshold be appropriate and why?

Question 26: What are the advantages and disadvantages of setting any particular threshold for identifying unserved or underserved areas, minimum speed standards or scalability minimum? Are there other standards that should be set (e.g., latency)? If so, why and how? How can such threshold, standards, or minimum be set in a way that balances the public's interest in making sure that reliable broadband services meeting the daily needs of all Americans are available throughout the country with the providing recipients flexibility to meet the varied needs of their communities?

III. Restrictions on Use

As discussed above, recipients have considerable flexibility to use Fiscal Recovery Funds to address the diverse needs of their communities. To ensure that payments from the Fiscal Recovery Funds are used for these congressionally permitted purposes, the ARPA includes two provisions that further define the boundaries of the statute's eligible uses. Section 602(c)(2)(A) of the Act provides that States and territories may not "use the funds ... to either directly or indirectly offset a reduction in ... net tax revenue ... resulting from a change in law, regulation, or administrative interpretation during the covered period that reduces any tax ... or delays the imposition of any tax or tax increase." In addition, sections 602(c)(2)(B) and 603(c)(2) prohibit any recipient, including cities, nonentitlement units of government, and counties, from using Fiscal Recovery Funds for deposit into any pension fund. These restrictions support the use of funds for the congressionally permitted purposes described in Section II of this Supplementary Information by providing a backstop against the use of funds for purposes outside of the eligible use categories.

These provisions give force to Congress's clear intent that Fiscal Recovery Funds be spent within the four eligible uses identified in the statute—(1) to respond to the public health

emergency and its negative economic impacts, (2) to provide premium pay to essential workers, (3) to provide government services to the extent of eligible governments' revenue losses, and (4) to make necessary water, sewer, and broadband infrastructure investments—and not otherwise. These four eligible uses reflect Congress's judgment that the Fiscal Recovery Funds should be expended in particular ways that support recovery from the COVID-19 public health emergency. The further restrictions reflect Congress's judgment that tax cuts and pension deposits do not fall within these eligible uses. The Interim Final Rule describes how Treasury will identify when such uses have occurred and how it will recoup funds put toward these impermissible uses and, as discussed in Section VIII of this Supplementary Information, establishes a reporting framework for monitoring the use of Fiscal Recovery Funds for eligible uses.

A. Deposit into Pension Funds

The statute provides that recipients may not use Fiscal Recovery Funds for “deposit into any pension fund.” For the reasons discussed below, Treasury interprets “deposit” in this context to refer to an extraordinary payment into a pension fund for the purpose of reducing an accrued, unfunded liability. More specifically, the Interim Final Rule does not permit this assistance to be used to make a payment into a pension fund if both:

1. the payment reduces a liability incurred prior to the start of the COVID-19 public health emergency, and
2. the payment occurs outside the recipient's regular timing for making such payments.

Under this interpretation, a “deposit” is distinct from a “payroll contribution,” which occurs when employers make payments into pension funds on regular intervals, with contribution amounts based on a pre-determined percentage of employees' wages and salaries.

As discussed above, eligible uses for premium pay and responding to the negative economic impacts of the COVID-19 public health emergency include hiring and compensating public sector employees. Interpreting the scope of “deposit” to exclude contributions that are part of payroll contributions is more consistent with these eligible uses and would reduce administrative burden for recipients. Accordingly, if an employee’s wages and salaries are an eligible use of Fiscal Recovery Funds, recipients may treat the employee’s covered benefits as an eligible use of Fiscal Recovery Funds. For purposes of the Fiscal Recovery Funds, covered benefits include costs of all types of leave (vacation, family-related, sick, military, bereavement, sabbatical, jury duty), employee insurance (health, life, dental, vision), retirement (pensions, 401(k)), unemployment benefit plans (Federal and State), workers’ compensation insurance, and Federal Insurance Contributions Act taxes (which includes Social Security and Medicare taxes).

Treasury anticipates that this approach to employees’ covered benefits will be comprehensive and, for employees whose wage and salary costs are eligible expenses, will allow all covered benefits listed in the previous paragraph to be eligible under the Fiscal Recovery Funds. Treasury expects that this will minimize the administrative burden on recipients by treating all the specified covered benefit types as eligible expenses, for employees whose wage and salary costs are eligible expenses.

Question 27: Beyond a “deposit” and a “payroll contribution,” are there other types of payments into a pension fund that Treasury should consider?

B. Offset a Reduction in Net Tax Revenue

For States and territories (recipient governments¹⁶⁰), section 602(c)(2)(A)—the offset provision—prohibits the use of Fiscal Recovery Funds to directly or indirectly offset a reduction in net tax revenue resulting from a change in law, regulation, or administrative interpretation¹⁶¹ during the covered period. If a State or territory uses Fiscal Recovery Funds to offset a reduction in net tax revenue, the ARPA provides that the State or territory must repay to the Treasury an amount equal to the lesser of (i) the amount of the applicable reduction attributable to the impermissible offset and (ii) the amount received by the State or territory under the ARPA. *See* Section IV of this Supplementary Information. As discussed below Section IV of this Supplementary Information, a State or territory that chooses to use Fiscal Recovery Funds to offset a reduction in net tax revenue does not forfeit its entire allocation of Fiscal Recovery Funds (unless it misused the full allocation to offset a reduction in net tax revenue) or any non-ARPA funding received.

The Interim Final Rule implements these conditions by establishing a framework for States and territories to determine the cost of changes in law, regulation, or interpretation that reduce tax revenue and to identify and value the sources of funds that will offset—i.e., cover the cost of—any reduction in net tax revenue resulting from such changes. A recipient government would only be considered to have used Fiscal Recovery Funds to offset a reduction in net tax revenue resulting from changes in law, regulation, or interpretation if, and to the extent that, the

¹⁶⁰ In this sub-section, “recipient governments” refers only to States and territories. In other sections, “recipient governments” refers more broadly to eligible governments receiving funding from the Fiscal Recovery Funds.

¹⁶¹ For brevity, referred to as “changes in law, regulation, or interpretation” for the remainder of this preamble.

recipient government could not identify sufficient funds from sources other than the Fiscal Recovery Funds to offset the reduction in net tax revenue. If sufficient funds from other sources cannot be identified to cover the full cost of the reduction in net tax revenue resulting from changes in law, regulation, or interpretation, the remaining amount not covered by these sources will be considered to have been offset by Fiscal Recovery Funds, in contravention of the offset provision. The Interim Final Rule recognizes three sources of funds that may offset a reduction in net tax revenue other than Fiscal Recovery Funds—organic growth, increases in revenue (e.g., an increase in a tax rate), and certain cuts in spending.

In order to reduce burden, the Interim Final Rule’s approach also incorporates the types of information and modeling already used by States and territories in their own fiscal and budgeting processes. By incorporating existing budgeting processes and capabilities, States and territories will be able to assess and evaluate the relationship of tax and budget decisions to uses of the Fiscal Recovery Funds based on information they likely have or can obtain. This approach ensures that recipient governments have the information they need to understand the implications of their decisions regarding the use of the Fiscal Recovery Funds—and, in particular, whether they are using the funds to directly or indirectly offset a reduction in net tax revenue, making them potentially subject to recoupment.

Reporting on both the eligible uses and on a State’s or territory’s covered tax changes that would reduce tax revenue will enable identification of, and recoupment for, use of Fiscal Recovery Funds to directly offset reductions in tax revenue resulting from tax relief. Moreover, this approach recognizes that, because money is fungible, even if Fiscal Recovery Funds are not explicitly or directly used to cover the costs of changes that reduce net tax revenue, those funds may be used in a manner inconsistent with the statute by indirectly being used to substitute for

the State's or territory's funds that would otherwise have been needed to cover the costs of the reduction. By focusing on the cost of changes that reduce net tax revenue—and how a recipient government is offsetting those reductions in constructing its budget over the covered period—the framework prevents efforts to use Fiscal Recovery Funds to indirectly offset reductions in net tax revenue for which the recipient government has not identified other offsetting sources of funding.

As discussed in greater detail below in this preamble, the framework set forth in the Interim Final Rule establishes a step-by-step process for determining whether, and the extent to which, Fiscal Recovery Funds have been used to offset a reduction in net tax revenue. Based on information reported annually by the recipient government:

- First, each year, each recipient government will identify and value the changes in law, regulation, or interpretation that would result in a reduction in net tax revenue, as it would in the ordinary course of its budgeting process. The sum of these values in the year for which the government is reporting is the amount it needs to “pay for” with sources other than Fiscal Recovery Funds (total value of revenue reducing changes).
- Second, the Interim Final Rule recognizes that it may be difficult to predict how a change would affect net tax revenue in future years and, accordingly, provides that if the total value of the changes in the year for which the recipient government is reporting is below a de minimis level, as discussed below, the recipient government need not identify any sources of funding to pay for revenue reducing changes and will not be subject to recoupment.
- Third, a recipient government will consider the amount of actual tax revenue recorded in the year for which they are reporting. If the recipient government's actual tax revenue is

greater than the amount of tax revenue received by the recipient for the fiscal year ending 2019, adjusted annually for inflation, the recipient government will not be considered to have violated the offset provision because there will not have been a reduction in net tax revenue.

- Fourth, if the recipient government’s actual tax revenue is less than the amount of tax revenue received by the recipient government for the fiscal year ending 2019, adjusted annually for inflation, in the reporting year the recipient government will identify any sources of funds that have been used to permissibly offset the total value of covered tax changes other than Fiscal Recovery Funds. These are:
 - State or territory tax changes that would increase any source of general fund revenue, such as a change that would increase a tax rate; and
 - Spending cuts in areas not being replaced by Fiscal Recovery Funds.

The recipient government will calculate the value of revenue reduction remaining after applying these sources of offsetting funding to the total value of revenue reducing changes—that, is, how much of the tax change has not been paid for. The recipient government will then compare that value to the difference between the baseline and actual tax revenue. A recipient government will not be required to repay to the Treasury an amount that is greater than the recipient government’s actual tax revenue shortfall relative to the baseline (i.e., fiscal year 2019 tax revenue adjusted for inflation). This “revenue reduction cap,” together with Step 3, ensures that recipient governments can use organic revenue growth to offset the cost of revenue reductions.

- Finally, if there are any amounts that could be subject to recoupment, Treasury will provide notice to the recipient government of such amounts. This process is discussed in greater detail in Section IV of this Supplementary Information.

Together, these steps allow Treasury to identify the amount of reduction in net tax revenue that both is attributable to covered changes and has been directly or indirectly offset with Fiscal Recovery Funds. This process ensures Fiscal Recovery Funds are used in a manner consistent with the statute’s defined eligible uses and the offset provision’s limitation on these eligible uses, while avoiding undue interference with State and territory decisions regarding tax and spending policies.

The Interim Final Rule also implements a process for recouping Fiscal Recovery Funds that were used to offset reductions in net tax revenue, including the calculation of any amounts that may be subject to recoupment, a process for a recipient government to respond to a notice of recoupment, and clarification regarding amounts excluded from recoupment. *See* Section IV of this Supplementary Information.

The Interim Final Rule includes several definitions that are applicable to the implementation of the offset provision.

Covered change. The offset provision is triggered by a reduction in net tax revenue resulting from “a change in law, regulation, or administrative interpretation.” A covered change includes any final legislative or regulatory action, a new or changed administrative interpretation, and the phase-in or taking effect of any statute or rule where the phase-in or taking effect was not prescribed prior to the start of the covered period. Changed administrative interpretations would not include corrections to replace prior inaccurate interpretations; such corrections would instead be treated as changes implementing legislation enacted or regulations issued prior to the covered

period; the operative change in those circumstances is the underlying legislation or regulation that occurred prior to the covered period. Moreover, only the changes within the control of the State or territory are considered covered changes. Covered changes do not include a change in rate that is triggered automatically and based on statutory or regulatory criteria in effect prior to the covered period. For example, a state law that sets its earned income tax credit (EITC) at a fixed percentage of the Federal EITC will see its EITC payments automatically increase—and thus its tax revenue reduced—because of the Federal government’s expansion of the EITC in the ARPA.¹⁶² This would not be considered a covered change. In addition, the offset provision applies only to actions for which the change in policy occurs during the covered period; it excludes regulations or other actions that implement a change or law substantively enacted prior to March 3, 2021. Finally, Treasury has determined and previously announced that income tax changes—even those made during the covered period—that simply conform with recent changes in Federal law (including those to conform to recent changes in Federal taxation of unemployment insurance benefits and taxation of loan forgiveness under the Paycheck Protection Program) are permissible under the offset provision.

Baseline. For purposes of measuring a reduction in net tax revenue, the Interim Final Rule measures actual changes in tax revenue relative to a revenue baseline (baseline). The baseline will be calculated as fiscal year 2019 (FY 2019) tax revenue indexed for inflation in

¹⁶² See, e.g., Tax Policy Center, How do state earned income tax credits work?, <https://www.taxpolicycenter.org/briefing-book/how-do-state-earned-income-tax-credits-work/> (last visited May 9, 2021).

each year of the covered period, with inflation calculated using the Bureau of Economic Analysis's Implicit Price Deflator.¹⁶³

FY 2019 was chosen as the starting year for the baseline because it is the last full fiscal year prior to the COVID-19 public health emergency.¹⁶⁴ This baseline year is consistent with the approach directed by the ARPA in sections 602(c)(1)(C) and 603(c)(1)(C), which identify the “most recent full fiscal year of the [State, territory, or Tribal government] prior to the emergency” as the comparator for measuring revenue loss. U.S. gross domestic product is projected to rebound to pre-pandemic levels in 2021,¹⁶⁵ suggesting that an FY 2019 pre-pandemic baseline is a reasonable comparator for future revenue levels. The FY 2019 baseline revenue will be adjusted annually for inflation to allow for direct comparison of actual tax revenue in each year (reported in nominal terms) to baseline revenue in common units of measurement; without inflation adjustment, each dollar of reported actual tax revenue would be worth less than each dollar of baseline revenue expressed in 2019 terms.

Reporting year. The Interim Final Rule defines “reporting year” as a single year within the covered period, aligned to the current fiscal year of the recipient government during the covered period, for which a recipient government reports the value of covered changes and any sources of offsetting revenue increases (“in-year” value), regardless of when those changes were enacted. For the fiscal years ending in 2021 or 2025 (partial years), the term “reporting year”

¹⁶³ U.S. Department of Commerce, Bureau of Economic Analysis, GDP Price Deflator, <https://www.bea.gov/data/prices-inflation/gdp-price-deflator> (last visited May 9, 2021).

¹⁶⁴ Using Fiscal Year 2019 is consistent with section 602 as Congress provided for using that baseline for determining the impact of revenue loss affecting the provision of government services. See section 602(c)(1)(C).

¹⁶⁵ Congressional Budget Office, An Overview of the Economic Outlook: 2021 to 2031 (February 1, 2021), available at <https://www.cbo.gov/publication/56965>.

refers to the portion of the year falling within the covered period. For example, the reporting year for a fiscal year beginning July 2020 and ending June 2021 would be from March 3, 2021 to July 2021.

Tax revenue. The Interim Final Rule’s definition of “tax revenue” is based on the Census Bureau’s definition of taxes, used for its Annual Survey of State Government Finances.¹⁶⁶ It provides a consistent, well-established definition with which States and territories will be familiar and is consistent with the approach taken in Section II.C of this Supplementary Information describing the implementation of sections 602(c)(1)(C) and 603(c)(1)(C) of the Act, regarding revenue loss. Consistent with the approach described in Section II.C of this Supplementary Information, tax revenue does not include revenue taxed and collected by a different unit of government (e.g., revenue from taxes levied by a local government and transferred to a recipient government).

Framework. The Interim Final Rule provides a step-by-step framework, to be used in each reporting year, to calculate whether the offset provision applies to a State’s or territory’s use of Fiscal Recovery Funds:

(1) *Covered changes that reduce tax revenue.* For each reporting year, a recipient government will identify and value covered changes that the recipient government predicts will have the effect of reducing tax revenue in a given reporting year, similar to the way it would in the ordinary course of its budgeting process. The value of these covered changes may be reported based on estimated values produced by a budget model, incorporating reasonable assumptions, that aligns with the recipient government’s existing approach for measuring the

¹⁶⁶ U.S. Census Bureau, Annual Survey of State and Local Government Finances Glossary, <https://www.census.gov/programs-surveys/state/about/glossary.html> (last visited Apr. 30, 2021).

effects of fiscal policies, and that measures relative to a current law baseline. The covered changes may also be reported based on actual values using a statistical methodology to isolate the change in year-over-year revenue attributable to the covered change(s), relative to the current law baseline prior to the change(s). Further, estimation approaches should not use dynamic methodologies that incorporate the projected effects of macroeconomic growth because macroeconomic growth is accounted for separately in the framework. Relative to these dynamic scoring methodologies, scoring methodologies that do not incorporate projected effects of macroeconomic growth rely on fewer assumptions and thus provide greater consistency among States and territories. Dynamic scoring that incorporates macroeconomic growth may also increase the likelihood of underestimation of the cost of a reduction in tax revenue.

In general and where possible, reporting should be produced by the agency of the recipient government responsible for estimating the costs and effects of fiscal policy changes. This approach offers recipient governments the flexibility to determine their reporting methodology based on their existing budget scoring practices and capabilities. In addition, the approach of using the projected value of changes in law that enact fiscal policies to estimate the net effect of such policies is consistent with the way many States and territories already consider tax changes.¹⁶⁷

(2) *In excess of the de minimis.* The recipient government will next calculate the total value of all covered changes in the reporting year resulting in revenue reductions, identified in Step 1. If the total value of the revenue reductions resulting from these changes is below the de

¹⁶⁷ See, e.g., Megan Randall & Kim Rueben, Tax Policy Center, Sustainable Budgeting in the States: Evidence on State Budget Institutions and Practices (Nov. 2017), available at https://www.taxpolicycenter.org/sites/default/files/publication/149186/sustainable-budgeting-in-the-states_1.pdf.

de minimis level, the recipient government will be deemed not to have any revenue-reducing changes for the purpose of determining the recognized net reduction. If the total is above the de minimis level, the recipient government must identify sources of in-year revenue to cover the full costs of changes that reduce tax revenue.

The de minimis level is calculated as 1 percent of the reporting year's baseline. Treasury recognizes that, pursuant to their taxing authority, States and territories may make many small changes to alter the composition of their tax revenues or implement other policies with marginal effects on tax revenues. They may also make changes based on projected revenue effects that turn out to differ from actual effects, unintentionally resulting in minor revenue changes that are not fairly described as "resulting from" tax law changes. The de minimis level recognizes the inherent challenges and uncertainties that recipient governments face, and thus allows relatively small reductions in tax revenue without consequence. Treasury determined the 1 percent level by assessing the historical effects of state-level tax policy changes in state EITCs implemented to effect policy goals other than reducing net tax revenues.¹⁶⁸ The 1 percent de minimis level reflects the historical reductions in revenue due to minor changes in state fiscal policies.

(3) *Safe harbor.* The recipient government will then compare the reporting year's actual tax revenue to the baseline. If actual tax revenue is greater than the baseline, Treasury will deem the recipient government not to have any recognized net reduction for the reporting year, and therefore to be in a safe harbor and outside the ambit of the offset provision. This approach is consistent with the ARPA, which contemplates recoupment of Fiscal Recovery Funds only in the event that such funds are used to offset a reduction in net tax revenue. If net tax revenue has not

¹⁶⁸ Data provided by the Urban-Brookings Tax Policy Center for state-level EITC changes for 2004-2017.

been reduced, this provision does not apply. In the event that actual tax revenue is above the baseline, the organic revenue growth that has occurred, plus any other revenue-raising changes, by definition must have been enough to offset the in-year costs of the covered changes.

(4) *Consideration of other sources of funding.* Next, the recipient government will identify and calculate the total value of changes that could pay for revenue reduction due to covered changes and sum these items. This amount can be used to pay for up to the total value of revenue-reducing changes in the reporting year. These changes consist of two categories:

(a) *Tax and other increases in revenue.* The recipient government must identify and consider covered changes in policy that the recipient government predicts will have the effect of increasing general revenue in a given reporting year. As when identifying and valuing covered changes that reduce tax revenue, the value of revenue-raising changes may be reported based on estimated values produced by a budget model, incorporating reasonable assumptions, aligned with the recipient government's existing approach for measuring the effects of fiscal policies, and measured relative to a current law baseline, or based on actual values using a statistical methodology to isolate the change in year-over-year revenue attributable to the covered change(s). Further, and as discussed above, estimation approaches should not use dynamic scoring methodologies that incorporate the effects of macroeconomic growth because growth is accounted for separately under the Interim Final Rule. In general and where possible, reporting should be produced by the agency of the recipient government responsible for estimating the costs and effects of fiscal policy changes. This approach offers recipient governments the flexibility to determine their reporting methodology based on their existing budget scoring practices and capabilities.

(b) *Covered spending cuts.* A recipient government also may cut spending in certain areas to pay for covered changes that reduce tax revenue, up to the amount of the recipient government's net reduction in total spending as described below. These changes must be reductions in government outlays not in an area where the recipient government has spent Fiscal Recovery Funds. To better align with existing reporting and accounting, the Interim Final Rule considers the department, agency, or authority from which spending has been cut and whether the recipient government has spent Fiscal Recovery Funds on that same department, agency, or authority. This approach was selected to allow recipient governments to report how Fiscal Recovery Funds have been spent using reporting units already incorporated into their budgeting process. If they have not spent Fiscal Recovery Funds in a department, agency, or authority, the full amount of the reduction in spending counts as a covered spending cut, up to the recipient government's net reduction in total spending. If they have, the Fiscal Recovery Funds generally would be deemed to have replaced the amount of spending cut and only reductions in spending above the amount of Fiscal Recovery Funds spent on the department, agency, or authority would count.

To calculate the amount of spending cuts that are available to offset a reduction in tax revenue, the recipient government must first consider whether there has been a reduction in total net spending, excluding Fiscal Recovery Funds (net reduction in total spending). This approach ensures that reported spending cuts actually create fiscal space, rather than simply offsetting other spending increases. A net reduction in total spending is measured as the difference between total spending in each reporting year, excluding Fiscal Recovery Funds spent, relative to total spending for the recipient's fiscal year ending in 2019, adjusted for inflation. Measuring reductions in spending relative to 2019 reflects the fact that the fiscal space created by a

spending cut persists so long as spending remains below its original level, even if it does not decline further, relative to the same amount of revenue. Measuring spending cuts from year to year would, by contrast, not recognize any available funds to offset revenue reductions unless spending continued to decline, failing to reflect the actual availability of funds created by a persistent change and limiting the discretion of States and territories. In general and where possible, reporting should be produced by the agency of the recipient government responsible for estimating the costs and effects of fiscal policy changes. Treasury chose this approach because while many recipient governments may score budget legislation using projections, spending cuts are readily observable using actual values.

This approach—allowing only spending reductions in areas where the recipient government has not spent Fiscal Recovery Funds to be used as an offset for a reduction in net tax revenue—aims to prevent recipient governments from using Fiscal Recovery Funds to supplant State or territory funding in the eligible use areas, and then use those State or territory funds to offset tax cuts. Such an approach helps ensure that Fiscal Recovery Funds are not used to “indirectly” offset revenue reductions due to covered changes.

In order to help ensure recipient governments use Fiscal Recovery Funds in a manner consistent with the prescribed eligible uses and do not use Fiscal Recovery Funds to indirectly offset a reduction in net tax revenue resulting from a covered change, Treasury will monitor changes in spending throughout the covered period. If, over the course of the covered period, a spending cut is subsequently replaced with Fiscal Recovery Funds and used to indirectly offset a reduction in net tax revenue resulting from a covered change, Treasury may consider such change to be an evasion of the restrictions of the offset provision and seek recoupment of such amounts.

(5) *Identification of amounts subject to recoupment.* If a recipient government (i) reports covered changes that reduce tax revenue (Step 1); (ii) to a degree greater than the de minimis (Step 2); (iii) has experienced a reduction in net tax revenue (Step 3); and (iv) lacks sufficient revenue from other, permissible sources to pay for the entirety of the reduction (Step 4), then the recipient government will be considered to have used Fiscal Recovery Funds to offset a reduction in net tax revenue, up to the amount that revenue has actually declined. That is, the maximum value of reduction in revenue due to covered changes which a recipient government must cover is capped at the difference between the baseline and actual tax revenue.¹⁶⁹ In the event that the baseline is above actual tax revenue and the difference between them is less than the sum of revenue reducing changes that are not paid for with other, permissible sources, organic revenue growth has implicitly offset a portion of the reduction. For example, if a recipient government reduces tax revenue by \$1 billion, makes no other changes, and experiences revenue growth driven by organic economic growth worth \$500 million, it need only pay for the remaining \$500 million with sources other than Fiscal Recovery Funds. The revenue reduction cap implements this approach for permitting organic revenue growth to cover the cost of tax cuts.

Finally, as discussed further in Section IV of this Supplementary Information, a recipient government may request reconsideration of any amounts identified as subject to recoupment under this framework. This process ensures that all relevant facts and circumstances, including information regarding planned spending cuts and budgeting assumptions, are considered prior to a determination that an amount must be repaid. Amounts subject to recoupment are calculated

¹⁶⁹ This cap is applied in section 35.8(c) of the Interim Final Rule, calculating the amount of funds used in violation of the tax offset provision.

on an annual basis; amounts recouped in one year cannot be returned if the State or territory subsequently reports an increase in net tax revenue.

To facilitate the implementation of the framework above, and in addition to reporting required on eligible uses, in each year of the reporting period, each State and territory will report to Treasury the following items:

- Actual net tax revenue for the reporting year;
- Each revenue-reducing change made to date during the covered period and the in-year value of each change;
- Each revenue-raising change made to date during the covered period and the in-year value of each change;
- Each covered spending cut made to date during the covered period, the in-year value of each cut, and documentation demonstrating that each spending cut is covered as prescribed under the Interim Final Rule;

Treasury will provide additional guidance and instructions the reporting requirements at a later date.

Question 28: Does the Interim Final Rule's definition of tax revenue accord with existing State and territorial practice and, if not, are there other definitions or elements Treasury should consider? Discuss why or why not.

Question 29: The Interim Final Rule permits certain spending cuts to cover the costs of reductions in tax revenue, including cuts in a department, agency, or authority in which the recipient government is not using Fiscal Recovery Funds. How should Treasury and recipient governments consider the scope of a department, agency, or authority for the use of funds to

ensure spending cuts are not being substituted with Fiscal Recovery Funds while also avoiding an overbroad definition of that captures spending that is, in fact, distinct?

Question 30: Discuss the budget scoring methodologies currently used by States and territories. How should the Interim Final Rule take into consideration differences in approaches? Please discuss the use of practices including but not limited to macrodynamic scoring, microdynamic scoring, and length of budget windows.

Question 31: If a recipient government has a balanced budget requirement, how will that requirement impact its use of Fiscal Recovery Funds and ability to implement this framework?

Question 32: To implement the framework described above, the Interim Final Rule establishes certain reporting requirements. To what extent do recipient governments already produce this information and on what timeline? Discuss ways that Treasury and recipient governments may better rely on information already produced, while ensuring a consistent application of the framework.

Question 33: Discuss States' and territories' ability to produce the figures and numbers required for reporting under the Interim Final Rule. What additional reporting tools, such as a standardized template, would facilitate States' and territories' ability to complete the reporting required under the Interim Final Rule?

C. Other Restrictions on Use

Payments from the Fiscal Recovery Funds are also subject to pre-existing limitations provided in other Federal statutes and regulations and may not be used as non-Federal match for other Federal programs whose statute or regulations bar the use of Federal funds to meet

matching requirements. For example, payments from the Fiscal Recovery Funds may not be used to satisfy the State share of Medicaid.¹⁷⁰

As provided for in the award terms, payments from the Fiscal Recovery Funds as a general matter will be subject to the provisions of the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (2 CFR 200) (the Uniform Guidance), including the cost principles and restrictions on general provisions for selected items of cost.

D. Timeline for Use of Fiscal Recovery Funds

Section 602(c)(1) and section 603(c)(1) require that payments from the Fiscal Recovery Funds be used only to cover costs incurred by the State, territory, Tribal government, or local government by December 31, 2024. Similarly, the CARES Act provided that payments from the CRF be used to cover costs incurred by December 31, 2021.¹⁷¹ The definition of “incurred” does not have a clear meaning. With respect to the CARES Act, on the understanding that the CRF was intended to be used to meet relatively short-term needs, Treasury interpreted this requirement to mean that, for a cost to be considered to have been incurred, performance of the service or delivery of the goods acquired must occur by December 31, 2021. In contrast, the ARPA, passed at a different stage of the COVID-19 public health emergency, was intended to provide more general fiscal relief over a broader timeline. In addition, the ARPA expressly permits the use of Fiscal Recovery Funds for improvements to water, sewer, and broadband infrastructure, which entail a longer timeframe. In recognition of this, Treasury is interpreting

¹⁷⁰ See 42 CFR 433.51 and 45 CFR 75.306.

¹⁷¹ Section 1001 of Division N of the Consolidated Appropriations Act, 2021 amended section 601(d)(3) of the Act by extending the end of the covered period for CRF expenditures from December 30, 2020 to December 31, 2021.

the requirement in section 602 and section 603 that costs be incurred by December 31, 2024, to require only that recipients have obligated the Fiscal Recovery Funds by such date. The Interim Final Rule adopts a definition of “obligation” that is based on the definition used for purposes of the Uniform Guidance, which will allow for uniform administration of this requirement and is a definition with which most recipients will be familiar.

Payments from the Fiscal Recovery Funds are grants provided to recipients to mitigate the fiscal effects of the COVID-19 public health emergency and to respond to the public health emergency, consistent with the eligible uses enumerated in sections 602(c)(1) and 603(c)(1).¹⁷² As such, these funds are intended to provide economic stimulus in areas still recovering from the economic effects of the pandemic. In implementing and interpreting these provisions, including what it means to “respond to” the COVID-19 public health emergency, Treasury takes into consideration pre-pandemic facts and circumstances (e.g., average revenue growth prior to the pandemic) as well as impact of the pandemic that predate the enactment of the ARPA (e.g., replenishing Unemployment Trust balances drawn during the pandemic). While assessing the effects of the COVID-19 public health emergency necessarily takes into consideration the facts and circumstances that predate the ARPA, use of Fiscal Recovery Funds is forward looking.

As discussed above, recipients are permitted to use payments from the Fiscal Recovery Funds to respond to the public health emergency, to respond to workers performing essential work by providing premium pay or providing grants to eligible employers, and to make necessary investments in water, sewer, or broadband infrastructure, which all relate to prospective uses. In addition, sections 602(c)(1)(C) and 603(c)(1)(C) permit recipients to use

¹⁷² §§ 602(a), 603(a), 602(c)(1) and 603(c)(1) of the Act.

Fiscal Recovery Funds for the provision of government services. This clause provides that the amount of funds that may be used for this purpose is measured by reference to the reduction in revenue due to the public health emergency relative to revenues collected in the most recent full fiscal year, but this reference does not relate to the period during which recipients may use the funds, which instead refers to prospective uses, consistent with the other eligible uses.

Although as discussed above the eligible uses of payments from the Fiscal Recovery Funds are all prospective in nature, Treasury considers the beginning of the covered period for purposes of determining compliance with section 602(c)(2)(A) to be the relevant reference point for this purpose. The Interim Final Rule thus permits funds to be used to cover costs incurred beginning on March 3, 2021. This aligns the period for use of Fiscal Recovery Funds with the period during which these funds may not be used to offset reductions in net tax revenue. Permitting Fiscal Recovery Funds to be used to cover costs incurred beginning on this date will also mean that recipients that began incurring costs in the anticipation of enactment of the ARPA and in advance of the issuance of this rule and receipt of payment from the Fiscal Recovery Funds would be able to cover them using these payments.¹⁷³

As set forth in the award terms, the period of performance will run until December 31, 2026, which will provide recipients a reasonable amount of time to complete projects funded with payments from the Fiscal Recovery Funds.

¹⁷³ Given the nature of this program, recipients will not be permitted to use funds to cover pre-award costs, *i.e.*, those incurred prior to March 3, 2021.

IV. Recoupment Process

Under the ARPA, failure to comply with the restrictions on use contained in sections 602(c) and 603(c) of the Act may result in recoupment of funds.¹⁷⁴ The Interim Final Rule implements these provisions by establishing a process for recoupment.

Identification and Notice of Violations. Failure to comply with the restrictions on use will be identified based on reporting provided by the recipient. As discussed further in Sections III.B and VIII of this Supplementary Information, Treasury will collect information regarding eligible uses on a quarterly basis and on the tax offset provision on an annual basis. Treasury also may consider other information in identifying a violation, such as information provided by members of the public. If Treasury identifies a violation, it will provide written notice to the recipient along with an explanation of such amounts.

Request for Reconsideration. Under the Interim Final Rule, a recipient may submit a request for reconsideration of any amounts identified in the notice provided by Treasury. This reconsideration process provides a recipient the opportunity to submit additional information it believes supports its request in light of the notice of recoupment, including, for example, additional information regarding the recipient's use of Fiscal Recovery Funds or its tax revenues. The process also provides the Secretary with an opportunity to consider all information relevant to whether a violation has occurred, and if so, the appropriate amount for recoupment.

The Interim Final Rule also establishes requirements for the timing of a request for reconsideration. Specifically, if a recipient wishes to request reconsideration of any amounts identified in the notice, the recipient must submit a written request for reconsideration to the

¹⁷⁴ §§ 602(e) and 603(e) of the Act.

Secretary within 60 calendar days of receipt of such notice. The request must include an explanation of why the recipient believes that the finding of a violation or recoupable amount identified in the notice of recoupment should be reconsidered. To facilitate the Secretary's review of a recipient's request for reconsideration, the request should identify all supporting reasons for the request. Within 60 calendar days of receipt of the recipient's request for reconsideration, the recipient will be notified of the Secretary's decision to affirm, withdraw, or modify the notice of recoupment. Such notification will include an explanation of the decision, including responses to the recipient's supporting reasons and consideration of additional information provided.

The process and timeline established by the Interim Final Rule are intended to provide the recipient with an adequate opportunity to fully present any issues or arguments in response to the notice of recoupment.¹⁷⁵ This process will allow the Secretary to respond to the issues and considerations raised in the request for reconsideration taking into account the information and arguments presented by the recipient along with any other relevant information.

Repayment. Finally, the Interim Final Rule provides that any amounts subject to recoupment must be repaid within 120 calendar days of receipt of any final notice of recoupment or, if the recipient has not requested reconsideration, within 120 calendar days of the initial notice provided by the Secretary.

Question 34: Discuss the timeline for requesting reconsideration under the Interim Final Rule. What, if any, challenges does this timeline present?

¹⁷⁵ The Interim Final Rule also provides that Treasury may extend any deadlines.

V. Payments in Tranches to Local Governments and Certain States

Section 603 of the Act provides that the Secretary will make payments to local governments in two tranches, with the second tranche being paid twelve months after the first payment. In addition, section 602(b)(6)(A)(ii) provides that the Secretary may withhold payment of up to 50 percent of the amount allocated to each State and territory for a period of up to twelve months from the date on which the State or territory provides its certification to the Secretary. Any such withholding for a State or territory is required to be based on the unemployment rate in the State or territory as of the date of the certification.

The Secretary has determined to provide in this Interim Final Rule for withholding of 50 percent of the amount of Fiscal Recovery Funds allocated to all States (and the District of Columbia) other than those with an unemployment rate that is 2.0 percentage points or more above its pre-pandemic (i.e., February 2020) level. The Secretary will refer to the latest available monthly data from the Bureau of Labor Statistics as of the date the certification is provided. Based on data available at the time of public release of this Interim Final Rule, this threshold would result in a majority of States being paid in two tranches.

Splitting payments for the majority of States is consistent with the requirement in section 603 of the Act to make payments from the Coronavirus Local Fiscal Recovery Fund to local governments in two tranches.¹⁷⁶ Splitting payments to States into two tranches will help

¹⁷⁶ With respect to Federal financial assistance more generally, States are subject to the requirements of the Cash Management Improvement Act (CMIA), under which Federal funds are drawn upon only on an as needed basis and States are required to remit interest on unused balances to Treasury. Given the statutory requirement for Treasury to make payments to States within a certain period, these requirements of the CMIA and Treasury's implementing regulations at 31 CFR part 205 will not apply to payments from the Fiscal Recovery Funds. Providing funding in two tranches to the majority of States reflects, to the maximum extent permitted by section 602 of the Act, the general principles of Federal cash management and stewardship of federal funding, yet will be much less restrictive than the usual requirements to which States are subject.

encourage recipients to adapt, as necessary, to new developments that could arise over the coming twelve months, including potential changes to the nature of the public health emergency and its negative economic impacts. While the U.S. economy has been recovering and adding jobs in aggregate, there is still considerable uncertainty in the economic outlook and the interaction between the pandemic and the economy.¹⁷⁷ For these reasons, Treasury believes it will be appropriate for a majority of recipients to adapt their plans as the recovery evolves. For example, a faster-than-expected economic recovery in 2021 could lead a recipient to dedicate more Fiscal Recovery Funds to longer-term investments starting in 2022. In contrast, a slower-than-expected economic recovery in 2021 could lead a recipient to use additional funds for near-term stimulus in 2022.

At the same time, the statute contemplates the possibility that elevated unemployment in certain States could justify a single payment. Elevated unemployment is indicative of a greater need to assist unemployed workers and stimulate a faster economic recovery. For this reason, the Interim Final Rule provides that States and territories with an increase in their unemployment rate over a specified threshold may receive a single payment, with the expectation that a single tranche will better enable these States and territories to take additional immediate action to aid the unemployed and strengthen their economies.

Following the initial pandemic-related spike in unemployment in 2020, States' unemployment rates have been trending back towards pre-pandemic levels. However, some States' labor markets are healing more slowly than others. Moreover, States varied widely in

¹⁷⁷ The potential course of the virus, and its impact on the economy, has contributed to a heightened degree of uncertainty relative to prior periods. *See, e.g.,* Dave Altig et al., *Economic uncertainty before and during the COVID-19 pandemic*, *J. of Public Econ.* (Nov. 2020), *available at* <https://www.sciencedirect.com/science/article/abs/pii/S0047272720301389>

their pre-pandemic levels of unemployment, and some States remain substantially further from their pre-pandemic starting point. Consequently, Treasury is delineating States with significant remaining elevation in the unemployment rate, based on the net difference to pre-pandemic levels.

Treasury has established that significant remaining elevation in the unemployment rate is a net change in the unemployment rate of 2.0 percentage points or more relative to pre-pandemic levels. In the four previous recessions going back to the early 1980s, the national unemployment rate rose by 3.6, 2.3, 2.0, and 5.0 percentage points, as measured from the start of the recession to the eventual peak during or immediately following the recession.¹⁷⁸ Each of these increases can therefore represent a recession's impact on unemployment. To identify States with significant remaining elevation in unemployment, Treasury took the lowest of these four increases, 2.0 percentage points, to indicate states where, despite improvement in the unemployment rate, current labor market conditions are consistent still with a historical benchmark for a recession.

No U.S. territory will be subject to withholding of its payment from the Fiscal Recovery Funds. For Puerto Rico, the Secretary has determined that the current level of the unemployment rate (8.8 percent, as of March 2021¹⁷⁹) is sufficiently high such that Treasury should not withhold any portion of its payment from the Fiscal Recovery Funds regardless of its change in

¹⁷⁸ Includes the period during and immediately following recessions, as defined by the National Bureau of Economic Research. National Bureau of Economic Research, US Business Cycle Expansions and Contractions, <https://www.nber.org/research/data/us-business-cycle-expansions-and-contractions> (last visited Apr. 27, 2021). Based on data from U.S. Bureau of Labor Statistics, Unemployment Rate [UNRATE], retrieved from FRED, Federal Reserve Bank of St. Louis, <https://fred.stlouisfed.org/series/UNRATE> (last visited Apr. 27, 2021).

¹⁷⁹ U.S. Bureau of Labor Statistics, Economic News Release – Table 1. Civilian labor force and unemployment by state and selected area, seasonally adjusted, <https://www.bls.gov/news.release/laus.t01.htm> (last visited Apr. 30, 2021).

unemployment rate relative to its pre-pandemic level. For U.S. territories that are not included in the Bureau of Labor Statistics' monthly unemployment rate data, the Secretary will not exercise the authority to withhold amounts from the Fiscal Recovery Funds.

VI. Transfer

The statute authorizes State, territorial, and Tribal governments; counties; metropolitan cities; and nonentitlement units of local government (counties, metropolitan cities, and nonentitlement units of local government are collectively referred to as "local governments") to transfer amounts paid from the Fiscal Recovery Funds to a number of specified entities. By permitting these transfers, Congress recognized the importance of providing flexibility to governments seeking to achieve the greatest impact with their funds, including by working with other levels or units of government or private entities to assist recipient governments in carrying out their programs. This includes special-purpose districts that perform specific functions in the community, such as fire, water, sewer, or mosquito abatement districts.

Specifically, under section 602(c)(3), a State, territory, or Tribal government may transfer funds to a "private nonprofit organization . . . a Tribal organization . . . a public benefit corporation involved in the transportation of passengers or cargo, or a special-purpose unit of State or local government."¹⁸⁰ Similarly, section 603(c)(3) authorizes a local government to transfer funds to the same entities (other than Tribal organizations).

The Interim Final Rule clarifies that the lists of transferees in Sections 602(c)(3) and 603(c)(3) are not exclusive. The Interim Final Rule permits State, territorial, and Tribal governments to transfer Fiscal Recovery Funds to other constituent units of government or

¹⁸⁰ § 602(c)(3) of the Act.

private entities beyond those specified in the statute. Similarly, local governments are authorized to transfer Fiscal Recovery Funds to other constituent units of government (e.g., a county is able to transfer Fiscal Recovery Funds to a city, town, or school district within it) or to private entities. This approach is intended to help provide funding to local governments with needs that may exceed the allocation provided under the statutory formula.

State, local, territorial, and Tribal governments that receive a Federal award directly from a Federal awarding agency, such as Treasury, are “recipients.” A transferee receiving a transfer from a recipient under sections 602(c)(3) and 603(c)(3) will be a subrecipient. Subrecipients are entities that receive a subaward from a recipient to carry out a program or project on behalf of the recipient with the recipient’s Federal award funding. The recipient remains responsible for monitoring and overseeing the subrecipient’s use of Fiscal Recovery Funds and other activities related to the award to ensure that the subrecipient complies with the statutory and regulatory requirements and the terms and conditions of the award. Recipients also remain responsible for reporting to Treasury on their subrecipients’ use of payments from the Fiscal Recovery Funds for the duration of the award.

Transfers under sections 602(c)(3) and 603(c)(3) must qualify as an eligible use of Fiscal Recovery Funds by the transferor. Once Fiscal Recovery Funds are received, the transferee must abide by the restrictions on use applicable to the transferor under the ARPA and other applicable law and program guidance. For example, if a county transferred Fiscal Recovery Funds to a town within its borders to respond to the COVID-19 public health emergency, the town would be bound by the eligible use requirements applicable to the county in carrying out the county’s goal. This also means that county A may not transfer Fiscal Recovery Funds to county B for use in

county B because such a transfer would not, from the perspective of the transferor (county A), be an eligible use in county A.

Section 603(c)(4) separately provides for transfers by a local government to its State or territory. A transfer under section 603(c)(4) will not make the State a subrecipient of the local government, and such Fiscal Recovery Funds may be used by the State for any purpose permitted under section 602(c). A transfer under section 603(c)(4) will result in a cancellation or termination of the award on the part of the transferor local government and a modification of the award to the transferee State or territory. The transferor must provide notice of the transfer to Treasury in a format specified by Treasury. If the local government does not provide such notice, it will remain legally obligated to Treasury under the award and remain responsible for ensuring that the awarded Fiscal Recovery Funds are being used in accordance with the statute and program guidance and for reporting on such uses to Treasury. A State that receives a transfer from a local government under section 603(c)(4) will be bound by all of the use restrictions set forth in section 602(c) with respect to the use of those Fiscal Recovery Funds, including the prohibitions on use of such Fiscal Recovery Funds to offset certain reductions in taxes or to make deposits into pension funds.

Question 35: What are the advantages and disadvantages of treating the list of transferees in sections 602(c)(3) and 603(c)(3) as nonexclusive, allowing States and localities to transfer funds to entities outside of the list?

Question 36: Are there alternative ways of defining “special-purpose unit of State or local government” and “public benefit corporation” that would better further the aims of the Funds?

VII. Nonentitlement Units of Government

The Fiscal Recovery Funds provides for \$19.53 billion in payments to be made to States and territories which will distribute the funds to nonentitlement units of local government (NEUs); local governments which generally have populations below 50,000. These local governments have not yet received direct fiscal relief from the Federal government during the COVID-19 public health emergency, making Fiscal Recovery Funds payments an important source of support for their public health and economic responses. Section 603 requires Treasury to allocate and pay Fiscal Recovery Funds to the States and territories and requires the States and territories to distribute Fiscal Recovery Funds to NEUs based on population within 30 days of receipt unless an extension is granted by the Secretary. The Interim Final Rule clarifies certain aspects regarding the distribution of Fiscal Recovery by States and territories to NEUs, as well as requirements around timely payments from the Fiscal Recovery Funds.

The ARPA requires that States and territories allocate funding to NEUs in an amount that bears the same proportion as the population of the NEU bears to the total population of all NEUs in the State or territory, subject to a cap (described below). Because the statute requires States and territories to make distributions based on population, States and territories may not place additional conditions or requirements on distributions to NEUs, beyond those required by the ARPA and Treasury's implementing regulations and guidance. For example, a State may not impose stricter limitations than permitted by statute or Treasury regulations or guidance on an NEU's use of Fiscal Recovery Funds based on the NEU's proposed spending plan or other policies. States and territories are also not permitted to offset any debt owed by the NEU against the NEU's distribution. Further, States and territories may not provide funding on a reimbursement basis—e.g., requiring NEUs to pay for project costs up front before being

reimbursed with Fiscal Recovery Funds payments—because this funding model would not comport with the statutory requirement that States and territories make distributions to NEUs within the statutory timeframe.

Similarly, States and territories distributing Fiscal Recovery Funds payments to NEUs are responsible for complying with the Fiscal Recovery Funds statutory requirement that distributions to NEUs not exceed 75 percent of the NEU’s most recent budget. The most recent budget is defined as the NEU’s most recent annual total operating budget, including its general fund and other funds, as of January 27, 2020. Amounts in excess of such cap and therefore not distributed to the NEU must be returned to Treasury by the State or territory. States and territories may rely for this determination on a certified top-line budget total from the NEU.

Under the Interim Final Rule, the total allocation and distribution to an NEU, including the sum of both the first and second tranches of funding, cannot exceed the 75 percent cap. States and territories must permit NEUs without formal budgets as of January 27, 2020 to self-certify their most recent annual expenditures as of January 27, 2020 for the purpose of calculating the cap. This approach will provide an administrable means to implement the cap for small local governments that do not adopt a formal budget.

Section 603(b)(3) of the Social Security Act provides for Treasury to make payments to counties but provides that, in the case of an amount to be paid to a county that is not a unit of general local government, the amount shall instead be paid to the State in which such county is located, and such State shall distribute such amount to each unit of general local government within such county in an amount that bears the same proportion to the amount to be paid to such county as the population of such units of general local government bears to the total population of such county. As with NEUs, States may not place additional conditions or requirements on

distributions to such units of general local government, beyond those required by the ARPA and Treasury's implementing regulations and guidance.

In the case of consolidated governments, section 603(b)(4) allows consolidated governments (e.g., a city-county consolidated government) to receive payments under each allocation based on the respective formulas. In the case of a consolidated government, Treasury interprets the budget cap to apply to the consolidated government's NEU allocation under section 603(b)(2) but not to the consolidated government's county allocation under section 603(b)(3).

If necessary, States and territories may use the Fiscal Recovery Funds under section 602(c)(1)(A) to fund expenses related to administering payments to NEUs and units of general local government, as disbursing these funds itself is a response to the public health emergency and its negative economic impacts. If a State or territory requires more time to disburse Fiscal Recovery Funds to NEUs than the allotted 30 days, Treasury will grant extensions of not more than 30 days for States and territories that submit a certification in writing in accordance with section 603(b)(2)(C)(ii)(I). Additional extensions may be granted at the discretion of the Secretary.

Question 37: What are alternative ways for States and territories to enforce the 75 percent cap while reducing the administrative burden on them?

Question 38: What criteria should Treasury consider in assessing requests for extensions for further time to distribute NEU payments?

VIII. Reporting

States (defined to include the District of Columbia), territories, metropolitan cities, counties, and Tribal governments will be required to submit one interim report and thereafter

quarterly Project and Expenditure reports through the end of the award period on December 31, 2026. The interim report will include a recipient's expenditures by category at the summary level from the date of award to July 31, 2021 and, for States and territories, information related to distributions to nonentitlement units. Recipients must submit their interim report to Treasury by August 31, 2021. Nonentitlement units of local government are not required to submit an interim report.

The quarterly Project and Expenditure reports will include financial data, information on contracts and subawards over \$50,000, types of projects funded, and other information regarding a recipient's utilization of the award funds. The reports will include the same general data (e.g., on obligations, expenditures, contracts, grants, and sub-awards) as those submitted by recipients of the CRF, with some modifications. Modifications will include updates to the expenditure categories and the addition of data elements related to specific eligible uses, including some of the reporting elements described in sections above. The initial quarterly Project and Expenditure report will cover two calendar quarters from the date of award to September 30, 2021, and must be submitted to Treasury by October 31, 2021. The subsequent quarterly reports will cover one calendar quarter and must be submitted to Treasury within 30 days after the end of each calendar quarter.

Nonentitlement units of local government will be required to submit annual Project and Expenditure reports until the end of the award period on December 31, 2026. The initial annual Project and Expenditure report for nonentitlement units of local government will cover activity from the date of award to September 30, 2021 and must be submitted to Treasury by October 31, 2021. The subsequent annual reports must be submitted to Treasury by October 31 each year.

States, territories, metropolitan cities, and counties with a population that exceeds 250,000 residents will also be required to submit an annual Recovery Plan Performance report to Treasury. The Recovery Plan Performance report will provide the public and Treasury information on the projects that recipients are undertaking with program funding and how they are planning to ensure project outcomes are achieved in an effective, efficient, and equitable manner. Each jurisdiction will have some flexibility in terms of the form and content of the Recovery Plan Performance report, as long as it includes the minimum information required by Treasury. The Recovery Plan Performance report will include key performance indicators identified by the recipient and some mandatory indicators identified by Treasury, as well as programmatic data in specific eligible use categories and the specific reporting requirements described in the sections above. The initial Recovery Plan Performance report will cover the period from the date of award to July 31, 2021 and must be submitted to Treasury by August 31, 2021. Thereafter, Recovery Plan Performance reports will cover a 12-month period, and recipients will be required to submit the report to Treasury within 30 days after the end of the 12-month period. The second Recovery Plan Performance report will cover the period from July 1, 2021 to June 30, 2022, and must be submitted to Treasury by July 31, 2022. Each annual Recovery Plan Performance report must be posted on the public-facing website of the recipient. Local governments with fewer than 250,000 residents, Tribal governments, and nonentitlement units of local government are not required to develop a Recovery Plan Performance report.

Treasury will provide additional guidance and instructions on the reporting requirements outlined above for the Fiscal Recovery Funds at a later date.

IX. Comments and Effective Date

This Interim Final Rule is being issued without advance notice and public comment to allow for immediate implementation of this program. As discussed below, the requirements of advance notice and public comment do not apply “to the extent that there is involved . . . a matter relating to agency . . . grants.”¹⁸¹ The Interim Final Rule implements statutory conditions on the eligible uses of the Fiscal Recovery Funds grants, and addresses the payment of those funds, the reporting on uses of funds, and potential consequences of ineligible uses. In addition and as discussed below, the Administrative Procedure Act also provides an exception to ordinary notice-and-comment procedures “when the agency for good cause finds (and incorporates the finding and a brief statement of reasons therefor in the rules issued) that notice and public procedure thereon are impracticable, unnecessary, or contrary to the public interest.”¹⁸² This good cause justification also supports waiver of the 60-day delayed effective date for major rules under the Congressional Review Act at 5 U.S.C. 808(2). Although this Interim Final Rule is effective immediately, comments are solicited from interested members of the public and from recipient governments on all aspects of the Interim Final Rule.

These comments must be submitted on or before [INSERT DATE 60 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

¹⁸¹ 5 U.S.C. 553(a)(2).

¹⁸² 5 U.S.C. 553(b)(3)(B); *see also* 5 U.S.C. 553(d)(3) (creating an exception to the requirement of a 30-day delay before the effective date of a rule “for good cause found and published with the rule”).

X. Regulatory Analyses

Executive Orders 12866 and 13563

This Interim Final Rule is economically significant for the purposes of Executive Orders 12866 and 13563. Treasury, however, is proceeding under the emergency provision at Executive Order 12866 section 6(a)(3)(D) based on the need to act expeditiously to mitigate the current economic conditions arising from the COVID-19 public health emergency. The rule has been reviewed by the Office of Management and Budget (OMB) in accordance with Executive Order 12866. This rule is necessary to implement the ARPA in order to provide economic relief to State, local, and Tribal governments adversely impacted by the COVID-19 public health emergency.

Under Executive Order 12866, OMB must determine whether this regulatory action is “significant” and, therefore, subject to the requirements of the Executive Order and subject to review by OMB. Section 3(f) of Executive Order 12866 defines a significant regulatory action as an action likely to result in a rule that may:

- (1) Have an annual effect on the economy of \$100 million or more, or adversely affect a sector of the economy; productivity; competition; jobs; the environment; public health or safety; or State, local, or Tribal governments or communities in a material way (also referred to as “economically significant” regulations);
- (2) Create a serious inconsistency or otherwise interfere with an action taken or planned by another agency;
- (3) Materially alter the budgetary impacts of entitlements, grants, user fees, or loan programs or the rights and obligations of recipients thereof; or

- (4) Raise novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles stated in the Executive Order.

This regulatory action is an economically significant regulatory action subject to review by OMB under section 3(f) of Executive Order 12866. Treasury has also reviewed these regulations under Executive Order 13563, which supplements and explicitly reaffirms the principles, structures, and definitions governing regulatory review established in Executive Order 12866. To the extent permitted by law, section 1(b) of Executive Order 13563 requires that an agency:

- (1) Propose or adopt regulations only upon a reasoned determination that their benefits justify their costs (recognizing that some benefits and costs are difficult to quantify);
- (2) Tailor its regulations to impose the least burden on society, consistent with obtaining regulatory objectives taking into account, among other things, and to the extent practicable, the costs of cumulative regulations;
- (3) Select, in choosing among alternative regulatory approaches, those approaches that maximize net benefits (including potential economic, environmental, public health and safety, and other advantages; distributive impacts; and equity);
- (4) To the extent feasible, specify performance objectives, rather than the behavior or manner of compliance a regulated entity must adopt; and
- (5) Identify and assess available alternatives to direct regulation, including providing economic incentives—such as user fees or marketable permits—to encourage the desired behavior, or providing information that enables the public to make choices.

Executive Order 13563 also requires an agency “to use the best available techniques to quantify anticipated present and future benefits and costs as accurately as possible.” OMB's Office of Information and Regulatory Affairs (OIRA) has emphasized that these techniques may

include “identifying changing future compliance costs that might result from technological innovation or anticipated behavioral changes.”

Treasury has assessed the potential costs and benefits, both quantitative and qualitative, of this regulatory action, and is issuing this Interim Final Rule only on a reasoned determination that the benefits exceed the costs. In choosing among alternative regulatory approaches, Treasury selected those approaches that would maximize net benefits. Based on the analysis that follows and the reasons stated elsewhere in this document, Treasury believes that this Interim Final Rule is consistent with the principles set forth in Executive Order 13563. Treasury also has determined that this regulatory action does not unduly interfere with States, territories, Tribal governments, and localities in the exercise of their governmental functions.

This Regulatory Impact Analysis discusses the need for regulatory action, the potential benefits, and the potential costs.

Need for Regulatory Action. This Interim Final Rule implements the \$350 billion Fiscal Recovery Funds of the ARPA, which Congress passed to help States, territories, Tribal governments, and localities respond to the ongoing COVID-19 public health emergency and its economic impacts. As the agency charged with execution of these programs, Treasury has concluded that this Interim Final Rule is needed to ensure that recipients of Fiscal Recovery Funds fully understand the requirements and parameters of the program as set forth in the statute and deploy funds in a manner that best reflects Congress’ mandate for targeted fiscal relief. This Interim Final Rule is primarily a transfer rule: it transfers \$350 billion in aid from the Federal government to states, territories, Tribal governments, and localities, generating a significant macroeconomic effect on the U.S. economy. In making this transfer, Treasury has sought to implement the program in ways that maximize its potential benefits while minimizing

its costs. It has done so by aiming to target relief in key areas according to the congressional mandate; offering clarity to States, territories, Tribal governments, and localities while maintaining their flexibility to respond to local needs; and limiting administrative burdens.

Analysis of Benefits. Relative to a pre-statutory baseline, the Fiscal Recovery Funds provide a combined \$350 billion to State, local, and Tribal governments for fiscal relief and support for costs incurred responding to the COVID-19 pandemic. Treasury believes that this transfer will generate substantial additional economic activity, although given the flexibility accorded to recipients in the use of funds, it is not possible to precisely estimate the extent to which this will occur and the timing with which it will occur. Economic research has demonstrated that state fiscal relief is an efficient and effective way to mitigate declines in jobs and output during an economic downturn.¹⁸³ Absent such fiscal relief, fiscal austerity among State, local, and Tribal governments could exert a prolonged drag on the overall economic recovery, as occurred following the 2007-09 recession.¹⁸⁴

This Interim Final Rule provides benefits across several areas by implementing the four eligible funding uses, as defined in statute: strengthening the response to the COVID-19 public health emergency and its economic impacts; easing fiscal pressure on State, local, and Tribal governments that might otherwise lead to harmful cutbacks in employment or government

¹⁸³ Gabriel Chodorow-Reich et al., Does State Fiscal Relief during Recessions Increase Employment? Evidence from the American Recovery and Reinvestment Act, *American Econ. J.: Econ. Policy*, 4:3 118-45 (Aug. 2012), available at <https://www.aeaweb.org/articles?id=10.1257/pol.4.3.118>

¹⁸⁴ See, e.g., Fitzpatrick, Haughwout & Setren, Fiscal Drag from the State and Local Sector?, Liberty Street Economics Blog, Federal Reserve Bank of New York (June 27, 2012), <https://www.libertystreeteconomics.newyorkfed.org/2012/06/fiscal-drag-from-the-state-and-local-sector.html>; Jiri Jonas, Great Recession and Fiscal Squeeze at U.S. Subnational Government Level, IMF Working Paper 12/184, (July 2012), available at <https://www.imf.org/external/pubs/ft/wp/2012/wp12184.pdf>; Gordon, *supra* note 9.

services; providing premium pay to essential workers; and making necessary investments in certain types of infrastructure. In implementing the ARPA, Treasury also sought to support disadvantaged communities that have been disproportionately impacted by the pandemic. The Fiscal Recovery Funds as implemented by the Interim Final Rule can be expected to channel resources toward these uses in order to achieve substantial near-term economic and public health benefits, as well as longer-term benefits arising from the allowable investments in water, sewer, and broadband infrastructure and aid to families.

These benefits are achieved in the Interim Final Rule through a broadly flexible approach that sets clear guidelines on eligible uses of Fiscal Recovery Funds and provides State, local, and Tribal government officials discretion within those eligible uses to direct Fiscal Recovery Funds to areas of greatest need within their jurisdiction. While preserving recipients' overall flexibility, the Interim Final Rule includes several provisions that implement statutory requirements and will help support use of Fiscal Recovery Funds to achieve the intended benefits. The remainder of this section clarifies how Treasury's approach to key provisions in the Interim Final Rule will contribute to greater realization of benefits from the program.

- Revenue Loss: Recipients will compute the extent of reduction in revenue by comparing actual revenue to a counterfactual trend representing what could have plausibly been expected to occur in the absence of the pandemic. The counterfactual trend begins with the last full fiscal year prior to the public health emergency (as required by statute) and projects forward with an annualized growth adjustment. Treasury's decision to incorporate a growth adjustment into the calculation of revenue loss ensures that the formula more fully captures revenue shortfalls relative to recipients' pre-pandemic expectations. Moreover, recipients will have the opportunity to re-calculate revenue loss

at several points throughout the program, recognizing that some recipients may experience revenue effects with a lag. This option to re-calculate revenue loss on an ongoing basis should result in more support for recipients to avoid harmful cutbacks in future years. In calculating revenue loss, recipients will look at general revenue in the aggregate, rather than on a source-by-source basis. Given that recipients may have experienced offsetting changes in revenues across sources, Treasury's approach provides a more accurate representation of the effect of the pandemic on overall revenues.

- Premium Pay: Per the statute, recipients have broad latitude to designate critical infrastructure sectors and make grants to third-party employers for the purpose of providing premium pay or otherwise respond to essential workers. While the Interim Final Rule generally preserves the flexibility in the statute, it does add a requirement that recipients give written justification in the case that premium pay would increase a worker's annual pay above a certain threshold. To set this threshold, Treasury analyzed data from the Bureau of Labor Statistics to determine a level that would not require further justification for premium pay to the vast majority of essential workers, while requiring higher scrutiny for provision of premium pay to higher-earners who, even without premium pay, would likely have greater personal financial resources to cope with the effects of the pandemic. Treasury believes the threshold in the Interim Final Rule strikes the appropriate balance between preserving flexibility and helping encourage use of these resources to help those in greatest need. The Interim Final Rule also requires that eligible workers have regular in-person interactions or regular physical handling of items that were also handled by others. This requirement will also help encourage use of

financial resources for those who have endured the heightened risk of performing essential work.

- Withholding of Payments to Recipients: Treasury believes that for the vast majority of recipient entities, it will be appropriate to receive funds in two separate payments. As discussed above, withholding of payments ensures that recipients can adapt spending plans to evolving economic conditions and that at least some of the economic benefits will be realized in 2022 or later. However, consistent with authorities granted to Treasury in the statute, Treasury recognizes that a subset of States with significant remaining elevation in the unemployment rate could face heightened additional near-term needs to aid unemployed workers and stimulate the recovery. Therefore, for a subset of State governments, Treasury will not withhold any funds from the first payment. Treasury believes that this approach strikes the appropriate balance between the general reasons to provide funds in two payments and the heightened additional near-term needs in specific States. As discussed above, Treasury set a threshold based on historical analysis of unemployment rates in recessions.
- Hiring Public Sector Employees: The Interim Final Rule states explicitly that recipients may use funds to restore their workforces up to pre-pandemic levels. Treasury believes that this statement is beneficial because it eliminates any uncertainty that could cause delays or otherwise negatively impact restoring public sector workforces (which, at time of publication, remain significantly below pre-pandemic levels).

Finally, the Interim Final Rule aims to promote and streamline the provision of assistance to individuals and communities in greatest need, particularly communities that have been historically disadvantaged and have experienced disproportionate impacts of the COVID-19

crisis. Targeting relief is in line with Executive Order 13985 On Advancing Racial Equity and Support for Underserved Communities Through the Federal Government, which laid out an Administration-wide priority to support “equity for all, including people of color and others who have been historically underserved, marginalized, and adversely affected by persistent poverty and inequality.”¹⁸⁵ To this end, the Interim Final Rule enumerates a list of services that may be provided using Fiscal Recovery Funds in low-income areas to address the disproportionate impacts of the pandemic in these communities; establishes the characteristics of essential workers eligible for premium pay and encouragement to serve workers based on financial need; provides that recipients may use Fiscal Recovery Funds to restore (to pre-pandemic levels) state and local workforces, where women and people of color are disproportionately represented;¹⁸⁶ and targets investments in broadband infrastructure to unserved and underserved areas. Collectively, these provisions will promote use of resources to facilitate the provision of assistance to individuals and communities with the greatest need.

Analysis of Costs. This regulatory action will generate administrative costs relative to a pre-statutory baseline. This includes, chiefly, costs required to administer Fiscal Recovery Funds, oversee subrecipients and beneficiaries, and file periodic reports with Treasury. It also requires States to allocate Fiscal Recovery Funds to nonentitlement units, which are smaller units of local government that are statutorily required to receive their funds through States.

¹⁸⁵ Executive Order on Advancing Racial Equity and Support for Underserved Communities through the Federal Government (Jan. 20, 2021), <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/20/executive-order-advancing-racial-equity-and-support-for-underserved-communities-through-the-federal-government/> (last visited May 9, 2021).

¹⁸⁶ David Cooper, Mary Gable & Algernon Austin, Economic Policy Institute Briefing Paper, The Public-Sector Jobs Crisis: Women and African Americans hit hardest by job losses in state and local governments, <https://www.epi.org/publication/bp339-public-sector-jobs-crisis> (last visited May 9, 2021).

Treasury expects that the administrative burden associated with this program will be moderate for a grant program of its size. Treasury expects that most recipients receive direct or indirect funding from Federal government programs and that many have familiarity with how to administer and report on Federal funds or grant funding provided by other entities. In particular, States, territories, and large localities will have received funds from the CRF and Treasury expects them to rely heavily on established processes developed last year or through prior grant funding, mitigating burden on these governments.

Treasury expects to provide technical assistance to defray the costs of administration of Fiscal Recovery Funds to further mitigate burden. In making implementation choices, Treasury has hosted numerous consultations with a diverse range of direct recipients—States, small cities, counties, and Tribal governments —along with various communities across the United States, including those that are underserved. Treasury lacks data to estimate the precise extent to which this Interim Final Rule generates administrative burden for State, local, and Tribal governments, but seeks comment to better estimate and account for these costs, as well as on ways to lessen administrative burdens.

Executive Order 13132

Executive Order 13132 (entitled Federalism) prohibits an agency from publishing any rule that has federalism implications if the rule either imposes substantial, direct compliance costs on State, local, and Tribal governments, and is not required by statute, or preempts state law, unless the agency meets the consultation and funding requirements of section 6 of the Executive Order. This Interim Final Rule does not have federalism implications within the meaning of the Executive Order and does not impose substantial, direct compliance costs on State, local, and Tribal governments or preempt state law within the meaning of the Executive Order. The

compliance costs are imposed on State, local, and Tribal governments by sections 602 and 603 of the Social Security Act, as enacted by the ARPA. Notwithstanding the above, Treasury has engaged in efforts to consult and work cooperatively with affected State, local, and Tribal government officials and associations in the process of developing the Interim Final Rule. Pursuant to the requirements set forth in section 8(a) of Executive Order 13132, Treasury certifies that it has complied with the requirements of Executive Order 13132.

Administrative Procedure Act

The Administrative Procedure Act (APA), 5 U.S.C. 551 et seq., generally requires public notice and an opportunity for comment before a rule becomes effective. However, the APA provides that the requirements of 5 U.S.C. 553 do not apply “to the extent that there is involved . . . a matter relating to agency . . . grants.” The Interim Final Rule implements statutory conditions on the eligible uses of the Fiscal Recovery Funds grants, and addresses the payment of those funds, the reporting on uses of funds, and potential consequences of ineligible uses. The rule is thus “both clearly and directly related to a federal grant program.” *National Wildlife Federation v. Snow*, 561 F.2d 227, 232 (D.C. Cir. 1976). The rule sets forth the “process necessary to maintain state . . . eligibility for federal funds,” *id.*, as well as the “method[s] by which states can . . . qualify for federal aid,” and other “integral part[s] of the grant program,” *Center for Auto Safety v. Tiemann*, 414 F. Supp. 215, 222 (D.D.C. 1976). As a result, the requirements of 5 U.S.C. 553 do not apply.

The APA also provides an exception to ordinary notice-and-comment procedures “when the agency for good cause finds (and incorporates the finding and a brief statement of reasons therefor in the rules issued) that notice and public procedure thereon are impracticable, unnecessary, or contrary to the public interest.” 5 U.S.C. 553(b)(3)(B); *see also* 5 U.S.C.

553(d)(3) (creating an exception to the requirement of a 30-day delay before the effective date of a rule “for good cause found and published with the rule”). Assuming 5 U.S.C. 553 applied, Treasury would still have good cause under sections 553(b)(3)(B) and 553(d)(3) for not undertaking section 553’s requirements. The ARPA is a law responding to a historic economic and public health emergency; it is “extraordinary” legislation about which “both Congress and the President articulated a profound sense of ‘urgency.’” *Petry v. Block*, 737 F.2d 1193, 1200 (D.C. Cir. 1984). Indeed, several provisions implemented by this Interim Final Rule (sections 602(c)(1)(A) and 603(c)(1)(A)) explicitly provide funds to “respond to the public health emergency,” and the urgency is further exemplified by Congress’s command (in sections 602(b)(6)(B) and 603(b)(7)(A)) that, “[t]o the extent practicable,” funds must be provided to Tribes and cities “not later than 60 days after the date of enactment.” See *Philadelphia Citizens in Action v. Schweiker*, 669 F.2d 877, 884 (3d Cir. 1982) (finding good cause under circumstances, including statutory time limits, where APA procedures would have been “virtually impossible”). Finally, there is an urgent need for States to undertake the planning necessary for sound fiscal policymaking, which requires an understanding of how funds provided under the ARPA will augment and interact with existing budgetary resources and tax policies. Treasury understands that many states require immediate rules on which they can rely, especially in light of the fact that the ARPA “covered period” began on March 3, 2021. The statutory urgency and practical necessity are good cause to forego the ordinary requirements of notice-and-comment rulemaking.

Congressional Review Act

The Administrator of OIRA has determined that this is a major rule for purposes of Subtitle E of the Small Business Regulatory Enforcement and Fairness Act of 1996 (also known as the

Congressional Review Act or CRA) (5 U.S.C. 804(2) et seq.). Under the CRA, a major rule takes effect 60 days after the rule is published in the Federal Register. 5 U.S.C. 801(a)(3). Notwithstanding this requirement, the CRA allows agencies to dispense with the requirements of section 801 when the agency for good cause finds that such procedure would be impracticable, unnecessary, or contrary to the public interest and the rule shall take effect at such time as the agency promulgating the rule determines. 5 U.S.C. 808(2). Pursuant to section 808(2), for the reasons discussed above, Treasury for good cause finds that a 60-day delay to provide public notice is impracticable and contrary to the public interest.

Paperwork Reduction Act

The information collections associated with State, territory, local, and Tribal government applications materials necessary to receive Fiscal Recovery Funds (e.g., payment information collection and acceptance of award terms) have been reviewed and approved by OMB pursuant to the Paperwork Reduction Act (44 U.S.C. Chapter 35) (PRA) emergency processing procedures and assigned control number 1505-0271. The information collections related to ongoing reporting requirements, as discussed in this Interim Final Rule, will be submitted to OMB for emergency processing in the near future. Under the PRA, an agency may not conduct or sponsor and a respondent is not required to respond to, an information collection unless it displays a valid OMB control number.

Estimates of hourly burden under this program are set forth in the table below. Burden estimates below are preliminary.

Reporting	# Respondents (Estimated)	# Responses Per Respondent	Total Responses	Hours per response	Total Burden in Hours	Cost to Respondent (\$48.80 per hour*)
Recipient Payment Form	5,050	1	5,050	.25 (15 minutes)	1,262.5	\$61,610
Acceptance of Award Terms	5,050	1	5,050	.25 (15 minutes)	1,262.5	\$61,610
Title VI Assurances	5,050	1	5,050	.50 (30 minutes)	2,525	\$123,220
Quarterly Project and Expenditure Report	5,050	4 per year after first year	20,200	25	505,000	\$24,644,000
Annual Project and Expenditure Report from NEUs	TBD	1 per year	20,000-40,000 (Estimate only)	15	300,000 – 600,000	\$14,640,000 - \$29,280,000
Annual Recovery Plan Performance report	418	1 per year	418	100	41,800	\$2,039,840
Total	5,050 – TBD	N/A	55,768 - 75,768	141	851,850 - 1,151,850	\$41,570,280 - \$56,210,280

* Bureau of Labor Statistics, U.S. Department of Labor, Occupational Outlook Handbook, Accountants and Auditors, on the Internet at <https://www.bls.gov/ooh/business-and-financial/accountants-and-auditors.htm> (visited March 28, 2020). Base wage of \$33.89/hour increased by 44 percent to account for fully loaded employer cost of employee compensation (benefits, etc.) for a fully loaded wage rate of \$48.80.

Periodic reporting is required by section 602(c) of Section VI of the Social Security Act and under the Interim Final Rule.

As discussed in Section VIII of this Supplementary Information, recipients of Fiscal Recovery Funds will be required to submit one interim report and thereafter quarterly Project and Expenditure reports until the end of the award period. Recipients must submit interim reports to Treasury by August 31, 2021. The quarterly Project and Expenditure reports will include financial data, information on contracts and subawards over \$50,000, types of projects funded, and other information regarding a recipient's utilization of the award funds.

Nonentitlement unit recipients will be required to submit annual Project and Expenditure reports until the end of the award period. The initial annual Project and Expenditure report for Nonentitlement unit recipients must be submitted to Treasury by October 31, 2021. The subsequent annual reports must be submitted to Treasury by October 31 each year. States, territories, metropolitan cities, and counties with a population that exceeds 250,000 residents will also be required to submit an annual Recovery Plan Performance report to Treasury. The Recovery Plan Performance report will include descriptions of the projects funded and information on the performance indicators and objectives of the award. Each annual Recovery Plan Performance report must be posted on the public-facing website of the recipient. Treasury will provide additional guidance and instructions on the all the reporting requirements outlined above for the Fiscal Recovery Funds program at a later date.

These and related periodic reporting requirements are under consideration and will be submitted to OMB for approval under the PRA emergency provisions in the near future.

Treasury invites comments on all aspects of the reporting and recordkeeping requirements including: (a) Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information has practical utility; (b) the accuracy of the estimate of the burden of the collection of information; (c) ways to enhance the

quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden of the collection of information; and (e) estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services to provide information. Comments should be sent by the comment deadline to the www.regulations.gov docket with a copy to the Office of Information and Regulatory Affairs, U.S. Office of Management and Budget, 725 17th Street NW, Washington, DC 20503; or email to oir_submission@omb.eop.gov.

Regulatory Flexibility Analysis

The Regulatory Flexibility Act (RFA) generally requires that when an agency issues a proposed rule, or a final rule pursuant to section 553(b) of the Administrative Procedure Act or another law, the agency must prepare a regulatory flexibility analysis that meets the requirements of the RFA and publish such analysis in the Federal Register. 5 U.S.C. 603, 604.

Rules that are exempt from notice and comment under the APA are also exempt from the RFA requirements, including the requirement to conduct a regulatory flexibility analysis, when among other things the agency for good cause finds that notice and public procedure are impracticable, unnecessary, or contrary to the public interest. Since this rule is exempt from the notice and comment requirements of the APA, Treasury is not required to conduct a regulatory flexibility analysis.

RULE TEXT

List of Subjects in 31 CFR Part 35

Executive compensation, State and Local Governments, Tribal Governments, Public health emergency.

Title 31—Money and Finance: Treasury

Part 35 - PANDEMIC RELIEF PROGRAMS

1. The authority citation for Part 35 is revised to read as follows:

Authority: 42 U.S.C. 802(f); 42 U.S.C. 803(f); 31 U.S.C. 321; Consolidated Appropriations Act, 2021 (Pub. L. 116-260), Division N, Title V, Subtitle B; Community Development Banking and Financial Institutions Act of 1994 (enacted as part of the Riegle Community and Regulatory Improvement Act of 1994 (Pub. L. 103-325)), as amended (12 U.S.C. 4701 et seq.), Section 104A; Pub. L. 117-2.

2. Revise the part heading as shown above.

3. Add Subpart A to read as follows:

Subpart A— CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDS

Sec.

35.1 Purpose.

35.2 Applicability.

35.3 Definitions.

35.4 Reservation of Authority, Reporting.

35.5 Use of Funds.

35.6 Eligible Uses.

35.7 Pensions.

35.8 Tax.

35.9. Compliance with Applicable Laws.

35.10. Recoupment.

35.11 Payments to States.

35.12. Distributions to Nonentitlement Units of Local Government and Units of General Local Government.

Authority: 42 U.S.C. 802(f); 42 U.S.C. 803(f)

§ 35.1 Purpose.

This part implements section 9901 of the American Rescue Plan Act (Subtitle M of Title IX of Public Law 117-2), which amends Title VI of the Social Security Act (42 U.S.C. 801 et seq.) by adding sections 602 and 603 to establish the Coronavirus State Fiscal Recovery Fund and Coronavirus Local Fiscal Recovery Fund.

§ 35.2 Applicability.

This part applies to States, territories, Tribal governments, metropolitan cities, nonentitlement units of local government, counties, and units of general local government that accept a payment or transfer of funds made under section 602 or 603 of the Social Security Act.

§ 35.3 Definitions.

Baseline means tax revenue of the recipient for its fiscal year ending in 2019, adjusted for inflation in each reporting year using the Bureau of Economic Analysis’s Implicit Price Deflator for the gross domestic product of the United States.

County means a county, parish, or other equivalent county division (as defined by the Census Bureau).

Covered benefits include, but are not limited to, the costs of all types of leave (vacation, family-related, sick, military, bereavement, sabbatical, jury duty), employee insurance (health, life, dental, vision), retirement (pensions, 401(k)), unemployment benefit plans (Federal and State), workers’ compensation insurance, and Federal Insurance Contributions Act taxes (which includes Social Security and Medicare taxes).

Covered change means a change in law, regulation, or administrative interpretation. A change in law includes any final legislative or regulatory action, a new or changed administrative

interpretation, and the phase-in or taking effect of any statute or rule if the phase-in or taking effect was not prescribed prior to the start of the covered period.

Covered period means, with respect to a State, Territory, or Tribal government, the period that:

(1) Begins on March 3, 2021; and

(2) Ends on the last day of the fiscal year of such State, Territory, or Tribal government in which all funds received by the State, Territory, or Tribal government from a payment made under section 602 or 603 of the Social Security Act have been expended or returned to, or recovered by, the Secretary.

COVID-19 means the Coronavirus Disease 2019.

COVID-19 public health emergency means the period beginning on January 27, 2020 and until the termination of the national emergency concerning the COVID-19 outbreak declared pursuant to the National Emergencies Act (50 U.S.C. 1601 et. seq.).

Deposit means an extraordinary payment of an accrued, unfunded liability. The term deposit does not refer to routine contributions made by an employer to pension funds as part of the employer's obligations related to payroll, such as either a pension contribution consisting of a normal cost component related to current employees or a component addressing the amortization of unfunded liabilities calculated by reference to the employer's payroll costs.

Eligible employer means an employer of an eligible worker who performs essential work.

Eligible workers means workers needed to maintain continuity of operations of essential critical infrastructure sectors, including health care; emergency response; sanitation, disinfection, and cleaning work; maintenance work; grocery stores, restaurants, food production, and food delivery; pharmacy; biomedical research; behavioral health work; medical testing and

diagnostics; home- and community-based health care or assistance with activities of daily living; family or child care; social services work; public health work; vital services to Tribes; any work performed by an employee of a State, local, or Tribal government; educational work, school nutrition work, and other work required to operate a school facility; laundry work; elections work; solid waste or hazardous materials management, response, and cleanup work; work requiring physical interaction with patients; dental care work; transportation and warehousing; work at hotel and commercial lodging facilities that are used for COVID-19 mitigation and containment; work in a mortuary; work in critical clinical research, development, and testing necessary for COVID-19 response.

(1) With respect to a recipient that is a metropolitan city, nonentitlement unit of local government, or county, workers in any additional sectors as each chief executive officer of such recipient may designate as critical to protect the health and well-being of the residents of their metropolitan city, nonentitlement unit of local government, or county; or

(2) With respect to a State, Territory, or Tribal government, workers in any additional sectors as each Governor of a State or Territory, or each Tribal government, may designate as critical to protect the health and well-being of the residents of their State, Territory, or Tribal government.

Essential work means work that:

(1) Is not performed while teleworking from a residence; and

(2) Involves:

(i) Regular in-person interactions with patients, the public, or coworkers of the individual that is performing the work; or

(ii) Regular physical handling of items that were handled by, or are to be handled by patients, the public, or coworkers of the individual that is performing the work.

Funds means, with respect to a recipient, amounts provided to the recipient pursuant to a payment made under section 602(b) or 603(b) of the Social Security Act or transferred to the recipient pursuant to section 603(c)(4) of the Social Security Act.

General revenue means money that is received from tax revenue, current charges, and miscellaneous general revenue, excluding refunds and other correcting transactions, proceeds from issuance of debt or the sale of investments, agency or private trust transactions, and intergovernmental transfers from the Federal government, including transfers made pursuant to section 9901 of the American Rescue Plan Act. General revenue does not include revenues from utilities. Revenue from Tribal business enterprises must be included in general revenue.

Intergovernmental transfers means money received from other governments, including grants and shared taxes.

Metropolitan city has the meaning given that term in section 102(a)(4) of the Housing and Community Development Act of 1974 (42 U.S.C. 5302(a)(4)) and includes cities that relinquish or defer their status as a metropolitan city for purposes of receiving allocations under section 106 of such Act (42 U.S.C. 5306) for fiscal year 2021.

Net reduction in total spending is measured as the State or Territory's total spending for a given reporting year excluding its spending of funds, subtracted from its total spending for its fiscal year ending in 2019, adjusted for inflation using the Bureau of Economic Analysis's Implicit Price Deflator for the gross domestic product of the United States.

Nonentitlement unit of local government means a “city,” as that term is defined in section 102(a)(5) of the Housing and Community Development Act of 1974 (42 U.S.C. 5302(a)(5)), that is not a metropolitan city.

Nonprofit means a nonprofit organization that is exempt from Federal income taxation and that is described in section 501(c)(3) of the Internal Revenue Code.

Obligation means an order placed for property and services and entering into contracts, subawards, and similar transactions that require payment.

Pension fund means a defined benefit plan and does not include a defined contribution plan.

Premium pay means an amount of up to \$13 per hour that is paid to an eligible worker, in addition to wages or remuneration the eligible worker otherwise receives, for all work performed by the eligible worker during the COVID-19 public health emergency. Such amount may not exceed \$25,000 with respect to any single eligible worker. Premium pay will be considered to be in addition to wages or remuneration the eligible worker otherwise receives if, as measured on an hourly rate, the premium pay is:

(1) With regard to work that the eligible worker previously performed, pay and remuneration equal to the sum of all wages and remuneration previously received plus up to \$13 per hour with no reduction, substitution, offset, or other diminishment of the eligible worker’s previous, current, or prospective wages or remuneration; or

(2) With regard to work that the eligible worker continues to perform, pay of up to \$13 that is in addition to the eligible worker’s regular rate of wages or remuneration, with no reduction, substitution, offset, or other diminishment of the workers’ current and prospective wages or remuneration.

Qualified census tract has the same meaning given in 26 U.S.C. 42(d)(5)(B)(ii)(I).

Recipient means a State, Territory, Tribal government, metropolitan city, nonentitlement unit of local government, county, or unit of general local government that receives a payment made under section 602(b) or 603(b) of the Social Security Act or transfer pursuant to section 603(c)(4) of the Social Security Act.

Reporting year means a single year or partial year within the covered period, aligned to the current fiscal year of the State or Territory during the covered period.

Secretary means the Secretary of the Treasury.

State means each of the 50 States and the District of Columbia

Small business means a business concern or other organization that:

(1) Has no more than 500 employees, or if applicable, the size standard in number of employees established by the Administrator of the Small Business Administration for the industry in which the business concern or organization operates, and

(2) Is a small business concern as defined in section 3 of the Small Business Act (15 U.S.C. 632).

Tax Revenue means revenue received from a compulsory contribution that is exacted by a government for public purposes excluding refunds and corrections and, for purposes of § 35.8, intergovernmental transfers. Tax revenue does not include payments for a special privilege granted or service rendered, employee or employer assessments and contributions to finance retirement and social insurance trust systems, or special assessments to pay for capital improvements.

Territory means the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, the Commonwealth of the Northern Mariana Islands, or American Samoa.

Tribal enterprise means a business concern:

(1) That is wholly owned by one or more Tribal governments, or by a corporation that is wholly owned by one or more Tribal governments; or

(2) That is owned in part by one or more Tribal governments, or by a corporation that is wholly owned by one or more Tribal governments, if all other owners are either United States citizens or small business concerns, as these terms are used and consistent with the definitions in 15 U.S.C. 657a(b)(2)(D).

Tribal government means the recognized governing body of any Indian or Alaska Native tribe, band, nation, pueblo, village, community, component band, or component reservation, individually identified (including parenthetically) in the list published on January 29, 2021, pursuant to section 104 of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 5131).

Unemployment rate means the U-3 unemployment rate provided by the Bureau of Labor Statistics as part of the Local Area Unemployment Statistics program, measured as total unemployment as a percentage of the civilian labor force.

Unemployment trust fund means an unemployment trust fund established under section 904 of the Social Security Act (42 U.S.C. 1104).

Unit of general local government has the meaning given to that term in section 102(a)(1) of the Housing and Community Development Act of 1974 (42 U.S.C. 5302(a)(1)).

Unerved and underserved households or businesses means one or more households or businesses that are not currently served by a wireline connection that reliably delivers at least 25 Mbps download speed and 3 Mbps of upload speed.

§ 35.4 Reservation of Authority, Reporting.

(a) *Reservation of authority.* Nothing in this part shall limit the authority of the Secretary to take action to enforce conditions or violations of law, including actions necessary to prevent evasions of this subpart.

(b) *Extensions or accelerations of timing.* The Secretary may extend or accelerate any deadline or compliance date of this part, including reporting requirements that implement this subpart, if the Secretary determines that such extension or acceleration is appropriate. In determining whether an extension or acceleration is appropriate, the Secretary will consider the period of time that would be extended or accelerated and how the modified timeline would facilitate compliance with this subpart.

(c) *Reporting and requests for other information.* During the covered period, recipients shall provide to the Secretary periodic reports providing detailed accounting of the uses of funds, all modifications to a State or Territory's tax revenue sources, and such other information as the Secretary may require for the administration of this section. In addition to regular reporting requirements, the Secretary may request other additional information as may be necessary or appropriate, including as may be necessary to prevent evasions of the requirements of this subpart. False statements or claims made to the Secretary may result in criminal, civil, or administrative sanctions, including fines, imprisonment, civil damages and penalties, debarment from participating in Federal awards or contracts, and/or any other remedy available by law.

§ 35.5 Use of funds.

(a) *In General.* A recipient may only use funds to cover costs incurred during the period beginning March 3, 2021, and ending December 31, 2024, for one or more of the purposes enumerated in sections 602(c)(1) and 603(c)(1) of the Social Security Act, as applicable,

including those enumerated in section § 35.6 of this subpart, subject to the restrictions set forth in sections 602(c)(2) and 603(c)(2) of the Social Security Act, as applicable.

(b) *Costs incurred.* A cost shall be considered to have been incurred for purposes of paragraph (a) of this section if the recipient has incurred an obligation with respect to such cost by December 31, 2024.

(c) *Return of funds.* A recipient must return any funds not obligated by December 31, 2024, and any funds not expended to cover such obligations by December 31, 2026.

§ 35.6 Eligible uses.

(a) *In General.* Subject to §§ 35.7 and 35.8 of this subpart, a recipient may use funds for one or more of the purposes described in paragraphs (b)-(e) of this section

(b) *Responding to the public health emergency or its negative economic impacts.* A recipient may use funds to respond to the public health emergency or its negative economic impacts, including for one or more of the following purposes:

(1) *COVID-19 response and prevention.* Expenditures for the mitigation and prevention of COVID-19, including:

(i) Expenses related to COVID-19 vaccination programs and sites, including staffing, acquisition of equipment or supplies, facilities costs, and information technology or other administrative expenses;

(ii) COVID-19-related expenses of public hospitals, clinics, and similar facilities;

(iii) COVID-19 related expenses in congregate living facilities, including skilled nursing facilities, long-term care facilities, incarceration settings, homeless shelters, residential foster care facilities, residential behavioral health treatment, and other group living facilities;

(iv) Expenses of establishing temporary public medical facilities and other measures to increase COVID-19 treatment capacity, including related construction costs and other capital investments in public facilities to meet COVID-19-related operational needs;

(v) Expenses of establishing temporary public medical facilities and other measures to increase COVID-19 treatment capacity, including related construction costs and other capital investments in public facilities to meet COVID-19-related operational needs;

(vi) Costs of providing COVID-19 testing and monitoring, contact tracing, and monitoring of case trends and genomic sequencing for variants;

(vii) Emergency medical response expenses, including emergency medical transportation, related to COVID-19;

(viii) Expenses for establishing and operating public telemedicine capabilities for COVID-19-related treatment;

(ix) Expenses for communication related to COVID-19 vaccination programs and communication or enforcement by recipients of public health orders related to COVID-19;

(x) Expenses for acquisition and distribution of medical and protective supplies, including sanitizing products and personal protective equipment;

(xi) Expenses for disinfection of public areas and other facilities in response to the COVID-19 public health emergency;

(xii) Expenses for technical assistance to local authorities or other entities on mitigation of COVID-19-related threats to public health and safety;

(xiii) Expenses for quarantining or isolation of individuals;

(xiv) Expenses of providing paid sick and paid family and medical leave to public employees to enable compliance with COVID-19 public health precautions;

(xv) Expenses for treatment of the long-term symptoms or effects of COVID-19, including post-intensive care syndrome;

(xvi) Expenses for the improvement of ventilation systems in congregate settings, public health facilities, or other public facilities;

(xvii) Expenses related to establishing or enhancing public health data systems; and

(xviii) Mental health treatment, substance misuse treatment, and other behavioral health services.

(2) *Public Health and Safety Staff.* Payroll and covered benefit expenses for public safety, public health, health care, human services, and similar employees to the extent that the employee's time is spent mitigating or responding to the COVID-19 public health emergency.

(3) *Hiring State and Local Government Staff.* Payroll, covered benefit, and other costs associated with the recipient increasing the number of its employees up to the number of employees that it employed on January 27, 2020.

(4) *Assistance to Unemployed Workers.* Assistance, including job training, for individuals who want and are available for work, including those who have looked for work sometime in the past 12 months or who are employed part time but who want and are available for full-time work;

(5) *Contributions to State Unemployment Insurance Trust Funds.* Contributions to an Unemployment Trust Fund up to the level required to restore the Unemployment Trust Fund to its balance on January 27, 2020 or to pay back advances received under Title XII of the Social Security Act (42 U.S.C. 1321) for the payment of benefits between January 27, 2020 and [INSERT DATE OF PUBLICATION IN THE FEDERAL REGISTER];

(6) *Small Businesses*. Assistance to small businesses, including loans, grants, in-kind assistance, technical assistance or other services, that responds to the negative economic impacts of the COVID-19 public health emergency;

(7) *Nonprofits*. Assistance to nonprofit organizations, including loans, grants, in-kind assistance, technical assistance or other services, that responds to the negative economic impacts of the COVID-19 public health emergency;

(8) *Assistance to Households*. Assistance programs, including cash assistance programs, that respond to the COVID-19 public health emergency;

(9) *Aid to Impacted Industries*. Aid to tourism, travel, hospitality, and other impacted industries that responds to the negative economic impacts of the COVID-19 public health emergency;

(10) *Expenses to Improve Efficacy of Public Health or Economic Relief Programs*. Administrative costs associated with the recipient's COVID-19 public health emergency assistance programs, including services responding to the COVID-19 public health emergency or its negative economic impacts, that are not federally funded.

(11) *Survivor's Benefits*. Benefits for the surviving family members of individuals who have died from COVID-19, including cash assistance to widows, widowers, or dependents of individuals who died of COVID-19;

(12) *Disproportionately Impacted Populations and Communities*. A program, service, or other assistance that is provided in a Qualified Census Tract, that is provided to households and populations living in a Qualified Census Tract, that is provided by a Tribal government, or that is provided to other households, businesses, or populations disproportionately impacted by the COVID-19 public health emergency, such as:

- (i) Programs or services that facilitate access to health and social services, including:
 - (A) Assistance accessing or applying for public benefits or services;
 - (B) Remediation of lead paint or other lead hazards; and
 - (C) Community violence intervention programs;
- (ii) Programs or services that address housing insecurity, lack of affordable housing, or homelessness, including:
 - (A) Supportive housing or other programs or services to improve access to stable, affordable housing among individuals who are homeless;
 - (B) Development of affordable housing to increase supply of affordable and high-quality living units; and
 - (C) Housing vouchers and assistance relocating to neighborhoods with higher levels of economic opportunity and to reduce concentrated areas of low economic opportunity;
- (iii) Programs or services that address or mitigate the impacts of the COVID-19 public health emergency on education, including:
 - (A) New or expanded early learning services;
 - (B) Assistance to high-poverty school districts to advance equitable funding across districts and geographies; and
 - (C) Educational and evidence-based services to address the academic, social, emotional, and mental health needs of students;
- (iv) Programs or services that address or mitigate the impacts of the COVID-19 public health emergency on childhood health or welfare, including:
 - (A) New or expanded childcare;

(B) Programs to provide home visits by health professionals, parent educators, and social service professionals to individuals with young children to provide education and assistance for economic support, health needs, or child development; and

(C) Services for child welfare-involved families and foster youth to provide support and education on child development, positive parenting, coping skills, or recovery for mental health and substance use.

(c) *Providing Premium Pay to Eligible Workers.* A recipient may use funds to provide premium pay to eligible workers of the recipient who perform essential work or to provide grants to eligible employers, provided that any premium pay or grants provided under this paragraph (c) must respond to eligible workers performing essential work during the COVID-19 public health emergency. A recipient uses premium pay or grants provided under this paragraph (c) to respond to eligible workers performing essential work during the COVID-19 public health emergency if it prioritizes low- and moderate-income persons. The recipient must provide, whether for themselves or on behalf of a grantee, a written justification to the Secretary of how the premium pay or grant provided under this paragraph (c) responds to eligible workers performing essential work if the premium pay or grant would increase an eligible worker's total wages and remuneration above 150 percent of such eligible worker's residing State's average annual wage for all occupations or their residing county's average annual wage, whichever is higher.

(d) *Providing Government Services.* For the provision of government services to the extent of a reduction in the recipient's general revenue, calculated according to paragraphs (d)(1) and (d)(2).

(1) *Frequency.* A recipient must calculate the reduction in its general revenue using information as-of December 31, 2020, December 31, 2021, December 31, 2022, and December 31, 2023 (each, a calculation date) and following each calculation date.

(2) *Calculation.* A reduction in a recipient's general revenue equals:

$$\text{Max} \{ [\text{Base Year Revenue} * (1 + \text{Growth Adjustment})^{\left(\frac{n_t}{12}\right)}] - \text{Actual General Revenue}_t; 0 \}$$

Where:

(i) Base Year Revenue is the recipient's general revenue for the most recent full fiscal year prior to the COVID-19 public health emergency;

(ii) Growth Adjustment is equal to the greater of 4.1 percent (or 0.041) and the recipient's average annual revenue growth over the three full fiscal years prior to the COVID-19 public health emergency.

(iii) n equals the number of months elapsed from the end of the base year to the calculation date.

(iv) Actual General Revenue is a recipient's actual general revenue collected during 12-month period ending on each calculation date;

(v) Subscript t denotes the specific calculation date.

(e) *To Make Necessary Investments in Infrastructure.* A recipient may use funds to make investments in:

(1) *Clean Water State Revolving Fund and Drinking Water State Revolving Fund investments.* Projects or activities of the type that would be eligible under section 603(c) of the Federal Water Pollution Control Act (33 U.S.C. 1383(c)) or section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j-12); or,

(2) *Broadband.* Broadband infrastructure that is designed to provide service to unserved or underserved households and businesses and that is designed to, upon completion:

(A) Reliably meet or exceed symmetrical 100 Mbps download speed and upload speeds;

or

(B) In cases where it is not practicable, because of the excessive cost of the project or geography or topography of the area to be served by the project, to provide service meeting the standards set forth in paragraph (e)(2)(A) of this section:

(i) Reliably meet or exceed 100 Mbps download speed and between at least 20 Mbps and 100 Mbps upload speed; and

(ii) Be scalable to a minimum of 100 Mbps download speed and 100 Mbps upload speed.

§ 35.7 Pensions.

A recipient may not use funds for deposit into any pension fund.

§ 35.8 Tax.

(a) *Restriction.* A State or Territory shall not use funds to either directly or indirectly offset a reduction in the net tax revenue of the State or Territory resulting from a covered change during the covered period.

(b) *Violation.* Treasury will consider a State or Territory to have used funds to offset a reduction in net tax revenue if, during a reporting year:

(1) *Covered Change.* The State or Territory has made a covered change that, either based on a reasonable statistical methodology to isolate the impact of the covered change in actual revenue or based on projections that use reasonable assumptions and do not incorporate the effects of macroeconomic growth to reduce or increase the projected impact of the covered

change, the State or Territory assesses has had or predicts to have the effect of reducing tax revenue relative to current law;

(2) *Exceeds the De Minimis Threshold.* The aggregate amount of the measured or predicted reductions in tax revenue caused by covered changes identified under paragraph (b)(1) of this section, in the aggregate, exceeds 1 percent of the State's or Territory's baseline;

(3) *Reduction in Net Tax Revenue.* The State or Territory reports a reduction in net tax revenue, measured as the difference between actual tax revenue and the State's or Territory's baseline, each measured as of the end of the reporting year; and

(4) *Consideration of Other Changes.* The aggregate amount of measured or predicted reductions in tax revenue caused by covered changes is greater than the sum of the following, in each case, as calculated for the reporting year:

(i) The aggregate amount of the expected increases in tax revenue caused by one or more covered changes that, either based on a reasonable statistical methodology to isolate the impact of the covered change in actual revenue or based on projections that use reasonable assumptions and do not incorporate the effects of macroeconomic growth to reduce or increase the projected impact of the covered change, the State or Territory assesses has had or predicts to have the effect of increasing tax revenue; and

(ii) Reductions in spending, up to the amount of the State's or Territory's net reduction in total spending, that are in:

(A) Departments, agencies, or authorities in which the State or Territory is not using funds; and

(B) Departments, agencies, or authorities in which the State or Territory is using funds, in an amount equal to the value of the spending cuts in those departments, agencies, or authorities, minus funds used.

(c) *Amount and Revenue Reduction Cap.* If a State or Territory is considered to be in violation pursuant to paragraph (b) of this section, the amount used in violation of paragraph (a) of this section is equal to the lesser of:

(1) The reduction in net tax revenue of the State or Territory for the reporting year, measured as the difference between the State's or Territory's baseline and its actual tax revenue, each measured as of the end of the reporting year; and,

(2) The aggregate amount of the reductions in tax revenues caused by covered changes identified in paragraph (b)(1) of this section, minus the sum of the amounts in identified in paragraphs (b)(4)(i)-(ii).

§ 35.9. Compliance with Applicable Laws.

A recipient must comply with all other applicable Federal statutes, regulations, and executive orders, and a recipient shall provide for compliance with the American Rescue Plan Act, this Subpart, and any interpretive guidance by other parties in any agreements it enters into with other parties relating to these funds.

§ 35.10. Recoupment.

(a) *Identification of Violations – (1) In general.* Any amount used in violation of §§ 35.6 or 35.7 of this subpart may be identified at any time prior to December 31, 2026.

(2) *Annual Reporting of Amounts of Violations.* On an annual basis, a recipient that is a State or Territory must calculate and report any amounts used in violation of § 35.8 of this subpart.

(b) *Calculation of Amounts Subject to Recoupment* – (1) *In general.* Except as provided in paragraph (b)(2), Treasury will calculate any amounts subject to recoupment resulting from a violation of §§ 35.6 or 35.7 of this subpart as the amounts used in violation of such restrictions.

(2) *Violations of Section 35.8.* Treasury will calculate any amounts subject to recoupment resulting from a violation of § 35.8 of this subpart, equal to the lesser of:

- (i) The amount set forth in § 35.8(c) of this subpart; and,
- (ii) The amount of funds received by such recipient.

(c) *Notice.* If Treasury calculates an amount subject to recoupment under paragraph (b) of this section, Treasury will provide the recipient a written notice of the amount subject to recoupment along with an explanation of such amounts.

(d) *Request for Reconsideration.* Unless Treasury extends the time period, within 60 calendar days of receipt of a notice of recoupment provided under paragraph (c) of this section, a recipient may submit a written request to Treasury requesting reconsideration of any amounts subject to recoupment under paragraph (b) of this section. To request reconsideration of any amounts subject to recoupment, a recipient must submit to Treasury a written request that includes:

(i) An explanation of why the recipient believes all or some of the amount should not be subject to recoupment; and

- (ii) A discussion of supporting reasons, along with any additional information.

(e) *Final Amount Subject to Recoupment.* Unless Treasury extends the time period, within 60 calendar days of receipt of the recipient's request for reconsideration provided pursuant to paragraph (d) of this section, the recipient will be notified of the Secretary's decision to affirm, withdraw, or modify the notice of recoupment. Such notification will include an

explanation of the decision, including responses to the recipient's supporting reasons and consideration of additional information provided.

(f) *Repayment of Funds.* Unless Treasury extends the time period, a recipient shall repay to the Secretary any amounts subject to recoupment in accordance with instructions provided by Treasury:

(i) Within 120 calendar days of receipt of the notice of recoupment provided under paragraph (c) of this section, in the case of a recipient that does not submit a request for reconsideration in accordance with the requirements of paragraph (d) of this section, or

(ii) Within 120 calendar days of receipt of the Secretary's decision under paragraph (e) of this section, in the case of a recipient that submits a request for reconsideration in accordance with the requirements of paragraph (d) of this section.

§ 35.11 Payments to States.

(a) *In General.* With respect to any State or Territory that has an unemployment rate as of the date that it submits an initial certification for payment of funds pursuant to section 602(d)(1) of the Social Security Act that is less than two percentage points above its unemployment rate in February 2020, the Secretary will withhold 50 percent of the amount of funds allocated under section 602(b) of the Social Security Act to such State or territory until the date that is twelve months from the date such initial certification is provided to the Secretary.

(b) *Payment of Withheld Amount.* In order to receive the amount withheld under paragraph (a) of this section, the State or Territory must submit to the Secretary at least 30 days prior to the date referenced in paragraph (a) the following information:

- (i) A certification, in the form provided by the Secretary, that such State or Territory requires the payment to carry out the activities specified in section 602(c) of the Social Security Act and will use the payment in compliance with section 602(c) of the Social Security Act; and,
- (ii) Any reports required to be filed by that date pursuant to this part that have not yet been filed.

§ 35.12. Distributions to Nonentitlement Units of Local Government and Units of General Local Government.

(a) *Nonentitlement Units of Local Government.* Each State or Territory that receives a payment from Treasury pursuant to section 603(b)(2)(B) of the Social Security Act shall distribute the amount of the payment to nonentitlement units of government in such State or Territory in accordance with the requirements set forth in section 603(b)(2)(C) of the Social Security Act and without offsetting any debt owed by such nonentitlement units of local governments against such payments.

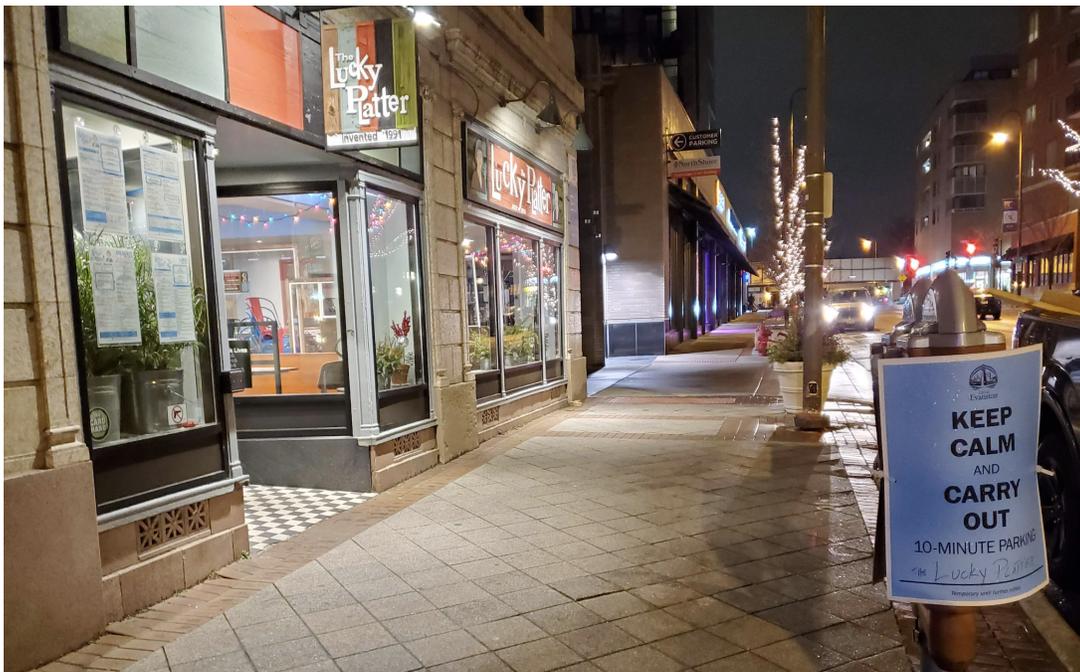
(b) *Budget Cap.* A State or Territory may not make a payment to a nonentitlement unit of local government pursuant to section 603(b)(2)(C) of the Social Security Act and paragraph (a) of this section in excess of the amount equal to 75 percent of the most recent budget for the nonentitlement unit of local government as of January 27, 2020. A State or Territory shall permit a nonentitlement unit of local government without a formal budget as of January 27, 2020, to provide a certification from an authorized officer of the nonentitlement unit of local government of its most recent annual expenditures as of January 27, 2020, and a State or Territory may rely on such certification for purposes of complying with this subsection.

(c) *Units of General Local Government.* Each State or Territory that receives a payment from Treasury pursuant to section 603(b)(3)(B)(ii) of the Social Security Act, in the case of an

City of Evanston Post-COVID19 Action Plan

Draft: For Community Input

*Building a Healthier, Thriving, and More Resilient
Community*



Once thriving business districts need out attention, investment and love.



Mayor's Office
2100 Ridge Avenue
Evanston, Illinois 60201
T 847.448.8268
TTY 847.448.8064
www.cityofevanston.org

May 10, 2021

Dear Evanston Community Members,

Fourteen months ago, on March 15, 2020, I declared a local State of Emergency to enhance our City's ability to respond to the COVID-19 pandemic. Since then, Evanston has embraced a "whole-of-community" response, working hand in hand to meet the needs of our neighbors and to achieve one of the lowest infection rates and highest vaccination rates in the state. This didn't happen by chance — it happened because we all worked together to coordinate and implement an organized, community-wide response.

Today, I'm asking that we take this same approach, which has produced such remarkable results, toward our community's recovery. No single individual, activist, or organization will solve all of our many challenges. It will take all of us, working in unison, to build back better.

Despite our tremendous efforts to date, there is much work to do. People are struggling with their mental, physical, and economic health. Inequalities have been laid bare in our health and education systems. Businesses are struggling after months of being closed or limited in their operations. The list goes on.

These challenges are great, but our opportunities are even greater. I am confident that if we continue to implement an organized, whole-of-community approach, our recovery will be just as strong as our response to this pandemic.

Please take some time to review the Post-COVID-19 Action Plan outlined in the following pages of this document. **This plan is a draft**, and is intended to solicit your reactions, feedback and ideas. Your input will help Mayor Biss, the 81st Evanston City Council, and the City Manager's Office decide how best to rebuild an Evanston that is more vibrant, healthy, sustainable, resilient, equitable, and inclusive.

Sincerely,

Stephen H. Hagerty
Mayor, City of Evanston

Draft: Post-COVID19 Action Plan

2

The purpose of this document is to share information that the City of Evanston has compiled coming out of COVID19, provide a brief history of actions taken to address the pandemic, establish the principles and goals of actions that need to be taken, and lay out a comprehensive list of strategies for each action.

Factors Affecting Evanston’s Recovery from the COVID-19 Pandemic

Evanston’s ability to recover from the pandemic and move forward into a new post-pandemic world must take into account the following factors:

- Health disparities that existed in the City of Evanston before COVID have grown
- Retail/commercial areas need to be re-imagined
- Restaurants and retailers need help to re-establish their businesses
- Outdoor activities might be safer than being indoors
- Educational attainment may be decreasing for all
- Human interactions will adjust
- More focus needs to be placed on achieving a state of well-being instead of treating illness to overcome health disparities
- Uncertain time frame for the City budget to recover
- A hybrid model of in-office and remote work may reduce office space requirements
- Seniors may be less inclined to move into congregate settings and less comfortable returning to in-person activities in crowded settings
- The inequality gap between the rich and the poor has grown
- Strategic use of funding from the American Rescue Plan is critical to Evanston’s successful recover

Current Situation

COVID-19 transmissions across the U.S. have come in distinct waves both nationally and locally, with concurrent waves experiencing progressively higher rates of infection and death. Illinois experienced two distinct waves of infection, with variants of the COVID

virus emerging into more contagious strains. The physical and economic challenges associated with mitigating this virus are becoming increasingly complex.

Additional variants reported by the Centers for Disease Control (C.D.C.)

have also emerged from South Africa, called 1.351, and Brazil, called P.1. As COVID continues to spread, the potential for viral mutations to proliferate grows and the opportunity for variants to become deadlier exists.

Across the globe, COVID-19 transmissions and mortality rates have had a disproportionate impact on our elderly population and our BIPOC. Data nationwide supports that Black, Indigenous, and Latinx communities have been hit hardest by the coronavirus.¹ Black Americans, according to the CDC, are 2.5 times more likely to die from COVID-19 compared to their White counterparts.²

Lower socioeconomic communities who have barriers to accessing routine health care are typically minorities and more notably Black and Latinx populations. Multigenerational living arrangements tend to foster viral transmissions more quickly in congregate settings, with the Centers for Disease Control estimating 53% of secondary SARS COV2 infections result from household transmissions.³

These populations have also experienced greater exposure by working primarily in essential service

¹ <https://www.cbsnews.com/news/dr-fauci-coronavirus-black-communities-havoc-covid-19/>

² <https://covidtracking.com/race>

³ <https://www.cdc.gov/mmwr/volumes/69/wr/mm6944e1.htm>

industries. Black and Latinx communities are further compromised by experiencing decades of limited access to healthy food supplies and limited healthcare services which have paid a significant toll.⁴

Before the pandemic, the City did not have sufficient shelter beds to accommodate all persons experiencing homelessness within the community. With the onset of the pandemic, Evanston's homeless population has grown with many unstably housed individuals and families; for example, people living in close quarters with multiple family members, those living with relatives in nursing homes, etc., being forced out onto the streets. Additionally, due to the closure of faith-based day shelters, limited hours at libraries and other public buildings, the City has fewer safe spaces for residents experiencing homelessness to congregate and safely access toilet/washing facilities.

According to local mental health and social service providers, Evanston's mental health network was stretched prior to COVID-19 and has now become even more strained during the pandemic.

Residents have experienced compounded trauma as a result of the pandemic. If unaddressed on a community-wide scale, residents will experience more severe mental health

⁴<https://www.cdc.gov/coronavirus/2019-ncov/community/health-equity/racial-ethnic-disparities/index.html>

challenges, further straining public health systems.

COVID-19 has impacted many residents' ability to put food on the table financially and physically, with the elderly and other high-risk residents not being able to access grocery stores. The economic fallout has left residents, many of whom struggled financially before the pandemic, vulnerable to housing instability and food insecurity.

Based on a Digital Literacy Survey conducted in 2016, only 86% of Evanston residents had access to reliable high-speed internet at home. The three primary barriers which prevent access to the internet include affordability, literacy, and privacy. For students to learn, for job seekers to apply for opportunities, for individuals to access telehealth services, for worshipers to remotely attend religious services, for families to participate in the economy, residents need, more than ever, reliable and secure devices and convenient access to high-speed internet.

Restaurants who have actively combined outdoor dining experiences with robust carry-out and delivery



models have reported that year over year revenues are flat or modestly declined. The outdoor dining has helped.

On average, however, most businesses report revenue loss in the range of 50% year over year with outdoor dining. Early in the pandemic, restaurants reported revenue of just 10% to 20% of last year's sales (sales down 80 to 90 percent). Tax revenues year over year reflect the revenue declines. Sales and liquor taxes are down and declining compared to last year for the period ending May 31st.

There have been limited restaurant closures including Symphony's Cafe, Little Mexican Cafe, Stained Glass and Panera. Reza's opening has been delayed. Despite significant outdoor dining offerings, popular outdoor dining spots in all business districts have reported significant revenue reductions. Staff estimates the retail vacancy rate is closer to the 8% to 10% range.

Small independent retailers have reported revenue declines similar to restaurants. Some have implemented delivery and pick up models, subscription services, and online classes to supplement product sales. Bookstores report strong sales, perhaps as people are reading more during COVID-19 isolation. This is important to note as it suggests there is demand and support for unique local stores. The lesson from these book stores might be applicable to other retailers including

toys, clothing, and home furnishings. Staff will continue to connect with the retailers to determine how the City, Chamber and SSA's can help.

Evanston's hotel demand has plummeted. Evanston hotel demand is driven by Northwestern University - move in and move out weekends, parent weekends, athletics, conferences, etc. Evanston's corporate offices also generate significant hotel room nights. Weddings and other family gatherings are restricted by state health regulation. Business conferences have all been moved to virtual meetings.

Evanston's unemployment rate has essentially quadrupled from 3% to over 12% before settling to 10% in July 2020. The unemployment rate was at 5.8% as of March 2021. Evanston's workforce, on average, is highly educated with relatively high salaries. Unfortunately, the pandemic has impacted lower wage and lower educated service employees. On average, these tend to be minority workers.

Cancellation of virtually all live performances, film productions, events and festivals over the last year means many businesses in this sector may not return. This is likely to have long term



impacts on the supply chains, skills and services of our diverse small to medium businesses, as well as specialist sole proprietors, including artists and performers, who support these events.

The small to medium sector of community galleries, performance venues, sound recording studios, media services, production spaces and artist-run initiatives are the seedbeds of our culture. These are the places where artists and performers can experiment and take risks, nurture their talent and build audiences and new local content to renew our major cultural institutions.

The pandemic has highlighted existing inequalities within our city. This includes our socioeconomically disadvantaged communities, including people of color, people with disabilities, non-citizens, women, and homeless people. Children and the elderly have also been impacted significantly due to the restrictions on movement and access to the services they need.

The City has a critical role in supporting communities already unable to access essential services, support and food.

This will help reverse the long-term disproportionate impact on these groups.

An equitable society is founded on a principle that all people, no matter their income, should have access to the essentials of daily life. These include fresh and healthy food,

services such as health care and education, social support and equitable internet access. We would also expect recreational and cultural amenities to be accessible to all.

All people should be able to live in safe, sustainable housing that protects them from the elements, particularly extreme

weather events that are becoming more intense and frequent due to climate change. This is especially important if people are required to spend more time at home. Renters and those living in subsidized housing often live in homes that are not energy or water efficient, resulting in high utility bills.

In summary, the execution of this Action Plan will require a whole of community recovery effort, meaning an organized collaborative effort between all levels of government, all organizations, including businesses, non-profits, and support from all Evanstonians. The remainder of this plan discusses the guiding principles to our recovery, our action plan goals and the actions we will take to build back better post-COVID-19.

Guiding Principles for the Action Plan

- People are actively involved in shaping change needed for the recovery of their city and their future
- Recovery plan is responsive to the health directives of the government, led by stewardship and collaboration
- Decisions are evidence-based and allow a flexible response
- Funding is invested in capital improvement and other projects that spur economic and workforce development

Action Plan Goals

- Recovery results in a thriving economy
- Recovery results in a healthier community
- Recovery results in a more sustainable and resilient community
- Recovery is equitable and inclusive

Action Plan

- 1 Support businesses and organizations to innovate and adapt, and increase living wage jobs to reduce economic inequalities and provide economic opportunity for all residents
- 2 Strengthen community cohesion to build a resilient, sustainable and equitable community that supports the wellbeing of all residents and the opportunity to thrive
- 3 Safely manage public places and streets to support community life, education and business
- 4 Provide equitable digital and social service access for all residents

The Actions

Action area 1: Support businesses and organizations to innovate and adapt, and increase living wage jobs to reduce economic inequalities and provide economic opportunity for all residents

- Assist local businesses with workforce attraction efforts by helping train unemployed / underemployed Evanstonians to fill job openings
- Train local unemployed/underemployed residents to implement infrastructure improvement projects
- Continue to work with restaurants for outside dining options
- Provide financial support for creation of a food business and retail incubators to help startup businesses
- Provide tenant improvement allowances (i.e. space improvements) for existing businesses to help expand or adjust to post pandemic realities
- Ensure landlord support to bring space to vanilla box standards to help attract new businesses in vacant storefronts
- Leverage funding to existing or new office businesses to assist with expansion or relocation to Evanston based offices
- Support Northlight Theater's efforts to return to Downtown Evanston, serving as an economic engine
- Assist businesses with loans or grants who did not qualify for other government financial programs
- Advocate to federal, state and county governments for targeted support for arts and no net loss of cultural space
- Create a long lasting workforce development strategy
- Direct existing grant support to sustain cultural organizations and stimulate development opportunities for local creatives

- Use our communications channels to promote shop local and visit local to residents, workers and visitors
- Continue to explore opportunities for making space for culture in partnership with public and private sectors
- Enable diverse local cultural infrastructure and activation through the City's Open and Creative planning reform
- Continue to invest in local festivals and major events that demonstrate vibrancy and encourage local Evanstonians and others from around the state and country to visit

Action area 2: Strengthen community cohesion to build a resilient, sustainable and equitable community that supports the well being of all residents and the opportunity to thrive

- Identify representatives from the community and community-based organizations to build a collaborative network to help facilitate the recovery effort.
- Identify what the needs are for the disabled community then build a partnership with the representatives from that community
- Expand broadband services to residents to eliminate the digital divide and offers equitable communications and information services to provide:
 - Capacity for remote learning and work for all residents
 - Electronic services such as well-being check in for homebound seniors and the medically-fragile community
- Promote holistic wellbeing for all residents:
 - “Wellness,” that is not just going to the doctor when you are sick. Instead, it is focused on preventative healthcare, inclusive of physical and mental health, plus dental and eye care
 - Access to education from birth to address financial inequities that continue to disparately impact Blacks, Latinx and other POC
 - Economic well-being by providing financial education and estate planning, living wage jobs, asset building and intergenerational wealth transfer
- Support the development of healthy neighborhoods by collaboration between the health sector and community development by building:
 - Continue to leverage the City's financial and land resources, and modify zoning and building regulations to develop and preserve a range of housing types and tenures in economically integrated neighborhoods that are affordable, accessible, and meet the needs of Evanston residents
 - Encourage active, healthy lifestyles by developing walkable and bikeable neighborhoods that include amenities such as parks, sidewalks, bike paths, and public schools

- Invest in infrastructure to provide welcoming sidewalks, safe connected bicycle routes and quality parks

Action area 3: Safely manage public places and streets to support community life, education, and business

- Increase community connections through expanding public spaces
- Offer lunchtime and after school activities for students to encourage physical activity and provide a brief respite for parents
- Promote pre-k to 12 programming to improve educational achievement, grow the labor force, provide women-managed families with better employment opportunities and improved educational background, childcare, address increasing educational divide, technology, year-round camps, (ex. - 1,000 kids without access to internet)
- Adjust zoning options to promote home daycare options
- Empower communities to manage their own recovery by strengthening local connections through networks, events and forums
 - For example: supporting community celebrations at the end of the pandemic
- Speak and coordinate with schools and incorporate their plan into Citywide Action Plan
- Invest in city infrastructure to provide quality facilities to support essential functions
- New infrastructure including benches, cans, lighting, and artwork - improves appearance and experience for residents and visitors
- Review city parking systems
- Promote Evanston as a destination to live, work, play and learn
- Improve outdoor dining infrastructure
- Explore opportunities for outdoor market stands and infrastructure for retail french markets, food vending, etc.

Action area 4: Provide equitable digital and social service access for all residents

- Work with other government agencies and organizations working with people who are homeless or at risk of becoming homeless
- Determine long-term homeless shelter capacity needs and invest in the development of permanent 24/7 facility
- Match homeless residents with available resources, including Housing Choice Vouchers from the Housing Authority of Cook County
- Develop a comprehensive plan to monitor and prevent evictions and mortgage foreclosures

- Continue community outreach and education by Metropolitan Tenants Organization/Lawyers Committee for Better Housing regarding eviction moratoria requirements and tenant/landlord rights & responsibilities
 - Offer mediation services for landlords and tenants to work out payment plans, etc., to avoid evictions
- Work with Cook County Health and local providers including AMITA Saint Francis, Erie Family Health Center, and NorthShore University Health System, to improve access to health care, particularly for uninsured, underinsured, and undocumented residents
- Develop and maintain peer support groups to provide residents with critical social-emotional connection/guidance in partnership with the Evanston Public Library and National Alliance on Mental Illness - Cook County North Suburban and relieve the strained local mental health network
- Expand access to the City's prescription drug discount program
- Restructure the allocation process for Mental Health Board and CDBG funding to focus resources on underserved populations, especially disabled and BIPOC residents
- Use CARES Act CDBG-CV funding to provide additional Safety Net services for residents impacted by COVID-19 such as pop-up food pantries
- Develop an effective communication plan to:
 - Address food insecurity including how to apply for SNAP Benefits (food stamps), locations and hours of food pantries and congregate meals, and other food resources
 - Ensure Evanston residents understand how to access County and State emergency funding for housing, utility assistance, in-home medical services, and other needs
- Increase the number of computers, expand free Wi-Fi services at city buildings and increase hotspot access for individuals seeking employment in partnership with the Evanston Public Library to address the digital divide. Invest in the city fiber network to support these activities



Memorandum

To: Honorable Mayor and Members of the City Council

From: Sarah Flax, Housing & Grants Administrator

CC: Johanna Nyden, Community Development Director; Marion Johnson, Housing & Economic Development Analyst

Subject: Approval for up to \$50,000 of CDBG-CV Funding for the Entrepreneurship Grant Program - Emergency Assistance to Support Evanston Businesses' Recovery from the Coronavirus

Date: May 24, 2021

Recommended Action:

Staff recommends City Council approval of up to \$50,000 of Community Development Block Grant CARES Act (CDBG-CV) funding to expand the resources for the Entrepreneurship Support Program - Emergency Assistance to help mitigate the economic impact of COVID-19 on Evanston businesses.

Funding Source:

The City received \$1,586,370 in CARES Act CDBG-CV funding- \$250,000 of which was allocated for economic development activities in the CARES Act budget in 215.21.5226.63065. To date \$180,000 remains unallocated. If \$50,000 is approved for the Entrepreneurship Grant Program - Emergency Assistance, approximately \$130,000 would remain for additional economic development activities.

Council Action:

For Action

Summary:

Staff recommends CDBG-CV funding for the Entrepreneurship Support Program - Emergency Assistance to support the recovery of Evanston's businesses that have been impacted by the COVID-19 pandemic and the associated state-mandated shutdowns. To date, 17 grants totaling \$50,604.09 have been made in 2021. This CDBG-CV funding will expand the City's capacity to provide financial support to additional businesses as they gear up to reopen and add staff. Expanding an established City of Evanston Economic Development program provides an opportunity to efficiently use CDBG-CV funding allocated for economic

development needs through a unified application that simplifies the process for businesses seeking assistance.

CDBG-CV funding would be used to provide grants to businesses that can meet the CDBG low/moderate-income national objective either by creating jobs for low/moderate-income persons or that qualify as low/moderate income micro-enterprises as required by the Community Development Block Grant (CDBG) regulations. The Entrepreneurship Grant Program - Emergency Assistance program is consistent with the purpose of the CARES Act to prevent, prepare for, and respond to the coronavirus.

The Entrepreneurship Grant Program was established in 2017, focus on helping entrepreneurs launch new small businesses that would contribute to job growth in Evanston. Due to the COVID-19 crisis, the program has been modified by putting emergency assistance guidelines in place through December 2021 that expand eligibility to established businesses and removing some of the requirements.

Under the recently amended Entrepreneurship Grant Program guidelines, businesses that have not received assistance from other government agencies would be eligible to receive up to \$5,000. Businesses that have received other government assistance would receive up to \$2,500.

Legislative History:

The Amendment to the Entrepreneurship Grant Program to add Emergency Guidelines was approved on April 12, 2021, by the City Council, opening the program to a broader range of businesses and introducing the tiered awards system described above.



Memorandum

To: Honorable Mayor and Members of the City Council
From: Lawrence C. Hemingway, Director of Parks, Recreation, & Community Services
Subject: Resolution 61-R-21, Authorizing a Pilot Program for Free Beach Access
Date: May 24, 2021

Recommended Action:

Councilmember Reid requests approval of Resolution 61-R-21, authorizing a pilot program for free beach access for the 2021 season. Approval of this resolution will authorize staff to discontinue sales of beach tokens and refund all payments received to date.

Staff recommends City Council refer this item to the Human Services Committee so that a funding plan can be developed and allow the Parks and Recreation Department to continue to sell beach tokens for 2021 while planning for implementing a new procedure for free access for the 2022 season.

Funding Source:

There is no funding source for this pilot program. Season token and daily pass beach revenue is budgeted at \$1M in the 2021 adopted budget.

Council Action:

For Action

Summary:

The 2021 adopted budget includes \$1M in revenue from this source to balance the budget. Staff seeks direction on where to fund this expense from. Currently, the 2021 fund balance of the general fund is projected at \$15,189,850 which is short of the City Council's policy level of 16.66% by \$3,306,113.

The following information is provided to help provide an understanding of the challenges for the Parks and Recreation Department to eliminate beach token sales for the 2021 season. The department isn't against free beaches, but the items listed below are real concerns in trying to implement this for the upcoming season which is scheduled to start Saturday, May 29th.

Park Districts vs City Department—The discussion of free beaches have come up

consistently over the past several years where I have been asked why can other communities have free beaches, but we don't as the City of Evanston. The first information I offer is all surrounding park districts are independent municipal agencies that have the authority to levy taxes on its residents. Through these tax levies, park districts are able to cover the cost for operating its beaches and other facilities on behalf of its residents. As park districts, these agencies have dedicated revenue streams to fund their operations. Here in the City of Evanston, we are not an independent park district, we are a City department funded by the City's general fund. The department has to advocate for its funding against the police, fire, and the public works departments along with all other general fund departments. Because of this, we do not have a dedicated and independent revenue stream to support the operations of our beaches or any other parks and recreation facility as our neighboring park districts do.

Department Budget Impact—For fiscal year 2021, the department has a budget revenue line item of \$1 million associated with beach tokens, daily sales and aquatics camp. Meeting this revenue number is already going to be a challenge for the department because we have made the decision to not run Aquatics Camp this summer because Greenwood Beach will remain closed because of the high water levels of Lake Michigan. Aquatics Camp brings in approximately \$200k a year. The remaining \$1 million dollars is anticipated revenue for beach token sales and daily sales. Eliminating the sale of beach tokens and daily sales along with the elimination of aquatics camp would leave a budget gap or shortfall of 20% in the department's budget. This shortfall would put the department in an unfavorable position trying to balance this fiscal year. It would require the elimination of existing positions, programs and events to make up this dollar amount. The chart below will show the revenues and expenses generated over the past five years from beach tokens, daily sales and aquatics camp combined.

	2015	2016	2017	2018	2019	2020
Revenues	\$907,574.00	\$993,343.00	\$1,010,513.58	\$975,634.27	\$975,634.27	\$1,058,797.00
Expenses	\$864,859.65	\$882,952.76	\$913,640.33	\$987,766.84	\$987,566.93	\$810,355.59

Viply Contract Impact—In 2021, the department introduced the community to Viply. Viply is our digital beach token vendor that provides an app for beach goers to purchase beach tokens digitally rather than buying our traditional physical token. Based on our Viply contract, the City would be required to pay the NET amount of the transaction refunded back to Viply for all proceeds received. It is anticipated we would have to pay Viply \$72,817 for revenue already received by the City under the terms of the contract. This payment is the money to cover the refunds issued to people who have already paid through Viply. Currently, we have sold approximately 2,400 digital beach tokens to date.

Departmental Operational Impact— Prior to 2021, beach tokens would be sold and processed out of the Parks and Recreation administrative offices. The department no longer has a designated office clerk to process payments and refunds for residents within our administrative offices, these tasks have been decentralized and are now processed at your local community center. To date, the department have sold over 4,000 physical beach tokens. Processing these refunds will now become labor intensive and extremely laborious for the department clerks at each building because anyone who paid with cash or check would need

to complete a vendor registration form in order to be issued a refund check. Furthermore, processing this amount of refunds is adding to a staff that is already stretched thin due to everyone having to do more with less and already added administrative responsibilities.

Existing Free Beach Access—The department currently provides free access to any beach to all families that qualify for free and reduced lunch in District 65 schools. This has been a long standing policy in the department. In 2018, the department partnered with District 65 and Cradle to Career to improve access for marketing our free beach access program. In this partnership, the district agreed to send a direct notification letter to all families that qualified for free and reduced lunch on the City’s behalf informing them about their eligibility for free beach access and/or 50% scholarship reduction on any City program within our department. Once these letters started going out to families, the department has given away as many as six times more tokens than we did in 2015.

In addition, the department partners with local nonprofits and school social workers in providing free tokens to partnering agencies to provide additional access for families serve. Also, any student ages 14-18 and attends ETHS is eligible for a free teen 10 punch pass that can be picked up from any community center. Students only have to show their high school ID.

Through the past several years, the department has made significant efforts and improvements to provide free access to the beaches to anyone who wants to attend the beaches. The chart below shows the number of free tokens given away since 2015 via the scholarship letter program and partnering agencies and the improvements in providing access.

	2015	2016	2017	2018	2019	2020
Free Beach Tokens (scholarship)	473	531	993	2714	1761	880
Token Donations to Partners/ Soc. Worker	476	650	764	825	714	490

Free Access for Residents and Non-Residents

If the City Council were to move forward with allowing free beach access for residents it should be noted that a fee can no longer apply for non-residents in this instance.

The Illinois State Constitution and the United States Constitution all ban unreasonable discrimination. The constitutional right to equal protection of the law prevents a government body from setting up a classification scheme that distinguishes between members of the public and unreasonably discriminates against certain of those members. Not every classification scheme is invalid. Only those that result in unreasonable discrimination are invalid." Austin View Civic Assn. v. City of Palos Heights, 85 Ill.App.3d 89, 97 (1st Dist. 1980).

The most litigated example of municipalities setting up a classification scheme based on residency is in the sale of water. In Austin View Civic Assn, Village of Niles v. City of Chicago, 82 Ill.App.3d 60 (1st Dist. 1980) and City of Chicago v. Town of Cicero, 210 Ill. 290 (1904), the

court in each of those cases ruled the rates charged to non-residents of the seller could not be arbitrary and had to be rationally related to a legitimate legislative purpose. In the case of Cicero, the City of Chicago charged Cicero substantially higher rates in an effort to subsidize fire protection in Chicago. The Court ruled this unconstitutional. In the case of Niles, Chicago charged every suburban customer the same rate; however, the Court ruled this unconstitutional since each suburb was different and distinct from the other.

In the City's case, if we offered free beach access to City residents and charged non-residents, we could be sued for discrimination and violation of equal protection. The rationale for offering free beach access to residents and charging non-residents would be creating a discriminatory classification scheme that must be related to a legitimate governmental purpose. Currently, the City charges for beach access for the purpose of maintaining and staffing the beaches. If that cost was borne solely by non-Evanston residents, such a scheme would likely be ruled discriminatory, arbitrary and not rationally related to any legitimate governmental interest.

Summary

In summary, the revenue generated from beach tokens and daily sales helps cover the expenses incurred to operate the lakefront, and it helps the department subsidize the cost of providing discounted programming to income-eligible residents. Losing revenue generated from beach tokens and daily beach sales would have a negative impact on the department budget and decisions would need to be made to determine what fees or taxes should be increased or if services should be cut in order to balance the budget shortfall.

Attachments:

[61-R-21 Authorizing Pilot Program for Free Beach Access for 2021](#)

61-R-21

**A RESOLUTION
AUTHORIZING A PILOT PROGRAM FOR FREE BEACH ACCESS
FOR 2021**

WHEREAS, the City of Evanston, Cook County, Illinois (“City”), is a home rule unit of government and, pursuant to the provisions of Section 6(a) of Article VII of the Illinois Constitution, may exercise any power and perform any function pertaining to its government and affairs; and

WHEREAS, Evanston City Code 7-11-3 requires possession of a token in order to access Evanston beaches; and

WHEREAS, Evanston City Code 7-11-3 authorizes but does not require a fee to be charged for such tokens; and

WHEREAS, the City of Evanston currently charges for beach tokens with an estimated \$1 million in revenue; and

WHEREAS, the City of Evanston’s Parks and Recreation Department funding is derived from the general fund; and

WHEREAS, other municipalities have park districts with separate tax levies to fund the district; and

WHEREAS, on May 10, 2021, Council Member Devon Reid requested a Special Order of Business be placed on the agenda for the May 24, 2021 meeting to make Evanston City Beaches free for the 2021 season; and

WHEREAS, a pilot program to determine the future feasibility of free beach access for future years is necessary due to the potential budget impact.

**NOW BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF
EVANSTON, COOK COUNTY, ILLINOIS, THAT:**

SECTION 1: The foregoing recitals shall be and hereby are incorporated in this Section One as if said recitals were fully set forth herein.

SECTION 2: City Staff is authorized and directed to complete a pilot program for the 2021 beach season, giving access to beach tokens free of charge consistent with City Code 7-11-3.

SECTION 3: City Staff is authorized and directed to refund money for tokens and passes already sold.

SECTION 4: This Resolution 61-R-21 will be in full force and effect from and after the date of its passage and approval in the manner provided by law.

Daniel Biss, Mayor

Attest:

Approved as to form:

Stephanie Mendoza, City Clerk

Nicholas E. Cummings, Corporation
Counsel

Adopted: _____, 2021

~2~



Memorandum

To: Honorable Mayor and Members of the City Council
From: Brian George, Assistant City Attorney
Subject: Ordinance 60-O-21, Creating Title 12 "Workers' Rights" of the City Code and Mandating Hazard Pay for Certain Employees
Date: May 24, 2021

Recommended Action:

Councilmember Reid requested on May 10, 2021 that a special order of business be placed on the agenda to mandate hazard pay for certain employees. Staff submits ordinance 60-O-21, creating Title 12 "Workers' Rights" of the City Code and mandating hazard pay for certain employees. This ordinance requires larger retailers or franchises located in the City to pay essential workers an additional \$6.00 per hour on top of their base wage for work performed during Phases 1 through 3 of Illinois' Coronavirus Response, and an additional \$3.50 per hour on top of the base wage for work performed during Phase 4 of the Illinois Coronavirus Response. This requirement will be retroactive, going back fifteen (15) weeks from the date of passage of the ordinance. Staff is neutral on a recommendation for this ordinance due to insufficient time to conduct research, analysis and public input.

Council Action:

For Introduction

Summary:

The COVID-19 pandemic has led to the current state of emergency in Illinois. On March 20, 2020, Governor Pritzker issued an executive order requiring shelter-in-place for non-essential workers in response to the COVID-19 emergency declaration. The Governor's March 20, 2020 executive order specifically identified essential businesses/essential infrastructure that were encouraged to remain open during the pandemic. Over the past year, workers at these essential businesses have continued to work and serve the Evanston community, despite ongoing hazards, including the risk of contracting COVID-19. Their commitment to essential work has ensured that Evanston residents have access to food, medicine, and other essential goods during the pandemic.

Essential workers have incurred extra costs and risks as a result of the pandemic that other "non-essential" workers may not have incurred. It is in the public interest for essential workers to use personal protective equipment at work and away from work, including commuting to and from work. Workers generally use their own funds to pay for off-the-job protective equipment.

Workers may also incur extra costs to ensure a safe commute to and from work. Some workers may pay for tolls, gas, and parking in order to ensure a safer commute. Additionally, with many schools closed during the pandemic, a child care emergency has been created for essential workers who do not have the option of working from home.

Ordinance 60-O-21 creates a hazard pay requirement for covered employees by covered employers. Generally, larger retailers or franchises located in the City will be required to pay essential workers an additional \$6.00 per hour on top of their base wage for work performed during Phases 1 through 3 of Illinois' Coronavirus Response, and an additional \$3.50 per hour on top of the base wage for work performed during Phase 4 of the Illinois Coronavirus Response. This requirement will be retroactive, going back fifteen (15) weeks from the date of passage of the ordinance.

Attachments:

[60-O-21 Creating Title 12 Workers' Rights and Mandating Hazard Pay](#)

60-O-21

AN ORDINANCE

Creating Title 12 “Workers’ Rights” of the City Code and Mandating Hazard Pay for Certain Employees

NOW BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EVANSTON, COOK COUNTY, ILLINOIS:

SECTION 1: The Evanston City Code of 2012, as amended, is hereby further amended to create the following:

TITLE 12 – WORKERS’ RIGHTS.

CHAPTER 1 – ESSENTIAL WORKER HERO PAY.

12-1-1. – DEFINITIONS.

The definitions set forth in this Section shall govern the construction and meaning of the terms used in this Chapter:

Base Wage	The hourly wage paid to Covered Employees as of the effective date of this Chapter less Hazard Pay owed under this Chapter or any other premium hourly rate already paid to compensate Covered Employees for working during the pandemic (referred to herein as “employer-initiated hazard pay”).
City	City of Evanston
Covered Employee	Any individual who qualifies as an employee entitled to payment of a minimum wage from any employer under the Cook County minimum wage Ordinance, as provided under Chapter 42

	Division 2 of the Cook County Code of Ordinances, and who works at an Essential Retail Store on either a full-time or part-time basis
Covered Employer	<p>Any Person or Corporation who (a) directly or indirectly or through an agent or any other Person owns or operates a non-public or non-governmental Essential Business as defined in Governor Pritzker's Executive order issued March 20, 2020 and employs or exercises control over the wages, hours or working conditions of any Covered Employee; and (b) employs 500 or more employees nationwide regardless of where those employees are employed, or is a Franchisee associated with a Franchisor or a network of Franchises with Franchisees that employ more than 500 employees in the aggregate, regardless of where those employees are employed to determine the number of employees employed by a Essential Retail Store, the calculation shall be based upon:</p> <p>a. The actual number of employees who worked for compensation during the two workweeks preceding the effective date of this Chapter; and</p> <p>b. All employees who worked for compensation shall be counted, including but not limited to:</p> <ul style="list-style-type: none"> i. Employees who are not covered by this Chapter; ii. Employees who worked within the geographic limits of the City; iii. Employees who worked outside the geographic limits of the City; and iv. Employees who worked in full-time

~2~

	employment, part-time employment, joint employment, temporary employment, or through the services of a temporary services or staffing agency or similar entity.
Employer-Initiated Hazard Pay	A premium hourly rate to compensate Covered Employees for the hardships and/or risks associated with working during the COVID-19 pandemic. If a Covered Employer pays such Employer-Initiated Hazard pay on a flat rate basis, the premium hourly rate is derived by dividing the flat rate payment for a workweek by the number of hours worked in the workweek.
Franchise	<p>A written agreement by which:</p> <ol style="list-style-type: none"> 1. A Person is granted the right to engage in the business of offering, selling, or distributing goods or services under a marketing plan prescribed or suggested in substantial part by the grantor or its affiliates; and 2. The operation of the business is substantially associated with a trademark, service mark, trade name, advertising, or other commercial symbol; designating, owned by, or licensed by the grantor or its affiliate; and 3. The Person pays, agrees to pay, or is required to pay, directly or indirectly, a Franchise fee.
Franchisee	A Person to whom a Franchise is offered or granted
Franchisor	A Person who grants a franchise to another Person.

Hazard Pay	An additional per hour wage amount in addition to each Covered Employee's Base Wage or Holiday Premium wage for each hour worked within the City.
Holiday Premium	The hourly wage paid to Covered Employees for performing work during a holiday or holiday season.
Hours Worked	The time during which a Covered Employee is subject to the control of a Covered Employer, including all the time the employee is suffered or permitted to work, and on-call.
Essential Retail Store	A retail or wholesale store, that is located within the geographic limits of the City, and that sells primarily grocery and household goods for offsite consumption, including the sale of fresh produce, meats, poultry, fish, deli products, dairy products, canned foods, dry foods, beverages, baked foods, prepared foods, personal care items, detergents, medicine, and other food or general household supplies.
Person	Any individual, corporation, partnership, limited partnership, limited liability partnership, limited liability company, business trust, estate, trust, association, joint venture, agency, instrumentality, or any other legal or commercial entity, whether domestic or foreign.

12-1-2. – PAYMENT OF HAZARD PAY TO COVERED EMPLOYEES.

- A. Duration of Hazard Pay. Covered Employers shall pay Hazard Pay to all Covered Employees for any pay period during which the City of Evanston is not within Phase 5 guidelines as defined by the Illinois Department of Health or until Evanston/Skokie District 65 fully reopens for in-person instruction, whichever occurs first.

~4~

- B. Hazard Pay. Covered Employers shall pay Covered Employees a wage of no less than the premium hourly rate set under the authority of this Chapter. The premium hourly rate for each Covered Employee shall be: (1) an additional six dollars (\$6.00) per hour during Phases 1 through 3 of the State of Illinois Coronavirus Response or (2) an additional three dollars fifty cents (\$3.50) per hour during Phase 4 of the State of Illinois Coronavirus Response, for all hours worked at an Essential Retail Store on top of the Covered Employee's Base Wage or Holiday Premium, whichever applicable at the time of hours worked. The Hazard Pay rate shall not include compensation already owed to Covered Employees, Holiday Premium rates, gratuities, service charge distributions, or other bonuses.
- C. Credits. Covered Employers providing employer-initiated hazard pay will be credited for doing so in accordance with Section 12-1-4.

12-1-3. – CREDIT FOR EMPLOYER-INITIATED HAZARD PAY.

- A. Employer-Initiated Hazard Pay shall be credited against the six dollars (\$6.00) per hour for the hourly amount paid to each Covered Employee (e.g., A Covered Employer offering two dollars (\$2.00) per hour in Employer-Initiated Hazard Pay owes an additional four dollars (\$4.00) per hour in Hazard Pay per this Chapter.) To receive credit for paying a Covered Employee Employer-Initiated Hazard Pay, a Covered Employer must demonstrate that, as of the effective date of this Chapter and in any subsequent covered workweeks, the Covered Employer paid such Employer-Initiated Hazard Pay to the Covered Employee. No Covered Employer shall be credited prospectively for any past payments. No Covered Employer shall be credited for any hourly premiums already owed to Covered Employees, such as but not limited to, Holiday Premiums. Nothing herein shall be interpreted to prohibit any employer from paying more than six dollars (\$6.00) per hour in Hazard Pay.
- B. Employers providing Employer-Initiated Hazard Pay at a minimum of \$4.00 per hour for a minimum of 15 consecutive weeks preceding enactment of this ordinance may opt to continue to provide hazard pay at the rate paid at the enactment of this Section of the Code.
- C. Covered Employers must, upon request of the City, immediately provide the following to the Evanston City Clerk to receive credit for Employer Initiated Hazard Pay:

1. A copy of the Employer's Hazard Pay policy; and
 2. A statement, provided under penalty of perjury, explaining Covered Employees' hourly Base Wages, hourly Holiday Premiums, hourly employer-initiated hazard pay, and any other wage bonuses received during the last twelve (12) months; and
 3. For any Covered Employee(s) as to whom a Covered Employer seeks credit for Employer-Initiated Hazard Pay, documentation reflecting that such payments were made, for each hour claimed; and
 4. Documentation that allows the City to review for compliance by assessing wages for the past twelve (12) months and that is itemized in such a way that the City can understand a Covered Employee's Base Wage distinguished from Holiday Premiums and other bonuses or pay increases that are separate and distinct from employer-initiated hazard pay.
 - a. The following constitutes acceptable evidence of employer-initiated hazard pay described in Subsection (B)(4): A spreadsheet, of all Covered Employees and their wages for each pay period for the last twelve (12) months, that allows the City to distinguish Base Wage from Holiday Pay and other bonuses or pay increases that are separate and distinct from employer-initiated hazard pay.
- D. Any offer of proof under this section shall be accompanied by a written acknowledgment that it was submitted under penalty of perjury.

12-1-4. – WAIVER.

The provisions of this chapter may not be waived by agreement between an individual Covered Employee and a Covered Employer. All the provisions of this Chapter, or any part thereof, may be waived in a bona fide collective bargaining agreement, but only if the waiver is explicitly set forth in such agreement in clear and unambiguous terms.

12-1-5. – PROHIBITIONS.

- A. It shall be unlawful for a Covered Employer or any other Person to interfere with, restrain or deny the existence of, or the attempt to exercise, any rights protected under this Chapter.

- B. Employers shall not take Retaliatory Action or discriminate against any employee or former employee because the individual has exercised rights protected under this Chapter. Such rights include, but are not limited to, the right to request Hazard Pay pursuant to this Chapter; the right to file a complaint with the City or inform any person about an employer's alleged violation of this Chapter; the right to participate in an investigation, hearing or proceeding or cooperate with or assist the City in its investigations of alleged violations of this Chapter, and the right to inform any person of their rights under this Chapter. Protections of this Chapter shall apply to any employee who mistakenly, but in good faith, alleges noncompliance with this Chapter. Taking adverse action against an employee, including lowering an employee's Base Wage or Holiday Premium Wages or reducing work hours, within 90 days of the employee's exercise of rights protected under this Chapter shall raise a rebuttable presumption of having done so in retaliation for the exercise of such rights.
- C. A Person shall not discharge, reduce the compensation of nor otherwise discriminate against any Person for making a complaint to the City, participating in any of its proceedings, using any civil remedies to enforce his or her rights, or otherwise asserting his or her rights under this Chapter. Within one hundred twenty (120) days of an Employer being notified of such activity, it shall be unlawful for the Employer to discharge any Employee who engaged in such activity unless the Employer has clear and convincing evidence of just cause for such discharge.
- D. No Employer may fund increases in compensation required by this Chapter, nor otherwise respond to the requirements of this Chapter, by reducing the compensation of any non-management Employees nor by reducing the pension, vacation, or other non-wage benefits of any such Employees, nor by increasing charges to them for parking, meals, uniforms or other items. If an Employer makes such adverse changes after the filing of the notice giving rise to this Chapter but before this Chapter has become effective, then upon this Chapter's effective date, such Employer shall restore the conditions of the status quo ante.

12-1-6. – CONFLICT.

Nothing in this article shall be interpreted or applied to create any power or duty in conflict with any federal or state law. The term "Conflict," means a conflict that is preemptive under federal or state law.

~7~

12-1-7. – NOTICE.

- A. The City shall, as expeditiously as possible, publish and make available on its website a notice suitable for Covered Employers to inform employees of their rights under this Chapter.
- B. Every Covered Employer shall, within three (3) days after the City has published and made available the notice described in Subsection A of this Section, provide the notice to employees in a manner calculated to reach all employees, including, but not limited to, posting in a conspicuous place at the workplace; via electronic communication; or posting in a conspicuous place in a Covered Employer's web based or app-based platform. The Covered Employer's notification shall be provided in all languages spoken by more than ten percent (10%) of Employees.
- C. Every Covered Employer shall, within three (3) days after the City has published and made available the notice described in Subsection A of this Section or at the time of hire, whichever is later, provide each Covered Employee the Covered Employer and owner or manager's name; address; telephone number; and whether it is part of a franchise associated with a franchisor or network of franchises. If the information the Covered Employer provided to the Covered Employee changes, the Covered Employer shall provide the updated information in writing within ten (10) days of the change.
- D. Every Covered Employer shall provide notice to employees when the Risk Level in the City either moves from one Phase to another under a State of Illinois Department of Public Health Order. Notice shall be given in a manner calculated to reach all employees, including, but not limited to, posting in a conspicuous place at the workplace; via electronic communication; or posting in a conspicuous place in a Covered Employer's web based or app-based platform. The Covered Employer's notification shall be provided in all languages spoken by more than ten percent (10%) of Employees.

12-1-8. – ENFORCEMENT PROCEDURES.

- A. Enforcement Priority. It shall be the policy of the City of Evanston that all employees be compensated fairly according to the law and that employers who engage in wage theft be held accountable.
- B. Administrative Enforcement.

1. The City is authorized to take appropriate steps to enforce this Chapter. The City may investigate any possible violations of this Chapter by an employer or other person and, where the City has reason to believe that a violation has occurred, it may order appropriate temporary or interim relief to mitigate the violation or maintain the status quo pending completion of a full investigation or hearing.
2. Where the City, after a hearing that affords a suspected violation of due process, determines that a violation has occurred, it may order any appropriate relief, including, but not limited to, reinstatement, the payment of any back wages unlawfully withheld, and the payment of an additional sum as an administrative penalty in the amount of fifty dollars (\$50.00) to each employee or person whose rights under this Chapter were violated for each day that the violation occurred or continued. A violation for unlawfully withholding wages or service charges shall be deemed to continue from the date immediately following the date that the sums were due and payable, to the date immediately preceding the date the sums are paid in full. Where prompt compliance is not forthcoming, the City may take any appropriate action to secure compliance, including initiating a civil action pursuant to Section 12-1-9(C), and, except where prohibited by state or federal law, requesting that City agencies or departments revoke or suspend any registration certificates, permits, or licenses held or requested by the employer or person until such time as the violation is remedied. All City agencies and departments shall cooperate with such revocation or suspension requests. In order to compensate the City for the costs of investigating and remedying the violation, the City may also order the violating employer or person to pay to the City a sum of not more than fifty dollars (\$50.00) for each day and for each employee or person as to whom the violation occurred or continued. Such funds shall be allocated to the City and shall be used to offset the costs of implementing and enforcing this Chapter.
3. An employee, representative of employees, or other person may report in writing any suspected violation of this Chapter to the City. The City shall encourage reporting pursuant to this subsection by keeping confidential, to the maximum extent permitted by applicable laws, the name and other identifying information of the person reporting the violation and any employee whose name is included in the report. Provided, however, that with the written authorization of such person, the City may disclose his or her name and identifying information as necessary to enforce this Chapter or for any other

appropriate purpose. In order to further encourage reporting by employees, if the City notifies an employer that the City is investigating a complaint, the City shall require the employer to post or otherwise inform its employees that the City is conducting an investigation, using a form provided by the City.

C. Civil Enforcement.

The City, the City Attorney, any person aggrieved by a violation of this Chapter, any entity a member of which is aggrieved by a violation of this Chapter, or any other person or entity acting on behalf of the public as provided for under applicable state law, may bring a civil action in a court of competent jurisdiction against the employer or other person violating this Chapter and, upon prevailing, shall be entitled to all remedies available to remedy any violation of this Chapter, including but not limited to back pay, reinstatement and/or injunctive relief, and the payment of an additional sum as penalty in the amount of fifty dollars (\$50.00) to each employee or person whose rights under this Chapter were violated for each day that the violation occurred or continued, up to a maximum of one thousand dollars (\$1,000.00) per employee or aggrieved person. Violations of this Chapter are declared to irreparably harm the public and covered employees generally. The court shall award reasonable attorney's fees and expenses to any plaintiff who prevails in an action to enforce this Chapter. Provided that any person or entity enforcing this Chapter on behalf of the public shall, upon prevailing, be entitled only to equitable, injunctive or restitutionary relief, and reasonable attorneys' fees and costs. No criminal penalties shall attach for any violation of this Chapter, nor shall this Chapter give rise to any cause of action for damages against the City.

D. The City is authorized to assess fines as follows:

1. Failure to display written notice of rights under Section 12-1-9; \$550.00.
2. Failure to comply with prohibitions against retaliation for exercising rights protected under Sections 12-1-2 and 12-1-6; \$1,200.00 per aggrieved party (shall be paid to the aggrieved party).
3. Failure to provide notice of investigation to employees under Section 12-1-9; \$550.00.
4. Failure to post or distribute public notice of failure to comply with final order under subsection 12-1-7; \$550.00.

~10~

The maximum amount that may be imposed in fines in a one-year period for each type of violation listed above is \$5,500.00 unless a fine for retaliation is issued, in which case the maximum amount is \$22,000.00.

- E. A respondent who willfully hinders, prevents, impedes, or interferes with a City official or Hearing Examiner in the performance of their duties under this ordinance shall be subject to a civil penalty of not less than \$1,200.00 and not more than \$5,500.00.
- F. In addition to the unpaid compensation, penalties, fines, liquidated damages, and interest, the City may assess against the respondent in favor of the City the reasonable costs incurred in enforcing this ordinance, including but not limited to reasonable attorneys' fees and Hearing Examiner Fees.

12-1-9. – NO PREEMPTION OF HIGHER STANDARDS.

The purpose of this Chapter is to ensure minimum labor standards. This Chapter does not preempt or prevent the establishment of superior employment standards (including higher wages) or the expansion of coverage by ordinance, resolution, contract, or any other action of the City.

12-1-10. – SEVERABILITY.

If any subsection, sentence, clause or phrase of this Chapter is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Chapter, which shall remain in full force and effect. The City Council hereby declares that it would have passed this Chapter and each and every subsection, sentence, clause and phrase thereof not declared invalid or unconstitutional, without regard to whether any portion of the article would be subsequently declared invalid or unconstitutional. The courts are hereby authorized to reform the provisions of this Chapter in order to preserve the maximum permissible effect of each subsection herein.

12-1-11. – RETROACTIVITY.

12-1-2 and 12-1-3 of this Title 12, Chapter 1 of the Evanston Cite Code shall apply retroactively for fifteen (15) weeks prior to enactment of this Section of the Code.

SECTION 2: This ordinance shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

SECTION 3: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 4: If any provision of this ordinance or application thereof to any person or circumstance is ruled unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this ordinance that can be given effect without the invalid application or provision, and each invalid provision or invalid application of this ordinance is severable.

Introduced: _____, 2021

Approved:

Adopted: _____, 2021

_____, 2021

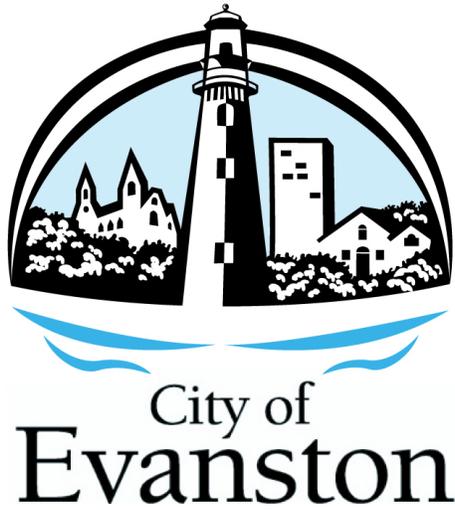
Daniel Biss, Mayor

Attest:

Approved as to form:

Stephanie Mendoza, City Clerk

Nicholas E. Cummings, Corporation Counsel



REGULAR CITY COUNCIL MEETING

CITY OF EVANSTON, ILLINOIS
LORRAINE H. MORTON CIVIC CENTER
JAMES C. LYTTLE COUNCIL CHAMBERS
Monday, May 10th, 2021

Present:		
	Alderman Fiske	Alderman Revelle
	Alderman Braithwaite	Alderman Rainey
	Alderman Wynne	Alderman Fleming
	Alderman Wilson	Alderman Suffredin
	Alderman Rue Simmons	(9)
Absent:		
Presiding:	Mayor Stephen Hagerty	

Devon Reid
City Clerk

Motion to suspend the rules and allow the meeting to be held virtually
Passed 8-0

Ald. Fleming absent for vote

Motion: Ald.
Wilson
Second: Ald.
Rainey

Mayor's Public Announcements

Mayor Hagerty Announcements:

[Watch](#)

- Presentation of Keys to the City
- Asian American & Pacific Islander Heritage Month Proclamation

City Manager's Public Announcements

City Manager Announcements:

[Watch](#)

- Promotion of William Muno to Deputy Chief of Operations for Evanston Fire Department

City Clerk's Communications

City Clerk had no announcements

Watch

Public Comment

Carl Klein

Believes the Rules Committee should codify rules to allow an outgoing City Council to vote on matters only relating to payroll and bills. He agrees with the remarks made by Councilmember Fleming about having a set inauguration date for the transition of power between elected officials.

[Watch](#)

Ben Klitzkie

Voiced his concern about the legality of the outgoing City Council to vote on the agenda items presented at this meeting. He asked the City Council vote against 19-O-21, amending the City of Evanston's Leaf Blower Policy. This amendment would have consequences to landscaping businesses and restrict the hours of usage. He stated this would cause his business to service fewer accounts and lose on

[Watch](#)

	revenue. As a result this would cause him to layoff employees.	
Mike Vasilko	Questioned the legitimacy of the current City Council's ability to conduct business after new Council Members were certified by the election results. Inquired why there was an agenda if there were no Committee meetings. He objected to the approval of Ordinance 47-O-21 due to the cost it will have on taxpayers. Acknowledged the work of Ald. Fleming with her constituents.	Watch
Jeremy Vannatta	He doesn't believe the outgoing City Council should be taking any action on important items on the consent agenda. He emailed members of the City Council weeks ago about the water rates and received two responses. He also emailed the City Manager about the lawsuit involving Chief Cook and would like to know what's steps will be taken to ensure similar matters don't happen with city staff and their use of social media	Watch
Tina Paden	Believes APW agenda items should not be on the agenda since the meeting was cancelled. Shared her remarks about the reparations program and it's implications on qualifying residents.	Watch
Priscilla Giles	She stated that the TIF District being considered at tonight's agenda does not represent the residents that live in the area. Claims there is no plan to sustain the residents or the greenery during the pandemic.	Watch
Renee Paden	Stated that eminent domain is often used to remove people of the city they live in. Said this is taking place in the 5th Ward and this will cause the population of the African-American community to dwindle. Doesn't want eminent domain to be used in TIF Districts.	Watch
Jamie Robin Collier	Asked City Council to not take any action on the TIF District because it could challenge the legality of this City Council meeting, the effect of increased property value will have on tax collection. Made a suggestion to have a study conducted to determine how the Civic Center can be made carbon neutral.	Watch
Alex Elliott	Voiced her support for Ordinance 19-O-21, amending the City of Evanston's Leaf Blower Policy. She has asked her landscaping service to not use leaf blowers and claims she pays the same service fee. She said leaf blowers are hazardous to the environment and cause air and noise pollution.	Watch
Trisha Connolly	Read her remarks on our local government, the City Council and the order of business.	Watch
Ray Friedman	Questioned the legality of the meeting and proposed to postpone any action until the new City Council is sworn in. Thanked the outgoing City Council for their years of service and wished them the best.	Watch

Special Order of Business

SP1. Resolution 55-R-21, Upon the Occasion of the Retirement of Mayor Stephen H. Hagerty

City Council adopted Resolution 55-R-21, commending Mayor Stephen H. Hagerty's years of service as Mayor of the City of Evanston during the years 2017 through 2021.

For Action

Approved on Consent Agenda

SP2. Resolution 56-R-21, Upon the Occasion of the Retirement of Clerk Devon Reid

City Council adopted Resolution 56-R-21, commending Clerk Devon Reid's years of service as Clerk of the Evanston City Council during the years 2017 through 2021.

For Action

Approved on Consent Agenda

SP3. Resolution 52-R-21, Upon the Occasion of the Retirement of Alderman Judy Fiske

City Council adopted Resolution 52-R-21, commending Alderman Judy Fiske's years of service as a member of the Evanston City Council.

For Action

Approved on Consent Agenda

SP4. Resolution 51-R-21, Upon the Occasion of the Retirement of Alderman Donald Wilson

City Council adopted Resolution 51-R-21, commending Alderman Donald Wilson's years of service as a member of the Evanston City Council.

For Action

Approved on Consent Agenda

SP5. Resolution 54-R-21, Upon the Occasion of the Retirement of Alderman Robin Rue Simmons

City Council adopted Resolution 54-R-21, commending Alderman Robin Rue Simmons' years of service as a member of the Evanston City Council.

For Action

Approved on Consent Agenda

SP6. Resolution 53-R-21, Upon the Occasion of the Retirement of Alderman Ann Rainey

City Council adopted Resolution 53-R-21, commending Alderman Ann Rainey's years of service as a member of the Evanston City Council.

For Action

Approved on Consent Agenda

SP7. Ordinance 47-O-21, Lease of City-Owned Property Located at 2603 Sheridan Rd. to Artists Book House

City Council approved Ordinance 47-O-21, authorizing the City Manager to execute a lease agreement for Cityowned real property (known as the Harley Clarke Mansion) located at 2603 Sheridan Road with Artist Book House ("ABH") for the operation of a venue for teaching creative writing, printing books, production of paper, and bookbinding, as well as space for bookstore, library, art gallery, cafe, lecture hall, and classrooms. The lease term is for 40 years beginning May 10, 2021, and ending May 10, 2061.

For Action

Approved on Consent Agenda

Consent Agenda

CM1. Approval of the Minutes of the Regular City Council meeting of April 26, 2021

City Council approved the minutes of the Regular City Council meeting of April 26, 2021

For Action

Approved on Consent Agenda

A1. Approval of the City of Evanston Payroll and Bills List

City Council approved the City of Evanston Payroll for the period of April 12, 2021, through April 25, 2021, in the amount of \$2,750,539.78 Bills List for May 11, 2021, in the amount of \$2,690,423.59.

For Action

Approved on Consent Agenda

A2. Approval of up to \$200,000 of CDBG-CV Funding for Summer Youth Activities to Reduce Violence and Address Social and Emotional Issues Resulting from the Pandemic

City Council approved up to \$200,000 in CDBG-CV funding to provide summer activities for youth suffering emotional and psychological stress from social isolation and other factors due to the COVID-19 pandemic. Up to \$115,000 will be used for program supplies and up to \$85,000 for staffing. This initiative "My City, Your City, Our City" will be implemented throughout the summer via: extended hours at four community centers; community building/violence prevention events scheduled each Saturday, and community building/violence prevention events on the first Friday of each month starting in June and culminating in a Back to School event to usher youth safely back to school for the fall. Funding of up to \$200,000 is from the City's CDBG-CV CARES Act grant, 215.21.5226.63045. The City received \$1,586,370 in CARES Act CDBG-CV funding to prevent, prepare for, and respond to the coronavirus. \$626,496 is budgeted for Public Services, of which \$230,000 has been allocated previously, leaving a balance of \$196,496 to be allocated to specific activities.

For Action

Approved on Consent Agenda

A3. Approval of Storefront Modernization Grant in the Amount of \$1,710 for Enzo the Baker, 517 Dempster Street

City Council approved financial assistance to Enzo the Baker totaling \$1,710. Funds will come from the Business District Improvement Account # 100.15.5300.65522. \$150,000 has been allocated to this account. No funding has been allocated from this account, to date, as this is the first request since the fund was reinstated by the City Council in April.

For Action

Approved on Consent Agenda

A4. Approval of Entrepreneurship Emergency Assistance Funding Request

City Council approved financial assistance to one eligible applicant of the Entrepreneurship Support Program totaling \$6,000. For FY 2021, the Entrepreneurship Support Account (100.15.5300.62664) was allotted \$50,000. To date, \$43,990.09 has been awarded.

For Action

Approved on Consent Agenda

A5. Approval of Change Order No. 1 to the Contract with J.A. Johnson Paving Company for the 2021 Street Patching Program

City Council authorized the City Manager to execute Change Order No. 1 to the contract with J. A. Johnson Paving Company (1025 E. Addison Ct., Arlington Heights, Illinois) for the 2021 Street Patching Program in the amount of \$100,000. Funding will be from the Capital Improvement Fund 2021 General Obligation Bonds (Account 415.40.4121.65515 – 421015).

For Action

Approved on Consent Agenda

A6. Resolution 49-R-21, Authorizing the City Manager to Negotiate and Execute A Twenty-Five Year Alley Easement At 1708-1712 Sherman Avenue with The Varsity, LLC.

City Council adopted Resolution 49-R-21, Authorizing the City Manager to Negotiate and Execute A Twenty-Five Year Alley Easement At 1708-1712 Sherman Avenue with The Varsity LLC, an Illinois Limited Liability Company.

For Action

Approved on Consent Agenda

A7. Ordinance 52-O-21, Approving Meeting Dates for the Joint Review Board Meeting and Public Hearing for the Proposed Five-Fifths TIF District Redevelopment Plan and Project

Motion: Ald. [Watch](#)
Suffredin
Second: Ald.
Rue Simmons

City Council approved Ordinance 52-O-21 establishing dates for Five-Fifths TIF Public Hearing and Joint Review Board Meeting. Ald. Robin Rue Simmons requests suspension of the rules for Introduction and Action at the May 10, 2021 City Council meeting.

For Introduction and Action

Passed 9-0

A8. Ordinance 55-O-21, Amending Title 10, Chapter 11, Section 18, Schedule XVIII (P) Residents Only Parking Districts

Motion: Ald. [Watch](#)
Suffredin
Second: Ald.
Rue Simmons

City Council adopted Ordinance 55-O-21, amending Title 10, Chapter 11, Section 18, Schedule XVIII (P) "Residents Only Parking Districts." This Ordinance will amend parking restrictions that were inadvertently left out of Ordinance 27-O-21 adopted on April 26, 2021. Ordinance 27-O-21 amended parking on the east side of Sheridan Square from Garden Park to Sheridan Road to allow for 3 hour parking from 6:00 am to 9:00 pm. Ordinance 55-O-21 amends parking on the same portion of the west side Sheridan Square to allow for R District Parking only. Discussions at the April 12 and 26 City Council meetings, as well as the memorandum that accompanied Ordinance 27-O-21 pertained to amendments to both sides of Sheridan Square. Ordinance 55-O-21 will bring Sheridan Square in line with the plans that were requested and discussed. City Manager requests suspension of the rules for Introduction and Action at the May 10, 2021 City Council meeting.

Motion to suspend the rules for Introduction and Action

Passed 9-0

Motion: Ald.
Wynne
Second: Ald.
Revelle

For Introduction and Action

Passed 9-0

A9. Ordinance 49-O-21, Amending Section 1-3-2 of the City Code to Add Definitions of "Alderman"

City Council adopted Ordinance 49-O-21, Amending Section 1-3-2 of the City Code to add definitions of the term "Alderman" allowing gender neutral terms to be used as the titles of elected officials.

For Action

Approved on Consent Agenda

A10. Ordinance 42-O-21, Authorizing the City Manager to Execute an Agreement to Sell Water to the Village of Skokie, Illinois

City Council adopted Ordinance 42-O-21, Authorizing the City Manager to Execute an Agreement to Sell Water to the Village of Skokie, Illinois.

For Action

Approved on Consent Agenda

A11. Ordinance 33-O-21 Seeking Authority to Negotiate the Sale of City Owned Property Located at 2022-26 Central Street to a Single Purpose Real Estate LLC to be Established by Lush Wine & Spirits, LLC

City Council adopted ordinance 33-O-21 granting the City Manager authority to negotiate the sale of city owned property.

For Action

Approved on Consent Agenda

P1. Ordinance 53-O-21, Amending Portions of the City Code to Extend the Expiration Date of Permitted Uses Within the U2 Zoning District

Motion: Ald.
Fiske
Second: Ald.
Braithwaite

[Watch](#)

City Council adopted for introduction Ordinance 53-O-21, amending the City Code to extend the expiration date of permitted uses within the U2 zoning district from December 31, 2021 to December 31, 2022.

For Introduction

Passed 6-3

Alds. Suffredin, Revelle and Wynne voted “No”

P2. Ordinance 54-O-21, Amending Title 7, Chapter 8, Section 8 Tree Preservation

Staff recommends that City Council consider Ordinance 54-O-21 amending the Tree Preservation Ordinance (7-8-8) to expand protection of trees on private property. There is currently no capacity to implement and administer the revised Tree Preservation Ordinance due to lack of staff resources in the Public Works Agency (PWA) and Community Development Department. Staff recommends inclusion of an effective date in 2022 that is also contingent on the addition of new staff resources for the 2022 budget to PWA that will support the implementation of this ordinance.

For Introduction

Tabled in Committee

P3. Ordinance 37-O-21, Granting Major Zoning Variations to Construct a Four-Story Rear Addition and Adaptive Reuse of an Existing Religious Structure in the R6 General Residential District (1101 Church Street)

City Council adopted Ord. 37-O-21, granting major zoning relief for the adaptive reuse of an existing structure and four-story addition for a total of 30 dwelling units at 1101 Church St. in the R6 General Residential District. The applicant requests 24 dwelling units (plus 6 IHO bonus units for a total of 30 dwelling units) where 15 dwelling units are allowed, 78.6% building lot coverage where 65% is permitted, a 0' street side yard setback to match the existing structure where 15' is required, 1.5' rear yard setback where 25' is required, 0' for open parking in the interior side yard where 5' is required, and 14 parking spaces where 22 parking spaces are required. The applicant has complied with all other zoning requirements, and meets the Standards for Major Variations for this district.

For Action

Approved on Consent Agenda

P4. Ordinance 43-O-21, Granting a Map Amendment and Major Variations for 2030 Greenwood Street

City Council adopted a Zoning Ordinance Map Amendment to rezone 2030 Greenwood Street from I2 General Industrial to MXE Mixed-Use Employment District. The Zoning Board of Appeals recommends approval of the following Major Variations in order to construct a residential development: 24 total dwelling units (20 regular units + 4 IHO bonus units) where 18 dwelling units (22 with IHO bonus units) are permitted, and building height of 4 stories at 38' where 3 stories at 41' is permitted.

For Action

Approved on Consent Agenda

P5. Ordinance 44-O-21, Amending Title 6 of the City Code Concerning Wireless Facilities

City Council adopted Ordinance 44-O-21, granting approval of a City initiated Text Amendment to the Zoning Ordinance, Title 6 of the City Code, to establish a definition and regulations for wireless facilities.

For Action

Approved on Consent Agenda

P6. Ordinance 48-O-21 Amending Title 6, the Zoning Ordinance, to eliminate the Substitution of Special Use process, modify listed Special Uses in non-residential and non-university districts, establish an Administrative Review Use process and Administrative Review Uses in non-residential and non-university districts.

City Council adopted Ordinance 48-O-21, amending Title 6, the Zoning Ordinance, to eliminate the Substitution of Special Use process, modify listed Special Uses in non-residential and non-university districts, establish an Administrative Review Use process, and Administrative Review Uses in non-residential and non-university districts. The proposal is staff-initiated at the request of the City Manager and was previously discussed as a Special Order of Business by the City Council on March 22, 2021. Ordinance 48-O-21 has been updated to include review of the Administrative Review Use ordinance regulations by the City Council in two years from the effective date, after May 10, 2023, as requested at the Planning & Development Committee meeting of April 26, 2021.

For Action

Approved on Consent Agenda

P7. Ordinance 19-O-21, Amending the City of Evanston's Leaf Blower Policy

Motion: Ald. Fiske
Second: Ald. Rainey

[Watch](#)

Staff recommends City Council adoption of Ordinance 19-O-21, Amending the City of Evanston's Leaf Blower Policy. This ordinance amends the times and days when leaf blowers are permitted to be used in Evanston, modifies the penalty for violating the new rules and eliminates loopholes for non-gasoline powered equipment use.

Motion to table to the June 14, 2021 City Council meeting

Passed 9-0

Motion: Ald. Revelle
Second: Ald. Wynne

For Action

Tabled until the June 14, 2021 City Council meeting

R1. 20-O-21, Amending Title 1, Chapter 10 of the Evanston City Code, "City of Evanston Code of Ethics and Board of Ethics"

Motion: Ald. Suffredin
Second: Ald. Rainey

[Watch](#)

Staff recommends City Council adoption of Ordinance 20-O-12, Amending Title 1, Chapter 10 of the Evanston City Code, "City of Evanston Code of Ethics and Board of Ethics".

Motion to table to the May 24, 2021 City Council meeting

Motion: Ald.
Fleming
Second: Ald.
Revelle

Motion to overrule the hold on the agenda item

Failed 4-5. Wilson, Rainey, Fiske, Braithwaite and Wynne voted "Yes"

Motion: Ald.
Rainey
Second: Ald.
Wilson

For Action

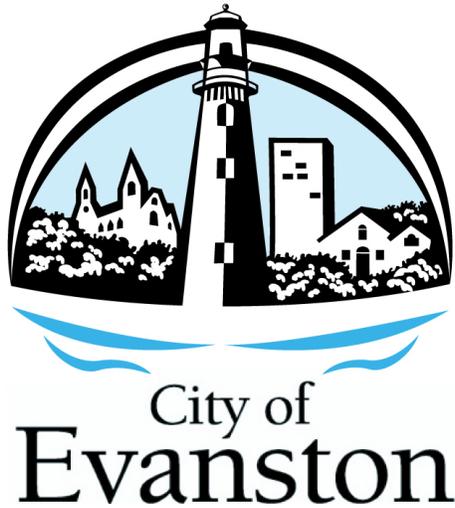
Tabled to the May 24, 2021 City Council meeting

Call of the Wards

Ward 1: No Report	Watch
Ward 2: Ward meeting on May 13 at 7 p.m.	Watch
Ward 3: No Report	Watch
Ward 4: No Report	Watch
Ward 5: Reminded residents to check their email for her final newsletter.	Watch
Ward 6: No Report	Watch
Ward 7: No Report	Watch
Ward 8: No Report	Watch
Ward 9: No Report	Watch

Adjournment

Mayor Hagerty called to recess until 7:30 p.m, and by a 6-3 vote City Council recessed until 7:30 p.m.



REGULAR CITY COUNCIL MEETING

CITY OF EVANSTON, ILLINOIS
LORRAINE H. MORTON CIVIC CENTER
JAMES C. LYTTLE COUNCIL CHAMBERS
Monday, May 10th, 2021

Present:

Councilmember Kelly	Councilmember Suffredin
Councilmember Braithwaite	Councilmember Revelle
Councilmember Wynne	Councilmember Reid
Councilmember Nieuwsma	Councilmember Fleming
Councilmember Burns	(9)

Absent:

Presiding: Mayor Daniel Biss

Stephanie Mendoza
City Clerk

Administration of Athenian Oath of Citizenship and Oath of Office to Mayor [Watch](#)

Invocation [Watch](#)

Administration of Athenian Oaths of Citizenship and Oaths of Office to the Councilmembers [Watch](#)

Administration of Athenian Oath of Citizenship and Oath of Office to Clerk [Watch](#)

Call of the Wards

Ward 1: Councilmember Kelly shared her thoughts and thanks on being elected to represent the 1st Ward. Made a referral to APW to establish a separate fund to account for the receipt and disbursement of funds received under the American Plan Rescue Act. [Watch](#)

Ward 2: Councilmember Braithwaite shared his thoughts and thanks on being elected to represent the 2nd Ward. [Watch](#)

Ward 3: Councilmember Wynne shared her thoughts and thanks on being elected to represent the 3rd Ward. [Watch](#)

Ward 4: Councilmember Nieuwsma shared his thoughts and thanks on being elected to represent the 4th Ward. Plans on hosting Ward meetings on the first Tuesday of every month at 7 p.m. He will have office hours on the second Saturday of each month at 10 a.m. The first will be held at Berry Pike Cafe located at 1100 Davis St. [Watch](#)

Ward 5: Councilmember Burns shared his thoughts and thanks on being elected to represent the 5th Ward. [Watch](#)

Ward 6: Councilmember Suffredin shared his thoughts and thanks on being elected to represent the 6th Ward. [Watch](#)

Ward 7: Councilmember Revelle shared her thoughts and thanks on being elected to represent the 7th Ward. [Watch](#)

Ward 8: Councilmember Reid shared his thoughts and thanks on being elected to represent the 8th Ward. Made a motion to place a special item for introduction on the May 24, 2021 agenda to make the beaches free to all Evanston residents; seconded by Council member Kelly. Motion was approved unanimously. Made a motion to place a hazard pay ordinance as a special item for introduction on the May 24, 2021 agenda; seconded by Councilmember Burns. Motion was approved on a 5-4 vote.

[Watch](#)

Ward 9: Councilmember Fleming shared his thoughts and thanks on being elected to represent the 9th Ward. Made a referral to the Rules Committee to review City Code 1-7-4 which speaks about the City Manager's appointment of the Deputy City Clerk.

[Watch](#)

Remarks by the Clerk

City Clerk Mendoza shared her thoughts and thanks on being elected as the new City Clerk

[Watch](#)

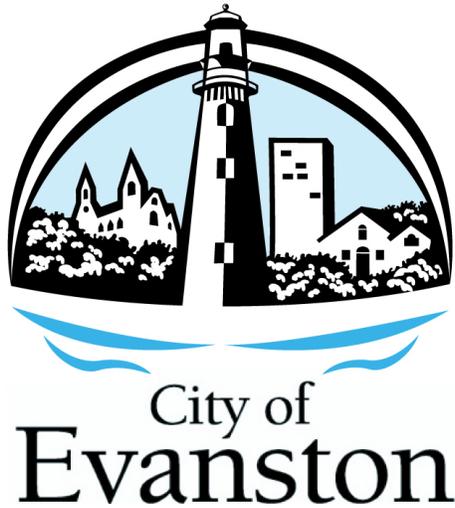
Remarks by the Mayor

Mayor Biss shared his thoughts and thanks on being elected as Mayor for the City of Evanston

[Watch](#)

Adjournment

Mayor Hagerty called a motion to adjourn. Councilmember Braithwaite motioned to adjourn; seconded by Councilmember Wynne and by unanimous vote the meeting was adjourned.



SPECIAL CITY COUNCIL MEETING

**CITY OF EVANSTON, ILLINOIS
LORRAINE H. MORTON CIVIC CENTER
JAMES C. LYTTLE COUNCIL CHAMBERS
Saturday, May 15th, 2021**

Present:

Councilmember Kelly	Councilmember Suffredin
Councilmember Braithwaite	Councilmember Revelle
Councilmember Wynne	Councilmember Reid
Councilmember Nieuwsma	Councilmember Fleming
Councilmember Burns	(9)

Absent:

Presiding: Mayor Daniel Biss

**Stephanie Mendoza
City Clerk**

Public Comment

No Public Comment

City Council Orientation

Gilo Logan	Opening remarks	Watch
Elrod Friedman LLP	Review Open Meetings Act, FOIA, Ethics	Watch
Joan Bundley	Robert Rules/legislative procedures	Watch
Erika Storlie	Committee Structure	Watch
Nicholas Cummings	Overview of Rules of the City Council and Law Department	Watch

Call of the Wards

Ward 1:	Made a referral to the Human Services Committee to consider amending the City Code to allow a variant process that would allow dogs at outside dining establishments.	Watch
Ward 2:	Requested to have a discussion about how communication should be handled between staff and elected officials. Thanked everyone that attended the last ward meeting.	Watch
Ward 3:	Made a request to the City Manager to provide a copy of the City Council rules for each elected official.	Watch
Ward 4:	Requested to have a table of the City Rules similar to the one for Robert Rules	Watch
Ward 5:	Ward meeting on Wednesday, May 19 at 7 p.m. with the link available on the city's website. Made a referral to the Rules Committees to consider repurposing all boards, committees and commissions. Made a referral to review the time allowed for people to maintain their properties boarded up. Made a referral to learn how non IDOT truck routes are established and to determine new truck routes in the 5th Ward. Made a referral to establish a healthy work environment complaint process.	Watch

- Ward 6: No Report Watch
- Ward 7: No Report Watch
- Ward 8: Ward meeting on Saturday, May 22 at 2:30 p.m. via Zoom. Made a reference to the Rules Committees to amended rules 18.11 and 18.12 to allow only the Mayor to place items as special order of business on the agenda. Made a reference to the Rules Committee to create a new process for new orders of business to be placed by the City Manager. Made a reference to appoint the City Clerk as the Parliamentarian and to provide proper training and funding towards the accreditation . Made a reference to amend rule 12.1 to allow for 10 minutes of debate per motion. [Watch](#)
- Ward 9: No Report Watch

Adjournment

Mayor Biss called to adjourn the City Council meeting



Memorandum

To: Honorable Mayor and Members of the City Council
 CC: Members of Administration and Public Works Committee
 From: Tera Davis, Accounts Payable Coordinator
 CC: Hitesh Desai, Chief Financial Officer/Treasurer
 Subject: Approval of the City of Evanston Payroll, Bills, and Credit Card Activity
 Date: May 24, 2021

Recommended Action:

Staff recommends City Council approval of the City of Evanston Payroll for the period of April 26, 2021, through May 9, 2021, in the amount of \$3,415,062.50 Bills List for May 25, 2021, in the amount of \$4,188,166.21 as well as credit card purchases period ending March 26, 2021, in the amount of \$181,225.31.

Council Action:

For Action

Summary:

Payroll – April 26, 2021 through May 9, 2021 (Payroll includes employer portion of IMRF, FICA, and Medicare)	\$ 3,415,062.50
---	-----------------

Bills List – May 25, 2021	\$ 4,188,166.21
General Fund Amount – Bills	\$ 367,980.70

TOTAL AMOUNT OF BILLS LIST & PAYROLL	\$ 7,603,228.71
--------------------------------------	-----------------

*Advanced checks are issued prior to submission of the Bills List to the City Council for emergency purposes, to avoid a penalty, or to take advantage of early payment discounts.

Attachments:

[05.25.2021 BILLS LIST FY2021](#)

[March 2021 Transactions](#)

CITY OF EVANSTON
BILLS LIST

100 GENERAL FUND

Accounts Payable by G/L Distribution Report
Payment Date Range 05/25/21 - 05/25/21

PERIOD ENDING 05.25.2021 FY2021

Vendor	Invoice Description	G/L Date	Payment Date	Invoice Amount
Fund 100 - GENERAL FUND				
Account 21650 - LIFE INSURANCE-UNIVERSAL				
103824 - NATIONAL GUARDIAN LIFE INSURANCE CO.	NGL MONTHLY INVOICE	05/25/2021	05/25/2021	75.85
	Account 21650 - LIFE INSURANCE-UNIVERSAL Totals		Invoice Transactions 1	\$75.85
Department 13 - CITY COUNCIL				
Business Unit 1300 - CITY COUNCIL				
Account 62360 - MEMBERSHIP DUES				
103822 - NORTHWEST MUNICIPAL CONFERENCE	NORTHWEST MUNICIPAL CONFERENCE DUES FY21-22	05/25/2021	05/25/2021	25,528.00
	Account 62360 - MEMBERSHIP DUES Totals		Invoice Transactions 1	\$25,528.00
	Business Unit 1300 - CITY COUNCIL Totals		Invoice Transactions 1	\$25,528.00
	Department 13 - CITY COUNCIL Totals		Invoice Transactions 1	\$25,528.00
Department 14 - CITY CLERK				
Business Unit 1400 - CITY CLERK				
Account 62457 - CODIFICATION SERVICES				
297082 - MUNICIPAL CODE CORPORATION	MYMUNICODE MAY 1, 2021 - APRIL 30, 2022	05/25/2021	05/25/2021	2,575.00
	Account 62457 - CODIFICATION SERVICES Totals		Invoice Transactions 1	\$2,575.00
	Business Unit 1400 - CITY CLERK Totals		Invoice Transactions 1	\$2,575.00
	Department 14 - CITY CLERK Totals		Invoice Transactions 1	\$2,575.00
Department 15 - CITY MANAGER'S OFFICE				
Business Unit 1505 - CITY MANAGER				
Account 62509 - SERVICE AGREEMENTS/ CONTRACTS				
17429 - CITYFRONT INNOVATIONS, LLC	OVER THE PHONE INTERPRETATION SERVICES	05/25/2021	05/25/2021	401.00
272361 - LANGUAGE LINE SERVICES	OVER THE PHONE INTERPRETATION SERVICES	05/25/2021	05/25/2021	164.85
18092 - LITERACY WORKS	LANGUAGE LAB TAILORED TRAINING	05/25/2021	05/25/2021	5,000.00
	Account 62509 - SERVICE AGREEMENTS/ CONTRACTS Totals		Invoice Transactions 3	\$5,565.85
Account 65010 - BOOKS, PUBLICATIONS, MAPS	CAPITOL FAX SUBSCRIPTION	05/25/2021	05/25/2021	500.00
18283 - AHEAD OF OUR TIME PUBLISHING, INC.	Account 65010 - BOOKS, PUBLICATIONS, MAPS Totals		Invoice Transactions 1	\$500.00
Account 65095 - OFFICE SUPPLIES	OFFICE SUPPLIES	05/25/2021	05/25/2021	223.84
103883 - OFFICE DEPOT	Account 65095 - OFFICE SUPPLIES Totals		Invoice Transactions 1	\$223.84
	Business Unit 1505 - CITY MANAGER Totals		Invoice Transactions 5	\$6,289.69
Business Unit 1510 - PUBLIC INFORMATION				
Account 62490 - OTHER PROGRAM COSTS				
12151 - MULTILINGUAL CONNECTIONS LLC	TRANSLATING SUMMER CAMP MANUAL	05/25/2021	05/25/2021	892.62
	Account 62490 - OTHER PROGRAM COSTS Totals		Invoice Transactions 1	\$892.62
	Business Unit 1510 - PUBLIC INFORMATION Totals		Invoice Transactions 1	\$892.62
Business Unit 1560 - REVENUE & COLLECTIONS				
Account 62315 - POSTAGE				
101832 - FEDERAL EXPRESS CORP.	SHIPPING	05/25/2021	05/25/2021	27.71
	Account 62315 - POSTAGE Totals		Invoice Transactions 1	\$27.71
Account 62431 - ARMORED CAR SERVICES	ARMORED TRUCK SERVICES APRIL 2021	05/25/2021	05/25/2021	2,472.50
17306 - DAVIS BANCORP, INC.	Account 62431 - ARMORED CAR SERVICES Totals		Invoice Transactions 1	\$2,472.50
Account 64545 - PERSONAL COMPUTER SOFTWARE	MONTHLY CASHIERING SERVICES	05/25/2021	05/25/2021	5,000.00
16914 - ALACRITI PAYMENTS LLC	Account 64545 - PERSONAL COMPUTER SOFTWARE Totals		Invoice Transactions 1	\$5,000.00
Account 65045 - LICENSING/REGULATORY SUPP	ANNUAL ACTIVE PERMIT FEE APRIL 2021	05/25/2021	05/25/2021	1,275.40
10643 - PASSPORT PARKING, INC	Account 65045 - LICENSING/REGULATORY SUPP Totals		Invoice Transactions 1	\$1,275.40
	Business Unit 1560 - REVENUE & COLLECTIONS Totals		Invoice Transactions 4	\$8,775.61
Business Unit 1570 - ACCOUNTING				
Account 62185 - CONSULTING SERVICES				
121566 - CHMARA, ROM C	MONTHLY ACCOUNTING SERVICES	05/25/2021	05/25/2021	6,500.00
	Account 62185 - CONSULTING SERVICES Totals		Invoice Transactions 1	\$6,500.00
	Business Unit 1570 - ACCOUNTING Totals		Invoice Transactions 1	\$6,500.00
Business Unit 1580 - COMMUNITY ARTS				
Account 66040 - GENERAL ADMINISTRATION & SUPPORT				
18295 - EVANSTON NORTH SHORE BIRD CLUB	NEIGHBORHOOD ARTS GRANT	05/25/2021	05/25/2021	1,000.00
17096 - MELISSA RAMAN MOLITOR	NEIGHBORHOOD ARTS GRANT	05/25/2021	05/25/2021	1,000.00
	Account 66040 - GENERAL ADMINISTRATION & SUPPORT Totals		Invoice Transactions 2	\$2,000.00
	Business Unit 1580 - COMMUNITY ARTS Totals		Invoice Transactions 2	\$2,000.00
Business Unit 1585 - ADMINISTRATIVE HEARINGS				
Account 62509 - SERVICE AGREEMENTS/ CONTRACTS				
268935 - JEFFREY D. GREENSPAN	HEARING OFFICER	05/25/2021	05/25/2021	2,010.00
	Account 62509 - SERVICE AGREEMENTS/ CONTRACTS Totals		Invoice Transactions 1	\$2,010.00
	Business Unit 1585 - ADMINISTRATIVE HEARINGS Totals		Invoice Transactions 1	\$2,010.00
Business Unit 5300 - ECON. DEVELOPMENT				
Account 62185 - CONSULTING SERVICES				
16038 - BH SUHR & COMPANY, INC.	LEGAL DESCRIPTION FOR FIVE-FIFTHS TIF	05/25/2021	05/25/2021	325.00
	Account 62185 - CONSULTING SERVICES Totals		Invoice Transactions 1	\$325.00
Account 62659 - ECONOMIC DEVELOPMENT PARTNERSHIP CONTRIBUTIONS	1ST QUARTER 2021 MAINTENANCE CONTRACT	05/25/2021	05/25/2021	12,500.00
105920 - EVMARK	Account 62659 - ECONOMIC DEVELOPMENT PARTNERSHIP CONTRIBUTIONS Totals		Invoice Transactions 1	\$12,500.00
Account 62664 - ENTREPRENEURSHIP SUPPORT	ENTREPRENEURSHIP GRANT	05/25/2021	05/25/2021	2,500.00
15013 - 2424 REAL ESTATE LLC (KABUL HOUSE)	Account 62664 - ENTREPRENEURSHIP SUPPORT Totals		Invoice Transactions 1	\$2,500.00
	Business Unit 5300 - ECON. DEVELOPMENT Totals		Invoice Transactions 3	\$15,325.00
	Department 15 - CITY MANAGER'S OFFICE Totals		Invoice Transactions 17	\$41,792.92
Department 17 - LAW				
Business Unit 1705 - LEGAL ADMINISTRATION				
Account 65010 - BOOKS, PUBLICATIONS, MAPS				
122375 - LAW BULLETIN PUBLISHING COMPANY	LEGAL RESEARCH PACKAGE	05/25/2021	05/25/2021	155.00
106332 - WEST PUBLISHING DBA THOMSON REUTERS - WEST	WEST INFORMATION CHARGES - APRIL 2021	05/25/2021	05/25/2021	894.00
	Account 65010 - BOOKS, PUBLICATIONS, MAPS Totals		Invoice Transactions 2	\$1,049.00
	Business Unit 1705 - LEGAL ADMINISTRATION Totals		Invoice Transactions 2	\$1,049.00
	Department 17 - LAW Totals		Invoice Transactions 2	\$1,049.00
Department 19 - ADMINISTRATIVE SERVICES				
Business Unit 1929 - HUMAN RESOURCE DIVISION				
Account 62160 - EMPLOYMENT TESTING SERVICES				
15876 - ACCURATE BIOMETRICS	EMPLOYMENT TESTING-ACCURATE BIOMETRICS	05/25/2021	05/25/2021	1,437.75
205874 - CLS BACKGROUND INVESTIGATIONS	EMPLOYMENT BACKGROUND CHECKS-CLS BACKGROUND INVESTIGATIONS	05/25/2021	05/25/2021	430.30
326463 - THEODORE POLYGRAPH SERVICE, INC.	EMPLOYMENT TESTING-THEODORE POLYGRAPH SERVICES	05/25/2021	05/25/2021	200.00
326463 - THEODORE POLYGRAPH SERVICE, INC.	EMPLOYMENT TESTING-THEODORE POLYGRAPH SERVICES	05/25/2021	05/25/2021	200.00
326463 - THEODORE POLYGRAPH SERVICE, INC.	EMPLOYMENT TESTING-THEODORE POLYGRAPH SERVICES	05/25/2021	05/25/2021	200.00
105201 - TRANS UNION CORP	EMPLOYMENT BACKGROUND CHECKS-TRANSUNION	05/25/2021	05/25/2021	90.00
	Account 62160 - EMPLOYMENT TESTING SERVICES Totals		Invoice Transactions 6	\$2,558.05
Account 62274 - TEST ADMINISTRATION	EMPLOYMENT TESTING-STANARD & ASSOC.	05/25/2021	05/25/2021	16,077.43
13247 - STANARD & ASSOCIATES	Account 62274 - TEST ADMINISTRATION Totals		Invoice Transactions 1	\$16,077.43
Account 62310 - CITY WIDE TRAINING	CITYWIDE TRAINING-JOYCE MARTER	05/25/2021	05/25/2021	500.00
11903 - JOYCE MARTER ENTERPRISES, INC.	Account 62310 - CITY WIDE TRAINING Totals		Invoice Transactions 1	\$500.00
Account 62509 - SERVICE AGREEMENTS/ CONTRACTS	EMPLOYEE CONSULTING SERVICES-EAP	05/25/2021	05/25/2021	620.10
255280 - ESPYR	Account 62509 - SERVICE AGREEMENTS/ CONTRACTS Totals		Invoice Transactions 1	\$620.10

Run by Tera Davis on 05/18/2021 02:49:10 PM

CITY OF EVANSTON
BILLS LIST

100 GENERAL FUND

Accounts Payable by G/L Distribution Report
Payment Date Range 05/25/21 - 05/25/21

PERIOD ENDING 05.25.2021 FY2021

Vendor	Invoice Description	G/L Date	Payment Date	Invoice Amount
Account 65095 - OFFICE SUPPLIES				
103883 - OFFICE DEPOT	OFFICE SUPPLIES	05/25/2021	05/25/2021	130.99
	Account 65095 - OFFICE SUPPLIES Totals			130.99
	Business Unit 1929 - HUMAN RESOURCE DIVISION Totals			19,886.57
Business Unit 1932 - INFORMATION TECHNOLOGY DIVI.				
Account 62175 - EXTERNAL SERVICES				
101155 - TECHNOLOGY MANAGEMENT REV FUND	COMMUNICATION CHARGES	05/25/2021	05/25/2021	950.00
101155 - TECHNOLOGY MANAGEMENT REV FUND	COMMUNICATION CHARGES	05/25/2021	05/25/2021	950.00
101155 - TECHNOLOGY MANAGEMENT REV FUND	COMMUNICATION CHARGES	05/25/2021	05/25/2021	950.00
101155 - TECHNOLOGY MANAGEMENT REV FUND	COMMUNICATION CHARGES	05/25/2021	05/25/2021	950.00
101155 - TECHNOLOGY MANAGEMENT REV FUND	COMMUNICATION CHARGES	05/25/2021	05/25/2021	950.00
101155 - TECHNOLOGY MANAGEMENT REV FUND	COMMUNICATION CHARGES	05/25/2021	05/25/2021	950.00
101155 - TECHNOLOGY MANAGEMENT REV FUND	COMMUNICATION CHARGES	05/25/2021	05/25/2021	950.00
101155 - TECHNOLOGY MANAGEMENT REV FUND	COMMUNICATION CHARGES	05/25/2021	05/25/2021	950.00
	Account 62175 - EXTERNAL SERVICES Totals			8,550.00
Account 62340 - IT COMPUTER SOFTWARE				
18285 - CLEARGOV, INC.	DIGITAL BOOK SUITE	05/25/2021	05/25/2021	13,100.00
17430 - DACRA JUDICATION SYSTEMS LLC DBA DACRA TECH LLC	SOFTWARE SERVICE	05/25/2021	05/25/2021	2,000.00
295994 - GOVDELIVERY.LLC / GRANICUS, INC.	ADDITIONAL SMS	05/25/2021	05/25/2021	9,999.00
295994 - GOVDELIVERY.LLC / GRANICUS, INC.	COMMUNICATION CLOUD	05/25/2021	05/25/2021	9,442.29
295994 - GOVDELIVERY.LLC / GRANICUS, INC.	GOV ACCESS PLUS EDITION	05/25/2021	05/25/2021	12,270.83
14910 - SUPERION, LLC	CRY WOLF ALARM REGISTRATION	05/25/2021	05/25/2021	8,000.00
16497 - ZOHO CORPORATION	SOLE SOURCE RENEWAL OF MANAGE ENGINE DESKTOP CENTRAL SUPPORT	05/25/2021	05/25/2021	8,698.50
	Account 62340 - IT COMPUTER SOFTWARE Totals			63,510.62
Account 64505 - TELECOMMUNICATIONS				
100401 - COMCAST CABLE	COMMUNICATION CHARGES APRIL 2021	05/25/2021	05/25/2021	1,487.36
100401 - COMCAST CABLE	COMMUNICATION CHARGES MAY 2021	05/25/2021	05/25/2021	1,487.36
	Account 64505 - TELECOMMUNICATIONS Totals			2,974.72
Account 65605 - DATA CENTER MAINTENANCE				
16433 - CONVERGINT TECHNOLOGIES, LLC	SOURCE WELL CONTRACT	05/25/2021	05/25/2021	1,042.72
102642 - IRON MOUNTAIN OSDP	OFF SITE DATA STORAGE	05/25/2021	05/25/2021	526.17
	Account 65605 - DATA CENTER MAINTENANCE Totals			1,568.89
Business Unit 1941 - PARKING ENFORCEMENT & TICKETS				
Account 62509 - SERVICE AGREEMENTS/ CONTRACTS				
10643 - PASSPORT PARKING, INC	CITATION MANAGEMENT APRIL 2021	05/25/2021	05/25/2021	27,942.50
	Account 62509 - SERVICE AGREEMENTS/ CONTRACTS Totals			27,942.50
	Business Unit 1941 - PARKING ENFORCEMENT & TICKETS Totals			27,942.50
Business Unit 1950 - FACILITIES				
Account 62225 - BLDG MAINTENANCE SERVICES				
103744 - NICOR	UTILITIES: NICOR APRIL 21	05/25/2021	05/25/2021	231.23
12792 - UNIFIRST CORPORATION	MATS FOR SERVICE CENTER	05/25/2021	05/25/2021	4,385.16
	Account 62225 - BLDG MAINTENANCE SERVICES Totals			4,616.39
Account 62509 - SERVICE AGREEMENTS/ CONTRACTS				
317013 - H-O-H WATER TECHNOLOGY	CHEMICAL WATER TREATMENT FOR HVAC IN MULTIPLE BUILDINGS	05/25/2021	05/25/2021	13,851.00
10798 - JOHNSON CONTROLS SECURITY SOLUTIONS	QUARTERLY CHARGE JUNE - AUG RECYCLING CENTER	05/25/2021	05/25/2021	224.72
	Account 62509 - SERVICE AGREEMENTS/ CONTRACTS Totals			14,075.72
Account 64005 - ELECTRICITY				
10730 - MC SQUARED ENERGY	UTILITIES: MC- SQUARED	05/25/2021	05/25/2021	50.70
	Account 64005 - ELECTRICITY Totals			50.70
Account 65050 - BLDG MAINTENANCE MATERIAL				
103956 - OTIS ELEVATOR COMPANY	HOISTWAY ACCESS FIRE ALARM TEST	05/25/2021	05/25/2021	754.00
17991 - TRANE TECHNOLOGIES	NEW CONDENSER COILS FOR SERVICE CENTER AC QUOTE #13525842	05/25/2021	05/25/2021	6,747.48
	Account 65050 - BLDG MAINTENANCE MATERIAL Totals			7,501.48
	Business Unit 1950 - FACILITIES Totals			26,244.29
	Department 19 - ADMINISTRATIVE SERVICES Totals			150,677.59
Department 21 - COMMUNITY DEVELOPMENT				
Business Unit 2101 - COMMUNITY DEVELOPMENT ADMIN				
Account 62275 - POSTAGE CHARGEBACKS				
101832 - FEDERAL EXPRESS CORP.	SHIPPING	05/25/2021	05/25/2021	27.62
	Account 62275 - POSTAGE CHARGEBACKS Totals			27.62
	Business Unit 2101 - COMMUNITY DEVELOPMENT ADMIN Totals			27.62
Business Unit 2105 - PLANNING & ZONING				
Account 62295 - TRAINING & TRAVEL				
18293 - KATHERYN ASHBAUGH	KATIE ASHBAUGH - REFUND FOR APA CONFERENCE	05/25/2021	05/25/2021	325.00
	Account 62295 - TRAINING & TRAVEL Totals			325.00
	Business Unit 2105 - PLANNING & ZONING Totals			325.00
Business Unit 2115 - PROPERTY STANDARDS				
Account 62360 - MEMBERSHIP DUES				
129101 - RECORD INFORMATION SERVICES, INC.	SUBSCRIPTION TO PUBLIC-RECORD AND CHECK ILLINOIS WEBSITES	05/25/2021	05/25/2021	1,059.00
	Account 62360 - MEMBERSHIP DUES Totals			1,059.00
Account 62469 - IL VACANT PROPERTY EXP				
279468 - TEPIC LANDSCAPING, INC.	PROP MAINT - VACANT PROPERTIES WEED RUBBISH REMOVAL	05/25/2021	05/25/2021	8,100.00
	Account 62469 - IL VACANT PROPERTY EXP Totals			8,100.00
	Business Unit 2115 - PROPERTY STANDARDS Totals			9,159.00
Business Unit 2126 - BUILDING INSPECTION SERVICES				
Account 62315 - POSTAGE				
101832 - FEDERAL EXPRESS CORP.	SHIPPING	05/25/2021	05/25/2021	23.94
	Account 62315 - POSTAGE Totals			23.94
Account 62360 - MEMBERSHIP DUES				
11878 - HOWARD RUDNY	RUDNY - PLUMBING INSPECTOR - CCCD LICENSE REFUND	05/25/2021	05/25/2021	32.00
	Account 62360 - MEMBERSHIP DUES Totals			32.00
Account 62425 - ELEVATOR CONTRACT COSTS				
101631 - ELEVATOR INSPECTION SERVICE	ELEVATOR INSPECTION	05/25/2021	05/25/2021	50.00
101631 - ELEVATOR INSPECTION SERVICE	ELEVATOR INSPECTION	05/25/2021	05/25/2021	50.00
101631 - ELEVATOR INSPECTION SERVICE	ELEVATOR INSPECTION	05/25/2021	05/25/2021	50.00
101631 - ELEVATOR INSPECTION SERVICE	ELEVATOR INSPECTION	05/25/2021	05/25/2021	50.00
101631 - ELEVATOR INSPECTION SERVICE	ELEVATOR INSPECTION	05/25/2021	05/25/2021	50.00
101631 - ELEVATOR INSPECTION SERVICE	ELEVATOR INSPECTION	05/25/2021	05/25/2021	50.00
	Account 62425 - ELEVATOR CONTRACT COSTS Totals			300.00
Account 62464 - PLUMB, ELEC, PLAN REVIEW SERV				
316000 - SAFEBUILT LLC, LOCKBOX # 88135	INSPECTION/EXAMINATION SERVICE - INSPECTION AND PLAN REVIEW CONS	05/25/2021	05/25/2021	9,651.24
	Account 62464 - PLUMB, ELEC, PLAN REVIEW SERV Totals			9,651.24
Account 65010 - BOOKS, PUBLICATIONS, MAPS				
100782 - INTERNATIONAL CODE COUNCIL, INC.	ICC - IRC SIGNIFICANT CHANGES FOR 2021	05/25/2021	05/25/2021	40.00
100782 - INTERNATIONAL CODE COUNCIL, INC.	ICC - IEBC AND ICC MANUALS 2021	05/25/2021	05/25/2021	216.00
	Account 65010 - BOOKS, PUBLICATIONS, MAPS Totals			256.00
	Business Unit 2126 - BUILDING INSPECTION SERVICES Totals			10,263.18
Business Unit 2128 - EMERGENCY SOLUTIONS GRANT				
Account 67110 - CONNECTIONS FOR THE HOMELESS				
101187 - CONNECTIONS FOR THE HOMELESS	2ND DISBURSEMENT OF 2020 ESG GRANT	05/25/2021	05/25/2021	11,384.45
	Account 67110 - CONNECTIONS FOR THE HOMELESS Totals			11,384.45
	Business Unit 2128 - EMERGENCY SOLUTIONS GRANT Totals			11,384.45
	Department 21 - COMMUNITY DEVELOPMENT Totals			31,159.25

Run by Tera Davis on 05/18/2021 02:49:10 PM

CITY OF EVANSTON

100 GENERAL FUND

Accounts Payable by G/L Distribution Report

Payment Date Range 05/25/21 - 05/25/21

BILLS LIST

PERIOD ENDING 05.25.2021 FY2021

Vendor	Invoice Description	G/L Date	Payment Date	Invoice Amount
Department 22 - POLICE				
Business Unit 2205 - POLICE ADMINISTRATION				
Account 62210 - PRINTING				
103460 - MINUTEMAN PRESS	PRINTING SERVICES	05/25/2021	05/25/2021	350.65
291625 - THE PRINTED WORD, INC.	PRINTING SERVICES - BUSINESS CARDS	05/25/2021	05/25/2021	30.00
291625 - THE PRINTED WORD, INC.	PRINTING SERVICES - BUSINESS CARDS	05/25/2021	05/25/2021	30.00
	Account 62210 - PRINTING Totals		Invoice Transactions 3	\$410.65
Account 62280 - OVERNIGHT MAIL CHARGES				
101832 - FEDERAL EXPRESS CORP.	OVERNIGHT SHIPPING	05/25/2021	05/25/2021	28.12
	Account 62280 - OVERNIGHT MAIL CHARGES Totals		Invoice Transactions 1	\$28.12
Account 62360 - MEMBERSHIP DUES				
103775 - NORTH REGIONAL MAJOR CRIMES TASK FORCE	ANNUAL DUES - MAJOR CRIMES TASK FORCE / MCAT	05/25/2021	05/25/2021	5,600.00
	Account 62360 - MEMBERSHIP DUES Totals		Invoice Transactions 1	\$5,600.00
Account 62490 - OTHER PROGRAM COSTS				
103617 - NATIONAL AWARDS & FINE GIFTS	RETIREMENT PLAQUES	05/25/2021	05/25/2021	246.75
	Account 62490 - OTHER PROGRAM COSTS Totals		Invoice Transactions 1	\$246.75
Account 62509 - SERVICE AGREEMENTS/ CONTRACTS				
16715 - UNCHARTED SOFTWARE INC.	GEOTIME DESKTOP SOFTWARE ANNUAL MAINTENANCE	05/25/2021	05/25/2021	924.00
	Account 62509 - SERVICE AGREEMENTS/ CONTRACTS Totals		Invoice Transactions 1	\$924.00
Account 64005 - ELECTRICITY				
10730 - MC SQUARED ENERGY	UTILITIES: MC- SQUARED	05/25/2021	05/25/2021	85.08
10730 - MC SQUARED ENERGY	UTILITIES: MC- SQUARED	05/25/2021	05/25/2021	1.87
	Account 64005 - ELECTRICITY Totals		Invoice Transactions 2	\$86.95
	Business Unit 2205 - POLICE ADMINISTRATION Totals		Invoice Transactions 9	\$7,296.47
Business Unit 2210 - PATROL OPERATIONS				
Account 62490 - OTHER PROGRAM COSTS				
101729 - EVANSTON FUNERAL & CREMATION	BODY REMOVAL	05/25/2021	05/25/2021	2,100.00
102984 - LAUNDRY WORLD	PRISONER SUPPLIES	05/25/2021	05/25/2021	308.00
	Account 62490 - OTHER PROGRAM COSTS Totals		Invoice Transactions 2	\$2,408.00
Account 65020 - CLOTHING				
240341 - KIESLER POLICE SUPPLY, INC.	HOLSTERS	05/25/2021	05/25/2021	569.30
240341 - KIESLER POLICE SUPPLY, INC.	BALLISTIC HELMET (REIMBURSED)	05/25/2021	05/25/2021	464.09
	Account 65020 - CLOTHING Totals		Invoice Transactions 2	\$1,033.39
	Business Unit 2210 - PATROL OPERATIONS Totals		Invoice Transactions 4	\$3,441.39
Business Unit 2240 - POLICE RECORDS				
Account 62770 - MISCELLANEOUS				
296827 - IDENTISYS	ID MACHINE SERVICE AGREEMENT - RECORDS	05/25/2021	05/25/2021	879.00
	Account 62770 - MISCELLANEOUS Totals		Invoice Transactions 1	\$879.00
	Business Unit 2240 - POLICE RECORDS Totals		Invoice Transactions 1	\$879.00
Business Unit 2255 - OFFICE-PROFESSIONAL STANDARDS				
Account 62770 - MISCELLANEOUS				
18181 - GUARDIAN ALLICANCE TECHNOLOGIES	PROFESSIONAL SERVICES	05/25/2021	05/25/2021	472.00
167307 - NET TRANSCRIPTS, INC.	TRANSCRIPTS	05/25/2021	05/25/2021	15.92
	Account 62770 - MISCELLANEOUS Totals		Invoice Transactions 2	\$487.92
	Business Unit 2255 - OFFICE-PROFESSIONAL STANDARDS Totals		Invoice Transactions 2	\$487.92
Business Unit 2260 - OFFICE OF ADMINISTRATION				
Account 62295 - TRAINING & TRAVEL				
11434 - GRACE CARMICHAEL	MEAL ALLOWANCE - STANDARDIZED CHILD PASSENGER SAFETY	05/25/2021	05/25/2021	60.00
101769 - CITY OF EVANSTON PETTY CASH	PETTY CASH - OFFICE OF ADMIN	05/25/2021	05/25/2021	163.46
17283 - GREGORY ROMERO	MEAL ALLOWANCE - STANDARDIZED CHILD PASSENGER SAFETY	05/25/2021	05/25/2021	60.00
13815 - BEN HOLLIMAN	MEAL ALLOWANCE - HIGH RISK EVENT PLANNING/NARCOTIC OPERATIONS	05/25/2021	05/25/2021	75.00
14899 - MANUEL VASQUEZ	MEAL ALLOWANCE - STANDARDIZED CHILD PASSENGER SAFETY	05/25/2021	05/25/2021	60.00
103774 - NORTH EAST MULTI-REGIONAL TRAINING INC	TRAINING - 40 HR JUVENILE SPECIALIST	05/25/2021	05/25/2021	75.00
103774 - NORTH EAST MULTI-REGIONAL TRAINING INC	TRAINING - MANAGING AN INVESTIGATIVE UNIT	05/25/2021	05/25/2021	50.00
10150 - JAMES PILLARS	MEAL ALLOWANCE - HIGH RISK EVENT PLANNING/NARCOTIC OPERATIONS	05/25/2021	05/25/2021	75.00
14910 - SUPERION, LLC	TRAINING - NIBRS	05/25/2021	05/25/2021	80.00
	Account 62295 - TRAINING & TRAVEL Totals		Invoice Transactions 9	\$698.46
Account 64565 - CABLE - VIDEO				
100401 - COMCAST CABLE	CABLE SERVICE	05/25/2021	05/25/2021	83.91
	Account 64565 - CABLE - VIDEO Totals		Invoice Transactions 1	\$83.91
Account 65095 - OFFICE SUPPLIES				
103883 - OFFICE DEPOT	OFFICE SUPPLIES - POLICE ADMIN	05/25/2021	05/25/2021	220.34
103883 - OFFICE DEPOT	OFFICE SUPPLIES - POLICE ADMIN	05/25/2021	05/25/2021	18.74
103883 - OFFICE DEPOT	OFFICE SUPPLIES - POLICE ADMIN	05/25/2021	05/25/2021	44.69
103883 - OFFICE DEPOT	OFFICE SUPPLIES - POLICE ADMIN	05/25/2021	05/25/2021	5.97
103883 - OFFICE DEPOT	OFFICE SUPPLIES - POLICE ADMIN	05/25/2021	05/25/2021	11.87
103883 - OFFICE DEPOT	OFFICE SUPPLIES - POLICE ADMIN	05/25/2021	05/25/2021	39.06
103883 - OFFICE DEPOT	OFFICE SUPPLIES - POLICE ADMIN	05/25/2021	05/25/2021	23.88
	Account 65095 - OFFICE SUPPLIES Totals		Invoice Transactions 7	\$364.55
Account 65616 - PUBLIC SAFETY EQUIPMENT/SUPPLIES				
240341 - KIESLER POLICE SUPPLY, INC.	AMMUNITION - STATE OF IL CONTRACT	05/25/2021	05/25/2021	4,715.00
240341 - KIESLER POLICE SUPPLY, INC.	AMMUNITION - STATE OF IL CONTRACT	05/25/2021	05/25/2021	5,712.00
	Account 65616 - PUBLIC SAFETY EQUIPMENT/SUPPLIES Totals		Invoice Transactions 2	\$10,427.00
	Business Unit 2260 - OFFICE OF ADMINISTRATION Totals		Invoice Transactions 19	\$11,573.92
Business Unit 2280 - ANIMAL CONTROL				
Account 62225 - BLDG MAINTENANCE SERVICES				
10730 - MC SQUARED ENERGY	UTILITIES: MC- SQUARED	05/25/2021	05/25/2021	208.43
	Account 62225 - BLDG MAINTENANCE SERVICES Totals		Invoice Transactions 1	\$208.43
Account 62272 - OTHER PROFESSIONAL SERVICES				
11988 - EVANSTON ANIMAL SHELTER ASSOCIATION	GRANT AGREEMENT PAYMENT	05/25/2021	05/25/2021	32,500.00
	Account 62272 - OTHER PROFESSIONAL SERVICES Totals		Invoice Transactions 1	\$32,500.00
Account 64015 - NATURAL GAS				
103744 - NICOR	GAS - ANIMAL SHELTER	05/25/2021	05/25/2021	320.14
	Account 64015 - NATURAL GAS Totals		Invoice Transactions 1	\$320.14
	Business Unit 2280 - ANIMAL CONTROL Totals		Invoice Transactions 3	\$33,028.57
Business Unit 2291 - PROPERTY BUREAU				
Account 65125 - OTHER COMMODITIES				
120044 - ARROWHEAD FORENSIC	FORENSIC SUPPLIES	05/25/2021	05/25/2021	102.90
206940 - ULINE	PROPERTY SUPPLIES	05/25/2021	05/25/2021	307.38
	Account 65125 - OTHER COMMODITIES Totals		Invoice Transactions 2	\$410.28
	Business Unit 2291 - PROPERTY BUREAU Totals		Invoice Transactions 2	\$410.28
Business Unit 2295 - BUILDING MANAGEMENT				
Account 62225 - BLDG MAINTENANCE SERVICES				
100891 - CARRIER CORPORATION	SERVICE AGREEMENT	05/25/2021	05/25/2021	1,731.00
101134 - COLLEY ELEVATOR CO.	ELEVATOR INSPECTION	05/25/2021	05/25/2021	207.00
	Account 62225 - BLDG MAINTENANCE SERVICES Totals		Invoice Transactions 2	\$1,938.00
	Business Unit 2295 - BUILDING MANAGEMENT Totals		Invoice Transactions 2	\$1,938.00
	Department 22 - POLICE Totals		Invoice Transactions 42	\$59,055.55
Department 23 - FIRE MGMT & SUPPORT				
Business Unit 2305 - FIRE MGT & SUPPORT				
Account 62335 - DATA PROCESSING SERVICES				
137906 - STRYKER SALES CORPORATION	COMPUTER SOFTWARE	05/25/2021	05/25/2021	76.02
	Account 62335 - DATA PROCESSING SERVICES Totals		Invoice Transactions 1	\$76.02
Account 62360 - MEMBERSHIP DUES				
102480 - ILLINOIS FIRE CHIEFS ASSOCIATION	MEMBERSHIP DUES	05/25/2021	05/25/2021	600.00
103137 - MABAS DIVISION III	MEMBERSHIP DUES	05/25/2021	05/25/2021	5,000.00
	Account 62360 - MEMBERSHIP DUES Totals		Invoice Transactions 2	\$5,600.00

Run by Tera Davis on 05/18/2021 02:49:10 PM

CITY OF EVANSTON
BILLS LIST

100 GENERAL FUND

Accounts Payable by G/L Distribution Report
Payment Date Range 05/25/21 - 05/25/21

PERIOD ENDING 05.25.2021 FY2021

Vendor	Invoice Description	G/L Date	Payment Date	Invoice Amount
Account 65020 - CLOTHING				
11435 - TODAY'S UNIFORMS INC.	UNIFORMS	05/25/2021	05/25/2021	119.90
11435 - TODAY'S UNIFORMS INC.	UNIFORMS	05/25/2021	05/25/2021	296.75
11435 - TODAY'S UNIFORMS INC.	UNIFORMS	05/25/2021	05/25/2021	100.80
11435 - TODAY'S UNIFORMS INC.	UNIFORMS	05/25/2021	05/25/2021	295.70
11435 - TODAY'S UNIFORMS INC.	UNIFORMS	05/25/2021	05/25/2021	69.95
11435 - TODAY'S UNIFORMS INC.	UNIFORMS	05/25/2021	05/25/2021	49.95
11435 - TODAY'S UNIFORMS INC.	UNIFORMS	05/25/2021	05/25/2021	31.90
11435 - TODAY'S UNIFORMS INC.	UNIFORMS	05/25/2021	05/25/2021	344.55
11435 - TODAY'S UNIFORMS INC.	UNIFORMS	05/25/2021	05/25/2021	119.90
11435 - TODAY'S UNIFORMS INC.	UNIFORMS	05/25/2021	05/25/2021	122.99
11435 - TODAY'S UNIFORMS INC.	UNIFORMS	05/25/2021	05/25/2021	59.90
Account 65020 - CLOTHING Totals			Invoice Transactions 11	<u>\$1,612.29</u>
Business Unit 2305 - FIRE MGT & SUPPORT Totals			Invoice Transactions 14	<u>\$7,288.31</u>
Business Unit 2315 - FIRE SUPPRESSION				
Account 65015 - CHEMICALS/ SALT				
104171 - PRAXAIR DISTRIBUTION INC	FIRE PROTECTION EQUIPMENT	05/25/2021	05/25/2021	12.40
104171 - PRAXAIR DISTRIBUTION INC	FIRE PROTECTION EQUIPMENT	05/25/2021	05/25/2021	6.20
104171 - PRAXAIR DISTRIBUTION INC	FIRE PROTECTION EQUIPMENT	05/25/2021	05/25/2021	12.40
Account 65015 - CHEMICALS/ SALT Totals			Invoice Transactions 3	<u>\$31.00</u>
Account 65040 - JANITORIAL SUPPLIES				
10546 - SUPERIOR INDUSTRIAL SUPPLY	JANITORIAL SUPPLIES	05/25/2021	05/25/2021	379.19
10546 - SUPERIOR INDUSTRIAL SUPPLY	JANITORIAL SUPPLIES	05/25/2021	05/25/2021	108.38
10546 - SUPERIOR INDUSTRIAL SUPPLY	JANITORIAL SUPPLIES	05/25/2021	05/25/2021	111.99
10546 - SUPERIOR INDUSTRIAL SUPPLY	JANITORIAL SUPPLIES	05/25/2021	05/25/2021	87.69
10546 - SUPERIOR INDUSTRIAL SUPPLY	JANITORIAL SUPPLIES	05/25/2021	05/25/2021	252.04
10546 - SUPERIOR INDUSTRIAL SUPPLY	JANITORIAL SUPPLIES	05/25/2021	05/25/2021	28.53
10546 - SUPERIOR INDUSTRIAL SUPPLY	JANITORIAL SUPPLIES	05/25/2021	05/25/2021	239.10
10546 - SUPERIOR INDUSTRIAL SUPPLY	JANITORIAL SUPPLIES	05/25/2021	05/25/2021	98.23
10546 - SUPERIOR INDUSTRIAL SUPPLY	JANITORIAL SUPPLIES	05/25/2021	05/25/2021	49.50
10546 - SUPERIOR INDUSTRIAL SUPPLY	JANITORIAL SUPPLIES	05/25/2021	05/25/2021	104.18
Account 65040 - JANITORIAL SUPPLIES Totals			Invoice Transactions 10	<u>\$1,458.83</u>
Account 65090 - SAFETY EQUIPMENT				
105793 - BOUND TREE MEDICAL, LLC	FIRE PROTECTION EQUIPMENT	05/25/2021	05/25/2021	193.16
Account 65090 - SAFETY EQUIPMENT Totals			Invoice Transactions 1	<u>\$193.16</u>
Business Unit 2315 - FIRE SUPPRESSION Totals			Invoice Transactions 14	<u>\$1,682.99</u>
Department 23 - FIRE MGMT & SUPPORT Totals			Invoice Transactions 28	<u>\$8,971.30</u>
Department 24 - HEALTH				
Business Unit 2407 - HEALTH SERVICES ADMIN				
Account 65095 - OFFICE SUPPLIES				
103883 - OFFICE DEPOT	OFFICE SUPPLIES	05/25/2021	05/25/2021	34.94
Account 65095 - OFFICE SUPPLIES Totals			Invoice Transactions 1	<u>\$34.94</u>
Business Unit 2407 - HEALTH SERVICES ADMIN Totals			Invoice Transactions 1	<u>\$34.94</u>
Business Unit 2435 - PUBLIC HEALTH DIVISION				
Account 65095 - OFFICE SUPPLIES				
103883 - OFFICE DEPOT	OFFICE SUPPLIES	05/25/2021	05/25/2021	77.17
103883 - OFFICE DEPOT	OFFICE SUPPLIES	05/25/2021	05/25/2021	14.99
103883 - OFFICE DEPOT	OFFICE SUPPLIES	05/25/2021	05/25/2021	3.99
Account 65095 - OFFICE SUPPLIES Totals			Invoice Transactions 3	<u>\$96.15</u>
Business Unit 2435 - PUBLIC HEALTH DIVISION Totals			Invoice Transactions 3	<u>\$96.15</u>
Business Unit 2455 - COMMUNITY HEALTH				
Account 62490 - OTHER PROGRAM COSTS				
15327 - ETHS	PARTNERSHIP ETHS HEALTH CENTER	05/25/2021	05/25/2021	1,291.71
Account 62490 - OTHER PROGRAM COSTS Totals			Invoice Transactions 1	<u>\$1,291.71</u>
Business Unit 2455 - COMMUNITY HEALTH Totals			Invoice Transactions 1	<u>\$1,291.71</u>
Department 24 - HEALTH Totals			Invoice Transactions 5	<u>\$1,422.80</u>
Department 30 - PARKS AND RECREATION				
Business Unit 3025 - PARK UTILITIES				
Account 65085 - MINOR EQUIPMENT & TOOLS				
104672 - SERVICE SANITATION INC	PORTABLE REST ROOM AT PENNY PARK	05/25/2021	05/25/2021	332.00
Account 65085 - MINOR EQUIPMENT & TOOLS Totals			Invoice Transactions 1	<u>\$332.00</u>
Business Unit 3025 - PARK UTILITIES Totals			Invoice Transactions 1	<u>\$332.00</u>
Business Unit 3030 - CROWN COMMUNITY CENTER				
Account 62245 - OTHER EQMT MAINTENANCE				
16678 - GREAT LAKES PLUMBING AND HEATING COMPANY	MAINTENANCE SERVICE CALL	05/25/2021	05/25/2021	2,568.75
102755 - JORSON & CARLSON	ICE SCRAPER KNIVES CLEANED SHARPENED AND HONED	05/25/2021	05/25/2021	35.76
102755 - JORSON & CARLSON	ICE SCRAPER KNIVES CLEANED SHARPENED AND HONED	05/25/2021	05/25/2021	35.76
Account 62245 - OTHER EQMT MAINTENANCE Totals			Invoice Transactions 3	<u>\$2,640.27</u>
Account 62251 - CROWN CENTER SYSTEMS REPAIR				
15844 - DUAL TEMP COMPANIES OF IL	PREVENTATIVE MAINTENANCE AGREEMENT	05/25/2021	05/25/2021	3,828.27
Account 62251 - CROWN CENTER SYSTEMS REPAIR Totals			Invoice Transactions 1	<u>\$3,828.27</u>
Account 62505 - INSTRUCTOR SERVICES				
103929 - OPEN STUDIO PROJECT	ART CLASSES	05/25/2021	05/25/2021	3,471.20
Account 62505 - INSTRUCTOR SERVICES Totals			Invoice Transactions 1	<u>\$3,471.20</u>
Account 65040 - JANITORIAL SUPPLIES				
10546 - SUPERIOR INDUSTRIAL SUPPLY	JANITORIAL SUPPLIES	05/25/2021	05/25/2021	717.52
10546 - SUPERIOR INDUSTRIAL SUPPLY	JANITORIAL SUPPLIES	05/25/2021	05/25/2021	120.00
10546 - SUPERIOR INDUSTRIAL SUPPLY	JANITORIAL SUPPLIES	05/25/2021	05/25/2021	484.71
Account 65040 - JANITORIAL SUPPLIES Totals			Invoice Transactions 3	<u>\$1,322.23</u>
Account 65095 - OFFICE SUPPLIES				
103883 - OFFICE DEPOT	OFFICE SUPPLIES	05/25/2021	05/25/2021	54.24
102520 - ILLINOIS PAPER DBA IMPACT NETWORKING LLC	OFFICE PAPER SUPPLY	05/25/2021	05/25/2021	173.00
Account 65095 - OFFICE SUPPLIES Totals			Invoice Transactions 2	<u>\$227.24</u>
Business Unit 3030 - CROWN COMMUNITY CENTER Totals			Invoice Transactions 10	<u>\$11,489.21</u>
Business Unit 3035 - CHANDLER COMMUNITY CENTER				
Account 62505 - INSTRUCTOR SERVICES				
10273 - EVP ACADEMIES, LLC	VOLLEYBALL AND OUTDOOR BASKETBALL VENDOR	05/25/2021	05/25/2021	2,201.50
14608 - ROBOTHINK, LLC	ROBOTIC PROGRAMMING	05/25/2021	05/25/2021	616.00
Account 62505 - INSTRUCTOR SERVICES Totals			Invoice Transactions 2	<u>\$2,817.50</u>
Account 65040 - JANITORIAL SUPPLIES				
10546 - SUPERIOR INDUSTRIAL SUPPLY	JANITORIAL SUPPLIES	05/25/2021	05/25/2021	389.89
17268 - HOME DEPOT U.S.A., INC. DBA THE HOME DEPOT PRO	CHANDLER CUSTODIAL SUPPLIES	05/25/2021	05/25/2021	200.70
17268 - HOME DEPOT U.S.A., INC. DBA THE HOME DEPOT PRO	CHANDLER CUSTODIAL SUPPLIES	05/25/2021	05/25/2021	48.81
Account 65040 - JANITORIAL SUPPLIES Totals			Invoice Transactions 3	<u>\$639.40</u>
Account 65095 - OFFICE SUPPLIES				
103883 - OFFICE DEPOT	OFFICE SUPPLIES	05/25/2021	05/25/2021	86.99
103883 - OFFICE DEPOT	OFFICE SUPPLIES	05/25/2021	05/25/2021	161.58
Account 65095 - OFFICE SUPPLIES Totals			Invoice Transactions 2	<u>\$248.57</u>
Business Unit 3035 - CHANDLER COMMUNITY CENTER Totals			Invoice Transactions 7	<u>\$3,705.47</u>
Business Unit 3040 - FLEETWOOD JOURDAIN COM CT				
Account 65025 - FOOD				
12428 - SMIGO MANAGEMENT GROUP DBA HOFFMAN HOUSE CATERING	CONGREGATE MEAL PROGRAM FOR FJCC	05/25/2021	05/25/2021	1,410.00
Account 65025 - FOOD Totals			Invoice Transactions 1	<u>\$1,410.00</u>
Account 65040 - JANITORIAL SUPPLIES				
10546 - SUPERIOR INDUSTRIAL SUPPLY	JANITORIAL SUPPLIES	05/25/2021	05/25/2021	71.39
Account 65040 - JANITORIAL SUPPLIES Totals			Invoice Transactions 1	<u>\$71.39</u>

Run by Tera Davis on 05/18/2021 02:49:10 PM

CITY OF EVANSTON
BILLS LIST

100 GENERAL FUND

Accounts Payable by G/L Distribution Report
Payment Date Range 05/25/21 - 05/25/21

PERIOD ENDING 05.25.2021 FY2021

Vendor	Invoice Description	G/L Date	Payment Date	Invoice Amount
Account 65095 - OFFICE SUPPLIES				
103883 - OFFICE DEPOT	OFFICE SUPPLIES	05/25/2021	05/25/2021	53.22
	Account 65095 - OFFICE SUPPLIES Totals			53.22
	Business Unit 3040 - FLEETWOOD JOURDAIN COM CT Totals			\$1,534.61
Business Unit 3055 - LEVY CENTER SENIOR SERVICES				
Account 62505 - INSTRUCTOR SERVICES				
18107 - EMILY R. KULACZ	SPRING 2 ASL	05/25/2021	05/25/2021	369.00
16450 - JIM GIBBONS HISTORICAL PRESENTATIONS	SUMMER SENIOR LECTURE	05/25/2021	05/25/2021	275.00
10511 - VIVIAN VISSER	APRIL CLAY INSTRUCTION	05/25/2021	05/25/2021	504.00
	Account 62505 - INSTRUCTOR SERVICES Totals			\$1,148.00
Account 62511 - ENTERTAIN/PERFORMER SERV				
100401 - COMCAST CABLE	COMMUNICATION CHARGES MAY 2021	05/25/2021	05/25/2021	205.63
	Account 62511 - ENTERTAIN/PERFORMER SERV Totals			\$205.63
Account 65025 - FOOD				
12428 - SMIGO MANAGEMENT GROUP DBA HOFFMAN HOUSE CATERING	CONGREGATE MEAL PROGRAM	05/25/2021	05/25/2021	1,598.00
	Account 65025 - FOOD Totals			\$1,598.00
Account 65110 - RECREATION SUPPLIES				
10330 - SWANK MOVIE LICENSING USA	LEVY DRIVE IN MOVIE	05/25/2021	05/25/2021	435.00
	Account 65110 - RECREATION SUPPLIES Totals			\$435.00
Business Unit 3225 - GIBBS-MORRISON CULTURAL CENTER				
Account 62509 - SERVICE AGREEMENTS/ CONTRACTS				
151986 - CINTAS CORPORATION #769	MONTHLY MAT SERVICE	05/25/2021	05/25/2021	35.00
	Account 62509 - SERVICE AGREEMENTS/ CONTRACTS Totals			\$35.00
	Business Unit 3055 - LEVY CENTER SENIOR SERVICES Totals			\$35.00
	Department 30 - PARKS AND RECREATION Totals			\$20,482.92
Department 40 - PUBLIC WORKS AGENCY				
Business Unit 4320 - FORESTRY				
Account 62385 - TREE SERVICES				
13567 - ARBORGREEN TREE SERVICE INC.	TREE REMOVAL SERVICE	05/25/2021	05/25/2021	15,650.00
	Account 62385 - TREE SERVICES Totals			\$15,650.00
Account 65085 - MINOR EQUIPMENT & TOOLS				
100359 - ARLINGTON POWER EQUIPMENT	FORESTRY EQUIPMENT/TOOLS	05/25/2021	05/25/2021	827.78
100359 - ARLINGTON POWER EQUIPMENT	FORESTRY EQUIPMENT/TOOLS	05/25/2021	05/25/2021	1,089.00
	Account 65085 - MINOR EQUIPMENT & TOOLS Totals			\$1,916.78
	Business Unit 4320 - FORESTRY Totals			\$17,566.78
Business Unit 4330 - GREENWAYS				
Account 62195 - LANDSCAPE MAINTENANCE SERVICES				
14787 - CLEANSLATE CHICAGO, LLC	FY2021 PARK MOWING CONTRACT	05/25/2021	05/25/2021	3,272.54
	Account 62195 - LANDSCAPE MAINTENANCE SERVICES Totals			\$3,272.54
Account 65005 - AGRIBOTANICAL SUPPLIES				
104904 - EA DE ST. AUBIN NURSERY	TREE PURCHASE - GREENWAYS	05/25/2021	05/25/2021	1,232.00
104904 - EA DE ST. AUBIN NURSERY	TREE PURCHASE - GREENWAYS	05/25/2021	05/25/2021	1,391.00
	Account 65005 - AGRIBOTANICAL SUPPLIES Totals			\$2,623.00
Account 65085 - MINOR EQUIPMENT & TOOLS				
100359 - ARLINGTON POWER EQUIPMENT	GREENWAYS TOOLS AND EQUIPMENT	05/25/2021	05/25/2021	413.96
104509 - RUSSO POWER EQUIPMENT	TOOLS	05/25/2021	05/25/2021	105.43
104509 - RUSSO POWER EQUIPMENT	TOOLS	05/25/2021	05/25/2021	28.59
	Account 65085 - MINOR EQUIPMENT & TOOLS Totals			\$548.98
	Business Unit 4330 - GREENWAYS Totals			\$6,443.92
Business Unit 4400 - CAPITAL PLANNING & ENGINEERING				
Account 62210 - PRINTING				
100177 - ALLEGRA PRINT & IMAGING	WINDOW ENVELOPES	05/25/2021	05/25/2021	237.00
	Account 62210 - PRINTING Totals			\$237.00
Account 65095 - OFFICE SUPPLIES				
103883 - OFFICE DEPOT	OFFICE SUPPLIES	05/25/2021	05/25/2021	72.91
103883 - OFFICE DEPOT	OFFICE SUPPLIES	05/25/2021	05/25/2021	10.69
	Account 65095 - OFFICE SUPPLIES Totals			\$83.60
	Business Unit 4400 - CAPITAL PLANNING & ENGINEERING Totals			\$320.60
Business Unit 4520 - TRAF. SIG. & ST LIGHT MAINT				
Account 65115 - TRAFFIC CONTROL SUPPLI				
100375 - ARTS & LETTERS LTD.	HONORARY STREET NAMES	05/25/2021	05/25/2021	245.00
105060 - TRAFFIC & PARKING CONTROL CO INC	BIKE DELINEATOR ANCHOR CLIPS & PLUGS	05/25/2021	05/25/2021	614.22
	Account 65115 - TRAFFIC CONTROL SUPPLI Totals			\$859.22
	Business Unit 4520 - TRAF. SIG. & ST LIGHT MAINT Totals			\$859.22
	Department 40 - PUBLIC WORKS AGENCY Totals			\$25,190.52
	Fund 100 - GENERAL FUND Totals		Invoice Transactions 193	\$367,980.70

Run by Tera Davis on 05/18/2021 02:49:10 PM

CITY OF EVANSTON
 BILLS LIST
 PERIOD ENDING 05.25.2021 FY2021

175 GENERAL ASSISTANCE FUND

Accounts Payable by G/L Distribution Report
 Payment Date Range 05/25/21 - 05/25/21

Vendor	Invoice Description	G/L Date	Payment Date	Invoice Amount
Fund 175 - GENERAL ASSISTANCE FUND				
Department 24 - HEALTH				
Business Unit 4605 - GENERAL ASSISTANCE ADMIN				
Account 62295 - TRAINING & TRAVEL				
234969 - THE STONE VASTINE GROUP, LLC	CIRCLE PRACTICE WORKSHOP	05/25/2021	05/25/2021	175.00
	Account 62295 - TRAINING & TRAVEL Totals		Invoice Transactions 1	<u>175.00</u>
	Business Unit 4605 - GENERAL ASSISTANCE ADMIN Totals		Invoice Transactions 1	<u>\$175.00</u>
	Department 24 - HEALTH Totals		Invoice Transactions 1	<u>\$175.00</u>
	Fund 175 - GENERAL ASSISTANCE FUND Totals		Invoice Transactions 1	\$175.00

Run by Tera Davis on 05/18/2021 02:49:10 PM

CITY OF EVANSTON
BILLS LIST
PERIOD ENDING 05.25.2021 FY2021

176 HUMAN SERVICES FUND

Accounts Payable by G/L Distribution Report
 Payment Date Range 05/25/21 - 05/25/21

Vendor	Invoice Description	G/L Date	Payment Date	Invoice Amount
Fund 176 - HUMAN SERVICES FUND				
Department 24 - HEALTH				
Business Unit 2445 - HUMAN SERVICES				
Account 62490 - OTHER PROGRAM COSTS				
108473 - EVANSTON COMMUNITY FOUNDATION	ECN BANNER	05/25/2021	05/25/2021	2,000.00
	Account 62490 - OTHER PROGRAM COSTS Totals	Invoice Transactions 1		<u>\$2,000.00</u>
	Business Unit 2445 - HUMAN SERVICES Totals	Invoice Transactions 1		<u>\$2,000.00</u>
Business Unit 3215 - YOUTH ENGAGEMENT DIVISION				
Account 62490 - OTHER PROGRAM COSTS				
234969 - THE STONE VASTINE GROUP, LLC	CIRCLE PRACTICE WORKSHOP	05/25/2021	05/25/2021	350.00
	Account 62490 - OTHER PROGRAM COSTS Totals	Invoice Transactions 1		<u>\$350.00</u>
	Business Unit 3215 - YOUTH ENGAGEMENT DIVISION Totals	Invoice Transactions 1		<u>\$350.00</u>
	Department 24 - HEALTH Totals	Invoice Transactions 2		<u>\$2,350.00</u>
	Fund 176 - HUMAN SERVICES FUND Totals	Invoice Transactions 2		<u>\$2,350.00</u>

Run by Tera Davis on 05/18/2021 02:49:10 PM

CITY OF EVANSTON
 BILLS LIST
 PERIOD ENDING 05.25.2021 FY2021

180 GOOD NEIGHBOR FUND

Accounts Payable by G/L Distribution Report
 Payment Date Range 05/25/21 - 05/25/21

Vendor	Invoice Description	G/L Date	Payment Date	Invoice Amount
Fund 180 - GOOD NEIGHBOR FUND				
Department 99 - NON-DEPARTMENTAL				
Business Unit 1800 - GOOD NEIGHBOR ADMINISTRATION				
Account 62490 - OTHER PROGRAM COSTS				
17400 - ELEVATE ENERGY	ZERO EMISSION ANALYSIS	05/25/2021	05/25/2021	1,192.50
	Account 62490 - OTHER PROGRAM COSTS Totals		Invoice Transactions 1	\$1,192.50
	Business Unit 1800 - GOOD NEIGHBOR ADMINISTRATION Totals		Invoice Transactions 1	\$1,192.50
	Department 99 - NON-DEPARTMENTAL Totals		Invoice Transactions 1	\$1,192.50
	Fund 180 - GOOD NEIGHBOR FUND Totals		Invoice Transactions 1	\$1,192.50

Run by Tera Davis on 05/18/2021 02:49:10 PM

CITY OF EVANSTON
BILLS LIST

200 MOTOR FUEL TAX FUND

Accounts Payable by G/L Distribution Report
Payment Date Range 05/25/21 - 05/25/21

PERIOD ENDING 05.25.2021 FY2021

Vendor	Invoice Description	G/L Date	Payment Date	Invoice Amount
Fund 200 - MOTOR FUEL TAX FUND				
Department 40 - PUBLIC WORKS AGENCY				
Business Unit 5100 - MOTOR FUEL TAX - ADMINISTRATION				
Account 65055 - MATER. TO MAINT. IMP.				
100472 - PETER BAKER & SON CO.				
	FY2021 UPM COLD PATCH PURCHASE	05/25/2021	05/25/2021	3,022.60
	Account 65055 - MATER. TO MAINT. IMP. Totals		Invoice Transactions 1	\$3,022.60
Account 65515 - OTHER IMPROVEMENTS				
153783 - INTERRA, INC.				
	MATERIAL TESTING SERVICES TASK ORDER 3	* 05/25/2021	05/25/2021	28,955.00
	Account 65515 - OTHER IMPROVEMENTS Totals		Invoice Transactions 1	\$28,955.00
	Business Unit 5100 - MOTOR FUEL TAX - ADMINISTRATION Totals		Invoice Transactions 2	\$31,977.60
	Department 40 - PUBLIC WORKS AGENCY Totals		Invoice Transactions 2	\$31,977.60
	Fund 200 - MOTOR FUEL TAX FUND Totals		Invoice Transactions 2	\$31,977.60

Run by Tera Davis on 05/18/2021 02:49:10 PM

CITY OF EVANSTON
BILLS LIST

205 EMERGENCY (E911) FUND

Accounts Payable by G/L Distribution Report
Payment Date Range 05/25/21 - 05/25/21

PERIOD ENDING 05.25.2021 FY2021

Vendor	Invoice Description	G/L Date	Payment Date	Invoice Amount
Fund 205 - EMERGENCY TELEPHONE (E911) FUND				
Department 22 - POLICE				
Business Unit 5150 - EMERGENCY TELEPHONE SYSTM				
Account 62509 - SERVICE AGREEMENTS/ CONTRACTS				
103536 - MOTOROLA SOLUTIONS, INC.	MOBILE RADIO	05/25/2021	05/25/2021	6,005.00
103536 - MOTOROLA SOLUTIONS, INC.	MAINTENANCE AGREEMENT	05/25/2021	05/25/2021	16,726.88
137906 - STRYKER SALES CORPORATION	HEALTH EMS SUBSCRIPTION	05/25/2021	05/25/2021	914.00
	Account 62509 - SERVICE AGREEMENTS/ CONTRACTS Totals		Invoice Transactions 3	<u>\$23,645.88</u>
	Business Unit 5150 - EMERGENCY TELEPHONE SYSTM Totals		Invoice Transactions 3	<u>\$23,645.88</u>
	Department 22 - POLICE Totals		Invoice Transactions 3	<u>\$23,645.88</u>
	Fund 205 - EMERGENCY TELEPHONE (E911) FUND Totals		Invoice Transactions 3	\$23,645.88

Run by Tera Davis on 05/18/2021 02:49:10 PM

CITY OF EVANSTON

210 SPECIAL SERVICE AREA #9

Accounts Payable by G/L Distribution Report

Payment Date Range 05/25/21 - 05/25/21

BILLS LIST

PERIOD ENDING 05.25.2021 FY2021

Vendor	Invoice Description	G/L Date	Payment Date	Invoice Amount
Fund 210 - SPECIAL SERVICE AREA (SSA) #9				
Department 21 - COMMUNITY DEVELOPMENT				
Business Unit 5160 - SPECIAL SERVICE AREA #4				
Account 62517 - SPECIAL SERVICE AREA AGREEMENT				
105920 - EVMARK				
	SPECIAL SSERVICE AREA #9	05/25/2021	05/25/2021	36,816.01
	Account 62517 - SPECIAL SERVICE AREA AGREEMENT Totals		Invoice Transactions 1	\$36,816.01
	Business Unit 5160 - SPECIAL SERVICE AREA #4 Totals		Invoice Transactions 1	\$36,816.01
	Department 21 - COMMUNITY DEVELOPMENT Totals		Invoice Transactions 1	\$36,816.01
	Fund 210 - SPECIAL SERVICE AREA (SSA) #9 Totals		Invoice Transactions 1	\$36,816.01

Run by Tera Davis on 05/18/2021 02:49:10 PM

CITY OF EVANSTON
 BILLS LIST
 PERIOD ENDING 05.25.2021 FY2021

215 CDBG FUND

Accounts Payable by G/L Distribution Report
 Payment Date Range 05/25/21 - 05/25/21

Vendor	Invoice Description	G/L Date	Payment Date	Invoice Amount
Fund 215 - CDBG FUND				
Department 21 - COMMUNITY DEVELOPMENT				
Business Unit 5220 - CDBG ADMINISTRATION				
Account 62490 - OTHER PROGRAM COSTS				
300934 - ZOOMGRANTS				
	SUBSCRIPTION DUES FOR GRANT MANAGEMENT SOFTWARE	05/25/2021	05/25/2021	6,500.00
	Account 62490 - OTHER PROGRAM COSTS Totals		Invoice Transactions 1	\$6,500.00
	Business Unit 5220 - CDBG ADMINISTRATION Totals		Invoice Transactions 1	\$6,500.00
Business Unit 5226 - CDBG-CV				
Account 62970 - CONNECTION FOR HOMELESS				
101187 - CONNECTIONS FOR THE HOMELESS				
	CDBG-CV GRANT DISBURSEMENT FOR SHELTER SUPPORT	05/25/2021	05/25/2021	1,801.83
	Account 62970 - CONNECTION FOR HOMELESS Totals		Invoice Transactions 1	\$1,801.83
	Business Unit 5226 - CDBG-CV Totals		Invoice Transactions 1	\$1,801.83
	Department 21 - COMMUNITY DEVELOPMENT Totals		Invoice Transactions 2	\$8,301.83
	Fund 215 - CDBG FUND Totals		Invoice Transactions 2	\$8,301.83

Run by Tera Davis on 05/18/2021 02:49:10 PM

CITY OF EVANSTON
BILLS LIST

250 AFFORDABLE HOUSING FUND

Accounts Payable by G/L Distribution Report
Payment Date Range 05/25/21 - 05/25/21

PERIOD ENDING 05.25.2021 FY2021

Vendor	Invoice Description	G/L Date	Payment Date	Invoice Amount	
Fund 250 - AFFORDABLE HOUSING FUND					
Department 21 - COMMUNITY DEVELOPMENT					
Business Unit 2129 - ESG-CV					
Account 67110 - CONNECTIONS FOR THE HOMELESS					
101187 - CONNECTIONS FOR THE HOMELESS					
	2ND DISBURSEMENT ESG-CV GRANT	05/25/2021	05/25/2021	53,038.84	
	Account 67110 - CONNECTIONS FOR THE HOMELESS Totals		Invoice Transactions 1	\$53,038.84	
	Business Unit 2129 - ESG-CV Totals		Invoice Transactions 1	\$53,038.84	
Business Unit 5465 - AFFORDABLE HOUSING					
Account 62490 - OTHER PROGRAM COSTS					
16209 - DENZIN SOLTANZADEH LLC					
	LIEN FORECLOSURE, DEED REVIEW	05/25/2021	05/25/2021	1,134.00	
	Account 62490 - OTHER PROGRAM COSTS Totals		Invoice Transactions 1	\$1,134.00	
Account 65497 - LANDLORD-TENANT					
15955 - METROPOLITAN TENANTS ORGANIZATION					
	LANDLORD TENANT SERVICES	05/25/2021	05/25/2021	11,700.00	
	Account 65497 - LANDLORD-TENANT Totals		Invoice Transactions 1	\$11,700.00	
	Business Unit 5465 - AFFORDABLE HOUSING Totals		Invoice Transactions 2	\$12,834.00	
	Department 21 - COMMUNITY DEVELOPMENT Totals		Invoice Transactions 3	\$65,872.84	
Fund 250 - AFFORDABLE HOUSING FUND Totals				Invoice Transactions 3	\$65,872.84

Run by Tera Davis on 05/18/2021 02:49:10 PM

CITY OF EVANSTON
 BILLS LIST
 PERIOD ENDING 05.25.2021 FY2021

360 SPECIAL SERVICE AREA #8

Accounts Payable by G/L Distribution Report
 Payment Date Range 05/25/21 - 05/25/21

Vendor	Invoice Description	G/L Date	Payment Date	Invoice Amount
Fund 360 - SPECIAL SERVICE AREA (SSA) #8				
Department 99 - NON-DEPARTMENTAL				
Business Unit 3608 - SSA #8 ADMINISTRATION				
Account 62517 - SPECIAL SERVICE AREA AGREEMENT				
17752 - CENTRAL STREET EVANSTON	SPECIAL SERVICE AREA #8	05/25/2021	05/25/2021	7,542.60
17752 - CENTRAL STREET EVANSTON	SPECIAL SERVICE AREA #7	05/25/2021	05/25/2021	18,797.69
	Account 62517 - SPECIAL SERVICE AREA AGREEMENT Totals		Invoice Transactions 2	<u>\$26,340.29</u>
	Business Unit 3608 - SSA #8 ADMINISTRATION Totals		Invoice Transactions 2	<u>\$26,340.29</u>
	Department 99 - NON-DEPARTMENTAL Totals		Invoice Transactions 2	<u>\$26,340.29</u>
	Fund 360 - SPECIAL SERVICE AREA (SSA) #8 Totals		Invoice Transactions 2	\$26,340.29

Run by Tera Davis on 05/18/2021 02:49:10 PM

CITY OF EVANSTON

415 CAPITAL IMPROVEMENTS FUND

Accounts Payable by G/L Distribution Report

Payment Date Range 05/25/21 - 05/25/21

BILLS LIST

PERIOD ENDING 05.25.2021 FY2021

Vendor	Invoice Description	G/L Date	Payment Date	Invoice Amount
Fund 415 - CAPITAL IMPROVEMENTS FUND				
Department 40 - PUBLIC WORKS AGENCY				
Business Unit 4119 - 2019 GO BOND CAPITAL				
Account 62145 - ENGINEERING SERVICES				
17400 - ELEVATE ENERGY	ZERO EMISSION ANALYSIS	05/25/2021	05/25/2021	13,747.50
104927 - STANLEY CONSULTANTS INC.	CONSTRUCTION ENGINEERING - CENTRAL ST BRIDGE RESOLUTION	* 05/25/2021	05/25/2021	24,197.56
	Account 62145 - ENGINEERING SERVICES Totals		Invoice Transactions 2	\$37,945.06
Account 65515 - OTHER IMPROVEMENTS				
13463 - GARLAND /DBS, INC.	BUILDING EXTERIOR REPAIRS OF VARIOUS CITY FACILITIES	* 05/25/2021	05/25/2021	69.05
	Account 65515 - OTHER IMPROVEMENTS Totals		Invoice Transactions 1	\$69.05
	Business Unit 4119 - 2019 GO BOND CAPITAL Totals		Invoice Transactions 3	\$38,014.11
Business Unit 4120 - 2020 GO BOND CAPITAL				
Account 62145 - ENGINEERING SERVICES				
102363 - HOLABIRD & ROOT LLC	ANIMAL SHELTER-ARCHITECTURAL & ENGINEERING SERVICES	05/25/2021	05/25/2021	16,957.04
153783 - INTERRA, INC.	MATERIAL TESTING SERVICES TASK ORDER 4	* 05/25/2021	05/25/2021	19,175.00
104927 - STANLEY CONSULTANTS INC.	CONSTRUCTION ENGINEERING - CENTRAL ST BRIDGE RESOLUTION 56-R-20	* 05/25/2021	05/25/2021	9,169.50
	Account 62145 - ENGINEERING SERVICES Totals		Invoice Transactions 3	\$45,301.54
Account 65515 - OTHER IMPROVEMENTS				
100870 - CAPITOL CEMENT CO.	2020 CDBG IMPROVEMENTS & WASTE TRANSFER STATION ALLEYS	* 05/25/2021	05/25/2021	64,708.38
13463 - GARLAND /DBS, INC.	BUILDING EXTERIOR REPAIRS OF VARIOUS CITY FACILITIES	* 05/25/2021	05/25/2021	27,109.96
102463 - IL DEPT OF TRANSPORTATION	RESOLUTION 57-R-20 CENTRAL ST PROJECT LOCAL SHARE	05/25/2021	05/25/2021	95,617.58
	Account 65515 - OTHER IMPROVEMENTS Totals		Invoice Transactions 3	\$187,435.92
	Business Unit 4120 - 2020 GO BOND CAPITAL Totals		Invoice Transactions 6	\$232,737.46
Business Unit 4121 - 2021 GO BOND CAPITAL				
Account 62145 - ENGINEERING SERVICES				
217572 - MIDWEST ENVIRONMENTAL CONSULTING SERVICE	MOLD REMEDIATION DESIGN & SUPERVISION AT FIRE STATION 4	05/25/2021	05/25/2021	15,600.00
	Account 62145 - ENGINEERING SERVICES Totals		Invoice Transactions 1	\$15,600.00
Account 65515 - OTHER IMPROVEMENTS				
12507 - CONNEXION ELECTRIC AND ENERGY SOLUTIONS	FY2021 LED STREET LIGHT FIXTURES PURCHASE	05/25/2021	05/25/2021	24,287.40
262173 - VALOR TECHNOLOGIES, INC.	EMERGENCY CONTRACT FOR FIRE STATION 4 REMEDIATION	05/25/2021	05/25/2021	31,365.00
	Account 65515 - OTHER IMPROVEMENTS Totals		Invoice Transactions 2	\$55,652.40
	Business Unit 4121 - 2021 GO BOND CAPITAL Totals		Invoice Transactions 3	\$71,252.40
Business Unit 4219 - NON-BOND CAPITAL				
Account 65515 - OTHER IMPROVEMENTS				
100870 - CAPITOL CEMENT CO.	2020 CDBG IMPROVEMENTS & WASTE TRANSFER STATION ALLEYS	* 05/25/2021	05/25/2021	11,321.00
	Account 65515 - OTHER IMPROVEMENTS Totals		Invoice Transactions 1	\$11,321.00
	Business Unit 4219 - NON-BOND CAPITAL Totals		Invoice Transactions 1	\$11,321.00
Business Unit 4319 - CIP CDBG Funds				
Account 65515 - OTHER IMPROVEMENTS				
100870 - CAPITOL CEMENT CO.	2020 CDBG IMPROVEMENTS & WASTE TRANSFER STATION ALLEYS	* 05/25/2021	05/25/2021	51,950.49
	Account 65515 - OTHER IMPROVEMENTS Totals		Invoice Transactions 1	\$51,950.49
	Business Unit 4319 - CIP CDBG Funds Totals		Invoice Transactions 1	\$51,950.49
	Department 40 - PUBLIC WORKS AGENCY Totals		Invoice Transactions 14	\$405,275.46
	Fund 415 - CAPITAL IMPROVEMENTS FUND Totals		Invoice Transactions 14	\$405,275.46

Run by Tera Davis on 05/18/2021 02:49:10 PM

CITY OF EVANSTON
 BILLS LIST
 PERIOD ENDING 05.25.2021 FY2021

416 CROWN CONSTRUCTION FUND

Accounts Payable by G/L Distribution Report
 Payment Date Range 05/25/21 - 05/25/21

Vendor	Invoice Description	G/L Date	Payment Date	Invoice Amount
Fund 416 - CROWN CONSTRUCTION FUND				
Department 40 - PUBLIC WORKS AGENCY				
Business Unit 4160 - CROWN CONSTRUCTION PROJECT				
Account 65515 - OTHER IMPROVEMENTS				
102196 - GRUMMAN/BUTKUS ASSOCIATES	ROBERT CROWN CENTER ONGOING COMMISSIONING SERVICES	* 05/25/2021	05/25/2021	4,262.50
	Account 65515 - OTHER IMPROVEMENTS Totals		Invoice Transactions 1	\$4,262.50
	Business Unit 4160 - CROWN CONSTRUCTION PROJECT Totals		Invoice Transactions 1	\$4,262.50
	Department 40 - PUBLIC WORKS AGENCY Totals		Invoice Transactions 1	\$4,262.50
	Fund 416 - CROWN CONSTRUCTION FUND Totals		Invoice Transactions 1	\$4,262.50

Run by Tera Davis on 05/18/2021 02:49:10 PM

CITY OF EVANSTON
BILLS LIST
PERIOD ENDING 05.25.2021 FY2021

510 WATER FUND

Accounts Payable by G/L Distribution Report
 Payment Date Range 05/25/21 - 05/25/21

Vendor	Invoice Description	G/L Date	Payment Date	Invoice Amount
Fund 510 - WATER FUND				
Department 40 - PUBLIC WORKS AGENCY				
Business Unit 4220 - FILTRATION				
Account 62465 - OUTSIDE LABARATORY COSTS				
106964 - EUROFINS EATON ANALYTICAL	FY 2021 LABORATORY TESTING-ROUTINE COMPLIANCE	05/25/2021	05/25/2021	240.00
106964 - EUROFINS EATON ANALYTICAL	FY 2021 LABORATORY TESTING-ROUTINE COMPLIANCE	05/25/2021	05/25/2021	695.00
	Account 62465 - OUTSIDE LABARATORY COSTS Totals		Invoice Transactions 2	<u>\$835.00</u>
Account 65030 - PHOSPHATE CHEMICALS				
172225 - CARUS PHOSPHATES, INC.	ORTHOPLYPHOSPHATE (PER SPEC)	05/25/2021	05/25/2021	19,531.50
	Account 65030 - PHOSPHATE CHEMICALS Totals		Invoice Transactions 1	<u>\$19,531.50</u>
	Business Unit 4220 - FILTRATION Totals		Invoice Transactions 3	<u>\$20,366.50</u>
Business Unit 4225 - WATER OTHER OPERATIONS				
Account 62185 - CONSULTING SERVICES				
17270 - BACKFLOW SOLUTIONS, INC	2021 CROSS CONNECTION CONTROL MGMT PROGRAM YEAR 2	05/25/2021	05/25/2021	7,611.75
	Account 62185 - CONSULTING SERVICES Totals		Invoice Transactions 1	<u>\$7,611.75</u>
Account 62340 - IT COMPUTER SOFTWARE				
17616 - TRUEPOINT SOLUTIONS, LLC	UTILITY BILLING SYSTEM	05/25/2021	05/25/2021	36,900.00
17686 - WATERSMART SOFTWARE, INC.	CUSTOM SERVICES: NEW DATA LOADERS	05/25/2021	05/25/2021	3,000.00
	Account 62340 - IT COMPUTER SOFTWARE Totals		Invoice Transactions 2	<u>\$39,900.00</u>
	Business Unit 4225 - WATER OTHER OPERATIONS Totals		Invoice Transactions 3	<u>\$47,511.75</u>
Business Unit 4540 - DISTRIBUTION MAINTENANCE				
Account 65085 - MINOR EQUIPMENT & TOOLS				
13096 - SUBSURFACE SOLUTIONS	LEAK DETECTION EQUIPMENT-TORQUE LIMITERS	05/25/2021	05/25/2021	8,450.00
	Account 65085 - MINOR EQUIPMENT & TOOLS Totals		Invoice Transactions 1	<u>\$8,450.00</u>
	Business Unit 4540 - DISTRIBUTION MAINTENANCE Totals		Invoice Transactions 1	<u>\$8,450.00</u>
	Department 40 - PUBLIC WORKS AGENCY Totals		Invoice Transactions 7	<u>\$76,328.25</u>
	Fund 510 - WATER FUND Totals		Invoice Transactions 7	\$76,328.25

Run by Tera Davis on 05/18/2021 02:49:10 PM

CITY OF EVANSTON
BILLS LIST
PERIOD ENDING 05.25.2021 FY2021

513 WATER DEPR IMPRV & EXT FUND

Accounts Payable by G/L Distribution Report
 Payment Date Range 05/25/21 - 05/25/21

Vendor	Invoice Description	G/L Date	Payment Date	Invoice Amount	
Fund 513 - WATER DEPR IMPRV & EXTENSION FUND					
Department 71 - UTILITIES					
Business Unit 7330 - WATER FUND DEP, IMP, EXT					
Account 62145 - ENGINEERING SERVICES					
153783 - INTERRA, INC.					
	MATERIAL TESTING SERVICES TASK ORDER 3	* 05/25/2021	05/25/2021	42,320.00	
	Account 62145 - ENGINEERING SERVICES Totals		Invoice Transactions 1	\$42,320.00	
Account 65515 - OTHER IMPROVEMENTS					
14335 - THIENEMAN CONSTRUCTION, INC.					
18294 - UNITED STATES EPA-WIFIA PROGRAM					
17683 - ALL CONSTRUCTION GROUP					
	CLEARWELL 9 REPLACEMENT PROJECT CONSTRUCTION AGREEMENT	* 05/25/2021	05/25/2021	555,578.81	
	*APPLICATION FEE	05/25/2021	05/25/2021	100,000.00	
	WATER QUALITY LABORATORY RENOVATIONS	* 05/25/2021	05/25/2021	152,848.83	
	Account 65515 - OTHER IMPROVEMENTS Totals		Invoice Transactions 3	\$808,427.64	
	Business Unit 7330 - WATER FUND DEP, IMP, EXT Totals		Invoice Transactions 4	\$850,747.64	
	Department 71 - UTILITIES Totals		Invoice Transactions 4	\$850,747.64	
Fund 513 - WATER DEPR IMPRV & EXTENSION FUND Totals				Invoice Transactions 4	\$850,747.64

Run by Tera Davis on 05/18/2021 02:49:10 PM

CITY OF EVANSTON

515 SEWER FUND

Accounts Payable by G/L Distribution Report

Payment Date Range 05/25/21 - 05/25/21

BILLS LIST

PERIOD ENDING 05.25.2021 FY2021

Vendor	Invoice Description	G/L Date	Payment Date	Invoice Amount
Fund 515 - SEWER FUND				
Department 40 - PUBLIC WORKS AGENCY				
Business Unit 4530 - SEWER MAINTENANCE				
Account 65051 - MATERIALS - STREETS DIVISION				
13666 - BUILDERS ASPHALT, LLC	FY2021 HOT MIX ASPHALT PURCHASE	05/25/2021	05/25/2021	128.96
13666 - BUILDERS ASPHALT, LLC	FY2021 HOT MIX ASPHALT PURCHASE	05/25/2021	05/25/2021	94.24
13666 - BUILDERS ASPHALT, LLC	FY2021 HOT MIX ASPHALT PURCHASE	05/25/2021	05/25/2021	497.86
13666 - BUILDERS ASPHALT, LLC	FY2021 HOT MIX ASPHALT PURCHASE	05/25/2021	05/25/2021	252.34
13666 - BUILDERS ASPHALT, LLC	FY2021 HOT MIX ASPHALT PURCHASE	05/25/2021	05/25/2021	592.72
	Account 65051 - MATERIALS - STREETS DIVISION Totals		Invoice Transactions 5	<u>\$1,566.12</u>
	Business Unit 4530 - SEWER MAINTENANCE Totals		Invoice Transactions 5	<u>\$1,566.12</u>
Business Unit 4531 - SEWER OTHER OPERATIONS				
Account 62180 - STUDIES				
153783 - INTERRA, INC.	MWRD EASEMENT ENVIRONMENTAL STUDY	05/25/2021	05/25/2021	3,000.00
	Account 62180 - STUDIES Totals		Invoice Transactions 1	<u>\$3,000.00</u>
Account 62461 - SEWER MAINTENANCE CONTRACTS				
301861 - CHRISTY WEBBER & COMPANY	FY2021 RAIN GARDEN MAINTENANCE CONTRACT	05/25/2021	05/25/2021	2,063.75
	Account 62461 - SEWER MAINTENANCE CONTRACTS Totals		Invoice Transactions 1	<u>\$2,063.75</u>
	Business Unit 4531 - SEWER OTHER OPERATIONS Totals		Invoice Transactions 2	<u>\$5,063.75</u>
	Department 40 - PUBLIC WORKS AGENCY Totals		Invoice Transactions 7	<u>\$6,629.87</u>
	Fund 515 - SEWER FUND Totals		Invoice Transactions 7	\$6,629.87

Run by Tera Davis on 05/18/2021 02:49:10 PM

CITY OF EVANSTON

520 SOLID WASTE FUND

Accounts Payable by G/L Distribution Report

BILLS LIST

Payment Date Range 05/25/21 - 05/25/21

PERIOD ENDING 05.25.2021 FY2021

Vendor	Invoice Description	G/L Date	Payment Date	Invoice Amount
Fund 520 - SOLID WASTE FUND				
Department 40 - PUBLIC WORKS AGENCY				
Business Unit 4310 - RECYCLING AND ENVIRONMENTAL MAIN				
Account 62415 - RESIDENTIAL DEBRIS/REMOVAL CONTRACTUAL COSTS				
102184 - GROOT RECYCLING & WASTE SERVICES	FY2021 RESIDENTIAL REFUSE COLLECTION	05/25/2021	05/25/2021	138,590.00
	Account 62415 - RESIDENTIAL DEBRIS/REMOVAL CONTRACTUAL COSTS Totals	Invoice Transactions 1		\$138,590.00
Account 62417 - YARD WASTE REMOVAL CONTRACTUAL COSTS				
102184 - GROOT RECYCLING & WASTE SERVICES	FY2021 RESIDENTIAL YARD WASTE COLLECTION	05/25/2021	05/25/2021	81,064.40
	Account 62417 - YARD WASTE REMOVAL CONTRACTUAL COSTS Totals	Invoice Transactions 1		\$81,064.40
Account 65550 - AUTOMOTIVE EQUIPMENT				
243021 - R.N.O.W., INC.	VEHICLE CAMERA SYSTEM REPAIR	05/25/2021	05/25/2021	1,050.00
	Account 65550 - AUTOMOTIVE EQUIPMENT Totals	Invoice Transactions 1		\$1,050.00
	Business Unit 4310 - RECYCLING AND ENVIRONMENTAL MAIN Totals	Invoice Transactions 3		\$220,704.40
	Department 40 - PUBLIC WORKS AGENCY Totals	Invoice Transactions 3		\$220,704.40
	Fund 520 - SOLID WASTE FUND Totals	Invoice Transactions 3		\$220,704.40

Run by Tera Davis on 05/18/2021 02:49:10 PM

CITY OF EVANSTON

600 FLEET SERVICES FUND

Accounts Payable by G/L Distribution Report

Payment Date Range 05/25/21 - 05/25/21

BILLS LIST

PERIOD ENDING 05.25.2021 FY2021

Vendor	Invoice Description	G/L Date	Payment Date	Invoice Amount	
Fund 600 - FLEET SERVICES FUND					
Department 19 - ADMINISTRATIVE SERVICES					
Business Unit 7710 - FLEET MAINTENANCE					
Account 65035 - PETROLEUM PRODUCTS					
17511 - AL WARREN OIL COMPANY, INC.	FUEL PURCHASE FROM JAN-JULY 5, 2021	05/25/2021	05/25/2021	22,309.79	
17511 - AL WARREN OIL COMPANY, INC.	FUEL PURCHASE FROM JAN-JULY 5, 2021	05/25/2021	05/25/2021	10,592.00	
17511 - AL WARREN OIL COMPANY, INC.	FUEL PURCHASE FROM JAN-JULY 5, 2021	05/25/2021	05/25/2021	9,362.50	
17511 - AL WARREN OIL COMPANY, INC.	FUEL PURCHASE FROM JAN-JULY 5, 2021	05/25/2021	05/25/2021	13,608.61	
17511 - AL WARREN OIL COMPANY, INC.	FUEL PURCHASE FROM JAN-JULY 5, 2021	05/25/2021	05/25/2021	6,801.29	
Account 65035 - PETROLEUM PRODUCTS Totals				Invoice Transactions 5	\$62,674.19
Account 65060 - MATER. TO MAINT. AUTOS					
239298 - ADVANCED PROCLEAN INC.	PRESSURE WASHES FOR MULTIPLE VEHICLES IN MULTIPLE DEPARTMENTS	05/25/2021	05/25/2021	1,215.60	
104011 - ALTORFER INDUSTRIES, INC.	STEERING REPAIR FOR STREETS VEHICLE 608	05/25/2021	05/25/2021	211.84	
322967 - APC STORES, INC., DBA BUMPER TO BUMPER	AUTOMOTIVE PARTS	05/25/2021	05/25/2021	9.58	
322967 - APC STORES, INC., DBA BUMPER TO BUMPER	STOCK FOR FLEET	05/25/2021	05/25/2021	92.18	
322967 - APC STORES, INC., DBA BUMPER TO BUMPER	STOCK FOR FLEET	05/25/2021	05/25/2021	104.28	
322967 - APC STORES, INC., DBA BUMPER TO BUMPER	STOCK FOR FLEET	05/25/2021	05/25/2021	380.50	
322967 - APC STORES, INC., DBA BUMPER TO BUMPER	SHOP SUPPLIES	05/25/2021	05/25/2021	193.98	
322967 - APC STORES, INC., DBA BUMPER TO BUMPER	LIGHTING FOR FORESTRY VEHICLE 823 AND STOCK	05/25/2021	05/25/2021	21.66	
322967 - APC STORES, INC., DBA BUMPER TO BUMPER	STOCK FOR FLEET	05/25/2021	05/25/2021	26.61	
322967 - APC STORES, INC., DBA BUMPER TO BUMPER	STOCK FOR FLEET	05/25/2021	05/25/2021	15.09	
322967 - APC STORES, INC., DBA BUMPER TO BUMPER	STOCK FOR FLEET	05/25/2021	05/25/2021	60.36	
272360 - ATLAS TOYOTA MATERIAL HANDLING	INSPECTION FOR RFM VEHICLE 747	05/25/2021	05/25/2021	147.21	
16657 - CERTIFIED FLEET SERVICES, INC.	PARTS AND LABOR FOR EPD E-21 INVOICE R17887	05/25/2021	05/25/2021	4,434.71	
16657 - CERTIFIED FLEET SERVICES, INC.	PARTS AND LABOR FOR EPD E-24 INVOICE R17878-01	05/25/2021	05/25/2021	2,791.64	
285052 - CHICAGO PARTS & SOUND, LLC	STOCK FOR FLEET	05/25/2021	05/25/2021	537.70	
285052 - CHICAGO PARTS & SOUND, LLC	STOCK PD BRAKES	05/25/2021	05/25/2021	688.96	
101081 - CITY WELDING SALES & SERVICE INC.	SHOP SUPPLIES	05/25/2021	05/25/2021	93.96	
101300 - CUMBERLAND SERVICENTER	DEF SYSTEM REM VEHICLE 716	05/25/2021	05/25/2021	1,034.59	
101300 - CUMBERLAND SERVICENTER	CAB AND SWITCHES FOR REM VEHICLE 704	05/25/2021	05/25/2021	842.35	
227800 - GOLF MILL FORD	SEAT REPAIRS FOR PD VEHICLE 10	05/25/2021	05/25/2021	61.91	
227800 - GOLF MILL FORD	02 SENSOR FOR PD VEHICLE 63	05/25/2021	05/25/2021	35.38	
227800 - GOLF MILL FORD	SUSPENSION FOR WATER VEHICLE 933	05/25/2021	05/25/2021	21.27	
227800 - GOLF MILL FORD	CHARGING SYSTEM FOR PD VEHICLE 58	05/25/2021	05/25/2021	475.59	
227800 - GOLF MILL FORD	POWER SYSTEM FOR PD VEHICLE 53	05/25/2021	05/25/2021	274.90	
102191 - GROVER WELDING COMPANY	HOPPER SEAL FOR REM VEHICLE 705	05/25/2021	05/25/2021	1,070.58	
102281 - HAVELY COMMUNICATIONS INC.	INSTALLATION OF NEW EQUIPMENT FOR EPD #48 INV. 10929	05/25/2021	05/25/2021	3,184.00	
122397 - HERITAGE CRYSTAL CLEAN	DEF FLUID FOR MULTIPLE DIESEL VEHICLES	05/25/2021	05/25/2021	1,276.72	
14988 - JX PETERBILT / JX ENTERPRISES, INC.	FUEL LEVEL GAUGE STREETS VEHICLE 613	05/25/2021	05/25/2021	130.60	
14988 - JX PETERBILT / JX ENTERPRISES, INC.	STOCK GAUGES	05/25/2021	05/25/2021	407.99	
105080 - MACQUEEN EQUIPMENT DBA MACQUEEN EMERGENCY GROUP	PARTS AND LABOR FOR REPAIRS TO EPD 311 INVOICE W01016	05/25/2021	05/25/2021	3,912.04	
327734 - MILLER HYDRAULIC SERVICE, INC.	HYDRAULICS FOR REM VEHICLE 743	05/25/2021	05/25/2021	878.80	
324612 - RUSH TRUCK CENTERS OF ILLINOIS, INC	BRAKE DUST SHIELD FOR STREETS VEHICLE 623	05/25/2021	05/25/2021	103.80	
324612 - RUSH TRUCK CENTERS OF ILLINOIS, INC	REAR BRAKE FOR STREETS VEHICLE 623	05/25/2021	05/25/2021	293.80	
104918 - STANDARD EQUIPMENT COMPANY	REPLACEMENT KEY FOR REM VEHICLE 743	05/25/2021	05/25/2021	15.36	
245587 - SUBURBAN ACCENTS, INC.	STOCK FOR FLEET	05/25/2021	05/25/2021	224.50	
105104 - TERMINAL SUPPLY CO.	SHOP SUPPLY FOR FLEET	05/25/2021	05/25/2021	224.00	
245860 - WENTWORTH TIRE SERVICE	EPD STOCK TIRES	05/25/2021	05/25/2021	2,322.00	
245860 - WENTWORTH TIRE SERVICE	STOCK TIRES	05/25/2021	05/25/2021	458.22	
245860 - WENTWORTH TIRE SERVICE	STOCK TIRES	05/25/2021	05/25/2021	1,797.20	
245860 - WENTWORTH TIRE SERVICE	STOCK TIRES	05/25/2021	05/25/2021	1,797.20	
108472 - WILMETTE TRUCK & BUS SALES & SERVICE	SAFETY LANE INSPECTIONS MULTIPLE VEHICLES	05/25/2021	05/25/2021	782.50	
Account 65060 - MATER. TO MAINT. AUTOS Totals				Invoice Transactions 41	\$32,651.16
Account 65090 - SAFETY EQUIPMENT					
151986 - CINTAS CORPORATION #769	FIRST AID CABINET REFILL	05/25/2021	05/25/2021	110.15	
101063 - CINTAS FIRST AID & SUPPLY	FIRST AID CABINET REFILL	05/25/2021	05/25/2021	6.65	
101063 - CINTAS FIRST AID & SUPPLY	FIRST AID CABINET REFILL	05/25/2021	05/25/2021	10.59	
101063 - CINTAS FIRST AID & SUPPLY	FIRST AID CABINET REFILL	05/25/2021	05/25/2021	40.48	
Account 65090 - SAFETY EQUIPMENT Totals				Invoice Transactions 4	\$167.87
Account 65095 - OFFICE SUPPLIES					
103883 - OFFICE DEPOT	OFFICE SUPPLIES	05/25/2021	05/25/2021	29.98	
Account 65095 - OFFICE SUPPLIES Totals				Invoice Transactions 1	\$29.98
Business Unit 7710 - FLEET MAINTENANCE Totals				Invoice Transactions 51	\$95,523.20
Department 19 - ADMINISTRATIVE SERVICES Totals				Invoice Transactions 51	\$95,523.20
Fund 600 - FLEET SERVICES FUND Totals				Invoice Transactions 51	\$95,523.20

Run by Tera Davis on 05/18/2021 02:49:10 PM

CITY OF EVANSTON
 BILLS LIST
 PERIOD ENDING 05.25.2021 FY2021

601 EQUIPMENT REPLACEMENT FUND

Accounts Payable by G/L Distribution Report
 Payment Date Range 05/25/21 - 05/25/21

Vendor	Invoice Description	G/L Date	Payment Date	Invoice Amount
Fund 601 - EQUIPMENT REPLACEMENT FUND				
Department 19 - ADMINISTRATIVE SERVICES				
Business Unit 7780 - VEHICLE REPLACEMENTS				
Account 65550 - AUTOMOTIVE EQUIPMENT				
104509 - RUSSO POWER EQUIPMENT	PWA GREENWAYS KUBOTA #509	05/25/2021	05/25/2021	39,171.82
105684 - ZAMBONI USA	PRCS SUSPENSION VEHICLE 428	05/25/2021	05/25/2021	471.92
	Account 65550 - AUTOMOTIVE EQUIPMENT Totals		Invoice Transactions 2	<u>\$39,643.74</u>
	Business Unit 7780 - VEHICLE REPLACEMENTS Totals		Invoice Transactions 2	<u>\$39,643.74</u>
	Department 19 - ADMINISTRATIVE SERVICES Totals		Invoice Transactions 2	<u>\$39,643.74</u>
	Fund 601 - EQUIPMENT REPLACEMENT FUND Totals		Invoice Transactions 2	\$39,643.74

Run by Tera Davis on 05/18/2021 02:49:10 PM

CITY OF EVANSTON

605 INSURANCE FUND

Accounts Payable by G/L Distribution Report

Payment Date Range 05/25/21 - 05/25/21

BILLS LIST

PERIOD ENDING 05.25.2021 FY2021

Vendor	Invoice Description	GL Date	Payment Date	Invoice Amount
Fund 605 - INSURANCE FUND				
Department 99 - NON-DEPARTMENTAL				
Business Unit 7800 - RISK MANAGEMENT				
Account 62130 - LEGAL SERVICES-GENERAL				
17487 - BROTHERS & THOMPSON, P.C.	OUTSIDE LEGAL COST	05/25/2021	05/25/2021	4,348.50
17487 - BROTHERS & THOMPSON, P.C.	OUTSIDE LEGAL COST	05/25/2021	05/25/2021	214.50
17002 - ENGLER CALLAWAY BAASTEN & SRAGA, LLC	LABOR GENERAL	05/25/2021	05/25/2021	50.00
Account 62130 - LEGAL SERVICES-GENERAL Totals				Invoice Transactions 3
				\$4,613.00
Business Unit 7800 - RISK MANAGEMENT Totals				Invoice Transactions 3
				\$4,613.00
Department 99 - NON-DEPARTMENTAL Totals				Invoice Transactions 3
				\$4,613.00
Fund 605 - INSURANCE FUND Totals				Invoice Transactions 3
				\$4,613.00
* = Prior Fiscal Year Activity				Invoice Transactions 327
				\$2,320,027.31

Run by Tera Davis on 05/18/2021 02:49:10 PM

CITY OF EVANSTON

BILLS LIST

PERIOD ENDING 05.25.2021

Accounts Payable by G/L Distribution Report

*ADVANCED CHECKS FOR PAY PERIOD ENDING 05.25.2021

Vendor	Invoice Description	G/L Date	Payment Date	Invoice Amount
Fund 210 - SPECIAL SERVICE AREA (SSA) #9				
Department 21 - COMMUNITY DEVELOPMENT				
Business Unit 5160 - SPECIAL SERVICE AREA #4				
Account 62517 - SPECIAL SERVICE AREA AGREEMENT				
105920 - EVMARK				
	SPECIAL SERVICE AREA #9	04/27/2021	05/12/2021	150,791.29
	Account 62517 - SPECIAL SERVICE AREA AGREEMENT Totals		Invoice Transactions 1	\$150,791.29
	Business Unit 5160 - SPECIAL SERVICE AREA #4 Totals		Invoice Transactions 1	\$150,791.29
	Department 21 - COMMUNITY DEVELOPMENT Totals		Invoice Transactions 1	\$150,791.29
	Fund 210 - SPECIAL SERVICE AREA (SSA) #9 Totals		Invoice Transactions 1	\$150,791.29
Fund 215 - CDBG FUND				
Department 21 - COMMUNITY DEVELOPMENT				
Business Unit 5226 - CDBG-CV				
Account 63166 - PUBLIC SERVICE - Curt's Cafe				
308349 - P. S. IT'S SOCIAL D/B/A CURT'S CAFE				
308349 - P. S. IT'S SOCIAL D/B/A CURT'S CAFE				
	CDBG-CV FOOD PANTRY DISBURSEMENT	04/02/2021	05/12/2021	15,016.97
	CDBG-CV FOOD PANTRY DISBURSEMENT	04/02/2021	05/12/2021	20,000.00
	Account 63166 - PUBLIC SERVICE - Curt's Cafe Totals		Invoice Transactions 2	\$35,016.97
	Business Unit 5226 - CDBG-CV Totals		Invoice Transactions 2	\$35,016.97
	Department 21 - COMMUNITY DEVELOPMENT Totals		Invoice Transactions 2	\$35,016.97
	Fund 215 - CDBG FUND Totals		Invoice Transactions 2	\$35,016.97
Fund 360 - SPECIAL SERVICE AREA (SSA) #8				
Department 99 - NON-DEPARTMENTAL				
Business Unit 3608 - SSA #8 ADMINISTRATION				
Account 62517 - SPECIAL SERVICE AREA AGREEMENT				
105920 - EVMARK				
105920 - EVMARK				
	SPECIAL SERVICE AREA #7	04/27/2021	05/12/2021	43,334.93
	SPECIAL SERVICE AREA #8	04/27/2021	05/12/2021	21,178.92
	Account 62517 - SPECIAL SERVICE AREA AGREEMENT Totals		Invoice Transactions 2	\$64,511.85
	Business Unit 3608 - SSA #8 ADMINISTRATION Totals		Invoice Transactions 2	\$64,511.85
	Department 99 - NON-DEPARTMENTAL Totals		Invoice Transactions 2	\$64,511.85
	Fund 360 - SPECIAL SERVICE AREA (SSA) #8 Totals		Invoice Transactions 2	\$64,511.85
Fund 510 - WATER FUND				
Department 40 - PUBLIC WORKS AGENCY				
Business Unit 4225 - WATER OTHER OPERATIONS				
Account 62410 - LEAD SERVICE ABATEMENT				
303321 - ANDREA NEEDLMAN				
18290 - JAMES VALENZA				
18291 - JOEL LIPMAN				
	*LEAD SERVICE LINE ABATEMENT LOAN- 2318	05/13/2021	05/13/2021	5,220.00
	*LEAD SERVICE LINE ABATEMENT LOAN- 2809	05/13/2021	05/13/2021	4,800.00
	*LEAD SERVICE LINE ABATEMENT LOAN- 2819	05/13/2021	05/13/2021	5,100.00
	Account 62410 - LEAD SERVICE ABATEMENT Totals		Invoice Transactions 3	\$15,120.00
	Business Unit 4225 - WATER OTHER OPERATIONS Totals		Invoice Transactions 3	\$15,120.00
	Department 40 - PUBLIC WORKS AGENCY Totals		Invoice Transactions 3	\$15,120.00
	Fund 510 - WATER FUND Totals		Invoice Transactions 3	\$15,120.00
Fund 513 - WATER DEPR IMPRV & EXTENSION FUND				
Department 71 - UTILITIES				
Business Unit 7330 - WATER FUND DEP, IMP, EXT				
Account 65515 - OTHER IMPROVEMENTS				
18292 - GAYLE HAYES				
	*LEAD SERVICE LINE ABATEMENT LOAN- 2317	05/13/2021	05/13/2021	8,139.00
	Account 65515 - OTHER IMPROVEMENTS Totals		Invoice Transactions 1	\$8,139.00
	Business Unit 7330 - WATER FUND DEP, IMP, EXT Totals		Invoice Transactions 1	\$8,139.00
	Department 71 - UTILITIES Totals		Invoice Transactions 1	\$8,139.00
	Fund 513 - WATER DEPR IMPRV & EXTENSION FUND Totals		Invoice Transactions 1	\$8,139.00
Fund 520 - SOLID WASTE FUND				
Department 40 - PUBLIC WORKS AGENCY				
Business Unit 4310 - RECYCLING AND ENVIRONMENTAL MAIN				
Account 65550 - AUTOMOTIVE EQUIPMENT				
18014 - CRANE CARRIER COMPANY, LLC				
	*REFUSE PURCHASE TRUCK #721	05/13/2021	05/13/2021	166,815.93
	Account 65550 - AUTOMOTIVE EQUIPMENT Totals		Invoice Transactions 1	\$166,815.93
	Business Unit 4310 - RECYCLING AND ENVIRONMENTAL MAIN Totals		Invoice Transactions 1	\$166,815.93
	Department 40 - PUBLIC WORKS AGENCY Totals		Invoice Transactions 1	\$166,815.93
	Fund 520 - SOLID WASTE FUND Totals		Invoice Transactions 1	\$166,815.93
	* = Prior Fiscal Year Activity		Invoice Transactions 26	\$440,395.04

Run by Tera Davis on 05/19/2021 11:22:46 AM

**CITY OF EVANSTON
BILLS LIST
PERIOD ENDING 05.25.2021 FY21**

**SUPPLEMENTAL LIST
ACH AND WIRE TRANSFERS**

ACCOUNT NUMBER	SUPPLIER NAME	DESCRIPTION	AMOUNT
INSURANCE			
VARIOUS	VARIOUS	CASUALTY LOSS	7,870.18
VARIOUS	VARIOUS	CASUALTY LOSS	547.92
VARIOUS	VARIOUS	WORKERS COMP	4,516.66
VARIOUS	VARIOUS	WORKERS COMP	<u>7,319.62</u>
			20,254.38
SEWER			
7618.68305	IEPA	LOAN DISBURSEMENT SEWER FUND	219,012.81
7477.68305	IEPA	LOAN DISBURSEMENT SEWER FUND	40,028.47
7622.68305	IEPA	LOAN DISBURSEMENT SEWER FUND	165,695.83
7623.68305	IEPA	LOAN DISBURSEMENT SEWER FUND	291,948.30
7605.68305	IEPA	LOAN DISBURSEMENT SEWER FUND	<u>307,636.02</u>
			1,024,321.43
VARIOUS			
VARIOUS	BMO	PURCHASING CARD-MARCH, 2021	<u>181,225.31</u>
			181,225.31
WATER			
7136.68305	IEPA	LOAN DISBURSEMENT WATER FUND	47,979.20
7135.68305	IEPA	LOAN DISBURSEMENT WATER FUND	53,963.54
7330.65515	US - EPA	FEE01 APPLICATION FEE	<u>100,000.00</u>
			201,942.74
			<u>1,427,743.86</u>
		Grand Total	<u>4,188,166.21</u>

PREPARED BY _____ **DATE** _____

REVIEWED BY _____ **DATE** _____

APPROVED BY _____ **DATE** _____

BMO Credit Card Statement for the Period ending March 26, 2021

REPORTS TO INTERMEDIATE	MERCHANT NAME	MERCHANT STATE	MERCHANT ZIP CODE	TRANSACTION AMOUNT	POSTING DATE	COST ALLOCATION - EXPENSE OBJECT	EXPENSE DESCRIPTION
ADMIN SVCS	ICMA ONLINE	DC	20002	\$ 1,400.00	3/25/2021	62360 MEMBERSHIP DUES	ICMA MEMBERSHIP DUES - STORLIE
ADMIN SVCS/311	PANINOS PIZZA - EVANST	IL	60202	\$ 160.00	3/5/2021	64505 TELECOMMUNICATIONS	311 ANNIVERSARY GIFTS
ADMIN SVCS/311	PANINOS PIZZA - EVANST	IL	60202	\$ 40.00	3/5/2021	64505 TELECOMMUNICATIONS	311 STAFF GIFTS
ADMIN SVCS/311	PANINOS PIZZA - EVANST	IL	60202	\$ 67.56	3/22/2021	64505 TELECOMMUNICATIONS	LUNCH APPRECIATION POLICE FRONT DESK
ADMIN SVCS/FAC MGMT	LEVELUPPOTBELLVY376446	MA	02114	\$ 99.19	2/26/2021	65025 FOOD	APPRECIATION LUNCH
ADMIN SVCS/FAC MGMT	ULINE SHIP SUPPLIES	WI	53158	\$ 703.65	2/26/2021	62490 OTHER PROGRAM COSTS	COVID POD TABLES
ADMIN SVCS/FAC MGMT	THE HOME DEPOT #1902	IL	60202	\$ 99.00	2/26/2021	65050 BUILDING MAINTENANCE MATERIAL	AIR COMPRESSOR TOOLS
ADMIN SVCS/FAC MGMT	PURE ELECTRIC	IL	60645	\$ 70.80	2/26/2021	65050 BUILDING MAINTENANCE MATERIAL	STOCK BULBS
ADMIN SVCS/FAC MGMT	GIH GLOBALINDUSTRIALEQ	FL	33144	\$ 367.46	3/1/2021	62490 OTHER PROGRAM COSTS	COVID POD CONTAINER SHARPS CONTAINER
ADMIN SVCS/FAC MGMT	GIH GLOBALINDUSTRIALEQ	FL	33144	\$ 1,549.60	3/1/2021	62490 OTHER PROGRAM COSTS	COVID PODS SHARPS CONTAINER
ADMIN SVCS/FAC MGMT	TYCOINTEGRATEDSECURITY	IN	46256	\$ 224.72	3/1/2021	62225 BLDG MAINT SVCS	QUARTERLY FIRE ALARM MONITORING FOR RECYCLING CENTER
ADMIN SVCS/FAC MGMT	ATLAS BOBCAT LLC	IL	60185	\$ 99.94	3/1/2021	62240 AUTOMOTIVE EQMP MAINT	PARTS FOR SHOP
ADMIN SVCS/FAC MGMT	THE HOME DEPOT #1902	IL	60202	\$ 317.64	3/1/2021	65050 BUILDING MAINTENANCE MATERIAL	STOCK CEILING TILES
ADMIN SVCS/FAC MGMT	ILSOS INT VEH RENEWAL	IL	62756	\$ 154.40	3/1/2021	65045 LICENSING/REGULATORY SUPP	SEC. OF STATE PLATE RENEWAL
ADMIN SVCS/FAC MGMT	ILSOS INT VEH RENEWAL	IL	62756	\$ 154.40	3/1/2021	65045 LICENSING/REGULATORY SUPP	SEC. OF STATE PLATE RENEWAL
ADMIN SVCS/FAC MGMT	ULINE SHIP SUPPLIES	WI	53158	\$ (703.65)	3/2/2021	62490 OTHER PROGRAM COSTS	COVID POD RETURN
ADMIN SVCS/FAC MGMT	LEE JENSEN SALES	IL	60014	\$ (67.40)	3/2/2021	62240 AUTOMOTIVE EQMP MAINT	CREDIT FOR DIFFERENCE ON WRONG PART FOR FLEET HOIST
ADMIN SVCS/FAC MGMT	ANDERSON LOCK CO	IL	60018	\$ 203.00	3/2/2021	65050 BUILDING MAINTENANCE MATERIAL	MATERIAL FOR LOCK PARTS
ADMIN SVCS/FAC MGMT	ANDERSON LOCK CO	IL	60018	\$ 290.14	3/2/2021	65050 BUILDING MAINTENANCE MATERIAL	MATERIAL FOR REPLACEMENT PARTS
ADMIN SVCS/FAC MGMT	WWP ANDERSON PEST SOLU	IL	60126	\$ 71.03	3/2/2021	62225 BLDG MAINT SVCS	PEST CONTROL
ADMIN SVCS/FAC MGMT	WWP ANDERSON PEST SOLU	IL	60126	\$ 116.92	3/2/2021	62225 BLDG MAINT SVCS	PEST CONTROL
ADMIN SVCS/FAC MGMT	WWP ANDERSON PEST SOLU	IL	60126	\$ 116.93	3/2/2021	62225 BLDG MAINT SVCS	PEST CONTROL
ADMIN SVCS/FAC MGMT	WWP ANDERSON PEST SOLU	IL	60126	\$ 459.00	3/2/2021	62225 BLDG MAINT SVCS	PEST CONTROL
ADMIN SVCS/FAC MGMT	LEMOI ACE HARDWARE	IL	60201	\$ 6.70	3/2/2021	62240 AUTOMOTIVE EQMP MAINT	PARTS #826
ADMIN SVCS/FAC MGMT	ILSOS INT VEH RENEWAL	IL	62756	\$ (154.40)	3/2/2021	65045 LICENSING/REGULATORY SUPP	SEC. OF STATE PLATE RENEWAL
ADMIN SVCS/FAC MGMT	UNIFIRST CORPORATION	MA	01687	\$ 172.29	3/3/2021	62355 LAUNDRY/OTHER CLEANING	MAT SERVICE CLEANING
ADMIN SVCS/FAC MGMT	UNITES STATES FIRE PRO	IL	60045	\$ 210.00	3/3/2021	62225 BLDG MAINT SVCS	FIRE PROTECTION SERVICES
ADMIN SVCS/FAC MGMT	UNITES STATES FIRE PRO	IL	60045	\$ 2,030.00	3/3/2021	62225 BLDG MAINT SVCS	FIRE PROTECTION SERVICES
ADMIN SVCS/FAC MGMT	UNITES STATES FIRE PRO	IL	60045	\$ 2,070.00	3/3/2021	62225 BLDG MAINT SVCS	FIRE PROTECTION SERVICES
ADMIN SVCS/FAC MGMT	UNITES STATES FIRE PRO	IL	60045	\$ 2,380.00	3/3/2021	62225 BLDG MAINT SVCS	FIRE PROTECTION SERVICES
ADMIN SVCS/FAC MGMT	UNITES STATES FIRE PRO	IL	60045	\$ 2,475.00	3/3/2021	62225 BLDG MAINT SVCS	FIRE PROTECTION SERVICES
ADMIN SVCS/FAC MGMT	UNITES STATES FIRE PRO	IL	60045	\$ 2,484.00	3/3/2021	62225 BLDG MAINT SVCS	FIRE PROTECTION SERVICES
ADMIN SVCS/FAC MGMT	CITY WELDING SALES & S	IL	60076	\$ 25.00	3/3/2021	65085 MINOR EQUIP & TOOLS	PROPANE TANK RENTAL
ADMIN SVCS/FAC MGMT	STANDARD PIPE SKOKIE	IL	60076-3407	\$ 357.46	3/3/2021	65050 BUILDING MAINTENANCE MATERIAL	MATERIAL FOR SLOAN TOILET REPAIR
ADMIN SVCS/FAC MGMT	LEMOI ACE HARDWARE	IL	60201	\$ 24.08	3/3/2021	65050 BUILDING MAINTENANCE MATERIAL	MATERIAL FOR DOOR STOP AND EQUIPMENT HANGER
ADMIN SVCS/FAC MGMT	ABLE DISTRIBUTORS	IL	60202	\$ 346.93	3/3/2021	65050 BUILDING MAINTENANCE MATERIAL	MATERIALS TO INSTALL CONDENSATE PUMP
ADMIN SVCS/FAC MGMT	THE HOME DEPOT #1902	IL	602020000	\$ 36.50	3/3/2021	65050 BUILDING MAINTENANCE MATERIAL	FIRE 2 WOMEN'S WASHROOM REPAIR
ADMIN SVCS/FAC MGMT	THE HOME DEPOT #1902	IL	602020000	\$ 9.60	3/3/2021	65050 BUILDING MAINTENANCE MATERIAL	STOCK MATERIALS
ADMIN SVCS/FAC MGMT	SOUTHSHORE CONTROL SUPP	IL	60654	\$ 280.80	3/3/2021	65050 BUILDING MAINTENANCE MATERIAL	THEMOSTAT COVER REPLACEMENT
ADMIN SVCS/FAC MGMT	INCSTORES LLC	AZ	85210-6890	\$ 2,619.18	3/3/2021	65050 BUILDING MAINTENANCE MATERIAL	RUBBER FLOOR FOR POLICE GYM
ADMIN SVCS/FAC MGMT	NOREGON SYSTEMS	NC	27409	\$ 900.00	3/4/2021	65060 MATERIALS TO MAINTAIN AUTOSL	TOOLS FOR TRANSMISSION
ADMIN SVCS/FAC MGMT	UNITES STATES FIRE PRO	IL	60045	\$ 933.12	3/4/2021	62225 BLDG MAINT SVCS	FIRE PROTECTION SERVICES
ADMIN SVCS/FAC MGMT	UNITES STATES FIRE PRO	IL	60045	\$ 1,599.00	3/4/2021	62225 BLDG MAINT SVCS	FIRE PROTECTION SERVICES
ADMIN SVCS/FAC MGMT	JOHNSON LOCKSMITH INC	IL	60201	\$ 20.00	3/4/2021	65050 BUILDING MAINTENANCE MATERIAL	KEYS FOR FILING CABINET IN SC CAGE
ADMIN SVCS/FAC MGMT	ABLE DISTRIBUTORS	IL	60202	\$ 78.38	3/4/2021	65050 BUILDING MAINTENANCE MATERIAL	MATERIAL FOR CONDENSATE PUMP INSTALL
ADMIN SVCS/FAC MGMT	THE HOME DEPOT #1902	IL	602020000	\$ 39.91	3/4/2021	62490 OTHER PROGRAM COSTS	SAFETY GLASSES AND DUCT TAPE FOR LEVY COVID POD
ADMIN SVCS/FAC MGMT	THE HOME DEPOT #1902	IL	602020000	\$ 54.80	3/4/2021	65050 BUILDING MAINTENANCE MATERIAL	MATERIAL FOR DRINKING FOUNTAIN
ADMIN SVCS/FAC MGMT	PURE ELECTRIC	IL	60645	\$ 134.54	3/4/2021	65050 BUILDING MAINTENANCE MATERIAL	WALL ROUGH FOR FIRE 2
ADMIN SVCS/FAC MGMT	RIDDIFORD ROOFING COMP	IL	60005	\$ 1,037.30	3/5/2021	62225 BLDG MAINT SVCS	ROOF REPAIRS
ADMIN SVCS/FAC MGMT	RIDDIFORD ROOFING COMP	IL	60005	\$ 1,535.94	3/5/2021	62225 BLDG MAINT SVCS	ROOF REPAIRS
ADMIN SVCS/FAC MGMT	TODAYS UNIFORMS	IL	60014	\$ 260.80	3/5/2021	65020 CLOTHING	UNIFORMS
ADMIN SVCS/FAC MGMT	GRAINGER	IL	60045-5202	\$ 120.82	3/5/2021	65050 BUILDING MAINTENANCE MATERIAL	HOSE FOR WATER BAY
ADMIN SVCS/FAC MGMT	STANDARD PIPE SKOKIE	IL	60076-3407	\$ 90.69	3/5/2021	65050 BUILDING MAINTENANCE MATERIAL	MATERIAL FOR CRACKED PVC DRAIN
ADMIN SVCS/FAC MGMT	STANDARD PIPE SKOKIE	IL	60076-3407	\$ 823.38	3/5/2021	65050 BUILDING MAINTENANCE MATERIAL	MATERIAL FOR RPZS
ADMIN SVCS/FAC MGMT	STANDARD PIPE SKOKIE	IL	60076-3407	\$ 45.92	3/5/2021	65050 BUILDING MAINTENANCE MATERIAL	STOCK FITTINGS
ADMIN SVCS/FAC MGMT	NEW RIDE INC	IL	60201	\$ 603.00	3/5/2021	62240 AUTOMOTIVE EQMP MAINT	SERVICE OF PD CARS
ADMIN SVCS/FAC MGMT	THE HOME DEPOT #1902	IL	60202	\$ (39.97)	3/5/2021	65050 BUILDING MAINTENANCE MATERIAL	RETURN
ADMIN SVCS/FAC MGMT	THE HOME DEPOT #1902	IL	60202	\$ 247.55	3/5/2021	65050 BUILDING MAINTENANCE MATERIAL	CONCRETE FOR BATHROOM FLOOR
ADMIN SVCS/FAC MGMT	THE HOME DEPOT #1902	IL	602020000	\$ 67.39	3/5/2021	65050 BUILDING MAINTENANCE MATERIAL	FIRE 2 MATERIAL FOR ROUGH WALL AND TRIM
ADMIN SVCS/FAC MGMT	THE HOME DEPOT #1902	IL	602020000	\$ 13.98	3/5/2021	65050 BUILDING MAINTENANCE MATERIAL	GIBBS MORRISON REPAIR MATERIALS
ADMIN SVCS/FAC MGMT	THE HOME DEPOT #1902	IL	602020000	\$ 165.76	3/5/2021	65050 BUILDING MAINTENANCE MATERIAL	MATERIAL FOR LIBRARY SENSOR RELOCATION
ADMIN SVCS/FAC MGMT	PURE ELECTRIC	IL	60645	\$ 968.25	3/5/2021	65050 BUILDING MAINTENANCE MATERIAL	SMALL ENGINE POWER
ADMIN SVCS/FAC MGMT	CROWD CONTROL COMPANY	NY	11716	\$ 586.08	3/8/2021	62490 OTHER PROGRAM COSTS	COVID POD STANCHIONS
ADMIN SVCS/FAC MGMT	CUMBERLAND SERVICENTER	IL	60005	\$ 129.02	3/8/2021	62240 AUTOMOTIVE EQMP MAINT	STOCK PARTS
ADMIN SVCS/FAC MGMT	STANDARD PIPE SKOKIE	IL	60076-3407	\$ 24.33	3/8/2021	65050 BUILDING MAINTENANCE MATERIAL	MATERIAL FOR TRUCK WASH SYSTEM
ADMIN SVCS/FAC MGMT	LEMOI ACE HARDWARE	IL	60201	\$ 29.67	3/8/2021	65050 BUILDING MAINTENANCE MATERIAL	TOOLS FOR CAR WASH
ADMIN SVCS/FAC MGMT	THE HOME DEPOT #1902	IL	602020000	\$ 17.95	3/8/2021	65050 BUILDING MAINTENANCE MATERIAL	FIRE REPAIR
ADMIN SVCS/FAC MGMT	THE HOME DEPOT #1902	IL	602020000	\$ 110.09	3/8/2021	65050 BUILDING MAINTENANCE MATERIAL	MATERIAL FOR BOILER ROOM
ADMIN SVCS/FAC MGMT	THE HOME DEPOT #1902	IL	602020000	\$ 38.85	3/8/2021	65050 BUILDING MAINTENANCE MATERIAL	SMALL ENGINE POWER
ADMIN SVCS/FAC MGMT	WWP SMITHREEN PEST MA	IL	60714	\$ 300.00	3/8/2021	65050 BUILDING MAINTENANCE MATERIAL	FEB/MARCH PEST CONTROL
ADMIN SVCS/FAC MGMT	CONNECTICUT SAW & TOOL	CT	06815	\$ 98.42	3/9/2021	65050 BUILDING MAINTENANCE MATERIAL	KNIVES FOR PROFILE FOR LAGOON BLDG.
ADMIN SVCS/FAC MGMT	ULINE SHIP SUPPLIES	WI	53158	\$ 2,092.52	3/9/2021	65090 SAFETY EQUIPMENT	TABLE, TRASH CANS AND PIPE
ADMIN SVCS/FAC MGMT	ULINE SHIP SUPPLIES	WI	53158	\$ 114.75	3/9/2021	65050 BUILDING MAINTENANCE MATERIAL	MATERIAL FOR CIRCULATOR FAN FOR KEY SHOP
ADMIN SVCS/FAC MGMT	IN A & J SEWER SERVIC	IL	60980	\$ 1,955.00	3/9/2021	62225 BLDG MAINT SVCS	SEWER SERVICE
ADMIN SVCS/FAC MGMT	RAYNOR DOOR	IL	60093	\$ 598.48	3/9/2021	62225 BLDG MAINT SVCS	OVERHEAD DOOR REPAIR FIRE 3
ADMIN SVCS/FAC MGMT	JC LICHT - 1252 - EVAN	IL	60201	\$ 238.36	3/9/2021	65050 BUILDING MAINTENANCE MATERIAL	PAINT AND PRIMER FOR LOCK UP
ADMIN SVCS/FAC MGMT	ABLE DISTRIBUTORS	IL	60202	\$ 216.34	3/9/2021	65050 BUILDING MAINTENANCE MATERIAL	MATERIAL FOR CONVECTOR PART
ADMIN SVCS/FAC MGMT	ABLE DISTRIBUTORS	IL	60202	\$ 448.65	3/9/2021	65050 BUILDING MAINTENANCE MATERIAL	MOTOR FOR BOILER
ADMIN SVCS/FAC MGMT	SOAPES	IL	60202	\$ 2,500.00	3/9/2021	65090 SAFETY EQUIPMENT	COVID YOUTH CLOTH MASKS
ADMIN SVCS/FAC MGMT	ANDERSON LOCK CO	IL	60018	\$ 468.33	3/10/2021	65050 BUILDING MAINTENANCE MATERIAL	MATERIALS FOR STOCK
ADMIN SVCS/FAC MGMT	STANDARD PIPE SKOKIE	IL	60076-3407	\$ 110.55	3/10/2021	65050 BUILDING MAINTENANCE MATERIAL	REPAIR TO ROOF DRAIN

BMO Credit Card Statement for the Period ending March 26, 2021

REPORTS TO INTERMEDIATE	MERCHANT NAME	MERCHANT STATE	MERCHANT ZIP CODE	TRANSACTION AMOUNT	POSTING DATE	COST ALLOCATION - EXPENSE OBJECT	EXPENSE DESCRIPTION
ADMIN SVCS/FAC MGMT	STANDARD PIPE SKOKIE	IL	60076-3407	\$ 57.18	3/10/2021	65050 BUILDING MAINTENANCE MATERIAL	STOCK 2 INCH PVC
ADMIN SVCS/FAC MGMT	IL TOLLWAY-AUTOREPLENI	IL	60515	\$ 40.00	3/10/2021	65060 MATERIALS TO MAINTAIN AUTOSL	IPASS REPLENISHMENT
ADMIN SVCS/FAC MGMT	FEDEX 784541208002	TN	38116	\$ 29.44	3/11/2021	62275 POSTAGE CHARGEBACKS	SHIPPING DOCS TO VENDOR
ADMIN SVCS/FAC MGMT	DREISILKER ELECTRIC MO	IL	60007	\$ 303.77	3/11/2021	65050 BUILDING MAINTENANCE MATERIAL	MATERIAL FOR CONVECTOR PARTS
ADMIN SVCS/FAC MGMT	DREISILKER ELECTRIC MO	IL	60007	\$ 1,000.00	3/11/2021	65050 BUILDING MAINTENANCE MATERIAL	MATERIAL FOR CONVECTOR PARTS
ADMIN SVCS/FAC MGMT	WINDY CITY TRIUMPH	IL	60174	\$ 57.75	3/11/2021	65060 MATERIALS TO MAINTAIN AUTOSL	DEALER REPAIR PARTS
ADMIN SVCS/FAC MGMT	LEMOI ACE HARDWARE	IL	60201	\$ 15.12	3/11/2021	65050 BUILDING MAINTENANCE MATERIAL	MATERIAL FOR FASTENERS
ADMIN SVCS/FAC MGMT	THE HOME DEPOT #1902	IL	60202	\$ 80.96	3/11/2021	65085 MINOR EQUIP & TOOLS	JASON ELECTRIC TOOL FLEET POWER
ADMIN SVCS/FAC MGMT	THE HOME DEPOT #1902	IL	602020000	\$ 32.42	3/11/2021	65050 BUILDING MAINTENANCE MATERIAL	MATERIAL FOR WHEEL REPLACEMENT
ADMIN SVCS/FAC MGMT	PURE ELECTRIC	IL	60645	\$ 92.31	3/11/2021	65050 BUILDING MAINTENANCE MATERIAL	FITTINGS FOR LIGHTS AND LIGHT
ADMIN SVCS/FAC MGMT	PURE ELECTRIC	IL	60645	\$ 239.50	3/11/2021	65050 BUILDING MAINTENANCE MATERIAL	WAPS INSTALLATION
ADMIN SVCS/FAC MGMT	IN TAIT TRAINING	TX	75080-3312	\$ 150.00	3/11/2021	62295 TRAINING & TRAVEL	UNDERGROUND STORAGE TANK OPERATOR ONLINE MANDATORY TRAINING FOR 5
ADMIN SVCS/FAC MGMT	CROWD CONTROL COMPANY	NY	11716	\$ 390.00	3/12/2021	62490 OTHER PROGRAM COSTS	FLEET STAFF FOR CITY FUEL SYSTEM.
ADMIN SVCS/FAC MGMT	GIH GLOBALINDUSTRIALEQ	FL	33144	\$ (121.94)	3/12/2021	62490 OTHER PROGRAM COSTS	COVID POD STANCHIONS
ADMIN SVCS/FAC MGMT	ANDERSON LOCK CO	IL	60018	\$ 459.80	3/12/2021	65050 BUILDING MAINTENANCE MATERIAL	RETURN OF BIOHAZARD CONTAINER
ADMIN SVCS/FAC MGMT	THERMOSYSTEMS, INC.	IL	60126	\$ 567.55	3/12/2021	65050 BUILDING MAINTENANCE MATERIAL	MATERIAL FOR FUNCTION CHANGE OF TRIM
ADMIN SVCS/FAC MGMT	THE HOME DEPOT #1902	IL	602020000	\$ 128.92	3/12/2021	65050 BUILDING MAINTENANCE MATERIAL	MATERIAL FOR CONVECTOR RETROFIT REPAIR
ADMIN SVCS/FAC MGMT	PURE ELECTRIC	IL	60645	\$ 243.92	3/12/2021	65050 BUILDING MAINTENANCE MATERIAL	LOVELACE PARK SHELTER LIGHT AND OUTLET REPAIR MATERIAL
ADMIN SVCS/FAC MGMT	LIONHEART	IL	60142	\$ 870.00	3/15/2021	65050 BUILDING MAINTENANCE MATERIAL	LEVY CENTER MATERIAL FOR LIGHT REPAIR
ADMIN SVCS/FAC MGMT	JEWEL OSCO 3428	IL	60202	\$ 7.74	3/15/2021	62240 AUTOMOTIVE EQMP MAINT	PM FOR GENERATOR
ADMIN SVCS/FAC MGMT	THE HOME DEPOT #1902	IL	60202	\$ 360.26	3/15/2021	65050 BUILDING MAINTENANCE MATERIAL	DISTILLED WATER FOR BATTERY REPAIR
ADMIN SVCS/FAC MGMT	THE HOME DEPOT #1902	IL	602020000	\$ 111.52	3/15/2021	65050 BUILDING MAINTENANCE MATERIAL	PAINTING MATERIAL
ADMIN SVCS/FAC MGMT	THE HOME DEPOT #1902	IL	602020000	\$ 76.22	3/15/2021	65050 BUILDING MAINTENANCE MATERIAL	CAT 5 ISSUE CIVIC CENTER
ADMIN SVCS/FAC MGMT	THE HOME DEPOT #1902	IL	602020000	\$ 54.21	3/15/2021	65050 BUILDING MAINTENANCE MATERIAL	PLYWOOD AND HOOKS FOR SERVICE CENTER AND CIVIC CENTER
ADMIN SVCS/FAC MGMT	PURE ELECTRIC	IL	60645	\$ 302.40	3/15/2021	65050 BUILDING MAINTENANCE MATERIAL	WAPS INSTALLATION
ADMIN SVCS/FAC MGMT	IN FLUORECYCLE, INCOR	IL	60041	\$ 1,475.09	3/15/2021	65050 BUILDING MAINTENANCE MATERIAL	LIGHTS FOR FIRE 1
ADMIN SVCS/FAC MGMT	PURE ELECTRIC	IL	60645	\$ 112.00	3/16/2021	65050 BUILDING MAINTENANCE MATERIAL	RECYCLING OF BULBS AND BALLASTS
ADMIN SVCS/FAC MGMT	PURE ELECTRIC	IL	60645	\$ 94.89	3/16/2021	65050 BUILDING MAINTENANCE MATERIAL	BATTERY REPLACEMENT FIRE 4
ADMIN SVCS/FAC MGMT	PURE ELECTRIC	IL	60645	\$ 220.00	3/16/2021	65050 BUILDING MAINTENANCE MATERIAL	CHANDLER MATERIAL FOR WATER FOUNTAIN INSTALL
ADMIN SVCS/FAC MGMT	PURE ELECTRIC	IL	60645	\$ 74.75	3/16/2021	65050 BUILDING MAINTENANCE MATERIAL	LOVELACE PARK MATERIAL FOR SHELTER LIGHT REPLACEMENT
ADMIN SVCS/FAC MGMT	PURE ELECTRIC	IL	60645	\$ 59.88	3/16/2021	65050 BUILDING MAINTENANCE MATERIAL	SC LIGHTS HARDWARE
ADMIN SVCS/FAC MGMT	STENER ELEC ELK GROVE	IL	60007	\$ 509.93	3/17/2021	65050 BUILDING MAINTENANCE MATERIAL	VAN GEAR FOR MAJOR BLDGS.
ADMIN SVCS/FAC MGMT	JOHN WEISS ACE HDWE	IL	60025	\$ 36.27	3/17/2021	65085 MINOR EQUIP & TOOLS	SC LIGHTS
ADMIN SVCS/FAC MGMT	STANDARD PIPE SKOKIE	IL	60076-3407	\$ 17.58	3/17/2021	65085 MINOR EQUIP & TOOLS	MATERIAL FOR TRUCK WASH BUILD
ADMIN SVCS/FAC MGMT	MILLEN HARDWARE	IL	60091	\$ 44.47	3/17/2021	65085 MINOR EQUIP & TOOLS	MATERIAL FOR TRUCK WASH BUILD
ADMIN SVCS/FAC MGMT	THE HOME DEPOT #1902	IL	602020000	\$ 6.77	3/17/2021	65085 MINOR EQUIP & TOOLS	COUNTERTOP SEALING
ADMIN SVCS/FAC MGMT	LEMOI ACE HARDWARE	IL	60201	\$ 17.61	3/18/2021	65050 BUILDING MAINTENANCE MATERIAL	POLICE DEPT. MATERIAL FOR CAMERA INSTALL
ADMIN SVCS/FAC MGMT	WOODLES & CO 636	IL	60201	\$ 8.54	3/18/2021	65025 FOOD	FOOD FOR EOC
ADMIN SVCS/FAC MGMT	ABLE DISTRIBUTORS	IL	60202	\$ 119.26	3/18/2021	62240 AUTOMOTIVE EQMP MAINT	IGNITOR PARTS FOR FLEET
ADMIN SVCS/FAC MGMT	THE UPS STORE 1037	IL	60202	\$ 11.14	3/18/2021	62275 POSTAGE CHARGEBACKS	SEC. OF STATE PLATE REQUEST MAILING
ADMIN SVCS/FAC MGMT	THE HOME DEPOT #1902	IL	602020000	\$ 39.96	3/18/2021	62490 OTHER PROGRAM COSTS	COMMAND STRIPS FOR NU COVID POD
ADMIN SVCS/FAC MGMT	THE HOME DEPOT #1902	IL	602020000	\$ 104.94	3/18/2021	65050 BUILDING MAINTENANCE MATERIAL	PAINTING MATERIAL
ADMIN SVCS/FAC MGMT	THE HOME DEPOT #1902	IL	602020000	\$ 11.72	3/18/2021	65085 MINOR EQUIP & TOOLS	MATERIAL FOR TRUCK WASH BUILD
ADMIN SVCS/FAC MGMT	THE HOME DEPOT #1902	IL	602020000	\$ 112.88	3/18/2021	65085 MINOR EQUIP & TOOLS	SAWZALL AND CUTWHEELS FOR GRINDER
ADMIN SVCS/FAC MGMT	IL TOLLWAY-WEB	IL	60515	\$ 14.60	3/18/2021	65060 MATERIALS TO MAINTAIN AUTOSL	#350 IPASS VIOLATION
ADMIN SVCS/FAC MGMT	PURE ELECTRIC	IL	60645	\$ 87.81	3/18/2021	65050 BUILDING MAINTENANCE MATERIAL	LEVY CENTER MATERIAL FOR LIGHT REPAIRS
ADMIN SVCS/FAC MGMT	QUINCY COMPRESSORS	AL	36507	\$ 184.23	3/19/2021	62275 POSTAGE CHARGEBACKS	SHIPPING FOR COMPRESSOR
ADMIN SVCS/FAC MGMT	FOAM FACTORY, INC.	MI	48044	\$ 33.48	3/19/2021	65050 BUILDING MAINTENANCE MATERIAL	FOAM SAMPLE PACK
ADMIN SVCS/FAC MGMT	DREISILKER ELECTRIC MO	IL	60007	\$ 62.24	3/19/2021	65050 BUILDING MAINTENANCE MATERIAL	MATERIAL FOR WHEEL REPLACEMENT
ADMIN SVCS/FAC MGMT	DREISILKER ELECTRIC MO	IL	60137	\$ 344.08	3/19/2021	65050 BUILDING MAINTENANCE MATERIAL	NEW MOTOR FOR HEATER
ADMIN SVCS/FAC MGMT	THE HOME DEPOT #1902	IL	602020000	\$ 5.20	3/19/2021	65050 BUILDING MAINTENANCE MATERIAL	BOLTS AND WASHERS FOR AHU MOTOR
ADMIN SVCS/FAC MGMT	DOORS SYSTEMS INC	IL	60563	\$ 382.50	3/19/2021	65050 BUILDING MAINTENANCE MATERIAL	ESTIMATE WORK ON PARKING DECK DOOR
ADMIN SVCS/FAC MGMT	DOORS SYSTEMS INC	IL	60563	\$ 1,007.24	3/19/2021	65050 BUILDING MAINTENANCE MATERIAL	SERVICE ON DOOR 1 AT FIRE STATION
ADMIN SVCS/FAC MGMT	DOORS SYSTEMS INC	IL	60563	\$ 1,054.50	3/19/2021	65050 BUILDING MAINTENANCE MATERIAL	SERVICE ON DOOR 2 AT FIRE 1
ADMIN SVCS/FAC MGMT	DOORS SYSTEMS INC	IL	60563	\$ 417.50	3/19/2021	65050 BUILDING MAINTENANCE MATERIAL	SERVICE ON DOOR 26 GREENWAYS
ADMIN SVCS/FAC MGMT	DOORS SYSTEMS INC	IL	60563	\$ 1,061.71	3/19/2021	65050 BUILDING MAINTENANCE MATERIAL	SERVICE ON DOOR 28 FRESTREY
ADMIN SVCS/FAC MGMT	LEMOI ACE HARDWARE	IL	60201	\$ 14.38	3/22/2021	65050 BUILDING MAINTENANCE MATERIAL	SHOP SUPPLIES
ADMIN SVCS/FAC MGMT	THE HOME DEPOT PRO	FL	322040000	\$ 569.20	3/23/2021	65050 BUILDING MAINTENANCE MATERIAL	SHOP SUPPLIES
ADMIN SVCS/FAC MGMT	ABLE DISTRIBUTORS	IL	60202	\$ (9.86)	3/23/2021	65050 BUILDING MAINTENANCE MATERIAL	RETURN OF UNUSED BELTS
ADMIN SVCS/FAC MGMT	DD/BR #338026 Q35	IL	60202	\$ 22.03	3/23/2021	65025 FOOD	DONUTS FOR FLEET MECHANICS
ADMIN SVCS/FAC MGMT	THE HOME DEPOT #1902	IL	602020000	\$ 153.06	3/24/2021	65050 BUILDING MAINTENANCE MATERIAL	RADIATOR CABINET MATERIAL
ADMIN SVCS/FAC MGMT	CR LAURENCE CO INC	CA	90058	\$ 202.49	3/24/2021	65050 BUILDING MAINTENANCE MATERIAL	MATERIAL FOR ASTRIGAL REPLACEMENT
ADMIN SVCS/FAC MGMT	SUPPLYHOUSE.COM	NY	11747	\$ 515.85	3/25/2021	65050 BUILDING MAINTENANCE MATERIAL	A/C HEAT PUMP SUPPLY
ADMIN SVCS/FAC MGMT	GILBARCO VEEDER ROOT	NC	27410	\$ 480.00	3/25/2021	62225 BLDG MAINT SVCS	SERVICE CHARGE FOR FUEL PUMP CARD READERS
ADMIN SVCS/FAC MGMT	SUPERIOR LIGHTING	FL	33359	\$ 79.45	3/25/2021	65050 BUILDING MAINTENANCE MATERIAL	MATERIAL FOR WORK ORDER BULBS
ADMIN SVCS/FAC MGMT	GRAINGER	IL	60245-5202	\$ 175.47	3/25/2021	65050 BUILDING MAINTENANCE MATERIAL	MATERIAL FOR BELT FOR COOLING TOWER
ADMIN SVCS/FAC MGMT	PURE ELECTRIC	IL	60645	\$ 12.96	3/25/2021	65050 BUILDING MAINTENANCE MATERIAL	MATERIAL FOR 911 MOTOR REPAIR
ADMIN SVCS/FAC MGMT	METAL SUPERMARKETS	ON	L5T2H7	\$ 702.52	3/25/2021	65050 BUILDING MAINTENANCE MATERIAL	METAL FOR 3 CUSTOM CARTS
ADMIN SVCS/HUMAN RES	USPS P01626220204	IL	60201	\$ 7.60	2/26/2021	62315 POSTAGE	SSA INQUIRY
ADMIN SVCS/HUMAN RES	EQF TALX CORPORATION	MO	63146	\$ 49.95	3/4/2021	62160 EMPLOYMENT TESTING SERVICES	EMPLOYMENT VERIFICATION
ADMIN SVCS/HUMAN RES	EQF TALX CORPORATION	MO	63146	\$ 49.95	3/9/2021	62160 EMPLOYMENT TESTING SERVICES	EMPLOYMENT VERIFICATION
ADMIN SVCS/HUMAN RES	TYLER TECH CONNECT21	OH	45406	\$ 595.00	3/17/2021	62295 TRAINING & TRAVEL	TYLER CONNECT CONFERENCE FEES JLIN AND MSUMAR
ADMIN SVCS/HUMAN RES	TYLER TECH CONNECT21	OH	45406	\$ 595.00	3/17/2021	62295 TRAINING & TRAVEL	TYLER CONNECT CONFERENCE FEES JLIN AND MSUMAR
ADMIN SVCS/INFO SYS	WORKABLE.COM	MA	02110	\$ 2,156.14	2/26/2021	65555 PERSONAL COMPUTER EQ	IT RELATED EXPENSE
ADMIN SVCS/INFO SYS	KNACK.COM	NJ	08833	\$ 79.00	3/1/2021	65555 PERSONAL COMPUTER EQ	IT RELATED EXPENSE
ADMIN SVCS/INFO SYS	ARIN	VA	20151	\$ 150.00	3/1/2021	62341 INTERNET SOLUTION PROVIDERS	AS # RENEWAL
ADMIN SVCS/INFO SYS	CALENDLY	GA	30363	\$ 135.95	3/1/2021	62340 IS SUPPORT FEES	CALENDLY SOFTWARE ANNUAL SUBSCRIPTION COMMUNITY DEVELOPMENT REMOTE
ADMIN SVCS/INFO SYS	SCREENCONNECT SOFTWARE	FL	33634	\$ 54.00	3/1/2021	62340 IS SUPPORT FEES	PERMIT APPOINTMENT SOLUTION
ADMIN SVCS/INFO SYS	COMCAST CHICAGO	IL	60173	\$ 113.35	3/1/2021	62341 INTERNET SOLUTION PROVIDERS	SCREENCONNECT MONTHLY REMOTE SUPPORT SOFTWARE
							HOWARD STREET THEATER INTERNET CONNECTION

BMO Credit Card Statement for the Period ending March 26, 2021

REPORTS TO INTERMEDIATE	MERCHANT NAME	MERCHANT STATE	MERCHANT ZIP CODE	TRANSACTION AMOUNT	POSTING DATE	COST ALLOCATION - EXPENSE OBJECT	EXPENSE DESCRIPTION
ADMIN SVCS/INFO SYS	HELLO HELLOSIGN	CA	94158	\$ 100.00	3/1/2021	65555 PERSONAL COMPUTER EQ	IT RELATED EXPENSE
ADMIN SVCS/INFO SYS	FOXIT SOFTWARE	CA	94538	\$ 2,693.95	3/1/2021	62340 IS SUPPORT FEES	15 COPIES FOXIT PDF SOFTWARE LICENSES (PHYSICALS) 1 CHARGED TO 41868
ADMIN SVCS/INFO SYS	FOXIT SOFTWARE	CA	94538	\$ 179.00	3/1/2021	62236 SOFTWARE MAINTENANCE	15 COPIES FOXIT PDF SOFTWARE LICENSES (PHYSICALS) 1 CHARGED TO 41868
ADMIN SVCS/INFO SYS	ADOBE 800-833-6687	CA	95110	\$ 15.93	3/1/2021	65555 PERSONAL COMPUTER EQ	IT RELATED EXPENSE
ADMIN SVCS/INFO SYS	LIBERATED SYNDICATION	PA	15213	\$ 15.00	3/2/2021	65555 PERSONAL COMPUTER EQ	IT RELATED EXPENSE
ADMIN SVCS/INFO SYS	MSFT E0400DJGT	WA	98052	\$ 125.00	3/2/2021	62341 INTERNET SOLUTION PROVIDERS	AZURE SUPPORT
ADMIN SVCS/INFO SYS	LUICDHART.COM/CHARGE	UT	84095	\$ 9.95	3/3/2021	65555 PERSONAL COMPUTER EQ	IT RELATED EXPENSE
ADMIN SVCS/INFO SYS	MSFT E0400DK2C4	WA	98052	\$ 821.08	3/3/2021	62341 INTERNET SOLUTION PROVIDERS	AZURE VPC SERVICE
ADMIN SVCS/INFO SYS	DEDOOSE	CA	90266	\$ 179.40	3/4/2021	65555 PERSONAL COMPUTER EQ	IT RELATED EXPENSE
ADMIN SVCS/INFO SYS	ZOOM.US 888-799-9666	CA	95113	\$ 12.26	3/4/2021	65555 PERSONAL COMPUTER EQ	IT RELATED EXPENSE
ADMIN SVCS/INFO SYS	MINUTE TECHNOLOGIES/DIRECT	IL	60089	\$ (1,291.90)	3/5/2021	65615 INFRASTRUCTURE SUPPLIS	RMA REFUND FOR CISCO WIRELESS ACCESS POINTS
ADMIN SVCS/INFO SYS	DELL DELL HIGHER EDUC	TX	78682	\$ 1,360.11	3/5/2021	65555 PERSONAL COMPUTER EQ	41450 EDGAR CANO FOR PUBLIC SERVICES COORDINATOR, EMILY OKALLAU
ADMIN SVCS/INFO SYS	APPLE.COM/US	CA	95014	\$ 199.00	3/5/2021	62490 OTHER PROGRAM COSTS	41138 MACBOOK APPLE CARE SUPPORT
ADMIN SVCS/INFO SYS	APPLE.COM/US	CA	95014	\$ 299.99	3/5/2021	62490 OTHER PROGRAM COSTS	41138 MACBOOK APPLE FINAL CUT PRO SOFTWARE
ADMIN SVCS/INFO SYS	APPLE.COM/US	CA	95014	\$ 199.99	3/5/2021	62490 OTHER PROGRAM COSTS	APPLE LOGIC PRO SOFTWARE SEAN OWENS 41138
ADMIN SVCS/INFO SYS	ZOOM.US 888-799-9666	CA	95113	\$ 75.00	3/5/2021	65555 PERSONAL COMPUTER EQ	IT RELATED EXPENSE
ADMIN SVCS/INFO SYS	APPLE.COM/US	CA	95014	\$ 1,579.00	3/5/2021	62490 OTHER PROGRAM COSTS	SEAN OWENS 41138 APPLE MACBOOK LAPTOP
ADMIN SVCS/INFO SYS	JEFA TECH INC	MD	20636	\$ 244.42	3/11/2021	65615 INFRASTRUCTURE SUPPLIS	WIRELESS ANTENNAS - WATER DIVISION SEWER INSPECTION TRUCK
ADMIN SVCS/INFO SYS	QUICKBOOKS/TIME	ID	83616	\$ 110.00	3/11/2021	65555 PERSONAL COMPUTER EQ	IT RELATED EXPENSE
ADMIN SVCS/INFO SYS	B&H PHOTO 800-606-6969	NY	10001	\$ 237.29	3/12/2021	62250 COMPUTER EQUIPMENT MAINT	INK FOR GIS PLOTTER PARTIAL SHIPMENT
ADMIN SVCS/INFO SYS	DELL DELL HIGHER EDUC	TX	78682	\$ 1,360.11	3/12/2021	65555 PERSONAL COMPUTER EQ	41450 DELL LAPTOP FOR EMILY OKALLAU
ADMIN SVCS/INFO SYS	DNH GODADDY.COM	AZ	85260	\$ 20.17	3/12/2021	62341 INTERNET SOLUTION PROVIDERS	DOMAIN RENEWAL - LIVEEVANSTON.NET
ADMIN SVCS/INFO SYS	ZENDESK, INC.	CA	94103	\$ 500.00	3/12/2021	65555 PERSONAL COMPUTER EQ	IT RELATED EXPENSE
ADMIN SVCS/INFO SYS	B&H PHOTO 800-606-6969	NY	10001	\$ 237.29	3/15/2021	62250 COMPUTER EQUIPMENT MAINT	INK FOR GIS PLOTTER PARTIAL SHIPMENT
ADMIN SVCS/INFO SYS	AT&T BILL PAYMENT	TX	75202	\$ 276.27	3/15/2021	64505 TELECOMMUNICATIONS	4G UPLINKS - FOUNTAIN SQUARE BLUE LIGHT EMERGENCY PHONE KIOSKS
ADMIN SVCS/INFO SYS	SP MASKSDOTCOM	TX	78645	\$ 1,000.00	3/15/2021	65555 PERSONAL COMPUTER EQ	IT RELATED EXPENSE
ADMIN SVCS/INFO SYS	DNH GODADDY.COM	AZ	85260	\$ 18.17	3/15/2021	62341 INTERNET SOLUTION PROVIDERS	DOMAIN RENEWAL - TOWNOFEVANSTON.ORG
ADMIN SVCS/INFO SYS	ZENDESK, INC.	CA	94103	\$ 5,310.00	3/15/2021	65555 PERSONAL COMPUTER EQ	IT RELATED EXPENSE
ADMIN SVCS/INFO SYS	HELLO HELLOSIGN	CA	94158	\$ 480.00	3/15/2021	65555 PERSONAL COMPUTER EQ	IT RELATED EXPENSE
ADMIN SVCS/INFO SYS	DELL DELL HIGHER EDUC	TX	78682	\$ 88.79	3/16/2021	62250 COMPUTER EQUIPMENT MAINT	41907 DELL BATTERY KAREN HAWK
ADMIN SVCS/INFO SYS	DELL	TX	78735	\$ 800.00	3/16/2021	65555 PERSONAL COMPUTER EQ	IT RELATED EXPENSE
ADMIN SVCS/INFO SYS	DROPBOX CN5QY7QZW78T	CA	94107	\$ 19.99	3/16/2021	65555 PERSONAL COMPUTER EQ	IT RELATED EXPENSE
ADMIN SVCS/INFO SYS	DELL DELL HIGHER EDUC	TX	78682	\$ 1,360.11	3/17/2021	65555 PERSONAL COMPUTER EQ	41513 LAPTOP FOR MITZI GIBBS
ADMIN SVCS/INFO SYS	ZOOM.US 888-799-9666	CA	95113	\$ 140.00	3/17/2021	65555 PERSONAL COMPUTER EQ	IT RELATED EXPENSE
ADMIN SVCS/INFO SYS	A1 SECURITY CAMERAS LL	TX	75001	\$ 659.39	3/18/2021	65618 SECURITY CAMERA SUPPLIES	EPD FRONT DOOR SECURITY CAMERA REPLACEMENT
ADMIN SVCS/INFO SYS	CITRIX SYSTEMS, INC.	FL	33309	\$ 11.00	3/19/2021	65555 PERSONAL COMPUTER EQ	IT RELATED EXPENSE
ADMIN SVCS/INFO SYS	ASANA.COM	CA	94103	\$ 1,349.00	3/19/2021	65555 PERSONAL COMPUTER EQ	IT RELATED EXPENSE
ADMIN SVCS/INFO SYS	ZOOM.US 888-799-9666	CA	95113	\$ 820.10	3/19/2021	65555 PERSONAL COMPUTER EQ	IT RELATED EXPENSE
ADMIN SVCS/INFO SYS	SABORPOBLANO.COM	IL	60626	\$ 41.60	3/22/2021	62295 TRAINING & TRAVEL	PURCHASE MADE IN ERROR WITH CITY CC; REIMBURSED CITY 04/16/2021 VIA ORBIPAY. RECEIPT ATTACHED.
ADMIN SVCS/INFO SYS	GOOGLE GOOGLG STORAGE	CA	94043	\$ 1.99	3/22/2021	65555 PERSONAL COMPUTER EQ	IT RELATED EXPENSE
ADMIN SVCS/INFO SYS	VIRTRU CORPORATION	DC	20036	\$ 4,735.50	3/23/2021	62340 IS SUPPORT FEES	VIRTRU EMAIL ENCRYPTION LICENSE RENEWAL
ADMIN SVCS/INFO SYS	HELLO HELLOFAX	CA	94158	\$ 134.80	3/23/2021	65555 PERSONAL COMPUTER EQ	IT RELATED EXPENSE
ADMIN SVCS/PARKING	LEVELUPPOTBELLY75299	MA	02114	\$ (12.39)	2/26/2021	65020 CLOTHING	POTBELLY TAX REFUND
ADMIN SVCS/PARKING	THE HOME DEPOT #1902	IL	602020000	\$ 35.85	3/3/2021	65085 MINOR EQUIP & TOOLS	SHOP SUPPLIES.
ADMIN SVCS/PARKING	LEMOI ACE HARDWARE	IL	60201	\$ 8.62	3/4/2021	62225 BLDG MAINT SVCS	KEYS
ADMIN SVCS/PARKING	FASTSIGNS 100601 LINCO	IL	60712	\$ 304.50	3/4/2021	65125 OTHER COMMODITIES	VACCINATION POD SIGNS.
ADMIN SVCS/PARKING	THE HOME DEPOT 1902	IL	60202	\$ 99.96	3/10/2021	65090 SAFETY EQUIPMENT	RADIOS TO HELP DIRECT TRAFFIC ON EVENT DAYS.
ADMIN SVCS/PARKING	IN PRO WASTE INC.	IL	60163-1357	\$ 350.00	3/11/2021	65125 OTHER COMMODITIES	PORTABLE REST ROOM SHERMAN GARAGE, FOR HOMELESS.
ADMIN SVCS/PARKING	LEMOI ACE HARDWARE	IL	60201	\$ 22.02	3/12/2021	65085 MINOR EQUIP & TOOLS	SIGNS SCREWS.
ADMIN SVCS/PARKING	THE HOME DEPOT #1902	IL	602020000	\$ 23.97	3/19/2021	65085 MINOR EQUIP & TOOLS	GRINDER WHEELS FOR CUTTING METAL.
CITY MGR OFFICE	THE UPS STORE 0511	IL	60201	\$ 46.40	3/10/2021	62315 POSTAGE	MAILED PLAT TO COOK COOK RECORDER OF DEEDS & RETURNED LEGAL BOOK BACK TO DISTRIBUTOR WITH TRACKING
CITY MGR OFFICE	ZOOM.US 888-799-9666	CA	95113	\$ 239.90	3/10/2021	62509 SERVICE AGREEMENTS/CONTRACTS	MONTHLY ZOOM LARGE MEETING/WEBINAR SUBSCRIPTION
CITY MGR OFFICE	APPLIED RESEARCH CENTE	NY	10004	\$ 256.98	3/16/2021	62295 TRAINING & TRAVEL	GARE VIRTUAL CONFERENCE FOR K.RICHARDSON AND S. HOHENKIRK
CMO/COM ENGAGEMENT	CANVA 03001-13571218	DE	19934	\$ 60.00	3/22/2021	62490 OTHER PROGRAM COSTS	USER LICENSES FOR DESIGN PROGRAM USED TO CREATE PARKS & REC AND CMO FLYERS AND PROMO MATERIALS.
CMO/COM ENGAGEMENT	CANVA 03001-13571218	DE	19934	\$ 180.00	3/22/2021	62205 ADVERTISING	PRINT COST FOR SPANISH/ENGLISH FLYERS REGARDING COVID-19 VACCINATIONS.
CMO/COM ENGAGEMENT	MINUTEMAN PRESS	IL	60201	\$ 599.06	3/22/2021	62478 COVID-19 MASS VACCINATION GRANT	
CMO/FINANCE	TRIBUNE PUBLISHING COM	TX	75067	\$ 20.02	2/26/2021	65515 OTHER IMPROVEMENTS	AD NOTICE RFP 21-02 SCADA SYSTEM UPGRADE
CMO/FINANCE	SAMS MEMBERSHIP	AR	72713	\$ 125.00	3/11/2021	62360 MEMBERSHIP DUES	AUTO RENEWED SAMS CLUB MEMBERSHIP PRIMARY ADMIN T. NUNEZ, J. DORSEY, K. PALMER)
CMO/FINANCE	SAMS MEMBERSHIP	AR	72713	\$ 40.00	3/11/2021	62360 MEMBERSHIP DUES	AUTO RENEWED SAMS CLUB MEMBERSHIP PRIMARY ADMIN T. NUNEZ, J. DORSEY, K. PALMER)
CMO/FINANCE	SAMS MEMBERSHIP	AR	72713	\$ 40.00	3/11/2021	62360 MEMBERSHIP DUES	AUTO RENEWED SAMS CLUB MEMBERSHIP PRIMARY ADMIN T. NUNEZ, J. DORSEY, K. PALMER)
CMO/FINANCE	TRIBUNE PUBLISHING COM	TX	75067	\$ 16.59	3/2/2021	62385 TREE SERVICES	AD NOTICE BID 21-11 CITYWIDE TREE REMOVAL
CMO/FINANCE	SAMSLUB #6444	IL	60202	\$ (40.00)	3/12/2021	62360 MEMBERSHIP DUES	CREDIT AUTO RENEWED MEMBERSHIP
CMO/FINANCE	SAMSLUB #6444	IL	60202	\$ (40.00)	3/12/2021	62360 MEMBERSHIP DUES	CREDIT AUTO RENEWED MEMBERSHIP
CMO/FINANCE	SAMSLUB #6444	IL	60202	\$ (40.00)	3/12/2021	62360 MEMBERSHIP DUES	CREDIT AUTO RENEWED MEMBERSHIP
CMO/FINANCE	TRIBUNE PUBLISHING COM	TX	75067	\$ 18.31	3/15/2021	62205 ADVERTISING	AD NOTICE BID 21-08 WATER MAIN PROJECT 421002 - 2021 WATER MAIN STREET RESURFACING
CMO/FINANCE	ILLINOIS GOVERNMENT FI	IL	60137	\$ 15.00	3/17/2021	62295 TRAINING & TRAVEL	IGOFA WEBINAR REGISTRATION ISSUING BONDS UTILIZING TAX INCREMENT - FINANCE
CMO/FINANCE	TRIBUNE PUBLISHING COM	TX	75067	\$ 2,050.62	3/22/2021	62205 ADVERTISING	AD NOTICE BID 21-12 MFT RESURFACING PROJECT # 421001 - 2021 MFT STREET RESURFACING
COMM ECON DEV	CHICAGO SUN-TIMES ADV	IL	60654	\$ 816.00	3/1/2021	62205 ADVERTISING	CHICAGO TRIBUNE AD FOR PLAN COMMISSION MEETING HELD ON 02-10-2021

BMO Credit Card Statement for the Period ending March 26, 2021

REPORTS TO INTERMEDIATE	MERCHANT NAME	MERCHANT STATE	MERCHANT ZIP CODE	TRANSACTION AMOUNT	POSTING DATE	COST ALLOCATION - EXPENSE OBJECT	EXPENSE DESCRIPTION
COMM ECON DEV	TRIBUNE PUBLISHING COM	TX	75067	\$ 56.88	3/1/2021	62205 ADVERTISING	CHICAGO TRIBUNE AD FOR PLAN COMMISSION MEETING AND ZBA HELD ON 03-24-2021
COMM ECON DEV	CRAIN'S CHIC SUBSCRIP	MI	48207	\$ 169.00	3/3/2021	65010 BOOKS, PUBLICATIONS, MAPS	DEPARTMENT SUBSCRIPTION TO CRAIN'S CHICAGO BUSINESS
COMM ECON DEV	STRIKINGLY	CA	94002	\$ 263.05	3/8/2021	62490 OTHER PROGRAM COSTS	ANNUAL WEBSITE HOSTING / "PRO YEARLY" FOR MAINTAINING CITY'S MICRO WEBSITES
COMM ECON DEV	EB LAI ELY MARCH 2021	CA	94103	\$ 17.55	3/9/2021	62295 TRAINING & TRAVEL	NETWORKING MEETING / WEBINAR - CITY INNOVATIONS PROACTIVE STRATEGIES
COMM ECON DEV	HOUSING ACTION ILLINOI	IL	60603	\$ 300.00	3/11/2021	62490 OTHER PROGRAM COSTS	COMMUNITIES HAVE USED TO RETAIN COE MEMBERSHIP TO HOUSING ACTION ILLINOIS
COMM ECON DEV	EB 2021 IACE ANNUAL M	CA	94103	\$ 176.24	3/11/2021	62360 MEMBERSHIP DUES	2021 IACE MEMBERSHIP FOR PROPERTY STANDARDS INSPECTORS - SCHNUR, SNIDER, ROSADO AND SEIDNER
COMM ECON DEV	PAYPAL CHICAGOAREA	CA	95131	\$ 200.00	3/11/2021	62490 OTHER PROGRAM COSTS	COE MEMBERSHIP TO CHICAGO AREA FAIR HOUSING ALLIANCE
COMM ECON DEV	EB APRIL IACE TRAININ	CA	94103	\$ 175.50	3/12/2021	62295 TRAINING & TRAVEL	IACE TRAINING FOR PROPERTY STANDARDS INSPECTORS SCHNUR, ROSADO, SEIDNER AND SNIDER
COMM ECON DEV	AMERICAN PLANNING A	IL	60601	\$ 325.00	3/17/2021	62295 TRAINING & TRAVEL	NYDEN - APA CONFERENCE - M001 - NPC21 LIVE PLUS
COMM ECON DEV	AMERICAN PLANNING A	IL	60601	\$ 400.00	3/23/2021	62295 TRAINING & TRAVEL	GRIFFITH - APA CONFERENCE - M001 - NPC21 LIVE PLUS
COMM ECON DEV	TRIBUNE PUBLISHING COM	TX	75067	\$ 115.48	3/23/2021	62205 ADVERTISING	CHICAGO TRIBUNE AD FOR PLAN COMMISSION MEETING TO BE HELD ON 04-14-2021
COMM ECON DEV	GBLHEALTHCARERESOURCES	FL	33410	\$ 150.00	3/24/2021	62664 ENTREPRENEURSHIP SUPPORT	ANNUAL RENEWAL FOR TIFFANI HOLMES MEMBERSHIP TO GBL HEALTH CARE
COMM ECON DEV	EVANSTON CHAMBER OF CO	IL	60201	\$ 25.00	3/24/2021	62859 ECONOMIC DEVELOPMENT PARTNERSHIP	ANNUAL MAYOR'S STATE OF THE CITY EVENT
FIRE DEPARTMENT	HOMEDEPOT.COM	GA	303390000	\$ 18.13	2/26/2021	65040 JANITORIAL SUPPLIES	JANITORIAL SUPPLIES
FIRE DEPARTMENT	DUNKIN #306178 Q35	IL	60201	\$ 36.98	2/26/2021	65025 FOOD	VACCINE CLINIC
FIRE DEPARTMENT	DUNKIN #306178 Q35	IL	60201	\$ 49.97	3/1/2021	65025 FOOD	VACCINE CLINIC
FIRE DEPARTMENT	STATE CHEMIC STATE CHE	OH	44124	\$ 85.22	3/3/2021	65040 JANITORIAL SUPPLIES	JANITORIAL SUPPLIES
FIRE DEPARTMENT	IMAGE SPECIALTIES OF G	IL	60062	\$ 108.00	3/3/2021	65090 SAFETY EQUIPMENT	LOGISTICS. PASSPORT TAGS.
FIRE DEPARTMENT	DUNKIN #306178 Q35	IL	60201	\$ 36.98	3/3/2021	65025 FOOD	VACCINE CLINIC
FIRE DEPARTMENT	LEMOI ACE HARDWARE	IL	60201	\$ 9.58	3/3/2021	65095 OFFICE SUPPLIES	LOGISTICS. RECEPTACLE FOR 311R
FIRE DEPARTMENT	THE HOME DEPOT #1902	IL	60202	\$ (1.00)	3/4/2021	65090 SAFETY EQUIPMENT	LOGISTICS. TAX REFUND FOR ROPE PURCHASE
FIRE DEPARTMENT	THE HOME DEPOT #1902	IL	602020000	\$ 10.75	3/4/2021	65090 SAFETY EQUIPMENT	LOGISTICS. HALYARD ROPE.
FIRE DEPARTMENT	DUNKIN #306178 Q35	IL	60201	\$ 36.98	3/8/2021	65025 FOOD	VACCINE CLINIC
FIRE DEPARTMENT	AMERICAN HEART SHOPCPR	TX	75231	\$ 119.10	3/8/2021	62295 TRAINING & TRAVEL	MATERIALS FOR CPR CLASS. ORDER # 000831314
FIRE DEPARTMENT	DUNKIN #306178 Q35	IL	60201	\$ 36.98	3/10/2021	65025 FOOD	DONUTS AND COFFEE FOR VOLUNTEERS AT VACCINE CLINIC ON 3/9/21. CHECK # 9965
FIRE DEPARTMENT	DUNKIN #306178 Q35	IL	60201	\$ 36.98	3/12/2021	65025 FOOD	DONUTS AND COFFEE FOR VOLUNTEERS AT VACCINE CLINIC ON 3/11/21. CHECK # 518.
FIRE DEPARTMENT	CONTAINERSTORENORTHBRO	IL	60062	\$ 245.04	3/15/2021	65095 OFFICE SUPPLIES	STORAGE CONTAINERS FOR FIRE HQ STORAGE CLOSET. AUTH # 078924
FIRE DEPARTMENT	DUNKIN #306178 Q35	IL	60201	\$ 36.98	3/15/2021	65025 FOOD	DONUTS AND COFFEE FOR VOLUNTEERS AT VACCINE CLINIC ON 3/12/21. CHECK # 773.
FIRE DEPARTMENT	DUNKIN #306178 Q35	IL	60201	\$ 36.98	3/17/2021	65025 FOOD	DONUTS AND COFFEE FOR VOLUNTEERS AT VACCINE CLINIC ON 3/16/21. CHECK # 1757
FIRE DEPARTMENT	DUNKIN #306178 Q35	IL	60201	\$ 36.98	3/19/2021	65025 FOOD	DONUTS AND COFFEE FOR VOLUNTEERS AT VACCINE CLINIC ON 3/18/21. CHECK # 2222
FIRE DEPARTMENT	DUNKIN #306178 Q35	IL	60201	\$ 36.98	3/22/2021	65025 FOOD	DONUTS AND COFFEE FOR VOLUNTEERS AT VACCINE CLINIC ON 3/19/21. CHECK # 2467
FIRE DEPARTMENT	THE HOME DEPOT #1902	IL	602020000	\$ 23.79	3/22/2021	65085 MINOR EQUIP & TOOLS	LOGISTICS. SAW BLADES FOR E21.
FIRE DEPARTMENT	THE HOME DEPOT #1902	IL	602020000	\$ 147.13	3/22/2021	65090 SAFETY EQUIPMENT	TRAINING EQUIPMENT. HAZMAT TRAINING SUPPLIES.
FIRE DEPARTMENT	THE HOME DEPOT #1902	IL	602020000	\$ 57.26	3/22/2021	65095 OFFICE SUPPLIES	BAGGIES FOR CERT MATERIALS. AUTH CODE 001444/5064795
FIRE DEPARTMENT	OFFICE DEPOT #510	IL	60201	\$ 27.99	3/24/2021	65095 OFFICE SUPPLIES	TRAINING EQUIPMENT FOR CLASSROOM AV.
FIRE DEPARTMENT	PAYPAL ILLINOISFIR	CA	95131	\$ 750.00	3/24/2021	62295 TRAINING & TRAVEL	TRAINING COURSE FEES.
HEALTH/HUMAN SVCS	POTBELLY #5	IL	60201	\$ 145.26	2/26/2021	62490 OTHER PROGRAM COSTS	FOOD FOR YOUTH PARTICIPATING IN SPILL AND PAINT VIOLENCE REDUCTION ACTIVITY
HEALTH/HUMAN SVCS	WALGREENS #2619	IL	60201	\$ 15.47	2/28/2021	65095 OFFICE SUPPLIES	TAPE TO CREATE SOCIAL DISTANCING FOR JOB FAIR
HEALTH/HUMAN SVCS	JEVEL OSCO 3428	IL	60202	\$ 23.50	2/26/2021	62490 OTHER PROGRAM COSTS	VIRTUAL BIRTHDAY PARTY - CAKE DROP OFF - REIMBURSED BY ECF GRANT
HEALTH/HUMAN SVCS	JIMMY JOHNS - 0562	IL	60202	\$ 181.49	3/1/2021	65025 FOOD	COVID CLINIC
HEALTH/HUMAN SVCS	USPS PO 1626220204	IL	60201	\$ 293.80	3/2/2021	62315 POSTAGE	POSTAGE FOR ACTIVITIES PACKETS FOR SENIORS SHELTERING IN PLACE - REIMBURSED BY ECF GRANT
HEALTH/HUMAN SVCS	OFFICE DEPOT #510	IL	60201	\$ 674.07	3/4/2021	65095 OFFICE SUPPLIES	SUPPLIES PURCHASED FOR OFFICE AND MSYEP (MOST RETURNED AS PURCHASED IN ERROR)- SEE CREDIT RECEIPT
HEALTH/HUMAN SVCS	TJMAXX #0440	IL	60076	\$ 46.97	3/5/2021	62490 OTHER PROGRAM COSTS	ATTIRE FOR YOUR INTERVIEWING FOR A JOB
HEALTH/HUMAN SVCS	OFFICE DEPOT #510	IL	60201	\$ (464.11)	3/8/2021	65095 OFFICE SUPPLIES	RETURN OF ITEMS BOUGHT IN ERROR - CREDIT
HEALTH/HUMAN SVCS	VENNGAGE.COM	ON	M6R2B7	\$ 19.00	3/8/2021	62490 OTHER PROGRAM COSTS	MONTHLY SUBSCRIPTION FOR CREATION OF DOCUMENTS FOR PROMOTION OF PROGRAMS AND SERVICES.
HEALTH/HUMAN SVCS	PARTY CITY 15	IL	60714	\$ 62.46	3/9/2021	62490 OTHER PROGRAM COSTS	MSYEP JOB FAIR
HEALTH/HUMAN SVCS	JIMMY JOHNS - 1727 - E	IL	60076	\$ 219.97	3/10/2021	65025 FOOD	COVID CLINIC FOOD
HEALTH/HUMAN SVCS	POLPRESS INC	IL	60630	\$ 750.00	3/12/2021	62490 OTHER PROGRAM COSTS	PRINTING OF POSTERS AND SIGNS FOR MSYEP JOB FAIR (POLPRESS IS THE COPYING SIDE OF H&H PRINTING)
HEALTH/HUMAN SVCS	PARTY CITY 15	IL	60714	\$ 19.47	3/12/2021	62490 OTHER PROGRAM COSTS	MSYEP JOB FAIR
HEALTH/HUMAN SVCS	MCDONALDS F1715	IL	60016	\$ 23.43	3/15/2021	62490 OTHER PROGRAM COSTS	FOOD FOR FAMILY PLACED IN ISOLATION OUTSIDE OF EVANSTON
HEALTH/HUMAN SVCS	WALGREENS #4611	IL	60025	\$ 23.49	3/15/2021	62490 OTHER PROGRAM COSTS	PAPERS AND WIPES PURCHASED FOR FAMILY PLACED IN EMERGENCY ISOLATION.
HEALTH/HUMAN SVCS	DENGEOS SKOKIE	IL	60076	\$ 39.61	3/15/2021	62490 OTHER PROGRAM COSTS	DINNER FOR FAMILY IN ISOLATION
HEALTH/HUMAN SVCS	PORTILLOS HOT DOGS #28	IL	60077	\$ 71.08	3/15/2021	62490 OTHER PROGRAM COSTS	DINNER FOR FAMILY IN ISOLATION
HEALTH/HUMAN SVCS	POTBELLY #5	IL	60201	\$ 104.37	3/15/2021	65025 FOOD	COVID VACCINE CLINIC
HEALTH/HUMAN SVCS	DOLLARTREE	IL	60202	\$ 65.00	3/15/2021	62490 OTHER PROGRAM COSTS	GIFTS FOR VIRTUAL BINGO GAME - ISOLATED OLDER ADULTS
HEALTH/HUMAN SVCS	WM SUPERCENTER #3725	IL	60714	\$ 81.42	3/15/2021	62490 OTHER PROGRAM COSTS	FOOD FOR FAMILY PLACED IN ISOLATION
HEALTH/HUMAN SVCS	FIVE WISHES	FL	32301	\$ 116.50	3/16/2021	62490 OTHER PROGRAM COSTS	ADVANCED DIRECTIVES WORKBOOK FOR PRESENTATION TO OLDER ADULTS
HEALTH/HUMAN SVCS	RENAISSANCE GLENVIEW H	IL	60023	\$ 637.32	3/16/2021	62490 OTHER PROGRAM COSTS	HOTEL FOR RESIDENT IN ISOLATION
HEALTH/HUMAN SVCS	WM SUPERCENTER #1998	IL	60076	\$ 145.51	3/16/2021	62490 OTHER PROGRAM COSTS	CLOTHES AND OTHER SUPPLIES FOR CLIENT IN ISOLATION
HEALTH/HUMAN SVCS	PORTILLOS HOT DOGS #28	IL	60077	\$ 57.75	3/16/2021	62490 OTHER PROGRAM COSTS	DINNER FOR FAMILY IN ISOLATION
HEALTH/HUMAN SVCS	POLPRESS INC	IL	60630	\$ 500.00	3/16/2021	62490 OTHER PROGRAM COSTS	PRINTING OF POSTERS FOR MSYEP JOB FAIR (POLPRESS IS THE COPYING SIDE OF H&H PRINTING)

BMO Credit Card Statement for the Period ending March 26, 2021

REPORTS TO INTERMEDIATE	MERCHANT NAME	MERCHANT STATE	MERCHANT ZIP CODE	TRANSACTION AMOUNT	POSTING DATE	COST ALLOCATION - EXPENSE OBJECT	EXPENSE DESCRIPTION
HEALTH/HUMAN SVCS	WM SUPERCENTER #3725	IL	60714	\$ 100.06	3/16/2021	62490 OTHER PROGRAM COSTS	DINNER FOR FAMILY PLACED IN ISOLATION
HEALTH/HUMAN SVCS	JIMMY JOHNS - 1727 - M	IL	60076	\$ 79.48	3/17/2021	65025 FOOD	COVID VACCINE CLINIC
HEALTH/HUMAN SVCS	CVS/PHARMACY #03901	IL	60201	\$ 75.95	3/17/2021	62490 OTHER PROGRAM COSTS	GIFT CARD FOR 2 CLIENTS COMPLETING RESTORATIVE PRACTICE PROGRAM
HEALTH/HUMAN SVCS	DD/BR #338026 Q35	IL	60202	\$ 71.97	3/17/2021	62490 OTHER PROGRAM COSTS	MSYEP JOB FAIR
HEALTH/HUMAN SVCS	WHITEPAGES	WA	98121	\$ 119.99	3/17/2021	62646 IL HIV SURVEILLANCE	COMMUNICABLE DISEASE INVESTIGATION/RESEARCH
HEALTH/HUMAN SVCS	CANVA 02997-23005727	DE	19934	\$ 12.95	3/18/2021	62490 OTHER PROGRAM COSTS	MONTHLY SUBSCRIPTION FOR CREATION OF DOCUMENTS FOR PROMOTION OF PROGRAMS AND SERVICES.
HEALTH/HUMAN SVCS	DENGEOS SKOKIE	IL	60076	\$ 60.03	3/18/2021	62490 OTHER PROGRAM COSTS	FOOD FOR FAMILY PLACED IN ISOLATION OUTSIDE OF EVANSTON
HEALTH/HUMAN SVCS	OFFICE DEPOT #510	IL	60201	\$ 55.39	3/19/2021	62490 OTHER PROGRAM COSTS	SUPPLIES FOR MSYEP JOB FAIR - ADHESIVE FOR HANGING SIGNS
HEALTH/HUMAN SVCS	WALGREENS #2619	IL	60201	\$ 45.95	3/19/2021	62490 OTHER PROGRAM COSTS	GIFT CARD PURCHASED FOR YOUTH AND FAMILY ADVOCATE TO TAKE YOUTH TO DINNER AFTER PLAN COMPLETION.
HEALTH/HUMAN SVCS	DOLLARTREE	IL	60202	\$ 16.00	3/19/2021	62490 OTHER PROGRAM COSTS	DOLLARTREE SUPPLIES FOR MSYEP JOB FAIR
HEALTH/HUMAN SVCS	VALLI PRODUCE	IL	60202	\$ 1,167.22	3/19/2021	62490 OTHER PROGRAM COSTS	PANTRY SUPPLIES
HEALTH/HUMAN SVCS	VALLI PRODUCE	IL	60202	\$ 1,167.22	3/19/2021	62490 OTHER PROGRAM COSTS	PANTRY SUPPLIES, ORDER SPLIT IN TWO TO FACILITATE PURCHASE.
HEALTH/HUMAN SVCS	VALLI PRODUCE	IL	60202	\$ 97.07	3/19/2021	65025 FOOD	FOOD FOR FAMILY PLACED IN QUARANTINE BY HHS
HEALTH/HUMAN SVCS	RENAISSANCE GLENVIEW H	IL	60025	\$ 424.88	3/22/2021	62490 OTHER PROGRAM COSTS	HOTEL FOR RESIDENT IN ISOLATION
HEALTH/HUMAN SVCS	OFFICE DEPOT #510	IL	60201	\$ 314.28	3/22/2021	62490 OTHER PROGRAM COSTS	HOLDERS FOR TABLE SIGNS FOR MSYEP
HEALTH/HUMAN SVCS	OFFICE DEPOT #510	IL	60201	\$ 59.86	3/22/2021	62490 OTHER PROGRAM COSTS	SUPPLIES FOR MSYEP JOB FAIR
HEALTH/HUMAN SVCS	OFFICE DEPOT #510	IL	60201	\$ 20.46	3/22/2021	65095 OFFICE SUPPLIES	TAPE FOR SIGNS FOR MSYEP JOB FAIR
HEALTH/HUMAN SVCS	POTBELLY #5	IL	60201	\$ 83.12	3/22/2021	65025 FOOD	VACCINE CLINIC
HEALTH/HUMAN SVCS	POTBELLY #5	IL	60201	\$ 856.00	3/22/2021	62490 OTHER PROGRAM COSTS	MSYEP LUNCH
HEALTH/HUMAN SVCS	DOLLARTREE	IL	60202	\$ 29.00	3/22/2021	62490 OTHER PROGRAM COSTS	TABLE DECOR FOR MSYEP JOB FAIR
HEALTH/HUMAN SVCS	GFS STORE #1915	IL	60202	\$ 29.99	3/22/2021	62490 OTHER PROGRAM COSTS	PAPER BAGS FOR SNACKS FOR MSYEP JOB FAIR PARTICIPANTS
HEALTH/HUMAN SVCS	PANINOS PIZZA - EVANST	IL	60202	\$ 121.75	3/22/2021	62490 OTHER PROGRAM COSTS	DINNER FOR VOLUNTEERS HELPING TO SET UP FOR MSYEP JOB FAIR
HEALTH/HUMAN SVCS	VALLI PRODUCE	IL	60202	\$ 32.93	3/22/2021	62490 OTHER PROGRAM COSTS	DRINKS AND FRUIT FOR VOLUNTEERS FOR MSYEP JOB FAIR
HEALTH/HUMAN SVCS	THE HOME DEPOT #1902	IL	602020000	\$ 44.19	3/22/2021	62490 OTHER PROGRAM COSTS	TAPE FOR SOCIALLY DISTANCING YOUTH ATTENDING THE MSYEP JOB FAIR
HEALTH/HUMAN SVCS	SAMSCLUB.COM	AR	72712	\$ 452.38	3/22/2021	62490 OTHER PROGRAM COSTS	SNACKS FOR YOUTH PARTICIPATING IN THE MSYEP JOB FAIR
HEALTH/HUMAN SVCS	POTBELLY #5	IL	60201	\$ 84.87	3/24/2021	65025 FOOD	VACCINE CLINIC STAFF LUNCH
HEALTH/HUMAN SVCS	WALGREENS #2619	IL	60201	\$ 55.95	3/24/2021	62490 OTHER PROGRAM COSTS	GIFT CARD FOR CLIENT MAKING PROGRESS IN COMPLETING COMMUNITY ENGAGEMENT PROGRAM FOR RESTORATIVE PROC
HEALTH/HUMAN SVCS	DD/BR #338026 Q35	IL	60202	\$ 36.98	3/24/2021	65025 FOOD	VACCINE CLINIC
HEALTH/HUMAN SVCS	RENAISSANCE GLENVIEW H	IL	60025	\$ 318.66	3/25/2021	62490 OTHER PROGRAM COSTS	HOTEL FOR RESIDENT IN ISOLATION
LEGAL DEPARTMENT	FEDEX 773034377090	TN	38116	\$ 40.05	3/25/2021	62345 POSTAGE	MAILING SHIPPED FOR NICHOLAS CUMMINGS
LEGAL DEPARTMENT	IILEFILE 012503512-0	TX	69602	\$ 96.00	3/10/2021	62345 COURT COST/LITIGATION	FILING FOR COURT
LEGAL DEPARTMENT	IILEFILE 012503512-0	TX	75024	\$ 2.77	3/10/2021	62345 COURT COST/LITIGATION	SERVICE FEE FOR COURT FILING
LEGAL DEPARTMENT	IILEFILE 012686750-0	IL	60602	\$ 211.00	3/25/2021	62345 COURT COST/LITIGATION	FLING FOR COURT
LEGAL DEPARTMENT	IILEFILE 012686750-0	TX	75024	\$ 6.10	3/25/2021	62345 COURT COST/LITIGATION	SERVICE FEE FOR COURT FILING
POLICE DEPARTMENT	GTR HOLDING COMPANY, I	NC	28105	\$ 100.00	2/26/2021	62295 TRAINING & TRAVEL	2021 CEO SYMPOSIUM - CHIEF
POLICE DEPARTMENT	IL TACTICAL OFFICERS A	IL	60491	\$ 430.00	2/26/2021	62295 TRAINING & TRAVEL	BALLISTIC SHIELD INSTRUCTOR CERTIFICATION COURSE PLUS REQUIRED ITOA MEMBERSHIP
POLICE DEPARTMENT	US FLEET TRACKING	OK	73013	\$ 149.80	3/2/2021	65122 NARCOTICS ENFORCEMENT EXPENSE	MARCH GPS SERVICE
POLICE DEPARTMENT	UBER TRIP	CA	94105	\$ 26.58	3/3/2021	62490 OTHER PROGRAM COSTS	UBER RIDE TO SHELTER
POLICE DEPARTMENT	GTR HOLDING COMPANY, I	NC	28105	\$ 100.00	3/8/2021	62295 TRAINING & TRAVEL	2021 CEO SYMPOSIUM - DEPUTY CHIEF
POLICE DEPARTMENT	EVANSTON CAR WASH	IL	60202	\$ 16.19	3/8/2021	68205 CONTINGENCIES	CAR WASH FOR CHIEF'S CAR
POLICE DEPARTMENT	UBER TRIP	CA	94105	\$ 10.89	3/8/2021	62490 OTHER PROGRAM COSTS	UBER RIDE TO HOME
POLICE DEPARTMENT	UBER TRIP	CA	94105	\$ 25.98	3/9/2021	62490 OTHER PROGRAM COSTS	UBER RIDE FOR DOMESTIC BATTERY VICTIM
POLICE DEPARTMENT	WILD FIRE HARLEY DAVID	IL	60181	\$ 275.00	3/10/2021	65120 POLICE DUI EXPENSE	NEW MOTORCYCLE RIDER COURSE FOR TRAFFIC OFFICER
POLICE DEPARTMENT	BROWNELLS INC	IA	50112	\$ 303.96	3/15/2021	65125 OTHER COMMODITIES	EPD RANGE SUPPLIES
POLICE DEPARTMENT	01 - LOU MALNATIS PIZZ	IL	60712	\$ 340.55	3/15/2021	68205 CONTINGENCIES	FOOD FOR NORTAF INVESTIGATORS
POLICE DEPARTMENT	MICHAELS STORES 3849	IL	60077	\$ 140.02	3/16/2021	62490 OTHER PROGRAM COSTS	PHOTO FRAME
POLICE DEPARTMENT	MICHAELS STORES 3849	IL	60077	\$ (140.02)	3/16/2021	62490 OTHER PROGRAM COSTS	REFUND (PHOTO FRAME)
POLICE DEPARTMENT	MICHAELS STORES 3849	IL	60077	\$ 127.00	3/16/2021	62490 OTHER PROGRAM COSTS	RETIRED CHIEF'S PHOTO
POLICE DEPARTMENT	PORTILLOS	NY	10004	\$ (35.68)	3/17/2021	68205 CONTINGENCIES	FOOD FOR NORTAF INVESTIGATORS
POLICE DEPARTMENT	PORTILLOS	NY	10004	\$ 326.76	3/17/2021	68205 CONTINGENCIES	FOOD FOR NORTAF INVESTIGATORS
POLICE DEPARTMENT	AUTHORIZED NIKON SER	IL	60053	\$ 150.00	3/18/2021	62490 OTHER PROGRAM COSTS	ET CAMERA REPAIR SERVICE
POLICE DEPARTMENT	LERMG	IN	46123	\$ 698.00	3/19/2021	62295 TRAINING & TRAVEL	DIGITAL FORENSIC IN-HOUSE CLASSES.
POLICE DEPARTMENT	MODERN OFFICE	MN	55344	\$ 788.00	3/19/2021	65620 OFFICE MACH	2 NEW 24/7 CHAIRS FOR THE COMMUNICATIONS CENTER
POLICE DEPARTMENT	DUNKIN #304563 Q35	IL	60077	\$ 41.98	3/22/2021	68205 CONTINGENCIES	FOOD FOR NORTAF INVESTIGATORS
POLICE DEPARTMENT	PET SUPPLIES PLUS	IL	60202	\$ 103.61	3/22/2021	62490 OTHER PROGRAM COSTS	K9 SUPPLIES
POLICE DEPARTMENT	IL TACTICAL OFFICERS A	IL	60491	\$ 430.00	3/22/2021	62295 TRAINING & TRAVEL	INSTRUCTOR CERTIFICATION COURSE FOR BALLISTIC SHIELD
POLICE DEPARTMENT	TST IZZY S ARCADE BAR	IL	60714	\$ 190.00	3/22/2021	68205 CONTINGENCIES	FOOD FOR NORTAF INVESTIGATORS
POLICE DEPARTMENT	TMOBILE LAW RELATION	NJ	07054	\$ 300.00	3/23/2021	62490 OTHER PROGRAM COSTS	CALL DATA ANALYSIS
POLICE DEPARTMENT	01 - LOU MALNATIS PIZZ	IL	60712	\$ 208.10	3/23/2021	68205 CONTINGENCIES	FOOD FOR NORTAF INVESTIGATORS
POLICE DEPARTMENT	TRAINING EVENT REGISTR	IL	62701	\$ 225.00	3/23/2021	62295 TRAINING & TRAVEL	CHILDREN'S ADVOCACY CENTER OF ILLINOIS TRAINING CONFERENCE FOR JUVENILE DETECTIVE
PRCS/ADMINISTRATION	MFASCO HEALTH & SAFETY	MI	48066	\$ 868.41	3/12/2021	65090 SAFETY EQUIPMENT	BAND AIDS FOR VACCINATION CLINICS
PRCS/ADMINISTRATION	JENNIFERS EDIBLES INC	IL	60201	\$ 77.00	3/4/2021	65025 FOOD	LUNCH EOC
PRCS/ADMINISTRATION	THE HOME DEPOT PRO	FL	322040000	\$ 447.30	3/9/2021	65050 BUILDING MAINTENANCE MATERIAL	VACUUM FOR NOYES
PRCS/ADMINISTRATION	SQ LA COCINATA RESTAU	IL	60201	\$ 154.00	3/11/2021	65025 FOOD	EOC LUNCH
PRCS/ADMINISTRATION	CITYPARKSALLIANCE	DC	20036	\$ 2,500.00	3/12/2021	62360 MEMBERSHIP DUES	CITY PARKS ALLIANCE MEMBERSHIP RENEWAL
PRCS/ADMINISTRATION	OFFICE DEPOT #510	IL	60201	\$ 31.99	3/12/2021	65095 OFFICE SUPPLIES	INK FOR PRINTER - WORKING FROM HOME
PRCS/ADMINISTRATION	IMS, INC	OK	74133	\$ 1,887.54	3/15/2021	65090 SAFETY EQUIPMENT	SUMMER CAMP PPE
PRCS/ADMINISTRATION	NOODLES AND COMPANY	CO	80021	\$ 102.15	3/15/2021	65025 FOOD	EOC LUNCH
PRCS/ADMINISTRATION	CITYPARKSALLIANCE	DC	20036	\$ 125.00	3/22/2021	62295 TRAINING & TRAVEL	VIRTUAL CONFERENCE REGISTRATION
PRCS/ADMINISTRATION	IMS, INC	OK	74133	\$ 503.14	3/25/2021	65090 SAFETY EQUIPMENT	SUMMER CAMP PPE
PRCS/CHAND NEWB CNTR	WALMART.COM AU	AR	72716	\$ 16.94	2/26/2021	65110 REC PROGRAM SUPPLIES	AIR PUMP NEEDLES
PRCS/CHAND NEWB CNTR	OTC BRANDS INC	NE	68137	\$ 82.57	3/8/2021	65110 REC PROGRAM SUPPLIES	REMAINING EGG-CELLENT ADVENTURE SUPPLIES
PRCS/CHAND NEWB CNTR	WALMART.COM AW	AR	72716	\$ 19.99	3/9/2021	65110 REC PROGRAM SUPPLIES	POLY SPOTS BASKETBALL SUPPLIES
PRCS/CHAND NEWB CNTR	AMERICAN FLOOR MATS	MD	20852	\$ 67.87	3/22/2021	65070 OFFICE/OTHER EQ TO MAINTN MATERIAL	FLOOR MAT FOR GYM DRINKING FOUNTAIN
PRCS/CHAND NEWB CNTR	WALGREENS #2619	IL	60201	\$ 18.11	3/25/2021	65110 REC PROGRAM SUPPLIES	EGGCELLENT ADVENTURE BAGS FOR FRONT DOOR DROP OFF AND BAGS TO SEPARATE EGGS

BMO Credit Card Statement for the Period ending March 26, 2021

REPORTS TO INTERMEDIATE	MERCHANT NAME	MERCHANT STATE	MERCHANT ZIP CODE	TRANSACTION AMOUNT	POSTING DATE	COST ALLOCATION - EXPENSE OBJECT	EXPENSE DESCRIPTION
PRCS/ECOLOGY CNTR	PET SUPPLIES PLUS #412	IL	60202	\$ 30.16	2/26/2021	62490 OTHER PROGRAM COSTS	ANIMAL SUPPLIES
PRCS/ECOLOGY CNTR	VALLI PRODUCE	IL	60202	\$ 6.86	2/26/2021	62490 OTHER PROGRAM COSTS	CRITTER FOOD
PRCS/ECOLOGY CNTR	MICHAELS #9490	TX	75063	\$ 5.00	2/26/2021	65110 REC PROGRAM SUPPLIES	NATURE PLAY DATE SUPPLIES
PRCS/ECOLOGY CNTR	MICHAELS #9490	TX	75063	\$ 7.99	3/3/2021	65110 REC PROGRAM SUPPLIES	AFTERSCHOOL STEM SUPPLIES
PRCS/ECOLOGY CNTR	ILLREPTILE AND SUPPLY	CA	92081	\$ 34.99	3/3/2021	62490 OTHER PROGRAM COSTS	CRICKETS FOR CRITTERS
PRCS/ECOLOGY CNTR	CITY OF EVANSTON	IL	60201	\$ 0.50	3/4/2021	62490 OTHER PROGRAM COSTS	PARKING FOR BLCK ART SUPPLIES TRIP
PRCS/ECOLOGY CNTR	PETSMART # 0427	IL	60202	\$ 28.47	3/4/2021	62490 OTHER PROGRAM COSTS	CRITTER FOOD AND SUPPLIES
PRCS/ECOLOGY CNTR	VALLI PRODUCE	IL	60202	\$ 15.89	3/4/2021	62490 OTHER PROGRAM COSTS	FOOD FOR CRITTERS
PRCS/ECOLOGY CNTR	BLICK ART 800 447 1892	IL	60201	\$ 41.40	3/5/2021	65110 REC PROGRAM SUPPLIES	AFTERSCHOOL STEM MATERIALS
PRCS/ECOLOGY CNTR	GFS STORE #1915	IL	60202	\$ 41.47	3/5/2021	65025 FOOD	CAMP SNACKS
PRCS/ECOLOGY CNTR	VALLI PRODUCE	IL	60202	\$ 9.82	3/5/2021	65025 FOOD	CAMP SNACKS
PRCS/ECOLOGY CNTR	CAROLINA BIOLOGIC SUPP	NC	27215	\$ 119.80	3/12/2021	65110 REC PROGRAM SUPPLIES	PROGRAM SUPPLIES
PRCS/ECOLOGY CNTR	VALLI PRODUCE	IL	60202	\$ 9.56	3/12/2021	62490 OTHER PROGRAM COSTS	ANIMAL FOOD
PRCS/ECOLOGY CNTR	PET SUPPLIES PLUS #412	IL	60202	\$ 8.22	3/15/2021	62490 OTHER PROGRAM COSTS	ANIMAL CARE
PRCS/ECOLOGY CNTR	VALLI PRODUCE	IL	60202	\$ 11.70	3/15/2021	62490 OTHER PROGRAM COSTS	ANIMAL CARE
PRCS/ECOLOGY CNTR	DOLLARTREE	IL	60202	\$ 11.00	3/18/2021	65110 REC PROGRAM SUPPLIES	PROGRAM SUPPLIES
PRCS/ECOLOGY CNTR	PETSMART # 0427	IL	60202	\$ 16.29	3/18/2021	62490 OTHER PROGRAM COSTS	ANIMAL CARE
PRCS/ECOLOGY CNTR	VALLI PRODUCE	IL	60202	\$ 31.83	3/19/2021	65025 FOOD	NATURAL EGG DYING PRODUCTS
PRCS/FLEETWOOD CNTR	DRAMATISTS PLAY SERV	NY	10016	\$ 42.70	3/1/2021	65110 REC PROGRAM SUPPLIES	4 COPIES OF THE PLAY "THE MEETING" FOR THE SUMMERTIME SEASON 2021
PRCS/FLEETWOOD CNTR	GORDON FOOD SERVICE	MI	49548	\$ 149.91	3/1/2021	65025 FOOD	FJCC SNACK/SUPPER
PRCS/FLEETWOOD CNTR	THE HOME DEPOT #1902	MI	602020000	\$ 1.98	3/1/2021	65110 REC PROGRAM SUPPLIES	SECURE PLATE FOR GYM BLEACHER OPENING
PRCS/FLEETWOOD CNTR	GORDON FOOD SERVICE	MI	49548	\$ 33.80	3/2/2021	65025 FOOD	FJCC SNACK/SUPPER PROGRAM
PRCS/FLEETWOOD CNTR	ONLINE EDUC & TRAINING	TX	78613	\$ 139.00	3/3/2021	62295 TRAINING & TRAVEL	FOOD SERVICE TRAINING
PRCS/FLEETWOOD CNTR	GORDON FOOD SERVICE	MI	49548	\$ 160.89	3/4/2021	65025 FOOD	1. ELEARNING LUNCH2. FJCC SNACK SUPPER3. RCC SNACK (WITH 16.99 CREDIT ATTACHED)4. RECEIPT FOR CRE
PRCS/FLEETWOOD CNTR	GORDON FOOD SERVICE	MI	49548	\$ 689.19	3/4/2021	65025 FOOD	1. ELEARNING LUNCH2. FJCC SNACK SUPPER3. RCC SNACK (WITH 16.99 CREDIT ATTACHED)4. RECEIPT FOR CRE
PRCS/FLEETWOOD CNTR	GORDON FOOD SERVICE	MI	49548	\$ 440.13	3/4/2021	65025 FOOD	1. ELEARNING LUNCH2. FJCC SNACK SUPPER3. RCC SNACK (WITH 16.99 CREDIT ATTACHED)4. RECEIPT FOR CRE
PRCS/FLEETWOOD CNTR	GORDON FOOD SERVICE	MI	49548	\$ 155.23	3/5/2021	65025 FOOD	FJCC SNACK/SUPPER
PRCS/FLEETWOOD CNTR	JOHNSON LOCKSMITH INC	IL	60201	\$ 18.50	3/5/2021	65110 REC PROGRAM SUPPLIES	KEYS FOR NEW BUS
PRCS/FLEETWOOD CNTR	THE HOME DEPOT #1902	MI	602020000	\$ 15.97	3/5/2021	65040 JANITORIAL SUPPLIES	ITEMS FOR BUS (BROOM, DUST PAN)
PRCS/FLEETWOOD CNTR	GORDON FOOD SERVICE	MI	49548	\$ 121.34	3/8/2021	65025 FOOD	FJCC SNACK/SUPPER
PRCS/FLEETWOOD CNTR	GORDON FOOD SERVICE	MI	49548	\$ 147.03	3/9/2021	65110 REC PROGRAM SUPPLIES	KITCHEN ITEMS AND SUPPLIES
PRCS/FLEETWOOD CNTR	GORDON FOOD SERVICE	MI	49548	\$ 91.95	3/11/2021	65025 FOOD	1. FJCC SNACK/SUPPER/MILK2. LUNCH3. FJCC SNACK/SUPPER
PRCS/FLEETWOOD CNTR	GORDON FOOD SERVICE	MI	49548	\$ 307.84	3/11/2021	65025 FOOD	1. FJCC SNACK/SUPPER/MILK2. LUNCH3. FJCC SNACK/SUPPER
PRCS/FLEETWOOD CNTR	GORDON FOOD SERVICE	MI	49548	\$ 95.65	3/11/2021	65025 FOOD	1. FJCC SNACK/SUPPER/MILK2. LUNCH3. FJCC SNACK/SUPPER
PRCS/FLEETWOOD CNTR	GORDON FOOD SERVICE	MI	49548	\$ 75.13	3/12/2021	65025 FOOD	FJCC LUNCH
PRCS/FLEETWOOD CNTR	GORDON FOOD SERVICE	MI	49548	\$ 309.77	3/15/2021	65025 FOOD	FJCC LUNCH
PRCS/FLEETWOOD CNTR	TARGET PLUS	MN	55445	\$ 179.75	3/15/2021	65110 REC PROGRAM SUPPLIES	E LEARNING EQUIPMENT
PRCS/FLEETWOOD CNTR	NETFLIX COM	CA	95032	\$ 14.69	3/16/2021	62511 ENTERTAIN/PERFORMER SERV	STREAMING SERVICE
PRCS/FLEETWOOD CNTR	GORDON FOOD SERVICE	MI	49548	\$ 660.36	3/18/2021	65025 FOOD	FJCC SNACK/SUPPER
PRCS/FLEETWOOD CNTR	GORDON FOOD SERVICE	MI	49548	\$ 43.46	3/19/2021	65025 FOOD	FJCC SNACK/SUPPER
PRCS/FLEETWOOD CNTR	THE HOME DEPOT #1902	IL	602020000	\$ 59.96	3/19/2021	65040 JANITORIAL SUPPLIES	DRAIN DEGREASER
PRCS/FLEETWOOD CNTR	GORDON FOOD SERVICE	MI	49548	\$ 26.47	3/22/2021	65025 FOOD	1. FJCC SNACK/SUPPER2. FJCC SNACK/SUPPER
PRCS/FLEETWOOD CNTR	GORDON FOOD SERVICE	MI	49548	\$ 41.01	3/22/2021	65025 FOOD	1. FJCC SNACK/SUPPER2. FJCC SNACK/SUPPER
PRCS/FLEETWOOD CNTR	GORDON FOOD SERVICE	MI	49548	\$ 127.62	3/22/2021	65025 FOOD	FJCC SNACK/SUPPER
PRCS/FLEETWOOD CNTR	GORDON FOOD SERVICE	MI	49548	\$ 155.73	3/25/2021	65025 FOOD	1. FJCC S/S MILK2. RCC SNACK3. FJCC SNACK/SUPPER4. FJCC SNACK/SUPPER
PRCS/FLEETWOOD CNTR	GORDON FOOD SERVICE	MI	49548	\$ 186.45	3/25/2021	65025 FOOD	1. FJCC S/S MILK2. RCC SNACK3. FJCC SNACK/SUPPER4. FJCC SNACK/SUPPER
PRCS/FLEETWOOD CNTR	GORDON FOOD SERVICE	MI	49548	\$ 448.15	3/25/2021	65025 FOOD	1. FJCC S/S MILK2. RCC SNACK3. FJCC SNACK/SUPPER4. FJCC SNACK/SUPPER
PRCS/FLEETWOOD CNTR	GORDON FOOD SERVICE	MI	49548	\$ 40.48	3/25/2021	65025 FOOD	1. FJCC S/S MILK2. RCC SNACK3. FJCC SNACK/SUPPER4. FJCC SNACK/SUPPER
PRCS/LEVY SEN CNTR	THE CERAMIC SHOP	PA	19401	\$ 111.43	3/1/2021	65110 REC PROGRAM SUPPLIES	GLAZE FOR SPRING CLASSES
PRCS/LEVY SEN CNTR	CERAMIC SUPPLY CHICAGO	IL	60007	\$ 188.40	3/1/2021	65110 REC PROGRAM SUPPLIES	CLAY FOR SPRING CLASSES
PRCS/LEVY SEN CNTR	ALLEGRA MARKETING PRIN	IL	60202	\$ 123.00	3/25/2021	62210 AUDITING	BANNER FOR GYM
PRCS/NOYES CNTR	FOODLESS #0558	IL	60202	\$ 31.95	3/3/2021	65110 REC PROGRAM SUPPLIES	ARTS CAMP/MOM AND TOT SUPPLIES
PRCS/NOYES CNTR	BLICK ART 800 447 1892	IL	60201	\$ 31.69	3/10/2021	65110 REC PROGRAM SUPPLIES	E LEARNING PROGRAM SUPPLIES
PRCS/NOYES CNTR	EBAY O 27-06712-67739	CA	95131	\$ 13.56	3/11/2021	65110 REC PROGRAM SUPPLIES	E LEARNING/ARTS CAMP RECREATION SUPPLIES
PRCS/NOYES CNTR	OTC BRANDS INC	NE	68137	\$ 210.57	3/15/2021	65110 REC PROGRAM SUPPLIES	NOTE THE USE OF GIFT CARD SO RECEIPT READS \$5 MORE THAN ACTUAL CHARGE FOR ARTS CAMP SUPPLIES
PRCS/NOYES CNTR	THE HOME DEPOT #1902	IL	602020000	\$ 52.52	3/17/2021	65110 REC PROGRAM SUPPLIES	TOOLS FOR STEAMPUNCH SPRING BREAK CAMP
PRCS/NOYES CNTR	OTC BRANDS INC	NE	68137	\$ 128.28	3/17/2021	65110 REC PROGRAM SUPPLIES	ARTS CAMP/E LEARNING SUPPLIES
PRCS/NOYES CNTR	MICHAELS STORES 5151	IL	60053	\$ 41.36	3/22/2021	65110 REC PROGRAM SUPPLIES	SPRING BREAK ARTS CAMP SUPPLIES
PRCS/NOYES CNTR	DOLLARTREE	IL	60202	\$ 3.00	3/22/2021	65110 REC PROGRAM SUPPLIES	SPRING BREAK CAMP SUPPLIES
PRCS/NOYES CNTR	TARGET 0009274	IL	60202	\$ 2.99	3/22/2021	65110 REC PROGRAM SUPPLIES	SPRING BREAK CAMP ARTS SUPPLIES
PRCS/RBT CROWN CNTR	VITA INC	SC	29607	\$ 331.24	2/26/2021	65110 REC PROGRAM SUPPLIES	PORTABLE BALLET BAR
PRCS/RBT CROWN CNTR	STARBUCKS STORE 49894	IL	60630	\$ 35.20	2/26/2021	65025 FOOD	COFFEE FOR WINNERS OF BHM DOOR CONTEST
PRCS/RBT CROWN CNTR	DUNKIN #336005 Q35	IL	60639	\$ 25.98	2/26/2021	65025 FOOD	DONUTS FOR STAFF
PRCS/RBT CROWN CNTR	S&S WORLDWIDE, INC.	CT	06415	\$ 484.84	3/1/2021	65110 REC PROGRAM SUPPLIES	PURCHASED EQUIPMENT FOR OUR SPRING PROGRAMS AT THE ROBERT CROWN COMMUNITY CENTER
PRCS/RBT CROWN CNTR	SCHOOL HEALTH CORP	IL	60008	\$ 37.94	3/1/2021	65110 REC PROGRAM SUPPLIES	PURCHASED EQUIPMENT FOR OUR SPRING PROGRAMS AT THE ROBERT CROWN COMMUNITY CENTER
PRCS/RBT CROWN CNTR	FIVE BELOW 7058	IL	60202	\$ 78.40	3/3/2021	65110 REC PROGRAM SUPPLIES	ELEARNING CAMP SUPPLIES
PRCS/RBT CROWN CNTR	FOODLESS #0558	IL	60202	\$ 23.88	3/3/2021	65025 FOOD	ELEARNING CAMP COOKING SUPPLIES
PRCS/RBT CROWN CNTR	WALMART COM AX	AR	72716	\$ 240.18	3/5/2021	65110 REC PROGRAM SUPPLIES	ELEARNING CAMP SUPPLIES
PRCS/RBT CROWN CNTR	LET'S PIZZA IL 005 - MO	IL	60076	\$ 44.28	3/8/2021	65025 FOOD	PIZZA FOR CLASSROOM PARTY
PRCS/RBT CROWN CNTR	RITE LOCK & SAFE	IL	60076	\$ 14.75	3/8/2021	65050 BUILDING MAINTENANCE MATERIAL	MAINTENANCE SUPPLIES
PRCS/RBT CROWN CNTR	THE HOME DEPOT #1902	IL	602020000	\$ 104.70	3/8/2021	65050 BUILDING MAINTENANCE MATERIAL	MAINTENANCE SUPPLIES

BMO Credit Card Statement for the Period ending March 26, 2021

REPORTS TO INTERMEDIATE	MERCHANT NAME	MERCHANT STATE	MERCHANT ZIP CODE	TRANSACTION AMOUNT	POSTING DATE	COST ALLOCATION - EXPENSE OBJECT	EXPENSE DESCRIPTION
PRCS/RBT CROWN CNTR	FIVE BELOW 7058	IL	60202	\$ 45.00	3/10/2021	65110 REC PROGRAM SUPPLIES	OUTDOOR ACTIVITIES FOR CHILD CARE
PRCS/RBT CROWN CNTR	GFS STORE #1915	IL	60202	\$ 398.01	3/11/2021	65025 FOOD	GROCERIES FOR CHILD CARE SNACKS
PRCS/RBT CROWN CNTR	LEARN TO SKATE USA	CO	80906	\$ 972.50	3/17/2021	62360 MEMBERSHIP DUES	LEARN TO SKATE USA PARTICIPANT MEMBERSHIPS
PRCS/RBT CROWN CNTR	WALMART.COM AS	AR	72716	\$ 100.54	3/18/2021	65110 REC PROGRAM SUPPLIES	SPRING BREAK CAMP SUPPLIES
PRCS/RBT CROWN CNTR	LEARN TO SKATE USA	CO	80906	\$ 550.00	3/18/2021	62360 MEMBERSHIP DUES	LEARN TO SKATE USA PARTICIPANT MEMBERSHIPS
PRCS/RBT CROWN CNTR	SCHOOL HEALTH CORP	IL	60008	\$ 30.89	3/19/2021	65110 REC PROGRAM SUPPLIES	PURCHASED BATONS FOR OUR TRACK & FIELD PROGRAM AT THE ROBERT CROWN COMMUNITY CENTER.
PRCS/RBT CROWN CNTR	GFS STORE #1915	IL	60202	\$ 301.95	3/22/2021	65025 FOOD	GROCERIES FOR CHILD CARE SNACKS
PRCS/RBT CROWN CNTR	WM SUPERCENTER #1998	IL	60076	\$ 133.46	3/25/2021	65110 REC PROGRAM SUPPLIES	SPRING BREAK CAMP SUPPLIES
PRCS/RBT CROWN CNTR	THE HOME DEPOT #1902	IL	602020000	\$ 121.29	3/25/2021	65050 BUILDING MAINTENANCE MATERIAL	MAINTENANCE MATERIALS
PRCS/RECREATION	BOWLERO NILES	IL	60714	\$ 83.88	3/1/2021	62507 FIELD TRIPS	LANE RENTAL FEE FOR BOWLING PROGRAM
PRCS/RECREATION	BOWLERO NILES	IL	60714	\$ 83.88	3/4/2021	62507 FIELD TRIPS	LANE RENTAL FEE FOR BOWLING PROGRAM
PRCS/RECREATION	GOOGLE YOUTUBE TV	CA	94043	\$ 64.99	3/4/2021	65110 REC PROGRAM SUPPLIES	TV SERVICE FOR ROBERT CROWN CENTER
PRCS/RECREATION	BOWLERO NILES	IL	60714	\$ 6.99	3/8/2021	62507 FIELD TRIPS	FEE FOR ADDITIONAL BOWLER IN BOWLING PROGRAM
PRCS/RECREATION	BOWLERO NILES	IL	60714	\$ 83.88	3/11/2021	62507 FIELD TRIPS	LANE RENTAL FEE FOR BOWLING PROGRAM
PRCS/RECREATION	BOWLERO NILES	IL	60714	\$ 83.88	3/19/2021	62507 FIELD TRIPS	LANE RENTAL FEE FOR BOWLING PROGRAM
PRCS/RECREATION	GBC E-COMMERCE	IL	60047	\$ 3.60	3/24/2021	65095 OFFICE SUPPLIES	LAMINATE TOTAL CHARGE WAS \$142.98 + \$12.54 (SHIPPING)= \$155.52
PRCS/RECREATION	GBC E-COMMERCE	IL	60047	\$ 151.92	3/24/2021	65095 OFFICE SUPPLIES	LAMINATE TOTAL CHARGE- \$142.98 + \$12.54 (SHIPPING)= \$155.52 COMBINED TOTAL
PUBLIC WORKS AGENCY	JEWEL OSCO 3456	IL	60081	\$ 34.92	3/1/2021	62295 TRAINING & TRAVEL	PIZZA FOR THE NIGHT CREW
PUBLIC WORKS AGENCY	ROSATIS PIZZA	IL	60202	\$ 134.34	3/1/2021	62295 TRAINING & TRAVEL	NIGHT CREW TRAINNING
PUBLIC WORKS AGENCY	SAFETY SUPPLY ILLINOIS	IL	60510	\$ 576.48	3/4/2021	65055 MATERIALS TO MAINTAIN IMPROVEMENTS	VARIOUS GLOVES FOR SAFETY
PUBLIC WORKS AGENCY	TRENCH PLATE RENTAL CO	CA	90242	\$ 480.00	3/16/2021	65055 MATERIALS TO MAINTAIN IMPROVEMENTS	STEEL PLATE PICK UP DEVICE
PUBLIC WORKS AGENCY	THE HOME DEPOT 1902	IL	60202	\$ 266.06	3/19/2021	65085 MINOR EQUIP & TOOLS	SMALL TOOLS AND SHOP TOWELS
PUBLIC WORKS/PLAN-ENG	ILLINOIS AWWA	IL	60174	\$ 36.00	3/22/2021	62295 TRAINING & TRAVEL	ISAWWA LCR WEBINAR - R. PAPA
PUBLIC WORKS/PLAN-ENG	THE HOME DEPOT 1902	IL	60202	\$ 234.97	3/9/2021	65085 MINOR EQUIP & TOOLS	SUPPLIES FOR PITNER ALLEYWAY PROJECT
PUBLIC WORKS/PLAN-ENG	AWWA EVENTS	CO	80235	\$ 240.00	3/8/2021	62295 TRAINING & TRAVEL	AWWA VIRTUAL SUMMIT/LEAD AND WATER QUALITY - R. PAPA
PUBLIC WORKS/PLAN-ENG	THE HOME DEPOT #1902	IL	602020000	\$ 13.98	3/10/2021	65085 MINOR EQUIP & TOOLS	SUPPLIES FOR PITNER ALLEYWAY PROJECT
PUBLIC WORKS/PLAN-ENG	THE HOME DEPOT #1902	IL	602020000	\$ 24.97	3/10/2021	65085 MINOR EQUIP & TOOLS	SUPPLIES FOR PITNER ALLEYWAY PROJECT
PUBLIC WORKS/PLAN-ENG	AWWA.ORG	CO	80235	\$ 141.84	3/10/2021	65010 BOOKS, PUBLICATIONS, MAPS	AWWA M71-CLIMATE ACTION PLANS
PUBLIC WORKS/PLAN-ENG	H M WITT & CO SIGNS	IL	60618	\$ 529.00	3/11/2021	65515 OTHER IMPROVEMENTS	SIGNAGE FOR ROBERT CROWN ICE RINK
PUBLIC WORKS/PLAN-ENG	MIDWEST ENVIRON CONS S	IL	60560	\$ 1,130.00	3/24/2021	65515 OTHER IMPROVEMENTS	FIRE STATION 4 EMERGENCY SAMPLING AND REPORTING OF MOLD
PUBLIC WORKS/SERVICE	IDEAL TRIDON GROUP	TN	37167	\$ 605.21	2/26/2021	65070 OFFICE/OTHER EQ TO MAINTN MATERIAL	TOOLS MATERIALS FOR SIGNAGE
PUBLIC WORKS/SERVICE	ULINE SHIP SUPPLIES	WI	53158	\$ 396.45	2/26/2021	65095 OFFICE SUPPLIES	LAMINATING SHEETS FOR STREET CLEANING SIGNS
PUBLIC WORKS/SERVICE	TRAFFIC CONTROL AND	IL	60103	\$ 1,353.80	2/26/2021	65115 TRAFFIC CONTROL SUPPLI	IN STREET "STATE LAW YIELD TO FIRE TRUCKS ENTERING/LEAVING" SIGNS
PUBLIC WORKS/SERVICE	THE HOME DEPOT #1902	IL	602020000	\$ 154.27	3/1/2021	62199 PRK MAINTENANCE & FURNITUR REPLACE	SHOP TOOLS/SUPPLIES
PUBLIC WORKS/SERVICE	BEST BUY 00003137	IL	60202	\$ 72.98	3/2/2021	65095 OFFICE SUPPLIES	PHONE CASE, SCREEN PROTECTOR, POWER CORD
PUBLIC WORKS/SERVICE	LURVEY LANDSCAPE SUPPL	IL	60016	\$ 173.45	3/3/2021	65005 AGRIBOTANICAL SUPPLIES	PLANTS
PUBLIC WORKS/SERVICE	APEX COMPANIES	IL	60195	\$ 602.82	3/3/2021	62199 PRK MAINTENANCE & FURNITUR REPLACE	SHOP RACKING EQUIPMENT
PUBLIC WORKS/SERVICE	BUMPER TO BUMPER EVANS	IL	60202	\$ 10.69	3/3/2021	65070 OFFICE/OTHER EQ TO MAINTN MATERIAL	IFAN BELT
PUBLIC WORKS/SERVICE	LAWSON PRODUCTS	IL	60631	\$ 159.76	3/3/2021	62199 PRK MAINTENANCE & FURNITUR REPLACE	SHOP SUPPLIES/TOOLS
PUBLIC WORKS/SERVICE	LAWSON PRODUCTS	IL	60631	\$ 168.15	3/3/2021	62199 PRK MAINTENANCE & FURNITUR REPLACE	SHOP TOWELS
PUBLIC WORKS/SERVICE	AMERICAN SWING PRODUCT	NV	89521	\$ 45.60	3/3/2021	62199 PRK MAINTENANCE & FURNITUR REPLACE	NOAH PARK SWING PARTS
PUBLIC WORKS/SERVICE	HOMEDPOT.COM	GA	303390000	\$ 179.00	3/4/2021	62199 PRK MAINTENANCE & FURNITUR REPLACE	TOOLS
PUBLIC WORKS/SERVICE	HOMEDPOT.COM	GA	303390000	\$ 56.49	3/4/2021	62199 PRK MAINTENANCE & FURNITUR REPLACE	TOOLS SPORTS FIELDS
PUBLIC WORKS/SERVICE	THE HOME DEPOT #1902	IL	602020000	\$ 37.98	3/4/2021	65085 MINOR EQUIP & TOOLS	PRUNING EQUIPMENT
PUBLIC WORKS/SERVICE	THE HOME DEPOT 1902	IL	60202	\$ 463.63	3/5/2021	65070 OFFICE/OTHER EQ TO MAINTN MATERIAL	TOOL POUCHES, BATTERIES, SHOVELS, BROOM, DIGITAL CLAMP METERS
PUBLIC WORKS/SERVICE	GRAYBAR ELECTRIC COMPA	MO	63105	\$ 1,000.00	3/5/2021	65070 OFFICE/OTHER EQ TO MAINTN MATERIAL	\$6 STARND STREET LIGHT WIRE (PARTIAL ON PAYMENT)
PUBLIC WORKS/SERVICE	LEMOI ACE HARDWARE	IL	60201	\$ 5.96	3/8/2021	62199 PRK MAINTENANCE & FURNITUR REPLACE	NUTS, BOLTS, SCREWS
PUBLIC WORKS/SERVICE	SHELL OIL 57444176606	IL	60202	\$ 43.41	3/8/2021	65035 PETROLEUM PRODUCTS	GAS FOR CHAINSAWS
PUBLIC WORKS/SERVICE	THE HOME DEPOT 1902	IL	60202	\$ 91.27	3/8/2021	65085 MINOR EQUIP & TOOLS	GREASE, PENETRATING OIL, PVC PIECES FOR POLE SAW STORAGE
PUBLIC WORKS/SERVICE	REINDERS SUSSEX CUSTOM	WI	53089-3969	\$ 224.67	3/9/2021	65070 OFFICE/OTHER EQ TO MAINTN MATERIAL	TIRES 545 SANDPRO
PUBLIC WORKS/SERVICE	ULINE SHIP SUPPLIES	WI	53158	\$ 272.95	3/9/2021	65090 SAFETY EQUIPMENT	BARRICADE TAPE
PUBLIC WORKS/SERVICE	HOMEDPOT.COM	GA	303390000	\$ 74.90	3/10/2021	65070 OFFICE/OTHER EQ TO MAINTN MATERIAL	SPORTSFIELD TOOL SHOP SUPPLIES
PUBLIC WORKS/SERVICE	THE HOME DEPOT 1902	IL	60202	\$ 99.85	3/10/2021	62509 SERVICE AGREEMENTS/ CONTRACTS	CLEAR PLASTIC BAGS FOR PLASTIC FILM COLLECTION
PUBLIC WORKS/SERVICE	THE HOME DEPOT #1902	IL	602020000	\$ 26.97	3/10/2021	62199 PRK MAINTENANCE & FURNITUR REPLACE	TOOLS 511
PUBLIC WORKS/SERVICE	THE HOME DEPOT 1902	IL	60202	\$ 89.85	3/12/2021	62509 SERVICE AGREEMENTS/ CONTRACTS	TRASH CAN LINERS FOR BUSINESS DISTRICT CONTAINERS
PUBLIC WORKS/SERVICE	THE HOME DEPOT #1902	IL	602020000	\$ 39.69	3/12/2021	62199 PRK MAINTENANCE & FURNITUR REPLACE	BAGS CONCRETE HARBERT PARK SIGN
PUBLIC WORKS/SERVICE	APEX COMPANIES	IL	60195	\$ (44.66)	3/15/2021	62199 PRK MAINTENANCE & FURNITUR REPLACE	CREDIT - RETURN ON PARTS
PUBLIC WORKS/SERVICE	PURE ELECTRIC	IL	60845	\$ 620.64	3/15/2021	65070 OFFICE/OTHER EQ TO MAINTN MATERIAL	STREET LIGHT BULBS
PUBLIC WORKS/SERVICE	IDEAL TRIDON GROUP	TN	37167	\$ 663.01	3/16/2021	65115 TRAFFIC CONTROL SUPPLI	WING SEALS FOR STRAPPING
PUBLIC WORKS/SERVICE	WALGREENS #2619	IL	60201	\$ 40.95	3/17/2021	65090 SAFETY EQUIPMENT	FIRST AID ITEMS
PUBLIC WORKS/SERVICE	THE HOME DEPOT #1902	IL	602020000	\$ 17.94	3/17/2021	62199 PRK MAINTENANCE & FURNITUR REPLACE	SHOP RATCHET TIE DOWN
PUBLIC WORKS/SERVICE	SPARTAN ATHLETIC CO	PA	19456	\$ 697.70	3/18/2021	62199 PRK MAINTENANCE & FURNITUR REPLACE	TENNIS NETS AND STRAPS
PUBLIC WORKS/SERVICE	SPARTAN ATHLETIC CO	PA	19456	\$ 697.70	3/18/2021	62199 PRK MAINTENANCE & FURNITUR REPLACE	TENNIS NETS AND STRAPS
PUBLIC WORKS/SERVICE	THE HOME DEPOT #1902	IL	602020000	\$ 53.74	3/22/2021	65085 MINOR EQUIP & TOOLS	GANV BELTS, SANDING BELTS, SCREWS
PUBLIC WORKS/SERVICE	TRAFFIC CONTROL AND	IL	60103	\$ 945.00	3/19/2021	65115 TRAFFIC CONTROL SUPPLI	SPEED BUMPS AHEAD SIGNS
PUBLIC WORKS/SERVICE	TRAFFIC CONTROL AND	IL	60103	\$ 1,048.45	3/19/2021	65115 TRAFFIC CONTROL SUPPLI	SPEED COB TROL HUMPS SIGNS
PUBLIC WORKS/SERVICE	TRAFFIC CONTROL AND	IL	60103	\$ 967.80	3/19/2021	65115 TRAFFIC CONTROL SUPPLI	SPEED CONTROL HUMPS SIGNS
PUBLIC WORKS/SERVICE	ERVA TOOL & DIE CO.	IL	60622-4324	\$ 59.96	3/19/2021	62199 PRK MAINTENANCE & FURNITUR REPLACE	ROSE GARDEN BIRDHOUSE
PUBLIC WORKS/SERVICE	HOMEDPOT.COM	GA	303390000	\$ 23.56	3/22/2021	65085 MINOR EQUIP & TOOLS	SAW FOR VOLUNTEERS
PUBLIC WORKS/SERVICE	JT INDUSTRIES 00 OF 00	IL	60193-4411	\$ 1,499.00	3/22/2021	65070 OFFICE/OTHER EQ TO MAINTN MATERIAL	STREET LIGHT LEVELING SHIMS
PUBLIC WORKS/SERVICE	THE HOME DEPOT #1902	IL	602020000	\$ 46.03	3/22/2021	62199 PRK MAINTENANCE & FURNITUR REPLACE	LAWN BAGS LOT 54
PUBLIC WORKS/SERVICE	ERPLACEMENTPARTS.COM	FL	34238	\$ 78.31	3/24/2021	65070 OFFICE/OTHER EQ TO MAINTN MATERIAL	2 STROKE PARTS
PUBLIC WORKS/SERVICE	THE HOME DEPOT #1902	IL	602020000	\$ 7.98	3/24/2021	65070 OFFICE/OTHER EQ TO MAINTN MATERIAL	SHOP SUPPLIES
PUBLIC WORKS/SERVICE	V&J LANDSCAPING SERVIC	IL	60077	\$ 567.98	3/25/2021	65070 OFFICE/OTHER EQ TO MAINTN MATERIAL	CHAINSAW, SAW PARTS
PUBLIC WORKS/SERVICE	V&J LANDSCAPING SERVIC	IL	60077	\$ 240.00	3/25/2021	65070 OFFICE/OTHER EQ TO MAINTN MATERIAL	TIRES FOR 3280 TOROS
PUBLIC WORKS/SERVICE	SHELL OIL 57444176606	IL	60202	\$ 43.62	3/25/2021	65035 PETROLEUM PRODUCTS	2 STROKE 93 OCTANE FUEL
PUBLIC WORKS/WTR PROD	JT AND B TOOL SALES	MI	48335	\$ 382.62	2/26/2021	65085 MINOR EQUIP & TOOLS	BATTERY CHARGER
PUBLIC WORKS/WTR PROD	CORE & MAIN LP 482	IL	60044	\$ 945.00	2/26/2021	65055 MATERIALS TO MAINTAIN IMPROVEMENTS	MARKING PAINT
PUBLIC WORKS/WTR PROD	FULLIFE SAFETY CENTE	IL	601721119	\$ 1,663.52	2/26/2021	65090 SAFETY EQUIPMENT	BIBS & BOOTS

BMO Credit Card Statement for the Period ending March 26, 2021

REPORTS TO INTERMEDIATE	MERCHANT NAME	MERCHANT STATE	MERCHANT ZIP CODE	TRANSACTION AMOUNT	POSTING DATE	COST ALLOCATION - EXPENSE OBJECT	EXPENSE DESCRIPTION
PUBLIC WORKS/WTR PRD	NATIONAL TOOLWAREHOU	MO	64836	\$ (515.30)	2/26/2021	65085 MINOR EQUIP & TOOLS	REIMBURSEMENT OF DAMAGED BATTERY CHARGER.
PUBLIC WORKS/WTR PRD	GRAINGER	IL	60045-5202	\$ 9.76	3/1/2021	65070 OFFICE/OTHER EQ TO MAINTN MATERIAL	ELECTRICAL SHRINK TUBING.
PUBLIC WORKS/WTR PRD	GRAINGER	IL	60045-5202	\$ 34.64	3/1/2021	65070 OFFICE/OTHER EQ TO MAINTN MATERIAL	ELECTRICAL SHRINK TUBING.
PUBLIC WORKS/WTR PRD	ZORO TOOLS INC	IL	60089	\$ 224.69	3/1/2021	65070 OFFICE/OTHER EQ TO MAINTN MATERIAL	LADDER.
PUBLIC WORKS/WTR PRD	ALTORFER INDUSTRIES	IL	60126	\$ 299.08	3/1/2021	65085 MINOR EQUIP & TOOLS	WIRE ASSEMBLY.
PUBLIC WORKS/WTR PRD	MCMASTER-CARR	IL	60126	\$ 105.15	3/1/2021	65085 MINOR EQUIP & TOOLS	HIGH TEMP GASKET MATERIAL.
PUBLIC WORKS/WTR PRD	CARQUEST 2759	IL	60202	\$ (32.39)	3/1/2021	65085 MINOR EQUIP & TOOLS	CREDIT FOR OVER CHARGE FOR SPARK PLUGS.
PUBLIC WORKS/WTR PRD	CARQUEST 2759	IL	60202	\$ 550.63	3/1/2021	65085 MINOR EQUIP & TOOLS	SPARK PLUGS.
PUBLIC WORKS/WTR PRD	THE HOME DEPOT #1902	IL	602020000	\$ 53.80	3/1/2021	65070 OFFICE/OTHER EQ TO MAINTN MATERIAL	CONCRETE MIX.
PUBLIC WORKS/WTR PRD	B&H PHOTO 800-606-6969	NY	10001	\$ 66.99	3/2/2021	65070 OFFICE/OTHER EQ TO MAINTN MATERIAL	SCADA LAPTOP DRIVE.
PUBLIC WORKS/WTR PRD	RENTOKIL NORTH AMERICA	PA	19610	\$ 70.00	3/2/2021	65050 BUILDING MAINTENANCE MATERIAL	PEST CONTROL AT THE WATER TREATMENT FACILITY.
PUBLIC WORKS/WTR PRD	ULINE SHIP SUPPLIES	WI	53158	\$ 480.15	3/2/2021	65070 OFFICE/OTHER EQ TO MAINTN MATERIAL	TRASH BAGS, DRY ERASE BOARD.
PUBLIC WORKS/WTR PRD	GORDON ELECTRIC SUPPLY	IL	60901	\$ 327.90	3/2/2021	65070 OFFICE/OTHER EQ TO MAINTN MATERIAL	FIBERGLASS STRUT CHANNEL.
PUBLIC WORKS/WTR PRD	J AND B TOOL SALES	MI	48335	\$ 152.75	3/3/2021	65090 SAFETY EQUIPMENT	NITRILE GLOVES.
PUBLIC WORKS/WTR PRD	WWW.NORTHERNSAFETY.COM	NY	13340	\$ 198.59	3/4/2021	65090 SAFETY EQUIPMENT	DISPOSABLE COVERALLS FOR CHEMICALS.
PUBLIC WORKS/WTR PRD	BREG INTERNATIONAL	VA	22408	\$ 116.61	3/4/2021	65070 OFFICE/OTHER EQ TO MAINTN MATERIAL	CHEMICAL ABSORBENT MAT.
PUBLIC WORKS/WTR PRD	ZORO TOOLS INC	IL	60089	\$ 63.72	3/4/2021	65085 MINOR EQUIP & TOOLS	DRILL BIT SETS.
PUBLIC WORKS/WTR PRD	B&H PHOTO 800-606-6969	NY	10001	\$ 42.59	3/5/2021	65070 OFFICE/OTHER EQ TO MAINTN MATERIAL	SCADA COMPUTER CORDS.
PUBLIC WORKS/WTR PRD	ZORO TOOLS INC	IL	60089	\$ 335.95	3/5/2021	65090 SAFETY EQUIPMENT	DISPOSABLE COVERALLS FOR CHEMICALS.
PUBLIC WORKS/WTR PRD	THE HOME DEPOT #1902	IL	60202	\$ (0.98)	3/5/2021	65070 OFFICE/OTHER EQ TO MAINTN MATERIAL	TAX REFUND.
PUBLIC WORKS/WTR PRD	THE HOME DEPOT #1902	IL	602020000	\$ 26.24	3/5/2021	65070 OFFICE/OTHER EQ TO MAINTN MATERIAL	GROUT FLOAT.
PUBLIC WORKS/WTR PRD	ZORO TOOLS INC	IL	60089	\$ 281.52	3/8/2021	65070 OFFICE/OTHER EQ TO MAINTN MATERIAL	AIR HANDLER FILTERS.
PUBLIC WORKS/WTR PRD	MSC	NY	11747	\$ 87.60	3/9/2021	65070 OFFICE/OTHER EQ TO MAINTN MATERIAL	SQUARE DRIVE SOCKETS.
PUBLIC WORKS/WTR PRD	SUPPLYHOUSE.COM	NY	11747	\$ 31.35	3/9/2021	65070 OFFICE/OTHER EQ TO MAINTN MATERIAL	CHICAGO FAUCET REBUILD KITS
PUBLIC WORKS/WTR PRD	SAFETY GLASSES USA.COM	MI	49093	\$ 16.31	3/9/2021	65090 SAFETY EQUIPMENT	REFLECTIVE TAPE FOR HARD HATS
PUBLIC WORKS/WTR PRD	GRAINGER	IL	60045-5202	\$ 61.00	3/9/2021	65070 OFFICE/OTHER EQ TO MAINTN MATERIAL	UNISTRUT PARTS.
PUBLIC WORKS/WTR PRD	ILLINOIS AWWA	IL	60174	\$ 36.00	3/9/2021	62295 TRAINING & TRAVEL	ISAWWA SEMINAR FOR WATER PLANT OPERATOR: BREAKPOINT CHLORINATION.
PUBLIC WORKS/WTR PRD	ILLINOIS AWWA	IL	60174	\$ 27.00	3/9/2021	62295 TRAINING & TRAVEL	ISAWWA SEMINAR FOR WATER PLANT OPERATOR: CYBERSECURITY.
PUBLIC WORKS/WTR PRD	ILLINOIS AWWA	IL	60174	\$ 36.00	3/9/2021	62295 TRAINING & TRAVEL	ISAWWA SEMINAR FOR WATER PLANT OPERATOR: LEAD AND COPPER WATER TREATMENT CORROSION.
PUBLIC WORKS/WTR PRD	ILLINOIS AWWA	IL	60174	\$ 36.00	3/9/2021	62295 TRAINING & TRAVEL	ISAWWA SEMINAR FOR WATER PLANT OPERATOR: SCADA 101.
PUBLIC WORKS/WTR PRD	NAPA ONLINE	GA	30071	\$ 70.52	3/10/2021	65070 OFFICE/OTHER EQ TO MAINTN MATERIAL	OIL FILTERS.
PUBLIC WORKS/WTR PRD	HOMEDEPOT.COM	GA	303390000	\$ 89.94	3/10/2021	65070 OFFICE/OTHER EQ TO MAINTN MATERIAL	RIGID VACUUM CLEANER.
PUBLIC WORKS/WTR PRD	GALCO INDUSTRIAL ELECT	MI	48071	\$ 949.01	3/10/2021	65070 OFFICE/OTHER EQ TO MAINTN MATERIAL	ASCO VALVE REBUILD KITS
PUBLIC WORKS/WTR PRD	ZORO TOOLS INC	IL	60089	\$ 67.60	3/10/2021	65070 OFFICE/OTHER EQ TO MAINTN MATERIAL	WALL TELEPHONES.
PUBLIC WORKS/WTR PRD	WATER PRODUCTS COMPANY	IL	60504	\$ 205.00	3/10/2021	65055 MATERIALS TO MAINTAIN IMPROVEMENTS	1" STIFFENERS
PUBLIC WORKS/WTR PRD	MUTUAL SCREW AND SUPPL	NJ	07862	\$ 146.41	3/11/2021	65070 OFFICE/OTHER EQ TO MAINTN MATERIAL	CONCRETE ANCHORS.
PUBLIC WORKS/WTR PRD	ULINE SHIP SUPPLIES	WI	53158	\$ 159.60	3/11/2021	65090 SAFETY EQUIPMENT	HAND SOAP.
PUBLIC WORKS/WTR PRD	CORE & MAIN LP 482	IL	60044	\$ 945.00	3/11/2021	65085 MATERIALS TO MAINTAIN IMPROVEMENTS	MARKING PAINT
PUBLIC WORKS/WTR PRD	GRAINGER	IL	60045-5202	\$ 693.45	3/11/2021	65090 SAFETY EQUIPMENT	FULL FACE RESPIRATOR
PUBLIC WORKS/WTR PRD	ZORO TOOLS INC	IL	60089	\$ 54.78	3/11/2021	65085 MINOR EQUIP & TOOLS	SOLDERING IRON
PUBLIC WORKS/WTR PRD	ZORO TOOLS INC	IL	60089	\$ 70.40	3/11/2021	65040 JANITORIAL SUPPLIES	GARBAGE CAN LINERS.
PUBLIC WORKS/WTR PRD	ZORO TOOLS INC	IL	60089	\$ 74.10	3/11/2021	65090 SAFETY EQUIPMENT	CHEMICAL RESISTANT COVERALLS.
PUBLIC WORKS/WTR PRD	STANDARD EQUIPMENT COM	IL	60126	\$ 495.39	3/11/2021	65070 OFFICE/OTHER EQ TO MAINTN MATERIAL	WHEEL KITS FOR 910'S CRAWLER
PUBLIC WORKS/WTR PRD	SIJIE EMARKET	IL	60206	\$ 32.00	3/11/2021	62295 TRAINING & TRAVEL	CROSS CONNECTION LICENSE RENEWAL.
PUBLIC WORKS/WTR PRD	PAYPAL TOOLS INC	CA	90703	\$ 475.31	3/11/2021	65090 SAFETY EQUIPMENT	SAFETY BARRICADES.
PUBLIC WORKS/WTR PRD	CELLPHONECASES.COM	CA	91311	\$ 33.29	3/11/2021	65085 MINOR EQUIP & TOOLS	IPHONE CASE
PUBLIC WORKS/WTR PRD	WWW.NORTHERNSAFETY.COM	NY	13340	\$ 31.62	3/12/2021	65090 SAFETY EQUIPMENT	LOCK-OUT LOCKS.
PUBLIC WORKS/WTR PRD	GIH GLOBALINDUSTRIALEQ	FL	33144	\$ 115.70	3/12/2021	65070 OFFICE/OTHER EQ TO MAINTN MATERIAL	PROTECTION FENCING.
PUBLIC WORKS/WTR PRD	TARGET.COM	MN	55445	\$ 3.03	3/12/2021	65070 OFFICE/OTHER EQ TO MAINTN MATERIAL	BINDERS
PUBLIC WORKS/WTR PRD	TARGET.COM	MN	55445	\$ 5.33	3/12/2021	65070 OFFICE/OTHER EQ TO MAINTN MATERIAL	BINDERS
PUBLIC WORKS/WTR PRD	TARGET.COM	MN	55445	\$ 75.21	3/12/2021	65070 OFFICE/OTHER EQ TO MAINTN MATERIAL	BINDERS
PUBLIC WORKS/WTR PRD	GRAINGER	IL	60045-5202	\$ (34.64)	3/12/2021	65070 OFFICE/OTHER EQ TO MAINTN MATERIAL	REFUND FOR RETURN.
PUBLIC WORKS/WTR PRD	CITY WELDING SALES & S	IL	60076	\$ 141.96	3/12/2021	65070 OFFICE/OTHER EQ TO MAINTN MATERIAL	WELDING GAS.
PUBLIC WORKS/WTR PRD	ZORO TOOLS INC	IL	60089	\$ 52.21	3/12/2021	65070 OFFICE/OTHER EQ TO MAINTN MATERIAL	SINK DRAIN KIT FOR THE LABORATORY UPGRADE.
PUBLIC WORKS/WTR PRD	MCMASTER-CARR	IL	60126	\$ 86.12	3/12/2021	65055 MATERIALS TO MAINTAIN IMPROVEMENTS	STAINLESS STEEL SCREWS
PUBLIC WORKS/WTR PRD	NAPCO STEEL INC	IL	60185	\$ 1,003.85	3/12/2021	65055 MATERIALS TO MAINTAIN IMPROVEMENTS	STEEL STOCK
PUBLIC WORKS/WTR PRD	SAFETY SUPPLY ILLINOIS	IL	60510	\$ 233.59	3/12/2021	65090 SAFETY EQUIPMENT	HARD HATS FOR PUMPING DIVISION.
PUBLIC WORKS/WTR PRD	BLT HYPERKON LED LIGH	CA	92121	\$ 315.70	3/12/2021	65090 SAFETY EQUIPMENT	WATERPROOF LIGHTS FOR WELL CLEANING.
PUBLIC WORKS/WTR PRD	MYKNOBS.COM	NY	11709	\$ 92.87	3/15/2021	65085 MINOR EQUIP & TOOLS	KICKDOWN DOOR STOPPER
PUBLIC WORKS/WTR PRD	USA BLUE BOOK	IL	60085	\$ 2,458.16	3/15/2021	65070 OFFICE/OTHER EQ TO MAINTN MATERIAL	SUMP PUMP.
PUBLIC WORKS/WTR PRD	MCMASTER-CARR	IL	60126	\$ 58.06	3/15/2021	65070 OFFICE/OTHER EQ TO MAINTN MATERIAL	STRUT CHANNEL.
PUBLIC WORKS/WTR PRD	THE HOME DEPOT 1902	IL	60202	\$ 471.46	3/15/2021	65055 MATERIALS TO MAINTAIN IMPROVEMENTS	PARTS FOR 954
PUBLIC WORKS/WTR PRD	SENSORCONNE	MI	48304	\$ 1,150.34	3/16/2021	65070 OFFICE/OTHER EQ TO MAINTN MATERIAL	Z HIGH LIFT EXHAUST TEMP SENSOR GAUGES.
PUBLIC WORKS/WTR PRD	PAYPAL MSP#164	CA	95131	\$ 871.75	3/16/2021	65070 OFFICE/OTHER EQ TO MAINTN MATERIAL	DOOR HANGERS.
PUBLIC WORKS/WTR PRD	SUPPLYHOUSE.COM	NY	11747	\$ 59.05	3/17/2021	65070 OFFICE/OTHER EQ TO MAINTN MATERIAL	PIPE FITTINGS.
PUBLIC WORKS/WTR PRD	TFS FISHER SCI ATL	GA	30024	\$ 123.75	3/17/2021	65075 MEDICAL & LAB SUPPLIES	FILLING SOLUTION FOR PH PROBE.
PUBLIC WORKS/WTR PRD	GIH GLOBALINDUSTRIALEQ	FL	33144	\$ (10.76)	3/17/2021	65070 OFFICE/OTHER EQ TO MAINTN MATERIAL	TAX REFUND.
PUBLIC WORKS/WTR PRD	APPLIED IND TECH 2783	MI	48312-2612	\$ 128.44	3/17/2021	65070 OFFICE/OTHER EQ TO MAINTN MATERIAL	VALVE LUBRICANT
PUBLIC WORKS/WTR PRD	SP MIGHTYPROBE T&T	MI	49424	\$ 801.00	3/17/2021	65085 MINOR EQUIP & TOOLS	HOOKS & PROBES
PUBLIC WORKS/WTR PRD	GRAINGER	IL	60045-5202	\$ 632.15	3/17/2021	65090 SAFETY EQUIPMENT	HALF FACE RESPIRATORS
PUBLIC WORKS/WTR PRD	USA BLUE BOOK	IL	60085	\$ 293.36	3/17/2021	65075 MEDICAL & LAB SUPPLIES	BATA PENYLAISNE OXIDE, SULFURIC ACID.
PUBLIC WORKS/WTR PRD	WATER PRODUCTS COMPANY	IL	60504	\$ 1,687.00	3/17/2021	65080 MERCHANDISE FOR RESALE	TAPPING SADDLES.
PUBLIC WORKS/WTR PRD	LEE JENSEN SALES	IL	60014	\$ 116.50	3/18/2021	65090 SAFETY EQUIPMENT	SHORING HOOK
PUBLIC WORKS/WTR PRD	GRAINGER	IL	60045-5202	\$ 201.26	3/18/2021	65070 OFFICE/OTHER EQ TO MAINTN MATERIAL	TRANSFER PUMP.
PUBLIC WORKS/WTR PRD	ZORO TOOLS INC	IL	60089	\$ 702.40	3/18/2021	65035 PETROLEUM PRODUCTS	FOOD GRADE GREASE.
PUBLIC WORKS/WTR PRD	ULINE SHIP SUPPLIES	WI	53158	\$ 16.50	3/19/2021	65085 MINOR EQUIP & TOOLS	BUMP HATS, ROLLING LADDER
PUBLIC WORKS/WTR PRD	NAPCO STEEL INC	IL	60185	\$ 129.00	3/19/2021	65055 MATERIAL TO MAINTAIN IMPROVEMENTS	STEEL STOCK
PUBLIC WORKS/WTR PRD	NORLAB INC.	OH	44023	\$ 227.00	3/22/2021	65055 CHEMICALS/SALT	STAINING DYE
PUBLIC WORKS/WTR PRD	ABT.COM	IL	60025	\$ 629.00	3/22/2021	65070 OFFICE/OTHER EQ TO MAINTN MATERIAL	LABORATORY DISHWASHER.

BMO Credit Card Statement for the Period ending March 26, 2021

REPORTS TO INTERMEDIATE	MERCHANT NAME	MERCHANT STATE	MERCHANT ZIP CODE	TRANSACTION AMOUNT	POSTING DATE	COST ALLOCATION - EXPENSE OBJECT	EXPENSE DESCRIPTION
PUBLIC WORKS/WTR PROD	ZORO TOOLS INC	IL	60089	\$ 324.95	3/22/2021	65040 JANITORIAL SUPPLIES	HAND TOWELS.
PUBLIC WORKS/WTR PROD	MOTION INDUSTRIES IL33	IL	60090000	\$ 985.90	3/22/2021	65070 OFFICE/OTHER EQ TO MAINTN MATERIAL	SHURFLO SHAFT, SEAL AND SEAT ACCESSORIES.
PUBLIC WORKS/WTR PROD	SP BATTERYCLERK USA	NJ	07450	\$ 58.02	3/23/2021	65070 OFFICE/OTHER EQ TO MAINTN MATERIAL	UPS BATTERIES FOR MCCORMICK METER.
PUBLIC WORKS/WTR PROD	IN ICL CALIBRATION LA	FL	34994	\$ 155.61	3/23/2021	65075 MEDICAL & LAB SUPPLIES	MRT YEARLY CALIBRATION.
PUBLIC WORKS/WTR PROD	AUTOZONE 6054	IL	60202	\$ 11.99	3/23/2021	65085 MINOR EQUIP & TOOLS	SOCKET
PUBLIC WORKS/WTR PROD	BEST BUY 00003137	IL	60202	\$ 81.98	3/23/2021	65055 MATERIALS TO MAINTAIN IMPROVEMENTS	PRINTER INK FOR 910
PUBLIC WORKS/WTR PROD	VOLLMAR CLY PRODUCTS C	IL	60646	\$ 933.00	3/23/2021	65055 MATERIALS TO MAINTAIN IMPROVEMENTS	PRECAST STRUCTURES
PUBLIC WORKS/WTR PROD	B&H PHOTO 800-606-6969	NY	10001	\$ 53.99	3/24/2021	65070 OFFICE/OTHER EQ TO MAINTN MATERIAL	SCADA LAPTOP DRIVE.
PUBLIC WORKS/WTR PROD	SUPPLYHOUSE.COM	NY	11747	\$ 92.53	3/24/2021	65070 OFFICE/OTHER EQ TO MAINTN MATERIAL	CHECK VALVE.
PUBLIC WORKS/WTR PROD	SUPPLYHOUSE.COM	NY	11747	\$ 116.99	3/24/2021	65070 OFFICE/OTHER EQ TO MAINTN MATERIAL	CHECK VALVE.
PUBLIC WORKS/WTR PROD	RENTOKIL NORTH AMERICA	PA	19610	\$ 70.00	3/24/2021	65050 BUILDING MAINTENANCE MATERIAL	PEST CONTROL AT THE WATER TREATMENT FACILITY.
PUBLIC WORKS/WTR PROD	NORLAB INC	OH	44053	\$ 1,227.00	3/24/2021	65015 CHEMICALS/ SALT	TRACING DYE
PUBLIC WORKS/WTR PROD	ABBOTT RUBBER COMPANY	IL	60007	\$ 929.69	3/24/2021	65085 MINOR EQUIP & TOOLS	4" SUCTION HOSE
PUBLIC WORKS/WTR PROD	LEE JENSEN SALES	IL	60014	\$ 150.00	3/24/2021	65070 OFFICE/OTHER EQ TO MAINTN MATERIAL	CALIBRATION GAS.
PUBLIC WORKS/WTR PROD	LEE JENSEN SALES	IL	60014	\$ 753.70	3/24/2021	65090 SAFETY EQUIPMENT	AIR MONITOR REPAIR
PUBLIC WORKS/WTR PROD	MCMASER-CARR	IL	60126	\$ 22.82	3/24/2021	65085 MINOR EQUIP & TOOLS	DRILL BITS
PUBLIC WORKS/WTR PROD	BRISTOL HOSE	IL	60160	\$ 265.25	3/24/2021	65055 MATERIALS TO MAINTAIN IMPROVEMENTS	BRINE SPRAYER PARTS
PUBLIC WORKS/WTR PROD	BRISTOL HOSE	IL	60160	\$ 479.19	3/24/2021	65055 MATERIALS TO MAINTAIN IMPROVEMENTS	HYDRAULIC PARTS
PUBLIC WORKS/WTR PROD	THE HOME DEPOT #1902	IL	602020000	\$ 5.35	3/24/2021	65055 MATERIALS TO MAINTAIN IMPROVEMENTS	BLACK PIPE
PUBLIC WORKS/WTR PROD	SP LIGHTBAR	UT	84003	\$ 904.87	3/24/2021	65090 SAFETY EQUIPMENT	HARDHAT HEADBAND, LIGHTS AND BATTERIES.
PUBLIC WORKS/WTR PROD	VWR INTERNATIONAL INC	PA	19087	\$ 122.68	3/25/2021	65075 MEDICAL & LAB SUPPLIES	ETHYL ALCOHOL FOR MENDO.
PUBLIC WORKS/WTR PROD	SP KELLER-HEARTT	IL	60632	\$ 388.02	3/25/2021	65035 PETROLEUM PRODUCTS	OIL.
	ALL OTHER 2021 MARCH TOTAL			\$ 181,225.31			
	SUMMARY:						
	LOCAL EVANSTON SPEND (179 transactions)			\$ 19,823.76			
	ALL OTHER NON-EVANSTON (436 transactions)			\$ 161,601.55			
	ALL OTHER MARCH 2021 TOTAL			\$ 181,225.31			



Memorandum

To: Honorable Mayor and Members of the City Council
CC: Members of Administration and Public Works Committee
From: Tera Davis, Accounts Payable Coordinator
CC: Hitesh Desai, Chief Financial Officer/Treasurer
Subject: Approval of BMO Harris Amazon Credit Card Activity
Date: May 24, 2021

Recommended Action:

Staff recommends approval of the City of Evanston's BMO Harris Amazon Credit Card Activity for the period ending March 26, 2021, in the amount of \$4,805.95.

Council Action:

For Action

Summary:

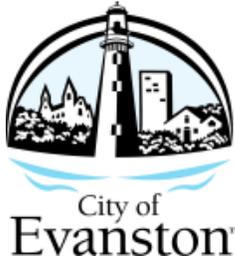
The total amount of the BMO Harris Amazon Credit Card Activity for the period ending March 26, 2021, is \$4,805.95.

Attachments:

[March 2021 Transactions Amazon](#)

BMO Credit Card Statement for the Period ending March 26, 2021

REPORTS TO INTERMEDIATE	MERCHANT NAME	MERCHANT STATE	MERCHANT ZIP CODE	TRANSACTION AMOUNT	POSTING DATE	COST ALLOCATION - EXPENSE OBJECT	EXPENSE DESCRIPTION
ADMIN SVCS/FAC MGMT	AMZN MKTP US UB96G7973	WA	98109	\$ 262.03	3/1/2021	65085 MINOR EQUIP & TOOLS	FOAM CUTTING SUPPLIES
ADMIN SVCS/FAC MGMT	AMAZON.COM JL2806E03 A	WA	98109	\$ 43.89	3/8/2021	65050 BUILDING MAINTENANCE MATERIAL	BUILDING SUPPLIES
ADMIN SVCS/FAC MGMT	AMAZON.COM TU02Y5GB3	WA	98109	\$ 325.23	3/15/2021	65085 MINOR EQUIP & TOOLS	16' LADDER
ADMIN SVCS/FAC MGMT	AMZN MKTP US BA3P10113	WA	98109	\$ 59.98	3/15/2021	62490 OTHER PROGRAM COSTS	TABLE SIGNS FOR COVID POD
ADMIN SVCS/FAC MGMT	AMZN MKTP US DA6MM8PG3	WA	98109	\$ 29.95	3/15/2021	65085 MINOR EQUIP & TOOLS	PROTECTIVE COVER FOR LADDER
ADMIN SVCS/FAC MGMT	AMZN MKTP US Q95C15C73	WA	98109	\$ 13.98	3/15/2021	62490 OTHER PROGRAM COSTS	TABLE HOLDERS FOR COVID POD
ADMIN SVCS/FAC MGMT	AMAZON.COM 3Q1S433K3 A	WA	98109	\$ 327.03	3/17/2021	65085 MINOR EQUIP & TOOLS	SAW AND BLADE
ADMIN SVCS/FAC MGMT	AMZN MKTP US AMZN.COM/	WA	98109	\$ (44.50)	3/18/2021	65085 MINOR EQUIP & TOOLS	RETURN OF PART FOR 2/28 ORDER FROM AMAZON
ADMIN SVCS/FAC MGMT	AMZN MKTP US XC0RJ4373	WA	98109	\$ 29.95	3/24/2021	65085 MINOR EQUIP & TOOLS	REPLACEMENT BELT CLIP CASES
ADMIN SVCS/FAC MGMT	AMAZON.COM AMZN.COM/BI	WA	98109	\$ (59.65)	3/25/2021	65085 MINOR EQUIP & TOOLS	RETURN BLADE FROM 3/17 PURCHASE 327.03
ADMIN SVCS/FAC MGMT	AMAZON.COM AMZN.COM/BI	WA	98109	\$ (267.38)	3/25/2021	65085 MINOR EQUIP & TOOLS	RETURN SAW FROM 3/17 327.03 PURCHASE
ADMIN SVCS/INFO SYS	AMZN MKTP US 3152H9R03	WA	98109	\$ 744.90	2/26/2021	62250 COMPUTER EQUIPMENT MAINT	41391 EPD TRAINING ROOM PC
ADMIN SVCS/INFO SYS	AMZN MKTP US FH6929AY3	WA	98109	\$ 64.25	3/1/2021	62250 COMPUTER EQUIPMENT MAINT	41044 RAM UPGRADE PW TOUGHBOOKS
ADMIN SVCS/INFO SYS	AMZN MKTP US QX9K72HP3	WA	98109	\$ 89.97	3/1/2021	62250 COMPUTER EQUIPMENT MAINT	3 WEBCAMS FOR STOCK
ADMIN SVCS/INFO SYS	AMAZON.COM YZ3A26UJ3 A	WA	98109	\$ 168.90	3/4/2021	65095 OFFICE SUPPLIES	DIRECT CONNECT LASER PRINTER. SEAN OWENS 41551
ADMIN SVCS/INFO SYS	AMAZON.COM 618WH7443	WA	98109	\$ 326.67	3/8/2021	65555 PERSONAL COMPUTER EQ	41571 PRINTER AND INK FOR REMOTE USE LAW DEPT.
ADMIN SVCS/INFO SYS	AMZN MKTP US J38T06433	WA	98109	\$ 168.00	3/8/2021	65555 PERSONAL COMPUTER EQ	REMOTE START POWER DISTRIBUTION - FOUNTAIN
ADMIN SVCS/INFO SYS	AMAZON.COM OR8GJ1Z23	WA	98109	\$ 57.95	3/10/2021	65555 PERSONAL COMPUTER EQ	SQUARE - EPD
ADMIN SVCS/INFO SYS	AMZN MKTP US 9840I79J3	WA	98109	\$ 29.99	3/10/2021	65555 PERSONAL COMPUTER EQ	41483 INK FOR REMOTE USE. HHS NICOLA
ADMIN SVCS/INFO SYS	AMZN MKTP US M88AC4DJ3	WA	98109	\$ 382.78	3/10/2021	62250 COMPUTER EQUIPMENT MAINT	41767 WEBCAM FOR TIM GRAY
ADMIN SVCS/INFO SYS	AMZN MKTP US N47C23NW3	WA	98109	\$ 59.98	3/10/2021	62250 COMPUTER EQUIPMENT MAINT	HEADSETS AND CABLES FOR STOCK
ADMIN SVCS/INFO SYS	AMZN MKTP US VE1KV7DK3	WA	98109	\$ 328.90	3/10/2021	62250 COMPUTER EQUIPMENT MAINT	WEBCAMS FOR STOCK
ADMIN SVCS/INFO SYS	AMAZON.COM NV6AD2W13 A	WA	98109	\$ 49.94	3/11/2021	62250 COMPUTER EQUIPMENT MAINT	SSD DRIVES FOR STOCK
ADMIN SVCS/INFO SYS	AMZN MKTP US GK5Q42SR3	WA	98109	\$ 18.98	3/11/2021	65555 PERSONAL COMPUTER EQ	41859 WIRELESS MOUSE AND KEYBOARD EPD TRAINING ROOM
ADMIN SVCS/INFO SYS	AMZN MKTP US 5S9QX6IQ3	WA	98109	\$ 72.99	3/15/2021	62250 COMPUTER EQUIPMENT MAINT	WATER DIVISION SEWER TRUCK EXTERNAL ANTENNA
ADMIN SVCS/INFO SYS	AMZN MKTP US O33P99FS3	WA	98109	\$ 139.94	3/15/2021	62250 COMPUTER EQUIPMENT MAINT	41569 PD
ADMIN SVCS/INFO SYS	AMZN MKTP US 1F20L7N43	WA	98109	\$ 67.28	3/19/2021	65090 SAFETY EQUIPMENT	MICE FOR STOCK 41890
ADMIN SVCS/INFO SYS	AMZN MKTP US 2934C4JJ3	WA	98109	\$ 44.99	3/19/2021	62250 COMPUTER EQUIPMENT MAINT	COVID SAFETY SUPPLIES
ADMIN SVCS/INFO SYS	AMZN MKTP US J586X60Y3	WA	98109	\$ 27.95	3/22/2021	65090 SAFETY EQUIPMENT	41769 MICROPHONE FOR REMOTE HEARINGS
HEALTH/HUMAN SVCS	AMZN MKTP US KN0K15963	WA	98109	\$ 171.12	3/16/2021	62490 OTHER PROGRAM COSTS	41508 HAND SANITIZER
HEALTH/HUMAN SVCS	AMZN MKTP US M55QB7V53	WA	98109	\$ 13.88	3/16/2021	62490 OTHER PROGRAM COSTS	NUMBER HOLDERS FOR MSYEP JOB FAIR
PRCS/ADMINISTRATION	AMZN MKTP US V69038KW3	WA	98109	\$ 524.45	3/19/2021	65090 SAFETY EQUIPMENT	NUMBERS FOR TABLES FOR MSYEP JOB FAIR
PUBLIC WORKS/SERVICE	AMZN MKTP US X91NE9MG3	WA	98109	\$ 63.12	3/8/2021	62199 PRK MAINTENANCE & FURNITUR REPLACE	SUMMER CAMP PPE
PUBLIC WORKS/SERVICE	AMAZON.COM 2N0PPR07H3	WA	98109	\$ 90.14	3/22/2021	65070 OFFICE/OTHER EQ TO MAINTN MATERIAL	TOOLS JACOBSEN 511
PUBLIC WORKS/WTR PROD	AMAZON.COM 975U13U73 A	WA	98109	\$ 104.80	3/9/2021	65085 MINOR EQUIP & TOOLS	SHOP TOOLS
PUBLIC WORKS/WTR PROD	AMZN MKTP US 2G9L88CK3	WA	98109	\$ 146.47	3/10/2021	65085 MINOR EQUIP & TOOLS	EXTENTION CORDS
PUBLIC WORKS/WTR PROD	AMAZON.COM 2V4FH4YS3 A	WA	98109	\$ 115.18	3/12/2021	65070 OFFICE/OTHER EQ TO MAINTN MATERIAL	EXTENTION CORD
PUBLIC WORKS/WTR PROD	AMZN MKTP US S57J008X3	WA	98109	\$ 11.92	3/17/2021	65070 OFFICE/OTHER EQ TO MAINTN MATERIAL	SQUARE DRIVE SOCKET SET.
							SCADA COMPUTER FANS.
	AMAZON 2021 MARCH TOTAL			\$ 4,805.95			



Memorandum

To: Honorable Mayor and Members of the City Council
CC: Members of Administration and Public Works Committee
From: Stefanie Levine, Project Manager
CC: David Stoneback - Public Works Agency Director; Lara Biggs - City Engineer
Subject: Approval of an Agreement with Altura Solutions, LLC, for the ADA Transition Plan Update (RFP 21-09)
Date: May 24, 2021

Recommended Action:

Staff recommends City Council authorize the City Manager to execute an agreement with Altura Solutions, LLC (3616 Far West Boulevard, Suite 117-288, Austin, Texas 78731) for the ADA Transition Plan Update (RFP 21-09) in the amount of \$154,850.00.

Funding Source:

Funding will be provided through the Capital Improvement Fund 2020 General Obligation Bond (Account 415.40.4120.62145 - 621002). A more detailed breakdown of the funding is included in the memo.

Council Action:

For Action

Summary:

The Americans with Disabilities Act (ADA) became federal law on January 26, 1992. The fundamental goal of the ADA is to ensure equal access to civic life by people with disabilities. The Act comprises five titles prohibiting discrimination against disabled persons within the United States. Title II of the ADA requires state and local governments to make their programs, services, and activities accessible to persons with disabilities. As such, the City of Evanston is required to conduct a self-evaluation and complete an ADA Transition Plan, which identifies existing obstacles limiting accessibility and describes steps that are to be taken to ensure that facilities and elements within the public right of way are made accessible to all individuals. This plan is required to be updated on a periodic basis.

The Illinois Accessibility Code (IAC) was developed by the State of Illinois to ensure that Illinois citizens with disabilities are treated fairly and equally and that certain newly-constructed or renovated buildings comply with accessibility standards that guarantee they are safe and readily accessible to persons with disabilities. The current IAC is effective as of October 23, 2018, and applies to all government-owned or leased public buildings, structures, sites, and right-of-way.

Between 2001 and 2005, City staff conducted internal ADA evaluations at a number of its buildings and parks. Since that time, many ADA and other improvements have been implemented, rendering the current evaluations substantially out of date. In 2012, the City conducted a Self-Evaluation and ADA Transition Plan Update. That plan focused primarily on programs and services and utilized the earlier building and park evaluations as a basis for determinations with regard to those properties. Neither of the above documents addressed right-of-way issues. At this time, the City must update the ADA Transition Plan to align the document with current physical infrastructure conditions, and programs/services. Additionally, the update must address any plan gaps, such as right-of-way, new properties, updated regulations, and new programs/services, in an effort to plan for and implement ADA improvements in a comprehensive manner. Because of the amount of effort this work will require, the City does not have available staff to complete this in-house. The scope of work for the consultant will be as follows:

- Review City's existing documentation
- Conduct barrier assessment surveys of all city facilities and parks
- Verify which City programs and services are subject to ADA/IAC compliance and what service delivery improvements are needed
- Review City of Evanston communication formats (website, registration forms, etc.) for compliance with ADA/IAC
- Recommend right-of-way capital improvement policies and construction details improvements
- Prepare ADA Transition Plan Update, identifying barriers to access and service delivery and developing a improvement plan

This project is expected to be completed by February 28, 2022.

Analysis:

On February 18, 2021, the City issued a Request for Proposal requesting consulting services to update the City's existing ADA Transition Plan. On March 23, 2021, the City received six responses from the following consulting firms:

Consultant	Address
Accessology Too	1407 W. University Dr., McKinney, Texas 75069
Altura Solutions, LLC	3616 Far West Blvd., Suite 117-288, Austin, Texas 78731
DLZ	8430 W. Bryn Mawr Ave., Suite 100, Chicago, Illinois 60631
LCM Architects	819 S. Wabash Ave., Fifth Floor, Chicago, Illinois 60605
Milligan Consulting, LLC	30 S. 15 th St, 15 th Flr., Philadelphia, Pennsylvania 19102
The WT Group, LLC	2675 Pratum Ave, Hoffman Estates, Illinois 60192

The proposal review and interview team consisted of:

- Lara Biggs, City Engineer
- Sean Ciolek, Operations and Maintenance Manager Facilities
- Stefanie Levine, Senior Project Manager
- Anil Khatkhate, ADA/CIP Project Manager
- Ryan Dollins, Senior Program Coordinator
- Shenicka Hohenkirk, ICMA Local Government Fellow
- Linda Thomas, Purchasing Specialist

The submittals for the project were reviewed based on the firms/sub-consultants: qualifications and expertise, project approach, price, organization and completeness of proposal, willingness to execute the City's professional services agreement, and M/W/EBE participation. The proposals were rated and interviews were conducted with the top two candidate firms (Altura Solutions and WT Group). Including information from the interviews, the final scoring of the proposals follows:

Consultant	Qualifications and Expertise	Project Approach	Price	Organization and Completeness of Proposal	Willingness to Execute the City Contract	M/W/EBE Participation	Subtotal	Interview	Total
Maximum Points Possible	25	25	20	10	10	10	100	10	110
<u>Accessology Too</u>	21	15	10	5	10	10	71		
Altura Solutions, LLC	24	22	15	10	10	10	91	8	99
DLZ	23	20	15	8	6	7	79		
LCM Architects	22	18	10	10	6	0	66		
Milligan Consulting, LLC	22	20	10	8	10	10	80		
The WT Group, LLC	22	19	18	9	6	10	84	6	90

Although both interviewed firms demonstrated a good understanding of the work and had appropriate expertise, Altura Solutions, LLC stood out as the best fit for this project. Altura Solutions is a consulting firm that specializes in ADA-related projects. Their proposal and interview highlighted their high level of expertise in this area as well as their dedication to addressing accessibility issues as a civil rights issue. Their project approach will uniquely provide the City with geocoded data that will allow information to be tracked in the City's GIS system. They will also provide staff training and tools that can help the City meet accessibility requirements and maintain the transition plan as a living document. Altura Solutions, LLC's references indicate they are responsive to their clients, easy to work with, extremely thorough, and flexible in the development of their solutions. Staff, therefore, recommends award of the subject project to Altura Solutions, LLC in the amount of \$154,850.00.

Altura Solutions, LLC will utilize three EBE firms as subconsultants, one of which is also an MBE and two of which are also WBE's to meet the City's M/W/EBE goals. A memo reviewing compliance is attached.

Funding Analysis:

Funding Source	Account	Available Budget	Project Cost
2020 GO Bonds (ADA Transition Plan)	415.40.4120.62145 - 621002	\$150,000	\$150,000.00
2020 GO Bonds (2020 Facilities Contingency)	415.40.4120.62145 - 621002	\$ 51,117	\$ 4,850.00
Total			\$154,850.00

Attachments:

[MWEBE Memo RFP 21-09 ADA Transition Plan Update](#)



Memorandum

To: David Stoneback, Director Public Works
 Lara Biggs, P.E. Bureau Chief – Capital Planning / City Engineer
 Stefanie Levine, Senior Project Manager

From: Tammi Nunez, Purchasing Manager

Subject: ADA Transition Plan Update, RFP 21-09

Date: May 24, 2021

The goal of the Minority, Women and Evanston Business Enterprise Program (M/W/EBE) is to assist such businesses with opportunities to grow. In order to help ensure such growth, the City's goal is to have general contractors utilize M/W/EBEs to perform no less than 25% of the awarded contract.

With regard to the recommendation for the ADA Transition Plan Update, RFP 21-09, Altura Solutions, LLC, total base bid is \$154,850.00 and they are found to be in compliance with the City's goal. They will receive credit for 26.3% M/W/EBE participation.

Name of M/W/EBE	Scope of Work	Contract Amount	%	MBE	WBE	EBE
Avid Consulting, Inc.(*/**) 3411 Lake St. Evanston, IL 60203	Engineering Consulting	\$16,256.00	10.5%	X		
McGuire Iglesias & Assoc., Inc. 1330 Sherman Ave. Evanston, IL 60201	Architects	\$9,580.00	6.2%			X
All Together, LLC (*) 2625 Park Place Evanston, IL 60201	Public Engagement Firm	\$14,835.00	9.6%		X	
Total M/W/EBE		\$40,671.00	26.3%			

*Subcontractor has not formally registered as a business located in Evanston.

** Based on City Ordinance Section 1-17-1 C, addresses located within zip code 60203 are not eligible to receive credit as an EBE. But, in the past, the City has considered other businesses eligible to receive credit considering taxes paid to the schools. Staff will seek City Council review and direction of Ordinance Section 1-17-1 C to determine if any change is required.

cc: Hitesh Desai, Chief Financial Officer



Memorandum

To: Honorable Mayor and Members of the City Council
CC: Members of Administration and Public Works Committee
From: Darrell King, Water Production Bureau Chief
CC: David D. Stoneback, Public Works Agency Director
Subject: Change Order #1 with the Metropolitan Water Reclamation District of Greater Chicago for FY 2021 Estimated Annual User Charge for Disposal of Sludge Generated as Part of the Water Treatment Process
Date: May 24, 2021

Recommended Action:

Staff recommends City Council authorize the City Manager to execute Change Order #1 with the Metropolitan Water Reclamation District of Greater Chicago (P.O. Box 95089, Chicago, IL 60694-5089) in the amount of \$71,526.56. This will increase the total User Charge paid to the District for sludge disposal during FY2021 from \$136,038.70 to \$207,565.26.

Funding Source:

Funding is provided by the Water Fund Filtration Business Unit (Account 510.40.4220.62420), which has an approved FY 2021 budget of \$352,000.00 and a YTD balance of \$215,961.30.

Council Action:

For Action

Summary:

The initial phase of the water treatment process involves adding coagulants to raw Lake Michigan water in order to form a "floc" which helps to trap and solidify impurities in the water and allow them to settle out prior to filtration. This material settles out as part of the mixing, sedimentation and settling process into basins located underground on the north side of the Water Treatment Facility. During October and April of each year, this sediment, or sludge, is removed from the basins by manually washing and rinsing it into a sewer and sending it to the MWRDGC for treatment. The makeup of this sludge varies greatly depending on the time of the year, the turbidity (cloudiness) of the raw water and the utilization and demand for water. The sludge is analyzed for biological oxygen demand (BOD) and suspended solids (SS) prior to pumping to the MWRDGC and the cost for treatment is based on the levels of these parameters as well as the volume of sludge that has been produced. The MWRDGC determines an annual amount for the coming year based on the data from the previous year

and bills the City on a pro-rated quarterly basis. In January of each year, a “true up” calculation is determined using the BOD, SS and volume data. Depending on these results, there is either an additional payment if the estimate was low or a credit to the City if the estimate was high.

Financial Analysis:

The MWRDGC completed the "True Up" calculation of the sludge sent to them for treatment during FY2020 based on the actual characteristics and quantity of the sludge. The table below depicts the MWRDGC Annual User Charge "True Up" for FY 2020.

Year	User Charge Amount	Interest	2020 Payment Made by COE	Balance
2020	\$199,287.23	*\$271.24	-\$181,204.20	**\$18,354.27

**MWRDGC assessed interest at 0.75%/month (February & March 2021) for outstanding user charges for FY 2020 due by February 2021.*

***Balance includes 2020 annual user charge shortage (\$18,083.03) plus interest (\$271.24) equals \$18,354.27.*

Based on this information, the MWRDGC recalculated the 2021 Estimated Annual User Charge to be \$189,210.99. This is an increase of \$53,172.29 and represents three payments of \$51,733.77 (an increase of \$17,724.09 per payment) beginning May 2021 and ending November 2021.

The table below depicts the Estimated MWRDGC Annual User Charge for FY 2021.

Year	Initial Estimated Annual User Charge	Revised Estimated Annual User Charge	Balance
2021	\$136,038.70	\$189,210.99	\$53,172.29

The total amount for this change order #1 equals \$71,526.56 (includes the sum of the balances for FY 2020 True Up and FY 2021 Estimated Annual User Charge).

Legislative History:

On January 25, 2021 City Council approved the FY 2021 Estimated Annual User Charge in the amount of \$136,038.70, which represented four payments of \$34,009.68 made beginning February 2021 and ending November 2021.



Memorandum

To: Honorable Mayor and Members of the City Council
CC: Members of Administration and Public Works Committee
From: Christopher Venatta, Senior Project Manager
CC: David Stoneback, Public Works Agency Director; Lara Biggs, City Engineer
Subject: Approval of Change Order No. 2 to the Agreement with Patrick Engineering, Inc. for the Main Street Improvements Project (RFQ 18-28)
Date: May 24, 2021

Recommended Action:

Staff recommends that City Council authorize the City Manager to execute Change Order No. 2 to the agreement with Patrick Engineering, Inc. (55 East Monroe Street, Suite 3450, Chicago IL 60603) for the Main Street Improvements Project (RFQ 18-28) in the amount of \$173,729.00. This will increase the overall contract amount from \$839,268.00 to \$1,012,997.00.

Funding Source:

Funding is provided from the Capital Improvement Fund 2021 General Obligation Bond Fund in the amount of \$108,857.54 and the Chicago Main TIF in the amount of \$64,871.52. A detailed breakdown of the funding is included in the memo below.

Council Action:

For Action

Summary:

On October 8, 2018, the City Council awarded the Phase 1 preliminary design engineering services for the Main Street Improvements Project to Patrick Engineering with the option to award the Phase 2 and Phase 3 services at a later date. Phase 2 was awarded on March 9, 2020 and detailed engineering drawings were developed. The Phase 2 scope of work included two construction contracts: one for the water main and utility improvements and a second for the full corridor upgrade.

The water main and utility portion work is planned to be constructed in the summer of 2021, and staff is recommending the award of Phase 3 construction services to Patrick Engineering for the Main Street Water Main Improvements project.

Patrick Engineering intends on meeting the City's M/W/EBE program goal. A memo reviewing compliance with the City's M/W/EBE program goals is attached.

Detailed Funding

Fund	Account	Available Funding	Contract Award
2021 GO Bond	415.40.4121.62145 - 418006	\$ 140,000.00	\$ 108,857.48
Chicago/Main TIF	345.99.3400.65515 - 418006	\$ 64,871.52	\$ 64,871.52
Total		\$ 204,871.52	\$ 173,729.00

Legislative History:

On October 8, 2018, the City Council authorized the City Manager to sign the initial contract with Patrick Engineering for \$363,738.

On March 9, 2020, the City Council authorized the City Manager to sign Change Order 1 for Phase 2 services with Patrick Engineering for \$475,530.



Memorandum

To: Honorable Mayor and Members of the City Council
CC: Members of Administration and Public Works Committee
From: Sat Nagar, Senior Project Manager
CC: Dave Stoneback, Director, Lara Biggs, City Engineer
Subject: Approval of Contract for 2021 Rebuild IL/ Motor Fuel Tax (MFT) Street Resurfacing Project (Bid 21-12)
Date: May 24, 2021

Recommended Action:

Staff recommends City Council authorize the City Manager to execute a contract for the 2021 Rebuild IL/ MFT Street Resurfacing Project (Bid 21-12) with J.A. Johnson Paving Company (1025 E. Addison Court, Arlington Heights, IL 60005) in the amount of \$1,083,777.

Funding Source:

Funding will be provided from the Rebuild Illinois Funds in the amount of \$1,195,000 and Motor Fuel Tax Funds in the amount of \$179,000 (Account 200.26.5100.65515 – 421001).

Council Action:

For Action

Summary:

This project consists of roadway resurfacing at nine locations throughout the City of Evanston as indicated in the table below. The work consists of removing and replacing the broken concrete curb, reconstruction of sidewalk curb ramps at the intersections, sewer utility work, roadway base patching, asphalt street resurfacing and related parkway restoration. The construction plans and specifications were completed by Capital Planning & Engineering Bureau staff. Also as part of the project, deteriorated sections of Gross Point Road, Harrison Street, Oakton Street and Sheridan Road will be patched within limits of the roadway as indicated in the table below. This project is scheduled to begin in June 3, 2021 and be completed by October 31, 2021. The 2021 Rebuild Illinois/ MFT Street Resurfacing list is provided below.

2021 Rebuild IL/ MFT Street Resurfacing Project		
Street	From	To
Barton Avenue	Harvard Terrace	South Dead End
Chancellor Street	Eastwood Avenue	East Dead End
Clark Street	Chicago Avenue	Sheridan Road
Dobson Street	Elmwood Avenue	Custer Avenue
Lincoln Street	McDaniel Avenue	Pioneer Road
Madison Street	Asbury Avenue	Ridge Avenue
Michigan Avenue	South Blvd.	Keeney Street
Mulford Street	Barton Avenue	Ridge Avenue
Reese Avenue	Hartzell Street	Isabella Street
Surface Patching		
Gross Point Road	Harrison Street	North City Limit
Harrison Street	Gross Point Road	Crawford Avenue
Oakton Street	Asbury Avenue	Callan Avenue
Sheridan Road	South Blvd.	Burnham Place

This project is funded by Motor Fuel Tax (MFT) funds and Rebuild Illinois funds. MFT is collected by the State of Illinois and rebated to the City of Evanston. Rebuild Illinois funds are a grant from the State of Illinois that must be spent on roadway capital improvement. Rebuild Illinois funds are only available for three years, 2019 - 2021. Both MFT and Rebuild Illinois funds can only be spend on Illinois Department of Transportation (IDOT) approved uses, and the projects must comply with IDOT standards.

Analysis:

This bid was advertised for the project on DemandStar and in the Pioneer Press. Bids for the project were received electronically and read on May 4, 2021. Four contractors submitted bids for this project as follows.

Contractor	Address
Chicagoland Paving Contractors Inc.	225 Telser Road, Lake Zurich, IL 60047
Schroeder Asphalt Services Inc.	P.O. Box 831, Huntley, IL 60142
J.A. Johnson Paving Co.	1025. E. Addison Ct, Arlington Heights, IL 60005
Builders Paving, LLC	4413 Roosevelt Road, Hillside, IL 60162

The submitted bids cannot be withdrawn or canceled for a period of sixty (60) calendar days following the bid opening. The bids were reviewed by Sat Nagar P.E., Senior Project Manager. Attached is bid tabulation showing the detailed bid results.

A summary of the bid pricing received was as follows:

Contractor	Total Bid Price
J.A. Johnson Paving Co.	\$1,083,777
Builders Paving, LLC	\$1,141,000
Chicagoland Paving Contractors Inc.	Non-responsive
Schroeder Asphalt Services	Non-responsive

Because this project utilizes Rebuild IL & MFT funds, it must comply with an IDOT requirement that the contractor be eligible to perform this type and quantity of work as certified by IDOT. Both Chicagoland Paving and Schroeder Asphalt have not been certified by IDOT to perform the quantity of asphalt paving work specified in this contract and has been deemed non-responsive. This disqualification has been coordinated with and approved by IDOT.

Staff recommends awarding the contract to the lowest responsive bidder J.A. Johnson Paving Company. J.A. Johnson Paving Company has completed various projects for the City, and staff has found their work to be satisfactory.

This project is not Local Employment Program (LEP) eligible due to the use of MFT funds. The bid proposal indicated intent to partially meet the City's M/W/EBE program goal. A memo reviewing compliance with the City's M/W/EBE program goals is attached.

Attachments:

Bid Tabulation

Location Map

M/W/EBE Compliance Memo

Attachments:

[Detailed Bid Tabulation](#)

[2021 Project Location Map](#)

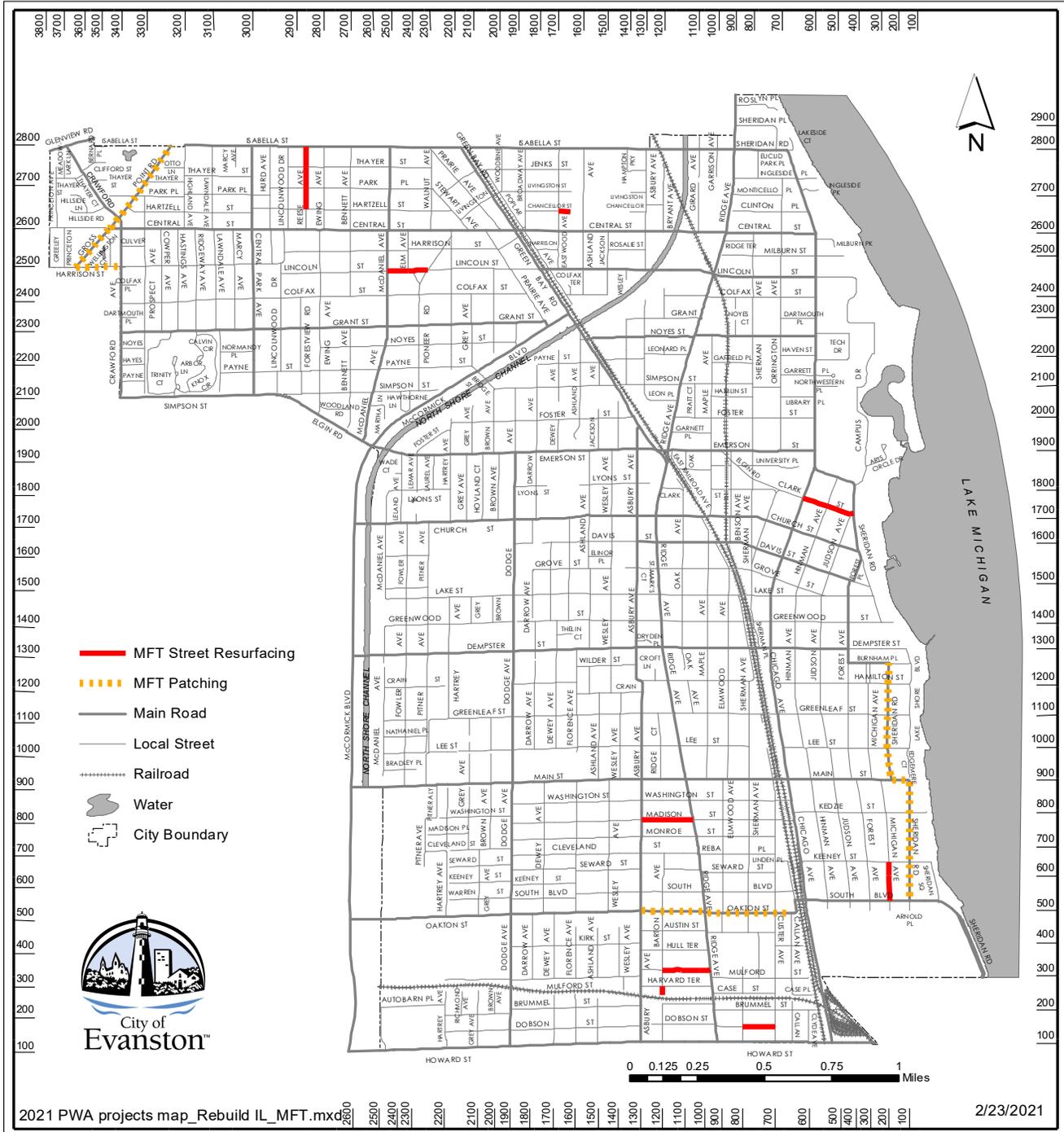
[MWEBE Memo Bid 21-12 2021 Rebuild IL MFT Street Resurfacing](#)



**CITY OF EVANSTON
TABULATION OF BIDS FOR
2021REBUILD IL/ MFT RESURFACING PROJECT
21-00290-00-RS**

DATE: 4/7/21 TIME: 2:00 P.M. ATTENDED BY: Linda, SN		APPROVED ENGINEER'S ESTIMATE		NAME AND ADDRESS OF BIDDERS									
Item No	Items	Unit	Quantity	Unit Price	Cost	Chagoland Paving Contractors, Inc		Schroeder Asphalt Services, Inc		J.A. Johnson Paving Company		Bullens Paving LLC	
						UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
1	TEMPORARY FENCE	FOOT	2,650	\$ 5.00	\$ 13,250.00	\$1.50	\$3,975.00	\$5.50	\$14,575.00	\$5.00	\$13,250.00	\$5.00	\$13,250.00
2	TREE TRUNK PROTECTION	EACH	6	\$ 140.00	\$ 840.00	\$150.00	\$900.00	\$285.00	\$1,710.00	\$85.00	\$510.00	\$100.00	\$600.00
3	TREE ROOT PRUNING	FOOT	1,060	\$ 7.00	\$ 7,420.00	\$5.00	\$5,300.00	\$4.00	\$4,240.00	\$2.95	\$3,127.00	\$5.00	\$5,300.00
4	TREE PRUNING (OVER 10 INCH DIAMETER)	EACH	196	\$ 100.00	\$ 19,600.00	\$170.00	\$33,320.00	\$160.00	\$31,360.00	\$75.00	\$14,700.00	\$150.00	\$29,400.00
5	SUPPLEMENTAL WATERING	UNIT	24	\$ 95.00	\$ 2,280.00	\$0.01	\$0.24	\$4.00	\$96.00	\$1.00	\$24.00	\$1.00	\$24.00
6	EARTH EXCAVATION	CU YD	5	\$ 50.00	\$ 250.00	\$100.00	\$500.00	\$50.00	\$300.00	\$45.00	\$225.00	\$45.00	\$225.00
7	TRENCH BACKFILL	CU YD	9	\$ 50.00	\$ 450.00	\$55.00	\$495.00	\$53.00	\$477.00	\$35.00	\$315.00	\$53.00	\$477.00
8	POROUS GRANULAR BACKFILL	TON	3	\$ 60.00	\$ 180.00	\$60.00	\$180.00	\$70.00	\$210.00	\$42.00	\$126.00	\$58.00	\$174.00
9	TOPSOIL, FURNISH AND PLACE, SPECIAL	CU YD	83	\$ 48.00	\$ 3,984.00	\$70.00	\$5,810.00	\$70.00	\$5,810.00	\$7.00	\$581.00	\$50.00	\$4,150.00
10	SODDING, SALT TOLERANT	SQ YD	1,660	\$ 16.00	\$ 26,560.00	\$13.00	\$21,680.00	\$21.50	\$35,680.00	\$14.50	\$24,070.00	\$14.00	\$23,240.00
11	AGGREGATE BASE COURSE, TYPE B 4"	SQ YD	290	\$ 6.00	\$ 1,740.00	\$4.50	\$1,305.00	\$6.50	\$1,885.00	\$5.00	\$1,450.00	\$5.00	\$1,450.00
12	AGGREGATE BASE COURSE, TYPE B 6"	SQ YD	30	\$ 8.00	\$ 240.00	\$10.00	\$300.00	\$9.50	\$285.00	\$7.50	\$225.00	\$7.50	\$225.00
13	H.E.S. PORTLAND CEMENT CONCRETE BASE COURSE WIDENING 9"	SQ YD	32	\$ 78.00	\$ 2,496.00	\$86.00	\$2,752.00	\$85.00	\$2,720.00	\$75.00	\$2,400.00	\$75.00	\$2,400.00
14	AGGREGATE FOR TEMPORARY ACCESS	TON	4	\$ 38.00	\$ 152.00	\$40.00	\$160.00	\$200.00	\$800.00	\$18.00	\$72.00	\$18.00	\$72.00
15	BITUMINOUS MATERIALS (TACK COAT)	POUND	17,840	\$ 0.50	\$ 8,920.00	\$0.01	\$178.40	\$0.01	\$178.40	\$0.01	\$178.40	\$0.01	\$178.40
16	AGGREGATE (PRIME COAT)	TON	86	\$ 20.00	\$ 1,720.00	\$0.01	\$0.86	\$1.00	\$86.00	\$1.00	\$86.00	\$15.00	\$1,290.00
17	MIXTURE FOR CRACKS, JOINTS, AND FLANGEWAYS	TON	16	\$ 400.00	\$ 6,400.00	\$100.00	\$1,600.00	\$200.00	\$3,200.00	\$400.00	\$6,400.00	\$550.00	\$8,800.00
18	LEVELING BINDER (MACHINE METHOD), N50	TON	1,043	\$ 94.00	\$ 98,042.00	\$90.00	\$93,870.00	\$86.50	\$90,219.50	\$89.00	\$92,827.00	\$96.00	\$102,214.00
19	HOT-MIX ASPHALT SURFACE REMOVAL - BUTT JOINT	SQ YD	1,020	\$ 6.00	\$ 6,120.00	\$5.00	\$5,100.00	\$6.00	\$6,120.00	\$1.00	\$1,020.00	\$1.00	\$1,020.00
20	TEMPORARY RAMP	SQ YD	293	\$ 16.00	\$ 4,688.00	\$10.00	\$2,930.00	\$20.00	\$5,860.00	\$2.00	\$586.00	\$2.00	\$586.00
21	HOT-MIX ASPHALT SURFACE COURSE, MIX "D", N50	TON	3,096	\$ 98.00	\$ 303,408.00	\$85.00	\$263,160.00	\$86.50	\$267,804.00	\$92.00	\$284,832.00	\$93.00	\$287,928.00
22	INCIDENTAL HOT-MIX ASPHALT SURFACING	TON	34	\$ 365.00	\$ 12,410.00	\$125.00	\$4,250.00	\$100.00	\$3,400.00	\$325.00	\$11,050.00	\$500.00	\$17,000.00
23	TEMPORARY HOT-MIX ASPHALT	TON	6	\$ 125.00	\$ 750.00	\$125.00	\$750.00	\$50.00	\$3,000.00	\$200.00	\$1,200.00	\$250.00	\$1,500.00
24	PORTLAND CEMENT CONCRETE DRIVEWAY PAVEMENT, 6 INCH	SQ YD	132	\$ 75.00	\$ 9,900.00	\$70.50	\$9,306.00	\$68.00	\$8,976.00	\$65.00	\$8,580.00	\$65.00	\$8,580.00
25	PORTLAND CEMENT CONCRETE DRIVEWAY PAVEMENT, 8 INCH	SQ YD	43	\$ 95.00	\$ 4,085.00	\$77.00	\$3,311.00	\$74.00	\$3,182.00	\$70.00	\$3,010.00	\$70.00	\$3,010.00
26	PORTLAND CEMENT CONCRETE SIDEWALK 5 INCH	SQ FT	6,705	\$ 8.00	\$ 53,640.00	\$7.00	\$46,935.00	\$6.75	\$45,281.25	\$6.50	\$43,593.75	\$6.50	\$43,593.75
27	DETECTABLE WARNINGS	SQ FT	900	\$ 44.00	\$ 39,600.00	\$26.00	\$23,400.00	\$25.00	\$22,500.00	\$37.00	\$33,300.00	\$37.00	\$33,300.00
28	HOT-MIX ASPHALT SURFACE REMOVAL- 2 INCH	SQ YD	7,480	\$ 5.00	\$ 37,400.00	\$2.10	\$15,708.00	\$4.00	\$29,920.00	\$6.75	\$50,490.00	\$7.50	\$56,100.00
29	HOT-MIX ASPHALT SURFACE REMOVAL (VARIABLE DEPTH)	SQ YD	18,705	\$ 6.00	\$ 112,230.00	\$3.00	\$56,115.00	\$3.95	\$73,884.75	\$3.90	\$72,949.50	\$4.25	\$78,496.25
30	PAVEMENT REMOVAL	SQ YD	45	\$ 22.00	\$ 990.00	\$15.00	\$675.00	\$20.00	\$900.00	\$18.00	\$810.00	\$18.00	\$810.00
31	DRIVEWAY PAVEMENT REMOVAL	SQ YD	197	\$ 15.00	\$ 2,955.00	\$12.50	\$2,462.50	\$14.00	\$2,758.00	\$9.00	\$1,773.00	\$9.00	\$1,773.00
32	CURB REMOVAL	FOOT	2,130	\$ 7.00	\$ 14,910.00	\$4.00	\$8,520.00	\$5.00	\$10,650.00	\$3.50	\$7,455.00	\$5.00	\$10,650.00
33	COMBINATION CURB AND GUTTER REMOVAL	FOOT	915	\$ 8.00	\$ 7,320.00	\$4.50	\$3,667.50	\$6.00	\$5,490.00	\$5.50	\$4,482.50	\$5.00	\$4,075.00
34	SIDEWALK REMOVAL	SQ FT	6,860	\$ 1.50	\$ 10,290.00	\$1.00	\$6,860.00	\$1.25	\$8,575.00	\$1.15	\$7,889.00	\$1.00	\$6,860.00
35	CLASS C PATCHES, SPECIAL 9" (HES)	SQ YD	65	\$ 90.00	\$ 5,850.00	\$136.00	\$8,775.00	\$136.00	\$8,775.00	\$75.00	\$4,875.00	\$75.00	\$4,875.00
36	CLASS D PATCHES, SPECIAL 9"	SQ YD	360	\$ 110.00	\$ 39,600.00	\$50.00	\$18,000.00	\$63.00	\$22,680.00	\$60.00	\$21,600.00	\$105.00	\$37,800.00
37	FIBER GLASS FABRIC REPAIR SYSTEM	SQ YD	140	\$ 70.00	\$ 9,800.00	\$75.00	\$10,500.00	\$135.00	\$18,900.00	\$120.00	\$16,800.00	\$135.00	\$18,900.00
38	COMBINED SEWERS 10" SPECIAL DIP (CL 50)	FOOT	9	\$ 230.00	\$ 2,070.00	\$220.00	\$1,980.00	\$260.00	\$2,340.00	\$45.00	\$405.00	\$55.00	\$500.00
39	MANHOLES, TYPE A, 4'-DIAMETER, TYPE 1 FRAME, CLOSED LID (SPECIAL)	EACH	1	\$ 6,000.00	\$ 6,000.00	\$12,000.00	\$12,000.00	\$11,585.00	\$11,585.00	\$8,950.00	\$8,950.00	\$11,585.00	\$11,585.00
40	MANHOLES TO BE RECONSTRUCTED	EACH	6	\$ 1,700.00	\$ 10,200.00	\$2,590.00	\$15,540.00	\$2,500.00	\$15,000.00	\$1,690.00	\$10,140.00	\$2,600.00	\$16,000.00
41	VALVE VAULTS TO BE RECONSTRUCTED	EACH	2	\$ 1,700.00	\$ 3,400.00	\$2,590.00	\$5,180.00	\$2,500.00	\$5,000.00	\$1,690.00	\$3,380.00	\$2,600.00	\$5,200.00
42	VALVE BOXES TO BE ADJUSTED	EACH	8	\$ 450.00	\$ 3,600.00	\$495.00	\$3,960.00	\$475.00	\$3,800.00	\$3,800.00	\$3,800.00	\$4,475.00	\$3,800.00
43	FRAMES AND GRATES TO BE ADJUSTED	EACH	9	\$ 450.00	\$ 4,050.00	\$545.00	\$4,905.00	\$525.00	\$4,725.00	\$400.00	\$3,600.00	\$525.00	\$4,725.00
44	FRAMES AND LIDS TO BE ADJUSTED	EACH	4	\$ 650.00	\$ 2,600.00	\$710.00	\$2,840.00	\$685.00	\$2,740.00	\$600.00	\$2,400.00	\$685.00	\$2,740.00
45	FRAMES AND LIDS TO BE ADJUSTED (SPECIAL)	EACH	29	\$ 850.00	\$ 24,650.00	\$940.00	\$27,840.00	\$925.00	\$26,825.00	\$785.00	\$22,765.00	\$925.00	\$26,825.00
46	FRAMES AND LIDS, OPEN LID (SPECIAL)	EACH	2	\$ 500.00	\$ 1,000.00	\$725.00	\$1,450.00	\$700.00	\$1,400.00	\$650.00	\$1,300.00	\$700.00	\$1,400.00
47	FRAMES AND LIDS, CLOSED LID (SPECIAL)	EACH	18	\$ 500.00	\$ 9,000.00	\$725.00	\$13,050.00	\$700.00	\$12,600.00	\$650.00	\$11,700.00	\$700.00	\$12,600.00
48	REMOVING MANHOLES	EACH	1	\$ 300.00	\$ 300.00	\$465.00	\$465.00	\$450.00	\$450.00	\$285.00	\$285.00	\$450.00	\$450.00
49	CONCRETE CURB, TYPE B (AEP Modified)	FOOT	1,840	\$ 30.00	\$ 55,200.00	\$35.25	\$64,860.00	\$34.00	\$62,560.00	\$28.50	\$52,440.00	\$27.00	\$50,000.00
50	COMBINATION CONCRETE CURB AND GUTTER, TYPE B-6.12 (AEP Modified)	FOOT	1,106	\$ 33.00	\$ 36,468.00	\$35.25	\$38,981.25	\$34.00	\$37,570.00	\$38.00	\$39,780.00	\$34.00	\$37,570.00
51	NON-SPECIAL WASTE DISPOSAL	CU YD	80	\$ 150.00	\$ 12,000.00	\$50.00	\$4,000.00	\$75.00	\$6,000.00	\$80.00	\$6,400.00	\$115.00	\$9,200.00
52	SOIL DISPOSAL ANALYSIS	EACH	1	\$ 4,000.00	\$ 4,000.00	\$1,500.00	\$1,500.00	\$1,800.00	\$1,800.00	\$1,450.00	\$1,450.00	\$2,000.00	\$2,000.00
53	MOBILIZATION	LSUM	1	\$ 57,000.00	\$ 57,000.00	\$93,177.50	\$93,177.50	\$56,000.00	\$56,000.00	\$60,000.00	\$60,000.00	\$47,562.85	\$47,562.85
54	TRAFFIC CONTROL AND PROTECTION	LSUM	1	\$ 46,000.00	\$ 46,000.00	\$10,000.00	\$10,000.00	\$17,500.00	\$17,500.00	\$58,139.00	\$58,139.00	\$15,000.00	\$15,000.00
55	PAVEMENT MARKING TAPE, TYPE 1	FOOT	1,070	\$ 1.50	\$ 1,605.00	\$1.00	\$1,070.00	\$1.00	\$1,070.00	\$0.01	\$10.70	\$1.00	\$1,070.00
56	SHORT TERM PAVEMENT MARKING REMOVAL	SQ FT	190	\$ 2.00	\$ 380.00	\$1.00	\$190.00	\$2.50	\$475.00	\$0.01	\$1.90	\$5.00	\$950.00
57	DETECTOR LOOP REPLACEMENT	FOOT	520	\$ 35.00	\$ 18,200.00	\$18.75	\$9,750.00	\$20.00	\$10,400.00	\$18.00	\$9,360.00	\$16.80	\$8,736.00
58	THERMOPLASTIC PAVEMENT MARKING - LETTER AND SYMBOLS	SQ FT	593	\$ 10.00	\$ 5,930.00	\$4.25	\$2,520.25	\$4.00	\$2,372.00	\$4.00	\$2,372.00	\$4.00	\$2,372.00
59	THERMOPLASTIC PAVEMENT MARKING - LINE 4"	FOOT	9,630	\$ 1.00	\$ 9,630.00	\$0.60	\$5,778.00	\$0.55	\$5,296.50	\$0.55	\$5,296.50	\$0.55	\$5,296.50
60	THERMOPLASTIC PAVEMENT MARKING - LINE 6"	FOOT	7,255	\$ 2.00	\$ 14,510.00	\$0.80	\$5,804.00	\$0.75	\$5,441.25	\$0.90	\$6,529.50	\$0.90	\$6,529.50
61	THERMOPLASTIC PAVEMENT MARKING - LINE 8"	FOOT	500	\$ 2.50	\$ 1,250.00	\$1.30	\$650.00	\$1.20	\$600.00	\$1.20	\$600.00	\$1.20	\$600.00
62	THERMOPLASTIC PAVEMENT MARKING - LINE 12"	FOOT	719	\$ 3.00	\$ 2,157.00	\$2.15	\$1,535.85	\$2.00	\$1,438.00	\$2.15	\$1,535.85	\$2.15	\$1,535.85
63	THERMOPLASTIC PAVEMENT MARKING - LINE 24"	FOOT	1,005	\$ 8.00	\$ 8,040.00	\$6.40	\$6,432.00	\$6.00	\$6,030.00	\$4.00	\$4,020.00	\$4.00	\$4,020.00
64	STREET SWEEPING	EACH	10	\$ 500.00	\$ 5,000.00	\$350.00	\$3,500.00	\$500.00	\$5,000.00	\$300.00	\$3,000.00	\$1,500.00	\$15,000.00
65	REMOVING AND RESETTING PAVERS	SQ FT	155	\$ 22.00	\$ 3,410.00	\$15.00	\$2,325.00	\$23.00	\$3,565.00	\$25.00	\$3,875.00	\$15.00	\$2,325.00
66	LAWN SPRINKLER SYSTEM REPAIRS	FOOT	240	\$ 22.00	\$ 5,280.00	\$10.00	\$2,400.00	\$20.00	\$4,800.00	\$16.00	\$3,840.00	\$20.00	\$4,800.00
BID TOTAL				\$ 1,222,035.00		\$1,010,000.00	\$1,010,000.00	\$1,066,129.15	\$1,066,129.15	\$1,083,777.00	\$1,083,777.00	\$1,141,000.00	\$1,141,000.00
				AS READ		\$ 1,222,035.00		\$1,066,129.15		\$1,083,777.00		\$1,141,000.00	

2021 Rebuild IL / MFT Resurfacing Project



This map is provided "as is" without warranties of any kind. See www.cityofevanston.org/mapdisclaimers.html for more information.



Memorandum

To: David Stoneback, Public Works Agency Director
 Lara Biggs, P.E. Bureau Chief – Capital Planning / City Engineer
 Sat Nagar, Senior Project Manager

From: Tammi Nunez, Purchasing Manager

Subject: 2021 Rebuild IL- MFT Street Resurfacing Project, Bid 21-12

Date: April 24, 2021

The goal of the Minority, Women and Evanston Business Enterprise Program (M/W/EBE) is to assist such businesses with opportunities to grow. In order to help ensure such growth, the City's goal is to have general contractors utilize M/W/EBEs to perform no less than 25% of the awarded contract. With regard to the 2021 Rebuild IL- MFT Street Resurfacing Project, J.A. Johnson Paving Company's total base bid including alternate is \$1,083,777.00 and they will receive 7.5% credit for compliance towards the M/W/EBE goal.

Name of M/W/EBE	Scope of Work	Contract Amount	%	MBE	WBE	EBE
Galaxy Underground, Inc. 1075 Morse Avenue Schaumburg, IL 60193	Sewer and Water Construction	\$71,816.00	6.6%		X	
Hawk Enterprises, Inc. 1850 E. North Street Crown Point, IN 46307	Electrician	\$9,360.00	.9%		X	
Total M/W/EBE		\$81,176.00	7.5%			

J. A. Johnson Paving Company has requested a waiver for the remaining 17.5% MWEBE participation goal citing some of the MWEBE subcontractors that submitted pricing would have significantly increased the overall bid amount to the City. Also, J.A. Johnson was not confident these companies could provide the proper level of service and quality workmanship the City would anticipate from J.A. Johnson Paving Company.

CC: Hitesh Desai, Chief Financial Officer



Memorandum

To: Honorable Mayor and Members of the City Council
CC: Members of Administration and Public Works Committee
From: David Stoneback, Public Works Agency Director
Subject: Approval of Contract Award to Sumit Construction Co. for the 2021 50/50 Sidewalk Replacement Project (Bid 21-13)
Date: May 24, 2021

Recommended Action:

Staff recommends the City Council authorize the City Manager to execute an agreement with Sumit Construction Co., Inc. (4150 W Wrightwood Ave Chicago, IL 60039) in the amount of \$309,860.00 for the 2021 Sidewalk Replacement Project (Bid No. 21-13)

Funding Source:

Funding will be provided from the Capital Improvement Program (CIP) 2021 General Obligation Bonds in the amount of \$150,000, from 2020 General Obligation Bonds in the amount of \$86,000, and from estimated private funds in the amount of \$73,860. A detailed funding summary is included in the memo below.

Council Action:

For Action

Summary:

The 50/50 Sidewalk Replacement Program provides for the replacement of sections of deteriorated sidewalk as requested by property owners. The cost of sidewalk replacement is shared between property owners and the City where the property owners pay 50% of the cost. Sidewalk sections damaged by tree roots in the parkway are replaced using City funds. An initial installation of citywide sidewalk improvements will be scheduled for this spring. Depending on demand and available funding, additional sidewalk repair may be scheduled for replacement in the fall.

Staff is currently evaluating this program through an equity lens, and will present proposed changes for City Council review and feedback for the 2022 sidewalk program later this summer.

Analysis:

The bid documents were prepared and sent to several potential bidders. The project was advertised on April 08, 2021 in Pioneer Press. The project was also published on Demand Star. A pre-bid meeting was not held due to the pandemic; the bids were received and virtually read on May 11, 2021. One bid was submitted as follows:

Contractor	Address
Sumit Construction Co., Inc.	4150 W Wrightwood Ave Chicago, IL 60039

The submitted bid cannot be withdrawn or canceled for a period of sixty (60) calendar days following the bid opening. The bids were reviewed by Hank Daniels, Project Management Supervisor. A summary of the bid pricing received was as follows:

Contractor	Total Bid Price
Sumit Construction Co., Inc.	\$ 309,860.00

Sumit Construction Co., Inc. has completed various similar projects for the City of Evanston and staff has found their work to be satisfactory. Therefore, staff recommends that the contract be awarded to Sumit Construction Co., Inc. This project is scheduled to begin in June 2021 and be completed by October 2021.

The bid proposal indicated intent to meet the City's M/W/EBE program goal. A memo reviewing compliance with the City's M/W/EBE program goals is attached.

Detailed Funding Summary:

While this program is run annually, it was cancelled in 2020 for budget reasons related to the pandemic. Consequently, the backlog of requests is higher than typical. Once bids are awarded, property owners are provided with the actual cost and are still allowed to opt out of the program. Therefore, it is not currently known exactly how much funding is needed to meet the total demand.

Some funding from the 2020 Neighborhood Traffic Calming program (which also works to improve pedestrian safety) was not spent last year and carried over to this year's budget. Staff is recommending that this funding be reallocated to this sidewalk improvement contract to help meet the perceived demand, which is expected to be higher than normal. The following table shows the detailed funding breakdown.

Funding Source	Account No.	Available Budget	Contract Award
2021 G.O. Bonds (50/50 Sidewalk Improvements)	415.40.4121.65515 - 421021	\$150,000	\$150,000.00
2020 G.O. Bonds (2020 Neighborhood Traffic Calming)	415.40.4120.65515 - 421021	\$ 86,000	\$ 86,000.00
Property Owner Matching Funds	415.40.4219.65515 - 421021	n/a	\$ 73,860.00
Total			\$309,860.00

Legislative History:

Attachments:

[Detailed Bid Tabulation](#)

[MWEBE Memo Bid 21-13 2021 50-50 Sidewalk Replacement](#)



CITY OF EVANSTON
TABULATION OF BIDS FOR
2021 50/50 SIDEWALK REPLACEMENT PROGRAM - BID NO. 21-13

DATE: May 11, 2021 TIME: 2:00 PM ATTENDED BY: Jill Ostman				APPROVED ENGINEER'S ESTIMATE		BIDDERS	
						Sumit Construction, Inc. 4150 W. Wrightwood Ave Chivago, IL 60639	
ITEM NO.	ITEM	UNIT	TOTAL QUANTITY	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
1	PCC SIDEWALK - 5" (REMOVAL & REPLACEMENT) - MAIN WALK	SQ FT	24,000	\$8.00	#####	\$10.00	#####
2	PCC SIDEWALK, SPECIAL - 5" (REMOVAL, REGRADING & REPLACEMENT) - MAIN WALK	SQ FT	2,000	\$10.00	\$20,000.00	\$11.00	\$22,000.00
3	PCC SIDEWALK - 5" (REMOVAL & REPLACEMENT) - PARKWAY / SERVICE WALK	SQ FT	1,000	\$10.00	\$10,000.00	\$11.50	\$11,500.00
4	PCC SIDEWALK - 5" NEW (9" EARTH EXCAVATION & 4" AGGREGATE BASE COURSE)	SQ FT	150	\$12.00	\$1,800.00	\$14.00	\$2,100.00
5	CONCRETE CURB, TYPE B (REMOVAL & REPLACEMENT)	FOOT	100	\$40.00	\$4,000.00	\$36.00	\$3,600.00
6	COMBINATION CONCRETE CURB & GUTTER, TYPE B-6.12 (REMOVAL & REPLACEMENT)	FOOT	100	\$50.00	\$5,000.00	\$0.00	\$0.00
7	EARTH EXCAVATION, SPECIAL, 2"-6"	SQ YD	30	\$20.00	\$600.00	\$48.00	\$1,440.00
8	FURNISHING AND PLACING TOPSOIL, SPECIAL, 2"-4"	SQ YD	30	\$8.00	\$240.00	\$16.00	\$480.00
9	SODDING, SPECIAL	SQ YD	30	\$15.00	\$450.00	\$18.00	\$540.00
10	DETECTABLE WARNINGS	SQ FT	100	\$30.00	\$3,000.00	\$32.00	\$3,200.00
11	BRICK PAVER REMOVAL AND REPLACEMENT	SQ FT	100	\$10.00	\$1,000.00	\$30.00	\$3,000.00
12	ENGINEERING SERVICES	HOUR	20	\$75.00	\$1,500.00	\$100.00	\$2,000.00
13	ALLOWANCE (ADDITIONAL WORK- GENERAL						\$20,000.00
TOTAL BID			AS READ		\$239,590.00		\$309,860.00
			AS CORRECTED				\$309,860.00



Memorandum

To: David Stoneback, Public Works Agency Director
Lara Biggs, P.E. Bureau Chief – Capital Planning / City Engineer
Henry Daniels, Project Manager-Capital Planning & Engineering

From: Tammi Nunez, Purchasing Manager

Subject: 2021 50/50 Sidewalk Replacement Program, Bid 21-13

Date: May 24, 2021

The goal of the Minority, Women and Evanston Business Enterprise Program (M/W/EBE) is to assist such businesses with opportunities to grow. In order to help ensure such growth, the City's goal is to have general contractors utilize M/W/EBEs to perform no less than 25% of the awarded contract. With regard to the 2021 50/50 Sidewalk Replacement Program, Sumit Construction Co., Inc. total base bid including alternate is \$309,860.00 and they will receive 100% credit for compliance towards the M/W/EBE goal.

Name of M/W/EBE	Scope of Work	Contract Amount	%	MBE	WBE	EBE
Sumit Construction Co., Inc. 4150 W. Wrightwood Avenue Chicago, IL 60639	Concrete Work	\$309,860.00	100%	X		
Total M/W/EBE		\$309,860.00	100%			

CC: Hitesh Desai, Chief Financial Officer



Memorandum

To: Honorable Mayor and Members of the City Council
CC: Members of Administration and Public Works Committee
From: Paul Moyano, Senior Project Manager
CC: David Stoneback, Public Works Agency Director; Lara Biggs, Capital Planning & Engineering Bureau Chief / City Engineer
Subject: Approval of a Contract with Granite Inliner, LLC, for the 2021 CIPP Sewer Rehabilitation – Contract B Project (Bid 21-22)
Date: May 24, 2021

Recommended Action:

Staff recommends the City Council authorize the City Manager to execute an agreement with Granite Inliner, LLC (5031 W. 66th Street, Bedford Park, IL 60638) for the 2021 CIPP Sewer Rehabilitation – Contract B Project (Bid 21-22) in the amount of \$332,221.00.

Funding Source:

Funding for this project is from the West Evanston TIF Fund (Account No. 335.99.5870.65515 – 421006), which has an approved FY 2021 budget of \$500,000, all of which is remaining.

Council Action:

For Action

Summary:

This contract includes rehabilitation of approximately 3,877 feet of combined sewer main, 9-inch to 36-inch in diameter, at 17 different sites within the West Evanston TIF district. A location map indicating where the work will take place is attached. The sewer mains were identified as needing rehabilitation during the Sewer Division's regular closed circuit TV inspection of sewer mains. The work is to be completed by September 2021.

The sewer mains will be rehabilitated using the cured-in-place pipe (CIPP) lining process. This process uses a felt tube saturated with resin which is inverted into the sewer main through the manhole access points. Hot water or steam is then used to cure the resin and a new fiberglass liner is installed within the existing host pipe. This process is much less distributive and less expensive than replacing the sewer pipe by the open-cut construction method.

The contract documents for this project were sent only to the six contractors pre-qualified to perform this type of work per RFQ19-51. These contractors submitted information demonstrating that the product they intend to use meets specific minimum requirements, that they are trained and approved to install the product, and that they have at least the required minimum amount of experience installing the product. City Council approved the pre-qualification of these contractors on November 11, 2019.

Analysis:

Bids for the subject project were opened and publicly read on Tuesday, May 11, 2021. Four of the pre-qualified contractors submitted bids for this project as summarized in the table below.

Contractor Information:

Contractor	Address	Base Bid	Alternate Bid	Total Bid¹
Granite Inliner, LLC	5031 W. 66th Street Bedford Park, IL 60638	\$318,721.00	\$13,500.00	\$332,221.00
Hoerr Construction, Inc.	1416 County Road 200 N PO Box 65 Goodfield, IL 61742	\$327,090.00	\$13,800.00	\$340,890.00
Insituform Technologies USA, LLC	17988 Edison Avenue Chesterfield, MO 63005	\$358,047.90	\$11,250.00	\$369,297.90
Benchmark Construction Co., Inc.	2260 Southwind Boulevard Bartlett, IL 60103	\$433,002.50	\$12,000.00	\$445,002.50

1. See attached bid summary for a breakdown of the bids and alternates.

The submitted bids cannot be withdrawn or canceled for a period of sixty (60) calendar days following the bid opening, or until July 10, 2021. The bids were reviewed by Ron Papa, Civil Engineer II, and Paul Moyano, Senior Project Manager.

Granite Inliner, LLC is the lowest responsible bidder meeting the project specifications. Granite Inliner, LLC is requesting a partial waiver to waive 15.1% of the 25% utilization goal for the City's M/W/EBE program because participation is impracticable to meet the entire goal as explained in the attached Waiver Request letter. Granite Inliner has indicated their intention to comply with the Local Employment Program requirements. A memo reviewing their compliance with the M/W/EBE and LEP programs is attached.

Staff recommends award to Granite Inliner, LLC, for the total bid. They were prequalified in 2019. They have previously performed sewer rehabilitation projects in the City, most recently in 2020, and their work has been satisfactory.

Legislative History:

On November 11, 2019, the City Council approved the list of pre-qualified CIPP rehabilitation contractors (RFQ 19-51).

Attachments:

[Location Map](#)

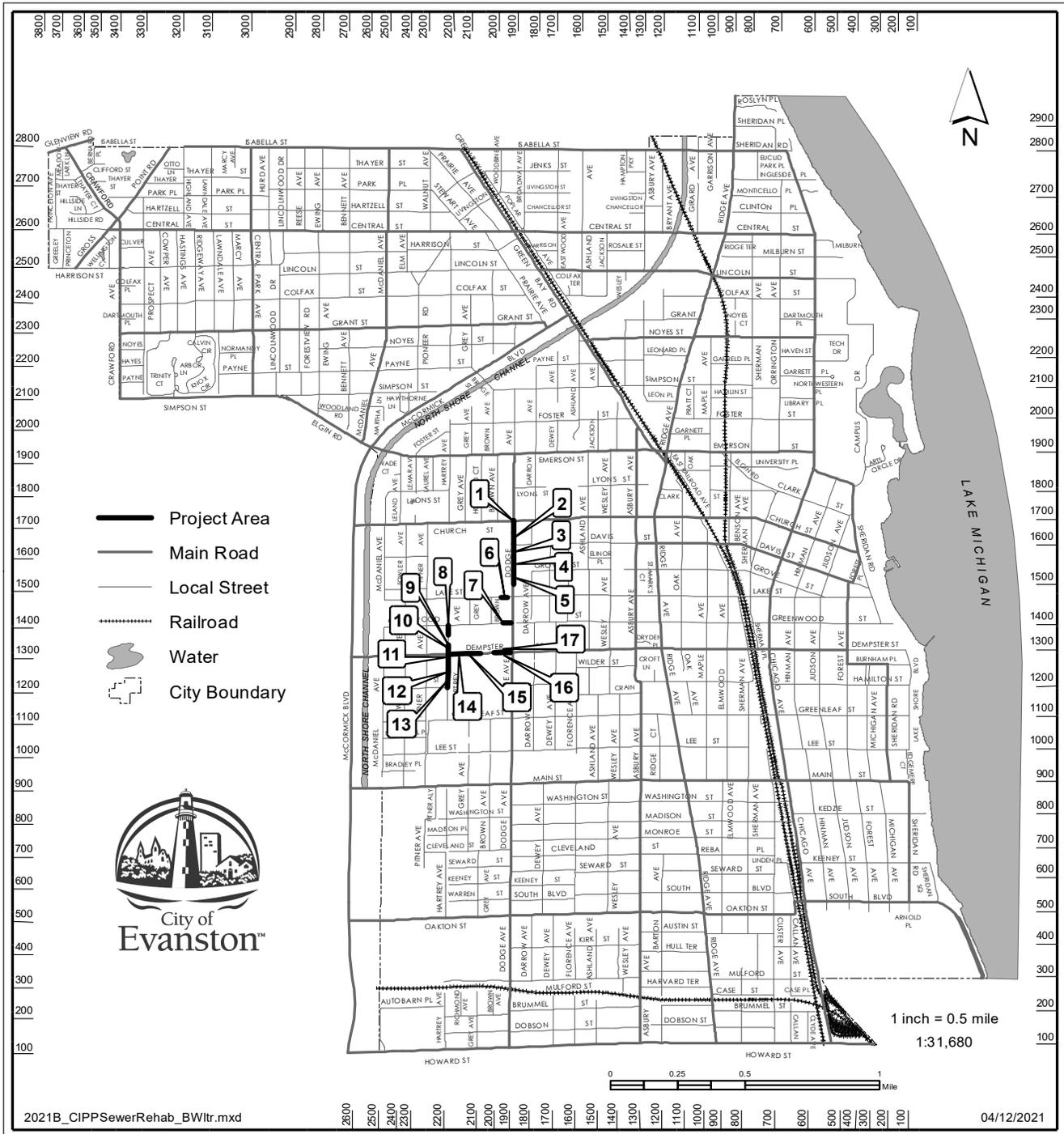
[Bid Tabulation](#)

[MWEBE Memo Bid 21-22 2021 CIPP Sewer Rehab Contract B](#)

City of Evanston - Location Map

2021 CIPP Sewer Rehabilitation - Contract B

Bid # 21-22



This map is provided "as is" without warranties of any kind. See www.cityofevanston.org/mapdisclaimers.html for more information.

2021 CIPP Sewer Rehabilitation Contract B
Bid No. 21-22
Bid Opening: 2:15 P.M., Tuesday, May 11, 2021, Demandstar E-Bidding
Bid Summary

Item	Pipe Diameter (in.)	Street	Quantity	Unit	Benchmark Construction Co., Inc.		Granite Inliner, LLC		Hoerr Construction, Inc.		Insituform Technologies USA, LLC	
					Unit Price	Extended Price	Unit Price	Extended Price	Unit Price	Extended Price	Unit Price	Extended Price
Base Bid												
1	36	DODGE AVE - 1600 BLK	243	Linear Feet	\$240.00	\$58,320.00	\$152.00	\$36,936.00	\$155.00	\$37,665.00	\$175.00	\$42,525.00
2	36	DODGE AVE - 1600 BLK	235	Linear Feet	\$240.00	\$56,400.00	\$152.00	\$35,720.00	\$155.00	\$36,425.00	\$175.00	\$41,125.00
3	36	DODGE AVE - 1500 BLK	274	Linear Feet	\$240.00	\$65,760.00	\$152.00	\$41,648.00	\$155.00	\$42,470.00	\$170.00	\$46,580.00
4	36	DODGE AVE - 1500 BLK	270	Linear Feet	\$240.00	\$64,800.00	\$152.00	\$41,040.00	\$155.00	\$41,850.00	\$170.00	\$45,900.00
5	36	DODGE AVE - 1500 BLK	250	Linear Feet	\$240.00	\$60,000.00	\$152.00	\$38,000.00	\$155.00	\$38,750.00	\$227.00	\$56,750.00
6	10	LAKE ST	119	Linear Feet	\$48.00	\$5,712.00	\$59.00	\$7,021.00	\$59.00	\$7,021.00	\$79.00	\$9,401.00
8	10	HARTREY AVE - 1300 BLK	200	Linear Feet	\$48.00	\$9,600.00	\$58.00	\$11,600.00	\$59.00	\$11,800.00	\$60.00	\$12,000.00
9	10	HARTREY AVE	43	Linear Feet	\$48.00	\$2,064.00	\$58.00	\$2,494.00	\$59.00	\$2,537.00	\$52.30	\$2,248.90
10	10	HARTREY AVE - 1300 BLK	140	Linear Feet	\$48.00	\$6,720.00	\$58.00	\$8,120.00	\$59.00	\$8,260.00	\$52.30	\$7,322.00
11	12	HARTREY AVE - 1200 BLK	302	Linear Feet	\$50.00	\$15,100.00	\$45.00	\$13,590.00	\$42.00	\$12,684.00	\$34.00	\$10,268.00
12	12	HARTREY AVE	46	Linear Feet	\$50.00	\$2,300.00	\$45.00	\$2,070.00	\$42.00	\$1,932.00	\$34.00	\$1,564.00
13	12	HARTREY AVE - 1200 BLK	315	Linear Feet	\$50.00	\$15,750.00	\$45.00	\$14,175.00	\$42.00	\$13,230.00	\$34.00	\$10,710.00
14	12	DEMPSTER ST - 2100 BLK	396	Linear Feet	\$50.00	\$19,800.00	\$45.00	\$17,820.00	\$42.00	\$16,632.00	\$35.00	\$13,860.00
15	12	DEMPSTER ST - 2000 BLK	240	Linear Feet	\$50.00	\$12,000.00	\$45.00	\$10,800.00	\$42.00	\$10,080.00	\$35.00	\$8,400.00
16	9	DEMPSTER ST - 1900 BLK	303	Linear Feet	\$45.00	\$13,635.00	\$53.00	\$16,059.00	\$51.00	\$15,453.00	\$44.00	\$13,332.00
17	9	DEMPSTER ST - 1900 BLK	351	Linear Feet	\$45.00	\$15,795.00	\$53.00	\$18,603.00	\$51.00	\$17,901.00	\$42.00	\$14,742.00
18		Reinstate Laterals	65	Each	\$103.50	\$6,727.50	\$10.00	\$650.00	\$160.00	\$10,400.00	\$153.00	\$9,945.00
19		Protruding Taps	5	Each	\$503.80	\$2,519.00	\$475.00	\$2,375.00	\$400.00	\$2,000.00	\$2,275.00	\$11,375.00
Alternate Bid												
7	15	GREENWOOD ST - 1900 BLK	150	Linear Feet	\$80.00	\$12,000.00	\$90.00	\$13,500.00	\$92.00	\$13,800.00	\$75.00	\$11,250.00
Base Bid Total					\$433,002.50		\$318,721.00		\$327,090.00		\$358,047.90	
Alternate Bid Total					\$12,000.00		\$13,500.00		\$13,800.00		\$11,250.00	
TOTAL BID AMOUNT					\$445,002.50		\$332,221.00		\$340,890.00		\$369,297.90	



Memorandum

To: David Stoneback, Public Works Agency Director
Lara Biggs, P.E., City Engineer
Paul Moyano, Senior Project Manager

From: Tammi Nunez, Purchasing Manager

Subject: 2021 CIPP Sewer Rehabilitation-Contract B, Bid 21-22

Date: May 24, 2021

The goal of the Minority, Women and Evanston Business Enterprise Program (M/W/EBE) is to assist such businesses with opportunities to grow. In order to help ensure such growth, the City's goal is to have general contractors utilize M/W/EBEs to perform no less than 25% of the awarded contract.

With regard to the recommendation for the 2021 CIPP Sewer Rehabilitation-Contract B, Bid 21-22, Granite Inliner's, total base bid is \$332,221.00, and they are found to be in partial compliance with the City's goal.

Name of M/W/EBE	Scope of Work	Contract Amount	%	MBE	WBE	EBE
Comprehensive Construction Solutions 5835 W. Montrose Ave Chicago, IL 60634	Construction Management	\$33,037.75	9.9%		X	
Total M/W/EBE		\$	9.9%			

Granite Inliner has requested a partial waiver for the remaining 15.1% MWEBE participation goal, citing additional MWEBE participation is impracticable.

cc: Hitesh Desai, Chief Financial Officer



Memorandum

To: Honorable Mayor and Members of the City Council
CC: Members of Administration and Public Works Committee
From: Christopher Venatta, Senior Project Manager
CC: David Stoneback, Public Works Agency Director; Lara Biggs, City Engineer
Subject: Approval of Contract Award with Bolder Contractors, Inc. for the 2021 Water Main Improvements and Street Resurfacing Project (Bid No. 21-08)
Date: May 24, 2021

Recommended Action:

Staff recommends the City Council authorize the City Manager to execute an agreement with Bolder Contractors, Inc. (316 Cary Point Drive, Cary, IL 60013) for the 2021 Water Main Improvements and Street Resurfacing Project (Bid No. 21-08) in the amount of \$4,056,188.21.

Funding Source:

Funding is provided from the Water Fund in the amount of \$3,330,700.15; the Sewer Fund in the amount of \$200,000; and the Rebuild Illinois Fund in the amount of \$450,194. An additional \$75,294.23 of the contract value will be reimbursed by the Village of Wilmette through an IGA for the paving of Garrison Street. A detailed funding summary is included in the memo below.

Council Action:

For Action

Summary:

This project consists of the installation of approximately 5,650 feet of new water main at locations throughout the City as follows:

Project Locations

Street	From	To	Scope
Dewey Avenue	Keeney St.	Main St.	Water Main & Resurfacing
Foster Street	Emerson St.	Hartrey Ave.	Water Main & Resurfacing
Garrison Avenue	City Limits	South End	Water Main & Resurfacing
Lincolnwood Drive	Simpson St.	Payne St.	Water Main & Resurfacing
Ridgeway Avenue	Grant St.	Harrison St.	Water Main & Resurfacing
Harrison Street	Cowper Ave.	Ridgeway Ave.	Water Main & Resurfacing

As previously discussed with the City Council, Ewing was originally planned to be included in the project in 2021; however, it was deferred to 2022 in order to allow additional funding for the expanded Lead Reduction Program.

The water mains to be replaced or rehabilitated are selected by the following criteria: water main break history and maintenance calls; fire flow requirements; age of the water main; planned street infrastructure improvements; and racial equity.

Analysis:

This bid was advertised on Demandstar and in the Pioneer Press. Bids for the project were received and publicly read on April 27, 2021. Three contractors submitted bids for this project as follows.

Contractor	Address
Bolder Contractors, Inc.	316 Cary Point Drive, Cary, IL 60013
Joel Kennedy Construction Corp.	2830 N. Lincoln Avenue, Chicago, IL 60657
Pan-Oceanic Engineering Co, Inc.	6436 W. Higgins Avenue, Chicago, IL 60656

The submitted bids cannot be withdrawn or canceled for a period of sixty (60) calendar days following the bid opening. The bids were reviewed by Chris Venatta, Senior Project Manager. Attached is a bid tabulation showing the detailed bid results.

A summary of the bid pricing received was as follows:

Contractor	Total Bid Price
Bolder Contractors, Inc.	\$ 4,056,188.21
Joel Kennedy Construction Corp.	\$ 4,117,161.07
Pan-Oceanic Engineering Co, Inc.	\$ 4,269,000.00

The bid proposal indicated intent to meet the City’s M/W/EBE program goal. A memo reviewing compliance with the City’s M/W/EBE program goals is attached.

Detailed Funding Summary

Fund	Account	Available Funding	Contract Award
Water Fund	513.71.7330.65515 – 421002	\$3,446,000.00	\$3,330,700.15
Sewer Fund	515.40.4535.62461 – 421002	\$ 200,000.00	\$ 200,000.00
Rebuild Illinois Fund	200.40.5100.65515 – 421002	\$ 660,000.00	\$ 450,194.00
Village of Wilmette	415.40.4219.65515 – 421002	N/A	\$ 75,294.23
Total		\$4,306,000.00	\$4,056,188.21

Bolder has completed many previous water main projects for the City of Evanston, and the quality of their work has been satisfactory.

Bolder has indicated their intention to meet the goals of the City's M/W/EBE program. This project is not eligible for the Local Employment Program because of the use of Rebuild Illinois funds. A review of their compliance with City's goals is attached.

Legislative History:

On December 14, 2020, the City Council approved Resolution 124-R-20 authorizing the City Manager to enter into an IGA with the Village of Wilmette to resurface all of Garrison Street both within the city limits of Evanston and the village limits of Wilmette.

Attachments:

[Detailed Bid Tabulation](#)

[2021 Water Main Map](#)

[MWEBE Memo Bid 21-08 Water Main Imprvmnts](#)



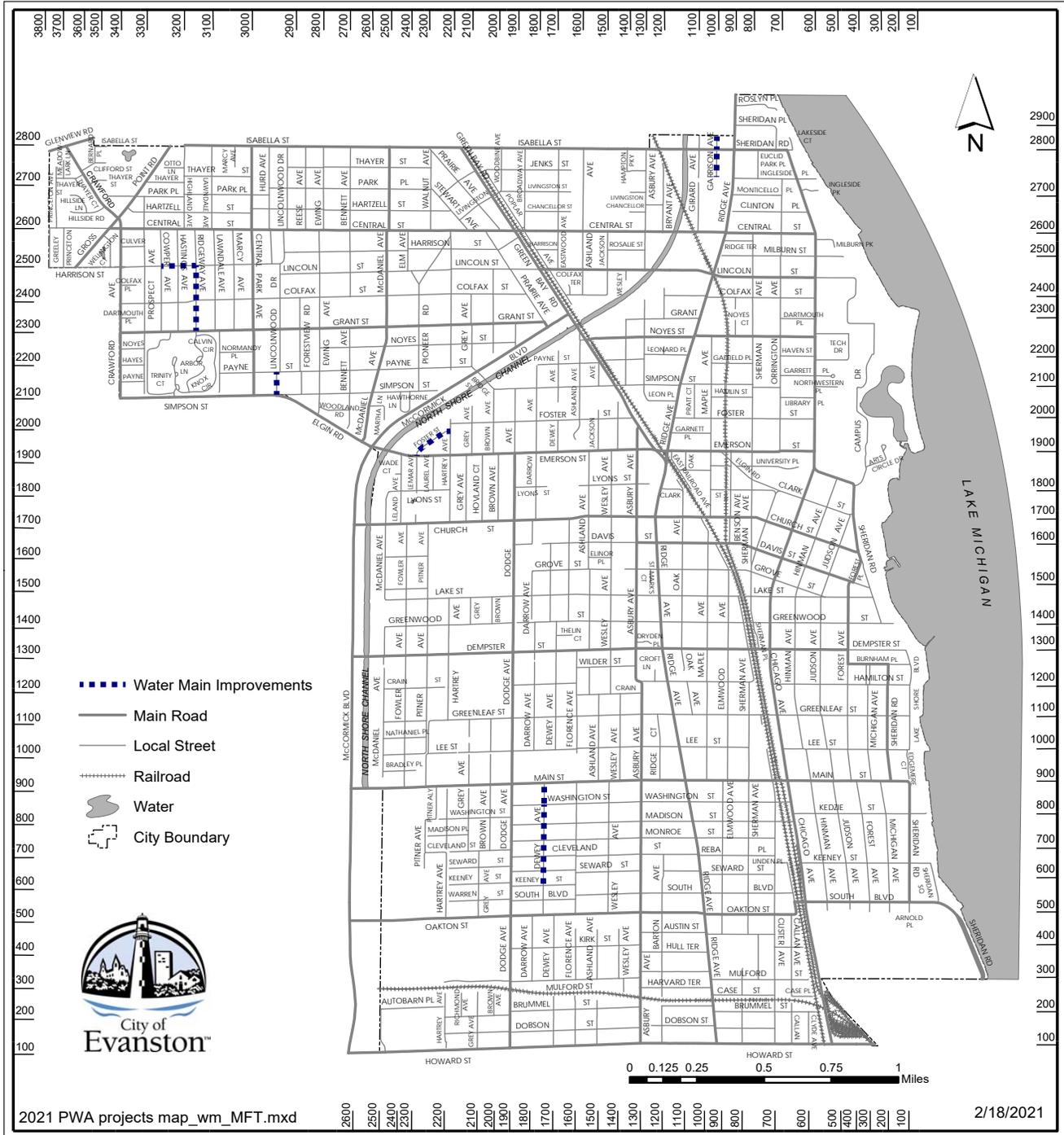
**CITY OF EVANSTON
TABULATION OF BIDS FOR
2021 WATER MAIN IMPROVEMENTS AND STREET RESURFACING PROJECT
BID NO: 21-08**

DATE: APRIL 27, 2021 TIME: 2:15 P.M. ATTENDED BY: JILLIAN OSTMAN, PURCHASING SPECIALIST, FROM ELECTRONIC BIDS				APPROVED ENGINEER'S ESTIMATE		NAME AND ADDRESS OF BIDDERS					
						Bolder Contractors, Inc. 316 Cary Point Drive, Cary, IL 60013		Joel Kennedy Constructing Corp. 2830 N. Lincoln Avenue, Chicago, IL 60657		Pan-Oceanic Engineering Co.Inc. 6436 W. Higgins Avenue, Chicago, IL 60656	
ITEM NUMBER	ITEM	UNIT	TOTAL QUANTITY	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
1	TEMPORARY FENCE	FOOT	11,606	\$ 2.50	\$ 29,015.00	\$1.00	\$11,606.00	\$2.00	\$23,212.00	\$5.00	\$58,030.00
2	TREE TRUNK PROTECTION	EACH	76	\$ 120.00	\$ 9,120.00	\$100.00	\$7,600.00	\$75.00	\$5,700.00	\$150.00	\$11,400.00
3	TREE ROOT PRUNING	FOOT	4,368	\$ 5.00	\$ 21,840.00	\$3.00	\$13,104.00	\$2.00	\$8,736.00	\$5.00	\$21,840.00
4	TREE PRUNING	EACH	209	\$ 100.00	\$ 20,900.00	\$80.00	\$16,720.00	\$70.00	\$14,630.00	\$150.00	\$31,350.00
5	REMOVAL AND DISPOSAL OF UNSUITABLE MATERIAL	CU YD	120	\$ 50.00	\$ 6,000.00	\$50.00	\$6,000.00	\$30.00	\$3,600.00	\$20.00	\$2,400.00
6	TRENCH BACKFILL	CU YD	3,866	\$ 20.00	\$ 77,320.00	\$22.00	\$85,052.00	\$10.00	\$38,660.00	\$1.00	\$3,866.00
7	POROUS GRANULAR BACKFILL	TON	975	\$ 30.00	\$ 29,250.00	\$1.00	\$975.00	\$38.00	\$37,050.00	\$1.00	\$975.00
8	TOPSOIL FURNISH AND PLACE, SPECIAL	CU YD	183	\$ 50.00	\$ 9,150.00	\$1.00	\$183.00	\$20.00	\$3,660.00	\$50.00	\$9,150.00
9	EXPLORATION TRENCH, SPECIAL (UP TO 8 FEET DEEP)	EACH	22	\$ 700.00	\$ 15,400.00	\$900.00	\$19,800.00	\$250.00	\$5,500.00	\$1,200.00	\$26,400.00
10	SODDING, SALT TOLERANT	SQ YD	1,652	\$ 10.00	\$ 16,520.00	\$26.00	\$42,952.00	\$12.00	\$19,824.00	\$17.00	\$28,084.00
11	INLET FILTERS	EACH	87	\$ 130.00	\$ 11,310.00	\$10.00	\$870.00	\$115.00	\$10,005.00	\$150.00	\$13,050.00
12	SUBBASE GRANULAR MATERIAL, TYPE B	TON	283	\$ 40.00	\$ 11,320.00	\$60.00	\$16,980.00	\$20.00	\$5,660.00	\$24.00	\$6,792.00
13	AGGREGATE FOR TEMPORARY ACCESS	TON	1,117	\$ 25.00	\$ 27,925.00	\$0.01	\$11.17	\$10.00	\$11,170.00	\$24.00	\$26,808.00
14	BITUMINOUS MATERIALS (TACK COAT)	POUND	15,307	\$ 0.40	\$ 6,122.80	\$0.01	\$153.07	\$0.01	\$153.07	\$1.00	\$15,307.00
15	AGGREGATE (PRIME COAT)	TON	47	\$ 20.00	\$ 940.00	\$0.01	\$0.47	\$10.00	\$470.00	\$10.00	\$470.00
16	MIXTURE FOR CRACKS, JOINTS, AND FLANGWAYS	TON	7	\$ 500.00	\$ 3,500.00	\$500.00	\$3,500.00	\$550.00	\$3,850.00	\$550.00	\$3,850.00
17	LEVELING BINDER (MACHINE METHOD), N50	TON	1,315	\$ 100.00	\$ 131,500.00	\$80.00	\$105,200.00	\$105.00	\$138,075.00	\$95.00	\$124,925.00
18	HOT-MIX ASPHALT SURFACE REMOVAL - BUTT JOINT	SQ YD	1,235	\$ 10.00	\$ 12,350.00	\$3.30	\$4,075.50	\$5.00	\$6,175.00	\$15.00	\$18,525.00
19	TEMPORARY RAMP	SQ YD	1,235	\$ 50.00	\$ 61,750.00	\$6.00	\$7,410.00	\$10.00	\$12,350.00	\$12.00	\$14,820.00
20	HOT-MIX ASPHALT SURFACE COURSE, MIX "D", N50	TON	2,630	\$ 90.00	\$ 236,700.00	\$95.00	\$249,850.00	\$105.00	\$276,150.00	\$95.00	\$249,850.00
21	TEMPORARY HOT-MIX ASPHALT	TON	265	\$ 90.00	\$ 23,850.00	\$100.00	\$26,500.00	\$100.00	\$26,500.00	\$150.00	\$39,750.00
22	TEMPORARY COLD-MIX ASPHALT	TON	80	\$ 120.00	\$ 9,600.00	\$120.00	\$9,600.00	\$120.00	\$9,600.00	\$200.00	\$16,000.00
23	PCC DRIVEWAY PAVEMENT, 6 INCH	SQ YD	410	\$ 65.00	\$ 26,650.00	\$70.00	\$28,700.00	\$78.00	\$31,980.00	\$70.00	\$28,700.00
24	PORTLAND CEMENT CONCRETE SIDEWALK, 5 INCH	SQ FT	11,368	\$ 8.00	\$ 90,944.00	\$7.00	\$79,576.00	\$8.00	\$90,944.00	\$8.00	\$90,944.00
25	DETECTABLE WARNINGS	SQ FT	720	\$ 40.00	\$ 28,800.00	\$30.00	\$21,600.00	\$30.00	\$21,600.00	\$38.00	\$27,360.00
26	DRIVEWAY PAVEMENT REMOVAL	SQ YD	510	\$ 12.00	\$ 6,120.00	\$24.00	\$12,240.00	\$10.00	\$5,100.00	\$18.00	\$9,180.00
27	CONCRETE CURB REMOVAL	FOOT	4,050	\$ 8.00	\$ 32,400.00	\$4.00	\$16,200.00	\$2.00	\$8,100.00	\$5.00	\$20,250.00
28	COMBINATION CURB AND GUTTER REMOVAL	FOOT	3,051	\$ 8.00	\$ 24,408.00	\$4.00	\$12,204.00	\$2.00	\$6,102.00	\$5.00	\$15,255.00
29	SIDEWALK REMOVAL	SQ FT	10,712	\$ 2.00	\$ 21,424.00	\$2.00	\$21,424.00	\$1.00	\$10,712.00	\$2.00	\$21,424.00
30	HMA SURFACE REMOVAL, VARIABLE DEPTH	SQ YD	21,880	\$ 6.00	\$ 131,280.00	\$3.30	\$72,204.00	\$4.00	\$87,520.00	\$4.00	\$87,520.00
31	CLASS D PATCHES, SPECIAL, 9"	SQ YD	1,400	\$ 70.00	\$ 98,000.00	\$60.00	\$84,000.00	\$85.00	\$119,000.00	\$113.00	\$158,200.00
32	FULL DEPTH PATCHES, SPECIAL 11"	SQ YD	2,443	\$ 100.00	\$ 244,300.00	\$70.00	\$171,010.00	\$94.00	\$229,642.00	\$78.00	\$190,554.00
33	COMBINED SEWERS 12", SPECIAL (DIP CL 50)	FOOT	130	\$ 300.00	\$ 39,000.00	\$240.00	\$31,200.00	\$185.00	\$24,050.00	\$218.00	\$28,340.00
34	COMBINED SEWERS 10", SPECIAL (DIP CL 50)	FOOT	40	\$ 250.00	\$ 10,000.00	\$240.00	\$9,600.00	\$180.00	\$7,200.00	\$159.00	\$6,360.00
35	STORM SEWERS 10", SPECIAL (DIP CL 50)	FOOT	28	\$ 250.00	\$ 7,000.00	\$240.00	\$6,720.00	\$180.00	\$5,040.00	\$155.00	\$4,340.00
36	STORM SEWERS 8", SPECIAL (DIP CL 50)	FOOT	111	\$ 200.00	\$ 22,200.00	\$200.00	\$22,200.00	\$160.00	\$17,760.00	\$143.00	\$15,873.00
37	WATER MAIN 16" (DIP CL 52), PUSH JOINT, EXTERNAL ZINC-BASED COATED	FOOT	20	\$ 350.00	\$ 7,000.00	\$400.00	\$8,000.00	\$300.00	\$6,000.00	\$650.00	\$13,000.00
38	WATER MAIN 12" (DIP CL 52), PUSH JOINT, EXTERNAL ZINC-BASED COATED	FOOT	60	\$ 250.00	\$ 15,000.00	\$260.00	\$15,600.00	\$190.00	\$11,400.00	\$450.00	\$27,000.00

39	WATER MAIN 10" (DIP CL 52), PUSH JOINT, EXTERNAL ZINC-BASED COATED	FOOT	680	\$ 160.00	\$ 108,800.00	\$100.00	\$68,000.00	\$180.00	\$122,400.00	\$220.00	\$149,600.00
40	WATER MAIN 8" (DIP CL 52), PUSH JOINT, EXTERNAL ZINC-BASED COATED	FOOT	80	\$ 150.00	\$ 12,000.00	\$240.00	\$19,200.00	\$165.00	\$13,200.00	\$300.00	\$24,000.00
41	WATER MAIN 6" (DIP CL 52), PUSH JOINT, EXTERNAL ZINC-BASED COATED	FOOT	3,887	\$ 150.00	\$ 583,050.00	\$165.50	\$643,298.50	\$115.00	\$447,005.00	\$200.00	\$777,400.00
42	WATER MAIN 10" (DIP CL 52), RESTRAINED JOINT, EXTERNAL ZINC-BASED COATED, DIRECTIONALLY DRILLED	FOOT	1,390	\$ 185.00	\$ 257,150.00	\$220.00	\$305,800.00	\$180.00	\$250,200.00	\$185.00	\$257,150.00
43	WATER MAIN CASING 10", (DIP CL 52), RESTRAINED JOINT, EXTERNAL ZINC-BASED COATED, TRENCHLESS INSTALLATION	FOOT	20	\$ 180.00	\$ 3,600.00	\$200.00	\$4,000.00	\$200.00	\$4,000.00	\$150.00	\$3,000.00
44	WATER VALVES 12"	EACH	2	\$ 4,000.00	\$ 8,000.00	\$7,000.00	\$14,000.00	\$4,000.00	\$8,000.00	\$3,200.00	\$6,400.00
45	WATER VALVES 10"	EACH	4	\$ 3,500.00	\$ 14,000.00	\$6,000.00	\$24,000.00	\$3,500.00	\$14,000.00	\$2,500.00	\$10,000.00
46	WATER VALVES 8"	EACH	2	\$ 3,000.00	\$ 6,000.00	\$5,000.00	\$10,000.00	\$3,000.00	\$6,000.00	\$1,900.00	\$3,800.00
47	WATER VALVES 6"	EACH	22	\$ 2,500.00	\$ 55,000.00	\$4,500.00	\$99,000.00	\$2,500.00	\$55,000.00	\$1,500.00	\$33,000.00
48	WATER SERVICE LINE, 2" DIA OR LESS, SHORT, SPECIAL	EACH	63	\$ 2,700.00	\$ 170,100.00	\$2,200.00	\$138,600.00	\$3,200.00	\$201,600.00	\$3,300.00	\$207,900.00
49	WATER SERVICE LINE, 2" DIA OR LESS, LONG, SPECIAL	EACH	64	\$ 3,300.00	\$ 211,200.00	\$2,900.00	\$185,600.00	\$3,900.00	\$249,600.00	\$4,300.00	\$275,200.00
50	ADJUSTING SANITARY SERVICES, 8-INCH DIA OR LESS	EACH	66	\$ 1,500.00	\$ 99,000.00	\$200.00	\$13,200.00	\$1,000.00	\$66,000.00	\$1,883.00	\$124,278.00
51	FIRE HYDRANTS TO BE REMOVED	EACH	7	\$ 750.00	\$ 5,250.00	\$1,500.00	\$10,500.00	\$500.00	\$3,500.00	\$750.00	\$5,250.00
52	FIRE HYDRANT WITH AUXILIARY VALVE, 6" DIWM PIPE, VALVE BOX AND TEE, COMPLETE	EACH	11	\$ 8,000.00	\$ 88,000.00	\$12,000.00	\$132,000.00	\$15,000.00	\$165,000.00	\$6,920.00	\$76,120.00
53	FLUOROCARBON RUBBER (VITON) GASKET, 10" (ALLOWANCE)	EACH	10	\$ 350.00	\$ 3,500.00	\$600.00	\$6,000.00	\$250.00	\$2,500.00	\$250.00	\$2,500.00
54	FLUOROCARBON RUBBER (VITON) GASKET, 6" (ALLOWANCE)	EACH	34	\$ 250.00	\$ 8,500.00	\$300.00	\$10,200.00	\$100.00	\$3,400.00	\$100.00	\$3,400.00
55	DUCTILE IRON WATER MAIN FITTINGS (ALLOWANCE)	POUND	1,660	\$ 10.00	\$ 16,600.00	\$9.00	\$14,940.00	\$2.50	\$4,150.00	\$1.00	\$1,660.00
56	HIGH CAPACITY INLETS, TYPE A, CURB BACK HEIGHT (3.50"-9.00"), NEENAH FOUNDRY R-3067-L (VANE GRATE)	EACH	1	\$ 3,000.00	\$ 3,000.00	\$5,000.00	\$5,000.00	\$4,500.00	\$4,500.00	\$2,150.00	\$2,150.00
57	INLETS, TYPE A, 36" DEPTH, TYPE 1 FRAME, SINUSOIDAL LID	EACH	3	\$ 2,250.00	\$ 6,750.00	\$4,000.00	\$12,000.00	\$5,200.00	\$15,600.00	\$2,528.00	\$7,584.00
58	INLETS, TYPE A, 36" DEPTH, TYPE 1 FRAME, OPEN LID	EACH	6	\$ 2,000.00	\$ 12,000.00	\$4,000.00	\$24,000.00	\$4,500.00	\$27,000.00	\$1,672.00	\$10,032.00
59	CATCH BASINS, TYPE A, 4'-DIAMETER, TYPE 1 FRAME, OPEN LID	EACH	2	\$ 4,000.00	\$ 8,000.00	\$7,000.00	\$14,000.00	\$6,000.00	\$12,000.00	\$4,051.00	\$8,102.00
60	MANHOLES TO BE RECONSTRUCTED	EACH	3	\$ 2,000.00	\$ 6,000.00	\$4,000.00	\$12,000.00	\$1,500.00	\$4,500.00	\$2,000.00	\$6,000.00
61	VALVE VAULTS, TYPE A, 5'-DIAMETER, TYPE 1 FRAME, CLOSED LID	EACH	13	\$ 3,800.00	\$ 49,400.00	\$4,000.00	\$52,000.00	\$6,500.00	\$84,500.00	\$4,220.00	\$54,860.00
62	VALVE BOX, COMPLETE	EACH	16	\$ 1,300.00	\$ 20,800.00	\$1,500.00	\$24,000.00	\$4,500.00	\$72,000.00	\$200.00	\$3,200.00
63	FRAMES AND GRATES TO BE ADJUSTED	EACH	16	\$ 500.00	\$ 8,000.00	\$500.00	\$8,000.00	\$350.00	\$5,600.00	\$150.00	\$2,400.00
64	FRAMES AND LIDS TO BE ADJUSTED (SPECIAL)	EACH	43	\$ 700.00	\$ 30,100.00	\$500.00	\$21,500.00	\$675.00	\$29,025.00	\$500.00	\$21,500.00
65	FRAMES AND LIDS, CLOSED LID	EACH	3	\$ 600.00	\$ 1,800.00	\$1,200.00	\$3,600.00	\$550.00	\$1,650.00	\$350.00	\$1,050.00
66	REMOVING CATCHBASINS	EACH	6	\$ 500.00	\$ 3,000.00	\$600.00	\$3,600.00	\$450.00	\$2,700.00	\$250.00	\$1,500.00
67	REMOVING INLETS	EACH	4	\$ 700.00	\$ 2,800.00	\$600.00	\$2,400.00	\$350.00	\$1,400.00	\$150.00	\$600.00
68	FILLING VALVE BOXES	EACH	2	\$ 300.00	\$ 600.00	\$900.00	\$1,800.00	\$300.00	\$600.00	\$150.00	\$300.00
69	FILLING VALVE VAULTS	EACH	7	\$ 600.00	\$ 4,200.00	\$900.00	\$6,300.00	\$500.00	\$3,500.00	\$100.00	\$700.00
70	PAVEMENT REMOVAL	SQ YD	310	\$ 22.00	\$ 6,820.00	\$30.00	\$9,300.00	\$15.00	\$4,650.00	\$20.00	\$6,200.00
71	TREE REMOVAL	EACH	2	\$ 2,500.00	\$ 5,000.00	\$1,600.00	\$3,200.00	\$1,600.00	\$3,200.00	\$1,500.00	\$3,000.00
72	H.E.S., PORTLAND CEMENT CONCRETE BASE COURSE WIDENING, 9"	SQ YD	185	\$ 45.00	\$ 8,325.00	\$80.00	\$14,800.00	\$95.00	\$17,575.00	\$85.00	\$15,725.00
73	DISCONNECTING WATER SERVICE LINE, WITH TRAFFIC CONTROL, COMPLETE	EACH	8	\$ 7,000.00	\$ 56,000.00	\$6,000.00	\$48,000.00	\$250.00	\$2,000.00	\$2,555.00	\$20,440.00
74	CATCH BASINS, TYPE A, 4'-DIAMETER, TYPE 1 FRAME, OPEN LID, WITH SEWER PIPE, COMPLETE	EACH	1	\$ 5,000.00	\$ 5,000.00	\$7,000.00	\$7,000.00	\$6,500.00	\$6,500.00	\$4,314.00	\$4,314.00
75	MANHOLES, TYPE A, 4'-DIAMETER, TYPE 1 FRAME, CLOSED LID	EACH	1	\$ 4,000.00	\$ 4,000.00	\$9,000.00	\$9,000.00	\$5,500.00	\$5,500.00	\$3,534.00	\$3,534.00
76	CONTROLLED LOW STRENGTH MATERIAL, FLOWABLE FILL	CU YD	1	\$ 1,000.00	\$ 1,000.00	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	\$500.00	\$500.00
77	CONCRETE CURB, TYPE B (AEP MODIFIED)	FOOT	1,520	\$ 35.00	\$ 53,200.00	\$26.00	\$39,520.00	\$38.00	\$57,760.00	\$35.00	\$53,200.00
78	COMB. CONC. CURB & GUTTER, TYPE B-4.12	FOOT	456	\$ 36.00	\$ 16,416.00	\$26.00	\$11,856.00	\$32.00	\$14,592.00	\$35.00	\$15,960.00
79	COMB. CONC. CURB & GUTTER, TYPE B-6.12 (AEP MODIFIED)	FOOT	4,395	\$ 37.00	\$ 162,615.00	\$21.50	\$94,492.50	\$33.00	\$145,035.00	\$35.00	\$153,825.00
80	NON-SPECIAL WASTE DISPOSAL	CU YD	1,655	\$ 55.00	\$ 91,025.00	\$10.00	\$16,550.00	\$28.00	\$46,340.00	\$52.00	\$86,060.00
81	SPECIAL WASTE PLANS AND REPORTS	LSUM	1	\$ 5,000.00	\$ 5,000.00	\$1,000.00	\$1,000.00	\$1,000.00	\$1,000.00	\$3,500.00	\$3,500.00
82	SOIL DISPOSAL ANALYSIS	EACH	12	\$ 1,000.00	\$ 12,000.00	\$500.00	\$6,000.00	\$200.00	\$2,400.00	\$750.00	\$9,000.00
83	MOBILIZATION	LSUM	1	\$ 100,000.00	\$ 100,000.00	\$240,000.00	\$240,000.00	\$240,000.00	\$240,000.00	\$164,588.00	\$164,588.00
84	TRAFFIC CONTROL AND PROTECTION	LSUM	1	\$ 150,000.00	\$ 150,000.00	\$260,000.00	\$260,000.00	\$175,000.00	\$175,000.00	\$175,000.00	\$175,000.00
85	CONSTRUCTION LAYOUT	LSUM	1	\$ 25,000.00	\$ 25,000.00	\$55,000.00	\$55,000.00	\$50,000.00	\$50,000.00	\$25,000.00	\$25,000.00

86	SPEED HUMPS, COMPLETE	SQ YD	315	\$ 130.00	\$ 40,950.00	\$55.00	\$17,325.00	\$85.00	\$26,775.00	\$85.00	\$26,775.00
87	STREET SWEEPING	EACH	60	\$ 400.00	\$ 24,000.00	\$250.00	\$15,000.00	\$200.00	\$12,000.00	\$500.00	\$30,000.00
88	BRICK SIDEWALKS, REMOVE AND RESET	SQ FT	400	\$ 22.00	\$ 8,800.00	\$20.00	\$8,000.00	\$10.00	\$4,000.00	\$10.00	\$4,000.00
89	BRICK DRIVEWAYS, REMOVE AND RESET	SQ FT	210	\$ 22.00	\$ 4,620.00	\$20.00	\$4,200.00	\$15.00	\$3,150.00	\$10.00	\$2,100.00
90	BRICK PAVERS, REMOVE AND RESET	SQ FT	236	\$ 22.00	\$ 5,192.00	\$20.00	\$4,720.00	\$15.00	\$3,540.00	\$10.00	\$2,360.00
91	STRIP REFLECTIVE CRACK CONTROL TREATMENT	FOOT	320	\$ 70.00	\$ 22,400.00	\$11.00	\$3,520.00	\$15.00	\$4,800.00	\$20.00	\$6,400.00
92	THERMOPLASTIC PAVEMENT MARKING LINE - 24"	FOOT	685	\$ 10.00	\$ 6,850.00	\$12.00	\$8,220.00	\$8.20	\$5,617.00	\$8.00	\$5,480.00
93	THERMOPLASTIC PAVEMENT MARKING LINE - 6"	FOOT	2,560	\$ 6.00	\$ 15,360.00	\$3.00	\$7,680.00	\$2.10	\$5,376.00	\$2.00	\$5,120.00
94	PRE AND POST CONSTRUCTION SUB-SURFACE VIDEOTAPING	FOOT	11,756	\$ 3.00	\$ 35,268.00	\$3.50	\$41,146.00	\$4.75	\$55,841.00	\$4.75	\$55,841.00
TOTAL PROJECT BID		AS READ		\$4,246,949.80		\$4,056,188.21		\$4,117,161.07		\$4,269,000.00	
		AS CORRECTED				\$4,056,188.21		\$4,117,161.07		\$4,269,000.00	

2021 Water Main Improvement Projects



This map is provided "as is" without warranties of any kind. See www.cityofevanston.org/mapdisclaimers.html for more information.



Memorandum

To: David Stoneback, Public Works Agency Director
 Lara Biggs, P.E. Bureau Chief – Capital Planning / City Engineer
 Chris Venatta, P.E., Senior Project Manager

From: Tammi Nunez, Purchasing Manager

Subject: 2021 Water Main Improvements and Street Resurfacing Project, Bid 21-08

Date: May 24, 2021

The goal of the Minority, Women and Evanston Business Enterprise Program (M/W/EBE) is to assist such businesses with opportunities to grow. In order to help ensure such growth, the City's goal is to have general contractors utilize M/W/EBEs to perform no less than 25% of the awarded contract.

With regard to the recommendation for the 2021 Water Main Improvements and Street Resurfacing Project, Bid 21-08, Bolder Contractors, Inc., total base bid is \$4,056,188.21 and they are found to be in compliance with the City's goal. They will receive credit for 25% M/W/EBE participation.

Name of M/W/EBE	Scope of Work	Contract Amount	%	MBE	WBE	EBE
Ozinga Ready Mix Concrete 2525 W. Oakton St. Evanston, IL 60202	Concrete	\$160,000.00	4%			X
RA Seaton Contractor Services 5100 Linden Rd Rockford, IL 61109	Business Consulting	\$525,000.00	13%		X	
Sonican Trucking, Inc. 707 N. York Rd., #103 Elmhurst, IL 60126	Trucking	\$350,000.00	8%	X		
Total M/W/EBE		\$1,035,000.00	25%			

cc: Hitesh Desai, Chief Financial Officer



Memorandum

To: Honorable Mayor and Members of the City Council
CC: Members of Administration and Public Works Committee
From: Christopher Venatta, Senior Project Manager
CC: David Stoneback, Public Works Agency Director; Lara Biggs, City Engineer
Subject: Approval of Contract Award with Pan-Oceanic Engineering Co, Inc. for the Main Street Water Main Improvements Project (Bid No. 21-14).
Date: May 24, 2021

Recommended Action:

Staff recommends the City Council authorize the City Manager to execute an agreement with Pan-Oceanic Engineering Co, Inc. (6436 W. Higgins Avenue, Chicago, IL 60656) for the Main Street Water Main Improvements Project (Bid No. 21-14) in the amount of \$1,589,744.00.

Funding Source:

Funding is provided from the Water Fund in the amount of \$450,000.00 and the Chicago Main TIF in the amount of \$1,065,128.48. Additional funding from the Water Fund of \$74,615.52 that was not budgeted is necessary to fund the portion of the project outside of the TIF area. A detailed summary is included in the memo below.

Council Action:

For Action

Summary:

In 2018 the City began a multi-phase project of revitalizing the Main Street business district from Maple Avenue to Hinman Avenue. The Main Street Improvements Project is a full modernization of Main Street with street improvements, streetscape upgrades, ADA improvements, lighting upgrades, traffic signal modernization, and utility improvements.

The Main Street Water Main Improvements project is the first construction phase of this work. In order to complete all of the improvements through the corridor, the critical infrastructure under the roadway must be repaired first. This project consists of the installation of approximately 2,300 feet of new water main and approximately 600 feet of new relief sewers throughout the project location.

Analysis:

This bid was advertised on Demandstar and in the Pioneer Press. Bids for the project were received and publicly read on May 4, 2021. Four contractors submitted bids for this project as follows.

Contractor	Address
Berger Excavating Contractors, Inc.	1205 Garland Road, Wauconda, IL 60084
Bolder Contractors, Inc.	316 Cary Point Drive, Cary, IL 60013
Joel Kennedy Construction Corp.	2830 N. Lincoln Avenue, Chicago, IL 60657
Pan-Oceanic Engineering Co, Inc.	6436 W. Higgins Avenue, Chicago, IL 60656

The submitted bids cannot be withdrawn or canceled for a period of sixty (60) calendar days following the bid opening. The bids were reviewed by Chris Venatta, Senior Project Manager. Attached is a bid tabulation showing the detailed bid results.

A summary of the bid pricing received was as follows:

Contractor	Total Bid Price
Pan-Oceanic Engineering Co, Inc.	\$ 1,589,744.00
Joel Kennedy Construction Corp.	\$ 2,104,662.39
Berger Excavating Contractors, Inc.	\$ 2,250,012.39
Bolder Contractors, Inc.	\$ 2,678,543.77

The bid proposal indicated intent to meet the City's M/W/EBE program goal and comply with the Local Employment Program. A memo reviewing compliance with the City's M/W/EBE program goals is attached.

Detailed Funding

Fund	Account	Available Funding	Contract Award
Water Fund	513.71.7330.65515 – 418006	\$ 450,000.00	\$ 450,000.00
Chicago/Main TIF	345.99.3400.65515 – 418006	\$1,130,000.00	\$1,065,128.48
Additional Water Fund	415.40.4120.65515 - 418006	N/A	\$ 74,615.52
Total		\$1,580,000.00	\$1,589,744.00

Attachments:

[BID TAB Main St. Water Main Bid No 21-14](#)

[MWEBE Memo Bid 21-14 Main Street Water Main Imprvmts](#)



**CITY OF EVANSTON
TABULATION OF BIDS FOR
MAIN STREET WATER MAIN IMPROVEMENTS PROJECT
BID NO: 21-14**

DATE: May 4, 2021 TIME: 2:15 P.M. ATTENDED BY: LINDA THOMAS, PURCHASING SPECIALIST, FROM ELECTRONIC BIDS				APPROVED ENGINEER'S ESTIMATE		NAME AND ADDRESS OF BIDDERS							
						Bolder Contractors, Inc. 316 Cary Point Drive, Cary, IL 60013		Joel Kennedy Constructing Corp. 2830 N. Lincoln Avenue, Chicago, IL 60657		Pan-Oceanic Engineering Co, Inc. 6436 W. Higgins Avenue, Chicago, IL 60656		Berger Excavating Contractors, Inc. 1205 Garland Road, Wauconda, IL 60084	
ITEM NUMBER	ITEM	UNIT	TOTAL QUANTITY	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
1	TEMPORARY FENCE	FOOT	225	\$ 2.50	\$ 562.50	\$15.00	\$3,375.00	\$3.00	\$675.00	\$5.00	\$1,125.00	\$8.00	\$1,800.00
2	TREE TRUNK PROTECTION	EACH	16	\$ 120.00	\$ 1,920.00	\$200.00	\$3,200.00	\$150.00	\$2,400.00	\$150.00	\$2,400.00	\$185.00	\$2,960.00
3	TREE ROOT PRUNING	FOOT	130	\$ 5.00	\$ 650.00	\$15.00	\$1,950.00	\$4.00	\$520.00	\$5.00	\$650.00	\$16.00	\$2,080.00
4	TREE PRUNING	EACH	4	\$ 100.00	\$ 400.00	\$400.00	\$1,600.00	\$150.00	\$600.00	\$150.00	\$600.00	\$250.00	\$1,000.00
5	REMOVAL AND DISPOSAL OF UNSUITABLE MATERIAL	CU YD	50	\$ 50.00	\$ 2,500.00	\$80.00	\$4,000.00	\$50.00	\$2,500.00	\$40.00	\$2,000.00	\$58.00	\$2,900.00
6	TRENCH BACKFILL	CU YD	2121	\$ 20.00	\$ 42,420.00	\$12.00	\$25,452.00	\$25.00	\$53,025.00	\$1.00	\$2,121.00	\$60.00	\$127,260.00
7	POROUS GRANULAR BACKFILL	TON	709	\$ 30.00	\$ 21,270.00	\$1.00	\$709.00	\$38.00	\$26,942.00	\$1.00	\$709.00	\$60.00	\$42,540.00
8	TOPSOIL FURNISH AND PLACE, SPECIAL	CU YD	10	\$ 50.00	\$ 500.00	\$1.00	\$10.00	\$125.00	\$1,250.00	\$50.00	\$500.00	\$80.00	\$800.00
9	EXPLORATION TRENCH, SPECIAL (UP TO 8 FEET DEEP)	EACH	9	\$ 700.00	\$ 6,300.00	\$2,000.00	\$18,000.00	\$1,000.00	\$9,000.00	\$1,350.00	\$12,150.00	\$650.00	\$5,850.00
10	SODDING, SALT TOLERANT	SQ YD	50	\$ 10.00	\$ 500.00	\$80.00	\$4,000.00	\$40.00	\$2,000.00	\$25.00	\$1,250.00	\$55.00	\$2,750.00
11	AGGREGATE FOR TEMPORARY ACCESS	TON	677	\$ 25.00	\$ 16,925.00	\$0.01	\$6.77	\$10.00	\$6,770.00	\$5.00	\$3,385.00	\$46.00	\$31,142.00
12	TEMPORARY HOT MIX ASPHALT	TON	196	\$ 120.00	\$ 23,520.00	\$100.00	\$19,600.00	\$120.00	\$23,520.00	\$5.00	\$980.00	\$80.00	\$15,680.00
13	TEMPORARY COLD MIX ASPHALT	TON	20	\$ 150.00	\$ 3,000.00	\$120.00	\$2,400.00	\$180.00	\$3,600.00	\$5.00	\$100.00	\$200.00	\$4,000.00
14	INLET FILTERS	EACH	30	\$ 130.00	\$ 3,900.00	\$10.00	\$300.00	\$115.00	\$3,450.00	\$150.00	\$4,500.00	\$185.00	\$5,550.00
15	SUBBASE GRANULAR MATERIAL, TYPE B	TON	93	\$ 40.00	\$ 3,720.00	\$80.00	\$7,440.00	\$60.00	\$5,580.00	\$25.00	\$2,325.00	\$40.00	\$3,720.00
16	BITUMINOUS MATERIALS (TACK COAT)	POUND	889	\$ 0.40	\$ 355.60	\$1.00	\$889.00	\$0.01	\$8.89	\$1.00	\$889.00	\$0.01	\$8.89
17	PORTLAND CEMENT CONCRETE (PCC) DRIVEWAY PAVEMENT, 6 INCH	SQ YD	15	\$ 65.00	\$ 975.00	\$100.00	\$1,500.00	\$86.00	\$1,290.00	\$85.00	\$1,275.00	\$118.00	\$1,770.00
18	PORTLAND CEMENT CONCRETE SIDEWALK, 5 INCH	SQ FT	2639	\$ 8.00	\$ 21,112.00	\$9.00	\$23,751.00	\$8.50	\$22,431.50	\$10.00	\$26,390.00	\$11.00	\$29,029.00
19	DETECTABLE WARNINGS	SQ FT	12	\$ 40.00	\$ 480.00	\$90.00	\$1,080.00	\$55.00	\$660.00	\$35.00	\$420.00	\$50.00	\$600.00
20	DRIVEWAY PAVEMENT REMOVAL	SQ YD	15	\$ 12.00	\$ 180.00	\$50.00	\$750.00	\$30.00	\$450.00	\$21.00	\$315.00	\$12.00	\$180.00
21	CONCRETE CURB REMOVAL	FOOT	22	\$ 8.00	\$ 176.00	\$9.00	\$198.00	\$3.00	\$66.00	\$5.00	\$110.00	\$6.00	\$132.00
22	COMBINATION CURB AND GUTTER REMOVAL	FOOT	613	\$ 8.00	\$ 4,904.00	\$9.00	\$5,517.00	\$3.00	\$1,839.00	\$5.00	\$3,065.00	\$6.00	\$3,678.00
23	SIDEWALK REMOVAL	SQ FT	1895	\$ 2.00	\$ 3,790.00	\$3.00	\$5,685.00	\$2.00	\$3,790.00	\$2.00	\$3,790.00	\$1.50	\$2,842.50
24	BRICK SIDEWALK REMOVAL	SQ FT	744	\$ 4.00	\$ 2,976.00	\$5.00	\$3,720.00	\$1.00	\$744.00	\$2.00	\$1,488.00	\$4.00	\$2,976.00
25	FULL DEPTH PATCHES, SPECIAL 11"	SQ YD	1916	\$ 100.00	\$ 191,600.00	\$90.00	\$172,440.00	\$145.00	\$277,820.00	\$87.00	\$166,692.00	\$138.00	\$264,408.00
26	WATER MAIN 12" (DIP CL 52), PUSH JOINT, EXTERNAL ZINC-BASED COATED	FOOT	50	\$ 200.00	\$ 10,000.00	\$400.00	\$20,000.00	\$310.00	\$15,500.00	\$400.00	\$20,000.00	\$395.00	\$19,750.00
27	WATER MAIN 10" (DIP CL 52), PUSH JOINT, EXTERNAL ZINC-BASED COATED	FOOT	1254	\$ 175.00	\$ 219,450.00	\$370.00	\$463,980.00	\$217.00	\$272,118.00	\$220.00	\$275,880.00	\$205.00	\$257,070.00
28	WATER MAIN 8" (DIP CL 52), PUSH JOINT, EXTERNAL ZINC-BASED COATED	FOOT	876	\$ 165.00	\$ 144,540.00	\$350.00	\$306,600.00	\$216.00	\$189,216.00	\$200.00	\$175,200.00	\$185.00	\$162,060.00
29	WATER MAIN 6" (DIP CL 52), PUSH JOINT, EXTERNAL ZINC-BASED COATED	FOOT	124	\$ 150.00	\$ 18,600.00	\$300.00	\$37,200.00	\$215.00	\$26,660.00	\$350.00	\$43,400.00	\$250.00	\$31,000.00
30	WATER MAIN LINE STOP, 8"	EACH	2	\$ 7,000.00	\$ 14,000.00	\$10,000.00	\$20,000.00	\$7,600.00	\$15,200.00	\$9,400.00	\$18,800.00	\$9,700.00	\$19,400.00
31	WATER VALVES 12"	EACH	1	\$ 4,000.00	\$ 4,000.00	\$9,000.00	\$9,000.00	\$3,500.00	\$3,500.00	\$9,400.00	\$9,400.00	\$5,000.00	\$5,000.00
32	WATER VALVES 10"	EACH	11	\$ 3,500.00	\$ 38,500.00	\$6,000.00	\$66,000.00	\$2,800.00	\$30,800.00	\$3,200.00	\$35,200.00	\$4,000.00	\$44,000.00
33	WATER VALVES 8"	EACH	9	\$ 3,000.00	\$ 27,000.00	\$5,000.00	\$45,000.00	\$2,000.00	\$18,000.00	\$1,900.00	\$17,100.00	\$2,300.00	\$20,700.00
34	WATER VALVES 6"	EACH	8	\$ 2,500.00	\$ 20,000.00	\$3,000.00	\$24,000.00	\$1,500.00	\$12,000.00	\$1,500.00	\$12,000.00	\$1,700.00	\$13,600.00
35	WATER VALVES 4"	EACH	4	\$ 2,000.00	\$ 8,000.00	\$2,000.00	\$8,000.00	\$800.00	\$3,200.00	\$1,400.00	\$5,600.00	\$1,500.00	\$6,000.00
36	WATER SERVICE LINE, 4" DIA OR GREATER	EACH	6	\$ 7,000.00	\$ 42,000.00	\$15,000.00	\$90,000.00	\$8,000.00	\$48,000.00	\$5,250.00	\$31,500.00	\$13,750.00	\$82,500.00
37	SHORT WATER SERVICE, 2" DIA OR LESS	EACH	21	\$ 2,500.00	\$ 52,500.00	\$3,000.00	\$63,000.00	\$4,000.00	\$84,000.00	\$3,800.00	\$79,800.00	\$3,700.00	\$77,700.00
38	LONG WATER SERVICE, 2" DIA OR LESS	EACH	11	\$ 3,000.00	\$ 33,000.00	\$5,000.00	\$55,000.00	\$6,200.00	\$68,200.00	\$4,900.00	\$53,900.00	\$5,500.00	\$60,500.00
39	FIRE HYDRANTS TO BE REMOVED	EACH	5	\$ 750.00	\$ 3,750.00	\$1,500.00	\$7,500.00	\$300.00	\$1,500.00	\$750.00	\$3,750.00	\$1,650.00	\$8,250.00
40	FIRE HYDRANT WITH AUXILIARY VALVE AND VALVE BOX	EACH	6	\$ 7,000.00	\$ 42,000.00	\$12,000.00	\$72,000.00	\$14,000.00	\$84,000.00	\$7,100.00	\$42,600.00	\$7,600.00	\$45,600.00
41	FLUOROCARBON RUBBER (VITON) GASKET, 10" (ALLOWANCE)	EACH	18	\$ 350.00	\$ 6,300.00	\$400.00	\$7,200.00	\$300.00	\$5,400.00	\$245.00	\$4,410.00	\$380.00	\$6,840.00
42	FLUOROCARBON RUBBER (VITON) GASKET, 8" (ALLOWANCE)	EACH	27	\$ 300.00	\$ 8,100.00	\$300.00	\$8,100.00	\$230.00	\$6,210.00	\$100.00	\$2,700.00	\$295.00	\$7,965.00
43	FLUOROCARBON RUBBER (VITON) GASKET, 6" (ALLOWANCE)	EACH	18	\$ 250.00	\$ 4,500.00	\$200.00	\$3,600.00	\$125.00	\$2,250.00	\$100.00	\$1,800.00	\$160.00	\$2,880.00
44	DUCTILE IRON WATER MAIN FITTINGS (ALLOWANCE)	POUND	900	\$ 10.00	\$ 9,000.00	\$20.00	\$18,000.00	\$5.50	\$4,950.00	\$5.00	\$4,500.00	\$9.00	\$8,100.00
45	VALVE BOX, 10"	EACH	10	\$ 1,000.00	\$ 10,000.00	\$1,000.00	\$10,000.00	\$2,600.00	\$26,000.00	\$460.00	\$4,600.00	\$800.00	\$8,000.00
46	VALVE BOX, 8"	EACH	5	\$ 1,000.00	\$ 5,000.00	\$1,000.00	\$5,000.00	\$2,600.00	\$13,000.00	\$460.00	\$4,600.00	\$800.00	\$4,000.00
47	VALVE BOX, 6"	EACH	7	\$ 1,000.00	\$ 7,000.00	\$1,000.00	\$7,000.00	\$2,600.00	\$18,200.00	\$460.00	\$3,220.00	\$800.00	\$5,600.00
48	VALVE BOX, 4"	EACH	4	\$ 1,000.00	\$ 4,000.00	\$1,000.00	\$4,000.00	\$1,700.00	\$6,800.00	\$460.00	\$1,840.00	\$800.00	\$3,200.00
49	VALVE VAULTS, TYPE A, 4'-DIAMETER	EACH	6	\$ 3,000.00	\$ 18,000.00	\$2,000.00	\$12,000.00	\$3,500.00	\$21,000.00	\$4,100.00	\$24,600.00	\$3,950.00	\$23,700.00
50	VALVE VAULTS, TYPE A, 5'-DIAMETER	EACH	3	\$ 4,000.00	\$ 12,000.00	\$3,000.00	\$9,000.00	\$4,200.00	\$12,600.00	\$4,200.00	\$12,600.00	\$4,700.00	\$14,100.00

51	STORM SEWERS 16", SPECIAL (DIP CL 50)	FOOT	93	\$ 350.00	\$ 32,550.00	\$300.00	\$27,900.00	\$300.00	\$27,900.00	\$165.00	\$15,345.00	\$235.00	\$21,855.00
52	STORM SEWERS 12", SPECIAL (DIP CL 50)	FOOT	62	\$ 160.00	\$ 9,920.00	\$280.00	\$17,360.00	\$220.00	\$13,640.00	\$220.00	\$13,640.00	\$180.00	\$11,160.00
53	STORM SEWERS 8", SPECIAL (DIP CL 50)	FOOT	168	\$ 140.00	\$ 23,520.00	\$240.00	\$40,320.00	\$215.00	\$36,120.00	\$165.00	\$27,720.00	\$160.00	\$26,880.00
54	STORM SEWERS 6", SPECIAL (DIP CL 50)	FOOT	69	\$ 140.00	\$ 9,660.00	\$220.00	\$15,180.00	\$210.00	\$14,490.00	\$165.00	\$11,385.00	\$159.00	\$10,971.00
55	STORM SEWERS 18", RCP	FOOT	17	\$ 400.00	\$ 6,800.00	\$300.00	\$5,100.00	\$1,300.00	\$22,100.00	\$210.00	\$3,570.00	\$425.00	\$7,225.00
56	STORM SEWERS 15", RCP	FOOT	16	\$ 350.00	\$ 5,600.00	\$260.00	\$4,160.00	\$800.00	\$12,800.00	\$215.00	\$3,440.00	\$220.00	\$3,520.00
57	STORM SEWERS 12", RCP	FOOT	188	\$ 250.00	\$ 47,000.00	\$220.00	\$41,360.00	\$180.00	\$33,840.00	\$180.00	\$33,840.00	\$100.00	\$18,800.00
58	MANHOLES, TYPE A, 4'-DIAMETER	EACH	2	\$ 3,500.00	\$ 7,000.00	\$5,000.00	\$10,000.00	\$8,500.00	\$17,000.00	\$3,400.00	\$6,800.00	\$8,100.00	\$16,200.00
59	MANHOLES, TYPE A, 5'-DIAMETER	EACH	2	\$ 5,000.00	\$ 10,000.00	\$7,000.00	\$14,000.00	\$10,000.00	\$20,000.00	\$3,500.00	\$7,000.00	\$9,300.00	\$18,600.00
60	INLETS, TYPE A	EACH	7	\$ 2,750.00	\$ 19,250.00	\$4,000.00	\$28,000.00	\$3,800.00	\$26,600.00	\$1,700.00	\$11,900.00	\$2,900.00	\$20,300.00
61	CATCH BASIN, TYPE A, 4'-DIAMETER	EACH	9	\$ 4,750.00	\$ 42,750.00	\$7,000.00	\$63,000.00	\$5,000.00	\$45,000.00	\$4,300.00	\$38,700.00	\$3,900.00	\$35,100.00
62	REMOVING CATCH BASINS	EACH	8	\$ 500.00	\$ 4,000.00	\$600.00	\$4,800.00	\$300.00	\$2,400.00	\$250.00	\$2,000.00	\$385.00	\$3,080.00
63	REMOVING VALVE BOXES	EACH	7	\$ 300.00	\$ 2,100.00	\$600.00	\$4,200.00	\$150.00	\$1,050.00	\$100.00	\$700.00	\$225.00	\$1,575.00
64	FILLING VALVE VAULTS	EACH	1	\$ 600.00	\$ 600.00	\$900.00	\$900.00	\$500.00	\$500.00	\$250.00	\$250.00	\$600.00	\$600.00
65	REMOVING VALVE VAULTS	EACH	7	\$ 500.00	\$ 3,500.00	\$900.00	\$6,300.00	\$400.00	\$2,800.00	\$250.00	\$1,750.00	\$875.00	\$6,125.00
66	ADJUSTING SANITARY SERVICE	EACH	26	\$ 500.00	\$ 13,000.00	\$200.00	\$5,200.00	\$2,500.00	\$65,000.00	\$1,950.00	\$50,700.00	\$4,100.00	\$106,600.00
67	CONCRETE CURB, TYPE B	FOOT	22	\$ 23.00	\$ 506.00	\$50.00	\$1,100.00	\$40.00	\$880.00	\$35.00	\$770.00	\$57.00	\$1,254.00
68	COMB. CONC. CURB & GUTTER TYPE B-6.12 MODIFIED	FOOT	613	\$ 25.00	\$ 15,325.00	\$50.00	\$30,650.00	\$32.00	\$19,616.00	\$35.00	\$21,455.00	\$51.00	\$31,263.00
69	REGULATED SUBSTANCES PRE-CONSTRUCTION PLAN	LSUM	1	\$ 1,750.00	\$ 1,750.00	\$3,000.00	\$3,000.00	\$500.00	\$500.00	\$7,500.00	\$7,500.00	\$3,500.00	\$3,500.00
70	REGULATED SUBSTANCES MONITORING	CAL DA	11	\$ 750.00	\$ 8,250.00	\$1,000.00	\$11,000.00	\$450.00	\$4,950.00	\$800.00	\$8,800.00	\$1,100.00	\$12,100.00
71	NON-SPECIAL WASTE DISPOSAL	CU YD	642	\$ 105.00	\$ 67,410.00	\$47.00	\$30,174.00	\$35.00	\$22,470.00	\$52.00	\$33,384.00	\$68.00	\$43,656.00
72	REGULATED SUBSTANCES FINAL CONSTRUCTION REPORT	LSUM	1	\$ 4,500.00	\$ 4,500.00	\$1,000.00	\$1,000.00	\$500.00	\$500.00	\$7,500.00	\$7,500.00	\$3,500.00	\$3,500.00
73	MOBILIZATION	LSUM	1	\$ 100,000.00	\$ 100,000.00	\$200,000.00	\$200,000.00	\$120,000.00	\$120,000.00	\$75,000.00	\$75,000.00	\$278,500.00	\$278,500.00
74	TRAFFIC CONTROL AND PROTECTION	LSUM	1	\$ 100,000.00	\$ 100,000.00	\$350,000.00	\$350,000.00	\$100,000.00	\$100,000.00	\$20,000.00	\$20,000.00	\$20,000.00	\$20,000.00
75	CONSTRUCTION LAYOUT	LSUM	1	\$50,000.00	\$ 50,000.00	\$30,000.00	\$30,000.00	\$25,000.00	\$25,000.00	\$18,000.00	\$18,000.00	\$15,000.00	\$15,000.00
76	STREET SWEEPING	EACH	15	\$ 500.00	\$ 7,500.00	\$600.00	\$9,000.00	\$200.00	\$3,000.00	\$500.00	\$7,500.00	\$600.00	\$9,000.00
77	PRE AND POST CONSTRUCTION SUB-SURFACE VIDEOTAPING	FOOT	3328	\$ 3.00	\$ 9,984.00	\$6.00	\$19,968.00	\$4.50	\$14,976.00	\$5.00	\$16,640.00	\$4.00	\$13,312.00
78	CHANGEABLE MESSAGE SIGN	CAL MO	9	\$ 1,000.00	\$ 9,000.00	\$1,500.00	\$13,500.00	\$250.00	\$2,250.00	\$900.00	\$8,100.00	\$850.00	\$7,650.00
79	BUSINESS DISTRICT SIGNS (ALLOWANCE)	UNIT	5000	\$1.00	\$ 5,000.00	\$1.00	\$5,000.00	\$1.00	\$5,000.00	\$1.00	\$5,000.00	\$1.00	\$5,000.00
80	THERMOPLASTIC PAVEMENT MARKING LINE - 24"	FOOT	56	\$ 10.00	\$ 560.00	\$25.00	\$1,400.00	\$10.00	\$560.00	\$9.00	\$504.00	\$12.00	\$672.00
81	THERMOPLASTIC PAVEMENT MARKING LINE - 12"	FOOT	49	\$ 8.00	\$ 392.00	\$15.00	\$735.00	\$7.00	\$343.00	\$6.00	\$294.00	\$6.00	\$294.00
82	THERMOPLASTIC PAVEMENT MARKING LINE - 6"	FOOT	428	\$ 8.00	\$ 3,424.00	\$6.00	\$2,568.00	\$4.00	\$1,712.00	\$4.00	\$1,712.00	\$3.75	\$1,605.00
83	THERMOPLASTIC PAVEMENT MARKING LINE - 4"	FOOT	972	\$ 5.00	\$ 4,860.00	\$3.00	\$2,916.00	\$2.50	\$2,430.00	\$3.00	\$2,916.00	\$2.00	\$1,944.00
TOTAL PROJECT BID					\$1,741,587.10		\$2,678,543.77		\$2,104,662.39		\$1,575,844.00		\$2,250,012.39
			AS CORRECTED				\$2,678,543.77		\$2,104,662.39		\$1,589,744.00		\$2,250,012.39



Memorandum

To: David Stoneback, Public Works Agency Director
 Lara Biggs, P.E. Bureau Chief – Capital Planning / City Engineer
 Chris Venatta, P.E., Senior Project Manager

From: Tammi Nunez, Purchasing Manager

Subject: Main Street Water Main Improvements Project, Bid 21-14

Date: May 24, 2021

The goal of the Minority, Women and Evanston Business Enterprise Program (M/W/EBE) is to assist such businesses with opportunities to grow. In order to help ensure such growth, the City's goal is to have general contractors utilize M/W/EBEs to perform no less than 25% of the awarded contract.

With regard to the recommendation for the Main Street Water Main Improvements Project, Bid 21-14, Pan-Oceanic Engineering Co, Inc., total base bid is \$1,589,744.00 and they are found to be in compliance with the City's goal. They will receive credit for 65.81% M/W/EBE participation.

Name of M/W/EBE	Scope of Work	Contract Amount	%	MBE	WBE	EBE
Pan-Oceanic Engineering Co. 6436 W. Higgins Ave. Chicago, IL 60656	Water and Sewer Construction	\$1,046,140.00	65.81%	X		
Total M/W/EBE		\$1,046,140.00	65.81%			

CC: Hitesh Desai, Chief Financial Officer



Memorandum

To: Honorable Mayor and Members of the City Council
CC: Members of Administration and Public Works Committee
From: David Stoneback, Public Works Agency Director
Subject: Resolution 57-R-21, Appointing a Director and Alternate Director to the Solid Waste Agency of Northern Cook County
Date: May 24, 2021

Recommended Action:

Staff recommends City Council adoption of Resolution 57-R-21, Appointing a Director and Alternate Director to the Solid Waste Agency of Northern Cook County.

Council Action:

For Action

Summary:

The Solid Waste Agency of Northern Cook County (SWANCC) has provided solid waste management services, programs and resource materials to its 23 member communities since 1988. SWANCC's focus is to reduce the volume and toxicity of solid waste through responsible waste reduction solutions, and they include collections for special materials.

SWANCC is governed by a Board of Directors comprised of one director elected by each member municipality. Each municipality also elects one or more alternate directors; however, each municipality may only cast one vote when appropriate at Board meetings, regardless of whether both the director and any alternates are present.

The Board of Directors establishes general policies of the Agency, makes all appropriations, approves contracts for solid waste disposal and all Project Use Agreements, adopts resolutions providing for the issuance of bonds or notes by the Agency, adopts by-laws, rules and regulations and exercises these powers and duties as outlined in the Agency By-Laws or the Agency Agreement.

Legislative History:

Resolution 38-R-17 was adopted by the City Council on January 8, 2018, appointing then Mayor Hagerty as the Director and then City Manager Wally Bobkiewicz as the Alternate Director to the SWANCC Board of Directors

Attachments:
[Resolution 57-R-21](#)

5/24/2021

57-R-21

A RESOLUTION

**Appointing a Director and Alternate Director to the
Solid Waste Agency of Northern Cook County**

WHEREAS, the City of Evanston is a member of the Solid Waste Agency of Northern Cook County (“the Agency”); and

WHEREAS, pursuant to the Agency Agreement that established the Agency, the City is entitled to appoint one (1) or more Directors to the Board of Directors of the Agency,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EVANSTON, COOK COUNTY, ILLINOIS:

SECTION 1: The Evanston City Council hereby appoints Daniel Biss, Mayor, as its Director on the Board of Directors of the Agency and appoints Erika Storlie, City Manager, as its Alternate Director, in each case for a term expiring on April 30, 2023, or until his successor is appointed.

SECTION 2: Resolution 57-R-21 will be in full force and effect from and after its passage and approval in the manner provided by law.

Daniel Biss, Mayor

Attest:

Approved as to form:

Stephanie Mendoza, City Clerk

Nicholas E. Cummings, Corporation Counsel

Adopted: _____, 2021



Memorandum

To: Honorable Mayor and Members of the City Council
CC: Members of Administration and Public Works Committee
From: Jennifer Lin, Human Resources Division Manager
CC: Demitrous Cook, Chief of Police; Luke Stowe, Interim Director of Administrative Services
Subject: Ordinance 51-O-21, Amending Title 2, Chapter 3 of the City Code to Reflect Changes in the Public Safety Civil Service Commission Rules and Regulations
Date: May 24, 2021

Recommended Action:

Staff recommends City Council adoption of Ordinance 51-O-21 amending Title 2, Chapter 3 of the City Code to reflect changes in the Public Safety Civil Service Commission Rules and Regulations, which will allow for a separate lateral police officer hiring process.

Council Action:

For Introduction

Summary:

The Public Safety Civil Service Commission is responsible for approving the hiring of candidates for entry-level police officers and firefighter/paramedics with the City of Evanston Police and Fire Departments. The current Rules and Regulations were last amended in 2015 and codified hiring processes to maintain compliance and consistency with state laws regulating the hiring of these positions.

Police officers and firefighters/paramedics must successfully pass many tests before being hired, including a written exam, interview, polygraph, psychological evaluation, medical, and background check. They are placed on an eligibility list and approved for hire by the Commission. After being hired, police officers must attend and graduate from a police academy (approximately three months in duration) unless they are already sworn or already working in other departments (laterals). Newly hired Evanston police officers typically attend the Cook County Sheriff's Police Academy or the Chicago Metro Police Academy due to their proximity to Evanston. There are usually four academy classes per year. Due to COVID-19, the remaining academy classes in 2020 were canceled, and the City was only able to hire five police officers, two of whom were laterals, in 2020 despite a large number of vacancies. The

academies are now reopened in a smaller restricted capacity, but available spots at the Cook County Sheriff's Police Academy are being prioritized for Cook County police officers, and there is a long waiting list for available spots at the Chicago Metro Police Academy. The City currently has two pending academy spots in Chicago, with additional spots being very uncertain.

Meanwhile, the Evanston Police Department (EPD) has seen a significantly high number of retirements and resignations over the last 18 months. Even with eleven police officer positions eliminated in the 2021 budget, there are currently eight vacancies that cannot be filled because there are no academies for new hires to attend and no additional laterals on the eligibility list. Upcoming promotions will yield up to three additional vacancies, and upcoming planned retirements will further compound the issue. This is resulting in a significant shortage of staff, which is impacting manpower, safety, operations, and budget. Prior to the pandemic, EPD was staffed at 162 sworn police officers and are currently operating with 143 sworn officers. In addition, to reduce overtime expenses, officers are being pulled from specialty units to fill gaps in patrol operations. This continued practice will result in delays in investigation and follow-up on outstanding cases.

As such, EPD is seeking to create a separate lateral hiring process for sworn police officers who are currently or very recently employed. The lateral hiring process would bypass the need for the formal hiring process codified in the Rules and Regulations, which takes place every two years, and allow candidates to skip a written exam and move straight to an interview. The remainder of the hiring process would remain the same. EPD would only use a lateral hiring process under extraordinary circumstances, requiring specific approval by the Public Safety Civil Service Commission. The priority will always be to hire new officers under the traditional hiring process.

The proposed amendments spell out very exceptional circumstances for a lateral police officer hiring process. Amending the Rules and Regulations would allow EPD to immediately begin a new process to identify currently sworn officers to hire and allow them to start working immediately. Other proposed amendments are more housekeeping in nature, and the amendments to the age restrictions are to comply with changes in state law.

The Public Safety Civil Service Commission has reviewed these proposed amendments and approved them on April 30, 2021. Staff urges City Council to adopt Ordinance 51-O-21 amending Title 2, Chapter 3 of the City Code to reflect changes in the Public Safety Civil Service Commission Rules and Regulations.

Attachments:

[Ordinance 51-O-21 Amending Rules and Regulations of the Public Safety Civil Service Commission](#)

5/24/2021

51-O-21

AN ORDINANCE

**Amending Title 2, Chapter 3 of the City Code
to reflect changes in the Public Safety
Civil Service Commission Rules**

**NOW BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF
EVANSTON, COOK COUNTY, ILLINOIS, THAT:**

SECTION 1: That section 2-3-6 of the Evanston City Code of 2012, as amended, is hereby further amended to read as follows:

**2-3-6: RULES AND REGULATIONS OF THE PUBLIC SAFETY CIVIL SERVICE
COMMISSION**

The Evanston Public Safety Civil Service Commission Rules attached to Ordinance 100-O-15 as Exhibit A are hereby redacted in full and replaced by the Public Safety Civil Service Commission Rules which are attached to Ordinance No. 51-O-21 as Exhibit A and incorporated herein as if fully restated.

SECTION 2: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 3: If any provision of this Ordinance 51-O-21 or application thereof to any person or circumstance is held unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this Ordinance that can be given effect without the invalid application or provision, and each invalid application of this Ordinance is severable.

SECTION 4: The findings and recitals contained herein are declared to be prima facie evidence of the law of the City and shall be received in evidence as provided by the Illinois Compiled Statutes and the courts of the State of Illinois.

SECTION 5: This Ordinance 51-O-21 shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

Introduced: _____, 2021

Approved:

Adopted: _____, 2021

_____, 2021

Daniel Biss, Mayor

Attest:

Approved as to form:

Stephanie Mendoza, City Clerk

Nicholas E. Cummings, Corporation Counsel

RULES AND REGULATIONS OF THE PUBLIC SAFETY CIVIL SERVICE COMMISSION

These Rules and Regulations (“Rules”) of the Public Safety Civil Service Commission, as amended, replace all prior versions in their entirety, by adoption by the Public Safety Civil Service Commission and the City Council of the City of Evanston.

I. ADMINISTRATION

A. Purpose: The Public Safety Civil Service Commission (“Commission”) of the City of Evanston (“City”), Cook County, Illinois makes original appointments (of entry-level police officers and firefighters) in accordance with the Civil Service Act, 65 ILCS 5/10-1-1 *et seq.* (the “Act”). The purpose of the Commission is to promote fair and equal treatment and opportunity under the law.

B. Effective Date: The Rules, as amended, shall take effect upon the adoption by the City Council and subsequent approval by the Mayor of Ordinance ~~62-0-1251-O-21~~. The final eligibility lists in place as of the Effective Date of the passage of these Rules (for either the Police or Fire Department candidates for initial appointment) shall not be impacted by the revisions to the Rules. After the expiration of the current final eligibility list(s) and the commencement of a new hiring process, these Rules shall be implemented.

C. Authority: The Commission derives its power and authority from the Act and from Title 2, Chapter 3 “Public Safety Civil Service Commission and Division of Human Resources,” as amended. The Act and these Rules govern the procedures by which the Commission must operate and appoint candidates. Adherence to the Act and all other applicable federal, State, and local regulations are of paramount concern and consideration, including but not limited to rules and regulations of the U.S. Equal Employment Opportunity Commission.

D. Definitions:

1. The word “Commission” shall mean the Public Safety Civil Service Commission.
2. The word “Officer” shall mean any individual holding a permanent office as a full time sworn member of the Police Department of the City of Evanston as described under the provisions of the Code of Ordinances of the City of Evanston, Cook County, Illinois, as amended. It shall include probationary members, except when otherwise specified.
3. The word “Firefighter” shall mean any firefighter/paramedic holding a permanent office as a full time sworn member of the Fire Department of the City of Evanston as described under the provisions of the Code of Ordinances of the City of Evanston, Cook County, Illinois, as amended. It shall include probationary members, except when otherwise specified.
4. Any time reference is made to the “Police Chief” or “Fire Chief,” the terms shall include any person duly acting in place of the Police Chief or Fire Chief.
5. The word “City” shall mean the City of Evanston, Cook County, Illinois.

6. "Corporate Authorities" shall mean the Mayor and City Council of the City of Evanston.
7. "City Code" shall mean the City of Evanston Code.
8. "Commissioner" shall mean a member of the Public Safety Civil Service Commission.
9. "Employee Manual" shall mean and refer to the Employee Manual of the City of Evanston which sets forth the established procedures to implement and carry out the policies of the City of Evanston regarding the personnel system as contained in the City Code, Title 2, Chapter 3, and further contained in the Rules of the Public Safety Civil Service Commission.
10. "Competitive Examination Process" shall mean and refer to the specific preference points and questions agreed upon by the Commissioners prior to the commencement of the application process of original appointment for either the Fire Department or Police Department.

E. Commissioners: The Mayor, with the approval of the City Council, shall appoint seven (7) persons who shall constitute and be known as the Public Safety Civil Service Commission. The Commission shall annually, on the first meeting of the year, elect a Chairman. Those holding office at the time of the effective date of this Ordinance shall continue in office until the expiration of the terms to which they have been appointed. After the expiration of the terms of the existing Commissioners, the Mayor shall, in like manner, appoint person(s) as the successor of the respective Commissioner whose term will expire that year to serve as such Commissioner for three (3) years and until his/her successor is appointed and qualified. At the discretion of the Mayor, each Commissioner may be reappointed for just one (1) additional term. Human Resources Division Manager or assigned designee will function as the secretary for the Commission.

F. Duties of the Commission:

1. The Commission shall review and approve the Competitive Examination Process for original appointment of police officers and firefighters. All other hiring will be conducted by the Human Resources Division Manager at the direction of the City Manager or his/her designee and completed in accordance with the Employee Manual and other rules, regulations and laws. The Commission's role during the Competitive Examination Process includes the task of reviewing and affirming the process contemplated by the Human Resources Division Manager and Fire Chief or Police Chief for the appointment of the respective vacancy or vacancies prior to commencement of any acceptance of applications for said vacancy. *See* Section III for further detail and guidance.
2. Participation on final Commission interviews: Commissioners will be expected to participate in final Commission interviews of candidates. The applicants who pass all preceding examination elements shall be required to undergo a final Commission interview as discussed below.

3. The Commission shall be responsible for the certification of persons for initial hire to the Fire Department and Police Department. The Commission shall certify these candidates of the Departments in accordance with, and to the extent provided in, these Rules.

4. The Commission is also charged with the recruitment of qualified local candidates for open vacancies for initial hire to the Police and Fire Departments.

G. Meetings:

1. Meetings may be scheduled at the mutual convenience of the Commission members as needed. Notice shall be posted and meetings shall be open to the public and conducted in accordance with the Illinois Open Meetings Act, 5 ILCS 120/1 *et seq.*

2. Special meetings shall be open. Notice of a special meeting shall be posted forty-eight (48) hours prior to convening. A meeting may be called by the filing of a notice, in writing, with the secretary and signed either by the chairperson of the Commission or, in the event of the absence of the chairperson, a member of the Commission. This notice shall contain a brief statement of the business to be submitted for the consideration of the Commission at such special meetings. It shall set forth the time and place of such special meeting. No other business shall be considered at such special meeting unless a quorum of Commissioners is present.

3. During any regular or special meeting, a closed session may be held upon a proper motion made by any single member of the Commission for the purpose of discussing personnel. No closed session meetings shall be held at a special meeting unless the closed session is noted on the agenda. Closed sessions may be limited to Commission members and such invited persons as the Commission may deem necessary. The secretary will record the motion to close the meeting and keep minutes of the closed session. Closed sessions shall be taped, audibly or visually, with said tapes being maintained consistent with the Open Meetings Act for a period not less than 60 days.

H. Quorum: A quorum of the Commission shall be a majority of the Commissioners appointed and currently serving.

I. Order of Business: The order of business shall be dictated by a packet and agenda prepared and presented to the Commission in advance and the order of business shall typically be as follows:

- I. Approval of the minutes
- II. Communications
- III. Chief Forum and updates from the Departments
- IV. Old Business
- V. New Business
- VI. Adjournment

J. Rules of Procedure: The Commission shall be guided by parliamentary law as prescribed in *Roberts Rules of Order*, as amended, unless in conflict with these Rules and Regulations.

K. Amendments to the Rules: Proposed amendments to these Rules may be made at any meetings of the Commission and shall be done in consultation with the City Manager and the Corporation Counsel. The proposed amendments shall be posted on the City of Evanston website prior to adoption by the Commission no later than 30 days prior to a meeting set to review any amendments. Any and all amendments adopted by the Commission shall be posted on the City's website. The City Council shall be advised by the City Manager of any amendments approved by the Commission.

L. Employee Manual: In the event of any conflict between the City of Evanston Code restrictions and regulations and these Rules, the City Code shall prevail. In the event of any conflict between the restrictions and provisions set forth in the Employee Manual and the Public Safety Civil Service Commission Rules, the terms and conditions of Public Safety Civil Service Commission Rules shall supersede, prevail and dictate. Any term or condition within the Employee Manual not addressed within the Public Safety Civil Service Commission Rules shall remain in full force and effect. Pursuant to the City Code, the Commission has no authority to revise or amend the Employee Manual.

II. ORIGINAL APPOINTMENT PROCESS FOR FIRE DEPARTMENT

This section outlines each step in the original appointment hiring process for firefighter/paramedic applicants.

1. Affirmation of Process:
The Commission reviews the process prior to posting for each vacancy or vacancies.
2. Notice of testing process:
Application, job description, testing processes will be posted at least 30 days prior to the administration of the written examination. [Instructions on how to apply for preference points will be included in this notice.](#)
3. Minimum requirements:
 - (a) Proof of passing score on the CPAT and Ladder Climb.
 - (b) Possession of at least a high school diploma or GED.
 - (c) Age Limits:
 - Applicants must be at least 21 years of age at time of hire, but can be 20 years of age at the time of application and testing.
 - [Applicants must be under the age of 35](#)~~Cannot be over the age of 34~~ at time of application [with the following exceptions: \(exception: previous full-time experience as a firefighter/paramedic\) 1\) any person previously employed as a firefighter; 2\) any person under the age of 40, who turned 35 while serving in](#)

active or reserve military duty, and honorably discharged, if separated from the military; or 3) any other exceptions consistent with 65 ILCS 5/10-1-7.1.

- (c) Other prerequisites may be recommended by the Fire Chief and approved by the Commission during the affirmation of the process, *see* Section III (A).
- (d) Disqualifications: an applicant's criminal record, depending on the nature of the offense(s), can disqualify a candidate, as more fully described in the Act, as amended.

4. Written Exam:

Scored on a 100 point scale; requires passage of the written exam. The cut-off score for the written examination will be based on the recommendation of the developer of the written examination and will be consistent with the minimally qualified performance in the firefighter position. Applicants who do not receive a minimum passing score on the written exam will be disqualified and removed from further consideration.

5. Preliminary List:

Names of applicants shall be placed on the Preliminary List in rank order of written exam score, highest first (and only those scoring at or above the minimum score established by the Commission prior to the test in consultation with the developer of the exam). Interviews of the applicants under the Subjective Component are done according to rank on the preliminary list, starting with the highest scoring applicant.

6. Subjective Component:

Scored on a 100 point scale, based on merit criteria as determined by the Commission and in consultation with the Fire Chief and Human Resources; the structured interview will be conducted by an Interview Panel comprised of the Fire Chief or designee and two additional Fire sworn staff members. The minimum passing score of the Subjective Component is 70. Candidates who do not receive a passing score on the Subjective Component will be disqualified and removed from further consideration.

7. Initial Eligibility List:

An applicant's position on the list is determined by the following examination components, graded on a 100 point scale, based on the following:

- Written exam score weighted 40% and
- Subjective Component score weighted 60%.

Initial Eligibility List will be posted within 60 days after Subjective Component is completed.

8. Preference Points:

The City or its assigned testing agent shall send written notice to qualified applicants on the Initial Eligibility List of the opportunity to apply for preference points within 10 business days of posting the Initial Eligibility List.

At least 10 points but no more than 30 points may be awarded as follows:

- (a) Residency: applicant resides within the City – 0-5 points
- (b) Education – 0-5 points
- (c) Paramedic License – 0-5 points
- (d) Other – 0-5 (bilingual, cadet program, etc.)
- (e) Veteran Status – 5 points (one year active, honorable discharge)
- (f) Experience – 0-5 points (cannot be used to move above an applicant on the list with veteran points)

10. Final Eligibility List:

The list ~~will be certified by the Commission prior to the posting and~~ will be valid for two years. An applicant's position on the Final Eligibility List will be based on the applicant's total score, with any preference points included.

In the event a Final Eligibility List is exhausted prior to the expiration of the Preliminary List, the City may return to the Preliminary List and interview additional applicants under the Subjective Component in accordance with this subsection. Appointments will be made from the Final Eligibility List according to rank or passed over as described in the Act, as amended.

11. Conditional Offer of Employment:

An applicant who has been made a conditional offer of employment has 5 business days to accept; applicant is allowed to waive appointment once.

If more than one year has passed since an applicant submitted to the CPAT and Ladder Climb in Section II.3 above, the applicant must submit to and pass an additional CPAT and Ladder Climb before additional professional testing will take place. Applicants who fail the CPAT and Ladder Climb will be disqualified and removed from further consideration.

12. Additional Professional Testing:

Employment is subject to the following professional examinations (which are not subject to appeal rights) performed by outside consultants ~~appointed by the Commission~~ in consultation with Human Resources and the Chief or designee:

- (a) Background: Pass/Fail
- (b) Polygraph: Pass/Fail
- (c) Psychological: Pass/Fail
- (d) Medical: Pass/Fail

13. Final Commission Interview:

Pass/Fail; the final Commission interview will be conducted by a Panel composed of a majority of appointed Commissioners, Fire Chief or designee, one additional sworn Fire staff member, and a Human Resources representative. Each panelist must assign a Pass or Fail for the candidate based on the overall performance during the interview. A candidate must receive a majority of Pass scores to be considered. A candidate who fails

the final Commission interview will be disqualified and removed from further consideration.

III. ORIGINAL APPOINTMENT PROCESS FOR POLICE DEPARTMENT

This section outlines each step in the original appointment hiring process for police officer applicants.

1. Affirmation of Process:

The Commission reviews the process prior to posting for each vacancy or vacancies.

2. Notice of testing process:

Application, job description, testing processes will be posted at least 30 days prior to the administration of the written exam. Instructions on how to apply for preference points will be included in this notice.

3. Minimum requirements:

(a) 60 Credit Hours from an accredited college or university.

(b) Age Limits:

- Applicants who are at least 20 years of age and who have successfully completed 60 credit hours of law enforcement studies at an accredited college or university may be considered for appointment to active duty with the police department; however, if the candidate is appointed to active duty, he/she shall not have power of arrest, nor shall the applicant be permitted to carry firearms, until he or she reaches 21 years of age.
- Applicants must be under 35 years of age at time of application with the following exceptions: - (up to 10 years credit for active military service) and must be under 36 years of age at time of appointment (up to 10 years credit for active military service); 1) any person previously employed as a full-time sworn law enforcement officer; 2) any veteran who has served as an auxiliary police officer for at least 5 years and is under 40 years of age; or 3) any other exceptions consistent with 65 ILCS 5/10-1-7.-

(c) Disqualifications: an applicant's criminal record, depending on the nature of the offense(s), can disqualify a candidate, as more fully described in the Act, as amended.

3. Physical Fitness Exam:

Pass/Fail; applicants must pass a physical fitness test administered by the City. This physical fitness test will be comparable to the Illinois POWER test in physical requirements. Applicants who do not pass the physical fitness test will be disqualified and unable to proceed through the process.

4. Written Exam:

Scored on a 100 point scale; passage of the written exam is a score at or above the score of 70. Applicants who do not receive a minimum passing score on the written exam will be disqualified and removed from further consideration.

5. Preference Points:

A maximum of 10 preference points may be awarded as follows:

(a) Veteran Status – 5 points (one year active, honorable discharge)

(b) Residency: applicant resides within the City – 5 points

Preference points cannot be awarded to applicants who do not receive passing scores on the written exam. Preference points for residency cannot move a candidate above a veteran on the Initial Eligibility List.

6. Initial Eligibility List:

Names of applicants shall be placed on the Initial Eligibility List in rank order of written exam score, including preference points. Interviews of the applicants under the Subjective Component are done according to rank on the Initial Eligibility List.

Candidates currently employed as full-time sworn law enforcement officers by a municipal or state police department will be moved to the top of the list. Candidates currently certified by the Illinois Law Enforcement Training and Standards Board or other reciprocal state training boards as full-time sworn law enforcement officers but not currently employed as sworn law enforcement officers will also be moved to the top of the list and placed under candidates who are currently employed as full-time sworn law enforcement officers.

The Initial Eligibility List will be posted within 60 days of administration of the written exam.

7. Subjective Component:

Scored on a 100 point scale; examination components will consist of a structured interview and a written assessment. The structured interview will be conducted by an Interview Panel comprised of the Chief of Police or designee and two additional sworn officers. The minimum passing score of the Subjective Component is 70. Candidates who do not receive a passing score on the Subjective Component will be disqualified and removed from further consideration.

8. Final Eligibility List:

An applicant will be placed, by ranked score, on the Final Eligibility List as graded on a 100 point scale, determined by the following examination components:

- Written Exam score weighted 40% and
- Subjective Component score weighted 60%.

In the event a Final Eligibility List is exhausted prior to the expiration of the Initial Eligibility List, the City may return to the Initial Eligibility List and interview additional applicants under the Subjective Component in accordance with this subsection.

The Final Eligibility List will ~~be certified by the Commission and will~~ be posted within 60 days after completion of the Subjective Component and is valid for 2 years from posting. Appointments will be made from the Final Eligibility List according to rank.

9. Conditional Offer of Employment:
An applicant who has been made a conditional offer of employment has 5 business days to accept; applicant is allowed to waive appointment once.

If more than one year has passed since an applicant submitted to the physical fitness test in Section III.3 above, the applicant must submit to and pass an additional physical fitness test before additional professional testing will take place. Applicants who fail the physical fitness test will be disqualified and removed from further consideration.

10. Additional Professional Testing:
Employment is subject to the following professional examinations (which are not subject to appeal rights) performed by outside consultants ~~appointed by the Commission~~ in consultation with Human Resources and the Chief or designee:

- (a) Background: Pass/Fail
- (b) Polygraph: Pass/Fail
- (c) Psychological: Pass/Fail
- (d) Medical: Pass/Fail

11. Final Commission Interview:
Pass/Fail; the final Commission interview will be conducted by a Panel composed of a majority of appointed Commissioners, Chief of Police or designee, one additional sworn Police staff member, and a Human Resources representative. Each panelist must assign a Pass or Fail for the candidate based on the overall performance during the interview. A candidate must receive a majority of Pass scores to be considered. A candidate who fails the final Commission interview will be disqualified and removed from further consideration.

12. Appointment:
Candidates who are certified as full-time sworn law enforcement officers will be immediately appointed to active duty.

Other candidates will be required to successfully complete a certified basic police recruit academy, which will require the following:

- (a) Illinois POWER Test (if candidates should fail any portion of the POWER test, they will be given one chance to retake the failed portion(s); if they fail the retake, they will be disqualified and removed from further consideration);
- (b) Firearms qualification;
- (c) Graduation from the police academy; and

- (d) Passage of the Illinois Police Officer's State Certification Exam (if candidates should fail the State Certification Exam, they will be given two chances to retake it; if they fail both retakes, they will be disqualified and removed from further consideration).

III.A. ORIGINAL LATERAL APPOINTMENT PROCESS FOR POLICE DEPARTMENT

This section outlines each step in the original appointment hiring process for lateral police officer applicants. Lateral police officer applicants are persons who are currently or were recently employed as full-time law enforcement officers in the State of Illinois and duly certified by the Illinois Law Enforcement Training and Standards Board.

Under extraordinary circumstances, the Commission can approve a lateral hiring process for police officers outside of the appointment process laid out above in Section III. Extraordinary circumstances can include, but are not limited to, a state of emergency, inability to employ candidates from the eligibility list created from Section III, unavailability of academy access, or other dire emergency situations. Each hiring process would yield a temporary and limited eligibility list and be specifically limited to an articulable need based on urgency or emergency in staffing needs. Hiring under this Section III.A should be the exception, and priority should always be given to hiring from eligibility lists created from Section III.

1. Notice of process: Application, job description, and testing processes will be posted. Instructions on how to apply for preference points will be included in this notice.
2. Minimum requirements:
 - (a) 60 Credit Hours from an accredited college or university.
 - (b) Current or recent (within last 6 months) employment as a full-time sworn law enforcement officer in the State of Illinois and duly certified by the Illinois Law Enforcement Training and Standards Board and two (2) or more years of previous experience as a full-time sworn law enforcement officer. Applicant must have successfully completed probation with current or most recent employer and must be or must have been in good standing with current or most recent employer.
 - (c) Disqualifications: an applicant's criminal record, depending on the nature of the offense(s), can disqualify a candidate, as more fully described in the Act, as amended.
3. Subjective Component:

Scored on a 100 point scale; examination components will consist of a structured interview and a written assessment. The structured interview will be conducted by an Interview Panel comprised of the Chief of Police or designee and two additional sworn officers. The minimum passing score of the Subjective Component is 70. Candidates who do not receive a passing score on the Subjective Component will be disqualified and removed from further consideration.
4. Preference Points:

A maximum of 10 preference points may be awarded as follows:
(a) Veteran Status – 5 points (one year active, honorable discharge)
(b) Residency: applicant resides within the City – 5 points

5. Final Eligibility List:

After the application of preference points, applicants will be placed, by ranked score, on the Final Eligibility List.

The Final Eligibility List will be posted within 60 days after completion of the Subjective Component and is valid for the period deemed appropriate by the Commission. Appointments will be made from the Final Eligibility List according to rank.

6. Conditional Offer of Employment:

An applicant who has been made a conditional offer of employment has 5 business days to accept.

7. Additional Professional Testing:

Employment is subject to the following professional examinations (which are not subject to appeal rights) performed by outside consultants in consultation with Human Resources and the Chief or designee:

- (a) Background: Pass/Fail
- (b) Polygraph: Pass/Fail
- (c) Psychological: Pass/Fail
- (d) Medical: Pass/Fail

8. Final Commission Interview:

Pass/Fail; the final Commission interview will be conducted by a Panel composed of a majority of appointed Commissioners, Chief of Police or designee, one additional sworn Police staff member, and a Human Resources representative. Each panelist must assign a Pass or Fail for the candidate based on the overall performance during the interview. A candidate must receive a majority of Pass scores to be considered. A candidate who fails the final Commission interview will be disqualified and removed from further consideration.

IV. EXAMINATIONS/OVERVIEW OF PROCESS COMPONENTS FOR ORIGINAL APPOINTMENT

A. Affirmation of Process: The Commission shall review and affirm the process contemplated by the Human Resources Division Manager and Fire Chief or Police Chief for the appointment of the respective vacancy or vacancies prior to commencement of any acceptance of applications for said vacancy or vacancies. For fire department applicants, the affirmation of process and emphasis on certain preference points can change based on each testing process.

B. Notice of Examinations: Examinations shall be held on the dates fixed by the Human Resources Division and advertised at least thirty days preceding the written examination. Each notice must include the time, place, scope, merit criteria for subjective components and any required processing fees. The notice must also be published in a local newspaper or on the City's website. Examinations may be postponed but the Human Resources Division must state the reason for such postponement and shall designate a new date for said examination and notify applicants of the postponement and new date. In addition, to cover the costs of administering such examinations and posting eligibility lists, the applicants may be required to pay a processing fee at the time their application for employment is tendered.

C. Application: The examination for applicants must be public, competitive, and open to all citizens of the United States. Applicants for examination must be citizens of the United States (65 ILCS 5/10-1-7). Applications shall be submitted according to directions provided by the Human Resources Divisions and applicants must comply with the minimum requirements set forth in the application in every respect. Every applicant must be of good moral character, of temperate habits, of sound health and must be physically able to perform the duties of the position applied for. The burden of establishing these facts rests upon the applicant alone.

D. Type of Examinations: Applicants will be required to participate in a physical aptitude test, written, oral and other examinations as determined by the Commission and as more particularly set forth in subparagraph E below. No examination shall contain questions regarding an applicant's political or religious opinions or affiliations. The examination and qualifying standards shall be based on mental aptitude, physical ability, preferences, moral character and health. The mental aptitude, physical ability and preference components determine the applicant's qualification for and placement on the final register of eligibles. Examinations will include a subjective component based on merit criteria.

E. Physical Examination: The physical ability component requires all candidates to undergo an exam of their physical ability to perform the essential functions of the job. These exams are to be open, competitive and based on industry standards to test physical abilities.

1. Fire Department candidates will be required to pass the State of Illinois designed Candidate Physical Ability Test ("CPAT") and Ladder Climb test which are minimum requirements for the application.

2. Police Department candidates will be required to pass a physical exam similar to the Illinois Peace Officer Wellness Evaluation Report ("POWER") Test which is a requirement to enter the police training academies.

F. Written Examinations: All examinations and testing results shall be and remain the property of the Commission and the City and the grading thereof by the Commission or its designee shall be final and conclusive and not subject to review by any person, any other board or tribunal of any kind. Candidates who fail to achieve a passing grade, or passing testing result in any category, will be notified and eliminated from all further consideration. Scoring of the written examinations for firefighters will be based on the Act, as amended. Scoring of the written examination for police officers will be on a 100 point scale.

G. Initial Eligibility List:

1. The Human Resources Division Manager shall prepare an Initial Eligibility List of the candidates successfully completing the physical ability test, written test, and the subjective component. The order of the testing components and the qualifiers needed for the Initial Eligibility List for either a police officer or a firefighter/paramedic applicant is outlined in Sections II and III.
2. A dated copy of the Initial Eligibility List shall be posted within sixty (60) days after the subjective component is completed.

H. Preference Points: Preference points may be added to scores of candidates as follows and added to scores in accordance with the process outlined in Sections II and III. Preference points must be claimed in writing or the claim is waived. Directions on how to apply for preference points will be provided on the notice of testing process. The following are the categories of possible preference points:

1. **Military Service:** For either Fire Department or Police Department candidates, any person who is engaged in the military service of the United States for total period of at least one year and who was honorably discharged therefrom, or who is now or may hereafter be on inactive or reserve duty in such military service for at least one year shall upon request, be awarded five (5) preference points. It shall be the responsibility of the Applicant to provide evidence of qualifying military service as listed above with the original application for employment in order to be considered for preference points. Acceptable evidence of qualifying military service shall be an official Department of Defense document, such as a DD 214 Copy #4, DD 214 Copy #1 and proof of honorable service from the Department of Defense such as a DD 256 A/N/AF or other official Department of Defense documentation as deemed acceptable by the Human Resources Division.
2. **Residency:** Applicants for the Fire Department or Police Department who have resided in the City of Evanston for a continuous twelve-month period prior to testing shall be granted preference in accordance with the process outlined in Sections II and III.
3. **Education:** An applicant for a firefighter/paramedic position who has successfully obtained an associate's degree in the field of fire service or emergency medical services, or a bachelor's degree from an accredited college or university may be preferred for appointment to and employment with the fire department. No person who does not possess at least a high school diploma or an equivalent high school education shall be placed on an eligibility list.
4. **Paramedic Certificate:** Firefighter/paramedic applicants who have an Illinois paramedic certificate shall be granted 0-5 preference points.
5. **Past Experience:** Firefighter/paramedic applicants with experience as a full-time or part-time firefighter/paramedic with another municipality or fire protection district may be given 0-5

preference points. No application of experience preference points may allow a non-veteran candidate to pass a veteran on the Final Eligibility List.

6. Other: Firefighter/paramedic applicants may be given 0-5 preference points for other job related categories, such as bilingual status or past cadet program participation at the discretion of the Fire Chief in consultation with the Commission.

I. Additional Professional Testing: The order with which additional professional testing occurs varies depending on the department to which the applicant is applying; see Sections II and III.

J. Structured Interview: In conducting the structured interview for the Subjective Component, the Interview Panel shall conduct structured interviews with candidates passing the written examination. Pre-determined questions will be asked of each candidate that will enable the Interview Panel to properly evaluate the candidate on merit criteria and grade the candidate on speech, alertness, ability to communicate, judgment, emotional stability, self-confidence, social skills and general fitness for the position. The questions will be delegated among the persons on the Interview Panel for the structured interview. On completion of each structured interview, the Interview Panel will discuss the candidates' abilities and each panelist will then evaluate the candidate. Candidates who fail the structured interview will be notified and eliminated from all further consideration.

Each member of the Interview Panel must assign a score for the candidate based on their overall performance in the interview. The interviews will be scored on a 100 point scale, and a candidate must receive a passing score, as described in Sections II and III, in order to move forward in the process.

There are no appeal rights for an applicant to any examination conducted during the course of the application process.

K. Final Eligibility List and Probationary Appointment

1. The Final Eligibility List shall include candidates listed in ranked order based on their final weighted score.

2. Firefighter/Paramedic appointment: Upon the request of the Fire Chief to fill an authorized vacancy, the City Manager, at the recommendation of the Fire Chief, shall issue a conditional offer of probationary employment to the candidate with the highest total score on the Final Eligibility List, unless the highest ranking candidate fails to meet the minimum standards for the position or an alternate candidate would better serve the needs of the department. If this exception applies, the City Manager may pass over the highest ranking candidate and appoint either: (1) any candidate with a ranking in the top 5% of the register of eligibles, or (2) any candidate among the top 5 highest-ranked candidates if the number in the top 5% is less than 5 people. Any person whose name appears on the Final Eligibility List may decline appointment one (1) time without being stricken from the Final Eligibility list.

The offer of probationary employment shall be conditioned on the satisfactory passing of a psychological examination, a polygraph examination, a background investigation, and a medical examination which shall include, but not be limited to, a drug test and medical exam.

For firefighters on the final eligibility list who have not been appointed within one year of their physical ability examination, the City Manager may require the firefighter to submit to a second physical ability examination prior to appointment.

3. Police Officer appointment: Upon the request of the Police Chief to fill an authorized vacancy, the City Manager shall issue a conditional offer of probationary employment to the candidate with the highest total score on the Final Eligibility List. The offer of probationary employment shall be conditioned on the satisfactory passing of a retake of the physical fitness test (if over one year), psychological examination, a polygraph examination, a background investigation, and a medical examination which shall include, but not be limited to, a drug test and medical exam. Any person whose name appears on the Final Eligibility List may decline appointment one (1) time without being stricken from the Final Eligibility List.

DRAFT



Memorandum

To: Honorable Mayor and Members of the City Council
CC: Members of Administration and Public Works Committee
From: David Stoneback, Public Works Agency Director
Subject: Ordinance 21-O-21, Modifying the City of Evanston Grid System By Renaming A Portion of West Railroad Avenue as Norwood Court
Date: May 24, 2021

Recommended Action:

Staff recommends City Council adopt Ordinance 21-O-21, Modifying the City of Evanston Grid System By Renaming A Portion of West Railroad Avenue as Norwood Court.

Council Action:

For Introduction

Summary:

The developer of the 1815 Ridge Avenue project has requested that the diagonal street north of the intersection of Clark Street and Oak Avenue be renamed Norwood Court. The diagonal street is officially named West Railroad Avenue, but is misrepresented on different maps and map applications most frequently as Oak Avenue, but occasionally as Green Bay Road.

There is an existing Oak Avenue between Emerson Street and University Place, on the west side of the E2 Apartments, that prohibits renaming this portion of street Oak Avenue, as both locations would have addresses in the 1800 block of Oak Avenue.

Renaming the street to Norwood Court, in honor of Rev. John F. Norwood, has been approved by Mt. Zion Baptist Church. Having a distinct name for the street will enhance the easy and rapid location of the property for the delivery of public safety and emergency services, postal delivery and business delivery, and to provide for the posting of residential addresses in the City.

Attachments:

[Ordinance 21-O-21](#)

3/1/2021

21-O-21

AN ORDINANCE

Modifying the City of Evanston Grid System By Renaming A Portion of West Railroad Avenue as Norwood Court

NOW BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EVANSTON, COOK COUNTY, ILLINOIS, THAT:

SECTION 1: The Illinois Municipal Code, *65 ILCS 5/11-80-19*, permits the legislative authority of a municipal corporation to originally name and then may change the name of any street, avenue, alley or other public place.

SECTION 2: Section 7-2-3 of the Evanston City Code of 2012 allows for the naming of City of Evanston ("City") streets which shall be known and designated by the names applied thereto respectively on the maps and records of the City and as designated by the ordinances of the City, then in force, fixing the names of such streets and avenues.

SECTION 3: Currently, within the City of Evanston, a portion of West Railroad Avenue runs north-south, immediately north of Clark Street. See map attached as Exhibit A.

SECTION 4: A development is currently being constructed along this portion of West Railroad Avenue in the City of Evanston.

SECTION 5: The proposed street name change is to Norwood Court. Rev. John F. Norwood Place is an honorary name of the block near the portion of West Railroad Avenue being renamed to Norwood Court.

SECTION 6: Section 7-2-3 (B) of the Evanston City Code allows that short streets running north and south may be designated as “courts.” The proposed Norwood Court is considered a short street that runs north and south.

SECTION 7: The purpose of naming and recognizing the proposed Norwood Court as part of the City Grid System is to enhance the easy and rapid location of the property for the delivery of public safety and emergency services, postal delivery and business delivery, and to provide for the posting of residential addresses in the City, as the new development will have a “Norwood Court” address.

SECTION 8: The City Council of the City of Evanston hereby names the short street portion of West Railroad Avenue running north and south immediately north of Clark as Norwood Court, which is in accordance with the aforesaid property legally described in Exhibit B, attached hereto and incorporated herein by reference.

SECTION 9: The findings and recitals contained herein are declared to be prima facie evidence of the law of the City and shall be received in evidence as provided by the Illinois Compiled Statutes and the courts of the State of Illinois.

SECTION 10: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 11: If any provision of this ordinance or application thereof to any person or circumstance is ruled unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this ordinance that can be given effect without the invalid application or provision, and each invalid provision or invalid application of this ordinance is severable.

SECTION 12: This ordinance shall be in full force and effect from and

after its passage, approval, and publication in the manner provided by law.

Introduced: _____, 2021

Approved:

Adopted: _____, 2021

_____, 2021

Daniel Biss, Mayor

Attest:

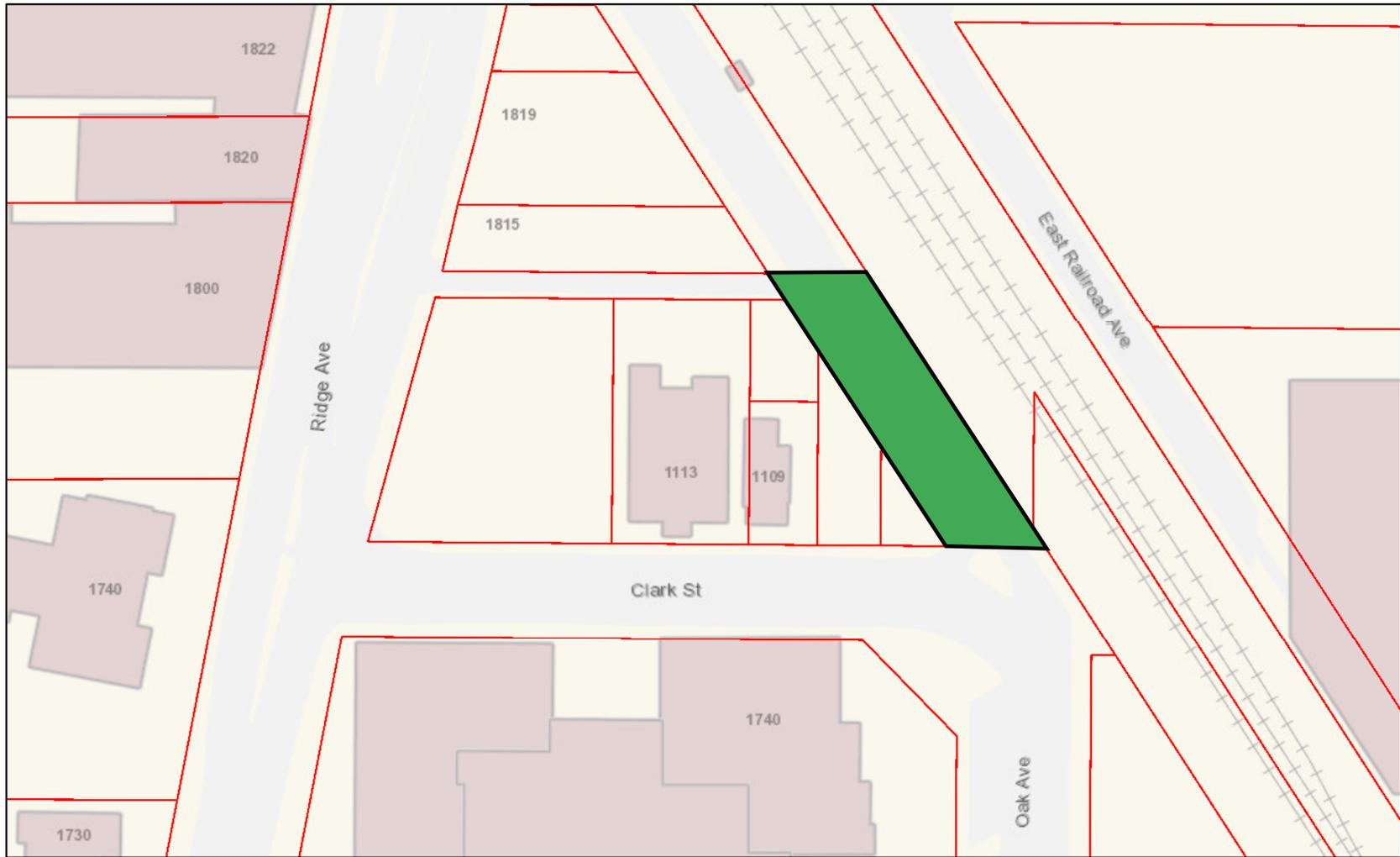
Approved as to form:

Stephanie Mendoza, City Clerk

Nicholas E. Cummings, Corporation
Counsel

EXHIBIT A

Exhibit A - Ordinance 21-O-21



March 5, 2021

 Tax Parcels

 Section to be renamed Norwood Court

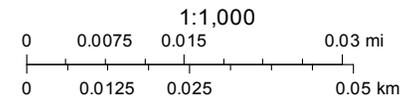
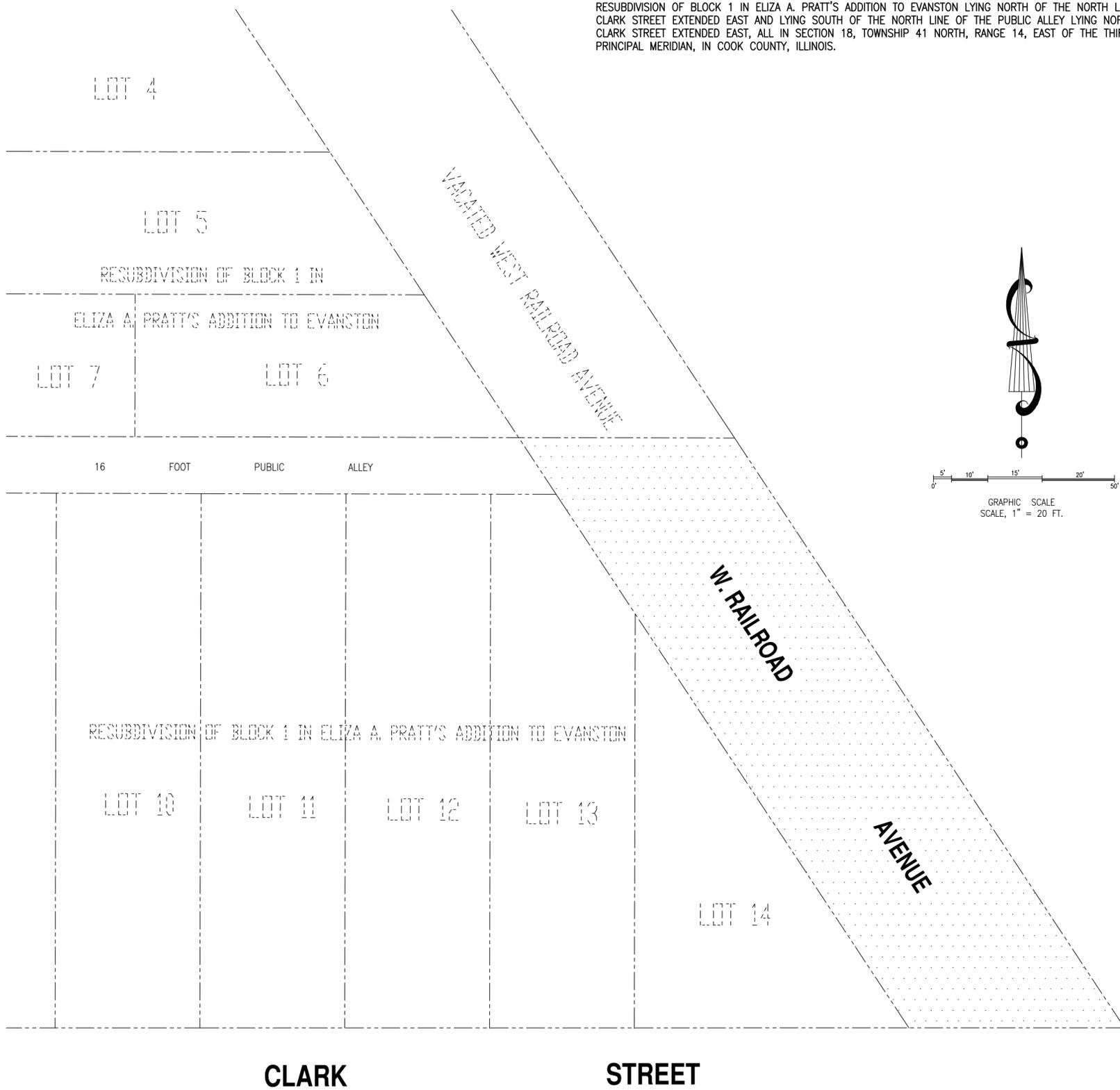


EXHIBIT B

EXHIBIT

LEGAL DESCRIPTION:

ALL OF W. RAILROAD AVE LYING EAST OF AND ADJOINING LOTS 13 AND 14 AND THE PUBLIC ALLEY IN THE RESUBDIVISION OF BLOCK 1 IN ELIZA A. PRATT'S ADDITION TO EVANSTON LYING NORTH OF THE NORTH LINE OF CLARK STREET EXTENDED EAST AND LYING SOUTH OF THE NORTH LINE OF THE PUBLIC ALLEY LYING NORTH OF CLARK STREET EXTENDED EAST, ALL IN SECTION 18, TOWNSHIP 41 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.



B.H. SUHR & COMPANY, INC.			
R. R. HANSEN	SURVEYORS ESTABLISHED 1911	Professional Design Firm	
MEMBER:	450 SKOKIE BLVD. SUITE 105, NORTHBROOK, ILLINOIS, 60062	License No.	184.008027-0008
I.P.L.S.A.	TEL. (847) 864-6315 / FAX (847) 864-9341		
N.S.P.S.	E-MAIL: SURVEYOR@BHSUHR.COM		
LOCATION	1815 RIDGE AVENUE	SURVEY DATE	MAY 3 20 21
ORDER No.	21-052-RAILROAD AVE EXHIBIT	ORDERED BY :	CONDOR PARTNERS
			EVELYN MILLS
FC © 2021 B. H. Suhr & Company, Inc. All rights reserved.			



Memorandum

To: Honorable Mayor and Members of the City Council
From: Melissa Klotz, Zoning Administrator
CC: Johanna Nyden, Community Development Director
Subject: Ordinance 35-O-21 granting a Special Use for an Office Use, Richard Shapiro Attorney at Law, at 1327 Chicago Ave. and 528 Greenwood St. in the R5 General Residential District.
Date: May 24, 2021

Recommended Action:

The Zoning Board of Appeals recommends City Council adoption of Ordinance 35-O-21, granting a Special Use for an Office Use, Richard Shapiro Attorney at Law, at 1327 Chicago Ave. and 528 Greenwood St. in the R5 General Residential District. Planning & Zoning staff recommends denial of Ordinance 35-O-21 due to the residential nature of the properties. Specifically, staff feels that up to 15 employees each at 1327 Chicago Ave. and 528 Greenwood St., in a residential zoning district surrounded on three sides by residential zoning and uses, is not keeping with the purposes and policies of the adopted Comprehensive General Plan, causes a negative cumulative effect, potentially creates a precedent for commercial uses in residential neighborhoods, and diminishes the value of property in the residential neighborhood.

Staff appreciates the modifications to the proposal the applicant has made throughout the ongoing special use process that reduces the requested occupancy, and therefore impact, at each structure from 22 employees to 15, and adds an off-site ADA-compliant office location for additional staff at 990 Grove St. in lieu of on-site ADA alterations. However, the request not to alter either structure at 1327 Chicago Ave. or 528 Greenwood St. for ADA improvements further exemplifies the inappropriateness of the special use request for a commercial use in residential structures in a residential neighborhood. Planning & Zoning staff reaffirms a recommendation for denial.

Council Action:

For Introduction

Summary:

The applicant proposes to continue operations of attorney offices with a reduced capacity of 15 employees each at 1327 Chicago Ave. and 528 Greenwood St. The properties feature large single-family residences that are located in the R5 General Residential District and are within

the Lakeshore Historic District. Because the properties are adjacent to the B2 Business District that is on the west side of Chicago Ave., the properties are eligible for special uses for Office use.

The applicant initially purchased 1327 Chicago Ave. as his personal residence in 1985. In 1991, he began a tax appeal practice at the property. Over time, the business grew and incorporated additional employees. In 2013, the applicant purchased the adjacent single-family residence at 528 Greenwood St. and expanded the tax appeal practice onto that property. The applicant now lives at a nearby condominium building. City staff became aware of the situation in the fall of 2018 and has been working with the applicant to address building code, accessibility code, and zoning code issues.

The tax appeal practice currently has 48 employees. Not all employees work on-site every day, so there is an average of 22 employees in each single-family residence. Many employees commute by train, there are 3 parking spaces on-site at 1327 Chicago Ave., and the applicant rents 11 spaces from adjacent neighbors and 12 spaces from surrounding City garages/surface lots. As amended, the applicant proposes up to 15 employees on-site at each property.

The applicant agrees to sprinkler the buildings to meet fire code requirements, which includes new upgraded water service. The water service/sprinkler work is estimated at \$220,000. The applicant also agrees to install handrails on interior stairs (estimated at \$3,000 or less) and upgrade electric, plumbing, and mechanical equipment where necessary. No other interior or exterior changes to the buildings are proposed. The applicant has provided photographs of each building's interior and exterior that are within the ZBA Packet links. All parties agree that the third floor of 528 Greenwood St. will not be used by employees. The applicant believes it is appropriate to maintain the residential character of each building.

The City's Building Official requested a change of occupancy evaluation for both residences, including a structural assessment, fire and life safety evaluation, and accessibility evaluation. Following multiple discussions with the applicant and the International Code Council (ICC) for building code interpretations, all parties determined that fire and life safety codes will be met if the buildings are sprinklered. The Building Official's request originally included accessible route requirements including handrails, an accessible entrance, parking and an accessible path to one office and one meeting room. Following interpretation by the ICC, the City's Building Official reduced the request but asked that the applicant consider reasonable ADA upgrades and demonstrate program access/barrier removal as feasible, which included an outdoor lift, handrails, door levers, one ADA restroom, and one ADA conference room. In lieu of ADA improvements, the applicant proposes leasing an ADA-compliant office with ADA parking at 990 Grove St. for the duration of the business.

City staff is aware that the proposed office use has existed for nearly 20 years in violation of the Zoning Ordinance, and that the office use has operated at a capacity of 22 employees at each property for nearly 10 years. Although some nearby property owners were unaware of the business, the additional vehicles and employees have a noticeable impact on the surrounding residential area. For instance, since the applicant rents 11 parking spaces from adjacent property owners as well as 12 parking spaces from nearby City garages/surface lots, those 23 parking spaces are not available for residents of the area, some of whom have been on parking wait-lists for many months. The impact of an office use of this size would be appropriate one block to the south, perhaps on a second floor of a commercial building, within

the Main-Dempster Mile. However, as proposed, 1327 Chicago Ave. and 528 Greenwood St. are surrounded on three sides by residential uses including single-family residences. Although there is a financial institution (Bank of America) directly west across Chicago Ave, the majority of surrounding properties and uses would be negatively impacted by the cumulative effect of 44 employees and their vehicles. Use of the properties and structures for larger-scale office use is not the intent of the Comprehensive General Plan or the Zoning Ordinance. The special use regulation is intended for small-scale office uses that can blend well with the residential character of a neighborhood without causing any nuisance issues or negative effects. It is bad land use policy and a slippery precedent to allow a business of this size and operation to function in a residentially zoned and occupied neighborhood and with minimal to no ADA accessibility for employees or clients.

[ZBA Packet](#) - February 18, 2020

[ZBA Packet](#) - March 16, 2021

Legislative History:

2018 – City staff was made aware of a substantial office use in a residential district at 1327 Chicago Ave. and 528 Greenwood St. via an anonymous complaint. City staff spent the following months inspecting the properties and working with the applicant to establish a plan for fire and life safety improvements.

January 21, 2020 – Special use for an office use noticed for ZBA and then continued without discussion to the following meeting at the applicant's request.

February 18, 2020 – Special use for an office use heard at ZBA. Proposal included an ADA accessibility plan submitted February 11, 2020, that showed how the 1327 Chicago Ave. structure could achieve moderate accessibility. The ADA improvements are not required by code, but are strongly encouraged by the Building Official and City staff if the special use is approved. Case heard with discussion and then continued with testimony open to the March 17, 2020 ZBA hearing.

March 17, 2020 – ZBA hearing canceled due to Covid-19 Pandemic. Given the State of Emergency and lack of legal input at the State level on in-process public hearings, staff and the applicant agreed to resume the special use request at a later date to be determined. The State later provided guidance on virtual public hearings.

March 16, 2021 – Special use request was re-noticed. All previous documents, as well as meeting minutes from the February 18, 2020, ZBA hearing (the only public hearing where the case was previously discussed) were provided to the ZBA. The applicant provided an updated proposal that reduced the occupancy at each property to 15 employees, and committed to leasing an off-site ADA-compliant office with on-site ADA parking in lieu of on-site ADA improvements. The ZBA recommended approval with the following conditions:

1. The applicant shall provide proof that he has contacted the assessor's office and they have applied with an acknowledgment that 1327 Chicago Ave. has been an office since 1998 and 528 Greenwood has been operating as an office since 2013 (completed - documentation attached).

2. The applicant shall show proof that he has a lease at 1990 Grove and that the building is fully ADA compliant and the lease will be verified on a yearly basis (completed - documentation attached).
3. The hours of operation run from 7am-6pm and occupancy of the structures be 15 employees per building.
4. Deliveries may take place from 7am-6pm.
5. The special use be confined and recorded on the deed for both properties to the owner of the property, Richard Shapiro, so that the special use expires when the business ownership or operations change.

Attachments:

[35-O-21 Special Use for Office at 1327 Chicago Avenue 528 Greenwood Street 990 Grove lease](#)

[Certified Mail Receipt to Cook County Assessor](#)

[Cook County Assessor - 528 Greenwood Ave.](#)

[Cook County Assessor - 1327 Chicago Ave.](#)

[ZBA Meeting Minutes Excerpt - February 16, 2020](#)

[ZBA Meeting Minutes Excerpt - March 16, 2021](#)

35-O-21

AN ORDINANCE

Granting a Special Use Permit for an Office Located at 1327 Chicago Avenue and 528 Greenwood Street in the R5 Residential District (“Richard Shapiro Attorney at Law”)

WHEREAS, the Zoning Board of Appeals (“ZBA”) met on March 16, 2021, pursuant to proper notice, to consider case no. 19ZMJV-0074, an application filed by Richard A. Shapiro (the “Applicant”), for the property legally described in Exhibit A, attached hereto and incorporated herein by reference, commonly known as 1327 Chicago Avenue and 528 Greenwood Street (the “Subject Property”) and located in the R5 Residential District, for a Special Use Permit to establish, pursuant to Subsection 6-8-7-3 of the Evanston City Code, 2012, as amended (“the Zoning Ordinance”), an Office on the Subject Property; and

WHEREAS, the ZBA, after hearing testimony and receiving other evidence, made a written record and written findings that the application for a Special Use Permit for an Office met the standards for Special Uses in Section 6-3-5 of the Zoning Ordinance and recommended City Council approval thereof; and

WHEREAS, at its meeting of May 24, 2021, the Planning and Development Committee of the City Council (“P&D Committee”) considered the ZBA’s record and findings and recommended the City Council accept the ZBA’s recommendation and approved the application in case no. 19ZMJV-0074; and

WHEREAS, at its meetings of May 24, 2021 and June 14, 2021, the City Council considered and adopted the respective records, findings, and recommendations of the ZBA and P&D Committee, as amended,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EVANSTON, COOK COUNTY, ILLINOIS, THAT:

SECTION 1: The foregoing recitals are found as fact and incorporated herein by reference.

SECTION 2: The City Council hereby approves the Special Use Permit for an Office on the Subject Property as applied for in case no. 19ZMJV-0074.

SECTION 3: Pursuant to Subsection 6-3-5 of the Zoning Ordinance, the City Council hereby imposes the following conditions on the Applicant's Special Use Permit, violation of any of which shall constitute grounds for penalties or revocation of said Permit pursuant to Subsections 6-3-5 of the Zoning Ordinance:

- A. The Applicant shall develop and use the Subject Property in substantial compliance with: all applicable legislation; the Applicant's testimony and representations to the ZBA, the P&D Committee, and the City Council; and the approved plans and documents on file in this case, specifically including the agreed-upon life-safety improvements.
- B. Hours of operation shall not exceed 7 a.m. to 6 p.m.
- C. Deliveries shall not occur outside of 7 a.m. to 6 p.m.
- D. A maximum of fifteen (15) employees are allowed at each structure at one time.
- E. The special use shall cease when ownership of the property changes
- F. A lease with an off-site ADA compliant building with ADA parking is required and shall be verified annually to the Planning and Zoning Division.
- G. The Applicant shall provide proof of contact with the Cook County Assessor's Office as well as a response from the Cook County Assessor that acknowledges

use of the structures for non-residential purposes since 1998 (1327 Chicago Avenue) and 2013 (528 Greenwood Street).

- H. Before it may operate the Special Use authorized by the terms of this ordinance, the Applicant shall record, at its cost, a certified copy of this ordinance with the Cook County Recorder of Deeds.

SECTION 4: When necessary to effectuate the terms, conditions, and purposes of this ordinance, “Applicant” shall be read as “Applicant’s agents, assigns, and successors in interest.”

SECTION 5: This ordinance shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

SECTION 6: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 7: If any provision of this ordinance or application thereof to any person or circumstance is ruled unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this ordinance that can be given effect without the invalid application or provision, and each invalid provision or invalid application of this ordinance is severable.

SECTION 8: The findings and recitals contained herein are declared to be prima facie evidence of the law of the City and shall be received in evidence as provided by the Illinois Compiled Statutes and the courts of the State of Illinois.

Introduced: _____, 2021
Adopted: _____, 2021

Approved:
_____, 2021

Daniel Biss, Mayor

Attest:

Approved as to form:

Stephanie Mendoza, City Clerk

Nicholas E. Cummings, Corporation
Counsel

EXHIBIT A

LEGAL DESCRIPTION

Subdivision Lot 5 in J.E. Miller's Subdivision of Lots 16, 17, and 18 in Block 38 in the Village of Evanston in Section 18, Township 41 North, Range 14, East of the Third Principal Meridian, in Cook County, Illinois.

AND

Lot 4 in J.E. Miller's Subdivision of Lots 16, 17, and 18 in Block 38 in the Village of Evanston in Section 18, Township 41 North, Range 14, East of the Third Principal Meridian, in Cook County, Illinois.

COMMONLY KNOWN AS 1327 CHICAGO AVENUE & 528 GREENWOOD STREET

PIN #'s 11-18-418-005-0000 and 11-18-418-001-0000

OFFICE LEASE
(The "Lease")

DATE OF LEASE	TERM OF LEASE		MONTHLY RENT
	BEGINNING	ENDING	
3/25/2021	7/1/2021 ("Commencement Date")	6/30/2023	\$1,040 + Annual COLA
Location of Premises: 990 Grove Ave, Unit 504, Evanston, IL			
Purpose: Attorney Office			

LESSEE

LESSOR

Richard Shapiro
1327 Chicago Ave.
Evanston, IL 60201

BCH960, LLC
107 Green Bay Road
Wilmette, IL 60091

In consideration of the mutual covenants and agreements herein stated, Lessor hereby, leases to Lessee and Lessee hereby leases from Lessor solely for the above purpose the premises designated above (the "Premises"), together with the appurtenances thereto, for the above Term.

<p>RENT</p>	<p>1. Lessee shall pay Lessor or Lessor's agent as rent for the Premises without deduction, demand or offset, the sum stated above, monthly in advance, until termination of this lease, at Lessor's address stated above or such other address as Lessor may designate in writing. "Annual COLA" shall mean either 1.2% or the percentage increase for the twelve-month period of such previous calendar year of the Consumer Price Index for Urban Wage Earners and Clerical Workers, whichever is less. On June 30, 2022, Lessor shall advise Lessee of the COLA and any effect it has on the amount of Monthly Rent.</p>
<p>WATER, GAS AND ELECTRIC CHARGES</p>	<p>2. Water, gas, scavenger, basic janitorial services, and electric charges are included in the Monthly Base Rent. Lessee shall pay any telephone bills for the Premises.</p>
<p>RENT, LATE CHARGE</p>	<p>3. Rent and other charges required to be paid under the Lease, no matter how described, shall be paid by Lessee to Lessor at the address stated above or as Lessor may designate in writing, without any prior notice or demand therefore and without deduction or setoff or counterclaim and without relief from any valuation or appraisal laws, except as specifically set forth in this Lease. In the event Lessee fails to pay Rent due under the Lease within ten (10) days of due date of said Rent, Lessee shall pay to Lessor a late charge of \$50.00 per day for each day after the first of the month until paid.</p>

SUBLETTING;
ASSIGNMENT

4. The Premises shall not be sublet in whole or in part to any person other than Lessee, and Lessee shall not assign this lease without first obtaining, in each case, the consent in writing of Lessor, which consent shall not be unreasonably withheld; nor permit to take place by any act or default of himself or any person within his control any transfer by operation of law of Lessee's interest created hereby; nor offer for lease or sublease the Premises, nor any portion thereof, by placing notices or signs of "To Let," or any other similar sign or notice in any place, nor by advertising the same in any newspaper or place or manner whatsoever without first obtaining, in each case, the consent in writing of Lessor. If Lessee, or any one or more of the Lessees, if there be more than one, shall make an assignment for the benefit of creditors, or shall be adjudged bankrupt, Lessor may terminate this lease, and in such event Lessee shall at once pay Lessor a sum of money equal to the entire amount of Rent reserved by this lease for the then unexpired portion of the hereby created, as liquidated damages. Lessee shall furnish Lessor with a fully executed counterpart of any such assignment or sublease at the time such instrument is executed. If Lessee requests Lessor to consent to a proposed assignment or sublease, Lessee shall pay to Lessor, whether or not such consent shall be ultimately granted, Lessor's reasonable attorneys' fees incurred in connection with such request, not to exceed One Thousand Dollars (\$1,000).

LESSEE NOT TO
MISUSE

5. Lessee will not permit any unlawful or immoral practice, with or without his knowledge or consent, to be committed or carried on in the Premises by himself or by any other person. Lessee will not allow the Premises to be used for any purpose that will increase the rate of insurance thereon, nor for any purpose other than that hereinbefore specified. Lessee will not keep or use or permit to be kept or used in or on the Premises or any place contiguous thereto any flammable fluids or explosives, without the written permission of Lessor first had and obtained. Lessee will not load floors beyond the floor load rating prescribed by applicable municipal ordinances. Lessee will not use or allow the use of the Premises for any purpose whatsoever that will injure the reputation of the Premises or of the building of which they are a part.

CONDITION ON
POSSESSION

6. Lessee has examined and knows the condition of the Premises and has received the same in good order and repair, and acknowledges that except as expressly set forth in this Lease, no representations as to the condition and repair thereof, and no agreements or promises to decorate, alter, repair or improve the Premises, have been made by Lessor or his agent prior to or at the execution of this lease that are not herein expressed. Lessor represents that to the best of its knowledge, the Premises and the building in which the Premises are located are handicapped accessible and comply with all laws concerning such accessibility. Lessor shall be responsible for any repairs or modifications to the Premises and building in which the Premises are located to bring such spaces into compliance with applicable law.

REPAIRS AND
MAINTENANCE

7. Lessee must keep the Premises and appurtenances thereto in a clean, sightly and healthy condition, and in good repair, all according to the statutes and ordinances in such cases made and provided, and the directions of public officers thereunto duly authorized, all at Lessee's own expense, and shall yield the same back to Lessor upon the termination of this lease, whether such termination shall occur by expiration of the Term, or in any other manner whatsoever, in the same condition of cleanliness, repair and sightliness as at the date the Lessee opens the Premises to the general public for business, loss by fire and reasonable wear and tear excepted. Lessor represents that as of the date of this Lease, the Premises and appurtenances thereof are in good repair and comply with all statutes and ordinances. Lessee must make all necessary repairs (except for capital repairs or replacements) upon the Premises and replace broken globes, glass and fixtures with material of the same size and quality as had existed at the date of execution of this Lease at Lessee's own expense. If, however, the Premises shall not thus be kept in good repair and in a clean, sightly and healthy condition by Lessee, as aforesaid, Lessor may enter the same, himself or by his agents, servants or employees, without such entering causing or constituting a termination of this lease or an interference with the possession of the Premises by Lessee, and Lessor may replace the same in the same condition of repair, sightliness, healthiness and cleanliness as existed at the date of execution hereof, and Lessee agrees to pay Lessor, in addition to the Rent hereby reserved, the reasonable expenses of Lessor in thus replacing the Premises in that condition. Lessee shall not cause or permit any waste, misuse or neglect of the water, gas or electric fixtures. Lessor shall (a) shovel snow and remove ice when necessary in order to provide unimpeded access to the building where the Premises are located and the parking space and (b) maintain the elevator in the building.

ACCESS TO
PREMISES

8. Upon prior notice to Lessee and at times which are the least disruptive to Lessee, except in the case of an emergency, Lessee will allow Lessor or any person authorized by Lessor free access to the Premises for the purpose of examining or exhibiting the same, or to make any repairs or alterations thereof which Lessor may see fit to make, and Lessee will allow Lessor to have placed upon the Premises at all times notices of "For Sale" and in the last six (6) months of the Lease, "For Rent", and Lessee will not interfere with the same.

NON-LIABILITY OF LESSOR

9. Except as provided by Illinois statute or as a result of Lessor's negligence or intentional acts, Lessor shall not be liable to Lessee for any damage or injury to Lessee or Lessee's property occasioned by the failure of Lessor to keep the Premises in repair, and shall not be liable for any injury done or occasioned by wind or by or from any defect of plumbing, electric wiring or of insulation thereof, gas pipes, water pipes or steam pipes, or from broken stairs, porches, railings or walks, or from the backing up of any sewer pipe or down-spout, or from the bursting, leaking or running of any tank, tub, washstand, water closet or waste pipe, drain, or any other pipe or tank in, upon or about the Premises or the building of which they are a part nor from the escape of steam or hot water from any radiator, it being agreed that said radiators are under the control of Lessee, nor for any such damage or injury occasioned by water, snow or ice being upon or coming through the roof, skylight, trapdoor, stairs, walks or any other place upon or near the Premises, or otherwise, nor for any such damage or injury done or occasioned by the falling of any fixture, plaster or stucco, nor for any damage or injury arising from any act, omission or negligence of co-tenants or of other persons, occupants of the same building or of adjoining or contiguous buildings or of owners of adjacent or contiguous property, or of Lessor's agents or Lessor himself, all claims for any such damage or injury being hereby expressly waived by Lessee. Notwithstanding anything contained herein to the contrary, Lessor shall maintain the building where the Premises are located in good condition and repair.

HEAT

10. Lessor does not warrant that heating service will be free from interruptions caused by strike, accident or other cause beyond the control of Lessor, or by renewal or repair of the heating apparatus in the building. Any such interruption shall not be deemed an eviction or disturbance of Lessee's use and possession of Premises, nor render Lessor liable to Lessee in damages. Notwithstanding the foregoing, however, in the event such interruption continues for two (2) consecutive days and Lessee is unable to use the Premises, all rent under this Lease shall abate until the service is restored and Lessee can use the Premises. All claims against Lessor for injury or damage arising from failure to furnish heat are hereby expressly waived by Lessee.

TRASH REMOVAL

11. Lessee shall store all trash, rubbish and garbage in fully-closed containers at the rear of the Premises. Lessor shall pay for scavenger service; provided that Lessee shall pay any extraordinary costs incident to the removal thereof. Lessee shall not burn or otherwise dispose of any trash, waste, rubbish or garbage in or about the Premises.

FIRE AND CASUALTY

12. In case the Premises shall be rendered untenable by fire, explosion or other casualty, Lessor may, at his option, upon notice to Lessee terminate this lease or repair the Premises within sixty days. If Lessor does not repair the Premises within said time, or the building containing the Premises shall have been wholly destroyed, the Term hereby created shall cease and determine. All prepaid rent shall be returned to Lessee. All rent shall abate if the Premises cannot be used by Lessee.

POSSESSION IF TERMINATION; HOLDING OVER

13. At the termination of the Term of this lease, by lapse of time or otherwise, Lessee will yield up immediate possession of the Premises to Lessor, in the same condition and repair as at the time possession was delivered to Lessee, loss by fire and ordinary wear excepted, and will return the keys therefore to Lessor at the place of payment of Rent. Lessee may remove any trade fixtures, equipment and moveable furniture that may reasonably be removed without damage to the Premises. If Lessee retains possession of the Premises or any part thereof after the termination of the Term by lapse of time or otherwise, then Lessor may at its option within thirty days after termination of the Term serve written notice upon Lessee that such holding over constitutes either (a) a creation of a month to month tenancy, upon the terms of this lease except at one and one-half times the monthly rental specified in Section 1, or (b) creation of a tenancy at sufferance, at a rental of \$52.00 per day for the time Lessee remains in possession. If no such written notice is served, then a tenancy at sufferance with rental as stated at (b) shall have been created. Lessee shall also pay to Lessor all damages sustained by Lessor resulting from retention of possession by Lessee. The provisions of this paragraph shall not constitute a waiver by Lessor of any right of re-entry as hereinafter set forth; nor shall receipt of any Rent or any other act in apparent affirmation of tenancy operate as a waiver of the right to terminate this lease for a breach of any of the covenants herein.

INSURANCE

14. Lessee shall maintain insurance policies, with responsible companies licensed to do business in the State of Illinois and satisfactory to Lessee, naming Lessor and Lessee, as their respective interests may appear, at its own cost and expense including (i) "all risk" property insurance which shall be primary on the lease improvements and Lessee's property, including its goods, equipment and inventory, in an amount adequate to cover their replacement cost; (ii) business interruption insurance; (iii) comprehensive general liability insurance on an occurrence basis with limits of liability in an amount not less than \$1,000,000.00 combined single limit for each occurrence and \$2,000,000.00 in the aggregate. On or before the commencement date of the Term of Lease, upon Lessor's request, Lessee shall furnish to Lessor, certificates of insurance evidencing the aforesaid insurance coverage. Renewal certificates must be furnished to Lessor at least thirty (30) days prior to the expiration date of such insurance policies showing the above coverage to be in full force and effect. All such insurance shall provide that it cannot be canceled except upon thirty (30) days prior written notice to Lessor. Lessor shall carry such reasonable and customary insurance for the building that would be carried by a prudent landlord in the Evanston area. All insurance required under this Section shall provide that the insurer waives all right of recovery by way of subrogation or otherwise against the other party in connection with any loss or damage covered by all applicable policies. Further, all policies required herein shall contain a commercially reasonable deductible

INDEMNIFICATION

15. Except arising out of Lessor's negligence or intentional acts, Lessee shall hold harmless, indemnify and defend Lessor, its elected and appointed officials, officers, agents, attorneys, employees, contractors, successors, and assigns, from and against any and all losses, expenses, claims, costs, causes, actions, litigation costs, reasonable attorney's fees, suits, and damages, relating to personal or bodily injuries, death, or damages or injuries to property arising from, occurring, growing out of, incident to, or resulting directly or indirectly from the use of, or contact with, the Premises by Lessee or its contractors, employees, engineers, agents, invitees, licensees, or permittees. Lessee's obligations under this Section shall be in addition to, and shall not be limited or waived by any insurance, including any insurance provided by Lessee pursuant to this Lease, or any insurance provided by Lessor.

LESSOR'S
REMEDIES

16. If Lessee shall vacate or abandon the Premises or permit the same to remain vacant or unoccupied with the intention to never return or occupy the Premises, or in case of ten (10) days after the non-payment of the Rent reserved hereby, or any part thereof, or thirty (30) days after notice from Lessor to Lessee of a breach of any covenant in this lease contained, Lessee's right to the possession of the Premises thereupon shall terminate with or (to the extent permitted by law) without any notice or demand whatsoever, except as provided herein, and the mere retention of possession thereafter by Lessee shall constitute a forcible detainer of the Premises; and if the Lessor so elects, but not otherwise, and with notice of such election and demand, this lease shall thereupon terminate, and upon the termination of Lessee's right of possession, as aforesaid, whether this lease be terminated or not, Lessee agrees to surrender possession of the Premises immediately, without the receipt of any demand for Rent, notice to quit or demand for possession of the Premises whatsoever, and hereby grants to Lessor full and free license to enter into and upon the Premises or any part thereof, to take possession thereof with process of law, and to expel and to remove Lessee or any other person who may be occupying the Premises or any part thereof, and Lessor may use such force in and about expelling and removing Lessee and other persons as may reasonably be necessary, and Lessor may re-possess himself of the Premises as of his former estate, but such entry of the Premises shall not constitute a trespass or forcible entry or detainer, nor shall it cause a forfeiture of Rents due by virtue thereof, nor a waiver of any covenant, agreement or promise in this lease contained, to be performed by Lessee.

The acceptance of Rent, whether in a single instance or repeatedly, after it falls due, or after knowledge of any breach hereof by Lessee, or the giving or making of any notice or demand, whether according to any statutory provision or not, or any act or series of acts except an express written waiver, shall not be construed as a waiver of Lessor's right to act without notice or demand or of any other right hereby given Lessor, or as an election not to proceed under the provisions of this lease.

RIGHT TO RELET	<p>17. If Lessee's right to the possession of the Premises shall be terminated in any way, the Premises, or any part thereof, may, but need not (except as provided by Illinois statute or case law), be relet by Lessor, for the account and benefit of Lessee, for such Rent and upon such terms and to such person or persons and for such period or periods as may seem fit to the Lessor, but Lessor shall not be required to accept or receive any tenant offered by Lessee, nor to do any act whatsoever or exercise any diligence whatsoever, in or about the procuring of another occupant or tenant to mitigate the damages of Lessee or otherwise, Lessee hereby waiving the use of any care or diligence by Lessor in the reletting thereof; and if a sufficient sum shall not be received from such reletting to satisfy the Rent hereby reserved, after paying the expenses of reletting and collection, including commissions to agents, and including also expenses of redecorating, Lessee agrees to pay and satisfy all deficiency; but the acceptance of a tenant by Lessor, in place of Lessee, shall not operate as a cancellation hereof, nor to release Lessee from the performance of any covenant, promise or agreement herein contained, and performance by any substituted tenant by the payment of Rent, or otherwise, shall constitute only satisfaction pro tanto of the obligations of Lessee arising hereunder.</p>
COSTS AND FEES	<p>18. In connection with any action, proceeding or counterclaim brought by either Lessee or Lessor in connection with this Lease, the prevailing party shall be entitled to the award of his or its reasonable attorneys' fees and costs against the non-prevailing party. Lessee shall pay upon demand all Lessor's costs, charges and expenses, including reasonable fees of attorneys, agents and others retained by Lessor, incurred by Lessor, without Lessor's fault, as a result of a claim by a third-party (other than Lessee) on account of this lease.</p>
LESSOR'S LIEN	<p>19. Lessor shall have a first lien upon the interest of Lessee under this lease, to secure the payment of all moneys due under this lease, which lien may be foreclosed in equity at any time when money is overdue under this lease; and the Lessor shall be entitled to name a receiver of said leasehold interest, to be appointed in any such foreclosure proceeding, who shall take possession of said premises and who may relet the same under the orders of the court appointing him.</p>
REMOVAL OF OTHER LIENS	<p>20. In event any lien upon Lessor's title results from any act or neglect of Lessee, and Lessee fails to remove said lien within ten days after Lessor's notice to do so, Lessor may remove the lien by paying the full amount thereof or otherwise and without any investigation or contest of the validity thereof, and Lessee shall pay Lessor upon request the amount paid out by Lessor in such behalf, including Lessor's costs, expenses and counsel fees.</p>
REMEDIES NOT EXCLUSIVE	<p>21. The obligation of Lessee to pay the Rent reserved hereby during the balance of the Term hereof, or during any extension hereof, shall not be deemed to be waived, released or terminated, by the service of any five-day notice, other notice to collect, demand for possession, or notice that the tenancy hereby created will be terminated on the date therein named, the institution of any action of forcible detainer or ejectment or any judgment for possession that may be rendered in such action, or any other act or acts resulting in the termination of Lessee's right to possession of the Premises. The Lessor may collect and receive any Rent due from Lessee, and payment or receipt thereof shall not waive or affect any such notice, demand, suit or judgment, or in any manner whatsoever waive, affect, change, modify or alter any rights or remedies which Lessor may have by virtue hereof.</p>
NOTICES	<p>22. Notices may be served on either party, at the respective addresses given at the beginning of this lease, either (a) by delivering or causing to be delivered a written copy thereof in person or by use of a commercial courier, such as Fed Ex, or (b) by sending a written copy thereof by United States certified or registered mail, postage prepaid, addressed to Lessor or Lessee at said respective addresses in which event the notice shall be deemed to have been served at the time the copy is delivered or mailed.</p>
MISCELLANEOUS	<p>23. (a) Provisions typed on this lease and signed by Lessor and Lessee are hereby made a part of this lease.</p> <p>(b) Lessee shall keep and observe such reasonable rules and regulations now or hereafter required by Lessor, which may be necessary for the proper and orderly care of the building of which the Premises are a part; provided that no such rule or regulation shall unreasonably impair or contradict the rights of Lessee under this Lease.</p> <p>(c) All covenants, promises, representations and agreements herein contained shall be binding upon, apply and inure to the benefit of Lessor and Lessee and their respective heirs, legal representatives, successors and assigns.</p> <p>(d) The rights and remedies hereby created are cumulative and the use of one remedy shall not be taken to exclude or waive the right to the use of another.</p> <p>(e) The words "Lessor" and "Lessee" wherever used in this lease shall be construed to mean Lessors or Lessees in all cases where there is more than one Lessor or Lessee, and to apply to individuals, male or female, or to firms or corporations, as the same may be described as Lessor or Lessee herein, and the necessary grammatical changes shall be assumed in each case as though fully expressed. If there is more than one Lessee the warrant of attorney in paragraph 16 is given jointly and severally and shall authorize the entry of appearance of, and waiver of issuance of process and trial by jury by, and confession of judgment against any one or more of such Lessees, and shall authorize the performance of every other act in the name of</p>

and on behalf of any one or more of such Lessees.

(f) Lessee may terminate this lease, without penalty, within forty-five (45) days after the Commencement Date if: (i) Lessee gives Lessor no less than fifteen (15) days prior written notice and (ii) Lessee has not taken possession of the Premises. Lessee shall not be deemed to have taken possession of the Premises unless Lessee is openly operating its business on a consistent basis from the Premises.

(g) In addition to the Premises, Lessor grants to Lessee possession to one (1) parking space at no charge for the duration of the lease. Lessor further grants to Lessee the option to rent one (1) additional parking space at the rate of one-hundred-twenty-five dollars (\$125) per month.

SEVERABILITY

24. If any clause, phrase, provision or portion of this lease or the application thereof to any person or circumstance shall be invalid, or unenforceable under applicable law, such event shall not affect, impair or render invalid or unenforceable the remainder of this lease nor any other clause, phrase, provision or portion hereof, nor shall it affect the application of any clause, phrase, provision or portion hereof to other persons or circumstances.

LESSEE RIGHT TO
TERMINATE

25. Lessee may terminate this lease eighteen (18) months after the Commencement Date if: (i) all monthly rent payments have been made and (ii) Lessee provides to Lessor no less than three (3) months prior written notice of Lessee's intent to terminate the lease. If Lessee elects to terminate this lease pursuant to the terms of this paragraph 25, Lessee shall (iii) pay to Lessor the sum total of any rents that may have been abated at the beginning of the lease term – including any rents that may have been abated between the Date of the Lease and the beginning of the Lease Term and (iv) the sum of one-thousand dollars (\$1,000) for anticipated commission fees in re-letting the Premises.

WITNESS the hands and seals of the parties hereto, as of the Date of Lease stated above.

LESSOR:

By: 

LESSEE:

By: 

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature X <i>J Ham</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by/ (Printed Name) _____ C. Date of Delivery 4/21/21</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>
<p>1. Article Addressed to:</p> <p>FRITZ KAEGI, COOK COUNTY ASSESSOR, COOK COUNTY ASSESSOR'S OFFICE 118 N. CLARK ST., ROOM 320 CHICAGO, IL 60602</p>	<p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail</p> <p><input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise</p> 
<p>2. Article Number (Transfer from service label)</p> <p>7020 2450 0001 9593 4980</p>	

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only	
For delivery information, visit our website at www.usps.com ®.	
Chicago, IL 60602	
OFFICIAL USE	
Certified Mail Fee	\$3.60
Extra Services & Fees (check box, add fee as appropriate)	\$2.85
<input checked="" type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage	\$0.75
Total Postage and Fees	\$7.20
<p>Sent To: FRITZ KAEGI, COOK COUNTY ASSESSOR Street and Apt. No., or PO Box No. 118 N. CLARK STREET, ROOM 320 City, State, ZIP+4® CHICAGO, IL 60602</p>	
<p>PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions</p>	

7020 2450 0001 9593 4980



COOK COUNTY ASSESSOR

FRITZ KAEGI



COOK COUNTY ASSESSOR'S OFFICE
118 NORTH CLARK STREET, RM 320
CHICAGO, IL 60602
PHONE: 312.443.7550
WWW.COOKCOUNTYASSESSOR.COM

GENERAL AFFIDAVIT

RICHARD SHAPIRO OWNER
(affiant's name) (relationship to property: owner, neighbor, etc.)

of 1327 CHICAGO AVENUE, EVANSTON, IL 60201
(affiant's address)

being first duly sworn, deposes and states that: Property Index Number(s)
11-18-418-005-0000

commonly known as 1327 CHICAGO AVE., EVANSTON, IL 60201
(property address, city, state, and zip code)

1. Has been: (State pertinent facts regarding land and/or building)
CLASSIFIED AS RESIDENTIAL BUT WAS USED CONTINUOUSLY
AS AN OWNER-OCCUPIED OFFICE FOR COMMERCIAL PURPOSES

from 1998 to 4-19-2021 And further this affiant says that not.
(date) (date)

2. Has Been:
[] Demolished Date of Demolition: ___/___/___
[] Vacant
[] Uninhabitable

Please provide all pertinent documentation, for example, certificate of occupancy, photos, permits, etc.
If requesting relief for prior year(s), you must also provide a utility bill (examples include electric or water bills).
verifying shut off or a letter from village/township attesting to vacancy/uninhabitable.

Subscribed and sworn to before me this
19th day of
April, 20 21

Rosa Lampignano
Signature of Notary Public



Richard Shapiro
Signature of Affiant

RECEIVED
APR 26 AM 11:05
COOK COUNTY ASSESSOR

COOK COUNTY ASSESSOR

FRITZ KAEGI



COOK COUNTY ASSESSOR'S OFFICE
118 NORTH CLARK STREET, RM 320
CHICAGO, IL 60602
PHONE: 312.443.7550
WWW.COOKCOUNTYASSESSOR.COM

GENERAL AFFIDAVIT

RICHARD SHAPIRO OWNER
(affiant's name) (relationship to property: owner, neighbor, etc.)

of 1327 CHICAGO AVENUE, EVANSTON, IL 60201
(affiant's address)

being first duly sworn, deposes and states that: Property Index Number(s) 11-18-418-001-0008

commonly known as 528 GREENWOOD ST, EVANSTON, IL 60201
(property address, city, state, and zip code)

1. Has been: (State pertinent facts regarding land and/or building)

CLASSIFIED AS RESIDENTIAL BUT ^{WAS} USED CONTINUOUSLY
AS AN OWNER-OCCUPIED OFFICE FOR COMMERCIAL PURPOSES

from 2014 to 4-19-2021 And further this affiant says that not
(date) (date)

2. Has Been:

- Demolished Date of Demolition: ___/___/___
- Vacant
- Uninhabitable

Please provide all pertinent documentation, for example, certificate of occupancy, photos, permits, etc. If requesting relief for prior year(s), you must also provide a utility bill (examples include electric or water bills), verifying shut off or a letter from village/township attesting to vacancy/uninhabitable.

Subscribed and sworn to before me this
19th day of
April, 20 21



Rosa Lampignano
Signature of Notary Public

Richard Shapiro
Signature of Affiant

RECEIVED
APR 26 AM 11:05
COOK COUNTY ASSESSOR



MEETING MINUTES EXCERPT

ZONING BOARD OF APPEALS

Tuesday, February 18, 2020

7:00 PM

Civic Center, 2100 Ridge Avenue, Council Chambers

APPROVED

Members Present: Mary McAuley, Violetta Cullen, Myrna Arevalo, Kiril Mirintchev,
Lisa Dziekan, Max Puchtel,

Members Absent: Jill Zordan

Staff Present: M. Klotz, Cade W. Sterling

Presiding Member: Violetta Cullen

Declaration of Quorum

With a quorum present, Chair Cullen called the meeting to order at 7:01 p.m.

1327 Chicago Ave./528 Greenwood St.

19ZMJV-0074

Richard A. Shapiro, applicant, submits for a special use for an Office, for Richard Shapiro Attorney At Law, in the R5 General Residential District (Zoning Code Section 6-8-7-3). The Zoning Board of Appeals makes a recommendation to City Council, the determining body for this case.

M. Klotz read the case into the record.

Tom Quinn, attorney, requested that the case be continued due to Mr. Shapiro's health condition not allowing him to attend.

M. Klotz explained that the meeting had been continued previously, once by the City and once more by the applicant. M. Klotz stated it was the City's position that since the Board was a recommending body only, it would be beneficial if the case were introduced tonight and allowing Mr. Shapiro to come to the following meeting to provide additional testimony only if the Board felt it necessary.

Chair Cullen stated agreement that the case should be heard and a continuance would not be beneficial

T. Quinn provided background information on Mr. Shapiro and the law practice in question.

- The office had grown slowly over time and Mr. Shapiro has helped many Evanston residents throughout his practice
- The nature of the practice is remote and mobile, especially now, but even in the past when house calls and phone consultations predominated
- Mr. Shapiro has taken care to keep the structures in good condition. No resident would assume the buildings were anything but residential from the exterior.

- The intensity of the use is low and will continue to be low.
- The area around the homes in question, it multi-family and business in nature with a higher intensity than a single-family residential neighborhood
- The business has not, and will not have a negative impact on proximate residences. Mr. Shapiro is a good neighbor and lives in a nearby multi-family building himself.
- The neighbors do not object to the current use and regard Mr. Shapiro as a good neighbor and upstanding member of the condo association in which Richard lives.

T. Quinn provided information on parking and access to the offices.

- The offices rent spaces in numerous proximate locations as well as three off-street parking spaces for a total of 27 rented spaces.
- Many employees ride bikes and walk to work.
- Half of the employees utilize public transportation due to the proximity to the Dempster CTA station and Davis Metra station.
- If the parking spaces were not rented by Mr. Shapiro, they would likely not be rented at all by nearby residents due to the abundant on-street and off-street parking conditions in the neighborhood.

T. Quinn stated that Mr. Shapiro is asking for a Special Use Permit only for the remainder of time Mr. Shapiro owns and operates the business.

M. McAuley inquired if the property was reclassified with the Cook County Assessor

- T. Quinn stated that it has not been, but Mr. Shapiro intends to back date the property
- M. McAuley stated it is often not easy to reverse a reclassification for a property with the assessor. People come to rely on that income and people buying it as a home have a difficult battle to reclassify it back to residential.
- T. Quinn stated that Mr. Shapiro would cooperate in any way possible

L. Dziekan asked for clarification on what precipitated the Special Use application now?

- T. Quinn stated that the City of Evanston was the precipitating event
- M. Klotz clarified that an anonymous complaint was made which triggered further investigation
- L. Dziekan stated that the irony of a tax attorney illegally operating a business out of a residential structure should not be lost on the board.
- T. Quinn stated that the case was a simple result of a home business growing gradually. Mr. Shapiro recognizes that he should have gone through this process long ago. Time got away from him.
- L. Dziekan asked if anyone knew what the difference would have been between it being taxed as commercial vs residential for such a long period of time
- M. McAuley stated that it would be a lot and that the County would certainly seek restitution. Commercial properties are taxed at a much higher, more than double, tax rate and the amount of revenue lost is significant.
- M. McAuley stated there was no excuse for a tax attorney to do this and an explanation is in order because he cannot claim ignorance.

- T. Quinn stated that the board would have to ask Mr. Shapiro agreeing it should have been reclassified earlier and Mr. Shapiro is prepared to make amends.
- T. Quinn stated that despite the lost tax revenue, the business has contributed to the local economy in a positive way

T. Quinn explained the financial investment Mr. Shapiro is prepared to undertake if the Special Use is approved

- Significant investment in life safety within the interior of the buildings although the ADA improvements are likely not necessary since on-site meetings do not occur often.
- Exterior life safety improvements discussed by the City are not required. The point has been deliberated at length. If they are required, the Preservation Commission would get involved. Mr. Shapiro is prepared to undertake them if mandated to do so.
- In total, Mr. Shapiro is prepared to invest \$300,000 in improvements in addition to all back taxes.

Violetta Cullen inquired how many lawyers/paralegals are employed by Mr. Shapiro across the two sites

- T. Quinn stated that there are 44 on-site and 4 that work remotely. Although they don't all come in at one time. Many choose to work remotely at any given time, which Mr. Shapiro is supportive of. The peak would be 22 individuals in each building, although this doesn't occur often.
- Mr. Shapiro is willing to accept the proposed limit on number of employees discussed at DAPR

L. Dziekan asked what would happen if the Special Use were not granted

- T. Quinn stated that Mr. Shapiro would move his business, likely to Chicago.
- L. Dziekan asked why Mr. Shapiro would do this. If he is as committed to Evanston as he says he is, why not lease space in Evanston's healthy office market. There is space available, why move out of the community
- T. Quinn stated that there is no available space in Evanston which work as well as these two spaces do.
- L. Dziekan asked if he were to sell and move, would he be liable for the back taxes owed to the County?
- M. Klotz stated that this would ultimately be determined by the County but the City would certainly report Mr. Shapiro to the County Assessors and pursue restitution

L. Dziekan asked for clarification in the staff memo. Why does Planning and Zoning Staff recommend denial, but DAPR recommends approval? Aren't there Planning and Zoning members on DAPR?

- M. Klotz clarified that the DAPR recommendation is based on individual specialties and perspectives. Although some Planning and Zoning Staff present voted in favor, they were representing unique aspects of the Division, such as Preservation. In total, the Planning and Zoning Division and Community Development Departments position is to recommend denial for a lack of

accessibility and the potential precedent for allowing moderate office use in a residential area.

M. McAuley stated that a number of parking spaces are leased, but there is intense traffic on Chicago Avenue at 5pm and these 27 cars are certainly contributing to that and this is a negative impact on the neighborhood.

- T. Quinn clarified that only 11 spaces are immediately adjacent to the structure and they were unaware of any traffic study which supports M. McAuley's claim.
- M. McAuley stated that Chicago Avenue is a major thoroughfare
- T. Quinn stated that this point was well taken and a perfect rationale why the two buildings should be something other than residential

M. Puchtel asked for staff clarification on the threshold for a home occupation vs the special use they're asking for

- M. Klotz stated that the primary difference is that Mr. Shapiro hasn't lived in either building for many years. Additionally, there are limits on the number of employees which don't live on-site. She believes this number is 1 or 2.
- M. Puchtel stated that the use has been out of compliance for some time then, which doesn't support the claim that it grew organically
- T. Quinn stated that Mr. Shapiro had lived in one building until 2002 or so.
- V. Cullen asked if his mother helped run the business and if she lived on-site?
- T. Quinn stated that his mother helped out but did not manage or own the business in any way, nor did she live on-site.

L. Dziekan asked for clarification on the location of the parking spaces

- T. Quinn stated that the locations are distributed amongst City owned locations and spaces behind neighboring properties
- A couple of spaces are at small apartment buildings and a few spots on the other side of the alley.
- L. Dziekan stated that a recent letter of opposition suggests there is a waiting list for the spaces in City lots.
- M. Klotz stated that at some of the lots the waiting list is roughly two years
- T. Quinn clarified that no residents in the immediate area are on that waiting list. They canvassed the neighborhood and no one was in need of a parking space
- T. Quinn stated that the staff memo suggests that any traffic congestion was not contributed to by the office use, at least to any high degree.

M. McAuley asked if there were significant changes to the exterior of the homes to undertake the life safety improvements, would the case need to be noticed?

- M. Klotz stated that it would not need to be noticed, but would require preservation review and would be reviewed by the commission before going to Council for action.

Public Comment:

J. Goodman provided testimony

- Family owns the eight unit building at 522 Greenwood. Mr. Shapiro has been a good neighbor. The best that they've had. There are very little comings and

goings at the two office spaces. There is very little activity at all. Mr. Shapiro is asking for a very limited amount of time due to his age. He is dedicated to his employees and offers high quality jobs. This has resulted in many long-term employees.

- Provided clarification that most of the parking spaces are behind homes on Hinman Avenue. Street parking in the neighborhood is ok. Not great.
- M. McAuley asked about resident stickers. Where are they needed?
- J. Goodman stated that the block of Greenwood is two hour parking unless you have the resident sticker
- M. McAuley asked if R. Shapiro was using resident stickers?
- J. Goodman stated no

Tom Pelonis provided testimony

- Is the president of the condo association where R. Shapiro is a resident
- The property is in close proximity to the offices in question.
- Appreciate the efforts R. Shapiro is taking to bring his property back into compliance.
- Stated that the owners of the condo building were concerned at first about Mr. Shapiro's request, specifically about how it could impact property values. However, they surveyed many realtors and they said there would be no reduction in property value as a result.
- Concern with ADA compliance but noted that Mr. Shapiro does provide accommodations to those who need it including house calls.
- Concern with the back taxes owed by Mr. Shapiro but it seems like he is willing to address this.
- Noted a note in the DAPR minutes where Mr. Shapiro was asked if he would landmark the two homes. He would be supportive of this effort because of concern the homes could be torn down at some point if they are ever re-zoned as business or commercial.
- Concerned with the precedent and eventual re-zoning of the properties.
- Has had no issues with Mr. Shapiro in over 20 years. Mr. Shapiro has promptly taken care of any issues that have come up with parking.
- Recommends, as a block of 20 owners to approve the special use permit as the uses are not intrusive. The owners are fully supportive if Richard brings the buildings into compliance and pays his owed taxes.
- L. Dziekan asked if modifications to the exterior of the building would change the views of the residents
- T. Pelonis stated that in general, no, but they would need to see what was proposed.

M. McAuley stated a desire to make a decision tonight and move the case forward since the board was only a recommending body.

K. Mirintchev stated that he personally wants to hear from Mr. Shapiro, especially to more fully understand the background on the historic of his use and how they evolved overtime.

M. McAuley agreed that it would benefit Mr. Shapiro to make a direct appeal. There has been a litany of inappropriateness with his actions, but it is difficult to recommend putting a 68 year old resident of Evanston out of business.

V. Cullen stated that the point the applicant made about doing business over the internet and in person is well taken, but this was likely a recent option.

T. Quinn stated that well before the internet, business was conducted by phone.

T. Quinn asked the Board for a continuance in order for them to hear directly from Mr. Shapiro

M. McAuley made a motion to continue the case to March 17. Second by L. Dziekan. Vote (5-1) M. Puchtel dissenting.

Adjourned 8:14pm



MEETING MINUTES EXCERPT

ZONING BOARD OF APPEALS

Tuesday, March 16, 2021

7:00 PM

Via Virtual Meeting

APPROVED

Members Present: Violetta Cullen, Kiril Mirintchev, Max Puchtel, Jill Zordan, Mary McAuley

Members Absent: Lisa Dziekan, Myrna Arevalo

Staff Present: Melissa Klotz

Presiding Member: Violetta Cullen

Declaration of Quorum

With a quorum present, Chair Cullen called the meeting to order at 7:01 p.m.

Suspension of Rules

Member Puchtel motioned to suspend the rules to permit members to convene via virtual meeting. Second by Member Mirintchev and approved 5-0.

Meeting Minutes

Member Puchtel motioned to approve the February 16, 2021 meeting minutes. Second by Member Mirintchev and approved 5-0.

New Business

1327 Chicago Ave. & 528 Greenwood St.

ZBA 19ZMJV-0074

Richard A. Shapiro, applicant, submits for a special use for an Office, for Richard Shapiro Attorney At Law, in the R5 General Residential District (Zoning Code Section 6-8-7-3). The Zoning Board of Appeals makes a recommendation to the City Council, the determining body for this case.

The applicant's attorney, Thomas Quinn, explained the proposal:

- It would permit Mr. Shapiro to serve those clients with accessibility issues by directing them to the 990 office space.
- Another advantage is that it addresses staff's concerns about traffic and parking.
- By having this additional site with better accessibility Mr. Shapiro would avoid having to make any changes to the exterior of the 1327 Chicago Ave. building which is located in a historic district.
- The location of these two buildings is in very busy areas. It would not be disturbing the residential character by allowing the special use.
- This is a win/win as Mr. Shapiro would still be employed in Evanston and do so without negatively impacting the surrounding neighborhood.
- Neighbors speak highly of Mr. Shapiro and are very supportive.

The attorney then addressed the special use standards and the staff's comments on those, he stated:

- The first was whether or not this is listed as a special use for that zoning and the staff has indicated that it is within the R5 District because it is adjacent to a business district.
- In terms of the purpose and policies of the comprehensive plan, it recognizes the commercial nature of the area.
- No one would know that these are not residences from the exterior. There is nothing that detracts from the residential nature of the buildings close by.
- Richard has 25 parking spaces which means when employees do drive, it does not cause any congestion and there is no impact.
- The use is compatible with the surrounding neighborhood.
- Mr. Shapiro is prepared to spend up to \$200,000 to update the building and to ensure it is fully satisfied by the building division.

Mr. Puchtel asked how many parking spots exactly are associated with each property.

Mr. Quinn responded that there are three spots in front of 1327 Chicago Ave. on the property. There are 11 parking spots behind the building that are being leased.

Ms. Cullen asked if there were signs indicating that those parking spots are designated for Mr. Shapiro's business. Mr. Shapiro stated that there wasn't but that they are for staff and his clients park out front. In total he has 24 spots including some that leased in Evanston's parking garages.

Mr. Quinn continued that there would be no changes to the exterior of the building. Mr. Shapiro he notified the assessor's office of the commercial use.

Ms. McAuley asked what date was the assessor notified because the issue came up in 2018 and the assessed value classification has remained the same from 2019 to 2020 while the value went down.

Mr. Shapiro indicated that he notified the assessor the very next day after the ZBA meeting in February 2020.

Ms. McAuley asked for an explanation as to why the assessed value hasn't increased. Her experience indicates that it generally happens very quickly. It probably has legal ramifications and certainly has financial ramifications for the City of Evanston.

Mr. Shapiro said that he has the phone records that would show that he made the call and he has the woman's name that he spoke to.

Ms. Cullen asked if they had contacted him about the request.

Mr. Shapiro said they had not but that he called again weeks prior and left a message.

Ms. McAuley stated that these explanations coming from a tax attorney who deals with the assessor's office to be able to notify them of a major difference from 10% vs. 25% tax on assessed valuation. That is hundred thousands of dollars that has been lost over

the 20 years which is egregious coming from a tax attorney. The money that Mr. Shapiro is willing to spend on the fire and safety components could be better spent on leasing actual office space.

Mr. Shapiro responded that he has nothing to do with the assessor's assessments.

Ms. McAuley indicated that Mr. Shapiro intervenes to alter assessments for his clients but he did not intervene to correct what may be a legally careless misrepresentation.

Mr. Quinn replied by stating that that was not necessarily true and that he doesn't believe any property owner has an obligation to change an assessment.

Ms. McAuley said that she would understand that from an unknowing resident but that Mr. Shapiro is a tax attorney and this is his specialty.

Mr. Shapiro said that he is sorry and that he regrets not doing it sooner. The fear of losing his livelihood surpassed the fear that the government uses for control. He was paralyzed in fear and doesn't want to lose his way of life. Due to his physical limitations he wants to work next to where he lives. He responded when the ZBA indicated that he needed to in February and didn't do anything until then.

Ms. McAuley sympathized with that human emotion of fear and understood that it started as a simple venture and it turned into something that Mr. Shapiro hadn't expected.

Ms. Cullen shared that there was an anonymous complaint about the property being used as office space in January 2018 and asked to confirm that Mr. Shapiro waited until February of 2020 to call the assessor's office.

Mr. Shapiro responded that was correct.

Mr. Puchtel said he was sympathetic to all parties but he wasn't sure how Mr. Shapiro's relationship with the City is relevant tonight as they are trying to determine if they should grant him the special use.

Ms. McAuley indicated that part of the contingency in the notes from City staff was that the special use would not be granted unless Mr. Shapiro had properly reported the misclassification to county's assessor's office and that the financial issues be resolved. It is pertinent in that regard.

Mr. Quinn interjected that Mr. Shapiro is fully prepared to do more with the assessor's office in order to continue to work next door to where he lives.

Melissa Klotz, Zoning Administrator, recommended that whatever the ZBA's recommendation is made, that they include a condition that the applicant provides proof in writing of alerting the assessor's office of this issue including the dates that the properties first shifted to commercial use and if those dates can be provided on the record now. That would give everyone a sense that it is proceeding as it should.

Ms. McAuley recommended taking it a step further that Mr. Shapiro provides proof in writing that the Assessor has responded to him. The assessor's office is able to provide written acknowledgement that they received his correspondence and they are in process of letting him know what the back taxes are.

Ms. Klotz continued that the applicant can work with her for contacts at the assessor's office. She also indicated that the applicant should bare in mind that assuming approval and the life safety changes are made, those permits will go to the assessor's office and then you will be reassessed again. She then asked for the dates that the properties switched to commercial during this hearing.

Mr. Shapiro stated that he was not prepared to provide that information.

Ms. McAuley referenced the packet for tonight's meeting it has been over 20 years, she believed about 1998 and that the information provided by Mr. Shapiro to the assessor's office is consistent with that information.

Ms. Cullen said that the occupancy certificate will not be provided without it.

Ms. Zordan asked about Mr. Shapiro stating earlier in the meeting that he said he bought the property in 1985.

Mr. Shapiro indicated that she misunderstood. That he moved into the property as a renter in 1985 and bought the property in 1998. The other property was purchased in 2013.

Ms. Cullen addressed the ADA improvements stating that on March 5, Mr. Shapiro provided supplemental information but it did not include alterations for the ADA improvements at 1327 which had had previously proposed.

Mr. Quinn responded that they had determined that a satellite site would be a better solution to accommodate the ADA requirements. Mr. Shapiro, after approval, would rent the space at 1990 Grove.

Ms. McAuley asked what the square footage of that space was and how close in proximity was it to his current location.

Mr. Quinn responded that it was 300 sq. feet and it was a few blocks away.

Ms. Cullen shared that at the last meeting that Mr. Shapiro was to consider an off-site accessible space for clients and staff or make the ADA improvements to the current space to become compliant.

Mr. Quin said that they chose the first to obtain an off-site location to accommodate.

Ms. Cullen asked if there were any ADA improvements were being made to the current locations.

Mr. Quinn stated that because there were so few clients that come in to be able to have a location for the clients to go. They saw those as two alternatives and this was the best way to address staff concerns.

Ms. Cullen wanted assurance that all of the required ADA specifications were being met at the 1990 Grove location.

Mr. Quinn responded that that is what the building had indicated to them.

Deliberation:

Ms. McAuley indicated that she would hate to put a long-term resident out of his business and would hate to see long standing employees uprooted. She stated that it was her strong preference that Mr. Shapiro would acquire more space at 1990 Grove and combine all the operations of the business at that location and return all of the homes to as they are and settle up with the assessor's office. With that said, the contingency that she would like included is that the assessor's office responds in writing that they are aware that since 1998 this space has been used as a commercial property and 528 since 2013/2014 in order to provide restitution to the City of Evanston. Another contingency that there is proof that the office space at Grove that it is fully compliant for ADA accessibility and that the space is maintained as it is continued to be operated. She doesn't see impact as terrible and doesn't want to deny his use as long as there is restitution.

Ms. Zordan asked for clarification on when conditions are placed such as this, how is this tracked?

Ms. Klotz responded that the applicant would be asked to provide yearly proof that the conditions are being met or it would be difficult for staff to track.

Mr. Puchtel asked about the implications of the decision tonight. Currently Mr. Shapiro is operating his business and are they continued to be used as a business without being granted the special use.

Ms. Klotz answered that the business is still currently being run and that is allowed as long as the application is in process. The operations are reduced at the moment due to COVID-19.

Mr. Mirintchev asked that if granted the special use could it be linked to time and Mr. Shapiro's retirement and what happens after the business is no longer functioning.

Ms. Klotz stated that it can be conditioned to the current property owner and at the time that Mr. Shapiro sells the properties that they cannot be used as office again. It would be difficult for staff to track.

Ms. Zordan is disappointed that we are in but with the conditions that have been laid out, she could be in favor of the special use.

Testimony was opened to the public:

Joe Goodman owns an apartment building at 522 Greenwood which is adjacent to Mr. Shapiro's building. He stated that Mr. Shapiro is the best neighbor that they have ever had. He is providing good jobs with staff that uses public transportation and this is the type of business that the City should be supporting. He also mentioned that the parking lot that Mr. Shapiro leases from usually is not being utilized otherwise.

Deliberation of the board continued:

Mr. Mirintchev indicated that his sincere opinion that this residential and that they need to be careful with the special use. We need to specify that it is only a special use for the current owner and current business and with that he would agree to grant the special use.

Ms. Cullen stated that she thinks it would be best for the properties to be turned back to residential as beautiful historic homes but she is willing to go through these special use variances if all the conditions stated were included.

Ms. Zordan asked about whether the special use would continue to be given if he is no longer employed at the business and it continues to operate as is without the sale or change in ownership.

Ms. McAuley asked if they make it a condition of the special use recommendation to put something on the title to indicate that it would be no transferable. That way we know that the business would not be able to operate after the sale.

Ms. Klotz responded that yes, it can be tied to the owner if conditioned in that way and that had been included that condition with the cannabis dispensary not that long ago.

Mr. Puchtel indicated he is in favor of approving with conditions. He believes the special use blends into the area.

Standards:

1. Yes
2. No
3. Yes
4. Yes
5. Yes
6. Yes
7. Yes
8. N/A
9. Yes

Ms. McAuley made the motion that ZBA recommend to City Council to approve the special use at 1327 Chicago Ave. and 528 Greenwood St. with the following conditions:

1. Mr. Shapiro provides proof at the City Council meeting that he has contacted the assessor's office and they have applied with acknowledgement that 1327 Chicago Ave. has been an office since 1998 and 528 Greenwood has been operating as an office since 2013.

2. Mr. Shapiro shows proof that he has a lease at 1990 Grove and that the building is fully ADA compliant and the lease will be verified on a yearly basis.
3. The hours of operation run from 7am-6pm and occupancy of the structures be 15 employees per building.
4. Deliveries may take place from 7am-6pm.
5. The special use be confined and recorded on the deed for both properties to the owner of the property, Richard Shapiro.

Mr. Mirintchev seconded the motion. Motion passed 5-0.



Memorandum

To: Honorable Mayor and Members of the City Council
From: Melissa Klotz, Zoning Administrator
CC: Johanna Nyden, Community Development Director
Subject: Ordinance 56-O-21, Granting a Special Use Permit for a Daycare Center - Domestic Animal and a Kennel Located at 2116-2120 Ashland Avenue, 1625 Payne Street, 2147-2149 Dewey Avenue in the MXE Mixed-Use Employment District ("Rex's Place")
Date: May 24, 2021

Recommended Action:

The Zoning Board of Appeals (ZBA), and staff recommend the City Council adoption of Ordinance 56-O-21, granting a Special Use for a Daycare Center - Domestic Animal and Kennel, Rex's Place, in the MXE Mixed-Use Employment District, with conditions. The applicant has complied with all zoning requirements and meets the Standards for Special Use for this district.

Council Action:

For Introduction

Summary:

The applicant, Kathy Lichtenstein, requests a special use permit for the expansion of a Daycare Center – Domestic Animal, and a Kennel, and currently operates Rex's Place at 2118-2120 Ashland Ave. and 1625 Payne St. as a dog daycare and kennel. The applicant is under contract to purchase the building and plans to expand operations into 2116 Ashland Ave. by adding a training and agility center.

The business currently offers agility/training classes in their main location, 2120 Ashland Ave., but is restricted to weekends to accommodate the core daycare business. The expansion will allow a dedicated space that does not disrupt daycare services and eliminates the need to continuously maneuver equipment. Interior design improvements in the new space will include new flooring, central air conditioning, PVC paneling, and painting, and is being designed to meet competitive standards. No exterior work is planned.

Rex's Place operates with a staff of 15 employees and is currently supporting between 90-100 dogs a day. The addition of the agility center is not expected to increase the capacity or size of the daycare or kennels, but rather expand services already being offered. It will also allow for

the addition of two bathrooms and a lounge area for staff. The hours of operation for the agility center are proposed to be the same as the daycare, Monday through Friday 6:30 a.m. to 6:30 p.m. If demand increases, hours may be extended to accommodate a need for later classes. There are no changes to the other facilities or operations and all drop-off and pick times remain the same. The applicant is currently working with the City to establish an official drop-off vehicle zone for customers.

Although the special use request features a total of six properties, the only change that will increase the intensity of any uses is the new training and agility center at 2116 Ashland Ave. Staff is not aware of any objections to the proposal and is aware of wide support by clients who frequent the facility and feel there is a large demand for this type of use/expansion of use in Evanston.

The proposed special use permits for Rex's Place will allow a locally owned business to expand operations within the same neighborhood and continue to provide a needed service for the community.

Legislative History:

Zoning Board of Appeals - On April 20, 2021, the ZBA recommended approval of the special use with the following conditions for the applicant and City staff to address:

1. Within 12 months of acquisition, the applicant remove the existing curb cut, restore the street curb, and construct a standard sidewalk the length of the property (at applicant's own expense in coordination with Public Works Agency staff)
2. On-street loading zone is permitted with specified hours by applicant with zone made available for street parking during non-loading zone hours

[April 20, 2021 ZBA Packet](#)

Attachments:

[56-O-21 Special Use for Daycare Care - Domestic Animal and Kennel in MXE District 2116-2120 Ashland Rex's Place](#)

[ZBA Minutes 20210420 draft excerpt 2120 Ashland](#)

56-O-21

AN ORDINANCE

Granting a Special Use Permit for a Daycare Center – Domestic Animal and a Kennel Located at 2116-2120 Ashland Avenue, 1625 Payne Street, 2147-2149 Dewey Avenue in the MXE Mixed-Use Employment District (“Rex’s Place”)

WHEREAS, the Zoning Board of Appeals (“ZBA”) met on April 20, 2021, pursuant to proper notice, to consider case no. 21ZMJV-0033, an application filed by Kathy Lichtenstein (the “Applicant”), owner, lessee and contract purchaser of the property legally described in Exhibit A, attached hereto and incorporated herein by reference, commonly known as 2116-2120 Ashland Ave., 1625 Payne St., 2147-2149 Dewey Ave. (the “Subject Property”) and located in the MXE Mixed-Use Employment District, for a Special Use Permit to establish, pursuant to Subsection 6-13-4-3 of the Evanston City Code, 2012, as amended (“the Zoning Ordinance”), a Daycare Center – Domestic Animal and Kennel, on the Subject Property; and

WHEREAS, the ZBA, after hearing testimony and receiving other evidence, made a written record and written findings that the application for a Special Use Permit for a Daycare Center – Domestic Animal and Kennel met the standards for Special Uses in Section 6-3-5 of the Zoning Ordinance and recommended City Council approval thereof; and

WHEREAS, at its meeting of May 24, 2021, the Planning and Development Committee of the City Council (“P&D Committee”) considered the ZBA’s record and

findings and recommended the City Council accept the ZBA's recommendation and approved the application in case no. 21ZMJV-0033; and

WHEREAS, at its meeting of June 14, 2021, the City Council considered and adopted the respective records, findings, and recommendations of the ZBA and P&D Committee, as amended,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EVANSTON, COOK COUNTY, ILLINOIS, THAT:

SECTION 1: The foregoing recitals are found as fact and incorporated herein by reference.

SECTION 2: The City Council hereby approves the Special Use Permit for a Daycare Center – Domestic Animal and Kennel on the Subject Property as applied for in case no. 21ZMJV-0033.

SECTION 3: Pursuant to Subsection 6-3-5 of the Zoning Ordinance, the City Council hereby imposes the following conditions on the Applicant's Special Use Permit, violation of any of which shall constitute grounds for penalties or revocation of said Permit pursuant to Subsections 6-3-5 of the Zoning Ordinance:

- A. Within twelve (12) months of acquisition, the Applicant shall remove the existing curb cut, restore the street curb, and construct a standard sidewalk the length of the property (at applicant's own expense in coordination with Public Works Agency staff).
- B. On-street loading zone is permitted with specified hours by Applicant with zone made available for street parking during non-loading zone hours.
- C. The Applicant shall develop and use the Subject Property in substantial compliance with: all applicable legislation; the Applicant's testimony and representations to the ZBA, the P&D Committee, and the City Council; and the approved plans and documents on file in this case.

- D. Before it may operate the Special Use authorized by the terms of this ordinance, the Applicant shall record, at its cost, a certified copy of this ordinance with the Cook County Recorder of Deeds.

SECTION 4: When necessary to effectuate the terms, conditions, and purposes of this ordinance, “Applicant” shall be read as “Applicant’s agents, assigns, and successors in interest.”

SECTION 5: This ordinance shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

SECTION 6: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 7: If any provision of this ordinance or application thereof to any person or circumstance is ruled unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this ordinance that can be given effect without the invalid application or provision, and each invalid provision or invalid application of this ordinance is severable.

SECTION 8: The findings and recitals contained herein are declared to be prima facie evidence of the law of the City and shall be received in evidence as provided by the Illinois Compiled Statutes and the courts of the State of Illinois.

Introduced: _____, 2021
Adopted: _____, 2021

Approved:
_____, 2021

Daniel Biss, Mayor

Attest:

Approved as to form:

Stephanie Mendoza, City Clerk

Nicholas E. Cummings, Corporation
Counsel

EXHIBIT A

LEGAL DESCRIPTION

LOTS 5, 6, AND 7 IN THAYER RESUBDIVISION OF LOTS 1 TO 8 INCLUSIVE OF BLOCK 7 IN PAYNE'S ADDITION TO EVANSTON, BEING A SUBDIVISION OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 12, TOWNSHIP 41 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PINs: 10-12-421-018-0000, 10-12-421-017-0000, 10-12-421-006-0000

Commonly Known As: 2118-2120 Ashland Avenue, Evanston, Illinois.

Lots 9 and 10 in Block 6 in Payne's Addition to Evanston, being a Subdivision of the Southwest Quarter of the Southeast Quarter of Section 12, Township 41 North, Range 13, East of the Third Principal Meridian, in Cook County, Illinois.

PIN: 10-12-415-007-0000
10-12-415-006-0000

Commonly Known As: 1625 Payne Street, Evanston, Illinois.

Lot 11 in Block 6 in Payne's Addition to Evanston in the Southwest Quarter of the Southeast Quarter of Section 12, Township 41 North, Range 13, East of the Third Principal Meridian, in Cook County, Illinois.

PIN: 10-12-415-005-0000

Commonly Known As: 2147 Dewey Avenue, Evanston, Illinois.

PART OF LOT 12 IN BLOCK 6 IN PAYNE'S ADDITION TO EVANSTON, A SUBDIVISION OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 12, TOWNSHIP 41 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PIN: 10-12-415-004-0000

Commonly Known As: 2149 Dewey Avenue, Evanston, Illinois.

NOT APPROVED

MEETING MINUTES EXCERPT

ZONING BOARD OF APPEALS

Tuesday, April 20, 2021

7:00 PM

Via Virtual Meeting

Members Present: Violetta Cullen, Kiril Mirintchev, Max Puchtel, Lisa Dziekan, Myrna Arevalo

Members Absent: Mary McAuley, Jill Zordan

Staff Present: Melissa Klotz, Katie Boden

Presiding Member: Violetta Cullen

2116-2120 Ashland Ave., 1625 Payne St., 2147-49 Dewey Ave ZBA 21ZMJV-0033

Kathy Lichtenstein, owner, lessee and contract purchaser, submits for the expansion of Special Use Ord. 84-O-18 for a Special Use Permit for a Daycare Center – Domestic Animal and a Kennel, Rex's Place, in the MXE Mixed-Use Employment District (Zoning Code Section 6-13-4- 3). The Zoning Board of Appeals makes a recommendation to the City Council, the determining body for this case.

Ms. Klotz read the case into the record and mentioned that an additional 24 letters of support were received after the packet had been posted.

Ms. Kathy Lichtenstein, applicant, explained her proposal. She mentioned they have been in business for 13 years and opened the kennel two years ago. They have been renting their location and are now looking to purchase the building so they can expand their operations. The business will remain exactly as is with a new agility center in the new space that can also be rented out.

Member Dziekan asked for more information regarding drop offs and traffic circulation and whether the expansion will impact those.

Ms. Liechtenstein said that due to COVID, they have been doing curbside drop off and pick ups outside, and will continue to do so. In a meeting for her previous special use approval, there

was discussion regarding rebuilding the sidewalk and providing a loading zone for daytime hours. This would allow for regular parking outside of the loading zone hours.

Member Dziekan asked whether their new operations would change existing hours. Ms. Lichtenstein replied she does not expect the hours of operation to change.

Chair Cullen asked whether they will be able accepting more dogs with the agility center. Ms. Lichtenstein said they hope to increase the number of dogs coming in and they will be able to increase the training. The new space could also be utilized for dogs who are competing. However, she does not anticipate a large increase since it will be structured as classes, which hold about ten dogs at a time. The daycare will remain as is.

Chair Cullen asked about their current capacity. Ms. Lichtenstein replied they have approximately 100-110 dogs per day.

Member Dziekan asked about the last expansion, the impact of dogs walking through the neighborhood, and whether there were any similar concerns with this expansion.

Ms. Lichtenstein does not foresee any additional neighborhood impact. She mentioned they are very aware of any potential issues and that her staff has proposed a community clean up day for the neighborhood.

Member Puchtel asked about DAPRs condition to restore the curb cut and wanted to confirm there would be no traffic entering the building through the front. Ms. Lichtenstein replied no vehicles would be entering the building from the front.

Member Arevalo asked about the number of additional staff being considered for the expansion. Ms. Lichtenstein said she expects 5 or 6 new employees. Member Arevalo inquired as to where they would park. Ms. Lichtenstein explained most of her staff takes public transportation and those who drive park in the City lot down the street.

Chair Cullen opened the hearing up to public discussion.

Ms. Sandy Wilson spoke in support of the business and expansion.

Mr. Michael Chookaszian, one of the partners of Double Clutch Brewing, had some concerns about traffic. He inquired whether the curb cut can be inset five feet to allow more room for cars on the street.

Ms. Lichtenstein said she has no problem with that request as long as it is approved by City staff.

Ms. Klotz said staff will look into this issue further.

Deliberation:

Member Dziekan supports the project and feels it serves a need in the community. The

proposed use is not a high intensity use in the neighborhood and the expansion supports a long term business in Evanston. Member Arevalo agreed.

Member Mirintchev would like to see improvements with the curb cut and dropoffs, but otherwise in full support. Member Puchtel agreed this a great project, and is supportive subject to the proposed DAPR conditions.

Chair Cullen agreed and mentioned she is glad to see an Evanston business expand.

Standards:

1. Yes
2. Yes
3. Yes
4. Yes
5. Yes
6. Yes
7. NA
8. NA
9. Yes

Ms. Dziekan motioned to approve the proposal, seconded by Member Puchtel with conditions:

1. Within 12 months, removing the curb cut and adjacent sidewalk, restoring the street curb, and constructing a standard sidewalk the length of the property
2. On-street loading zone permitted with specific hours needed by applicant, zone to be available for street parking during non-loading zone hours

The motion was approved 5-0.

Adjourn 7:24 p.m.



Memorandum

To: Honorable Mayor and Members of the City Council
CC: Members of the Planning and Development Committee
From: Kelley Gandurski, Deputy City Manger
Subject: Ordinance 53-O-21, Amending Portions of the City Code to Extend the Expiration Date of Permitted Uses Within the U2 Zoning District
Date: May 24, 2021

Recommended Action:

Staff recommends City Council adoption of Ordinance 53-O-21, amending the City Code to extend the expiration date of permitted uses within the U2 zoning district from December 31, 2021 to December 31, 2022.

Council Action:

For Action

Summary:

Ordinance 53-O-21 amends City Code Section 6-15-7-2 "Permitted Uses" to extend the date of expiration of the listed permitted uses from December 31, 2021 to December 31, 2022. Previously, City Council approved Ordinance 135-O-19, creating a text amendment for permitted uses in the U2 District that expired December 31, 2021.

Northwestern University subsequently requested the permitted uses be extended an additional two years due to the inability to utilize the permitted use because of COVID-19 and restrictions on event gathering. An Ordinance authorizing the extension of Ordinance 135-O-19 failed to pass from the Planning & Development Committee to the full City Council at the April 26, 2021 meeting. Councilmember Don Wilson made a reference during Call of the Wards at the City Council meeting that night requesting that a one year extension be considered by the Planning & Development Committee.

Legislative History:

Ordinance 135-O-19 was originally adopted by City Council on November 11, 2019. Ordinance 135-O-19 and the City Council memo from the November 11, 2019 adoption are attached.

Attachments:

[53-O-21 Permitted Use Amendment U2 District](#)

[Original Memo for Ordinance 135-O-19, Amending Portions of the Zoning Ordinance Related to Permitted Uses within the U2 Zoning District 135-O-19](#)

53-O-21

AN ORDINANCE

Amending Portions of the City Code to Extend the Expiration Date of Permitted Uses Within the U2 Zoning District

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EVANSTON, COOK COUNTY, ILLINOIS:

SECTION 1: City Code Subsection 6-15-7-2, "Permitted Uses", of the Evanston City Code of 2012, as amended, is hereby further amended to read as follows:

6-15-7-2. – PERMITTED USES.

The following uses shall be permitted in the U2 district:

- Business or vocational school.
- Fieldhouse.
- Indoor recreational facility (college and university).
- Outdoor recreational facility (college and university).
- Parking lot (college and university).
- Playground.
- Stadium.

The following uses shall be considered permitted uses when conducted in association with the above permitted uses:

- Intramural and intercollegiate sports and athletic events and practice -therefor.
- Local, regional and State elementary and high school athletic events and practice therefor.
- Band playing and practice in connection with the above events.

- Commencement, convocation and graduation exercises
- University-sponsored lecture, speakers, musical performances and other cultural events held within an enclosed building provided that attendance is limited to ten thousand (10,000) or less.
- Luncheons and dinners and dining room facilities in a stadium provided that attendance is limited to the seating capacity of the facilities.
- Accessory uses to the above permitted uses, including administrative and faculty offices, classroom, auditoriums, athletic facilities and parking spaces.
- Off-street parking for hospital employees and for university students and employees.

Temporary event (provided they are of a community or cultural nature and further provided they meet the conditions listed below):

This Subsection provides standards to ensure that temporary uses shall not impose an undue adverse effect on neighboring streets or property.

Community and cultural events intended primarily for residents of the City and athletic events shall be permitted provided that the following conditions are met:

- 1) Sponsors of the temporary event shall obtain City Council approval, provide proof of event logistics approval by the City's Special Events Committee, and obtain a certificate of zoning compliance pursuant to Section 6-4-8-2 of this Title.
- 2) Sponsors of the temporary event shall provide written notice to residents within five hundred (500) feet of the event site at the same time that they submit an application for a Special Event Permit for the temporary event.
- 3) Attendance at such events is limited to seven thousand (7,000) persons for indoor events and three thousand (3,000) persons for outdoor events.
- 4) Free University parking is available and is provided in the U2 district to all persons attending events (as defined in this ordinance) until all car parking spaces are full. This parking shall be provided for no fewer than two thousand (2,000) passenger vehicles, one thousand three hundred (1,300) of which must be within the U2 zoning district.

~2~

- 5) Private security is provided for those parking areas utilized.
- 6) Adequate provision of traffic-control devices at no City expense, including personnel, shall be provided to ensure the free flow of traffic and the security and safety of said traffic flow.
- 7) Live animals used in conjunction with any event may only be stored within a completely enclosed building.
- 8) No more than six (6) single-day events and a seventh (7th) multi-day event (not to exceed seven (7) days in duration, and that would require approval from the City Council) shall be held in any calendar year.
- 9) Lighting associated with such events shall be directed away from adjacent residences.
- 10) Tractor trailers may not remain running while parked on the public street or in off-street parking areas.
- 11) No activities related to special events shall occur between 10:00 p.m. and 7:00 a.m. from Sunday evening to Friday morning, and between 11:00 p.m. and 7:00 a.m. from Friday evening through Sunday morning, including event setup and breakdown procedures.
- 12) Loitering and tailgating is prohibited before, during and after such events.

The provisions in this text amendment, approved by Ordinance 53-O-21, will expire on December 31, ~~2024~~ 2022. This text amendment shall not create a precedent for future uses in the U2 District.

SECTION 2: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 3: If any provision of this ordinance or application thereof to any person or circumstance is held unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this ordinance that can be given effect without the invalid application or provision, and each invalid provision or invalid application of this ordinance is severable.

SECTION 4: Ordinance 53-O-21 shall be in full force and effect after its passage and approval.

SECTION 5: The findings and recitals contained herein are declared to be prima facie evidence of the law of the City and shall be received in evidence as provided by the Illinois Compiled Statutes and the courts of the State of Illinois.

Introduced: _____, 2021

Approved:

Adopted: _____, 2021

_____, 2021

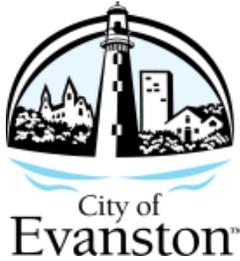
Daniel Biss, Mayor

Attest:

Approved as to form:

Stephanie Mendoza, City Clerk

Nicholas Cummings, Corporation Counsel



Memorandum

To: Members of the Planning and Development Committee
From: Meagan Jones, Neighborhood and Land Use Planner
CC: Johanna Leonard, Community Development Director; Scott Mangum,
Planning and Zoning Manager
Subject: Ordinance 135-O-19, Amending Portions of the Zoning Ordinance
Related to Permitted Uses within the U2 Zoning District
Date: October 28, 2019

Recommended Action:

The Plan Commission recommends approval of a text amendment to the Zoning Ordinance to revise language regarding permitted uses in the U2 University Athletic Facilities District.

Council Action:

For Introduction

Summary:

The U2 District is currently applied north of Central Street to the City limits, between Ashland Avenue to the west and University property west of Asbury Avenue to the east. This zoning district encompasses Ryan Field, Drysdale Field, Miller Park, Welsh-Ryan Arena, Trienens Performance Center and Anderson Hall.

The U2 University Athletic Facilities District “is intended to permit the utilization of university facilities within the district in a manner that is compatible with the surrounding development, which is predominantly residential.” The Zoning Ordinance lists permitted uses in the U2 District in Subsection 6-15-7-2. *Permitted Uses:*

The following uses shall be permitted in the U2 district:

Business or vocational school.

Fieldhouse.

Indoor recreational facility (college and university).

Outdoor recreational facility (college and university).

Parking lot (college and university).

Playground.

Stadium.

The following uses shall be considered permitted uses when conducted in association with the above permitted uses:

- Intramural and intercollegiate sports and athletic events and practice therefor.
- Local, regional and State elementary and high school athletic events and practice therefor.
- Band playing and practice in connection with the above events.
- Commencement, convocation and graduation exercises.
- University-sponsored lecture, speakers, musical performances and other cultural events held within an enclosed building provided that attendance is limited to ten thousand (10,000) or less.
- Luncheons and dinners and dining room facilities in a stadium provided that attendance is limited to the seating capacity of the facilities.
- Accessory uses to the above permitted uses, including administrative and faculty offices, classroom, auditoriums, athletic facilities and parking spaces.
- Off-street parking for hospital employees and for university students and employees.

Temporary event (provided they are of a community or cultural nature and further provided they meet the conditions listed below):

This Subsection provides standards to ensure that temporary uses shall not impose an undue adverse effect on neighboring streets or property.

Community and cultural events of a nonprofit nature intended primarily for residents of the City and amateur athletic events shall be permitted provided that the following conditions are met:

1. Sponsors of the temporary event obtain a certificate of zoning compliance pursuant to [Section 6-4-8-2](#) of this Title.
2. Attendance at such events is limited to ten thousand (10,000) persons or less.
3. Adequate university parking is available and is provided to all persons attending the event.
4. Private security is provided for those parking areas utilized.
5. Adequate provision of traffic-control devices at no City expense, including personnel, shall be provided to ensure the free flow of traffic and the security and safety of said traffic flow.
6. Live animals used in conjunction with any event may only be stored within a completely enclosed building.
7. No more than seven (7) such events shall be held in any calendar year in any one facility, and each such event shall not exceed five (5) consecutive days in duration.
8. Lighting associated with such events shall be directed away from adjacent residences.

9. Tractor trailers may not remain running while parked on the public street or in off-street parking areas.

Northwestern University would like to pursue hosting nationally recognized sporting events at the Welsh Ryan Arena, which holds a capacity of 7,039 people. However, in order to do so, the current regulations for temporary events would need to be amended to meet possible event types, and duration. A list of the current events, permitted by code and held annually in Welsh Ryan Arena, is attached.

Currently, the Zoning Ordinance review process for temporary events requires a Zoning Compliance document. If events are larger, take place on City property or utilize City resources, the Special Events Committee reviews the logistics of the event as they apply to City resources and makes suggestions or requirements to aid in the efficiency of the event. Generally, the Special Events Committee reviews all outdoor events requested on City property, i.e. street, sidewalk, park, etc., and/or deemed to significantly impact the City as well as events that require City Council approval. Applications typically must be submitted by the end of January for the year in which they will occur.

An example of the Special Events Committee's review occurs with Northwestern University's annual "Run for Walk" Randy Walker road race event which takes place in the summer. The Special Event Committee's review is not currently codified within the Zoning Code.

Proposal Overview

The proposed text amendment, as recommended by the Plan Commission, would revise language within Section 6-15-7-2 as it relates to temporary events. During the September 11, 2019 meeting, the Plan Commission made several recommended revisions to Northwestern's proposal which related to approval of events, parking requirements, time restrictions for events, notice to neighbors and a sunset date for these proposed ordinance changes (these conditions are summarized in the attached draft minutes from the Sept. 11 Plan Commission meeting, Northwestern University's application has been updated to be inclusive of many of these conditions, and they are also summarized in the Legislative History section).

Specifically, Northwestern seeks to amend the zoning ordinance as described below:

6-15-7-2. – PERMITTED USES

The following uses shall be permitted in the U2 district:

Business or vocational school.

Fieldhouse.

Indoor recreational facility (college and university).

Outdoor recreational facility (college and university).

Parking lot (college and university).

Playground.

Stadium.

The following uses shall be considered permitted uses when conducted in association with the above permitted uses:

- Intramural and intercollegiate sports and athletic events and practice therefor.
- Local, regional and State elementary and high school athletic events and practice therefor.
- Band playing and practice in connection with the above events.
- Commencement, convocation and graduation exercises.
- University-sponsored lecture, speakers, musical performances and other cultural events held within an enclosed building provided that attendance is limited to ten thousand (10,000) or less.
- Luncheons and dinners and dining room facilities in a stadium provided that attendance is limited to the seating capacity of the facilities.
- Accessory uses to the above permitted uses, including administrative and faculty offices, classroom, auditoriums, athletic facilities and parking spaces.
- Off-street parking for hospital employees and for university students and employees.

Temporary event (provided they are of a community or cultural nature and further provided they meet the conditions listed below):

This Subsection provides standards to ensure that temporary uses shall not impose an undue adverse effect on neighboring streets or property.

Community and cultural events of a ~~nonprofit nature~~ intended primarily for residents of the City and amateur athletic events shall be permitted provided that the following conditions are met:

1. Sponsors of the temporary event shall obtain City Council approval, provide proof of event logistics approval by the City's Special Events Committee and obtain a certificate of zoning compliance pursuant to [Section 6-4-8-2](#) of this Title.
2. Written notice shall be provided to residents within five hundred (500) feet of the event site within 5 business days after event approval by the City Council.
3. Attendance at such events is limited to ~~ten thousand (10,000) persons or less.~~ seven thousand (7,000) persons for indoor events and three thousand (3,000) persons for outdoor events.
4. ~~Adequate university parking is available and is provided to all persons attending the event.~~ Free University parking is available and is provided in the U2 district to all persons attending events (as defined in this ordinance) until all car parking spaces are full. This parking shall be provided for no fewer than two thousand (2,000) passenger vehicles, one thousand three hundred (1,300) of which must be within the U2 zoning district.
5. Private security is provided for those parking areas utilized.

6. Adequate provision of traffic-control devices at no City expense including personnel, shall be provided to ensure the free flow of traffic and the security and safety of said traffic flow.
7. Live animals used in conjunction with any event may only be stored within a completely enclosed building.
8. No more than ~~seven (7) such events shall be held in any calendar year in any one facility, and each such event shall not exceed five (5) consecutive days in duration.~~ six (6) single-day events and a seventh (7th) multi-day event (not to exceed seven (7) days in duration, and that would require approval from the City Council) shall be held in any calendar year.
9. Lighting associated with such events shall be directed away from adjacent residences.
10. Tractor trailers may not remain running while parked on the public street or in off-street parking areas.
11. No activities related to special events shall occur between 10:00 p.m. and 7:00 a.m. from Sunday evening to Friday morning, and between 11:00 p.m. and 7:00 a.m. from Friday evening through Sunday morning; with the exception of event setup and breakdown procedures which shall not exceed thirty minutes before or after the aforementioned times.
12. Loitering and tailgating is prohibited before, during and after such events.

The provisions in this text amendment approved by Ordinance 135-O-19 will expire on December 31, 2021.

Staff reviewed zoning requirements for other “Big 10” municipalities and found varying requirements, though none appeared to specifically address professional sporting events on campus. The municipalities generally had special event permit processes with varying requirements for events held on public land. In one case, Pennsylvania State University, event sponsors seeking special event permits needed to obtain and show proof of permission from the school to hold events on that property.

The proposed Zoning Ordinance Text Amendment to revise language regarding permitted uses in the U2 University Athletic Facilities District meets the standards for approval of amendments per Section 6-3-4-5 of the City Code. The proposal is consistent with the goal of the Comprehensive Plan to support the growth and evolution of Institutions while recognizing that they are part of their mostly residential surroundings. The work associated with requiring events to go through the Special Event review process will require the event logistics to be reviewed by City staff from all City Departments and will provide an open and public process for these events in the future, if this text amendment is approved.

Legislative History:

September 11, 2019 – The Plan Commission voted, 7-1, to recommend approval of the proposed text amendment with added conditions of: 1.) Written notice shall be provided to residents within 500 ft. of site within 5 days of event approval, 2.) Parking shall be provided for at least 2,000 passenger vehicles, 1,300 of which within U2 district, 3.) Loitering and tailgating is prohibited before, during and after events, 4.) If approved, the ordinance

expiration date shall be December 31, 2021, 5.) Remove language referencing "unless the City Council affirmatively votes to renew this amendment" (*tied to above proposed expiration date*), 6.) Revise language so that indoor events are limited to 7,000 persons and outdoor events are limited to 3,000 persons, and 7.) Require all events to be approved by the City of Evanston.

[Link to Plan Commission Packet for 9/11/19](#)

August 28, 2019 - The Plan Commission continued the matter to the September 11, 2019 meeting due to lack of quorum for this agenda item.

August 7, 2019 – The Plan Commission began discussion on the proposed amendment. Multiple requests to continue the matter were requested and granted. The item was continued to the August 28, 2019 meeting.

[Link to Plan Commission Packet for 8/7/19](#)

Attachments:

[Ordinance 135-O-19](#)

[NU Text Amendment Application Submitted 8.23.19](#)

[Current Annual Events Hosted at Welsh Ryan](#)

[DRAFT Minutes from the 9.11.19 Plan Commission Meeting](#)

[Minutes from the 8.7.19 Plan Commission Meeting](#)

[PowerPoint Presented by Ken Proskie on 9.11.19](#)

[Questions submitted by Yvi Russell on 9.11.19](#)

[Comments received as of October 17 2019](#)

135-O-19

AN ORDINANCE

Amending Portions of the City of Evanston Zoning Ordinance to Amend Permitted Uses within the U2 Zoning District

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EVANSTON, COOK COUNTY, ILLINOIS:

SECTION 1: City Code Subsection 6-15-7-2, "Permitted Uses", of the Evanston City Code of 2012, as amended, is hereby further amended to read as follows:

6-15-7-2. – PERMITTED USES.

The following uses shall be permitted in the U2 district:

- Business or vocational school.
- Fieldhouse.
- Indoor recreational facility (college and university).
- Outdoor recreational facility (college and university).
- Parking lot (college and university).
- Playground.
- Stadium.

The following uses shall be considered permitted uses when conducted in association with the above permitted uses:

- Intramural and intercollegiate sports and athletic events and practice -therefor.
- Local, regional and State elementary and high school athletic events and practice therefor.
- Band playing and practice in connection with the above events.

- Commencement, convocation and graduation exercises
- University-sponsored lecture, speakers, musical performances and other cultural events held within an enclosed building provided that attendance is limited to ten thousand (10,000) or less.
- Luncheons and dinners and dining room facilities in a stadium provided that attendance is limited to the seating capacity of the facilities.
- Accessory uses to the above permitted uses, including administrative and faculty offices, classroom, auditoriums, athletic facilities and parking spaces.
- Off-street parking for hospital employees and for university students and employees.

Temporary event (provided they are of a community or cultural nature and further provided they meet the conditions listed below):

This Subsection provides standards to ensure that temporary uses shall not impose an undue adverse effect on neighboring streets or property.

Community and cultural events ~~of a nonprofit nature~~ intended primarily for residents of the City and ~~amateur~~ athletic events shall be permitted provided that the following conditions are met:

- 1) Sponsors of the temporary event shall obtain City Council approval, provide proof of event logistics approval by the City's Special Events Committee, and obtain a certificate of zoning compliance pursuant to Section 6-4-8-2 of this Title.
- 2) Written notice shall be provided to residents within five hundred (500) feet of the event site within 5 business days after event approval by the City Council.
- 3) Attendance at such events is limited to ~~ten thousand (10,000) persons or less.~~ seven thousand (7,000) persons for indoor events and three thousand (3,000) persons for outdoor events..
- 4) ~~Adequate university parking is available and is provided to all persons attending the event.~~ Free University parking is available and is provided in the U2 district to all persons attending events (as defined in this ordinance) until all car parking spaces are full. This parking shall be provided for no fewer than two thousand (2,000) passenger vehicles, one thousand three hundred (1,300) of which must be within the U2 zoning district.

- 4) Private security is provided for those parking areas utilized.
- 5) Adequate provision of traffic-control devices at no City expense, including personnel, shall be provided to ensure the free flow of traffic and the security and safety of said traffic flow.
- 6) Live animals used in conjunction with any event may only be stored within a completely enclosed building.
- 7) No more than seven (7) such events shall be held in any calendar year in any one facility, and each such event shall not exceed five (5) consecutive days in duration. — six (6) single-day events and a seventh (7th) multi-day event (not to exceed seven (7) days in duration, and that would require approval from the City Council) shall be held in any calendar year.
- 8) Lighting associated with such events shall be directed away from adjacent residences.
- 9) Tractor trailers may not remain running while parked on the public street or in off-street parking areas.
- 10) No activities related to special events shall occur between 10:00 p.m. and 7:00 a.m. from Sunday evening to Friday morning, and between 11:00 p.m. and 7:00 a.m. from Friday evening through Sunday morning; with the exception of event setup and breakdown procedures which shall not exceed thirty minutes before or after the aforementioned times.
- 11) Loitering and tailgating is prohibited before, during and after such events.

The provisions in this text amendment, approved by Ordinance 135-O-19, will expire on December 31, 2021.

SECTION 2: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 3: If any provision of this ordinance or application thereof to any person or circumstance is held unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this ordinance that can be given effect

without the invalid application or provision, and each invalid provision or invalid application of this ordinance is severable.

SECTION 4: Ordinance 135-O-19 shall be in full force and effect after its passage and approval.

SECTION 5: The findings and recitals contained herein are declared to be prima facie evidence of the law of the City and shall be received in evidence as provided by the Illinois Compiled Statutes and the courts of the State of Illinois.

Introduced: _____, 2019

Approved:

Adopted: _____, 2019

_____, 2019

Stephen H. Hagerty, Mayor

Attest:

Approved as to form:

Devon Reid, City Clerk

Michelle L. Masoncup, Corporation Counsel



**ZONING ORDINANCE
TEXT AMENDMENT
Application**

ZONING OFFICE USE ONLY

Date Received: 8/23/19
 Ward: _____
 Zoning District: _____
 Preservation: _____
 Case Number: 19PLND-0032

1. PROPERTY, IF APPLICABLE

Address _____
 Permanent Identification Number(s): _____
 PIN 1: [][]-[][]-[][]-[][]-[][]-[][]-[][]-[][]-[][]-[][]-[][]-[][]
 PIN 2: [][]-[][]-[][]-[][]-[][]-[][]-[][]-[][]-[][]-[][]-[][]
 Plats of survey for all properties that are subject to this petition must be included. Surveys must be accurate as of the current date.

2. APPLICANT

Name: Maureen Palchak
 Organization: Northwestern University
 Address: 633 Clark
 City, State, Zip: Evanston, IL 60208
 Phone: (847)-467-3302 Cell: (616)-481-9981
 E-mail: M.Palchak@Northwestern.edu

Please circle the primary means of contact.

3. PROPERTY OWNER (if different than applicant), if applicable

Name: _____
 Address: _____ City, State, Zip: _____
 Phone: _____ Cell: _____
 E-mail: _____

Please circle the primary means of contact.

What is the relationship of the applicant to the property owner?

<input checked="" type="checkbox"/> same	<input checked="" type="checkbox"/> builder/contractor	<input checked="" type="checkbox"/> potential purchaser	<input checked="" type="checkbox"/> potential lessee
<input checked="" type="checkbox"/> architect	<input checked="" type="checkbox"/> attorney	<input checked="" type="checkbox"/> lessee	<input checked="" type="checkbox"/> real estate agent
<input checked="" type="checkbox"/> officer of board of directors	<input checked="" type="checkbox"/> other: _____		

"By signing below, I give my permission for the Applicant named above to act as my agent in all matters concerning this petition. I understand that the Petitioner will be the primary contact for information and decisions during the processing of this petition, and I may not be contacted directly by the City of Evanston. I understand as well that I may change the named Petitioner at any time by contacting the Zoning Office in writing."

Property Owner(s) Signature(s) -- **REQUIRED** _____ Date _____

4. SIGNATURE OF APPLICANT

"I certify that all of the above information and all statements, information and exhibits that I am submitting in conjunction with this application are true and accurate to the best of my knowledge."

Maureen Palchak
 Applicant Signature -- **REQUIRED** _____

5. REQUIRED DOCUMENTS AND MATERIALS

The following are required to be submitted with this petition:

- (This) Completed and Signed Form**
- Legal descriptions of all properties as shown on Plat of Survey, if applicable.**
- Plat(s) of Survey, if applicable. Date(s) of Survey(s): _____**
Plats of survey must be completed by a licensed surveyor and must be current so that it displays every structure, patio, deck, walkway, etc., that is currently on the property. Copies must be legible for all dimensions and details.
- Proof of Ownership, if applicable. Document(s) Submitted: _____**
Accepted for proof of ownership includes: deed, mortgage, contract to purchase, closing documents, (price may be blacked out on submitted documents). **A tax bill cannot be accepted as proof of ownership.**
- Application & Mailing Fee Amount \$ 1100**
Application & Mailing Fees may be paid by cash, check, or credit card. Please contact Community Development for number of required mailings and mailing fee.
- Additional Documentation**
Any other documents as may be required by the Community Development Director. Please contact the Community Development Department for any additional requirements.

Zoning Ordinance Text Amendment Applications take approximately 10 business days for initial review. Alterations or modifications that require re-review may take longer. Please contact the Zoning Office at 847.448.4311 with any questions. Complete applications may be submitted in person or by mail to:

City of Evanston
Zoning Office, Room 3202
2100 Ridge Avenue
Evanston, IL 60201

6. ZONING TEXT AMENDMENT

Please complete the following section indicating the specific sections of the Zoning Ordinance for which you are seeking a text change, or which new sections of the Zoning Ordinance you are seeking for the City to add to the text.

Zoning Ordinance Section Number	This section presently states the following (this does not apply to a new section):	I request the Zoning Ordinance text to be amended in the following manner:
6-15-7-2	Community and cultural events of a nonprofit nature intended primarily for residents of the City and amateur athletics events shall be permitted.	Community and cultural events intended primarily for residents of the City and athletics events shall be permitted.
6-15-7-2	Attendance at such events is limited to ten thousand (10,000) persons or less.	Attendance at such events is limited to 7000.
6-15-7-2	No more than seven (7) such events shall be held in any calendar year.	No more than six (6) single-day events and a seventh (7th) multi-day event (not to exceed seven (7) days in duration, and that would require special permission from the City of Evanston) shall be held in any calendar year.
6-15-7-2	Adequate university parking is available and is provided to all persons attending the event.	Free University parking is available and is provided in the U2 district to all persons attending events (as defined in this ordinance) until all car parking spaces are full.
6-15-7-2		The provisions in this text amendment will expire two years after its approval, unless the City Council affirmatively votes to renew this amendment.
6-15-7-2		No activities related to special events shall occur between 10:00 p.m. and 7:00 a.m. from Sunday evening to Friday morning, and between 11:00 p.m. and 7:00 a.m. from Friday evening through Sunday morning; with the exception of event setup and breakdown procedures which shall not exceed thirty minutes before or after the aforementioned times.

Copy this form if necessary for a complete listing.

8. PROPOSED AMENDMENT

Please describe the reason for the proposed zoning ordinance text amendment.

Northwestern University is submitting an amendment to ordinance 6-15-7-2 in order to host events at the existing Northwestern Athletics facilities. Northwestern has been consistently approached to host events that would benefit not only the University but also the City of Evanston and members of the community. The revenue generated through the amusement tax, parking tax, and ancillary benefits to restaurants and hotels has great potential to create long term benefits.

9. STANDARDS

The amendment process is not intended to relieve particular hardships nor to confer special privileges or rights upon any person, but only to make adjustments necessary in light of changed conditions or changes in public policy (§6-3-4-1 of City Code). The Zoning Ordinance establishes standards that "the City Council should ... consider, among other factors." (§6-3-4-5)

Explain how the petitioned amendment relates to or satisfies each of the following standards.

- (A) How is the proposed amendment consistent with the goals, objectives, and policies of the Comprehensive General Plan¹, as adopted and amended from time to time by the City Council?

The proposed changes are consistent with the distinct character of the Evanston community. These changes would make Evanston a more vibrant and attractive destination for visitors, and bolster Evanston's reputation as a regional entertainment destination. Additionally, these changes would build on Evanston's unique physical, economic, and cultural strengths, thereby enhancing the quality of life for all residents in Evanston.

¹ Available from the Planning and Zoning Division.

(B) In what ways is the proposed amendment compatible with the overall character of existing development in the immediate vicinity of the subject property?

N/A _____

(C) Will the proposed amendment have an adverse effect on the values of adjacent properties and why?

The proposed amendment will not have an adverse effect on the values of adjacent properties because there will be no structural changes to the property or land, and the facility will be used for family fun events that are consistent with the mission and values of the University.

(D) What change to existing public facilities and services, if any, will be required to serve the effects of the proposed amendment?

There will be no changes.

I certify that all of the above statements and all statements, information and exhibits that I am submitting in conjunction with this application for relief from the requirements of the Zoning Ordinance or for an appeal from the Zoning Administrator's decision are true to the best of my knowledge.

Maureen Palchak _____
Applicant's signature

5/4/19
Date


Applicant's signature

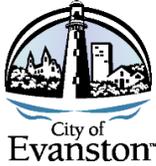
COMMUNITY DEVELOPMENT DEPARTMENT – PLANNING AND ZONING DIVISION

2100 RIDGE AVENUE, ROOM 3202 EVANSTON, ILLINOIS 60201

☎ 847-448-4311 📠 847-448-8126 📧 zoning@cityofevanston.org 🌐 www.cityofevanston.org/zoning

CURRENT ANNUAL EVENTS HOSTED IN WELSH RYAN ARENA
Permitted under current ordinance

Event	Amount/year	# of attendees	Time of year
Northwestern Men's Basketball	18	Up to 7,039	Nov.-March
Northwestern Women's Basketball	17	~1000	Nov.-March
Northwestern Wrestling	8	~700-900	Nov.-Feb.
Northwestern Volleyball	16	~1000	Sept.-Nov.
Northwestern Graduations	1	~7,000	June
A&O Fall concert	1	~3000	October
Three High School Graduations	3	~5000	May/June



MEETING MINUTES

PLAN COMMISSION

Wednesday, September 11, 2019
7:00 P.M.

Evanston Civic Center, 2100 Ridge Avenue, James C. Lytle Council Chambers

Members Present: Colby Lewis (Chair), Peter Isaac (Vice-Chair), Terri Dubin, Carol Goddard, John Hewko, Jane Sloss

Members Absent: Jennifer Draper, George Halik, Andrew Pigozzi

Staff Present: Scott Mangum, Planning and Zoning Manager
Meagan Jones, Neighborhood and Land Use Planner
Hugh DuBose, Assistant City Attorney

Presiding Member: Chairman Lewis

1. CALL TO ORDER / DECLARATION OF QUORUM

Chair Lewis called the meeting to order at 7:04 P.M.

2. APPROVAL OF MEETING MINUTES: August 28, 2019

Commissioner Isaac then made a motion to approve the minutes, seconded by Commissioner Dubin. The Commission voted, 6-0, to approve the minutes of August 28, 2019.

3. OLD BUSINESS (Continued from August 28, 2019 and August 7, 2019)

A. Text Amendment

**Special Events in the U2 District 19PLND-0032
A Zoning Ordinance Text Amendment pursuant to City Code Title 6, Zoning,
to Section 6-15-7-2 of the Zoning Ordinance, to revise permitted uses of the
U2 University Athletic Facilities District.**

Ms. Jones provided an overview of the proposed text amendment, highlighting revisions Northwestern University made to its application since the item was last discussed. These changes included providing parking for free to address parking concerns and adding time restrictions on when events could occur and how long set-up and take-down time could be.

DRAFT- NOT APPROVED

Mr. Mike Polisky, Deputy Athletic Director for Northwestern, gave a brief summary of what Northwestern University is proposing, stating that there will be a limited number of concerts and athletic events over two years and that there have been two open forums with residents regarding the proposal with changes being proposed based off of comments received. He then introduced Mr. Dave Davis, Executive Director of Neighborhood and Community Relations for Northwestern University.

Chair Lewis opened the hearing to questions from the public. A total of 20 people spoke with the following questions:

- Joe Hill inquired if Northwestern had spoken to residents since the August 7th Plan Commission meeting and if the lack of specifying “up to the capacity of the venue” is a way to subvert the zoning code. Mr. Davis responded, acknowledging the concerns of not communicating often enough and stating that Northwestern began the process in January. They have spoken at ward meetings and hosted open forums in which comments were received and considered as part of revised applications. Mr. Davis added that he understands that there may be adverse effects. A maximum of 7,000 people is proposed for events and that cannot be changed due to venue size, there is no plan to expand and there will be measures taken to mitigate effects including additional security, monitoring emergency response times, working with the City on traffic and trash pickup following events. Northwestern has attempted compromise to move forward but will not withdraw its request.
- Mike Vasilko stated he is an architect and planner and asked what data or impact study has been provided to support statements made by Northwestern regarding improving the quality of life and parking. Ms. Jones responded that there were no requests made for marketing studies showing change in property values. Much of what was looked at was existing events and how those have affected traffic but no official traffic study was submitted.
- Yvi Russell asked if any tickets would be sold at the door and if the intent is to presale to Evanston residents and not need to open sales to the public. Ms. Russell then inquired about the sunset provision requesting that a written impact of the events on the neighborhood be submitted and that neighbors be able to provide feedback. She then asked if different events could occur in one day, If Northwestern will attempt to avoid conflicting with City events, if acts would be determined by the sponsor or the act itself, and clarification on if the 7 day events could be multi-day events. Mr. Polisky responded that Northwestern anticipates offering tickets to Evanston residents and opening remaining tickets to the general public. He added that once permission has been granted to hold the events, the clock will start so there has been no ability to plan events at this time but he would be happy to provide a report. The intention for events is to have single events and not breaking it up to have 2 in one day. Mr. Polisky then stated that there is not a lot of influence regarding concerts, it is a work in progress and that there will be the ability to hold 6 single day events and one multi-day event which would need to have City approval.

Page 2 of 17
Plan Commission Minutes 9/11/19

DRAFT- NOT APPROVED

- Geary Kull asked if residents that signed petitions had been talked with, for clarification on the number of parking spaces on the site and if there could be other locations for concerts. He added that what is proposed is not considered educational. Ms. Jones stated that staff is always open to talking to residents and has received a number of calls, emails and documents that are a part of the record. Mr. Polisky stated that there are roughly 1,500 parking spaces with the recent repaving. Seat kills within the arena will vary depending on the concert and most attendees come with more than one person which cuts down on needed parking. Hope that opening spaces for free will help with the demand. Lakefront University facilities do not have needed capacity for concerts. He added that the ordinance change would reduce possible event days from 35 to 13. Mr. Davis then spoke briefly regarding alignment with the educational mission and stated that it is invested in the Community and strengthening the relationship between the City and the University.
- Mary Rosinski inquired how the events would compare with Dillo Day and provided information on hospital visits of attendees in recent years. She inquired if that event could then be moved, how security would be addressed and how many parking spaces exist for lakefront events. Mr. Mangum provided parking information stating that north center structure has 1100 spaces, south visitor center has 435, and the south deck has 492 spaces. Mary Rosinski then asked if economic studies had been read through. Ms. Jones stated that all documents that had been submitted to staff have been included within the Commission's meeting packets.
- Joyce Zeiss asked for the athletic department to provide projections on possible revenue from events. Mr. Polisky replied that Northwestern knows the general math behind the revenue equation but does not have exact numbers. There would be tax revenue generated from the use. The Chamber of Commerce has some information regarding this but no full study has been done.
- Lynn Trautmann asked if the word "indoor" had been added to the proposed amendment. Ms. Jones replied that the actual phrase "indoor" had not been added. She then stated that the number of people keeps this location from becoming Wrigleyville and should be added. Chair Lewis stated that the Commission can recommend adding that language to the amendment.
- Ken Proskie asked for clarification on the number of parking spaces. 2,000 spaces mentioned previously, now 1,500. He counted 1,359 spaces.
- Stewart Gutsman asked if there would be any willingness to use the parking within the new welcome center on campus for concerts, if there had been any inquiries on the desire of the Evanston community for the proposed use and if there are comparable events instead of Canal Shores which is smaller. Mr. Polisky stated Northwestern will run shuttles, monitor parking and provide the shuttle for free. He then referenced the Chamber of Commerce study for economic effects and desire and stated that no comparable events had been looked at.
- Mark Rosati inquired about enforcing parking on the City's end. Ms. Jones

Page 3 of 17
Plan Commission Minutes 9/11/19

DRAFT- NOT APPROVED

responded that it is difficult to address that from a pure zoning perspective but the City recently approved parking changes in terms of pricing and providing parking on Poplar Ave. for game day events. This could be a part of Special Event Committee logistics considerations especially for different events with different needs.

- David Staub inquired about involvement of the Special Events Committee and parking by the hospital. Mr. Polisky stated the hospital will be provided with a schedule of events and the hospital vacates the parking lot when needed.
- Laurie Keenan asked what will be done for the children of Evanston to ensure there is not an issue with concerts and alcohol and how will this differ from Dillo Day which has gotten worse over the years.
- Christina Brandt stated that Northwestern has had nefarious actions in the past and asked why Welsh-Ryan Arena was not specifically named and why the sunset clause does not include the public. Mr. DuBose responded that the amendment as written would go through the review process and at minimum go before City Council. Commissioner Isaac added that after 2 years, Northwestern would need to seek a new amendment and stated that it would be appropriate to state a specific expiration date. Mr. Davis stated that he is fine with the language change and that the intent is to hold events at Welsh-Ryan arena. Initially the proposed language included Ryan Field and the community wanted just Welsh-Ryan arena. The concern was if it were limited to just that it could affect current events that are held there.
- Christina Brandt asked why the Commission would vote different than its predecessors and it should be prepared to answer.
- Jill Kidd asked how Northwestern will prove ability to hold these events, what data and metrics will be used, how will the City benefit and how the reporting could be codified. Mr. Polisky replied that there will be collaborative meetings with neighbors for concerns, attendance and expected revenue. Will work with Kellogg on those metrics but knows revenue and impact will depend on the event. Allstate arena has also been consulted to get a feel for how concerts and promotions would work. He is happy to employ new language within the code.
- Susan Blatz asked about what studies were provided and if they were consulted. Ms. Jones responded that the information submitted by Yvi Russell addressed economic impacts and were included in Commission information packets. She then asked why a zoning ordinance change is being considered. Chair Lewis responded that Northwestern owns property and is seeking modifications regarding land use. He added that the Commission will address the studies and what is addressed during deliberation.
- Ted Trautmann inquired about the language “enclosed” not being added and if it could be. Chair Lewis replied that an amendment could be made addressing that language and be a part of the recommendation to City Council.
- Elizabeth Horner stated that at the previous meeting it was stated that the events would have a positive impact on restaurants and businesses, and asked if any study had been done to support that statement. She then referenced that the

DRAFT- NOT APPROVED

arena offers 36 food vendors and if the possible effects had been considered. The Chamber of Commerce will address those issues.

- Dana Caspall inquired about the impact on children and if Northwestern and the City considered the effects of these events on young children. Ms. Jones stated that impacts on children was not separated out but consideration for timing of events, set up and take down was included. The Special Events Committee could look at various aspects regarding logistics, noise, impact to City property, etc. Residents do have a say and could submit comments to staff or the alderman that could be forwarded to the Committee. Ms. Caspall then asked if the financial benefits were considered. Ms. Jones said no, that it was not a part of the report and not in the purview of Planning and Zoning or Plan Commission review. She asked if Northwestern would be amenable to adding a parking ban within a mile of the stadium for anyone other than residents and their guests. Mr. Davis replied that the Northwestern cannot authorize a parking ban on public property but can provide a recommendation to Council.
- Amanda Bratten asked what is looked at when recommending change. Chair Lewis stated that the short answer is the proposals must be weighed against the standards for approval of amendments. Ms. Barton asked what will happen in 2 years at the end of the trial period. Ms. Jones replied that staff and the Commission cannot state for certain what will occur but that if there are certain changes such as large increase in attendees additional review would need to occur. Dave Davis added that Northwestern will not expand the use of its facilities to 40,000 people.
- Sarma McBride, a Wilmette resident, stated she is impacted greatly by current events and asked if the restrictions and reimbursement of expenses could be applied in Wilmette. Mr. Davis responded that he has talked with Wilmette and has looked into offsetting its costs.

Chair Lewis opened the hearing to questions from Commissioners. These included:

- Commissioner Hewko explained the “give and get” of the proposed amendment including the number of possible event days being reduced from 35 to 13 days, City approval being required for multi-day events, maximum event attendees being reduced from 10,000 to 7,000, free parking being provided, time limitations have been added and the proposed changes would sunset after 2 years. He then asked if the 4% Amusement Tax and 12% sporting tax would apply or be increased. Mr. DuBose responded that an increase would require a change to City Code and Council approval.
- Commissioner Isaac asked how many total spaces would be allotted for free parking and how many would be within the U2 zoning district and if Northwestern would be opposed to prohibiting tailgating before and after events. Mr. Polisky responded that Northwestern could commit all existing parking spaces in the U2 and will commit additional spaces, of the 3,800 total, with shuttles for temporary events. He cannot commit all of the University’s parking spaces. He added that he would support prohibiting tailgating.

DRAFT- NOT APPROVED

- Commissioner Sloss asked if the costs incurred by the City are transferred to the applicant and the average attendance at games. Mr. Polisky responded that they are. He added that there are 6,800 attendees at basketball games with a 7,039 seat capacity Welsh-Ryan arena.
- Chair Lewis asked if there have been similar University events hosted in this area. Mr. Polisky responded that there are volleyball games, wrestling events, basketball games with a capacity of 7,039 seats. Men's basketball has the highest average attendance.

Chair Lewis opened the hearing to public testimony. There were several presentations and people speaking on behalf of organizations as well as 16 individuals who spoke in addition to those presenters. The presentations included the following:

- Ken Proskie, representing neighbors east of Ryan Field. Mr. Proskie's presentation showed other Big 10 schools and the surrounding areas. The information showed that Northwestern University has twice as many residences surrounding its sports arenas than all other Big 10 schools. He explained that there is a parking deficit with other locations having 1 parking space per 2.6 seats versus Northwestern providing 1 parking spaces per 5.2 seats. As a point of reference for attendees who may use public transit, he added that between 8% and 12 % of Ravinia attendees use public transit.
- Laurie McFarlane, with North Evanston Watch, provided a presentation showing zoning use differences with Northwestern having a history of bad behavior. She added that Northwestern has not met the standards for approval of a text amendment.
- John Nader of Economists for Growth provided economic data and stated that the proposal does not make economic sense. He stated that a survey was done of professors with majority stating that events such as those proposed would be a drain on the surrounding area. He added that an economic impact presentation should be provided that demonstrates a halo effect from attendees as it likely does not apply to this area.
- Yvi Russell provided a presentation of possible effects and impacts. She provided a history of the property and Northwestern's past event activities noting violations with Northwestern hosting professional events. She also noted the code violations on the east parking lot and that stated that the City should not trust Northwestern's proposed amendment.
- Roger Sosa of the Evanston Chamber of Commerce provided information on a survey conducted by the Chamber regarding the proposal and various aspects of the Arena. The survey was open for one month. Based on the responses received 70% would be in favor, 20% would not and 10% were unsure. He added that there is conflicting data on possible impacts of the proposed amendment and conclusions have depended on assumptions. The amendment could be a "shot in the arm" economically and expose the City to new visitors who visit businesses.

Page 6 of 17
Plan Commission Minutes 9/11/19

DRAFT- NOT APPROVED

Chair Lewis asked for a motion for a brief recess. Commissioner Isaac motioned for a 5 minutes recess and Commissioner Goddard seconded the motion. The Commission recessed at 10:29

Commissioner Goddard made a motion to reconvene the meeting, seconded by Commissioner Isaac. The meeting reconvened at 10:35

Public testimony continued with individual testimony from residents. The comments included the following:

- Joe Hill expressed his belief that the text amendment is a ploy to avoid going through the map amendment process and that if the amendment is approved, the City would lose the ability to review.
- Margaret Faust stated that the amendment is inconsistent with the Commission's pledge and that there would be negative effects. Events are not all created equal and the hours are inconsistent with the surrounding neighborhood and would encourage tailgating. She encouraged the Commission to vote no.
- Mary Rosinski stated that the amendment process is not intended to relieve hardships or confer special rights onto individuals. She added that she disagrees with statements regarding increased property values. The issues are about trust and she encouraged the Commission to send the amendment back to staff for further review.
- Ted Trautmann stated that only amateur events are allowed due to the location within a residential area. Neighbors have rejected previous attempts to hold professional events. Nothing has changed this time except a renovated stadium. He encouraged the Commission to reject the amendment.
- Joyce Zeis stated that concerts are determined to be impactful. They should occur on infill property with new buildings, which would be a compromise.
- Andrew Samiak stated that he moved to Evanston from Austin, TX and went to Michigan State and worked in events planning for the Breslin Center. He stated that there are cultural events that add value and to say those type of events do not add value is a misstatement. He mentioned well known acts that have booked other university spaces such as UIC pavilion (a 9,500 seat venue) in Chicago. He referred to local businesses from the petition against the amendment and noted that only 10 are open after 6:00 PM and 5 of those are located over a mile away from the site. He provided information on event attendance at Michigan Stadium and stated that it is misleading to say that stadium and its events do not affect the outside community there.
- Stewart Gottsman expressed that there is crowding in the neighborhoods during events. He asked that Northwestern and the Commission listen to the residents and send the proposed amendment to the Zoning Committee.
- Amanda Braton shared that her home backs up to the back of the stadium. She felt protected by the existing zoning and is against the proposed change.

DRAFT- NOT APPROVED

She added that she is a voice for mothers and the proposed change poses safety issues that are of concern. Approving the amendment would open the door to other changes in zoning.

- Mark Rosati expressed strong opposition to the amendment and mentioned the UIC pavilion mentioned by a previous resident, stating that that space is on campus and is a different type of area. He believes this is a misguided proposal.
- Bob Cruse stated that he was hit by a car as a child on Ashland Ave. and has concerns for traffic safety. He is less concerned with Northwestern making money than the loss of property values and asked if Northwestern could simply ask for a variance for events. He added that it appeared that some slides were based on the center of the U2 district and not the property lines.
- David Straub stated that the first 3 presentations were good and he agrees with them. He does not believe that Northwestern has met the burden of proof and that review would be limited to logistics versus getting a full permit from the Special Events Committee.
- C. Brandt stated opposition to the amendment and that there are no benefits to offset the impacts. The District is bordered by residents on all 4 sides. Concern over the introduction of alcohol sales at the arena. There are already a number of cultural events in Evanston, is there a need for revenue in the form of using this land?
- Jill Kidd stated opposition and supported other comments. She added that the revenue mentioned for local business is not new spending and no substitution was taken into account. She added she had less concern of noise within the stadium than traffic noise and an entertainment center is not a standard.
- Susan Blatts stated support of presentations in opposition to the amendment and that Northwestern has not met the burden of proof. Entertainment should be provided downtown.
- Maria Topper stated that she loves Evanston and the neighborhood and has safety concerns. There is a lack of parking on game days and it is reckless to bring in events without proper infrastructure.
- Kat O'Reily stated she was impressed by the resident presentations

Chair Lewis closed public testimony and asked for further comments and questions from the Commission.

Commissioner Isaac asked if Evanston Police Department presence is reimbursed. Mr. Davis responded that the cost is reimbursed and the City passed an ordinance to require reimbursement of all overtime activity

Commissioner Isaac then referenced Wrigleyville stating it is his understanding that the Chicago Cubs send staff into neighborhoods to clean up, and if Northwestern is open to doing something similar. Mr. Davis responded that trash receptacles are provided for events. Mr. Polisky added that there is investment made to ensure the

DRAFT- NOT APPROVED

neighborhood is returned to the way it was prior to the event and Northwestern would be open to having additional conversations though no complaints are made.

Commissioner Isaac asked if there was any thought to having open air concerts on the lakefront versus an indoor facility similar to Evanston Space in Canal Shores or Grant Park in Chicago. Mr. Polisky has stated that at this time concentration has been on existing indoor space and outdoor concerns have not been considered.

Commissioner Isaac then asked if the proposed change is required to have a Paul McCartney level artist play at Welsh-Ryan arena. Mr. Polisky stated that it is his understanding that, per the ordinance, the change is required in order to have a for-profit event. Some other events have been student led and non-profit in nature. Attempting to pursue in the right manner.

Chair Lewis asked if the language is being changed to for-profit or professional events. Ms. Jones replied that the proposed amendment would open Northwestern's facilities to both professional and for-profit events. The current amendment strikes non-profit from the regulations. Commissioner Isaac asked if "amateur" and "non-profit" address the same thing. Ms. Jones replied that that is essentially the intention.

Laurie McFarland stated that sporting events are considered an integral part of the college experience and not in question whether profit is made or not.

Commissioner Hewko inquired about the language stating "intended primarily for residents of the City", is Northwestern arguing that giving first access to residents addresses that intention. Mr. Polisky replied yes, that is the intention.

Commissioner Hewko then asked if there is a definition for athletic events and if there could be different interpretations going forward. Ms. Jones stated that there is not a definition for athletic events or language that specifically lists what sports would be included in that.

Chair Lewis asked for closing remarks from Northwestern. Mr. Davis thanked the Commission and residents for the ability to present the proposal to do something that Northwestern may believe is simple but may also have impacts to the neighborhood. He added that there will be measures taken to mitigate possible effects, including foot patrols, traffic management, litter services and trash pickup as well as ongoing conversations will occur with residents. He acknowledged that there has been a confrontational relationship between Northwestern and the City that has improved though there is some lingering distrust from some residents.

Chair Lewis closed the public hearing and the Commission began deliberations.

Chair Lewis asked if the attempt to limit noise is more or less stringent than the

DRAFT- NOT APPROVED

City's noise ordinance. Ms. Jones stated that Northwestern would have to comply with current noise regulations. Mr. Mangum added that in Title 9, the noise regulations are stated some of which 10:00p to 7:00a Sunday through Friday, Friday to Sunday 11:00p to 7:00a. Construction activity (set up and take down) is limited to 7:00a and 9:00p weekdays and 8:00a to 5:00p on Saturday.

Chair Lewis acknowledged that, per the current code, there are 35 possible days that could be used for amateur and nonprofit events; if those events were available those days would be used. The real issue is professionalism makes more events available so more days could be used.

Commissioner Isaac stated that there would be a net of 11 more days outside of the 2 current one day temporary events that are held. He then added that he has a number of suggested amendments to what is proposed including: adding language regarding having the events indoors, leaving "amateur athletic events" within the proposed language, having the University provide notice when a special event is planned, making it clear that at least 2,000 parking spaces should be provided with 1,300 of those spaces available within the U2 district, no loitering pre or post event, and having a definitive date for the end of the 2 year trial period of December 31, 2021.

Chair Lewis asked for clarification on how the Commission could vote on proposed amendments to the proposal. Mr. DuBose replied that it would make sense to review and discuss the full amendment and if needed address amendments to the full proposal.

Commissioner Sloss stated that she generally agrees with Commission Isaac and added that more information on possible home depreciation and certainty of an event schedule may help. She is open to eliminating City of Evanston approval to specifically say City Council approval and clarifying the expiration of the trial period to a specific date.

Commissioner Goddard expressed that she is uncomfortable with requiring 2,000 spaces as there is a lot of access to public transportation and that amount of required spaces may be excessive. She had no issues with professional events.

Commissioner Hewko stated that regulations should specify that events are indoor only and there should be no tailgating permitted for the events, however, the requirement of 2,000 parking spaces seems excessive. Would not strike "amateur" events from the proposed language. Would also require City permission for all events.

Chair Lewis suggested having City Council review would provide some control on the type of event and inquired about the Special Events Committee review. Mr.

DRAFT- NOT APPROVED

DuBose clarified the process for the Special Events Committee and stated that Director Hemingway is amenable to including these events for Special Events Committee review.

Chair Lewis asked what the difference is between amateur versus professional. Certain audiences may be more disruptive but that is not predicated on professional versus amateur events. Commissioner Isaac stated that he ties the multi-day event single day events together. He added that a 7-day tennis event could be considerably more disruptive than a single day evening concert. He is not in favor of multi-day events but that could be done after a 2 year testing period for single-day events.

Commission Sloss asked if Commissioner Isaac is more opposed to multi-day events versus professional would he be open to professional single day events and striking multi-day events. Commissioner Isaac stated he would be open to that but would then prefer that City Council approval be required for all events not just multi-day events.

Chair Lewis spoke regarding studies mentioning that traffic would likely be similar to that of existing events but that an economic analysis could be done to demonstrate a need. Commissioner Goddard disagreed on the former point, stating the Commission does not make decisions based off of economics.

Chair Lewis stated that there is a benefit to having local events versus having to travel to a new location. Chair Lewis then asked if it is necessary to have the use at this site and if it could be at a different Northwestern location and be less impactful.

There was then some discussion regarding including specific dates for the sunset provision and when the date could be set.

The Commission then reviewed the standards for approval of amendments and agreed that standard one is met due to the language not seeming to increase the intensity of use. There was some disagreement on standard two with compatibility being possible if the proposed language is modified and other items considered. The Commission generally agreed that standard three was met with conflicting evidence of effects of nearby property values. The Commission agreed that, with modifications, the fourth standard of adequate utilities and services could be met.

Commissioner Hewko made a motion to approve the text amendment as presented by staff. Seconded by Commissioner Goddard.

Commissioner Isaac made a motion to amend the proposed amendment to retain the word "amateur" in the amendment. Seconded by Commissioner Dubin. A voice vote was taken and the motion failed by a 1-5 vote.

Commissioner Isaac made a motion to amend the proposed amendment to provide written notice to residents within 500 feet of the site within 5 days of approval of special events. Seconded by Commissioner Hewko. A voice vote was taken and the motion passed by a 5-1 vote.

Commissioner Isaac made a motion to amend the proposed amendment to provide free 2,000 parking spaces with 1,300 spaces being within the U2 district. Seconded by Commissioner Sloss. A voice vote was taken and the motion passed by a 4-2 vote.

Commissioner Isaac made a motion to amend the proposed amendment to prohibit loitering before and after events. Seconded by Commissioner Hewko. A voice vote was taken and the motion passed by a 6-0 vote.

Commissioner Isaac made a motion to amend the proposed amendment to limit events to no more than 7 consecutive days. Due to lack of a second, that motion failed.

Commissioner Isaac made a motion to amend the proposed amendment to provide an ordinance expiration date of December 31, 2021. Seconded by Commissioner Sloss. A voice vote was taken and the motion passed by a 4-2 vote.

Commissioner Isaac made a motion to amend the proposed amendment to remove language referring to City of Evanston extension of the ordinance. Seconded by Commissioner Sloss. A voice vote was taken and the motion passed by a 4-2 vote.

Commissioner Isaac asked for suspension of the rules to ask a question regarding the number of outdoor events and attendance. Mr. Polisky responded that the Run for Walk event has approximately 1,000 participants, the Meet the Team event has 800 participants and the community movie in Ryan Field attracts approximately 2,500 participants.

Commissioner Isaac then made a motion to amend the proposed amendment to limit indoor event attendance to 7,000 people and outdoor event attendance to 3,000. Seconded by Commissioner Hewko. A voice vote was taken and the motion passed by a 6-0 vote.

Commissioner Hewko made a motion for all events to be approved by the City Council. Seconded by Commissioner Isaac. A voice vote was taken and the motion passed by a 5-1 vote.

Commissioner Isaac then made a motion to approve the proposed text amendment as amended. Seconded by Commissioner Sloss. A roll call vote was taken and the motion passed, 4-2.

Ayes: Dubin, Isaac, Sloss, Hewko

Nays: Goddard, Lewis

4. NEW BUSINESS

A. Planned Development

1012-1018 Church Street (Northlight Theatre) 19PLND-0075
Northlight Theatre, applicant, proposes to construct a 29,860 sq. ft. Cultural Facility, live theater performance venue, with a 312 seat main stage, rooftop entertainment deck, and a building height of 43 ft. The following site development allowances are requested: 1) Providing zero off-street parking spaces where 34 are required, and 2) A 2 ft. setback from the street frontage property line at the first floor where a zero setback is required (a new building is required to be built to the street frontage up to a minimum building height of 24 ft. but not more than 42 ft.). The property is located in the D3 Downtown Core Development District.

Mr. Mangum provided an overview of the proposed planned development, explaining the site development allowances, public benefits and staff recommendation for the project.

Mr. Tim Evans of Northlight Theatre, then gave a brief presentation of the proposed project describing the façade and building offerings. He then introduced Mr. Craig Smith, architect, who provided additional details on the building, including the ground floor layout and entries, 2nd level administrative offices and balcony, 3rd level rehearsal hall, and lower level stage traps and pump room. He then reviewed the overall site plan, sharing the intention to have patrons utilize public transit and nearby city garages. Buses for student visitors would utilize a loading space on Oak Avenue.

Janet Mullet then gave an overview of the economic impact, including \$55 million in new spending in the first five years of the theatre being open in addition to \$427,000 in new city taxes and 115 full-time equivalent jobs being created.

Mr. Evans then explained some of the existing charitable partnerships Northlight Theatre has with other organizations and briefly described some of the existing site conditions.

Chair Lewis opened up the hearing to questions from the Commission.

DRAFT- NOT APPROVED

Commissioner Goddard inquired about the removal of two parking spaces in front of the Church Street entrance. Mr. Smith responded that Northlight intends to direct patrons to parking garages and is not looking to use that area as a drop-off space. There is a side door off of the west alley adjacent to the City lot that can be used as an accessible entryway. Commissioner Goddard stated that the plan will require a lot of education of patrons and if there is valet service proposed. Mr. Smith replied that valet service is planned for parking.

Commissioner Sloss asked if the café and patron space will be open every day. Mr. Evans responded that it would be open and the hope is to create a gathering space for meetings and programming during the day.

Commissioner Isaac inquired about the roof deck use. Mr. Smith stated that it will primarily be a rehearsal hall. There will be some programming and occasionally be an event space for 20-225 people, likely not on a regular basis but 5 to 7 times per year.

Commissioner Isaac then inquired about the parking lot used by The Barn. Mr. Smith responded that The Barn is to remain operating during construction and that its rear parking will be removed; Commissioner Isaac then inquired about the alley entry access. Mr. Evans responded that the entry will be open when the building is open.

Commissioner Isaac asked how many performances are anticipated per week and how much lead time is needed for patrons. Mr. Evans responded that there are matinee shows on Wednesday, Saturday and Sunday at 1:30 or 2:00pm and Tuesday through Sunday performances at 7:30 or 8:00pm; patrons arrive 30 minutes prior at the earliest.

Commissioner Hewko asked about the economic benefit for the temporary construction period. Mr. Smith stated there will be a 14 to 15 month construction duration. Ms. Janet Mullet provided a summary of the 25 year impact study completed in July, including \$15,000,000 in materials and \$13,000,000 in new labor

Chair Lewis asked for clarification on the accessible entry off of the alley and whether or not the front entry was accessible. Mr. Smith responded that the front entry is fully accessible and the alley entry was an alternative to stopping to drop off a patron needing an accessible entrance on Church Street. Chair Lewis then asked if one set of doors would be adequate for 300 patrons. Mr. Smith responded yes, that this has worked in the current theatre location, and from experience, there is a gradual exit with people tending to linger.

Chair Lewis suggested placing a handicapped space on Church Street near the front entry.

Chair Lewis then opened the hearing to questions from the public.

DRAFT- NOT APPROVED

Marty Class, nearby property owner spoke in favor of the project and stated his appreciation of Northlight's work with other organizations. He then inquired about the surface parking lot at 1621 Oak St and whether that would be a part of the project as there had been discussion of taking over the lot for construction and possibly purchasing it in the future. Mr. Smith replied that had at one point been considered but is no longer being considered as part of this proposal. Mr. Evans described earlier plans that had two phases: Phase I is construction of the building at 1012 Church. Phase II would be to build a second stage for performances but that is not proposed at this time and would be years away and dependent on fundraising. Parking in that case would be retained and be partially subgrade.

Mr. Evans provided a closing statement expressing that Northlight Theatre hopes to have a marriage of art and commerce and is excited to be coming back to Evanston. Heavy fundraising is planned and groundbreaking would be in 2021 or 2022 with the building being constructed a year from that time.

Chair Lewis closed the public hearing and the Commission began deliberation.

Commissioner Goddard stated that she loved the building. Her concern is with permanently losing the 2 parking spaces in front and suggested that valet be incorporated on a part time basis there.

Commissioner Isaac stated that Fridays and Saturdays, the area is crowded but he is not overly concerned with that. Overall, a great project but expressed that removal of the 1621 Oak parking lot would be negative.

Commissioner Dubin stated that this is a great project, a great building and function. She added that there is an underutilized parking lot on the south side of the alley further east of the site.

The Commission reviewed the standards for approval of a special use, planned development, and planned development in the downtown districts.

Commissioner Goddard made a motion to approve the proposed development as presented by staff. Seconded by Commissioner Isaac.

Commissioner Isaac then asked for an amendment to be added to include a restriction from using 1625 Oak lot as part of the valet service. Commissioner Dubin seconded that motion. A voice vote was taken and the motion failed 3-3.

A roll call vote was then taken on the original motion which passed, 6-0.

Ayes: Dubin, Hewko, Isaac, Goddard, Lewis, Sloss

Nays:

B. Map Amendment

Howard Street Rezoning

19PLND-0080

A Zoning Ordinance Map Amendment pursuant to City Code Title 6, Zoning, to rezone properties located at 951-1125 Howard Street from the C1 Commercial District to the B2 Business District.

Commissioner Sloss made a motion to continue the item to the September 25, 2019 Commission meeting. Seconded by Commissioner Isaac.

A roll call vote was then taken on the original motion which passed, 6-0.

Ayes: Dubin, Hewko, Isaac, Goddard, Lewis, Sloss

Nays:

C. Text Amendment

Accessory Recreational Cannabis Use

19PLND-0078

A Zoning Ordinance Text Amendment pursuant to City Code Title 6, Zoning, to create definitions for recreational and medical cannabis related uses, establish any applicable general provisions for such uses, establish any applicable parking requirements for such uses, and amend the permitted and special uses in the Business, Commercial, Downtown, Research Park, Transitional Manufacturing, Industrial, and Special Purpose and Overlay zoning districts.

Commissioner Dubin made a motion to continue the item to the September 25, 2019 Commission meeting. Seconded by Commissioner Isaac.

A roll call vote was then taken on the original motion which passed, 6-0.

Ayes: Dubin, Hewko, Isaac, Goddard, Lewis, Sloss

Nays:

4. PUBLIC COMMENT

There was no public comment.

5. ADJOURNMENT

Commissioner Isaac made a motion to adjourn the meeting. Commissioner Dubin seconded the motion.

A voice vote was taken and the motion was approved by voice vote 6-0.

The meeting was adjourned at 1:48 am.

DRAFT- NOT APPROVED

Respectfully Submitted,
Meagan Jones
Neighborhood and Land Use Planner
Community Development Department

DRAFT

Page 17 of 17
Plan Commission Minutes 9/11/19



MEETING MINUTES

PLAN COMMISSION

Wednesday, August 7, 2019

7:00 P.M.

Evanston Civic Center, 2100 Ridge Avenue, James C. Lytle Council Chambers

Members Present: Colby Lewis (Chair), Peter Isaac (Vice-Chair), Terri Dubin, Carol Goddard, George Halik, Jane Sloss

Members Absent: Jennifer Draper, Andrew Pigozzi

Staff Present: Scott Mangum, Planning and Zoning Manager
Meagan Jones, Neighborhood and Land Use Planner
Hugh DuBose, Assistant City Attorney

Presiding Member: Chairman Lewis

1. CALL TO ORDER / DECLARATION OF QUORUM

Chair Lewis called the meeting to order at 7:02 P.M.

2. APPROVAL OF MEETING MINUTES: July 24, 2019

Commissioner Isaac then made a motion to approve the minutes as amended, seconded by Commissioner Goddard. The Commission voted, 5-0, with one abstention to approve the minutes of July 24, 2019.

3. NEW BUSINESS

A. Planned Development

1215 Church St.

19PLND-0069

YWCA Evanston/North Shore YWCA Evanston/North Shore submits for a Special Use for a Community Center - Public, and Recreation Center - Public, to allow for addition and expansion of the existing special use, and for a Planned Development to demolish two extant residential buildings and construct a 2-story entrance on the south facade of the existing administration center and pool building, construct a 4-story addition at the north end of the property, construct a 2nd-story addition to provide connection between the two structures, and to provide 78 parking spaces, in the R4 General Residential District. Site development allowances are requested for: 1) Parking located within the required 27' front yard setback where parking is not permitted, 2) Parking (loading

Page 1 of 11
Plan Commission Minutes 8/7/19

zone) located within the required 10' west interior side yard setback where parking is not permitted, 3) Impervious surface coverage of 75.5% where 55% is the maximum permitted, 4) Building height of 42.4' and 4 stories where 35' not to exceed 2.5 stories is permitted, and 5) Open loading zone located in the front yard where permitted to be located in rear yards. The applicant may seek and the Plan Commission may consider Site Development Allowances as may be necessary or desirable for the proposed development.

Mr. Mangum provided an overview of the proposed development and the allowances requested. Mr. Steve Bauer, attorney with Meltzer, Purtill and Stelle, then introduced the Karen Singer (President and CEO of YWCA), Shabnum Sanghvi (Vice-Chair Board of Directors for YWCA), Jim Kastenholz (The AT Group), Jack Schroeder (Landon Bone Baker Architects), Chris Hutchinson (Terra Engineering), Chris Neely (Terra Engineering), and Mimi McKay (McKay Landscaping). He then stated that the proposal had obtained a Certificate of Appropriateness (CoA) from the Preservation Commission and received a positive recommendation from the DAPR Committee. He then explained that the development includes a partial redevelopment of the site, certain elements will be removed and others will remain. Building height is the only site development allowance not associated with existing building constraints.

Ms. Shabnam explained the value of the YWCA and the proposed project. She gave a brief history of the site and stated that YWCA has served over 800 people yearly and over 2,000 students with a number of programs.

Karen Singer, CEO of YWCA, shared that the needs of the community have grown and changed and the YWCA has grown to meet those needs. The budget has also increased; however, the building footprint has not changed in 50 years. An assessment was done and feasibility study was done to determine whether or not the organization should remain in Evanston. The end result was a decision to remain and undertake improvements and expansion.

Mr. Kastenholz provided details on the proposed development. Parking is proposed in excess of the zoning requirements but is needed due to programming and events.

Jack Schroeder provided an overview of the site configurations and interior improvements. He emphasized that the family residential entry is now separate from general entry. There will be renovations to the aquatic space and classroom and office space added. Family living area will have shared laundry, kitchen and play area. He added that the glass area on the north façade is classroom space and intended to be more inviting. Lighting on site will be directed downward and mechanical equipment will be reviewed as it relates to noise.

Mr. Steve Bauer provided review of the building height and orientation. He stated that

DRAFT- NOT APPROVED

seven community meetings have been held as well as meetings with individual residents. City staff was present for at least one of those meetings.

Chair Lewis opened the public hearing to questions from the Commission.

Commissioner Halik asked how neighbors will be shown improvements to the façade. Mr. Mangum stated that the proposed project will be in front of Planning & Development Committee and will be before DAPR prior to issuance of a building permit.

Commissioner Isaac asked if the removal of stairs leading to Ridge Avenue was at staff's request. Mr. Mangum responded that staff made that request as Ridge is a busy street and having a mid-block crossing was not considered to be safe. Commissioner Isaac then asked for clarification on the lot orientation and setbacks. Mr. Mangum stated that staff considered Church Street to be the front yard and that the parking is within the 27 foot setback.

Chair Lewis stated that the parking would be considered an existing condition that cannot be expanded. Commissioner Halik responded that one could argue a different front yard setback.

Commissioner Goddard asked if there is a dire need for more domestic violence victim space, why is it limited to just the 3rd and 4th floors? Ms. Singer stated that the YWCA was hoping to keep a balance that is non-institutional and that would also require more staffing. Chair Lewis confirmed that what is proposed meets the need. Ms. Singer responded that it does.

Commissioner Sloss inquired about the distance from the building to the closest adjacent building. Mr. Schroeder responded that he did not know for certain. Mr. Mangum responded that the distance is approximately 60 feet.

Chair Lewis stated that the building is in an historic district and that demolition of the existing house was approved by the Preservation Commission. He then asked how that relates to the proposed building and how far back is it from Church Street? Mr. Bauer responded with clarification on where the historic district boundary is and compared the existing conditions to what is proposed.

Chair Lewis then inquired about the material palette. Mr. Bauer responded that there will be metal paneling on the addition and at the entry that is painted white. The overall façade of the development will be revisited.

Commissioner Halik stated that he has an issue with the site plan and mentioned the loading and trash being located next to adjacent homes. He also expressed concerns about the mechanical equipment. Mr. Bauer responded that placing the trash in the north lot does not make sense and that the building does not really have a backyard. He

DRAFT- NOT APPROVED

added that he has tried to figure out how the trucks could best maneuver on the site.

Mr. Bauer added that the site plan is presented differently from what is in the meeting packet. He mentioned that staff had concerns with access being off of Ridge and that currently the trash bins have no enclosure. Commissioner Isaac asked how many more bins are anticipated. Mr. Bauer responded that a 50% increase in bins is anticipated. There are currently 2 trash bins and 2 recycling bins.

Chair Lewis then made an announcement for the ability of homeowners within 1,000 feet of the proposed development to request a continuance. He then opened the hearing up to questions from the public. A total of 4 people asked questions, including the following:

- Dave Brannigan asked if the intent of the proposed fence to replace the brick wall and fence of the neighbor, if the current location of the trash will remain, and why his property does not have any landscaping relief. Mr. Bauer responded that all changes are intended to be on YWCA property and that additional trees and landscaping can be added. YWCA is working to confirm the trash location but it will likely be where it currently exists.
- Elizabeth Rack asked how the proposed development helps the historic district, how does the development not impact the surroundings as a planned development, and if it is possible to see renderings of other buildings along the Ridge and Asbury corridors. Mr. Bauer provided clarification on the district boundary and stated that the new entry is more welcoming. He added that the Preservation Commission had concluded that enough change had taken place to the house on the south lot that demolition had little impact. He then explained that there will be new landscaping, stormwater retention, new buildings and improved parking circulation. Renderings would need to be commissioned by the owner. Chair Lewis added that the mission of the YWCA could be considered a benefit of the proposed plans to the wider community.
- Tom Roland stated he appreciates movement of the trash enclosure and the Commission and staff working on the façade then asked what specifically will be changed, what the height of the separating wall will be, if there will be a study done to show renderings and impact, and studies regarding building orientation. Mr. Bauer explained that possible impact to the neighbors will be addressed. He added that the programming will not shrink and that as mentioned previously the team will be looking at materials and will revisit the wall height and various building orientations were looked at and considered.

Chair Lewis then asked for testimony from the public. A total of 6 people spoke and included the following comments:

- Mary McWilliams stated that the proposed addition lacks context with 1970's addition or the surrounding properties and that it looks more like a correctional facility. She also expressed disappointment in the approval for the house demolition and that there are other buildings constructed that respect

DRAFT- NOT APPROVED

surrounding properties. She supports further work on the façade.

- Mr. Brannigan expressed that he is bothered by early trash pick-ups and that increased bins are a negative impact.
- Ms. Rack stated that she echoes Ms. McWilliams' thoughts and added concerns regarding lighting levels and noise from the mechanical equipment, asking for clarification on how it will be mitigated.
- Mr. Roland stated that he appreciates the comments provided so far and that with the 19% increase in building space, an enhanced landscaping plan would be a good solution.
- Evelyn McGowan stated that she is happy that circulation is being addressed and that the existing house does not serve the shelter well. She added that echoing nearby historic structures does not always work and that a modern look works for new buildings that will stay for years.
- Joan Safford expressed concerns with the aesthetics of the rear building and tunneling connecting the buildings. She added that the district has lost contributing buildings and that changes can be made to better integrate the building into what exists.

Mr. Bauer responded to the comments saying that there is a repeated theme as it relates to aesthetics of the projects and that the YWCA intends to work with staff on the façade as well as the trash enclosure location and landscaping. A considerable amount of thought was put into the site and building orientation so it will likely not be changes.

Chair Lewis closed the public hearing and the Commission began deliberation.

Commissioner Isaac stated that he believes the project is a net positive but there are also some items that need more thought including landscaping to the west and trash pick-up. A condition should be added that trash pickup not before a certain time to address current issues and make sure there is no increase.

Commissioner Halik asked if the enclosure could be moved. He then stated that sound is an issue as our lighting issues but those can be mitigated. He added that the view from Asbury Ave, is important and the relationship between the two buildings is important. He suggested that the building be stepped back and that both color and materiality are important. He then expressed concerns that some zoning issues are being left to other committees, wondering if the group should come back to the Commission to present their changes.

Chair Lewis stated that the purpose of the Commission review is to provide a recommendation to the Council and there will be other opportunities to see the changes YWCA makes to the project.

Commissioner Goddard stated that Evanston is lucky to have the organization and that she supports the development but wishes it did not look as institutional.

DRAFT- NOT APPROVED

Chair Lewis stated that he does not think the building should mimic what exists but should be sympathetic. He referenced the addition done by the Catholic School on Ridge Ave. and encouraged something similar to be the goal. He agreed that the front entry could be more sympathetic. He cannot see many deliveries being an issue but stated that the commission cannot see there will be no detrimental effects if neighbors will be affected.

The Commission then reviewed the relevant standards for approval for the planned development and found that it met most applicable standards, however, there was disagreement on #4 for Special Use and #7 regarding the demolition of the historic house.

Commissioner Halik expressed concern of meetings being close together with little change able to occur between. Plan Commission seemed to be doing the same thing. He believes the architects are good but should also listen to the neighbors. Commissioner Isaac stated that Council may approve the development even if the Commission votes to recommend approval.

Commissioner Dubin asked who determines when enough changes have been made and if the applicant will take comments made into account. She added that specific comments can be configured into conditions.

Commissioner Isaac stated that it is not uncommon to put authority into staff's hands for more minor changes. He then inquired about the property to the north having a curb cut, stating that left turns do occur. Commissioner Sloss mentioned that a porkchop had been added at that curb cut to discourage that movement.

Commissioner Isaac made a motion to accept staff's recommendation of the planned development as presented with modification to the 1st condition to add "to the satisfaction of City staff" and the addition of the following conditions: Increasing landscaping on the west to the satisfaction of City staff and that the applicant be prohibited from scheduling trash pick-up before 9:00 AM. Commissioner Goddard seconded the motion. A roll call vote was taken and the motion passed, 5-1.

**Ayes: Dubin, Goddard, Isaac, Lewis, Sloss
Nays: Halik**

A brief recess was taken and the next agenda item's hearing began at 9:32 PM

**A. Text Amendment
Special Events in the U2 District 19PLND-0032
A Zoning Ordinance Text Amendment pursuant to City Code Title 6,**

Page 6 of 11
Plan Commission Minutes 8/7/19

Zoning, to Section 6-15-7-2 of the Zoning Ordinance, to revise permitted uses of the U2 University Athletic Facilities District.

Ms. Jones provided an overview of the proposed text amendment, including the 2 year sunset provision that was added from the original submittal.

Commissioner Sloss inquired about the Special Events Committees specific standards. Ms. Jones replied that the group reviews a number of items similar to the Design and Project Review Committee with representation from several City Departments to ensure that events have proper logistics and safety or security measures that may affect City resources.

Commissioner Halik asked if any events had been held under the current wording. Ms. Jones responded that no events had been held under the current wording. However, there have been events in the past in the 70s, including a Bears game and, she believed, a concert had been held as well that did not have City permission. Concerts could be permitted with the conditions stated.

Commissioner Isaac stated that with the 7,000 attendee cap, events would likely not be in Ryan Field but in Welsh-Ryan Arena or at one of the baseball fields. Ms. Jones responded that is essentially the case. He then inquired about the current events held and confirmed that those events are considered permitted under the current regulations.

Commissioner Isaac then asked if Northwestern University sells tickets to their events, if the City sees any amusement tax from those sales. Mr. DuBose replied that sporting events do not qualify as amusements, there is a separate sporting event ticketing tax. Mr. Isaac asked if the City expects to obtain amusement tax from new events. Mr. DuBose replied that if the event is a concert then yes, however, he would need to review the event to see what tax, if any would be obtained.

Commissioner Isaac then asked about the phrase "intended primarily for residents of the City" and how that threshold would be met. Ms. Jones responded that there have not been conversations specific to that item but could be discussed in the future

Mr. Mike Polisky, Deputy Athletic Director for Northwestern stated that Northwestern University could open presale tickets to Evanston residents. Have done some general activities and is very excited to do something specific. There will be a limited number of events over a 2 year time frame. Northwestern University met with staff, the alderman, and residents and has added a sunset provision to the original request. Northwestern would like a chance to show the ability to hold the events.

Mr. Dave Davis, Executive Director of Neighborhood and Community Relations for Northwestern University, stated that Northwestern has worked with residents and will continue to do so. Northwestern has been empathetic to concerns and has made

DRAFT- NOT APPROVED

changes. He added that they are respectfully requesting a favorable recommendation from the Plan Commission.

Chair Lewis opened up the hearing to questions from the Plan Commission.

Commissioner Goddard stated that with the reduction in maximum number of attendees permitted will parking be able to be contained within the existing parking lot. Mr. Polisky stated that in Welsh Ryan Arena, there will likely be less than 7,000 attendees due to stage setup. There are roughly 2,000 parking spaces between the east and west lots. Basketball games have sold out before. There are also Uber and Lyft services available. Northwestern would be willing to open lots for free to ease neighborhood parking issues. There is a 12% ticket tax that Northwestern pays and 4% amusement tax. Would be open to amending that to be beneficial for the City.

Chair Lewis stated that there is currently shuttle service offered for football games and asked if Northwestern would be open to providing that service for this use. Mr. Polisky responded that they would be open to trying that if it would alleviate concerns.

Commissioner Halik inquired if additional events would be added. Mr. Polisky stated beyond current events, 6 single day events and one multi-day event would be permitted. A tennis tournament was the impetus for the request.

Commissioner Sloss asked if there is any data based on previous events on the economic impact to local businesses. Mr. Polisky replied that the impact would be different with different events. He cannot confirm what specific acts would be secured and it is difficult to obtain exact data on attendees who visit businesses or stay in local hotels.

Chair Lewis stated that the request for a liquor license at the arena is not an issue reviewed by this body.

Commissioner Isaac asked how many events are currently at Ryan Field. Mr. Polisky responded that in addition to the 7 home football games, there is a "Meet the Team" event, Randy Walker 5K Memorial Run, and a community movie night.

Commissioner Halik asked if this doubles the amount of permitted events that have more than the number of available parking spaces. Mr. Polisky responded that there are roughly 18 basketball games held in Welsh –Ryan.

Chair Lewis confirmed that the proposed amendment does not discriminate against facility with regards to maximum number of attendees. Mr. Mangum responded that this applies to events within facilities in the U2 District.

Commissioner Dubin asked if the applicant had talked to the Parking Division regarding

DRAFT- NOT APPROVED

metering in the neighborhood. Mr. Polisky responded that Northwestern staff has been speaking with City staff as well as with the Hospital, Northwestern Police, Fire Department and Emergency Services to ensure right ways of traffic mitigation. He added that the City recently initiated changes to the meters for some adjacent streets.

Commissioner Isaac asked how often does more than one event with more than 500 people occur in one day and if the applicant had contemplated that multiple events may happen in one day. Mr. Polisky responded that Northwestern typically does not have the staffing to hold multiple events in one day. Typically avoid multiple events on football game days. Some sporting events may happen on the same day but not to the extent that causes a lot of traffic. Men's basketball games (held in Welsh-Ryan Arena) are the most traffic generating games. As a possible example, Northwestern may have a Friday night event, have that taken down, and then prepare for an event the next day.

Commissioner Halik inquired if Northwestern has considered a parking garage on the west parking lot. Mr. Polisky responded that he is not sure the neighbors would like that option. Have worked with Canal Shores to find additional parking; do provide shuttle service from other campus parking garages.

Chair Lewis then explained that neighbors within a certain radius of the site are able to submit a request for continuance of this agenda item and reasons why a request could be submitted.

Ms. Judy Berg stated her request for a continuance and presented her written request. Several other people expressed intention to submit requests.

Mr. DuBose stated that it would be beneficial to gather all of the requests to be submitted.

Gary Kull stated his request for a continuance explaining that he did not receive notice and did not have adequate time to prepare a response to Northwestern's presentation.

Laurie McFarland stated that many residents did not see the revised proposal as it was presented two days before the meeting and were told there may be additional revisions. Residents wish to show effects on businesses and the surrounding community.

Mr. DuBose then cited Article 13 (E) of the Plan Commission's Rules and Procedures regarding who is able to request continuances and the purpose of them. He confirmed that the distance requirement applies to residents north of Isabella. He asked that residents state that they wish to rebut testimony that has been presented.

Chair Lewis confirmed that the item would be heard at the August 28, 2019 meeting. Ms. Jones stated that the regular meeting is scheduled on September 11, 2019; the August 28th meeting is a special meeting that will occur at the same time and location.

DRAFT- NOT APPROVED

Chair Lewis opened the hearing up to comments from the public. A total of 6 people spoke with the following comments:

- Lynn Troutman stated there has been conflation of events and locations, that there will be 6 or 7 events of a different nature which potentially changes effects. She also does not want the risk of events changed from Welsh-Ryan Arena to Ryan Field and asked why the property is being rezoned. Chair Lewis stated that the property is not being rezoned.
- Mark Sloane of the Central Street Neighbors Association stated that the Alderman should be here on behalf of residents and that when he was on a City Committee, no items were heard in August. Asked if information could be provided on the special events and that it is clear they could be anywhere in the U2. He then asked what the Special Events Committee is and if only the multi-day event would be approved by Council. Ms. Jones stated that the Committee is a staff Committee not an elected Committee. The special events could be reviewed by Council or the Special Events Committee. Mr. DuBose added that the Council approves many special events. He will include the list of events that the Council approves. Mr. Sloane expressed that the proposed change is changing the nature of events, not the number of events.
- **Andy Berman asked for clarification on how many additional events have been put on under the current code, why Welsh-Ryan Arena is not named instead of 7,000 attendees and if legal counsel was used in that decision. Mr. Polisky responded that there is usually one additional event. There was a recent student run concert with Carly Rae Jepsen. Dave Davis added that using 7,000 attendees was more consistent with the current language within the code and did not want to create any issues with stating a specific event, would be open to amending code to read as an indoor event as mentioned by Commissioner Isaac.
- Yvi Russell inquired if there would be notice for the August 28th meeting. Chair Lewis responded that since this item is being continued there would not be additional notice sent out for the next meeting.
- Matthew Grayson asked if any income would be obtained from television rights and if any effort would be made to ensure no conflicts with City events. Mr. Polisky stated that he was unsure about the additional revenue streams and television rights and it would likely depend on the type of the event. Would expect revenue from ticket and concession sales. Northwestern would like to coordinate as much as possible with the City and do whatever they can.
- Joyce Weinzbizki asked if Northwestern would host their own type of food as a lot of money is not seen by local businesses. Mr. Polisky stated that concessions would be sold as is currently done and he has heard from local businesses that many attendees patronize the area restaurants.
- Andrea Verseny asked if there would be any restrictions placed on set up and cleaning. Mr. Polisky stated that the University would abide by the 11:00pm noise ordinance and that an area has been carved out for additional storage. The University would work to coordinate and ask that clean-up and set-up

Page 10 of 11
Plan Commission Minutes 8/7/19

DRAFT- NOT APPROVED

happen at more appropriate times. Chair Lewis then stated that the noise ordinance does references a morning time.

Commissioner Isaac made a motion to continue this item to the August 28, 2019 Plan Commission meeting. Commissioner Goddard seconded the motion. A voice vote was taken and the motion passed, 6-0.

Ayes: Dubin, Goddard, Halik, Isaac, Lewis, Sloss

Nays:

4. PUBLIC COMMENT

There was no public comment.

5. ADJOURNMENT

Commissioner Goddard made a motion to adjourn the meeting. Commissioner Isaac seconded the motion.

A voice vote was taken and the motion was approved by voice vote 6-0. The meeting was adjourned at 10:48 pm.

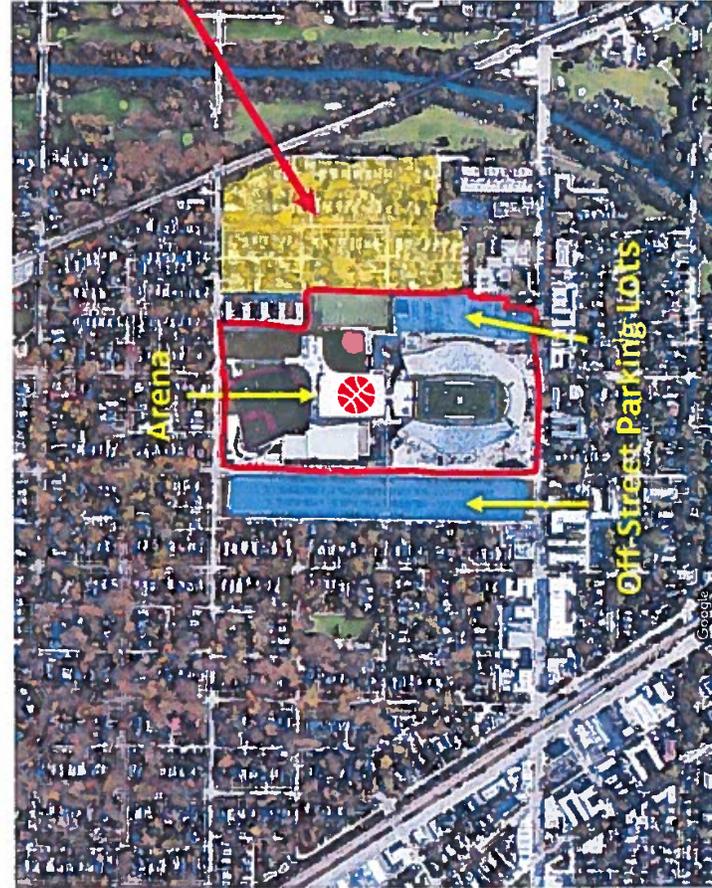
Respectfully Submitted,
Meagan Jones
Neighborhood and Land Use Planner
Community Development Department

****Please note a Scrivener's error made on page 10 was corrected on 9/6/19 after the Plan Commission approved the minutes on 8/28/19.**

**Impact of the U2 Zoning Text Amendment
(Item #: 19PLND0032)
on Residents in the Surrounding Neighborhood**

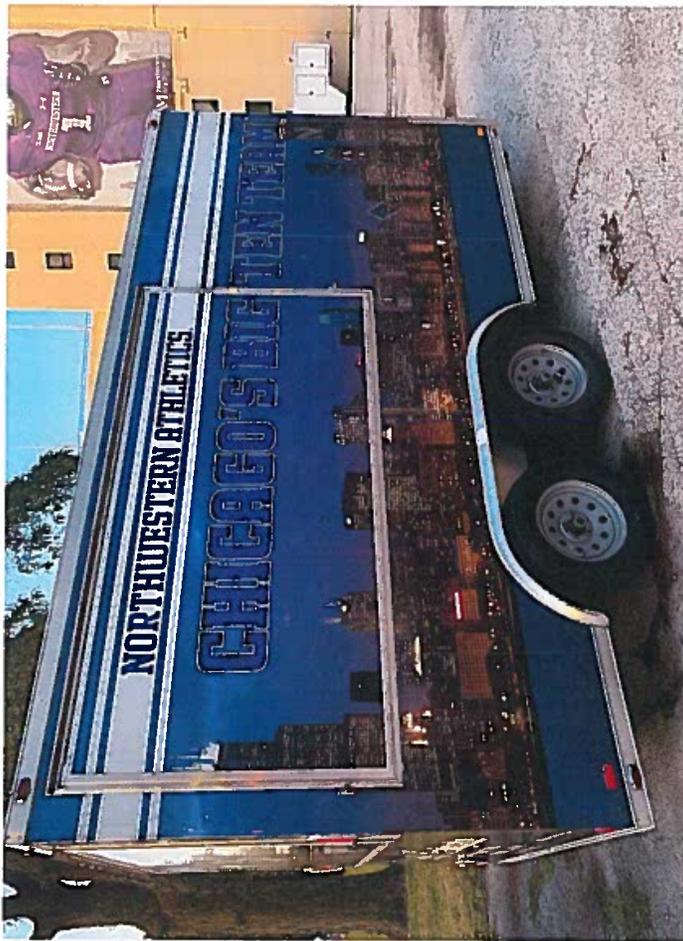
**Presented at the City of Evanston Plan Commission Meeting
on September 11, 2019**

Asbury-Northwestern Neighbors



- ❖ Asbury-Northwestern residential area has 76 single family homes (yellow shading)
- ❖ 61 persons in this area signed a petition opposing the proposed text amendment
- ❖ Distances from the perimeter of the U2 zoning district are 0 - 540 feet

Northwestern - Chicago's Big Ten Team



Google Satellite Map Legend

 = Big 10 basketball arena

 = 1000-foot perimeter distance from arena

 = single-family residential area

 = arena parking (off-street lot or structure)

Breslin Center (Michigan State)



- Distance to closest single-family home = 1,000 feet
- Ample off-street parking
- Numerous 4-lane access roads
- No need for vehicles to enter residential neighborhoods

Crisler Center (Michigan)



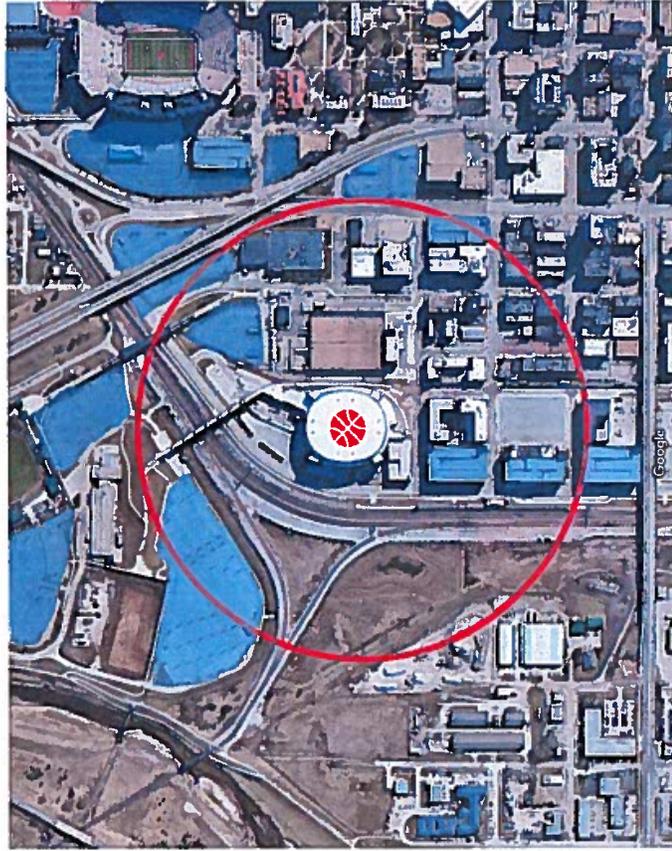
- Distance to closest single-family home = 1,050 feet
- Two 4-lane access roads
- Ample off-street parking
- No need for vehicles to enter residential neighborhoods
- **No for-profit events held here**

Xfinity Center (Maryland)



- Distance to closest single-family home = 1,220 feet
- Expressway and 4-lane access road
- Ample off-street parking
- No need for vehicles to enter residential neighborhoods

Pinnacle Bank Arena (Nebraska)



- Distance to closest single-family home = 1,600 feet
- Adjacent to expressway and 4-lane access roads
- Ample off-street parking
- No need for vehicles to enter residential neighborhoods

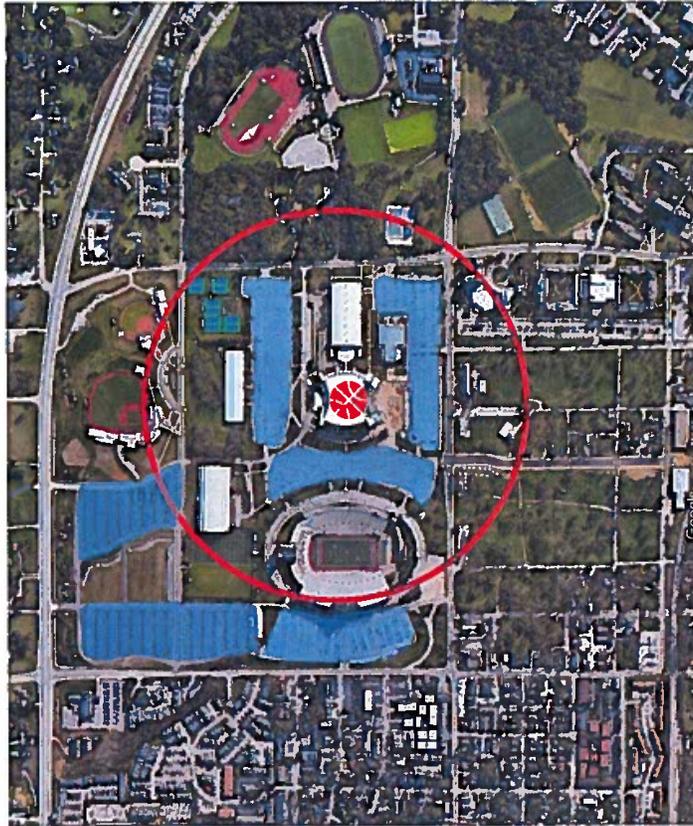
Rutgers Athletic Center (Rutgers)



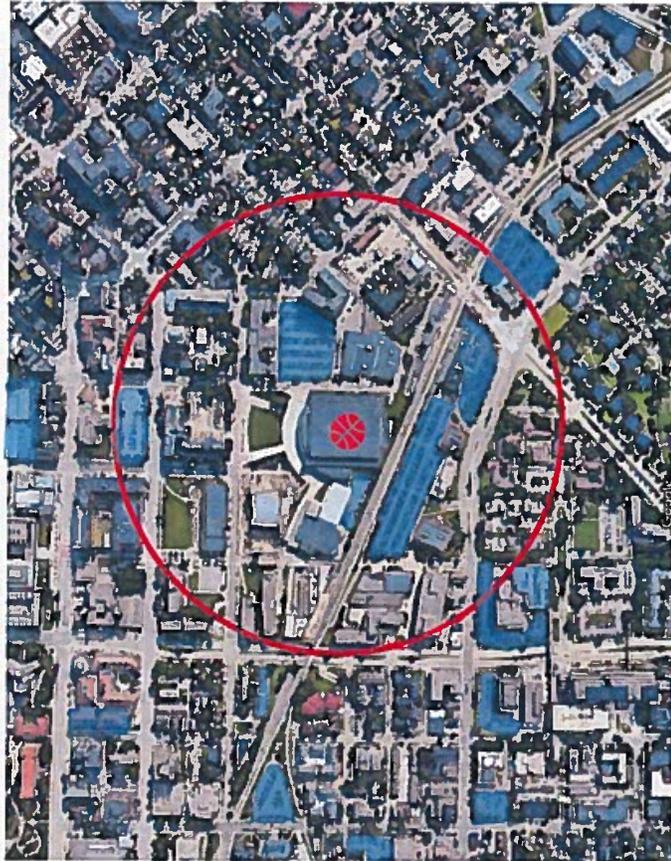
- Distance to closest single-family home = 1,600 feet
- Two 4-lane access roads
- Ample off-street parking
- No need for vehicles to enter residential neighborhoods

Simon Skjot Assembly Hall (Indiana)

- Distance to closest single-family home = 2,000 feet
- 4-lane access roads on 3 sides of arena
- Ample off-street parking
- No need for vehicles to enter residential neighborhoods

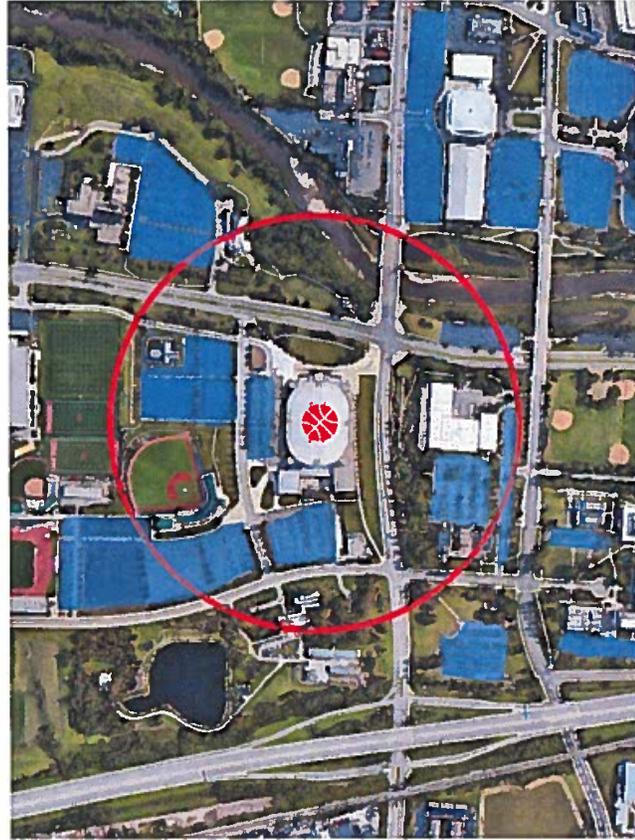


Kohl Center (Wisconsin)



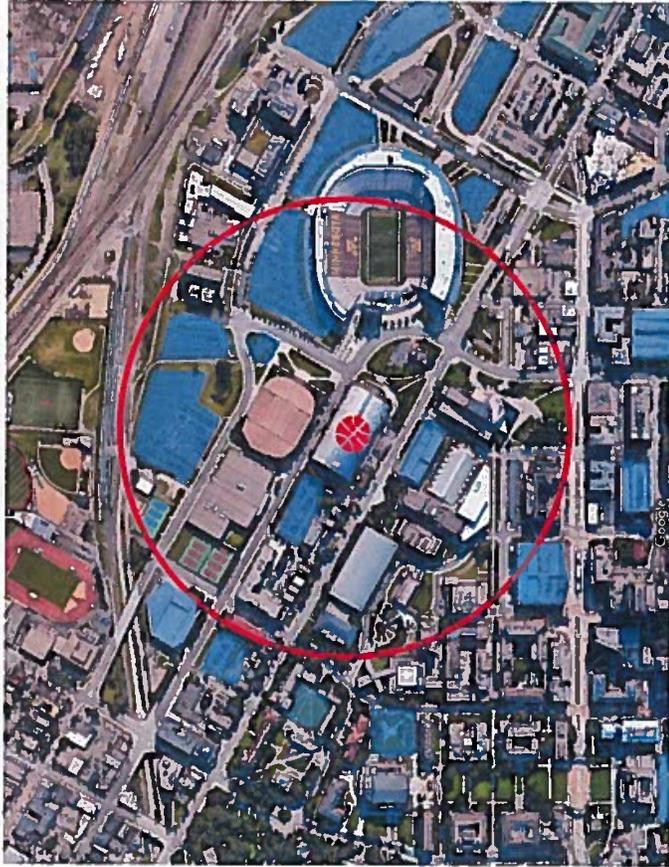
- Distance to closest single family home = 2,050 feet
- 4-lane access roads on 2-3 sides of arena
- Ample off-street parking
- No need for vehicles to enter residential neighborhoods

Schottenstein Center (Ohio State)



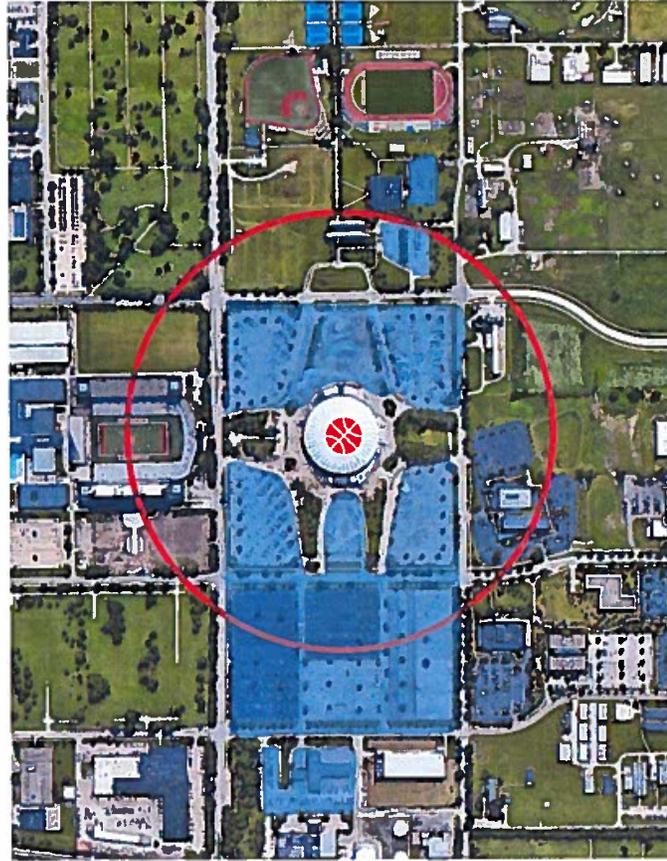
- Distance to closest single-family home = 2,320 feet
- Surrounded by expressway and multiple 4-lane access roads
- Ample off-street parking
- No need for vehicles to enter residential neighborhoods

Williams Arena (Minnesota)



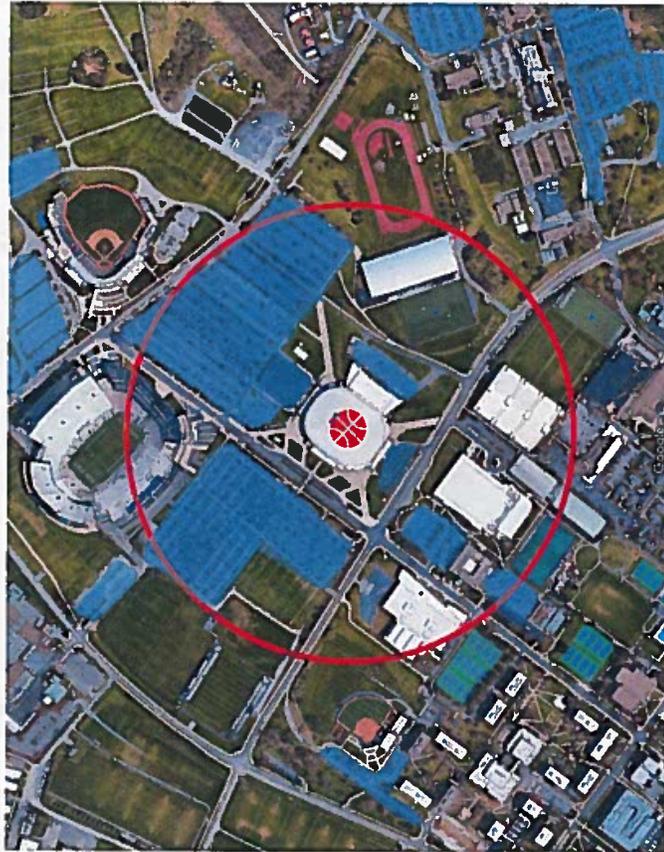
- Distance to closest single-family home = 2,500 feet
- 4-lane access roads on 3 sides of arena
- Ample off-street parking
- No need for vehicles to enter residential neighborhoods

State Farm Center (Illinois)



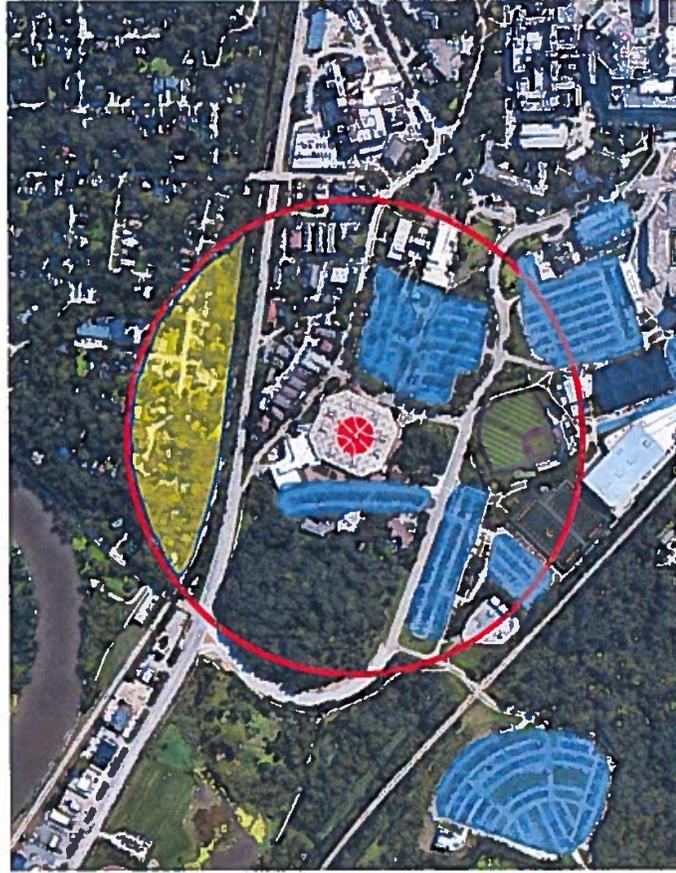
- Distance to closest single-family home = 2,800 feet
- Multiple 4-lane access roads surrounding the arena
- Ample off-street parking
- No need for vehicles to enter residential neighborhoods

Bryce Jordan Center (Penn State)



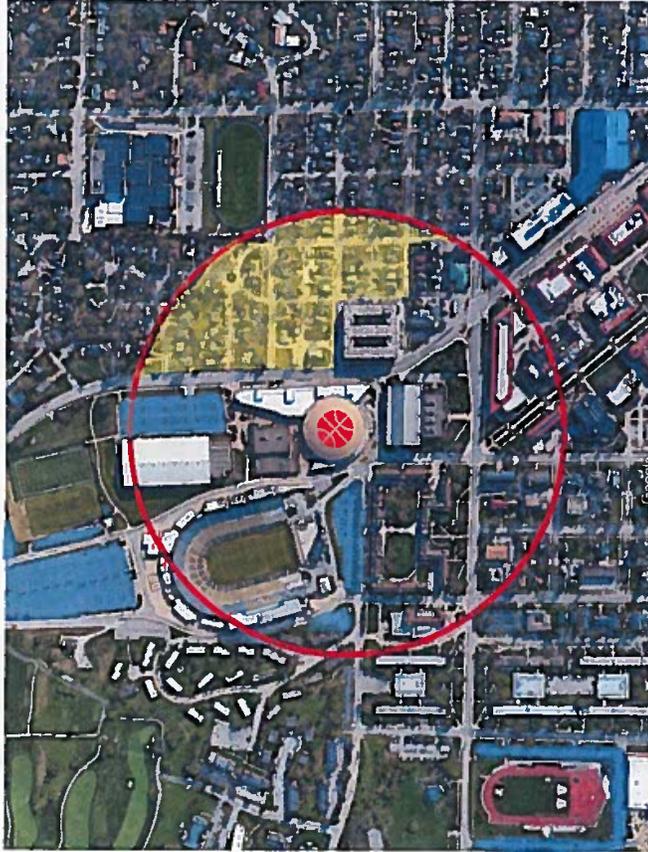
- Distance to closest single-family home = 3,570 feet
- Multiple access roads
- Ample off-street parking
- No need for vehicles to enter residential neighborhoods

Carver-Hawkeye Arena (Iowa)



- Distance to closest single-family home = 730 ft
- 31 single-family homes within 1000 feet
- Multiple 4-lane access roads
- Ample off-street parking
- Neighborhood is separated and protected from event traffic by major highway and railroad line

Mackey Arena (Purdue)



- Distance to closest single-family home = 320 feet
- 79 single-family homes within 1000 feet
- 4-lane arterial access road adjacent to arena
- Some vehicles could enter the adjacent neighborhood (but there is ample off-street parking)
- **No for-profit events held here**

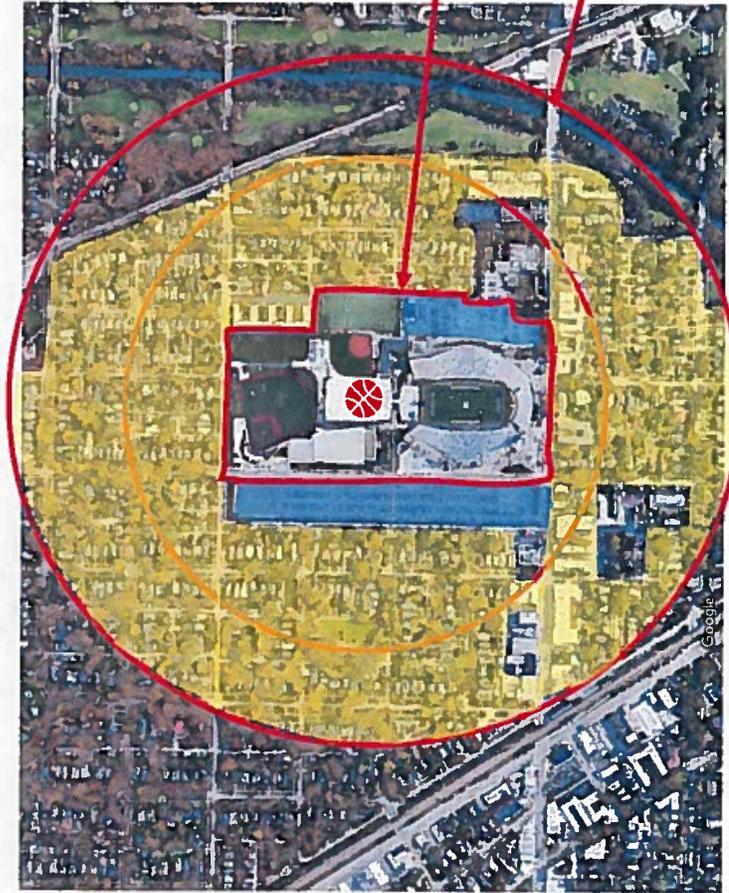
Welsh-Ryan Arena (Northwestern)



- Distance to closest single-family home = 410 feet
- 225 single-family homes within 1000 feet of arena
- 10 multi-family residential buildings within 1000 feet of arena
- Extremely limited access roads and off-street parking
- Numerous vehicles routinely enter and park in residential neighborhoods

U2 Zoning District (Northwestern)

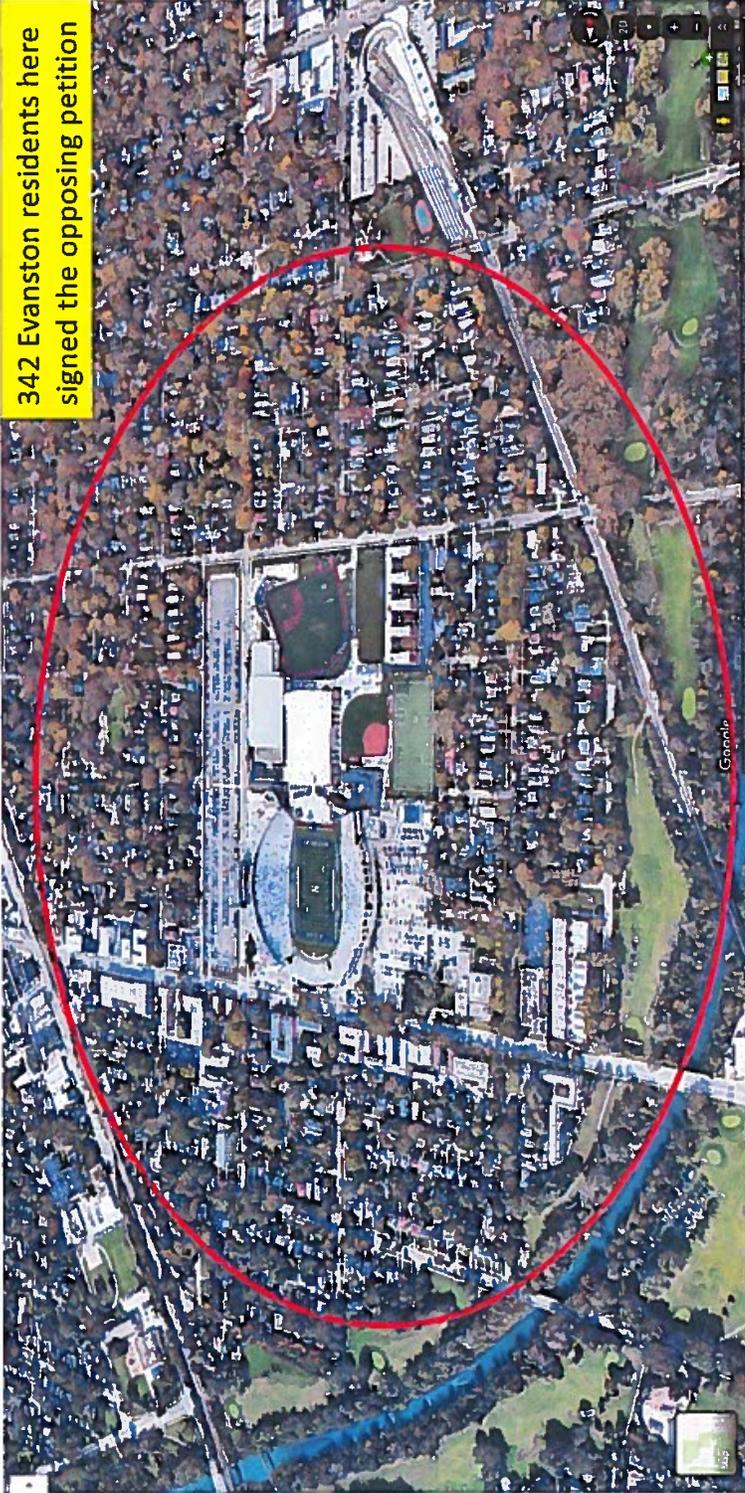
- 520 single-family homes within 1000 feet of U2 zoning district
- 21 multi-family residential buildings within 1000 feet of U2 zoning district



U2 district boundary

1000 feet from U2 district

1000 Foot Perimeter From U2 Zoning District



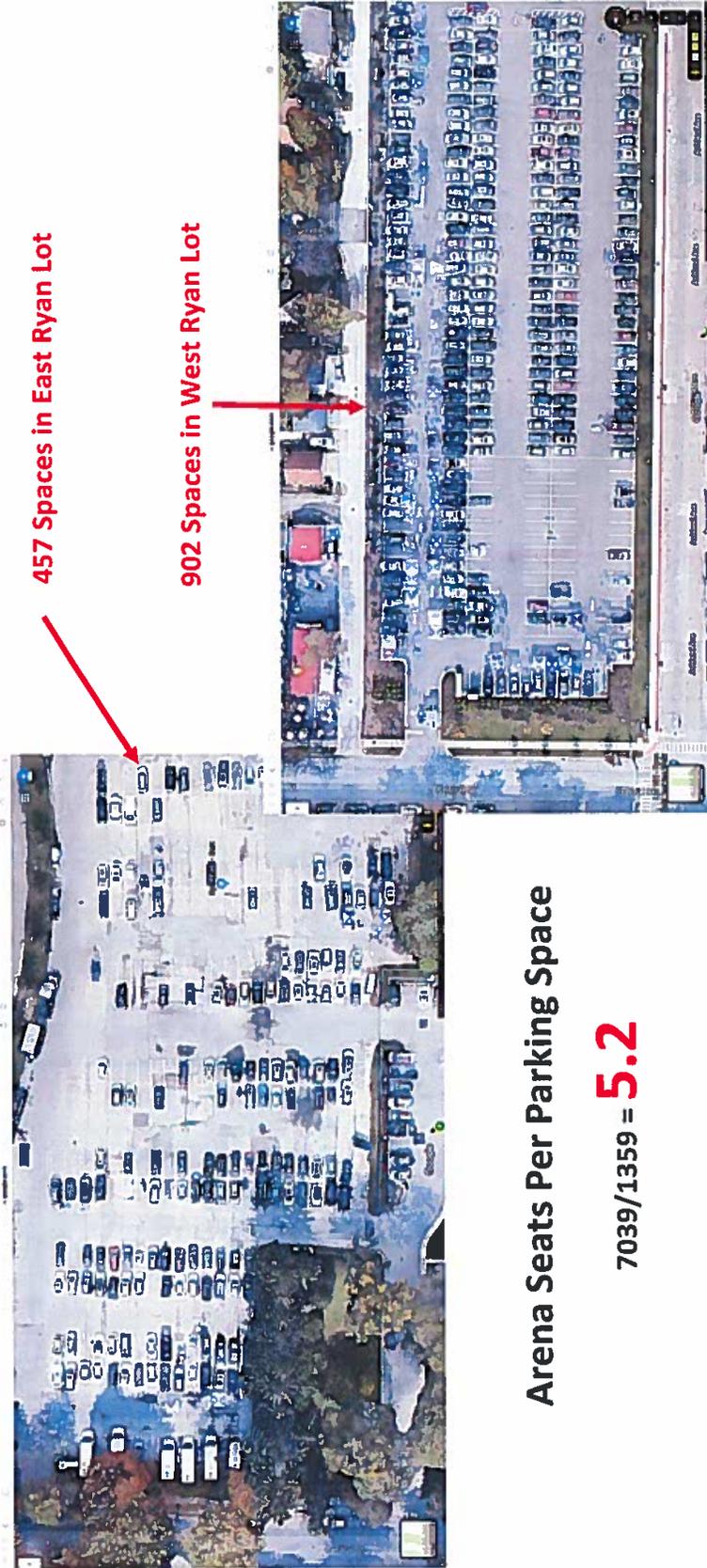
Summary of Residential Proximity for Big 10 Arenas

Name of University	Number of Single-Family Residences Within 1000 Feet
Nebraska	0
Rutgers	0
Indiana	0
Wisconsin	0
Ohio State	0
Minnesota	0
Illinois	0
Penn State	0
Michigan State	0
Michigan	0
Maryland	0
Purdue	79
Iowa	31
Total (Excluding NU)	110 (total)
Northwestern	225
Northwestern	520

From the perimeter of Welsh-Ryan Arena

From the perimeter of the U2 zoning district

Number of Welch-Ryan Arena Parking Spaces (1,359)



Arena Seats Per Parking Space

$$7039/1359 = 5.2$$

Summary of Parking for Big 10 Arenas

Name of University	Seating Capacity (basketball games)	Number of Paved Off- Street Parking Spaces	Number of Arena Seats Per Parking Space
Nebraska	15,500	8,300	1.9
Rutgers	8,000	4,300	1.9
Indiana	17,222	5,300	3.2
Wisconsin	17,142	6,000	2.9
Ohio State	18,809	7,000	2.7
Minnesota	14,625	12,300	1.2
Illinois	15,500	5,100	3.0
Penn State	15,261	6,700	2.3
Purdue	14,804	4,800	3.1
Iowa	15,056	5,800	2.6
Michigan State	15,000	4,700	3.2
Michigan	12,707	4,100	3.1
Maryland	17,950	6,100	2.9
			2.6 (average)
Northwestern	7,039	1,359	5.2

Example Parking Ratios

	Parking Ratios
Big 10 Arenas (actual parking spaces)	2.6
Unified Land Development Code (typical zoning code for sports arenas)	3.0

Analysis of Parking Lot Capacity for Welsh-Ryan Events

	If 100% of Attendees Drive to Events
Attendees Per Event	7,039
Parking Spaces Needed (2.6 - 3 persons/vehicle)	2,346 - 2,707
Parking Spaces Available (East + West Ryan Lots)	1,359
Parking Space Deficit	987 - 1,348 **

** Assumes that every parking spot is available for event patrons. No spots would be used by hospital employees, residents, contractors, NU staff/faculty, etc.

Analysis of Parking Lot Capacity for Welsh-Ryan Events

	If 100% of Attendees Drive to Events (worst case scenario)	If 80% of Attendees Drive to Events (best case scenario)
Attendees Per Event	7,039	7,039
Parking Spaces Needed (2.6-3 persons/vehicle)	2,346 - 2,707	1,877 - 2,166
Parking Spaces Available (East + West Ryan Lots)	1,359	1,359
Parking Space Deficit	987 - 1,348 **	518 - 807 **

** Assumes that every parking spot is available for event patrons. No spots would be used by hospital employees, residents, contractors, NU staff/faculty, etc.

Analysis of Parking Lot Capacity for Welsh-Ryan Events

	Parking Ratio = 2.6	Parking Ratio = 3
Parking Spaces Available (East + West Ryan Lots)	1,359	1,359
Maximum Number of Event Patrons Until Parking Spaces Are Full	~3,533	4,077

Actual Events in U2 District With 3,500+ Attendees (in 2019)

- NU Men's Basketball (18 games; 18 days of events)
- High School Graduations (3 graduation ceremonies; 2 days of events)
- NU Graduations (6 graduation ceremonies; 2 days of events)
- Temporary Events (0 events)

TOTAL (22 days of events)

NOTE: Excludes 7 football games with attendance up to 47,130 each

Proposed Events in U2 District With 3,500+ Attendees

- NU Men's Basketball (18 games; **18 days of events**)
- High School Graduations (3 graduation ceremonies; **2 days of events**)
- NU Graduations (6 graduation ceremonies; **2 days of events**)
- Temporary Events (proposed; **13 days of events**)

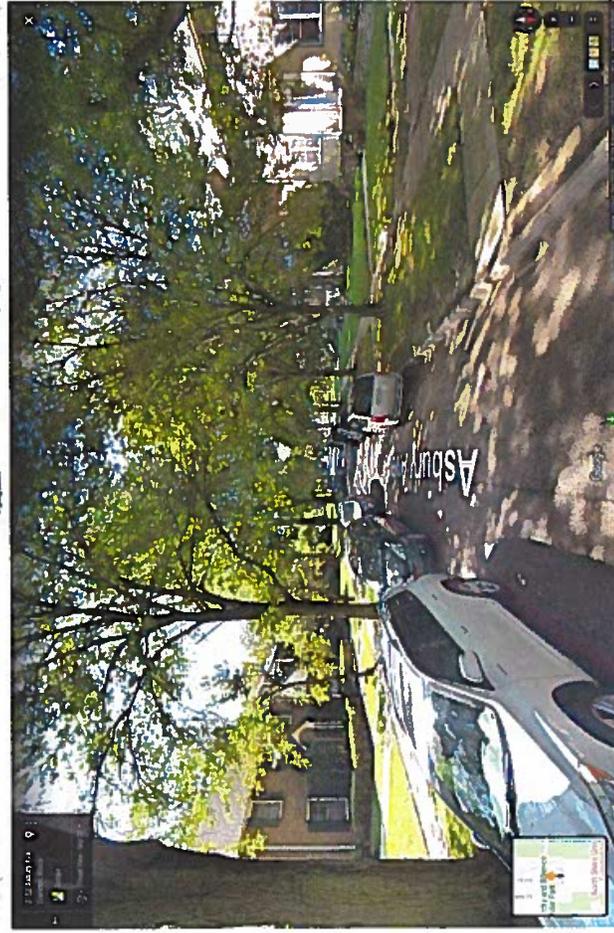
TOTAL (35 days of events)

+59% increase

NOTE: Excludes 7 football games with attendance up to 47,130 each

The Surrounding Neighborhood (2700 block of Asbury)

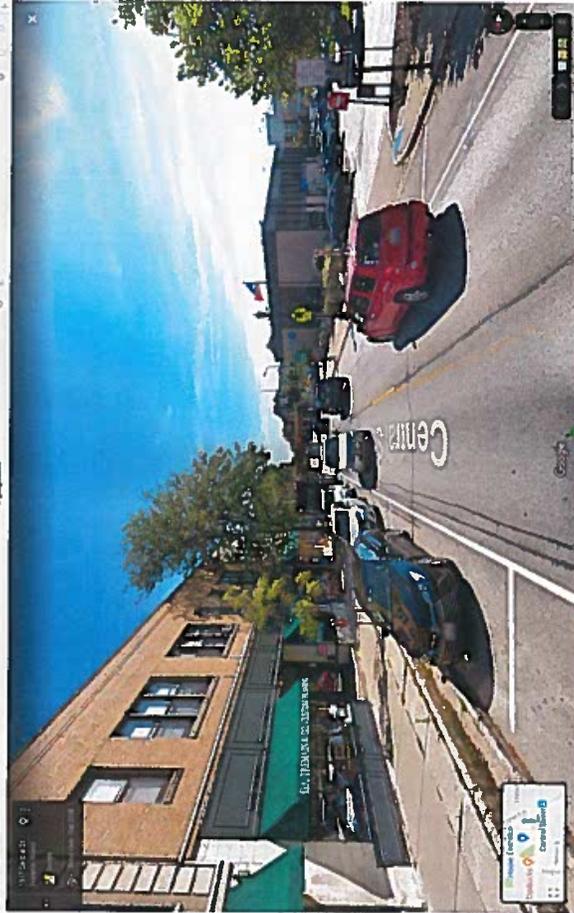
- ❖ Narrow two-way street with residential parking on both sides
- ❖ Passage for single lane only
- ❖ Emergency vehicle response time is elevated because of narrow passage



1 block east of Welsh-Ryan Arena

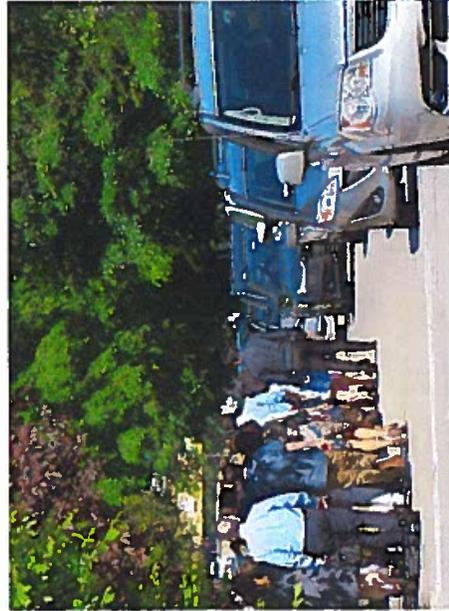
The Surrounding Neighborhood (Central Street)

- Single lane in each direction
- Busy east-west road with parking on both sides
- Used by emergency vehicles from 2 fire stations and for access to Evanston Hospital emergency room
- Used for daily work commute by employees at Evanston Hospital, small businesses, and several schools

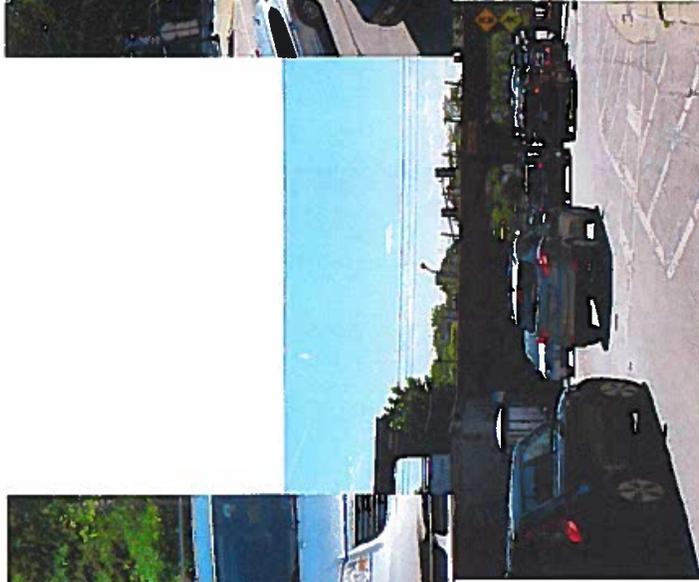


ETHS Commencement in Welsh-Ryan Arena

(~5,000 attendees on June 2, 2019)



Central Street Near Welsh-Ryan Arena



Central Street 1000 feet from Welsh-Ryan

Additional Impacts to Immediately Abutting Neighbors

- ❖ Loud noise disturbances during event set-up and clean-up (often before 7 am and after 11 pm):
 - Motorized carts, tractors, and trailers
 - Vehicle backup beep-alarms
 - Idling buses
 - Weekly porta-bathroom servicing (deafening vacuums at 2-4 am)

How Welsh-Ryan Events Affect Residential Quality of Life

IMPACTS BEFORE PROPOSED AMENDMENT

- ❖ The neighborhood and its infrastructure already has a very difficult time coping with existing permitted events with large crowds at Welsh-Ryan
 - Extreme traffic congestion causes unreasonable and significant delays for residents to perform routine errands
 - Numerous vehicles regularly use residential side streets to try to bypass delays on Central Street
 - Spectators then park on neighborhood streets, depriving residents from parking near their homes
 - Safety of residents is compromised by making it more difficult for emergency vehicles to carry out their function

IMPACTS AFTER PROPOSED AMENDMENT

- ❖ Adding 13 days of professional / commercial events (temporary uses) would cause:
 - More frequent, intense, and unpredictable traffic jams and parking difficulties
 - Increased neighborhood pedestrian traffic, noise, litter, and public urination would be unavoidable consequences due to the huge crowds that would attend
 - Additional noise disturbances and visual impact on immediate neighbors due to setup, storage, and teardown activities (i.e. loading / unloading of stages, lighting, video, and sound equipment, etc.)
 - Possible further depreciation of property value

Title 6-15-7-1 of Evanston Zoning Code

“The U2 university athletic facilities district is intended to permit the utilization of university facilities within the district in a manner that is compatible with the surrounding development, which is predominantly residential.”

Title 6-15-7-2 of Evanston Zoning Code

“This Subsection provides standards to ensure that temporary uses shall not impose an undue adverse effect on neighboring streets or property.”



Where is the evidence?

We respectfully request not approving the proposed U2 text amendment because it is not consistent with Title 6-15-1, Title 6-15-2, zoning amendment standards, and the Evanston Comprehensive General Plan

- ❖ Is not compatible with the overall character of the surrounding neighborhood, which is overwhelmingly residential
- ❖ Does not guard against spill-over nuisances into the residential neighborhood
- ❖ Detracts from the appealing character of our neighborhood, which will harm property values
- ❖ Intensifies the adverse effects of traffic and parking congestion
- ❖ Does not promote activities that help strengthen the community and quality of life

NU

Community Contact:

p. 5. Quote: *We 've made changes to our proposal based on residents' suggestions*

p. 19 Quote: *We will continue to talk to the neighbors. I mean that's why we are here. We would like to...continue to work with the residents.*

Question: Have you talked to the neighbors since your community meeting with them over 37 days ago? In only three community gatherings and one City session and over almost 5 months have you worked with us or just presented your proposals?

We clearly asked you over and over again for you not to try to change the zoning ordinance.

On two of the 5 proposals to the city you clearly specified for profit events and professional sports events limited to the size of any U2 venue, thus up to 47,000. There is more than one precedent in the past where NU has tried to achieve that goal.

Question: Aren't your proposed changes in fact not compromises but part of an adaptive strategy to best achieve your underlying long term goal, that is to subvert once and for all the zoning ordinance governing the U2 district?

Chair

5. Food venues

p. 21 Quote: based upon the feedback that we received from a lot of our local businesses, there's still some nice patronage because a lot of our customers don't want to spend the money on a hotdog or a thing of nachos, they'd rather enjoy a nice meal at one of the great restaurants in Evanston."

Questions

- a. Do you have data supporting this feedback? Is this hearsay?
- b. Do you have data confirming that local restaurants don't have equally nice patronage on weekends without NU events?
- c. Do you have data to confirm that patronage on NU events date is entirely due to the NU event?

Re hot dogs and nachos:

Premise: your Arena's concession points-of-sale increased from eight to 36, as of January 2019.

Questions

- a. Do your venues food selections include among other items: Pizza, Walking Taco, brisket, pork and Black Bean burgers, Italian beef and other sandwiches, chili, baked potatoes, garlic Parmesan fries, polish sausages, BBQ Pork, BBQ chicken and an assortment of dessert options?
- b. Have you signed a long term contract with the nationally renowned Levy Co. and their subsidiary Compass group to provide concessions and premium hospitality at your venues, beside your other campus facilities?
- c. Will your exclusive Wilson Club, which serves 700 spectators free gourmet food & drinks, before, during and after games, be available for high donors at the proposed events?

Re. conflict with other City events

p. 21 Quote: *As it relates to avoiding other significant Evanston events, we certainly endeavor to do so*

Question: What is your definition of significant? Are the Evanston Symphony concerts or the Armenian picnic considered significant?

p. 21 Quote: *We don't always have the ability to pick and choose, as you can imagine with our 19 programs and 6 programs.... there's going to be very few windows where there's going to be open Friday, Thursday or Saturday.*

Question: A. is the schedule of the proposed acts usually determined by the artist and/or promoter?

B. Is the schedule of a 7 days nationally recognized tournament usually determined by its sponsor?

C. Would NU have any better ability to pick and choose than the amateur athletic events for which you already NU has so very few windows?

Different acts in one day

p. 9. paraphrase: on the same day we don't have two large events in the stadium or in the Arena. To make your point you talk about breakdown and set up times, i.e Friday night vs Saturday morning.

3 premises:

1. Your proposal asks for 30 minutes break-down time.

2. the U2 in fact has annual events that occur in the same day, twice a year: the first: two high school graduations at the Stadium, the second, NU's convocation and graduation, one at the Stadium and the other at the Arena.

C. A&O Blow Out concerts have included different acts in one event.

Question: Is it possible for a single one day event to include two Acts? Would the proposed ordinance allow, i.e, the BLOW AWAY concert with two acts, and the two acts are then presented with an interlude of a few hours, in the same venue or even in two different venues, with both acts together reaching a total of 7000 attendees?

The 7000 figure in the proposal uses the singular noun for "the seven day multiday event". We assume it is not 7000:7 days, ergo only 1,000 attendees per day.

Question: Wouldn't the same formula apply to the single day BLOW AWAY event, whereby each of the two acts forming the event could each have up to 7000 attendees?

Chair

Number of events, size of events

p. 6 Quote: *We ask for 6 ADDITIONAL events annually plus one multi-event*

You stated that in the last decade.....

p.19 " We generally have had one additional event... the students they have had a concert there, generally once a year or so.

Premise: The A&O concerts have been very small in recent years, about 2000. The 2018 Carly Ray Jepsen concert had 1700 attendees. The 1916 concert did not have much attendance.

Question: The student concerts you refer to, which are not even held every single year, aren't they in fact the same as the Fall A&O student concerts listed in your chart of annual events? They are in fact NOT temporary events.

Question: Over the last one or even two decades, how many ACTUAL temporary events with a crowd size larger than 2 or 3000 have you held at the U2?

Question: What is the actual number of seat kills you had for the Arena's concerts? 1000, 500? 200? Less?

Re. You quote a figure of 1500 attendees for the tennis 7 day event.

Question: 1500 per day? 1500 per session and two or more sessions per day?

The tennis events that either took place or were proposed in the past were much larger events, up to 7000 people.

Question: Can the 7 day event be any type of event? Does the proposal allow you to hold a 7 day event with a daily attendance of 7000 people?

Ticket sales

Question: Would any tickets to the events be sold at the door?

p. 4 Quote " would offer a pre-sale simply to Evanston residents prior to going on any general sale for an event, with the hope that we would actually sell it out with just Evanston residents and not even have to go on a public sale; that's not the intent.

p. 7, Quote: "and hopefully we're bringing in thousands of people during the course of these shows that haven't been to Evanston before, and they enjoy some restaurants and they maybe staying at the hotel and they do a variety of other things.

Question: which of these two statements is true? The ordinance specifically states: Community and cultural events intended primarily for residents of the City. The Oxford Dictionary, defines primarily as predominantly, not partly

2. SUNSET CLAUSE

p. 5 Quote: ***We recommended to include a sunset provision as a show of faith that we are intent to prove ourselves to our neighbors nearby. We simply want the chance to deliver on our commitment***

p. 7 Quote ***I have no idea if we're going to be able to secure substantial type of acts, initially***

The first two years therefore, would not be indicative of the full residential impact of proposed events

Although neighbors not in favor of any sunset clause, would you, as a far better show of faith to us follow the example of previous sunset provisions in NU past negotiations with the City.

Within 60 days after the 2 year expiration of this proposed text amendment AND within 60 days for each year thereafter, Nu shall submit to the city's Director of Community Development a written report fully describing the impact of all temporary events on the surrounding neighborhood and evaluating NU's performance and/or compliance with the special use zoning standards. During that same (60) sixty day period, the Director of Community Development will solicit comments and input from neighborhood residents. NU's report and any information from residents will be forwarded to the City Council for its review.



Meagan Jones <mmjones@cityofevanston.org>

NU Proposal to Amend U-2 District Zoning

Andrea Versenyi <versenyi@gmail.com>

Sun, Sep 8, 2019 at 11:42 AM

To: mmjones@cityofevanston.org, shagerty@cityofevanston.org, jfiske@cityofevanston.org, pbraithwaite@cityofevanston.org, mwynne@cityofevanston.org, dwilson@cityofevanston.org, rsimmons@cityofevanston.org, tsuffredin@cityofevanston.org, Eleanor Revelle <erevelle@cityofevanston.org>, arainey@cityofevanston.org, cfeming@cityofevanston.org, dreid@cityofevanston.org, dave.davis@northwestern.edu, polisky@northwestern.edu
Cc: Laurie Davies <lmcfarlane2720@comcast.net>

Dear Members of the Planning Committee and City Council:

I am writing to you with concerns regarding noise generated at Northwestern events held in the Ryan Field area. My property abuts the west parking lot and is exactly halfway between Central and Isabella Streets. At the last Planning Committee meeting where this proposal was discussed, I questioned the NU representative, Mike Polisky, about provisions NU would make to curb noise levels before, during and after events. At the meeting, and during a conversation we had afterward in the parking lot, Mr. Polisky was cordial, apologetic about current noise levels and expressed some surprise at how clearly set-up noises carried into the neighborhood. He affirmed NU's intent to be a good neighbor.

Five days later, I was awakened at 4:50 am by noise from the arena area. Two large roofing trucks were idling, a small bulldozer was moving dirt and a crew of construction workers were yelling directions to each other over the noise. This continued unabated until I left for work at 7:30, making it impossible to return to sleep. When I emailed a NU representative about this later in the day, attaching photo documentation, I received a prompt and considerate response stating that steps would be taken to ensure this did not happen again.

While I truly believe that the representatives from Northwestern were sincere in their apologies and that their intent is to support their hard-working student athletes rather than to harass neighbors, I also believe that it is, at best, wishful thinking on their part to posit that they can control noise levels. The revision to their proposal states that set-up/take-down for professional events can start as early as 6:30 am and extend as late as 11:30 pm. The extension of the limits for noise over and above what currently exists in City Code is less concerning than the absolute lack of control NU has over the noise levels.

Currently, for 11 am football games, the parking lot opens to tailgaters at 7 am and set-up begins as early as 3-4 am on game days. Parking lot personnel, cone trucks, stadium trucks are all clearly audible even when my bedroom windows are closed.

If NU is unable to manage noise from its own events and its own contracted workers in a responsible manner, how much less control will they have over set-up crews for events which they do not control? I encourage you to disallow the proposed amendment to the zoning; however, should you choose to approve it, I strongly encourage you to attach significant consequences to such approval. Absent penalties or fines of a severity to make it unprofitable for NU to breach its contract, it will continue to be the route of least resistance for NU to transgress and apologize later than to follow both the spirit and the letter of its agreement with the City and its residents.

Thank you for your consideration.

Sincerely,

Andrea Versenyi
2647 Eastwood Avenue
Evanston, IL 60201



Meagan Jones <mmjones@cityofevanston.org>

Northwestern Zoning

1 message

Mari Notice <mari@notice-this.com>
To: mmjones@cityofevanston.org

Mon, Sep 9, 2019 at 9:34 AM

Meagan,

I would like to have the following letter included in the packet that Plan Commission receives regarding the proposal. We have many members quite concerned and coincidentally have a meeting scheduled the same night so no one can attend.

Mari

September 4, 2019

To: Plan Commission Members

From: Central street Business Association (CSBA)

Central Street with it's close proximity to Northwestern, especially their athletic facilities, is impacted by nearly everything that takes place at the facilities. The CSBA works with the city to try to minimize the negative impact of home football games on parking while recognizing that these events also support businesses, namely the restaurants. Unfortunately the football game attendees have demonstrated that patrons coming to events from out of town don't care about getting tickets, so they park anywhere and everywhere and take their chances.

Because of the diversity of businesses on Central Street the CSBA has not taken a formal vote in either support or lack thereof for this proposal, however, over fifty businesses have signed a petition against the proposal. This number represents well over half the businesses in the district. The reasons cited for signing the petition are parking concerns, lack of clarity on what/when the events will be and the knowledge of history which has shown that through the years activities at the athletic facilities have a mostly a negative impact on the business district. It should be noted that the people that spoke about parking concerns included the inherent traffic problems that would be exacerbated by the influx of so many cars.

We hope members of the commission will take these concerns into account as you work to determine the best course of action for everyone.



Meagan Jones <mmjones@cityofevanston.org>

Re: Proposed zoning ordinance text amendment pursuant to City Code Title 6, Zoning, to section 6-15-7-12 of the zoning ordinance to revise permitted uses of the U2 District

1 message

Christina Brandt <cbrandt73@gmail.com>

Fri, Sep 6, 2019 at 5:06 PM

To: cityclerk@cityofevanston.org, shagerty@cityofevanston.org, mmjones@cityofevanston.org, jfiske@cityofevanston.org, pbraithwaite@cityofevanston.org, mwynne@cityofevanston.org, dwilson@cityofevanston.org, rsimmons@cityofevanston.org, tsuffredin@cityofevanston.org, erevelle@cityofevanston.org, arainey@cityofevanston.org, cfleming@cityofevanston.org

Expanded distribution list

On Fri, Sep 6, 2019 at 4:59 PM Christina Brandt <cbrandt73@gmail.com> wrote:

To the City Council and Plan Commission,

re. Proposed zoning ordinance text amendment pursuant to City Code Title 6, Zoning, to section 6-15-7-12 of the zoning ordinance to revise permitted uses of the U2 District

I am writing to you as a 14 year 7th Ward resident and parent of school-aged children. I am strongly opposed to granting Northwestern University's request to allow non-collegiate, for-profit events in the Welsh-Ryan Arena and surrounding structures. I am writing also as a previous resident of other Big 10 communities which include: Madison, Wisconsin, Iowa City, Iowa, Ann Arbor, Michigan, and now Evanston, Illinois. By far the most contentious and least cooperative relationship between city and university is here between Northwestern University and the city of Evanston. There is a long history of actions by the university which were suspect and not transparent. As a result, the request for a zoning amendment unearths deep suspicion on the ultimate goal of this request far exceeding their stated purpose.

I would like to make it clear that I am not writing in opposition to the city finding alternate ways to generate revenue. However, the zoning ordinance text amendment has direct negative impacts to the residents living in close proximity the NU property. The parcel in question is bordered on all four sides by neighborhoods. These neighborhoods include residents of all ages seeking to enjoy their streets, sidewalks, and parks with a known and acceptable noise level, traffic pattern and visitor to resident ratio. A change in zoning dramatically impacts the quality of life for city residents and poses safety challenges with crowds, and possible introduction of alcohol under separate topic. The zoning restrictions provide the tax paying residents some degree of certainty in trusting the manner of use of the land around their owned property.

There are no benefits to cite that offset the negative impacts on the Evanston neighbors. Please vote NO to amend the ban on commercial for-profit events in our neighborhood for the following reasons:

- Parcel in question borders neighborhoods on all four sides
- Other Northwestern owned property which is not bordered by neighborhoods on all sides should instead be explored (Lakefront property possibly?)
- The language of their proposal does not specifically identify Welsh-Ryan Arena and opens a risky precedent for larger events at other venues such as Ryan Field.
- The language in their proposed amendment asks for a two year trial period which does not allow for resident /public comment after the two year period.
- A plethora of entertainment options already exist for Evanston residents:

- City Centers theatre productions
- Evanston SPACE music events
- Chandler Lawn events
- Northwestern theatre events
- Evanston ROCKS
- Mudlark Theatre
- ETHS Theatre
- ETHS music concerts
- Evanston Symphony
- Northwestern symphony events
- Chicago in close proximity
- Ravinia in close proximity
- Concerts in the parks
- Seasonal festivals

If you choose to support the change in the zoning ordinance, then please be prepared to explain why you voted differently than your predecessors on this immensely important matter.

Kind regards,

Christina Brandt

10/18/2019
11/11/2019

135-O-19

AN ORDINANCE

Amending Portions of the City of Evanston Zoning Ordinance to Amend Permitted Uses within the U2 Zoning District

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EVANSTON, COOK COUNTY, ILLINOIS:

SECTION 1: City Code Subsection 6-15-7-2, "Permitted Uses", of the Evanston City Code of 2012, as amended, is hereby further amended to read as follows:

6-15-7-2. – PERMITTED USES.

The following uses shall be permitted in the U2 district:

- Business or vocational school.
- Fieldhouse.
- Indoor recreational facility (college and university).
- Outdoor recreational facility (college and university).
- Parking lot (college and university).
- Playground.
- Stadium.

The following uses shall be considered permitted uses when conducted in association with the above permitted uses:

- Intramural and intercollegiate sports and athletic events and practice -therefor.
- Local, regional and State elementary and high school athletic events and practice therefor.

- Band playing and practice in connection with the above events.
- Commencement, convocation and graduation exercises
- University-sponsored lecture, speakers, musical performances and other cultural events held within an enclosed building provided that attendance is limited to ten thousand (10,000) or less.
- Luncheons and dinners and dining room facilities in a stadium provided that attendance is limited to the seating capacity of the facilities.
- Accessory uses to the above permitted uses, including administrative and faculty offices, classroom, auditoriums, athletic facilities and parking spaces.
- Off-street parking for hospital employees and for university students and employees.

Temporary event (provided they are of a community or cultural nature and further provided they meet the conditions listed below):

This Subsection provides standards to ensure that temporary uses shall not impose an undue adverse effect on neighboring streets or property.

Community and cultural events intended primarily for residents of the City and athletic events shall be permitted provided that the following conditions are met:

- 1) Sponsors of the temporary event shall obtain City Council approval, provide proof of event logistics approval by the City's Special Events Committee, and obtain a certificate of zoning compliance pursuant to Section 6-4-8-2 of this Title.
- 2) Sponsors of the temporary event shall provide written notice to residents within five hundred (500) feet of the event site at the same time that they submit an application for a Special Event Permit for the temporary event.
- 3) Attendance at such events is limited to seven thousand (7,000) persons for indoor events and three thousand (3,000) persons for outdoor events.
- 4) Free University parking is available and is provided in the U2 district to all persons attending events (as defined in this ordinance) until all car parking spaces are full. This parking shall be provided for no fewer than two thousand (2,000) passenger vehicles, one thousand three hundred (1,300) of which must be within the U2

~2~

zoning district.

- 5) Private security is provided for those parking areas utilized.
- 6) Adequate provision of traffic-control devices at no City expense, including personnel, shall be provided to ensure the free flow of traffic and the security and safety of said traffic flow.
- 7) Live animals used in conjunction with any event may only be stored within a completely enclosed building.
- 8) No more than six (6) single-day events and a seventh (7th) multi-day event (not to exceed seven (7) days in duration, and that would require approval from the City Council) shall be held in any calendar year.
- 9) Lighting associated with such events shall be directed away from adjacent residences.
- 10) Tractor trailers may not remain running while parked on the public street or in off-street parking areas.
- 11) No activities related to special events shall occur between 10:00 p.m. and 7:00 a.m. from Sunday evening to Friday morning, and between 11:00 p.m. and 7:00 a.m. from Friday evening through Sunday morning, including event setup and breakdown procedures.
- 12) Loitering and tailgating is prohibited before, during and after such events.

The provisions in this text amendment, approved by Ordinance 135-O-19, will expire on December 31, 2021. This text amendment shall not create a precedent for future uses in the U2 District.

SECTION 2: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 3: If any provision of this ordinance or application thereof to any person or circumstance is held unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this ordinance that can be given effect

without the invalid application or provision, and each invalid provision or invalid application of this ordinance is severable.

SECTION 4: Ordinance 135-O-19 shall be in full force and effect after its passage and approval.

SECTION 5: The findings and recitals contained herein are declared to be prima facie evidence of the law of the City and shall be received in evidence as provided by the Illinois Compiled Statutes and the courts of the State of Illinois.

Introduced: October 23, 2019

Approved:

Adopted: November 11, 2019

December 16, 2019

Stephen M. Hagerty
Stephen M. Hagerty, Mayor

Attest:

Approved as to form:

Eduardo Gomez
~~Devon Reid, City Clerk~~
Eduardo Gomez, Deputy City Clerk

Michelle L. Masoncup
Michelle L. Masoncup, Corporation
Counsel



Memorandum

To: Honorable Mayor and Members of the City Council
CC: Members of the Rules Committee
From: Kimberly Richardson, Deputy City Manager
Subject: Resolution 58-R-21; Authorizing the Creation of the Reimagining Public Safety Committee
Date: May 24, 2021

Recommended Action:

Mayor Biss recommends the Rules Committee considers the creation of the Reimagining Public Safety Committee, a 15-member ad-hoc committee, with the task of developing a report to the City Council in the Fall of 2021 with findings arising from a holistic, data-driven analysis of the Evanston Police Department budget deliver community-informed recommendations in preparation for the 2022 annual budget process.

Council Action:

For Action

Summary:

The Committee will review the City's efforts relative to public safety focusing on funding allocation; police department functions and personnel allocation; internal department policies and external accountability; and the alignment of crime reduction tactics with strategic goals. The Committee will pursue a robust community engagement effort to ensure that the experiences, points of view, and priorities of Evanston community members are incorporated in its work, and will access information and data assembled by the Evanston Police Department and other City entities.

Upon completion of the report, the Committee will transmit its report to the City Council with an assessment of its initial findings and recommendations.

Attachments:

[58-R-21 - Reimagining Public Safety Committee](#)

58-R-21

A RESOLUTION

Authorizing the Creation of the Reimagining Public Safety Committee

WHEREAS, the Mayor seeks authorization to create the Reimagining Public Safety Committee (the "Committee"), an ad-hoc committee, with the task of developing a report to the Evanston City Council during the Fall of 2021 with findings arising from a holistic, data-driven analysis of the Evanston Police Department to deliver community-informed recommendation regarding the City of Evanston's ("City") 2022 budget; and

WHEREAS, the Committee will review the City's efforts relative to public safety focusing on: funding allocation; police department functions and personnel allocation; internal department policies and external accountability; and the alignment of crime reduction tactics with strategic goals; and

WHEREAS, the Committee will pursue a robust community engagement effort to ensure that the experiences, points of view, and priorities of Evanston community members are incorporated in its work, and will access information and data assembled by the Evanston Police Department and other City entities; and

WHEREAS, upon completion of the report, the Committee will transmit its report to the City Council with an assessment of its initial findings and recommendations; and

WHEREAS, the Committee’s initial term expires at the end of 2021, with an annual review by City Council and the ability to be renewed annually up to three additional times by the City Council; and

WHEREAS, the Committee consists of Seventeen (17) members who serve without compensation and include the Mayor of Evanston, who also will serve as Chair of the Committee; and

WHEREAS, the appointments shall reflect community diversity, including income levels, ethnicity, age, gender and experience, and can be changed by the Mayor at any time with the consent of the City Council;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EVANSTON, COOK COUNTY, ILLINOIS:

SECTION 1: This Resolution authorizes the creation of the Reimagining Public Safety Committee.

SECTION 2: Resolution 58-R-17 will be in full force and effect from and after its passage and approval in the manner provided by law.

Daniel Biss, Mayor

Attest:

Approved as to form:

Stephanie Mendoza, City Clerk

Nicholas E. Cummings, Corporation Counsel

Adopted: _____, 2021

~2~



Memorandum

To: Honorable Mayor and Members of the City Council
CC: Members of the Rules Committee
From: Kelley Gandurski, Deputy City Manger
Subject: 20-O-21, Amending Title 1, Chapter 10 of the Evanston City Code, "City of Evanston Code of Ethics and Board of Ethics"
Date: May 24, 2021

Recommended Action:

Staff recommends City Council adoption of Ordinance 20-O-12, Amending Title 1, Chapter 10 of the Evanston City Code, "City of Evanston Code of Ethics and Board of Ethics".

Council Action:

For Action

Summary:

Ordinance 20-O-21 amends Ordinance 20-O-19 by eliminating the Board of Ethics as the tribunal by which ethics charges are heard and decided against a covered person. Instead, ethics charges will be prosecuted by a Special Counsel and complaints will be brought before an administrative law officer at administrative hearings. In this way, Ordinance 20-O-21 standardizes the process of prosecuting a City Code violation in consistency with other prosecutions of alleged violations of the City's Code. Ordinance 20-O-21 does not amend any section of the Code of Ethics that Covered Persons are mandated to follow.

With the elimination of the Board of Ethics, Special Counsel will be tasked with investigating and prosecuting violations of the Ethics Code.

City Code 1-10-9 now prescribes the powers and duties given to Special Counsel, including investigating and prosecuting any alleged violations of the Code of Ethics. Special Counsel is also given discretion in bringing about charges of violations of the Ethics Code. If Special Counsel does not find jurisdiction or determines after an investigation that a Complaint will not be brought against the Respondent for lack of cause, the Special Counsel must issue a written memorandum documenting his/her findings to the City Manager, the City Council, the person filing the Complaint and the respondent.

City Code 1-10-10 (C), specifies that the City of Evanston is the petitioner for any violation of the Ethics Code. Under the current ordinance, the findings, decisions and orders of the Board

of Ethics often instruct the Rules Committee to apply penalties under the ordinance, but this has not been the standard practice, and legally tenuous. Neither the Rules Committee nor the City Council are adjudicative bodies. Moreover, the individual who alleged the charge and does not like the ruling of the Board may bring an administrative review action in circuit court. The individual who alleged the charge then becomes the petitioner in administrative review in circuit court, and in turn, everyone involved in the Board of Ethics proceeding must be named a party in circuit court. This is highly irregular and creates an inconsistent record for purposes of review. This potentially creates a situation where members of the Board are subject to discovery, including testifying under oath in a discovery deposition. Typically, the municipality brings the charges against a respondent in administrative hearings and the municipality or respondent becomes the petitioner on administrative review. This amended ordinance is consistent with the way the City prosecutes other alleged violations of the City Code. For all other City Code violations, the City is the petitioner bringing the charge.

Additionally, as is standard for any other violation of City Code, after the formal complaint is issued to the respondent, a hearing will be held before the City's Administrative Hearing Officer. This process eliminates any due process concerns as a licensed attorney / trained hearing officer will take all evidence and render a decision based upon a preponderance of the evidence.. A respondent will be given the opportunity for a hearing as well as appellate rights to Administrative Review with the Cook County Circuit Court, which is also standard for any other violation of the City's Code.

In the last year, the City has faced two circuit court cases challenging due process in the manner upon which the Board of Ethics has conducted proceedings and made decisions. Amending the ordinance as set forth herein will eliminate this argument. In a long-standing Seventh Circuit Court case, *Van Harken v. City of Chicago* (103 F.3d 1346, 1350 (7th Cir. 1997), the Court noted that "a fair hearing before an administrative agency includes the opportunity to be heard, the right to cross-examine adverse witnesses, and impartiality in ruling upon the evidence." All of these factors will be satisfied in bringing ethics charges before an administrative hearing officer.

Over the last four (4) years, there have been a total of fifteen (15) complaints filed with the BOE, six (6) of which the BOE found jurisdiction and the matters went to hearing. Two (2) of those matters resulted in an adverse ruling against an alderman. There have been several other complaints filed against members of City Council and City staff where the BOE did not find that it had jurisdiction to review the matters. In anticipation of the meetings, the Law Department will often receive the initial complaint and forward to the Special Counsel. The Special Counsel investigates, and the Law Department staff assists in providing the Special Counsel documents or materials she requires to investigate and review. When a complaint is filed, Law Department staff may expend ten (10) to fifteen (15) hours per month until hearing in assisting the Special Counsel in obtaining documents and providing background information as necessary. The Law Department also notices the public meeting. Additionally, the City's IT staff may spend at least ten (10) hours per month in providing IT support to the BOE, and ensuring packets, agendas, orders and video is uploaded to the City's website. This would approximate between 240 hours and 270 hours per year of staff time. Since 2017, the City has expended approximately \$31,998.85 in reimbursing outside counsel fees for the defense of respondents who were the subject of BOE complaints. At this time, the City has expended a total of \$30,764.88 in Special Counsel fees for a total of \$62,763.73.

City Code 1-10-12 is updated to specify that the City will not be responsible for paying to defend any charge brought by the Special Counsel unless the Covered Person is found not liable. This Section also mandates that all hearings proceed as outlined in Title 11 of the City's Code, which outlines the City's Administrative Hearing procedures. It will be a conflict for the City to pay for attorneys' fees as the City will ultimately be the entity bringing the charge if there is jurisdiction and cause.

City Code 1-10-13 outlines the possible penalty associated with a violation of the City's Ethics Code. A fine of not less than \$100 dollars and not more than \$750 dollars may be issued by the Hearing Officer.

Ordinance 20-O-21 also removes the City's requirement to submit an economic disclosure statement with the City of Evanston. Compliance with 5 ILCS 420/4(A)-101.5 mandates disclosure to the County is required, but there is no requirement to have an additional economic interest filed out with the City of Evanston. As the Board of Ethics is eliminated with Ordinance 20-O-21, there is no Board directed to review the economic statements of interest.

Ordinance 20-O-21 also amends Section 1-10-5, "Gift Ban" by making the amount of a food, drink or entertainment item consistent throughout that section.

The Village of Skokie and the Village of Wilmette both adopted the State Officials and Employee Ethics Act, as does Evanston.

The Village of Skokie has a three person commission, appointed by the Village President and approved by the Board of Trustees, that reviews ethics complaints. The Village of Skokie's Ethics Commission has not had an ethics complaint in recent years. The Village of Skokie also has an Ethics Adviser appointed by the Village President to advise on ethics issues. The Ethics Adviser may be an officer or employee of Skokie.

The Village of Wilmette named its Corporation Counsel as its Ethics Adviser. The Ethics Adviser may hire a special investigator to conduct or assist with the independent review of an ethics complaint.

No other policies or procedures are outlined in either Skokie or Wilmette's Village Code.

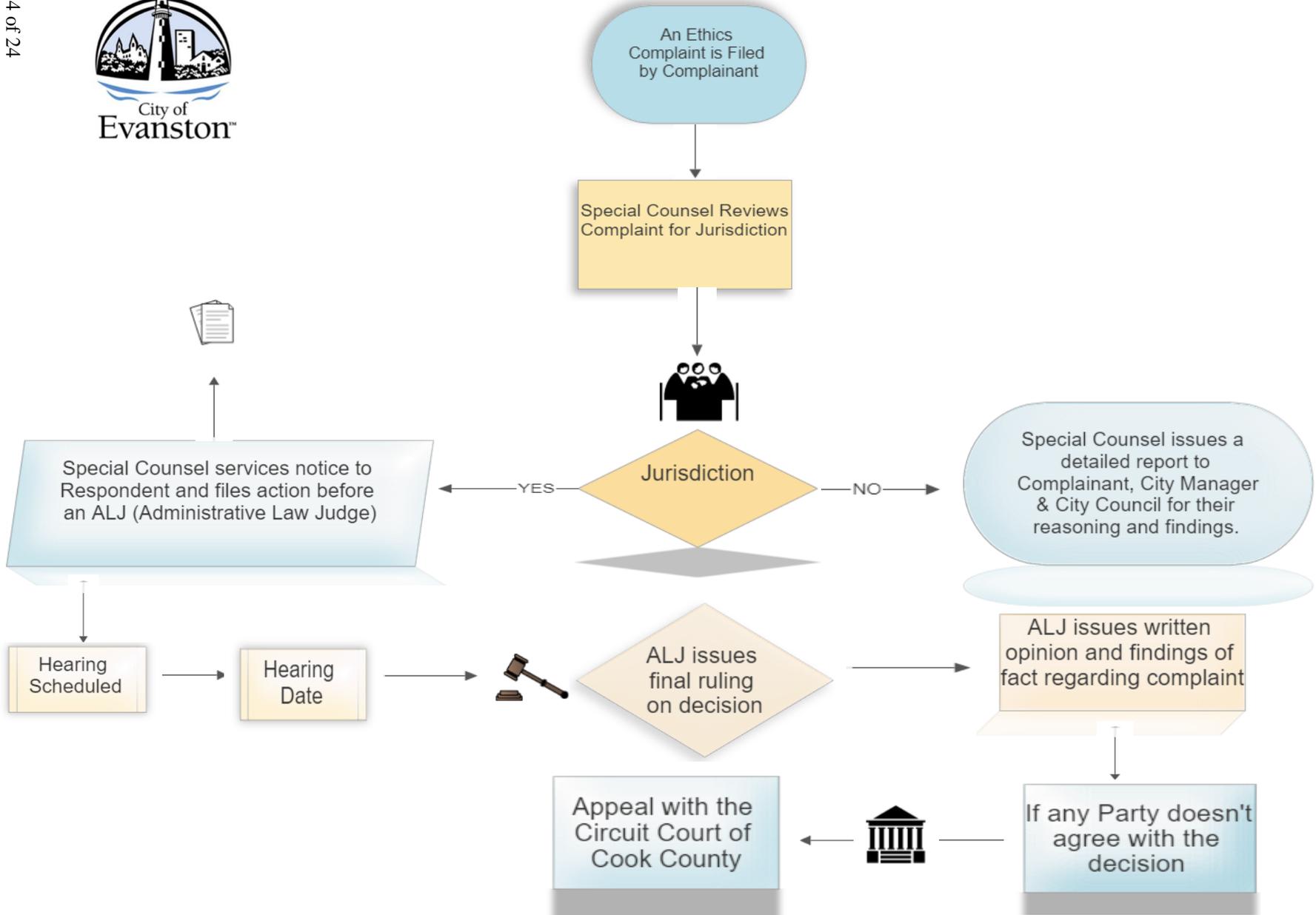
Ordinance 20-O-21 is intended to be a temporary change until the City is able to create/re-model a new version that reincorporates community members.

Attachments:

[20-O-21 Ethics Ordinance Flow Chart](#)

[20-O-21, Amending Title 1, Chapter 10 of the Evanston City Code, "City of Evanston Code of Ethics and Board of Ethics"](#)

ORDINANCE 20-0-21 - ETHICS COMPLAINT PROCEDURE



3/30/2021
5/4/2021
5/14/2021

20-O-21

AN ORDINANCE

**Amending Title 1, Chapter 10 of the Evanston City Code,
“City of Evanston Code of Ethics and Board of Ethics”**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF
EVANSTON, COOK COUNTY, ILLINOIS:

SECTION 1: Title 1, Chapter 10, “Board of Ethics,” of the Evanston City Code of 2012, as amended, is hereby deleted in its entirety and further amended to read as follows:

Chapter 10 – City of Evanston Code of Ethics and Board of Ethics.

1-10-1. - PURPOSE.

The purpose of this Chapter is to provide a Code of Ethics for the City of Evanston; ~~establish a Board of Ethics~~ and set forth an ethics complaint process.

1-10-2. - DEFINITIONS.

Advisory Panel.	Board of Ethics Chair and Special Counsel.
Appointed Official.	Any member of a board or commission appointed by the Mayor or the City Council.
Board of Ethics Chair.	Board of Ethics Chair will act as a Hearing Officer whose duty it is to: (1) Preside at a hearing called to determine whether or not a Code violation exists; (2) Hold conferences between the parties for the settlement or simplification of the issues; (3) Administer oaths; (4) Accept evidence from all interested parties relevant to the existence of a Code violation to be presented to the Board of Ethics at the hearing; and (5) Rule upon motions, objections and the admissibility of evidence.
City approval.	Any contract, legislative action, administrative action, transaction, zoning decision, permit decision, licensing decision,

	or other type of approval action that may be the subject of an official City act or action.
<i>Code.</i>	The City of Evanston Code of Ethics.
<i>Compensated time.</i>	With respect to an employee, any time worked by or credited to the employee that counts toward any minimum work time requirement imposed as a condition of their employment. For purposes of this Code, compensated time shall not include any designated holidays, vacation periods, personal time, compensatory time or any period when the employee is on a leave of absence. For employees whose hours are not fixed, "compensated time" includes any period of time when the employee is on premises under the control of the City and any other time when the employee is executing their City duties, regardless of location.
<i>Compensatory time.</i>	Authorized and documented time off from work earned by or awarded to an employee to compensate in whole or in part for time worked in excess of the minimum work time required of that employee as a condition of employment with the City.
<i>Complaint.</i>	<u>The City of Evanston's Complaint and Inquiry Form which contains the name of the person alleging the violation of the Ethics Code, the name of the person accused and sets forth the specific act(s) of a Covered person alleged in violation of the Ethics Code. The Complaint shall include all facts personally known to the person filing the complaint that support the allegations. The Complaint and Inquiry Form must be signed and certified pursuant to 735 ILCS 5/1-109.</u>
<i>Covered person.</i>	Unless otherwise stated or expressly limited, this shall mean every elected official, appointed official or employee of the City.
<i>Director.</i>	Each City department head.
<i>Elected official.</i>	The Mayor, any member of the City Council chosen by the City electorate and any duly appointed member of the City Council and the City Clerk.
<i>Employee.</i>	Any person employed by the City (whether part-time or full time and whether or not pursuant to a contract) whose duties are subject to the direction and control of the City Council or a City supervisor with regard to the material details of how the work is to be performed. Employee does not include an independent contractor. An elected official is not an employee.
<i>Gift.</i>	Any money, fee, commission, credit, gratuity, thing of value including a discount, entertainment, hospitality, loan, forbearance, other tangible or intangible item having monetary value. This includes compensation of any kind including, but not limited to, cash, food and drink, or honoraria for speaking engagements related to or attributable to government employment or the official position of a covered person.
<i>Hearing Officer.</i>	As defined by Title 11 Chapter 1, Section 7 of this Code.

<i>Interest in real property.</i>	This shall include, but is not limited to any legal or beneficial interest whatsoever in real property through (i) a trust; or (ii) contract to purchase where title may not have been yet conveyed; or (iii) a corporation, an investment group or limited liability company or partnership; or (iv) leasehold or rental agreement.
<i>Intra-governmental and inter-governmental gifts.</i>	Intra-governmental gift means any gift given to a covered person from another covered person. Inter-governmental gift means any gift given to a covered person by an elected official, appointed official or employee of another public body.
<i>Other members of a person's household.</i>	A person who is not a spouse or minor child a of covered person who resides at the same residence of the covered person at least 180 days per year and does not pay fair market value rent.
<i>Persons or entities doing business.</i>	Any one or any combination of sales, purchases, leases or contracts to, from or with the City in an amount in excess of \$10,000 in any twelve (12) consecutive months.
<i>Persons or entities seeking to do business.</i>	(1) Any person taking any action within the past six (6) months to obtain a contract or business from the City when, if such action were successful, it would result in the person's doing business with the City, and the contract or business sought has not been awarded to any person; or (2) any matter that was pending before the City Council in the six months prior to the date of the contribution if the matter involved the award or loan funds, grant funds or bond proceeds, bond inducement ordinances, leases, land sales, zoning matters, the creating of tax increment financing districts or concession agreements.
<i>Political organization.</i>	A political party, committee, association, fund, or other organization (whether or not incorporated) that is created to further the election of a candidate or in furtherance of a law, ordinance or referendum.
<i>Prohibited source.</i>	Any person or entity who (that): (a) Whether directly or indirectly seeks or solicits any official action from a covered person or from a public body or a person who directs a covered person; (b) Whether directly or indirectly, does business with or seeks to do business with a covered person or with a public body or a person who directs a covered person; (c) Whether directly or indirectly, is regulated by a covered person or by a public body or a person who directs a covered person; (d) Whether directly or indirectly has any interest that may be substantially affected by the performance or non-performance of the official duties of a covered person; or (e) Is registered or required to be registered with the Secretary of State under the Lobbyist Registration Act, except that an entity not otherwise considered to be a prohibited source does

	not become a prohibited source merely because a registered lobbyist is a member of that entity or serves on its board of directors.
<i>Protected activity.</i>	For purposes of this Chapter, protected activities means the following: (a) Disclosure or request to disclose an activity, policy or practice that any covered person would reasonably believe is a violation of a federal, state or City law, rule or regulation; (b) Providing of information to or testimony before any public body conducting an investigation, hearing or inquiry of any kind into any possible violation of a federal, state or City law, rule or regulation; or (c) Cooperation with or participation in any federal, state, or municipal proceeding to enforce the provisions of this Code of Ethics.
<i>Public body.</i>	(1) The federal government, federal agency, federal judiciary, federal official or employee, any federal law enforcement agency or office, or federal grand jury or petit jury; (2) a state government, state agency, state judiciary, state official or employee, any state law enforcement agency or office or state grand jury or petit jury; (3) a municipal government, municipal agency or department, municipal committee, municipal judiciary, municipal official or employee, any municipal law enforcement agency or office; or (4) county, township, special districts, or other taxing entity.
<i>Retaliatory action.</i>	(a) Retaliation against an employee: Adverse action of any kind against any employee including but not limited to the reprimand, discharge, suspension, demotion or denial of promotion or transfer of any employee, or the imposition of a punishment as set forth in this Code of Ethics that is administered to an employee because of the employee's involvement in protected activity as set forth in this Code of Ethics; (b) Retaliation against an elected official or appointed official: Adverse action of any kind against an elected official or appointed official including, but not limited to, the filing of a bad faith complaint by a covered person against an elected official or appointed official for a violation of this Code of Ethics or the imposition of discipline as set forth in this Code of Ethics that is administered against an elected official or appointed official because of an elected official's or appointed official's involvement in a protected activity as set forth in this Code of Ethics; or (c) Retaliation against any individual or entity: Adverse action of any kind by a covered person against any individual or entity including, but not limited to, the refusal of services, threats of

	any kind including the threat of applying stricter requirements or restrictions or standards of any kind, monitoring with excessive visits, differential or discriminatory behavior of any kind, harassment, delay, changing deadlines or changing required standards of performance or conduct, or the initiation of investigations without a good faith cause that is taken because of the individual's or entity's involvement in a protected activity as set forth in this Code of Ethics.
<i>Special Counsel</i>	Counsel for Board of Ethics. Counsel for the investigation and prosecution of Ethics Complaints.
<i>Supervisor.</i>	An employee who has the authority to direct and control the work performance of another employee or who has authority to take corrective action regarding any violation of a law, rule or regulation.

~~1-10-3. REQUIREMENTS FOR FINANCIAL DISCLOSURE AND AFFILIATION.~~

- ~~(A) Disclosure of interest in real property. Each elected official, appointed official, director and employee who staffs a board of commission, shall file with the City Clerk, a statement disclosing any ownership interest in real property located within the corporate limits of the City by the elected official, appointed official, director or coordinator.~~
- ~~(B) Disclosure of business interests. Each elected official, appointed official, director and employee who staffs a board of commission shall annually file with the City Clerk, a statement disclosing the ownership in or the employment by any business, firm, corporation or entity of any kind doing business with the City. This shall not include an interest in a publicly traded entity where the covered person holds less than one percent of the stock.~~
- ~~(C) Disclosure of other employment. Each elected official, appointed official, director and employee who staffs a board of commission shall file annually with the City Clerk, a statement specifying all employment for the previous calendar year of the person filing the statement and the person's spouse or cohabitating partner. This statement shall include the name of the employing entity, the number of hours typically worked per week, the nature of the service performed in the course of such employment, and a statement of whether the services performed were connected in any manner to the individual's employment with the City or with City business.
This statement shall further disclose whether the covered person or covered person's employer performed any service or work for the City for which the covered person was compensated. This shall not include compensation for work performed in the person's official capacity with the City.~~
- ~~(D) Filing and disclosure.~~
 - ~~1. All disclosure statements described in this section shall be filed with the City Clerk on or before July 1 of each calendar year, except as otherwise set forth in this Code of Ethics, or within sixty (60) days of a change in~~

~~status. The City Manager or the Mayor and City Council shall have the authority to require more frequent filings.~~

- ~~2. A person who is specially appointed as an officer, a person who is an appointed official, a person who is elected in a special election, and all newly hired employees shall have thirty (30) calendar days from election, appointment or date of hire to file the disclosures required by this section.~~
- ~~3. Persons obligated to file disclosure statements pursuant to the laws of the state shall also file copies of such disclosure statements with the City Clerk.~~
- ~~4. Any disclosure required by this City Code Section 1-10-3 shall include the disclosure of interests of the covered person's spouse, minor child and other members of the covered person's household.~~

1-10-4 3. - REQUIREMENTS WITH RESPECT TO CONFLICTS OF INTEREST AND STANDARDS OF CONDUCT.

- (A) Impartiality. All Employees shall perform their duties with impartiality and without prejudice or bias in their service to the residents of the City of Evanston. No Employee shall grant or make available to any individual, including other covered persons any consideration, treatment, advantage or favor beyond that which is available to every other individual.
- (B) Recusal and abstention. When an elected official or appointed official must take official action on a legislative matter or in connection with their performance of City duties as to which they have a conflict of interest or as to which a person in their position would believe that there is an appearance of a conflict-of interest created by a personal, family, client, legislative interest, or economic interest, they must disclose, either in advance in writing, or verbally at the meeting at which such matter is to be entertained, to the Special Counsel and to the board, commission, or City Council on which the person is a member of, during an open session, the existence of the potential conflict of interest. This official must then either eliminate the cause of the conflict of interest or, if that is not feasible, abstain from any direct or indirect official action relating to the matter including but not limited to participating in any discussion, debate or vote relating to the matter. Any elected or appointed official must state the reason for abstention at the time they abstain. It is understood that there are certain statutory conflicts of interest which may not be cured by recusal and abstention. Conflicts of interest such as are set forth in 65 ILCS 5/3.1-55-10 and 50 ILCS 105/3a may be cured only by resignation from office or as otherwise set forth in those statutes.
- (C) Prohibition against interests in City contracts and business. No covered person, whether paid or unpaid, shall have any direct or indirect interest in any contract, work or business with or of the City except as permitted by 65 ILCS 5/3.1-55-10 of the Illinois Municipal Code.
- (D) Prohibition against interests which are in conflict with or appear to be in conflict with the performance of official duties. No covered person shall directly or indirectly engage in any business or transaction or shall directly or indirectly have a financial or other personal interest in a business or transaction that is in conflict

with or gives the appearance of being in conflict with the proper discharge of their official duties or that impairs or may give the appearance of impairing their independent judgment and/or independent action in the performance of their official duties. For purposes of this Section, "personal interest" shall include the financial interest of a spouse, minor child or other household member of the covered person.

- (E)** Interest in a City approval. Each covered person having the power or duty to directly or indirectly perform an official act or action that is related to a City approval shall:
1. Disclose any direct or indirect interest, including that of a spouse or cohabitating partner in the City approval being sought;
 2. Disclose any direct or indirect interest in any business entity seeking the City approval or in any entity representing, advising or appearing on behalf of that business entity or person, whether paid or unpaid, in seeking the City approval;
 3. Not solicit, or discuss and or accept, while a covered person, an offer of present or future employment with a person or business entity seeking the City approval;
 4. Not encourage, make or engage in any ex parte or unilateral application or communication where a determination is to be made after a public hearing and if such communication is made, the contents of the communication shall be made part of the public record. Said communication only applies where a covered person is a member of a hearing body when the communication pertains to said hearing;
 5. Not directly or indirectly solicit, accept or grant a future gift, favor, service or anything of value from or to an entity or person seeking the City approval or from any person or entity who was expected to receive a material benefit, directly or indirectly on account of the City approval, except:
 - a. A one-time consumable non-pecuniary gift with a value of less than one hundred dollars;
 - b. A non-pecuniary award publicly presented in recognition of public service.
- (F)** Prohibited campaign or political activity:
1. No covered person shall intentionally require any employee to and no employee while on compensated time shall intentionally:
 - a. Use any City property or resources in connection with any campaign or political activity;
 - b. Participate in any political activity for the benefit of any campaign for elective office or any political organization;
 2. No covered person shall intentionally:
 - a. Use the service of any employee by requiring performance by that employee of any campaign or political activity;
 - b. Require any campaign or political activity as a part of an employee's City duties or as a condition of continued City employment or advancement;

- c. Require an employee, at any time, to participate in any campaign or political activity as consideration for the employee being awarded any additional compensation or employee benefit in the form of a salary adjustment, bonus, compensatory time, uncompensated approved leaves of absence, or as a condition of continued employment or advancement for that employee, or requiring such participation for any other reason;
 - d. Award an employee additional compensation or employee benefit(s), in the form of a salary adjustment, bonus, compensatory time off, uncompensated approved leaves of absence, continued employment, advancement, or otherwise, as consideration for that employee's participation in any campaign or political activity;
 - e. Require any other covered person to make any campaign contribution whether in money, in time, or through the provision of any goods or services in consideration for the continued employment or advancement of the covered person.
- (G)** Pre-acquisition of interest. No covered person shall directly or indirectly acquire an interest in or an interest affected by any City approval at a time when the covered person knew or reasonably should have known that the acquired interest might be directly or indirectly affected by an official act or action of such covered person.
- (H)** Appearances. No covered person shall appear on behalf of or against any private party before any City board or commission in which the covered person is a member thereof. This shall not include appearances on behalf of themselves, their spouse or minor child or other member of the person's household.
- (I)** Disclosure and/or use of confidential information. No covered person shall, without proper legal authorization, directly or indirectly disclose confidential information concerning the property, government or affairs of the City or use such information to directly or indirectly advance the financial, personal or other private interest of the covered person or any other person or entity.
- (J)** Public property. No covered person shall permit the use of or engage in the unauthorized use of City owned funds, vehicles, equipment, materials or property of any kind for political activity, personal convenience or profit or for any other matter not related to official City business. This prohibition shall apply irrespective of whether or not the public property is returned or reimbursed. This prohibition shall not apply to the use of non-powered traffic control items such as cones or other barricades used for civic events or block parties. No political activity may take place on any City property or at any City Ward Meeting.

1-10-54. - OFFICIAL MISCONDUCT.

A covered person commits official misconduct when in their official capacity intentionally commits any one of the following acts:

- (A)** Performs an act in excess of their lawful authority, with intent to obtain a personal benefit or advantage for themselves or for another person.

- (B) Solicits or knowingly accepts for the performance of any act in connection with their official duties any fee or reward which they know is not authorized by law and which is not part of their regular compensation for the performance of their official duties.
- (C) Uses the prestige, power or influence of their office or employment to engage in any transaction or any activity, which is, or would appear to be, in conflict or incompatible with the proper discharge of their official duties, or which impairs, or would appear to impair, the officer, appointed official or employee's independence of judgment or action in the performance of official duties. This prohibition shall extend to any use of official position or employment for a purpose that is or would to a reasonable person appear to be for the private benefit of the officer, appointed office, employee or any member of their family, rather than primarily for the benefit of the City.
- (D) Purchases, receives or accepts any financial interest in any sale to the City of any service or property.
- (E) Accepts a retainer or any form of compensation from any private interest that is expressly or implicitly contingent upon the occurrence of specific City action.
- (F) Represents any private interest in any transaction involving the City for twelve (12) months after their status as an elected official of the City terminates.

1-10-65. - GIFT BAN.

- (A) Gift ban. Except as otherwise provided in this section, no covered person shall directly or indirectly solicit or accept any gift from any prohibited source in violation of any federal or state statute, rule or regulation or in violation of any City ordinance, rule or regulation. This ban applies to and includes the spouse, minor child, immediate family member, or other member of the household of the covered person.
- (B) Gift ban exceptions. The restrictions above do not apply to the following:
 1. Opportunities, benefits, and services available on the same conditions as for the general public;
 2. Anything for which the covered person pays the market value that is available on the same conditions as for the general public;
 3. Any (i) contribution that is lawfully made under the election code or under this Chapter; or (ii) activities associated with a fundraising event in support of a political organization or candidate;
 4. Educational materials and magazines;
 5. Travel expenses paid for by the City for a meeting to attend to City business that have been reviewed and approved by the City Manager or their designee;
 6. A gift from a relative, meaning those people related to the individual as father, mother, son, daughter, brother, sister, uncle, aunt, great aunt, great uncle, first cousin, nephew, niece, husband, wife, grandfather, grandmother, grandson, granddaughter, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half-brother,

- half-sister, and including the father, mother, grandfather, or grandmother of the individual's spouse and the individual's fiancé or fiancée;
7. Anything provided by an individual on the basis of a personal friendship unless a reasonable person would have reason to believe that under the circumstances the gift was provided because of the official position or employment of the covered person and not because of personal friendship;
 8. In determining whether a gift is provided on the basis of personal friendship, the covered person shall consider the circumstances under which the gift was offered, such as:
 - a. The history of the relationship between the individual giving the gift and the recipient of the gift, including any previous exchange of gifts between those individuals;
 - b. Whether in the actual knowledge of the covered person, the individual who gave the gift personally paid for the gift or sought a tax deduction or business reimbursement for the gift;
 - c. Whether in the actual knowledge of the covered person, the individual who gave the gift also at the same time gave the same or similar gifts to another covered person; and
 - d. Whether in the actual knowledge of the covered person, the individual who gave the gift had any matter proposed or pending before the City that related directly or indirectly to the covered person.
 9. Food, entertainment or refreshments not exceeding one hundred dollars (\$100.00) per person in value and at no time can food and refreshments exceed ~~seventy-five dollars (\$75.00)~~ one hundred dollars (\$100.00) in value, that are provided and consumed on a single calendar day and that are provided in connection with a meeting or event associated with official City duties provided (1) that the food or refreshments are consumed on the premises from which they were purchased, prepared or catered; and (2) that, in case of employees, the anticipated provision of food or beverages is disclosed to the supervisor of the employee(s) in writing no less than twenty-four (24) hours in advance. For the purposes of this Section, "catered" means food or refreshments that are purchased ready to eat and that are delivered by any means. This provision is not intended to allow employees to receive food or beverages which are not part of an official preapproved meeting in connection with City duties;
 10. Food, refreshments, lodging, transportation and other benefits resulting from outside business or employment activities (or outside activities that are not connected to the City duties of the covered person as an office holder or employee) of the covered person, if the benefits have not been offered because of the official position or employment of the covered person, and are customarily provided to others in similar circumstances;
 11. Intra-governmental and inter-governmental gifts;
 12. Bequests, inheritances and other transfers at death; or

13. Anything provided as a gift to a covered person because that person is retiring or leaving office or City employment provided that each such gift is disclosed to the covered person's supervisor and if that person is an elected or appointed official, the disclosure will be to the City Manager or their designee.

Each of the exceptions listed in this section is mutually exclusive and independent of one another.

- (C) Disposition of banned gifts. A covered person does not violate this Section if the covered person makes timely disclosure in writing of the receipt of the gift to the Special Counsel and informs the Special Counsel in writing that the prohibited gift has been returned to the source identified in the written disclosure, or provides written disclosure to the Special Counsel of the receipt of the gift along with appropriate documentation which demonstrates that the gift or an amount equal to its value has been given to an appropriate charity that is exempt from income taxation under Section 501(c)(3) of the Internal Revenue Code of 1986, as now or hereafter amended, renumbered or succeeded.

1-10-76. - WHISTLE BLOWER PROTECTION.

No covered person shall take or cause another to take any retaliatory action against any person because that person has engaged in protected activity.

1-10-87. - ETHICS TRAINING.

- (A) Ethics training: Beginning in 2020, each covered person must complete, on an annual basis, an ethics training program provided by the Law Department. Any new employee, newly elected or newly appointed Covered Person must complete the ethics training within ninety (90) days of acceptance or swearing in of their new position. This training program shall:
1. Require each covered person to review this Code of Ethics and to sign a statement attesting to the fact that the covered person has read and understands this Code of Ethics; and
 2. Discuss the requirement that each covered person must act in accordance with federal and state law and City regulations and in compliance with this Code of Ethics. Each director must also implement an ongoing ethics training program for that department's employees. This ongoing ethics training program shall be overseen by the City Manager. The director of each department and the City Manager, on an annual basis shall submit a written statement to the Rules Committee attesting to the fact that the ethics training has taken place during that calendar year.
- (B) Each calendar year, the City of Evanston Law Department shall meet with the City Manager to review the implementation of this Code of Ethics, the status of ongoing training and discuss any needed changes. The Law Department and City Manager shall make an annual report to the Rules Committee in writing about this meeting, the status of the implementation of this Code of Ethics, and any recommended changes.

1-10-98. - ABUSE OF THE CODE OF ETHICS.

It shall be a violation of this Code of Ethics for any covered person to knowingly engage in the following conduct:

- (A) Intentionally and in bad faith make a false report alleging a violation of any provision of this Code of Ethics.
- (B) Intentionally and in bad faith obstruct or attempt to obstruct the implementation of this Code of Ethics or an investigation of any alleged violation of this Code of Ethics.

~~1-10-10. - BOARD OF ETHICS ESTABLISHMENT, MEMBERSHIP, QUALIFICATIONS, TERMS OF OFFICE, AND ORGANIZATION.~~

- ~~(A) The City of Evanston Board of Ethics is hereby established. The Board of Ethics shall consist of five (5) members appointed by the Mayor with the consent of the City Council.~~
- ~~(B) Five (5) voting members shall be appointed to the Board of Ethics by the Mayor with the advice and consent of the City Council for a term of two (2) years. Each member of the Board of Ethics may not serve more than two (2) year terms. The Chair of the Board of Ethics shall be appointed by the Mayor. The appointed board members shall be residents of the City who are known for personal integrity and sound judgment, who are not employees of the City, who have no claim pending against the City and who have no contractual relationship with the City. The members shall serve without compensation for their services.~~
- ~~(C) If a vacancy occurs before the end of a term, a member shall be appointed by the Mayor with the consent of the City Council for the unexpired portion of the term.~~
- ~~(D) At the first meeting in January of each year, or at a meeting as close to that date as practicable, the Board of Ethics shall elect a Vice-Chair. The Chair shall preside over all meetings. The Vice-Chair shall perform all duties of the chair in the absence of the Chair.~~
- ~~(E) The City Manager will designate a Staff Liaison to provide ministerial assistance to the Board of Ethics. The Staff Liaison will prepare and post agendas and minutes, coordinate Board meetings and hearings, and provide any additional support necessary to the Board. The Staff Liaison shall not be a member of the City's Law Department.~~

~~1-10-11. - CALL OF MEETING.~~

~~The Board of Ethics shall meet monthly as regularly scheduled, unless properly cancelled. The Board of Ethics may schedule Special Meetings as needed. The Board of Ethics will operate in full conformance with the Illinois Open Meetings Act 5 ILCS 120/1 et seq. and in accordance with the Board of Ethics Rules.~~

~~1-10-12. - POWERS AND DUTIES.~~

~12~

~~The Board of Ethics shall have the following powers and duties:~~

- ~~(A) To give advisory opinions to the Special Counsel on proposed action(s);~~
- ~~(B) To hear complaints concerning unethical conduct as to any covered person;~~
- ~~(C) To make recommendations to the Rules Committee for changes in the City's Code of Ethics;~~
- ~~(D) The Board of Ethics may adopt such rules as it deems necessary for the conduct of its business;~~
- ~~(E) The Board of Ethics does not have the power to issue subpoenas;~~
- ~~(F) The Board may render an informal advisory opinion based on a real or hypothetical set of circumstances, when requested by a covered person. If a covered person submits a request or question to the Board for an informal advisory opinion, the Board must respond in writing. All requests to the Board for an informal advisory opinion are confidential. The Board may publish advisory opinions if guidance on a frequent issue is requested. The published informal advisory opinions must be redacted to remove any personal identifiers; and~~
- ~~(G) Issue a final order which includes findings of fact and conclusions of law for all Ethics Code Complaints.~~

1-10-139. - BOARD OF ETHICS SPECIAL COUNSEL.

- ~~(A) The Board of Ethics Special Counsel ("Special Counsel") is hereby established.~~
- ~~(B) Special Counsel shall be appointed by the Mayor with the consent of the City Council and will have duties as outlined in this Chapter. Special Counsel will be administered through the City Manager's Office and shall be an independent contractor of the City.~~
- ~~(C) Special Counsel shall create their own rules and regulations to execute their duties as outlined, and in conformance with this ordinance. Such rules shall be subject to the approval of a majority of a quorum of the Ethics Board. The rules and regulations shall be published in pamphlet form available to the public.~~
- ~~(D) Special Counsel on their own action can initiate an ethics investigation. The findings of such an investigation shall be provided to the Advisory Panel as outlined in City Code Section 1-10-14.~~
- ~~(E) The Special Counsel must have demonstrable relevant experience in order to be considered for the appointment and the Special Counsel must be a licensed member, in good standing, of the Illinois Bar, at the time of appointment and for the duration of their term.~~
- ~~(F) The Special Counsel shall perform an intake for Ethics Complaints filed, compile any evidence submitted by the Complainant and the Respondent pertaining to said Complaint, provide legal advice and counsel to the Board of Ethics and perform all duties as specified in 1-10-15. The Special Counsel is not required to locate evidence for either party.~~
- ~~(B) Powers and Duties:~~
 - ~~1. The Special Counsel must have demonstrable relevant experience in order to be considered for the appointment and the Special Counsel must~~

- be a licensed member, in good standing, of the Illinois Bar, at the time of appointment and for the duration of their term.
2. Special Counsel shall be appointed by the Mayor with the consent of the City Council and will have duties as outlined in this Chapter. Special Counsel will be administered through the City Manager's Office and shall be an independent contractor of the City.
 3. The Special Counsel is an independent and nonpartisan position charged with promoting the economy, effectiveness, efficiency and integrity by identifying violations of the Code of Ethics. Special Counsel has jurisdiction to conduct investigations, audits and review of most aspects of City government and shall prosecute any Code of Ethics violations pursuant to this Chapter on behalf of the City of Evanston through Administrative Hearings.
 4. To receive and register complaints and information concerning misconduct under the Code of Ethics.
 5. To investigate the performance of covered persons in response to complaints in order to detect and prevent misconduct of the Code of Ethics. In the event Special Counsel's investigation brings to light different facts than alleged in the Complaint, Special Counsel is authorized to amend the Complaint to conform with the facts as discovered in the investigation.
 6. To request information related to an investigation, audit or program review from any covered person.
 7. To prosecute at Administrative Hearings, at his / her discretion, in the course of any activity conducted pursuant to this Chapter an investigation hereunder.
 8. To issue subpoenas and to call witnesses at the Administrative Hearing at the discretion of the Administrative Hearing Officer and to compel the attendance of witnesses for purposes of examination and the production of documents and other items for inspection and/or duplication.
 9. To defend against subpoenas.
 10. Recommend to the Mayor, City Manager and City Council policies and methods for the elimination of inefficiencies and waste in resources and the prevention of misconduct.

1-10-1410. - FORMAL COMPLAINTS.

Any person (~~complainant~~) may file a formal ethics complaint in writing to Board of Ethics the Special Counsel ~~by written complaint to the Board of Ethics~~ within thirty (30) days after the alleged violation has occurred.

- (A) The complaint shall state the name of ~~complainant (complainant)~~ the person alleging the violation of the Ethics Code, the name of the person accused (respondent) and set forth the specific act or acts alleged to constitute a violation of the Ethics Code along with all facts known to the ~~complainant~~ person filing the

complaint that support the complaint. Any complaint not submitted on the City's Complaint and Inquiry Form will be stricken.

(B) An acknowledgment of receipt of the complaint shall be sent by the Special Counsel via email to the complainant person filing the complaint and respondent within seven (7) calendar days of receipt of the complaint.

(C) The City of Evanston is the petitioner for the purposes of this Chapter.

~~**(C)(D)** The Special Counsel and Chair of the Board of Ethics shall make up the Advisory Panel. The Advisory Panel shall make a preliminary jurisdictional determination as to whether the complainant has stated sufficient facts exist to constitute a violation of the Ethics Code. Jurisdiction shall be determined if the Complaint is alleged against a covered person and states allegations of a violation or violations of the Ethics Code. If the Advisory Panel does not agree as to the jurisdictional determination, the Complaint shall be presented to the Board of Ethics in closed session for determination of jurisdiction. The Advisory Panel's determination does not constitute an open meeting of the Board of Ethics. The Advisory Panel shall give their findings to the Board of Ethics to review in closed session at the next regularly scheduled meeting of the Board of Ethics. The Board of Ethics shall determine whether the complaint should be dismissed for lack of jurisdiction and all final action must be taken in open session. If the Board of Ethics determines that the complaint should be dismissed for lack of jurisdiction, the Special Counsel will communicate that finding to the complainant within seven (7) calendar days from the determination. Neither the complaint nor jurisdictional findings is subject to disclosure under the Illinois Freedom of Information Act. Upon finding that the complaint alleges sufficient facts to state a violation, the Board of Ethics shall conduct a hearing in accordance with Section 1-10-15.~~

(E) If the Special Counsel determines that there is no jurisdiction to prosecute a charge for a violation of the Code of Ethics pursuant to this Chapter, or determines that there is no cause to prosecute a violation of the Code of Ethics as set forth in 1-10-10(D) of this Chapter, then within sixty (60) days of receipt of the Complaint, the Special Counsel must file a written report with the City Manager and the City Council, detailing why there is no jurisdiction or cause to prosecute a violation of the Code of Ethics. A copy of the report must be sent to the person making the complaint and the respondent.

(F) If jurisdiction and cause to prosecute a violation of the Code of Ethics is determined by the Special Counsel, an Administrative Hearing shall be held in accordance with 1-10-11 of this Chapter.

1-10-11. ADMINISTRATION HEARINGS AND ETHICS CODE VIOLATIONS.

~~**(D)** **(A)** The hearing shall be led by the Board of Ethics Chair and Hearing Officer and shall include a review of all evidence presented by the City through the Special Counsel, including all relevant documents, and records; and witness testimony.~~

~~**(B)** Notice of the hearing shall be posted no less than forty-eight (48) hours prior to the hearing on the City's website.~~

~~**(E)** **(C)** The Board of Ethics shall render its his/her opinion in writing as soon as practicable after the hearing is concluded. At the conclusion of the hearing, the~~

Hearing Officer shall issue a written opinion, which The opinion shall include a findings of facts, the identification of the specific Ethics Code provision that was allegedly violated, and an opinion based upon the factual findings as to whether the alleged violation is was sustained or not. A simple majority is required by the Board of Ethics for a finding of a violation of the Ethics Code. Written orders will be posted on the City's website and shall be emailed to the respondent by Special Counsel by the Hearing Officer.

- ~~(F)~~ A copy of the Board of Ethics opinion shall be sent to the respondent and the complainant. Within ten (10) business days from receipt of the opinion, the respondent or the complainant may object and ask for reconsideration in writing of the opinion; said objection must set forth in detail the basis for the objection. The objection must be received by the Special Counsel, within the ten (10) business day period set forth above.
- ~~(G)~~ Upon receipt of a timely written objection and request for reconsideration, the Board of Ethics shall evaluate the objection and take whatever steps are necessary to reach a conclusion on the objection.
- ~~(H)~~ After due consideration of any objection and request for reconsideration, if made, the Board of Ethics shall render its final opinion in writing. The final opinion shall be sent to the Respondent, the Complainant and the Rules Committee.
- ~~(I)~~ Only if, and when, the respondent or the complainant objects to the final opinion, the Rules Committee shall act as a Board of Appeals.
- ~~(J)~~ The Rules Committee may take further action as is appropriate on any determination by the Board of Ethics that there has been a violation of this Ordinance.
- ~~(K)~~(C) The Special Counsel may refer a final finding of a violation of Section 1-10-4.3(F) and Section 1-10-6.5 of this Code to the Cook County State's Attorney's Office in accordance with 5 ILCS 430/1-1 et seq.

1-10-152. – ADMINISTRATIVE HEARING PROCEDURES FOR ETHICS CODE VIOLATIONS

Title 11, Chapter 1 shall govern the procedure for Administrative Hearing Procedures for Ethics Code violations in so far as there is no conflict between this Title and Title 11. In the event of a conflict between titles, this title shall govern for the purposes the administrative procedure for Ethics Code violations. The City shall not bear the cost or expense associated with the representation of any Covered Person in any hearing under this Code. If a finding of not liable is entered against a Covered Person, the City will reimburse the cost and expense associated with representation for that alleged violation.

1-10-15-1. – Rules of evidence.

~~Rules of evidence shall not govern. The formal and technical rules of evidence do not apply in a hearing permitted under this Code. Evidence, including hearsay, may be admitted only if it is of a type commonly relied upon by reasonably prudent persons in the conduct of their affairs.~~

~~1-10-15-2. - Representation at hearings.~~

- ~~(A) The case for the complainant may be presented by the complainant, any agent of the complainant or an attorney. The complainant may rely solely on the written complaint. Complainant is not required to attend the hearing.~~
- ~~(B) The case for the respondent may be presented by the respondent, any agent of the respondent or an attorney. An agent who is not a licensed attorney shall present a written authorization signed by the respondent giving the agent power to act and to bind the respondent to any order(s) entered by the Board of Ethics. A licensed attorney is not required to produce such an authorization.~~

~~1-10-15-3. - Conduct of hearings.~~

~~The Board of Ethics Chair Hearing Officer shall conduct the hearing in an orderly manner and insist upon proper decorum by all persons present at the hearing. The intent of the hearing is to provide the complainant and the respondent full and fair presentation of the issues.~~

~~Conduct of the hearing shall be as follows:~~

- ~~Opening arguments if requested by either party;~~
- ~~Complainant's case in chief;~~
- ~~Examination of witness;~~
- ~~Cross-examination of witness;~~
- ~~Rebuttal;~~
- ~~Respondent's case in chief;~~
- ~~Examination of witness;~~
- ~~Cross-examination of witness;~~
- ~~Rebuttal;~~
- ~~Closing remarks if requested by either party;~~
- ~~Deliberation by the Board of Ethics;~~
- ~~Vote by the Board of Ethics in open session.~~

~~1-10-15-4. - Documentary evidence.~~

~~Relevant documents may be received into evidence without formal proof of authenticity. The Board of Ethics shall determine the weight, if any, to be afforded documents received into evidence.~~

~~1-10-15-5. - Transcript of proceedings.~~

~~Either party may request that the proceedings be taken and transcribed by a certified court reporter. The cost of the reporter shall be borne by the party requesting the reporter. The City shall, at its cost, tape record the proceedings. If a tape recording is made, a respondent may obtain a transcript at respondent's cost.~~

~~1-10-15-6. -- Continuances.~~

~~All hearing proceedings shall be conducted on the date set. For good cause shown, a postponement may be granted at the discretion of the Board of Ethics Chair. Complainant or Respondent shall be granted one continuance as of right at the first scheduled hearing on a matter after there has been a determination of jurisdiction should they wish additional time to retain counsel or if the matter was scheduled without consultation with the respective party. The purpose of hearing proceedings is to provide a prompt resolution of alleged code violations and, accordingly, the request for and the grant of, continuances shall be curtailed to the extent fairness permits.~~

~~1-10-16. -- REFERRAL OF FINAL OPINIONS OF THE ETHICS BOARD TO THE RULES COMMITTEE FOR FINAL ACTION.~~

~~The following are the procedures to be followed when a final opinion of an ethics complaint is forwarded to the Rules Committee for action.~~

- ~~(A) The Chair of the Board of Ethics shall forward the Board of Ethics Opinion to the City Manager. Upon receipt, the City Manager shall put the Board of Ethics Opinion on the Agenda at the next regularly scheduled Rules Committee meeting. If the Opinion falls within one of the Open Meetings Act exceptions (5 ILCS 120/2(e)), the Opinion shall be placed on the Executive Session agenda. All final action must be taken in Open Session.~~
- ~~(B) At the next meeting of the Rules Committee, the Board of Ethics Final Opinion will be considered.~~
- ~~(C) Any time prior to the issuance of the final opinion by the Rules Committee, the Board of Ethics may amend the Opinion to address the allegations against the respondent ordered per Section 1-10-14. Any final settlement must be approved by the Rules Committee. Whether the settlement is made public or not is determined by the Rules Committee. For settlement purposes the hearing may be continued from time to time at the discretion of the Rules Committee.~~
- ~~(D) If an Elected Official, a member of the City Board of Ethics, or the City Manager are the subject of the Complaint, they are barred from all participation directly or indirectly in the complaint process including voting on said Complaint, except where they are to provide testimony or evidence relating to the Complaint, or provide testimony or evidence to refute said Complaint.~~
- ~~(E) If an elected official, other than the Mayor, is the subject of the alleged ethical violation, the Mayor shall also have a vote on discipline. The Mayor and Alderman may not vote on discipline in which they are the subject of the alleged ethical violation.~~
- ~~(F) A two-thirds majority vote by the Rules Committee is needed to overturn a final decision issued by the Board of Ethics.~~
- ~~(G) The final decision of the Rules Committee imposing a fine shall be subject to judicial review in accordance with applicable law.~~

~~1-10-173. - ENFORCEMENT AND PENALTIES.~~

- ~~(A) Discipline for elected officials and appointed officials. The Rules Committee may take action against any elected official or appointed official who has been found by the Rules Committee to violate the Code of Ethics. Actions that the Rules Committee may take against elected officials and appointed officials include but are not limited to: counseling, reprimand, public censure or fine. The Rules Committee may, where appropriate, discharge appointed officials. The Rules Committee may not discharge an elected official. The fine may Any person violating the provisions of this Title shall be guilty of an offense punishable of a fine not be less than one hundred dollars (\$100.00) nor more than seven hundred fifty dollars (\$750.00). The fine will be due thirty (30) days after issuance.~~
- ~~(B) Discipline for employees. In each instance where the City Manager takes such action, the City Manager shall make a written report to the Rules Committee of the facts surrounding the violation of this Code of Ethics and explain what action, if any, was taken, to discipline the employee. For those employees covered under a collective bargaining agreement, discipline will be given in accordance with their collective bargaining agreement.~~
- ~~(C) —~~

~~(B) Members of City Council found in violation of this Chapter may be disciplined by City Council in accordance with City Council Rules. Nothing herein this Chapter shall prevent the City Manager or his/her designee from taking disciplinary action pursuant to the personnel rules and/or collective bargaining agreements as deemed appropriate.~~

SECTION 2: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 3: If any provision of this ordinance or application thereof to any person or circumstance is held unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this ordinance that can be given effect without the invalid application or provision, and each invalid provision or invalid application of this ordinance is severable.

SECTION 4: Ordinance 20-O-21 shall be in full force and effect after its passage and approval.

SECTION 5: The findings and recitals contained herein are declared to be prima facie evidence of the law of the City and shall be received in evidence as provided by the Illinois Compiled Statutes and the courts of the State of Illinois.

Introduced: _____, 2021

Approved:

Adopted: _____, 2021

_____, 2021

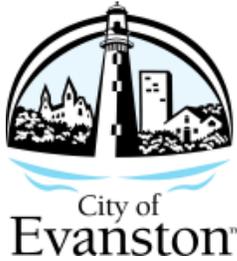
Daniel Biss, Mayor

Attest:

Approved as to form:

Stephanie Mendoza, City Clerk

Nicholas E. Cummings, Corporation
Counsel



Memorandum

To: Honorable Mayor and Members of the City Council
From: Kimberly Richardson, Deputy City Manager
Subject: Approval of Appointments to Boards, Commissions, and Committees
Date: May 24, 2021

Recommended Action:

Mayor Biss requests City Council approval of appointments to the Reimagining Public Safety Committee.

Council Action:

For Action

Summary:

Appointments:

Reimagining Public Safety Committee

Mayor Daniel Biss - Chair
Councilmember Bobby Burns
Councilmember Devon Reid
Councilmember Cicely Fleming
Marcus Campbell - ETHS Staff member
Sean Peck-Collier - Community Member
Andy Papchristos - Northwestern University Facility
Kymberly Walton - Community Member
Betty Ester - Citizens Network of Protection
Sarah Bogan - Community Member
Evangeline Semark - Community Member
Alejandra Ibanez - Community Member
Kristen White - YWCA
Patrick Keenan-Devlin - Moran Center
Betty Bogg - Connections for the Homeless