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**PRE-COUNCIL WORK SESSION — 7:00 P.M.**

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## Agenda of the Regular Meeting

of the City Council of the

**CITY OF DARIEN**

April 16, 2012

7:30 P.M.

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Declaration of Quorum
5. Approval of Minutes — [Committee of the Whole, March 26, 2012](#)  
— [City Council, April 2, 2012](#)
6. Receiving of Communications
7. Mayor's Report
  - A. Mayoral Proclamation "[Eisenhower Junior High Wrestling Team Day](#)", (April 20, 2012)
  - B. Darien Chamber of Commerce Update
8. City Clerk's Report
9. City Administrator's Report
10. Department Head Information/Questions
11. Treasurer's Report
  - A. Warrant Number — [11-12-22](#)
  - B. Monthly Report — [March 2012](#)
12. Standing Committee Reports
13. Questions and Comments — Agenda Related (This is an opportunity for the public to make comments or ask questions on any item on the Council's Agenda.)
14. Old Business
15. Consent Agenda
  - A. Consideration of a Motion to Approve [a Resolution Authorizing the City Administrator to Execute an Agreement with Elizabeth A. Lahey to Provide Transcribing Services for the City of Darien](#)
  - B. Consideration of a Motion to Approve [a Resolution Approving a Proposal from Speer Financial, dated April 4, 2012 to Provide Financial Advisory Services for the Advance Refunding of the G.O. Bonds, Series 2006](#)
  - C. Consideration of a Motion to Approve [an Ordinance Amending Various Sections of Title 9, Chapter 8, "Seizure and Impoundment of Motor Vehicles," of the City of Darien](#)
  - D. Consideration of a Motion to Approve [a Resolution Approving the Payment to Communications Direct, Inc. in an Amount not to Exceed \\$6,943.28 for the Purchase & Installation of a Bi-Directional STARCOT Amplifier \(BDA\) for the Police Facility](#)
16. New Business
  - A. Consideration of a Motion to [Approve to Proceed with the Ditch Maintenance Program Including only the Poplar Lane and Bentley Avenue Ditch Projects](#)
  - B. Consideration of a Motion to Approve [a Resolution Authorizing the Mayor and City Clerk to Execute a Contract for the 2012 Ditch Maintenance Project Between the City of Darien and Scorpio Construction in an Amount not to Exceed \\$50,975.00](#)

- C. Consideration of a Motion to Approve [a Resolution to Enter into a Contract Agreement for the 2012 Street Maintenance Program Between the City of Darien and James D. Fiala Paving Company](#) Inc in an Amount not to Exceed \$1,655,368.39
  - D. Consideration of a Motion to Approve [a Resolution Authorizing the Mayor and City Clerk to Execute an Intergovernmental Agreement between the City of Darien and Darien Public School District #61](#) for Asphalt Paving Work at Mark DeLay School
  - E. Consideration of a Motion to Approve [a Resolution Authorizing the City Administrator or Assistant City Administrator to Accept a Proposal from the Winning Electric Supplier](#) to Serve the City of Darien under the Ordinance and Plan of Governance Passed by the City Council on April 2, 2012
17. Questions, Comments and Announcements — General (This is an opportunity for the public to make comments or ask questions on any issue.)
18. Adjournment

Agenda 04/16/12

**PUBLIC HEARING MINUTES  
COMMITTEE-OF-THE-WHOLE  
OF THE CITY COUNCIL  
CITY OF DARIEN  
MARCH 26, 2012**

**1. CALL TO ORDER**

The Committee-of-the-Whole Meeting of the City Council of the City of Darien was called to order at 6:30 P.M. by Mayor Weaver. In attendance were: Aldermen Avci, Beilke, Poteraske, and Schauer. Also in attendance were: Mayor Weaver, Clerk Ragona, Treasurer Coren, Administrator Vana, and Assistant Administrator Coren.

**2. DECLARATION OF A QUORUM** — There being four Aldermen present, Mayor Weaver declared a quorum.

**3. ELECTRIC AGGREGATION PLAN OF GOVERNANCE**

Clerk Ragona read the Public Hearing notice, which was published in the Liberty Suburban Newspapers on March 9 and March 16, 2012, into the record.

Mayor Weaver asked if Council had questions.

Alderman Avci asked NIMEC about the purchase of power with other municipalities, if they would deal with generators or brokers. Mr. David Hoover of NIMEC responded that they would contact all authorized suppliers authorized through the ICC; they would short list the number of suppliers (between 6 -9 suppliers) and then go to bid.

Alderman Avci inquired if all authorized suppliers have sufficient power / generation. Mr. Hoover said that all of Northern Illinois is currently being supplied power and that power would be shuffled, 30% of the load would go from ComEd suppliers to our suppliers. There would be no net increase/decrease; there would be no risk because it would be the same suppliers generating the same power.

Alderman Avci asked about the pricing for power. Mr. Hoover noted that it would be the suppliers business have the proper amount of power to supply, which would not change and has not been a problem. The suppliers know the loads, generators, and are able to deliver the quantities of power needed. After the project goes to bid, fixed rates would be presented for 1, 2, or 3 years and during that period of time the rate cannot change. Mr.

Hoover said that there would not be a minimum/maximum amount of power specified, the supplier would provide whatever power was needed for Darien. ComEd would be POLR (Provider of Last Resort) if contracted supplier could not fulfill requirement for supplying power; therefore, power continues to flow. ComEd would charge residents at the ComEd rate, not at the discounted rate for the supply.

Alderman Beilke asked for further explanation about the 'opt out' that residents could utilize. Assistant Administrator Coren responded that the supplier would send letters to all residents approximately two weeks after the contract is approved by Council. The letter would explain to residents how to 'opt out'; it would contain information as to time frame and instructions. If residents do nothing, they would automatically be included in the plan; ComEd would send a second letter to residents, called a decision letter, verifying their choice. Mr. Hoover said that residents who already have signed up with a third party supplier would automatically be excluded from the aggregation program and would not be contacted.

Mr. Hoover explained that the ICC has two definitions of small commercial, (i.e., McDonalds – dry cleaners); unfortunately, most of Darien's small businesses would be excluded.

Alderman Avci noted that ComEd was the distribution company not the supplier of electricity. Mr. Hoover agreed and said that there were many different suppliers to ComEd. Mr. Hoover indicated that because of the IPA, prices were negotiated for the best rate, which could be lower than ComEd by 20-25%.

Assistant Administrator Coren reviewed the process. He indicated that this was the first Public Hearing; a second Public Hearing was scheduled for April 2<sup>nd</sup>; there would be an Ordinance for the Plan of Governance; NIMEC was in the process of obtaining rates, which Council would need to approve.

In response to Alderman Avci, Mr. Hoover said that any supplier who contracts with the IPA must supply a percentage of green power and that green power would be included in the bid.

**4. PUBLIC COMMENT**

Mayor Weaver asked if anyone in the audience had questions or comments. There were no questions or comments from the audience.

5. **ADJOURNMENT**

There being no further business to come before the Committee-of-the-Whole, it was moved by Alderman Schauer and seconded by Alderman Avci to adjourn.

**VIA VOICE VOTE – MOTION DULY CARRIED**

Mayor Weaver adjourned the meeting at 6:54 P.M.

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Kathleen Moesle Weaver, Mayor

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JoAnne E. Ragona, City Clerk

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All supporting documentation and report originals of these minutes are on file in the Office of the City Clerk under File Number 03-26-12 Committee-of-the-Whole.

THE 2012-2013 BUDGET PUBLIC HEARING WAS CALLED TO ORDER AT 7:04 P.M. BY MAYOR WEAVER. THE PUBLIC HEARING ADJOURNED AT 7:05 P.M.

THE PUBLIC HEARING REGARDING THE CONSIDERATION OF A PLAN OF OPERATION FOR AN ELECTRICITY AGGREGATION PROGRAM FOR THE CITY OF DARIEN WAS CALLED TO ORDER AT 7:05 P.M. BY MAYOR WEAVER. THE PUBLIC HEARING ADJOURNED AT 7:14 P.M.

A WORK SESSION WAS CALLED TO ORDER AT 7:14 P.M. BY MAYOR WEAVER FOR THE PURPOSE OF REVIEWING ITEMS ON THE APRIL 2, 2012 AGENDA WITH THE CITY COUNCIL. THE WORK SESSION ADJOURNED AT 7:30 P.M.

**Minutes of the Regular Meeting**

**of the City Council of the**

**CITY OF DARIEN**

**APRIL 2, 2012**

1. **CALL TO ORDER**

The regular meeting of the City Council of the City of Darien was called to order at 7:30 p.m. by Mayor Weaver.

2. **PLEDGE OF ALLEGIANCE**

Mayor Weaver led the Council and audience in the Pledge of Allegiance.

3. **ROLL CALL** — The Roll Call of Aldermen by Clerk Ragona was as follows:

Present:	Halil Avci	John F. Poteraske
	Tina M. Beilke	Ted V. Schauer
	Joseph A. Marchese	Joerg Seifert
	Sylvia McIvor	

Absent: None

Also in Attendance: Kathleen Moesle Weaver, Mayor  
JoAnne E. Ragona, City Clerk  
Michael J. Coren, City Treasurer  
John B. Murphey, City Attorney  
Bryon D. Vana, City Administrator  
Scott Coren, Assistant City Administrator  
Daniel Gombac, Director of Municipal Services  
Ernest Brown, Police Chief

4. **DECLARATION OF A QUORUM** — There being seven aldermen present, Mayor Weaver declared a quorum.

5. **APPROVAL OF MINUTES** – March 19, 2012

It was moved by Alderman Schauer and seconded by Alderman Beilke to approve the minutes of the City Council Meeting of March 19, 2012, as presented.

Roll Call:       Ayes:       Avci, Beilke, Marchese, McIvor, Poteraske, Schauer, Seifert

Nays:       None

Absent:       None

Results: Ayes 7, Nays 0, Absent 0

**MOTION DULY CARRIED**

6. **RECEIVING OF COMMUNICATIONS**

Alderman Marchese received an e-mail from John and Colleen Hauppa regarding potholes at Waterfall Glen Condominiums, and a second e-mail thanking City staff for the fine service in addressing the issue.

Alderman McIvor has received several communications regarding the upcoming Planning and Zoning Commission Meeting regarding the 200 foot cell phone tower. She advised that residents are welcome to attend the April 4, 2012 meeting which will be held in the City Council Chambers at 7:00 p.m.

7. **MAYOR’S REPORT**

Mayor Weaver reported that the agreement with Walmart and Inland, which is on the agenda, will insure that the store would remain in Darien and expand to a Super Walmart. She spoke of the challenges of renegotiating store leases to free up space for the expansion. The economic incentives will be in the form of sales tax revenues in excess of \$900,000. The agreement, if approved, will assure the economic strength of the center.

8. **CITY CLERK’S REPORT**

Clerk Ragona...

...announced that City offices will be closed on Friday, April 6, 2012 in observance of the Good Friday Holiday.

...advised she attended the Municipal Clerks of Illinois meeting on March 30, 2012 where Tom Jones, a Darien resident and 911 south tower survivor gave a very enlightening talk of his experience.

9. **CITY ADMINISTRATOR'S REPORT**

There was no report.

10. **DEPARTMENT HEAD INFORMATION/QUESTIONS**

Director Gombac advised that there will be a meeting of the Brookhaven merchants and DuPage County on April 12, 2012 at 6 p.m. to review the alternative plans for the median on Cass. The location of the meeting has yet to be determined.

Chief Brown presented the report for March 1, 2012 through March 28, 2012:

Event Overview

There were 2,720 total events created for the month of March

- 2,220 were handled by patrol personnel
- 500 were handled by civilian or DuComm representatives
- 526 were 911 calls
- 1,694 were self-initiated by officers

Breakdown by Watch

- 1st Watch – 717 (75 result of 911 call)
- 2<sup>nd</sup> Watch – 876 (218 result of 911 call)
- 3<sup>rd</sup> Watch – 627 (233 result of 911 call)

Event Summary

506 traffic enforcement events  
24 domestic related events  
393 business checks  
41 alarm responses

Citations Issued

385 citations issue (60 were non-traffic; 325 were traffic related)

Case Reports Written

198 case reports written

March Arrests

90 arrests

Chief Brown cautioned residents not to allow strangers into their homes, and to call 911 with any suspicions or concerns.



In response to Alderman Marchese, Clerk Ragona advised that upon police approval, solicitors are issued a permit; not for profit organizations also receive permission from the City for solicitation at intersections. Alderman Avci added “No Solicitor” decals are available at City Hall.

Administrator Vana advised that weekly Police reports are posted on the City’s website.

11. **TREASURER'S REPORT**

**A. WARRANT NUMBER 11-12-21**

It was moved by Alderman Seifert and seconded by Alderman Poteraske to approve payment of Warrant Number 11-12-21 in the amount of \$28,713.92 from the General Fund; \$6,256.69 from the Water Fund; \$9,330.54 from the Capital Improvement Fund; \$199,931.38 from the General Fund Payroll for the period ending 03/22/12; \$18,644.53 from the Water Fund Payroll for the period ending 03/22/12; for a total to be approved of \$262,877.06.

Mayor Weaver inquired if the payment to Rags Electric for cut cable on Page 5 is reimbursable. Director Gombac explained the cause and responded this was not a reimbursable expense.

Roll Call: Ayes: Avci, Beilke, Marchese, McIvor, Poteraske, Schauer, Seifert

Nays: None

Absent: None

Results: Ayes 7, Nays 0, Absent 0

**MOTION DULY CARRIED**

12. **STANDING COMMITTEE REPORTS**

**Municipal Services Committee** — Chairman Marchese submitted the minutes of the Municipal Services Committee of February 27, 2012. He advised the next meeting is scheduled for April 23, 2012 at 6:30 p.m. in the Council Chambers.

**Administrative/Finance Committee** — Chairman Poteraske submitted the minutes of the Administrative/Finance Committee Meetings of January 9 and February 13, 2012. He advised the next meeting is scheduled for April 9, 2012 at 6:30 p.m.

**Police Committee** — Chairman McIvor submitted the minutes of the Police Committee Meeting of March 1, 2012. She advised the next meeting is scheduled for May 3, 2012 at 6:00 p.m. in the Council Chambers.

13. **QUESTIONS AND COMMENTS — AGENDA RELATED**

In regards to New Business Item L, Alderman Marchese advised that sales tax revenue sharing is not a new concept, and that the City entered into a similar agreement when town center was first built. Alderman Seifert noted that it is not uncommon for municipalities to provide sales tax incentives, and reviewed those given to Walmart from various communities ranging from \$1.5 to \$12.25 million. Attorney Murphey noted that Walmart owns the property and if they relocated, it is likely the property would remain vacant indefinitely.

14. **OLD BUSINESS**

There was no old business.

15. **CONSENT AGENDA**

Mayor Weaver reviewed the items on the Consent Agenda for the benefit of the viewing audience.

It was moved by Alderman Marchese and seconded by Alderman Schauer to approve by Omnibus Vote the following items on the Consent Agenda:

- A. **A MOTION GRANTING A WAIVER OF THE RAFFLE LICENSE BOND REQUIREMENT FOR JAMES BORSILLI CHILDREN’S TRUST**
  
- B. **ORDINANCE NO. O-13-12**                      **AN ORDINANCE OF THE CITY OF DARIEN, DUPAGE COUNTY, ILLINOIS, ASCERTAINING THE PREVAILING RATE OF WAGES FOR LABORERS, WORKMEN, AND MECHANICS EMPLOYED ON PUBLIC WORKS OF SAID CITY**
  
- C. **ORDINANCE NO. O-14-12**                      **AN ORDINANCE APPROVING A VARIATION TO THE DARIEN ZONING ORDINANCE (PZC 2011-15: 7942 GLEN LANE)**

Roll Call: Ayes: Avci, Beilke, Marchese, McIvor, Poteraske, Schauer  
Nays: None  
Abstain: Seifert  
Absent: None

Results: Ayes 7, Nays 0, Absent 0  
**MOTION DULY CARRIED**

16. **NEW BUSINESS**

**A. CONSIDERATION OF A MOTION TO APPROVE AN ORDINANCE APPROVING THE 2012-2013 BUDGET**

It was moved by Alderman Marchese and seconded by Alderman Beilke to approve:

Alderman Avci expressed concern with the budget gap between revenues and expenditures and recommended a solution be found before the next budget cycle.

**ORDINANCE NO. O-15-12 AN ORDINANCE APPROVING THE 2012-2013 BUDGET**

Roll Call: Ayes: Beilke, Marchese, Poteraske, Schauer  
Nays: Avci, McIvor, Seifert  
Absent: None

Results: Ayes 4, Nays 3, Absent 0  
**MOTION DULY CARRIED**

**B. CONSIDERATION OF A MOTION TO APPROVE A RESOLUTION APPROVING A CONTRACT FOR THE 2012 CONCRETE SIDEWALK, APRON, CURB AND GUTTER REMOVAL AND REPLACEMENT PROGRAM AND WAIVING THE \$75.00 PERMIT FEE APPLICATION TO PARTICIPATING RESIDENTS.**

It was moved by Alderman Marchese and seconded by Alderman Schauer to approve:

**RESOLUTION NO. R-25-12 A RESOLUTION APPROVING A CONTRACT FOR THE 2012**

**CONCRETE SIDEWALK, APRON,  
CURB AND GUTTER REMOVAL AND  
REPLACEMENT PROGRAM AND  
WAIVING THE \$75.00 PERMIT FEE  
APPLICATION TO PARTICIPATING  
RESIDENTS**

Roll Call:      Ayes:      Avci, Beilke, Marchese, Poteraske, Schauer, Seifert  
                     Nays:      McIvor  
                     Absent:     None

Results: Ayes 6, Nays 1, Absent 0  
**MOTION DULY CARRIED**

**C. CONSIDERATION OF A MOTION TO APPROVE A RESOLUTION TO  
ADD QUANTITIES TO THE CURRENT CONTRACT FROM SUBURBAN  
CONCRETE INC. FOR APRON RESTORATIONS FOR THE 2012 DITCH  
MAINTENANCE IMPROVEMENT PROJECT IN AN AMOUNT NOT TO  
EXCEED \$55,000.00**

It was moved by Alderman Schauer and seconded by Alderman Marchese to approve:

**RESOLUTION NO. R-26-12      A RESOLUTION TO ADD  
QUANTITIES TO THE CURRENT  
CONTRACT FROM SUBURBAN  
CONCRETE INC. FOR APRON  
RESTORATIONS FOR THE 2012  
DITCH MAINTENANCE  
IMPROVEMENT PROJECT IN AN  
AMOUNT NOT TO EXCEED \$55,000.00**

Roll Call:      Ayes:      Avci, Beilke, Marchese, Poteraske, Schauer, Seifert  
                     Nays:      McIvor  
                     Absent:     None

Results: Ayes 6, Nays 1, Absent 0  
**MOTION DULY CARRIED**

**D. CONSIDERATION OF A MOTION TO APPROVE A RESOLUTION  
AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT EXTENSION**

**FOR LANDSCAPE FERTILIZATION SERVICES BETWEEN THE CITY OF DARIEN AND TRU GREEN**

It was moved by Alderman Beilke and seconded by Alderman Marchese to approve:

**RESOLUTION NO. R-27-12                    A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT EXTENSION FOR LANDSCAPE FERTILIZATION SERVICES BETWEEN THE CITY OF DARIEN AND TRU GREEN**

Roll Call:            Ayes:            Avci, Beilke, Marchese, McIvor, Poteraske, Schauer, Seifert

                             Nays:            None

                             Absent:           None

Results: Ayes 7, Nays 0, Absent 0

**MOTION DULY CARRIED**

**E. CONSIDERATION OF A MOTION TO AUTHORIZE CITY STAFF TO PROCEED WITH THE FOLLOWING NEIGHBORHOOD DRAINAGE PROJECTS IN AN AMOUNT NOT TO EXCEED \$758,800.00.**

It was moved by Alderman Schauer and seconded by Alderman Beilke to approve:

Alderman Avci advised there is a need to create a revenue stream to support the ditch projects. He would like a permanent, fair and equitable solution be found; he suggested the possibility of a Special Assessment. Alderman Poteraske felt too much is being spent on ditch drainage projects. Alderman Marchese noted that it is important to maintain the City's infrastructure in order to maintain the integrity of property values. Treasurer Coren had no objection to the ditch projects but agreed a long term plan to generate revenue to fund the projects needs to be established. Alderman McIvor did not object to the ditch projects but felt the total Capital Projects budget is too high. Alderman Seifert agreed that a different approach to fund the ditch projects must be found. Administrator Vana noted that if the ditch projects are not approved, the quantities and unit pricing of the road program will be affected.

**A MOTION TO AUTHORIZE CITY STAFF TO PROCEED WITH THE FOLLOWING NEIGHBORHOOD DRAINAGE PROJECTS IN AN AMOUNT NOT TO EXCEED \$758,800.00**

<b>ROGER ROAD-CLARENDON HILLS RD TO PLAINFIELD RD</b>	<b>\$182,500.00</b>
<b>ELEANOR PLACE-69<sup>TH</sup> STREET TO HOLLY AVENUE</b>	<b>\$170,000.00</b>
<b>BROOKBANK ROAD-69<sup>TH</sup> STREET TO HOLLY AVENUE</b>	<b>\$186,000.00</b>
<b>POPLAR LANE – JANET AVENUE TO ELM STREET</b>	<b>\$146,500.00</b>
<b>BENTLEY AVENUE – 71<sup>ST</sup> STREET TO 72<sup>ND</sup> STREET</b>	<b>\$ 73,800.00</b>

Roll Call:       Ayes:       Beilke, Marchese, Schauer  
                       Nays:       Avci, McIvor, Poteraske, Seifert  
                       Absent:     None

Results: Ayes 3, Nays 4, Absent 0  
**MOTION FAILED**

**F. CONSIDERATION OF A MOTION TO APPROVE A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A CONTRACT FOR THE 2012 DITCH MAINTENANCE PROJECT BETWEEN THE CITY OF DARIEN AND SCORPIO CONSTRUCTION IN AN AMOUNT NOT TO EXCEED \$209,620.00**

This item was removed from the agenda

**G. CONSIDERATION OF A MOTION TO AUTHORIZE STAFF TO PROCEED WITH IN-HOUSE DRAINAGE PROJECTS IN AN AMOUNT NOT TO EXCEED \$125,653.00:**

It was moved by Alderman Marchese and seconded by Alderman Beilke to approve:

**A MOTION TO AUTHORIZE STAFF TO PROCEED WITH IN-HOUSE DRAINAGE PROJECTS IN AN AMOUNT NOT TO EXCEED \$125,653.00**

<b>6701 WESTERN AVENUE</b>	<b>\$ 15,000.00</b>
<b>CREEKSIDE LANE SOUTH OF KEARNEY ROAD</b>	<b>\$ 28,453.00</b>
<b>8400 BLOCK OF GLENEYRE</b>	<b>\$ 10,300.00</b>
<b>1616 CLARE COURT</b>	<b>\$ 15,300.00</b>
<b>ROYAL SWAN LANE &amp; LAKE RIDGE DRIVE</b>	<b>\$ 29,000.00</b>
<b>8000 BLOCK SAWYER ROAD</b>	<b>\$ 27,600.00</b>

Roll Call: Ayes: Avci, Beilke, Marchese, Poteraske, Schauer  
Nays: McIvor, Seifert  
Absent: None

Results: Ayes 5, Nays 2, Absent 0

**MOTION DULY CARRIED**

- H. CONSIDERATION OF A MOTION TO APPROVE A RESOLUTION TO ENTER INTO A CONTRACT AGREEMENT FOR THE 2012 STREET MAINTENANCE PROGRAM BETWEEN THE CITY OF DARIEN AND JAMES D. FIALA PAVING COMPANY INC. IN AN AMOUNT NOT TO EXCEED \$1,655,368.39**

This item was removed from the agenda

- I. CONSIDERATION OF A MOTION TO APPROVE A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF DARIEN AND DARIEN PUBLIC SCHOOL DISTRICT #61 FOR ASPHALT PAVING WORK AT MARK DELAY SCHOOL**

This item was removed from the agenda

- J. CONSIDERATION OF A MOTION TO APPROVE A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF DARIEN AND THE VILLAGE OF DOWNERS GROVE FOR STREET AND WATER MAIN IMPROVEMENTS IN THE KNOTTINGHAM SUBDIVISION**

It was moved by Alderman Avci and seconded by Alderman Beilke to approve:

Director Gombac explained that Darien has approximately ten residences located within the Downers Grove Knottingham Subdivision reconstruction project area. Since this is an unbudgeted item for Darien, Downers Grove has agreed to defer payment for the current project until 2013.

**RESOLUTION NO. R-28-12**

**A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY**

**OF DARIEN AND THE VILLAGE OF  
DOWNERS GROVE FOR STREET  
AND WATER MAIN IMPROVEMENTS  
IN THE KNOTTINGHAM  
SUBDIVISION**

Roll Call: Ayes: Avci, Beilke, Marchese, McIvor, Poteraske,  
Schauer, Seifert

Nays: None

Absent: None

Results: Ayes 7, Nays 0, Absent 0

**MOTION DULY CARRIED**

**K. CONSIDERATION OF A MOTION TO APPROVE AN ORDINANCE  
AUTHORIZING AGGREGATION OF ELECTRICAL LOAD AND  
ADOPTING AN ELECTRIC AGGREGATION PLAN OF OPERATION  
GOVERNANCE**

It was moved by Alderman Seifert and seconded by Alderman Schauer to approve:

**ORDINANCE NO. O-16-12**

**AN ORDINANCE AUTHORIZING  
AGGREGATION OF ELECTRICAL  
LOAD AND ADOPTING AN  
ELECTRIC AGGREGATION PLAN OF  
OPERATION GOVERNANCE**

Roll Call: Ayes: Avci, Beilke, Marchese, McIvor, Poteraske,  
Schauer, Seifert

Nays: None

Absent: None

Results: Ayes 7, Nays 0, Absent 0

**MOTION DULY CARRIED**

**L. CONSIDERATION OF A MOTION TO APPROVE A RESOLUTION  
AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH  
INLAND SOUTHEAST DARIEN LLC AND WAL-MART STORES, INC. TO  
PROVIDE AN ECONOMIC DEVELOPMENT INCENTIVE TO EXPAND  
THE EXISTING WAL-MART STORE IN THE DARIEN TOWNE CENTER**



Alderman Beilke left the meeting at 8:45 p.m.

It was moved by Alderman Marchese and seconded by Alderman Schauer to approve:

**RESOLUTION NO. R-29-12**

**A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH INLAND SOUTHEAST DARIEN LLC AND WAL-MART STORES, INC. TO PROVIDE AN ECONOMIC DEVELOPMENT INCENTIVE TO EXPAND THE EXISTING WAL-MART STORE IN THE DARIEN TOWNE CENTER**

Roll Call:      Ayes:      Avci, Marchese, McIvor, Poteraske, Schauer, Seifert

                     Nays:      None

                     Absent:     Beilke

Results: Ayes 6, Nays 0, Absent 1  
**MOTION DULY CARRIED**

Alderman Beilke returned to the meeting at 8:46 p.m.

17. **QUESTIONS, COMMENTS AND ANNOUNCEMENTS — GENERAL**

Assistant Administrator Coren reviewed the next steps which will be followed now that the Electric Aggregation Ordinance has been adopted.

Alderman Seifert announced that tickets were available for the Borsilli fundraiser.

Alderman Avci announced that the Darien Committee for Intergovernmental Coordination will be meeting on April 3rd at 7 p.m. in the Council Chambers.

Jim Tikalsky of 8301 Woodland Drive expressed disappointment with the failure of New Business Item E, and requested a solution be found.

18. **ADJOURNMENT**

There being no further business to come before the City Council, it was moved by Alderman McIvor and seconded by Alderman Beilke to adjourn.

**VIA VOICE VOTE – MOTION DULY CARRIED**

The City Council meeting adjourned at 8:50 P.M.

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Mayor

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City Clerk

JER/ld

All supporting documentation and report originals of these minutes are on file in the Office of the City Clerk under File Number 04-02-12.  
Minutes of 04-02-12 CCM1

# ***Mayoral Proclamation***

***Whereas,** Eisenhower Junior High is located in the City of Darien; and*

***Whereas,** Eisenhower Junior High Wrestling Team, known as the Generals, represent the students of Eisenhower Junior High; and*

***Whereas,** the Eisenhower Junior High Generals are coached by Phil Esposito, Kevin Dunne, Eric Alban, and Jamaal Williams; and*

***Whereas,** Eisenhower Junior High Wrestling Team concluded their season by competing in the 33<sup>rd</sup> Annual IESA State Wrestling Tournament in DeKalb on March 10, 2012; and*

***Whereas,** out of 167 schools, eight Eisenhower wrestlers earned a 4<sup>th</sup> place finish, while claiming four individual All-State wrestlers; and*

***Whereas,** the Generals have now earned a top four finish in four consecutive seasons, and five of the past six state tournaments; and*

***Whereas,** Ramarro Lamar brought home the 145 lbs. state title; the 14<sup>th</sup> individual to do so in Eisenhower's history; and*

***Whereas,** Ramarro Lamar finished this season 43-1 and recorded a single season school pin record with 36, and finished with an astonishing 83-5 record with 62 pins over the past two seasons; and*

***Whereas,** Victor Porten claimed second place in Illinois at the 275 lbs. Heavyweight Division and finished 34-5 with 24 pins; and*

***Whereas,** Ahmir Hooks finished with 3<sup>rd</sup> place at 80 lbs., while becoming Eisenhower's first three-time state placer; and*

***Whereas,** Patrick Wilson won 3<sup>rd</sup> place at 215 lbs., and finished with a 32-5 record overall; and*

# **MAYORAL PROCLAMATION**

*Page 2*

*Whereas, Brendan Caccavale won two matches as a qualifier in the 65 lbs. weight class, and finished 35-7 with 22 pins this season and 117 career victories as a three-time state qualifier; and*

*Whereas, Ryan Gurski, took 2<sup>nd</sup> place in the IESA Regional and Sectional Tournaments, and finished 32-11 with 25 pins overall this season; and*

*Whereas, Sam Basalone took 1<sup>st</sup> place at the IESA Sectional, and finished the season 36-7 with 25 pins; and*

*Whereas, Casey Cole registered a win in his first state appearance, and finished 34-11 this season with 20 pins; and*

*Whereas, the City of Darien recognizes the accomplishments of the team and its individual performers.*

*NOW, THEREFORE, I, Kathleen Moesle Weaver, Mayor of the City of Darien, do hereby proclaim April 20, 2012 as*

## ***EISENHOWER JUNIOR HIGH WRESTLING TEAM DAY***

*in honor of their hard work and achievement over the past year.*

***IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND CAUSED TO BE AFFIXED THE SEAL OF THE CITY OF DARIEN.***

**Done**, this sixteenth day of April Two Thousand Twelve.

Attest:

\_\_\_\_\_  
*Kathleen Moesle Weaver, Mayor*

\_\_\_\_\_  
*JoAnne E. Ragona, City Clerk*

**CITY OF DARIEN**

**EXPENDITURE APPROVAL LIST  
FOR CITY COUNCIL MEETING ON  
April 16, 2012**

Approval is hereby given to have the City Treasurer of Darien, Illinois pay to the officers, employees, independent contractors, vendors, and other providers of goods and services in the indicated amounts as set forth.

A summary indicating the source of funds used to pay the above is as follows:

General Fund		<b>\$59,714.77</b>
Water Fund		<b>\$432,689.57</b>
Motor Fuel Tax Fund		
Water Depreciation Fund		
Darien Dispatch Center		
Capital Improvement Fund		<b>\$1,519.88</b>
Special Service Area Tax Fund		
Debt Service Fund		
	<b>Subtotal:</b>	<b>\$ 493,924.22</b>
General Fund Payroll	04/05/12	\$ 205,601.90
Water Fund Payroll	04/05/12	\$ 16,777.88
	<b>Subtotal:</b>	<b>\$ 222,379.78</b>
<b>Total to be Approved by City Council:</b>		<b>\$ 716,304.00</b>

**Approvals:**

\_\_\_\_\_  
Kathleen Moesle Weaver, Mayor

\_\_\_\_\_  
JoAnne E. Ragona, City Clerk

\_\_\_\_\_  
Michael J. Coren, Treasurer

\_\_\_\_\_  
Bryon D. Vana, City Administrator

**CITY OF DARIEN**  
**Expenditure Journal**  
**General Fund**  
**Administration**  
**From 4/3/2012 Through 4/16/2012**

Vendor Name	Invoice Description	Acct Title	Dept Amount	Acct Code
AL WARREN OIL CO., INC.	GENERATOR FUEL FOR 1702 & 1710 PLAINFIELD	Maintenance - Equipment	138.31	4225
ALPINE BANQUETS, INC.	2013 CITIZEN OF THE YEAR DINNER DANCE DEPOSIT	Public Relations	500.00	4239
ALPINE BANQUETS, INC.	2012 CITIZEN OF THE YEAR DINNER DANCE	Public Relations	5,008.00	4239
BEST QUALITY CLEANING, INC.	APRIL 2012 JANITORIAL SERVICE	Janitorial Service	1,182.00	4345
CHICAGO METROPOLITAN FIRE PREV	QUARTERLY BILLING - JANUARY - MARCH, 2012	Telephone	150.00	4267
CHICAGO METROPOLITAN FIRE PREV	QUARTERLY BILLING - OCTOBER - DECEMBER, 2011	Telephone	150.00	4267
EMERALD MARKETING INC.	MAY/JUNE 2012 NEIGHBORS MAGAZINE	Public Relations	3,145.27	4239
HOME DEPOT	SUPPLIES	Maintenance - Building	20.80	4223
MUNICIPAL WEB SERVICES	FEBRUARY 2012 WEBSITE HOSTING	Consulting/Professional	587.50	4325
MUNICIPAL WEB SERVICES	MARCH 2012 WEBSITE HOSTING	Consulting/Professional	528.75	4325
NICOR GAS	1702 PLAINFIELD ROAD - 03-07-12 TO 04-05-12	Utilities (Elec,Gas,Wtr,Sewer)	111.81	4271
NICOR GAS	7422 S. CASS - 030512 - 040312	Utilities (Elec,Gas,Wtr,Sewer)	76.66	4271
OFFICE DEPOT	SUPPLIES	Supplies - Office	60.78	4253
ROSENTHAL, MURPHEY, COBLENTZ	ELECTRIC AGGREGATION	Liability Insurance	105.00	4219
ROSENTHAL, MURPHEY, COBLENTZ	MISCELLANEOUS	Liability Insurance	420.85	4219
ROSENTHAL, MURPHEY, COBLENTZ	COSTS ADVANCED	Liability Insurance	484.29	4219
WAREHOUSE DIRECT	SUPPLIES	Supplies - Office	16.28	4253
WAREHOUSE DIRECT	SUPPLIES	Supplies - Office	86.45	4253
		Total Administration	12,772.75	

**CITY OF DARIEN  
Expenditure Journal  
General Fund  
Community Development  
From 4/3/2012 Through 4/16/2012**

<u>Vendor Name</u>	<u>Invoice Description</u>	<u>Acct Title</u>	<u>Dept Amount</u>	<u>Acct Code</u>
DON MORRIS ARCHITECTS P.C.	MARCH 2012 BUILDING INSPECTIONS & PLAN REVIEW	Consulting/Professional	1,190.00	4325
DON MORRIS ARCHITECTS P.C.	MARCH 2012 BUILDING INSPECTIONS & PLAN REVIEW	Const/Prof Reimbursable	9,337.56	4328
ELEVATOR INSPECTION SERVICE CO	MARCH 22, 2012 ELEVATOR REINSPECTIONS	Const/Prof Reimbursable	225.00	4328
ELEVATOR INSPECTION SERVICE CO	MARCH 22, 2012 ELEVATOR INSPECTION	Const/Prof Reimbursable	32.00	4328
JOSEPH ALGOZINE	MARCH 2012 ELECTRICAL INSPECTIONS	Consulting/Professional	400.00	4325
ROSENTHAL, MURPHEY, COBLENTZ	ZONING	Liability Insurance	472.50	4219
ROSENTHAL, MURPHEY, COBLENTZ	WAL-MART AGREEMENT	Liability Insurance	3,780.00	4219
ROSENTHAL, MURPHEY, COBLENTZ	CHASE BANK/SALE OF 7501 CASS	Liability Insurance	105.00	4219
Total Community Development			15,542.06	

**CITY OF DARIEN**  
**Expenditure Journal**  
**General Fund**  
**Public Works, Streets**  
**From 4/3/2012 Through 4/16/2012**

Vendor Name	Invoice Description	Acct Title	Dept Amount	Acct Code
CHEMSEARCH	VOLTZ II RED, 20 GAL - PARTS WASHER	Maintenance - Building	398.93	4223
COM ED	2510 ABBEY DR, LOT 278 DARIEN - 0448008035	Street Light Oper & Maint.	284.91	4359
CULLIGAN	BOTTLED WATER & FILTER RENTAL	Maintenance - Building	70.19	4223
EXELON ENERGY INC.	SW CORNER 75TH STREET & PLAINFIELD STREET LIGHTS	Street Light Oper & Maint.	964.04	4359
GENE'S TIRE SERVICE, INC.	TIRE TUBES FOR 202	Maintenance - Equipment	29.80	4225
GENE'S TIRE SERVICE, INC.	MOUNT TIRE FOR #202	Maintenance - Equipment	10.20	4225
GENE'S TIRE SERVICE, INC.	12-INCH TUBES	Maintenance - Equipment	29.80	4225
GRAINGER	PRESSURE WASHER PARTS	Maintenance - Equipment	10.09	4225
GRAINGER	FOOT PIN	Maintenance - Equipment	7.76	4225
HOME DEPOT	SUPPLIES	Maintenance - Building	145.97	4223
HOME DEPOT	SUPPLIES	Maintenance - Equipment	157.90	4225
INDUSTRIAL ELECTRICAL SUPPLY	PARTS FOR TRAFFIC COUNTERS	Small Tools & Equipment	59.00	4259
PATTEN INDUSTRIES, INC.	REPAIR PARTS FOR #205	Maintenance - Equipment	144.22	4225
PATTEN INDUSTRIES, INC.	REPAIR PARTS FOR #204	Maintenance - Equipment	47.60	4225
PATTEN INDUSTRIES, INC.	REPAIR PARTS FOR #204	Maintenance - Equipment	40.98	4225
RAGS ELECTRIC	STREET LIGHT REPAIR - FOUNTAIN POINT CIRCLE	Street Light Oper & Maint.	320.50	4359
RAGS ELECTRIC	STREET LIGHT REPAIR - TWO LOCATIONS	Street Light Oper & Maint.	250.00	4359
RAGS ELECTRIC	STREET LIGHT REPAIR - TWO LOCATIONS	Street Light Oper & Maint.	610.00	4359
RAGS ELECTRIC	STREET LIGHT REPAIR - WILMETTE & DAWN	Street Light Oper & Maint.	869.78	4359



**CITY OF DARIEN  
Expenditure Journal  
General Fund  
Public Works, Streets  
From 4/3/2012 Through 4/16/2012**

<u>Vendor Name</u>	<u>Invoice Description</u>	<u>Acct Title</u>	<u>Dept Amount</u>	<u>Acct Code</u>
RIC MAR INDUSTRIES, INC.	WHITE CURB PAINT & UNI-ZYME BLUE	Maintenance - Building	109.90	4223
RIC MAR INDUSTRIES, INC.	SPILLY PADS	Maintenance - Building	99.42	4223
US GAS	GAS CYLINDER RENTAL	Rent - Equipment	52.00	4243
WESTOWN AUTO SUPPLY COMPANY	REPAIR PARTS	Maintenance - Equipment	10.78	4225
WESTOWN AUTO SUPPLY COMPANY	REPAIR PARTS	Maintenance - Vehicles	300.30	4229
WILLOWBROOK FORD, INC.	REPAIR PARTS	Maintenance - Vehicles	<u>49.92</u>	4229
		Total Public Works, Streets	5,073.99	

**CITY OF DARIEN**  
**Expenditure Journal**  
**General Fund**  
**Police Department**  
**From 4/3/2012 Through 4/16/2012**

Vendor Name	Invoice Description	Acct Title	Dept Amount	Acct Code
A CORPORATE PRINTING SERVICE	4 PART PROPERTY FORMS & 1,000 BUSINESS CARDS	Printing and Forms	349.50	4235
ADVANTAGE CHEVROLET	REPAIR PARTS	Maintenance - Vehicles	160.40	4229
AL WARREN OIL CO., INC.	GENERATOR FUEL FOR 1702 & 1710 PLAINFIELD	Maintenance - Building	298.21	4223
CHASE CARD SERVICES	2012 DUES - CHIEF BROWN	Dues and Subscriptions	160.00	4213
CHASE CARD SERVICES	URINE TEST KITS	Investigation and Equipment	77.78	4217
CHASE CARD SERVICES	DETECTIVE INTERNET SEARCHES	Investigation and Equipment	110.25	4217
CHASE CARD SERVICES	RETURN - BATTERIES	Investigation and Equipment	(33.24)	4217
CHASE CARD SERVICES	TRUCK SCALE BATTERIES	Investigation and Equipment	19.92	4217
CHASE CARD SERVICES	BATTERIES FOR 327	Investigation and Equipment	71.23	4217
CHASE CARD SERVICES	TRUCK SCALE BATTERIES	Investigation and Equipment	59.76	4217
CHASE CARD SERVICES	SPRAY PAINT	Investigation and Equipment	9.72	4217
CHASE CARD SERVICES	COMPUTER CHIPS	Investigation and Equipment	74.85	4217
CHASE CARD SERVICES	Q TIPS FOR 318	Investigation and Equipment	6.13	4217
CHASE CARD SERVICES	SHIPPING - RETURN	Maintenance - Building	15.60	4223
CHASE CARD SERVICES	10 MOBILE HAND MICS	Maintenance - Equipment	499.10	4225
CHASE CARD SERVICES	SHIPPING - RETURN	Postage/Mailings	5.34	4233
CHASE CARD SERVICES	FINAL PAGER BILL	Rent - Equipment	58.38	4243
CHASE CARD SERVICES	SUPPLIES	Supplies - Office	18.13	4253
CHASE CARD SERVICES	TWO FLASH CARD READERS	Supplies - Office	10.50	4253
CHASE CARD SERVICES	CREDIT CARD CHARGES	Supplies - Office	13.96	4253
CHASE CARD SERVICES	QUICKEN SOFTWARE	Supplies - Office	63.74	4253
CHASE CARD SERVICES	CREDIT CARD CHARGES	Travel/Meetings	28.10	4265
CHASE CARD SERVICES	INTERNET SERVICE - 2 MONTHS	Uniforms	203.80	4269

**CITY OF DARIEN  
Expenditure Journal  
General Fund  
Police Department  
From 4/3/2012 Through 4/16/2012**

Vendor Name	Invoice Description	Acct Title	Dept Amount	Acct Code
CHICAGO METROPOLITAN FIRE PREV	QUARTERLY BILLING - JANUARY - MARCH, 2012	Maintenance - Building	150.00	4223
CHICAGO METROPOLITAN FIRE PREV	QUARTERLY BILLING - OCTOBER - DECEMBER, 2011	Maintenance - Building	150.00	4223
EMERGENCY VEHICLE TECHNOLOGIES	REPAIR INOPERATIVE PRINTER - REPLACED MICROPHONE & LIGHTS	Maintenance - Vehicles	142.35	4229
HOME DEPOT	SUPPLIES	Maintenance - Building	74.21	4223
IL TACTICAL OFFICERS ASSOC.	HIGH-RISK SEARCH TACTICS - STEVE LISS	Training and Education	40.00	4263
KIESLER POLICE SUPPLY COMPANY	RANGE AMMUNITION	Investigation and Equipment	1,324.20	4217
KING CAR WASH	CAR WASHES	Maintenance - Vehicles	676.50	4229
LINDA S. PIECZYNSKI	MARCH 2012 PROSECUTION FEES	Liability Insurance	1,358.00	4219
NICOR GAS	1710 PLAINFIELD - 82-80-00-1000 9	Utilities (Elec,Gas,Wtr,Sewer)	263.38	4271
NOTARY PUBLIC ASSOCIATION OF I	NOTARY PUBLIC RENEWAL - GREGORY J. CHEAURE	Dues and Subscriptions	45.00	4213
NOTARY PUBLIC ASSOCIATION OF I	NOTARY RENEWAL - EDWARD P. RENTKA	Dues and Subscriptions	45.00	4213
RAY O'HERRON CO. INC OF OBT	AUXILIARY FOLAMI UNIFORM ALLOWANCE	Auxiliary Police	49.00	4203
RAY O'HERRON CO. INC OF OBT	(2) GLOCK TRAINING PISTOLS	Investigation and Equipment	1,009.80	4217
RICOH AMERICAS CORPORATION	SERVICE AGREEMENT	Maintenance - Equipment	503.03	4225
ROSENTHAL, MURPHEY, COBLENTZ	TRAFFIC PROSECUTIONS (ADDITIONAL)	Liability Insurance	105.00	4219
STREICHER'S	RANGE AMMUNITION	Investigation and Equipment	1,377.49	4217
ULTRA STROBE COMMUNICATIONS	INSTALLATION OF EQUIPMENT	Equipment	2,000.00	4815

**CITY OF DARIEN**  
**Expenditure Journal**  
**General Fund**  
**Police Department**  
**From 4/3/2012 Through 4/16/2012**

<u>Vendor Name</u>	<u>Invoice Description</u>	<u>Acct Title</u>	<u>Dept Amount</u>	<u>Acct Code</u>
ULTRA STROBE COMMUNICATIONS	CUSTOM TRUCK SCALES STORAGE CABINET FOR D5	Equipment	12,500.00	4815
UNIQUE PRODUCTS & SERVICE CORP	JANITORIAL SUPPLIES	Maintenance - Building	60.93	4223
VERIZON WIRELESS	EVDO	Telephone	798.21	4267
WESTOWN AUTO SUPPLY COMPANY	REPAIR PARTS	Maintenance - Vehicles	95.98	4229
WILLIAM FOSTER	UNIFORM ALLOWANCE	Uniforms	70.47	4269
WILLOWBROOK FORD, INC.	REPAIR PARTS	Maintenance - Vehicles	369.87	4229
		Total Police Department	25,489.58	

**CITY OF DARIEN  
Expenditure Journal  
General Fund  
Business District  
From 4/3/2012 Through 4/16/2012**

Vendor Name	Invoice Description	Acct Title	Dept Amount	Acct Code
COM ED	7515 S. CASS, UNIT J - 03-08-12 TO 04-05-12	Utilities (Elec,Gas,Wtr,Sewer)	60.96	4271
COM ED	7515 S. CASS, UNIT BD	Utilities (Elec,Gas,Wtr,Sewer)	63.64	4271
COM ED	7515 S. CASS, UNIT D	Utilities (Elec,Gas,Wtr,Sewer)	197.15	4271
NICOR GAS	7515 S. CASS, UNIT D 03-05-12 TO 04-03-12	Utilities (Elec,Gas,Wtr,Sewer)	172.32	4271
NICOR GAS	7515 S. CASS, UNIT J 03-05-12 TO 04-03-12	Utilities (Elec,Gas,Wtr,Sewer)	47.32	4271
STATE FIRE MARSHALL	BOILDER INSPECTIONS - 7515 S. CASS, UNIT D	Maintenance - Equipment	295.00	4225
			Total Business District	
			Total General Fund	59,714.77

**CITY OF DARIEN  
Expenditure Journal  
Water Fund  
Public Works, Water  
From 4/3/2012 Through 4/16/2012**

Vendor Name	Invoice Description	Acct Title	Dept Amount	Acct Code
BEST QUALITY CLEANING, INC.	APRIL 2012 JANITORIAL SERVICE	Maintenance - Building	608.00	4223
CHEMSEARCH	VOLTZ II RED, 20 GAL - PARTS WASHER	Maintenance - Building	398.94	4223
CULLIGAN	BOTTLED WATER & FILTER RENTAL	Maintenance - Building	70.20	4223
DUPAGE COUNTY PUBLIC WORKS	METER READS FROM 01/01/12 TO 02/28/12	Data Processing	25,641.00	4336
DUPAGE WATER COMMISSION	MAR-12 WATER COSTS	DuPage Water Commission	239,308.59	4340
DUPAGE WATER COMMISSION	JUNE 2010 WATER COSTS	DuPage Water Commission	160,666.99	4340
EXELON ENERGY INC.	87TH & RIDGE ROAD	Utilities (Elec,Gas,Wtr,Sewer)	234.45	4271
EXELON ENERGY INC.	2101 W. 75TH STREET	Utilities (Elec,Gas,Wtr,Sewer)	47.78	4271
EXELON ENERGY INC.	1220 PLAINFIELD	Utilities (Elec,Gas,Wtr,Sewer)	1,512.28	4271
EXELON ENERGY INC.	9S720 LEMONT ROAD	Utilities (Elec,Gas,Wtr,Sewer)	175.20	4271
EXELON ENERGY INC.	18W736 MANNING	Utilities (Elec,Gas,Wtr,Sewer)	83.08	4271
EXELON ENERGY INC.	LAKEVIEW & OAKLEY	Utilities (Elec,Gas,Wtr,Sewer)	243.54	4271
GRAINGER	COMBINATION WRENCHES	Maintenance - Water System	63.86	4231
HD SUPPLY WATERWORKS	HYDRANT REPAIR PARTS - TRAVERSE CITY	Maintenance - Water System	479.00	4231
HD SUPPLY WATERWORKS	HYDRANT STEMS - TRAVERSE CITY	Maintenance - Water System	572.00	4231
HOME DEPOT	SUPPLIES	Maintenance - Building	2,172.68	4223
HOME DEPOT	SUPPLIES	Maintenance - Water System	175.66	4231
RIC MAR INDUSTRIES, INC.	WHITE CURB PAINT & UNI-ZYME BLUE	Maintenance - Building	109.90	4223
RIC MAR INDUSTRIES, INC.	SPILLY PADS	Maintenance - Building	99.42	4223
SUBURBAN LABORATORIES	WATER SAMPLES	Quality Control	27.00	4241
		Total Public Works, Water	432,689.57	
		Total Water Fund	432,689.57	

**CITY OF DARIEN**  
**Expenditure Journal**  
**Capital Improvement Fund**  
**Capital Fund Expenditures**  
**From 4/3/2012 Through 4/16/2012**

<u>Vendor Name</u>	<u>Invoice Description</u>	<u>Acct Title</u>	<u>Dept Amount</u>	<u>Acct Code</u>
CONCRETE CLINIC	SILT FENCE FOR DORCHESTER	Ditch Projects	24.59	4376
HOME DEPOT	SUPPLIES	Ditch Projects	172.07	4376
VULCAN CONSTRUCTION MATERIALS	RIP RAP #4 FOR DORCHESTER	Ditch Projects	1,323.22	4376
		Total Capital Fund Expenditures	1,519.88	
		Total Capital Improvement Fund	1,519.88	
Report Total			493,924.22	

Payment Due Date	New Balance	Past Due Amount	Minimum Payment
04/24/12	\$1,473.05	\$0.00	\$294.00

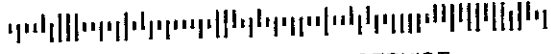


Account number: [REDACTED]

\$ 1473.05

Make your check payable to:  
Chase Card Services.  
Please write amount enclosed.  
New address or e-mail? Print on back.

91326 BEX Z 09312 C  
BRYON VANA  
CITY OF DARIEN  
1702 PLAINFIELD RD  
DARIEN IL 60561-6044



CARDMEMBER SERVICE  
PO BOX 15153  
WILMINGTON DE 19886-5153



[REDACTED]

**BUSINESS CARD STATEMENT**

Customer Service 1-800-346-5538  
Additional contact information on back →

**ACCOUNT SUMMARY**

Account Number: [REDACTED]

Previous Balance	\$1,434.91
Payment, Credits	-\$1,468.15
Purchases	+\$1,506.29
Cash Advances	\$0.00
Balance Transfers	\$0.00
Fees Charged	\$0.00
Interest Charged	\$0.00
<b>New Balance</b>	<b>\$1,473.05</b>

Opening/Closing Date	03/03/12 - 04/02/12
Total Credit Line	\$100,000
Available Credit	\$98,526
Cash Access Line	\$20,000
Available for Cash	\$20,000

**PAYMENT INFORMATION**

New Balance	\$1,473.05
Payment Due Date	04/24/12
Minimum Payment Due	\$294.00

**Late Payment Warning:** If we do not receive your minimum payment by the due date, you may have to pay up to a \$39 late fee.

**Minimum Payment Warning:** Enroll in Auto-Pay and avoid missing a payment. To enroll, call the number on the back of your card or go to the web site listed above.

**FLEXIBLE REWARDS SUMMARY**

Previous points balance	38,787
Points earned on purchases this period	1,474
<b>New total points balance</b>	<b>40,261</b>

Every time you use your Chase Business card with Flexible Rewards Select, you are on your way to earning great rewards. You earn 1 point per \$1 spent on all purchases and there's no cap on how many points you can earn and points never expire. Add employees and earn rewards even faster! You can redeem your points for airline tickets, gift certificates to leading merchants, top quality merchandise or cash. Check out the entire rewards collection and redeem your points online at [www.chase.com/businesscard](http://www.chase.com/businesscard).

**ACCOUNT ACTIVITY**

Date of Transaction	Merchant Name or Transaction Description	\$ Amount
03/18	Payment Thank You - Image Check BRYON VANA TRANSACTIONS THIS CYCLE (C [REDACTED]) -\$1,434.91 INCLUDING PAYMENTS RECEIVED	-1,434.91
03/16	BATTERIES PLUS VILLA PARK IL Return 01-40-4217	-33.24
03/02	BATTERIES PLUS VILLA PARK IL Truck Scale Batteries 01-40-4217	19.92
03/15	BATTERIES PLUS VILLA PARK IL Batteries for 327 - 01-40-4217	71.23
03/16	BATTERIES PLUS VILLA PARK IL Truck Scale Batteries 01-40-4217	59.76
03/20	WAL-MART#2215 DARIEN IL Spray Paint 01-40-4217	9.72
03/20	MICRO CENTER #025 WESTMONT IL Computer Chips 01-40-4217	74.85
03/22	WALGREENS #6176 DARIEN IL A-Tips for 318 01-40-4217	6.13
	SARAH FALCO TRANSACTIONS THIS CYCLE (C [REDACTED]) \$208.37	
03/02	INTUIT QUICKEN 800-446-8848 CA Quicken Software 01-40-4253	63.74
03/03	LEXISNEXIS RISK MGT 888-332-8244 FL Detective Internet Search 01-40-4217	110.25
03/07	WAL-MART DARIEN IL Picture Frame 01-40-4253 *13.96 + 840.00	42.06
03/15	COMCAST CHICAGO 800-COMCAST IL Internet Services 01-40-4267 *28.10	203.80
03/19	SAFARILAND LLC 01 OF 01 904-7415418 FL Urn set kits - 01-40-4217	77.78
03/21	USPS.COM CLICK66100611 800-3447779 DC Shipping carton 01-40-4223	15.60
03/20	POLICE EXECUTIVE RESEARCH 202-4667820 DC 2012 Duck Club Brown 01-40-4213	160.00
03/21	OFFICE DEPOT #1105 800-463-3768 IL Supplies 01-40-4253	18.13
03/22	BESTBUYMKTPLACE 888-2378289 MN (2) Fuel Card Reader 01-40-4253	10.50



**ACCOUNT ACTIVITY (CONTINUED)**

Date of Transaction	Merchant Name or Transaction Description	\$ Amount
03/28	USPS.COM CLICK66100611 800-3447779 DC Shipping return 01-40-4233	5.34
03/30	AMERICAN MESSAGING 888-247-7890 TX Final Paygen Bill 01-40-4243	58.38
	CAROL KOPTA TRANSACTIONS THIS CYCLE ([REDACTED])	\$765.58
03/09	PAYPAL *MOONEYPILOT 402-935-7733 CA 10 mobile Hand Mics 01-40-4225	499.10
	JOHN COOPER TRANSACTIONS THIS CYCLE (CARD 4542)	\$499.10

2012 Totals Year-to-Date	
Total fees charged in 2012	\$0.00
Total interest charged in 2012	\$0.00
Year-to-date totals reflect all charges minus any refunds applied to your account.	

**INTEREST CHARGES**

Your Annual Percentage Rate (APR) is the annual interest rate on your account.

Balance Type	Annual Percentage Rate (APR)	Balance Subject To Interest Rate	Interest Charges
<b>PURCHASES</b>			
Purchases	13.24% (v)	-0-	-0-
<b>CASH ADVANCES</b>			
Cash Advances	19.24% (v)	-0-	-0-
<b>BALANCE TRANSFERS</b>			
Balance Transfers	13.24% (v)	-0-	-0-

(v) = Variable Rate 31 Days in Billing Period  
 Please see Information About Your Account section for the Calculation of Balance Subject to Interest Rate, Annual Renewal Notice, How to Avoid Interest on Purchases, and other important information, as applicable.

**CITY OF DARIEN**  
**REVENUE AND EXPENDITURE REPORT SUMMARY**  
**March 31, 2012**

**GENERAL FUND - (01)**

	Current Month <u>Actual</u>	Year To Date <u>Actual</u>	Total <u>Budget</u>
Revenue	\$ 1,038,949	\$ 13,134,729	\$ 12,335,784
Expenditures	\$ 669,131	\$ 10,879,672	\$ 12,794,419

Audited 5/1/11 Opening Fund Balance: \$ 4,461,410  
Transfer to Capital Fund \$ (3,000,000)  
Current Fund Balance: \$ 3,716,467

**WATER FUND - (02)**

	Current Month <u>Actual</u>	Year To Date <u>Actual</u>	Total <u>Budget</u>
Revenue	\$ 659,770	\$ 3,795,296	\$ 4,517,159
Expenditures	\$ 507,245	\$ 3,793,924	\$ 4,687,929

Audited 5/1/11 Cash Balance \$ 1,350,682  
Current Cash Balance: \$ 1,352,053

**MOTOR FUEL TAX FUND - (03)**

	Current Month <u>Actual</u>	Year To Date <u>Actual</u>	Total <u>Budget</u>
Revenue	\$ 45,645	\$ 622,006	\$ 555,250
Expenditures	\$ 44,508	\$ 563,179	\$ 586,030

Audited 5/1/11 Opening Fund Balance: \$ 80,990  
Current Fund Balance: \$ 139,817

**WATER DEPRECIATION FUND (12)**

	Current Month <u>Actual</u>	Year To Date <u>Actual</u>	Total <u>Budget</u>
Revenue	\$ 104	\$ 1,286	\$ -
Expenditures	\$ -	\$ 35,494	\$ 47,540

Audited 5/1/11 Cash Balance \$ 134,503  
Current Cash Balance: \$ 100,294

**CAPITAL IMPROVEMENT FUND (25)**

	Current Month <u>Actual</u>	Year To Date <u>Actual</u>	Total <u>Budget</u>
Revenue	\$ 2,476	\$ 4,025,652	\$ 3,200,770
Expenditures	\$ -	\$ 2,259,177	\$ 2,387,098

Audited 5/1/11 Opening Fund Balance: \$ 114,693  
Current Fund Balance: \$ 1,881,169

**CAPITAL PROJECTS DEBT SERVICE FUND (35)**

	Current Month <u>Actual</u>	Year To Date <u>Actual</u>	Total <u>Budget</u>
Revenue	\$ 6	\$ 106,375	\$ 104,300
Expenditures	\$ -	\$ 104,375	\$ 104,500

Audited 5/1/11 Opening Fund Balance: \$ 2,202  
Current Fund Balance: \$ 4,202

	Current Actual Year to Date	Current Budgeted F.Y.E. '12	Prior Year Actual Through March 11
Property Tax Collections	\$ 2,332,310	\$ 2,310,057	\$ 2,302,721
Sales Tax Collections	\$ 4,537,123	\$ 4,550,000	\$ 4,131,303

**CITY OF DARIEN**  
**Statement of Revenues and Expenditures - Revenue**  
**Revenue**  
**General Fund**  
**From 3/1/2012 Through 3/31/2012**

		Current Period Actual	Current Period Budget	Current Year Actual	YTD Budget	Total Budget	Total Budget Variance	Percent Total Budget Remaining
Revenue								
Taxes								
Real Estate Taxes - Current	3110	0.00	0.00	2,018,584.42	2,000,287.00	2,000,287.00	18,297.42	(0.91)%
Real Estate Taxes - Prior	3111	0.00	0.00	275.25	0.00	0.00	275.25	0.00%
Road and Bridge Tax	3120	29.41	0.00	187,229.09	185,000.00	185,000.00	2,229.09	(1.20)%
Municipal Utility Tax	3130	104,057.05	100,000.00	980,193.47	965,000.00	1,040,000.00	(59,806.53)	5.75%
Amusement Tax	3140	10,996.76	8,750.00	88,312.31	96,250.00	105,000.00	(16,687.69)	15.89%
Hotel/Motel Tax	3150	1,650.79	2,583.33	31,434.61	28,416.63	31,000.00	434.61	(1.40)%
Personal Property Tax	3425	232.05	467.50	4,615.33	5,142.50	5,610.00	(994.67)	17.73%
Total Taxes		116,966.06	111,800.83	3,310,644.48	3,280,096.13	3,366,897.00	(56,252.52)	1.67%
License, Permits, Fees								
Business Licenses	3210	1,900.00	13,375.00	8,620.00	19,000.00	44,000.00	(35,380.00)	80.40%
Liquor License	3212	3,000.00	0.00	53,000.00	42,650.00	42,650.00	10,350.00	(24.26)%
Contractor Licenses	3214	1,410.00	0.00	13,920.00	12,000.00	15,000.00	(1,080.00)	7.20%
Court Fines	3216	13,062.20	15,833.33	129,883.76	174,166.63	190,000.00	(60,116.24)	31.64%
Towing Fees	3217	12,500.00	0.00	84,432.50	0.00	0.00	84,432.50	0.00%
Booking Fees	3218	0.00	0.00	2,400.00	0.00	0.00	2,400.00	0.00%
Ordinance Fines	3230	3,765.00	2,916.67	27,635.00	32,083.37	35,000.00	(7,365.00)	21.04%
Building Permits and Fees	3240	5,142.00	0.00	59,229.80	57,500.00	60,000.00	(770.20)	1.28%
Telecommunication Taxes	3242	71,202.24	83,166.67	870,987.96	914,833.37	998,000.00	(127,012.04)	12.72%
Cable T.V. Franchise Fee	3244	0.00	0.00	310,604.86	300,000.00	300,000.00	10,604.86	(3.53)%
PEG - Fees - AT&T	3245	0.00	0.00	12,339.03	0.00	0.00	12,339.03	0.00%
NICOR Franchise Fee	3246	0.00	0.00	31,772.46	40,000.00	40,000.00	(8,227.54)	20.56%
Public Hearing Fees	3250	671.55	800.00	6,936.55	5,000.00	5,000.00	1,936.55	(38.73)%
Elevator Inspections	3255	50.00	2,000.00	4,840.00	3,500.00	3,500.00	1,340.00	(38.28)%
Public Improvement Permit Fee	3260	75.00	0.00	(50.00)	0.00	0.00	(50.00)	0.00%
Engineering/Prof Fee Reimb	3265	2,128.50	4,166.67	31,000.27	45,833.37	50,000.00	(18,999.73)	37.99%
Legal Fee Reimbursement	3266	0.00	41.67	0.00	458.37	500.00	(500.00)	100.00%
D.U.I. Technology Fines	3267	660.00	833.33	7,285.08	9,166.63	10,000.00	(2,714.92)	27.14%

**CITY OF DARIEN**  
**Statement of Revenues and Expenditures - Revenue**  
**Revenue**  
**General Fund**  
**From 3/1/2012 Through 3/31/2012**

		Current Period Actual	Current Period Budget	Current Year Actual	YTD Budget	Total Budget	Total Budget Variance	Percent Total Budget Remaining
Police Special Service	3268	13,181.12	8,333.33	143,136.06	91,666.63	100,000.00	43,136.06	(43.13)%
Stormwater Management Fees	3270	0.00	0.00	50.00	0.00	0.00	50.00	0.00%
Total License, Permits, Fees		128,747.61	131,466.67	1,798,023.33	1,747,858.37	1,893,650.00	(95,626.67)	5.05%
Charges for Services								
Inspections/Tap on/Permits	3320	50.00	0.00	950.00	0.00	0.00	950.00	0.00%
Total Charges for Services		50.00	0.00	950.00	0.00	0.00	950.00	0.00%
Intergovernmental								
State Income Tax	3410	179,632.35	100,000.00	1,512,570.48	1,525,000.00	1,589,971.00	(77,400.52)	4.86%
Local Use Tax	3420	40,117.19	19,564.50	300,772.21	215,209.50	234,774.00	65,998.21	(28.11)%
Sales Taxes	3430	449,792.43	450,000.00	4,537,123.21	4,100,000.00	4,550,000.00	(12,876.79)	0.28%
Total Intergovernmental		669,541.97	569,564.50	6,350,465.90	5,840,209.50	6,374,745.00	(24,279.10)	0.38%
Other Revenue								
Interest Income	3510	1,812.77	833.33	19,591.38	9,166.63	10,000.00	9,591.38	(95.91)%
Gain/Loss on Investment	3515	(5.38)	0.00	12.87	0.00	0.00	12.87	0.00%
Water Share Expense	3520	20,833.34	20,833.33	229,166.74	229,166.63	250,000.00	(20,833.26)	8.33%
Police Report/Prints	3534	1,125.00	375.00	6,405.00	4,125.00	4,500.00	1,905.00	(42.33)%
DARE Contribution	3536	0.00	0.00	500.00	0.00	0.00	500.00	0.00%
Grants	3560	0.00	0.00	1,379.02	0.00	0.00	1,379.02	0.00%
Rents	3561	14,307.63	15,082.67	210,004.17	165,909.37	180,992.00	29,012.17	(16.02)%
Other Reimbursements	3562	66,401.29	8,333.33	241,295.70	91,666.63	100,000.00	141,295.70	(141.29)%
Residential Concrete Reimb	3563	0.00	0.00	145,122.62	0.00	0.00	145,122.62	0.00%
Mail Box Reimbursement Program	3569	294.32	0.00	2,129.31	0.00	0.00	2,129.31	0.00%
Sales of Wood Chips	3572	70.00	0.00	3,810.00	0.00	0.00	3,810.00	0.00%
Sale of Equipment	3575	1,402.50	0.00	24,443.71	0.00	0.00	24,443.71	0.00%
Reimbursement - Workers Comp	3577	0.00	0.00	59,471.67	0.00	0.00	59,471.67	0.00%
Miscellaneous Revenue	3580	3,407.13	833.33	93,710.80	9,166.63	10,000.00	83,710.80	(837.10)%
Loan Proceeds	3955	0.00	0.00	483,465.90	0.00	0.00	483,465.90	0.00%
Total Other Revenue		109,648.60	46,290.99	1,520,508.89	509,200.89	555,492.00	965,016.89	(173.72)%

**CITY OF DARIEN**  
**Statement of Revenues and Expenditures - Revenue**  
**Revenue**  
**General Fund**  
**From 3/1/2012 Through 3/31/2012**

	Current Period Actual	Current Period Budget	Current Year Actual	YTD Budget	Total Budget	Total Budget Variance	Percent Total Budget Remaining
Total Revenue	<u>1,024,954.24</u>	<u>859,122.99</u>	<u>12,980,592.60</u>	<u>11,377,364.89</u>	<u>12,190,784.00</u>	<u>789,808.60</u>	<u>(6.48)%</u>

**CITY OF DARIEN**  
**Statement of Revenues and Expenditures - Revenue**  
**Revenue**  
**Water Fund**  
**From 3/1/2012 Through 3/31/2012**

		Current Period Actual	Current Period Budget	Current Year Actual	YTD Budget	Total Budget	Total Budget Variance	Percent Total Budget Remaining
<b>Revenue</b>								
<b>Charges for Services</b>								
Water Sales	3310	651,094.56	0.00	3,748,230.36	3,826,159.00	4,501,159.00	(752,928.64)	16.72%
Inspections/Tap on/Permits	3320	3,400.00	333.33	14,685.00	3,666.63	4,000.00	10,685.00	(267.12)%
Sale of Meters	3325	525.00	291.67	3,136.37	3,208.37	3,500.00	(363.63)	10.38%
Other Water Sales	3390	0.00	375.00	8,604.82	4,125.00	4,500.00	4,104.82	(91.21)%
<b>Total Charges for Services</b>		<u>655,019.56</u>	<u>1,000.00</u>	<u>3,774,656.55</u>	<u>3,837,159.00</u>	<u>4,513,159.00</u>	<u>(738,502.45)</u>	<u>16.36%</u>
<b>Other Revenue</b>								
Interest Income	3510	1,347.68	333.33	17,236.37	3,666.63	4,000.00	13,236.37	(330.90)%
Other Reimbursements	3562	3,403.04	0.00	3,403.04	0.00	0.00	3,403.04	0.00%
<b>Total Other Revenue</b>		<u>4,750.72</u>	<u>333.33</u>	<u>20,639.41</u>	<u>3,666.63</u>	<u>4,000.00</u>	<u>16,639.41</u>	<u>(415.99)%</u>
<b>Total Revenue</b>		<u>659,770.28</u>	<u>1,333.33</u>	<u>3,795,295.96</u>	<u>3,840,825.63</u>	<u>4,517,159.00</u>	<u>(721,863.04)</u>	<u>15.98%</u>

**CITY OF DARIEN**  
**Statement of Revenues and Expenditures - Revenue**  
**Revenue**  
**Motor Fuel Tax**  
**From 3/1/2012 Through 3/31/2012**

	Current Period Actual	Current Period Budget	Current Year Actual	YTD Budget	Total Budget	Total Budget Variance	Percent Total Budget Remaining	
Revenue								
Intergovernmental								
MFT Allotment	3440	45,526.19	46,270.84	621,148.60	508,979.24	555,250.00	65,898.60	(11.86)%
Total Intergovernmental		45,526.19	46,270.84	621,148.60	508,979.24	555,250.00	65,898.60	(11.87)%
Other Revenue								
Interest Income	3510	118.55	0.00	857.80	0.00	0.00	857.80	0.00%
Total Other Revenue		118.55	0.00	857.80	0.00	0.00	857.80	0.00%
Total Revenue		45,644.74	46,270.84	622,006.40	508,979.24	555,250.00	66,756.40	(12.02)%

**CITY OF DARIEN**  
**Statement of Revenues and Expenditures - Revenue**  
**Revenue**  
**Impact Fee Agency Fund**  
**From 3/1/2012 Through 3/31/2012**

	Current Period Actual	Current Period Budget	Current Year Actual	YTD Budget	Total Budget	Total Budget Variance	Percent Total Budget Remaining
Revenue							
Other Revenue							
Interest Income	3510 17.14	0.00	164.05	0.00	0.00	164.05	0.00%
Total Other Revenue	17.14	0.00	164.05	0.00	0.00	164.05	0.00%
Total Revenue	17.14	0.00	164.05	0.00	0.00	164.05	0.00%



**CITY OF DARIEN**  
**Statement of Revenues and Expenditures - Revenue**  
**Revenue**  
**Special Service Area Tax Fund**  
**From 3/1/2012 Through 3/31/2012**

	Current Period Actual	Current Period Budget	Current Year Actual	YTD Budget	Total Budget	Total Budget Variance	Percent Total Budget Remaining
Revenue							
Taxes							
Real Estate Taxes - Current	3110	0.00	5,002.24	5,000.00	5,000.00	2.24	(0.04)%
Real Estate Taxes - Prior	3111	0.00	49.80	0.00	0.00	49.80	0.00%
Total Taxes		0.00	5,052.04	5,000.00	5,000.00	52.04	(1.04)%
Other Revenue							
Interest Income	3510	12.00	138.94	0.00	0.00	138.94	0.00%
Total Other Revenue		12.00	138.94	0.00	0.00	138.94	0.00%
Total Revenue		12.00	5,190.98	5,000.00	5,000.00	190.98	(3.82)%

**CITY OF DARIEN**  
**Statement of Revenues and Expenditures - Revenue**  
**Revenue**  
**Drug Forfeiture Fund**  
**From 3/1/2012 Through 3/31/2012**

	Current Period		Current Year	YTD Budget	Total Budget	Total Budget	Percent
	Actual	Budget	Actual			Variance	Total
							Budget
							Remaining
Revenue							
Other Revenue							
Interest Income	3510	17.84	0.00	88.15	0.00	88.15	0.00%
Drug Forfeiture Receipts	3538	0.00	0.00	8,922.33	0.00	8,922.33	0.00%
Total Other Revenue		17.84	0.00	9,010.48	0.00	9,010.48	0.00%
Total Revenue		17.84	0.00	9,010.48	0.00	9,010.48	0.00%

**CITY OF DARIEN**  
**Statement of Revenues and Expenditures - Revenue**  
**Revenue**  
**Water Depreciation Fund**  
**From 3/1/2012 Through 3/31/2012**

	Current Period Actual	Current Period Budget	Current Year Actual	YTD Budget	Total Budget	Total Budget Variance	Percent Total Budget Remaining	
Revenue								
Other Revenue								
Interest Income	3510	106.06	0.00	1,274.62	0.00	0.00	1,274.62	0.00%
Gain/Loss on Investment	3515	(2.30)	0.00	11.06	0.00	0.00	11.06	0.00%
Total Other Revenue	<u>103.76</u>	<u>0.00</u>	<u>1,285.68</u>	<u>0.00</u>	<u>0.00</u>	<u>1,285.68</u>	<u>0.00%</u>	
Total Revenue	103.76	0.00	1,285.68	0.00	0.00	1,285.68	0.00%	

**CITY OF DARIEN**  
**Statement of Revenues and Expenditures - Revenue**  
**Revenue**  
**Darien Area Dispatch Center**  
**From 3/1/2012 Through 3/31/2012**

	Current Period Actual	Current Period Budget	Current Year Actual	YTD Budget	Total Budget	Total Budget Variance	Percent Total Budget Remaining
Revenue							
Other Revenue							
Interest Income	3510 666.88	0.00	7,041.81	0.00	0.00	7,041.81	0.00%
Total Other Revenue	666.88	0.00	7,041.81	0.00	0.00	7,041.81	0.00%
Total Revenue	666.88	0.00	7,041.81	0.00	0.00	7,041.81	0.00%

**CITY OF DARIEN**  
**Statement of Revenues and Expenditures - Revenue**  
**Revenue**  
**Drug Seizures Fund**  
**From 3/1/2012 Through 3/31/2012**

	Current Period Actual	Current Period Budget	Current Year Actual	YTD Budget	Total Budget	Total Budget Variance	Percent Total Budget Remaining
Revenue							
Other Revenue							
Interest Income	3510 28.79	0.00	204.04	0.00	0.00	204.04	0.00%
Total Other Revenue	28.79	0.00	204.04	0.00	0.00	204.04	0.00%
Total Revenue	28.79	0.00	204.04	0.00	0.00	204.04	0.00%

**CITY OF DARIEN**  
**Statement of Revenues and Expenditures - Revenue**  
**Revenue**  
**Road Improvement Fund**  
**From 3/1/2012 Through 3/31/2012**

	Current Period Actual	Current Period Budget	Current Year Actual	YTD Budget	Total Budget	Total Budget Variance	Percent Total Budget Remaining
Revenue							
Other Revenue							
Interest Income	3510 7.82	0.00	74.82	0.00	0.00	74.82	0.00%
Total Other Revenue	7.82	0.00	74.82	0.00	0.00	74.82	0.00%
Total Revenue	7.82	0.00	74.82	0.00	0.00	74.82	0.00%

**CITY OF DARIEN**  
**Statement of Revenues and Expenditures - Revenue**  
**Revenue**  
**Capital Improvement Fund**  
**From 3/1/2012 Through 3/31/2012**

	Current Period Actual	Current Period Budget	Current Year Actual	YTD Budget	Total Budget	Total Budget Variance	Percent Total Budget Remaining
Revenue							
Taxes							
Real Estate Taxes - Current	3110	0.00	202,242.42	200,770.00	200,770.00	1,472.42	(0.73)%
Real Estate Taxes - Prior	3111	0.00	13.79	0.00	0.00	13.79	0.00%
Total Taxes		0.00	202,256.21	200,770.00	200,770.00	1,486.21	(0.74)%
Other Revenue							
Interest Income	3510	2,476.15	16,521.02	0.00	0.00	16,521.02	0.00%
Grants	3560	0.00	150,000.00	0.00	0.00	150,000.00	0.00%
Sale of Property	3573	0.00	656,875.00	0.00	0.00	656,875.00	0.00%
Transfer from Other Funds	3612	0.00	3,000,000.00	3,000,000.00	3,000,000.00	0.00	0.00%
Total Other Revenue		2,476.15	3,823,396.02	3,000,000.00	3,000,000.00	823,396.02	(27.45)%
Total Revenue		2,476.15	4,025,652.23	3,200,770.00	3,200,770.00	824,882.23	(25.77)%

**CITY OF DARIEN**  
**Statement of Revenues and Expenditures - Revenue**  
**Revenue**  
**Debt Service Fund**  
**From 3/1/2012 Through 3/31/2012**

		Current Period Actual	Current Period Budget	Current Year Actual	YTD Budget	Total Budget	Total Budget Variance	Percent Total Budget Remaining
Revenue								
Taxes								
Real Estate Taxes - Current	3110	0.00	0.00	106,119.22	104,000.00	104,000.00	2,119.22	(2.03)%
Real Estate Taxes - Prior	3111	0.00	0.00	27.59	0.00	0.00	27.59	0.00%
Total Taxes		0.00	0.00	106,146.81	104,000.00	104,000.00	2,146.81	(2.06)%
Other Revenue								
Interest Income	3510	5.53	25.00	228.25	275.00	300.00	(71.75)	23.91%
Total Other Revenue		5.53	25.00	228.25	275.00	300.00	(71.75)	23.92%
Total Revenue		5.53	25.00	106,375.06	104,275.00	104,300.00	2,075.06	(1.99)%



**CITY OF DARIEN**  
**Statement of Revenues and Expenditures - Revenue**  
**Business District**  
**General Fund**  
**From 3/1/2012 Through 3/31/2012**

	Current Period Actual	Current Period Budget	Current Year Actual	YTD Budget	Total Budget	Total Budget Variance	Percent Total Budget Remaining
Revenue							
Other Revenue							
Rents	3561 13,300.00	11,916.67	147,089.01	131,083.37	143,000.00	4,089.01	(2.85)%
Maintenance - Reimbursable	3567 318.00	166.67	3,597.37	1,833.37	2,000.00	1,597.37	(79.86)%
Operations Revenue	3576 377.25	0.00	3,449.64	0.00	0.00	3,449.64	0.00%
Total Other Revenue	<u>13,995.25</u>	<u>12,083.34</u>	<u>154,136.02</u>	<u>132,916.74</u>	<u>145,000.00</u>	<u>9,136.02</u>	<u>(6.30)%</u>
Total Revenue	13,995.25	12,083.34	154,136.02	132,916.74	145,000.00	9,136.02	(6.30)%

**CITY OF DARIEN**  
**Statement of Revenues and Expenditures - Expenditures**  
**General Fund**  
**Administration**  
**From 3/1/2012 Through 3/31/2012**

		Current Period Actual	Current Period Budget	Current Year Actual	YTD Budget	Total Budget	Total Budget Variance	Percent Total Budget Remaining
<b>Expenditures</b>								
<b>Salaries</b>								
Salaries	4010	32,799.70	32,461.52	402,872.41	389,538.24	422,000.00	19,127.59	4.53%
Overtime	4030	0.00	0.00	0.00	4,000.00	4,000.00	4,000.00	100.00%
<b>Total Salaries</b>		<b>32,799.70</b>	<b>32,461.52</b>	<b>402,872.41</b>	<b>393,538.24</b>	<b>426,000.00</b>	<b>23,127.59</b>	<b>5.43%</b>
<b>Benefits</b>								
Social Security	4110	2,050.10	1,815.38	21,878.75	21,784.56	23,600.00	1,721.25	7.29%
Medicare	4111	479.46	461.52	5,904.30	5,538.24	6,000.00	95.70	1.59%
I.M.R.F.	4115	4,074.37	4,125.00	49,851.81	45,375.00	49,500.00	(351.81)	(0.71)%
Medical/Life Insurance	4120	5,799.65	5,735.42	55,222.92	63,089.62	68,825.00	13,602.08	19.76%
Supplemental Pensions	4135	1,908.14	1,916.67	22,345.11	21,083.37	23,000.00	654.89	2.84%
<b>Total Benefits</b>		<b>14,311.72</b>	<b>14,053.99</b>	<b>155,202.89</b>	<b>156,870.79</b>	<b>170,925.00</b>	<b>15,722.11</b>	<b>9.20%</b>
<b>Materials and Supplies</b>								
Dues and Subscriptions	4213	1,307.88	204.17	2,933.83	2,245.87	2,450.00	(483.83)	(19.74)%
Liability Insurance	4219	272.44	4,950.00	51,318.96	49,900.00	52,900.00	1,581.04	2.98%
Legal Notices	4221	504.70	250.00	7,276.36	7,750.00	8,000.00	723.64	9.04%
Maintenance - Building	4223	1,067.59	916.67	5,538.71	10,083.37	11,000.00	5,461.29	49.64%
Maintenance - Equipment	4225	0.00	1,083.33	7,339.51	11,916.63	13,000.00	5,660.49	43.54%
Maintenance - Grounds	4227	0.00	583.33	799.18	6,416.63	7,000.00	6,200.82	88.58%
Maintenance - Vehicles	4229	0.00	0.00	169.99	0.00	0.00	(169.99)	0.00%
Postage/Mailings	4233	805.00	200.00	3,239.54	5,000.00	5,200.00	1,960.46	37.70%
Printing and Forms	4235	1,196.40	795.83	3,232.88	3,504.13	4,000.00	767.12	19.17%
Public Relations	4239	125.00	2,333.33	16,716.62	25,666.63	28,000.00	11,283.38	40.29%
Rent - Equipment	4243	0.00	0.00	1,755.00	1,400.00	2,400.00	645.00	26.87%
Supplies - Office	4253	1,439.09	916.67	8,338.64	10,083.37	11,000.00	2,661.36	24.19%
Supplies - Other	4257	0.00	250.00	502.56	2,750.00	3,000.00	2,497.44	83.24%
Training and Education	4263	0.00	375.00	878.00	4,125.00	4,500.00	3,622.00	80.48%
Travel/Meetings	4265	0.00	166.67	194.55	1,833.37	2,000.00	1,805.45	90.27%
Telephone	4267	4,838.26	5,125.00	44,734.37	56,375.00	61,500.00	16,765.63	27.26%
Utilities (Elec,Gas,Wtr,Sewer)	4271	323.16	291.67	2,856.36	3,208.37	3,500.00	643.64	18.38%
Vehicle (Gas and Oil)	4273	395.48	658.33	6,063.15	7,241.63	7,900.00	1,836.85	23.25%
ESDA	4279	0.00	0.00	0.00	2,000.00	2,000.00	2,000.00	100.00%

**CITY OF DARIEN**  
**Statement of Revenues and Expenditures - Expenditures**  
**General Fund**  
**Administration**  
**From 3/1/2012 Through 3/31/2012**

		Current Period Actual	Current Period Budget	Current Year Actual	YTD Budget	Total Budget	Total Budget Variance	Percent Total Budget Remaining
Total Materials and Supplies		12,275.00	19,100.00	163,888.21	211,500.00	229,350.00	65,461.79	28.54%
Contractual								
Audit	4320	0.00	0.00	11,675.00	11,650.00	11,650.00	(25.00)	(0.21)%
Consulting/Professional	4325	3,755.00	7,829.17	66,853.40	86,120.87	93,950.00	27,096.60	28.84%
Conslt/Prof Reimbursable	4328	934.65	0.00	923.36	0.00	0.00	(923.36)	0.00%
Contingency	4330	0.00	833.33	2,902.45	9,166.63	10,000.00	7,097.55	70.97%
Janitorial Service	4345	1,182.00	1,375.00	11,820.00	15,125.00	16,500.00	4,680.00	28.36%
Total Contractual		5,871.65	10,037.50	94,174.21	122,062.50	132,100.00	37,925.79	28.71%
Other Charges								
Transfer to Other Funds	4605	0.00	0.00	3,000,000.00	3,000,000.00	3,000,000.00	0.00	0.00%
Total Other Charges		0.00	0.00	3,000,000.00	3,000,000.00	3,000,000.00	0.00	0.00%
Total Expenditures		65,258.07	75,653.01	3,816,137.72	3,883,971.53	3,958,375.00	142,237.28	3.59%
Total		(65,258.07)	(75,653.01)	(3,816,137.72)	(3,883,971.53)	(3,958,375.00)	(142,237.28)	0.00%

**CITY OF DARIEN**  
**Statement of Revenues and Expenditures - Expenditures**  
**General Fund**  
**City Council**  
**From 3/1/2012 Through 3/31/2012**

		Current Period Actual	Current Period Budget	Current Year Actual	YTD Budget	Total Budget	Total Budget Variance	Percent Total Budget Remaining
Expenditures								
Salaries								
Salaries	4010	3,262.50	3,562.08	38,887.50	39,182.88	42,745.00	3,857.50	9.02%
Total Salaries		3,262.50	3,562.08	38,887.50	39,182.88	42,745.00	3,857.50	9.02%
Benefits								
Social Security	4110	202.28	221.67	2,411.08	2,438.37	2,660.00	248.92	9.35%
Medicare	4111	47.32	51.67	564.01	568.37	620.00	55.99	9.03%
I.M.R.F.	4115	0.00	158.33	35.67	1,741.63	1,900.00	1,864.33	98.12%
Total Benefits		249.60	431.67	3,010.76	4,748.37	5,180.00	2,169.24	41.88%
Materials and Supplies								
Boards and Commissions	4205	117.75	208.33	1,206.65	2,291.63	2,500.00	1,293.35	51.73%
Cable Operations	4206	0.00	208.33	749.23	2,291.63	2,500.00	1,750.77	70.03%
Liability Insurance	4219	0.00	2,671.67	39,859.87	39,388.37	42,060.00	2,200.13	5.23%
Public Relations	4239	0.00	0.00	1,142.90	1,500.00	1,500.00	357.10	23.80%
Travel/Meetings	4265	54.00	62.50	516.00	687.50	750.00	234.00	31.20%
Total Materials and Supplies		171.75	3,150.83	43,474.65	46,159.13	49,310.00	5,835.35	11.83%
Contractual								
Consulting/Professional	4325	0.00	2,250.00	24,350.50	24,750.00	27,000.00	2,649.50	9.81%
Trolley Contracts	4366	0.00	0.00	63.93	900.00	900.00	836.07	92.89%
Total Contractual		0.00	2,250.00	24,414.43	25,650.00	27,900.00	3,485.57	12.49%
Total Expenditures		3,683.85	9,394.58	109,787.34	115,740.38	125,135.00	15,347.66	12.26%
Total		(3,683.85)	(9,394.58)	(109,787.34)	(115,740.38)	(125,135.00)	(15,347.66)	0.00%

**CITY OF DARIEN**  
**Statement of Revenues and Expenditures - Expenditures**  
**General Fund**  
**Community Development**  
**From 3/1/2012 Through 3/31/2012**

		Current Period Actual	Current Period Budget	Current Year Actual	YTD Budget	Total Budget	Total Budget Variance	Percent Total Budget Remaining
<b>Expenditures</b>								
<b>Salaries</b>								
Salaries	4010	20,287.60	20,807.68	252,272.00	249,692.16	270,500.00	18,228.00	6.73%
Overtime	4030	0.00	83.33	0.00	916.63	1,000.00	1,000.00	100.00%
<b>Total Salaries</b>		<u>20,287.60</u>	<u>20,891.01</u>	<u>252,272.00</u>	<u>250,608.79</u>	<u>271,500.00</u>	<u>19,228.00</u>	<u>7.08%</u>
<b>Benefits</b>								
Social Security	4110	1,212.08	1,153.84	13,650.22	13,846.08	15,000.00	1,349.78	8.99%
Medicare	4111	283.48	303.84	3,543.53	3,646.08	3,950.00	406.47	10.29%
I.M.R.F.	4115	2,412.20	2,675.00	29,995.16	29,425.00	32,100.00	2,104.84	6.55%
Medical/Life Insurance	4120	3,047.26	3,083.33	33,057.92	33,916.63	37,000.00	3,942.08	10.65%
Supplemental Pensions	4135	276.90	300.00	3,046.20	3,300.00	3,600.00	553.80	15.38%
<b>Total Benefits</b>		<u>7,231.92</u>	<u>7,516.01</u>	<u>83,293.03</u>	<u>84,133.79</u>	<u>91,650.00</u>	<u>8,356.97</u>	<u>9.12%</u>
<b>Materials and Supplies</b>								
Boards and Commissions	4205	0.00	200.00	1,501.00	2,200.00	2,400.00	899.00	37.45%
Dues and Subscriptions	4213	0.00	0.00	453.00	750.00	750.00	297.00	39.60%
Liability Insurance	4219	6,510.00	250.00	28,759.00	46,750.00	46,750.00	17,991.00	38.48%
Maintenance - Vehicles	4229	0.00	158.33	106.50	1,741.63	1,900.00	1,793.50	94.39%
Postage/Mailings	4233	322.00	0.00	1,222.00	0.00	0.00	(1,222.00)	0.00%
Printing and Forms	4235	198.75	216.67	792.25	2,383.37	2,600.00	1,807.75	69.52%
Supplies - Office	4253	0.00	37.50	21.10	412.50	450.00	428.90	95.31%
Training and Education	4263	0.00	41.67	510.00	458.37	500.00	(10.00)	(2.00)%
Travel/Meetings	4265	0.00	33.33	80.00	366.63	400.00	320.00	80.00%
Vehicle (Gas and Oil)	4273	82.50	166.25	1,475.34	1,828.75	1,995.00	519.66	26.04%
<b>Total Materials and Supplies</b>		<u>7,113.25</u>	<u>1,103.75</u>	<u>34,920.19</u>	<u>56,891.25</u>	<u>57,745.00</u>	<u>22,824.81</u>	<u>39.53%</u>
<b>Contractual</b>								
Consulting/Professional	4325	3,349.20	2,375.00	29,660.07	26,125.00	28,500.00	(1,160.07)	(4.07)%
Conslt/Prof Reimbursable	4328	7,430.53	4,208.33	52,440.47	46,291.63	50,500.00	(1,940.47)	(3.84)%
<b>Total Contractual</b>		<u>10,779.73</u>	<u>6,583.33</u>	<u>82,100.54</u>	<u>72,416.63</u>	<u>79,000.00</u>	<u>(3,100.54)</u>	<u>(3.92)%</u>
<b>Total Expenditures</b>		<u>45,412.50</u>	<u>36,094.10</u>	<u>452,585.76</u>	<u>464,050.46</u>	<u>499,895.00</u>	<u>47,309.24</u>	<u>9.46%</u>
<b>Total</b>		<u>(45,412.50)</u>	<u>(36,094.10)</u>	<u>(452,585.76)</u>	<u>(464,050.46)</u>	<u>(499,895.00)</u>	<u>(47,309.24)</u>	<u>0.00%</u>

**CITY OF DARIEN**  
**Statement of Revenues and Expenditures - Expenditures**  
**General Fund**  
**Public Works, Streets**  
**From 3/1/2012 Through 3/31/2012**

		Current Period Actual	Current Period Budget	Current Year Actual	YTD Budget	Total Budget	Total Budget Variance	Percent Total Budget Remaining
<b>Expenditures</b>								
<b>Salaries</b>								
Salaries	4010	27,699.81	37,184.60	437,743.76	446,215.20	483,400.00	45,656.24	9.44%
Overtime	4030	1,980.01	8,500.00	39,895.60	94,000.00	95,000.00	55,104.40	58.00%
<b>Total Salaries</b>		<u>29,679.82</u>	<u>45,684.60</u>	<u>477,639.36</u>	<u>540,215.20</u>	<u>578,400.00</u>	<u>100,760.64</u>	<u>17.42%</u>
<b>Benefits</b>								
Social Security	4110	3,263.77	4,670.42	45,564.10	51,374.62	56,045.00	10,480.90	18.70%
Medicare	4111	763.31	1,092.50	10,656.31	12,017.50	13,110.00	2,453.69	18.71%
I.M.R.F.	4115	6,952.01	8,458.33	88,150.51	93,041.63	101,500.00	13,349.49	13.15%
Medical/Life Insurance	4120	11,451.46	12,750.00	115,930.03	140,250.00	153,000.00	37,069.97	24.22%
Supplemental Pensions	4135	184.60	208.33	2,492.30	2,291.63	2,500.00	7.70	0.30%
<b>Total Benefits</b>		<u>22,615.15</u>	<u>27,179.58</u>	<u>262,793.25</u>	<u>298,975.38</u>	<u>326,155.00</u>	<u>63,361.75</u>	<u>19.43%</u>
<b>Materials and Supplies</b>								
Liability Insurance	4219	3,337.62	2,000.00	51,944.45	69,672.00	72,672.00	20,727.55	28.52%
Maintenance - Building	4223	614.09	2,597.17	14,819.46	28,568.87	31,166.00	16,346.54	52.44%
Maintenance - Equipment	4225	572.61	1,754.17	27,804.02	19,295.87	21,050.00	(6,754.02)	(32.08)%
Maintenance - Vehicles	4229	792.34	1,916.67	21,900.18	21,083.37	23,000.00	1,099.82	4.78%
Postage/Mailings	4233	322.00	150.00	1,196.85	950.00	1,000.00	(196.85)	(19.68)%
Rent - Equipment	4243	0.00	0.00	16,412.57	20,500.00	25,500.00	9,087.43	35.63%
Supplies - Office	4253	0.00	191.67	1,715.39	2,108.37	2,300.00	584.61	25.41%
Supplies - Other	4257	1,993.59	350.00	41,914.36	34,800.00	35,500.00	(6,414.36)	(18.06)%
Small Tools & Equipment	4259	272.18	1,500.00	13,942.56	12,750.00	15,250.00	1,307.44	8.57%
Training and Education	4263	0.00	337.50	672.00	3,712.50	4,050.00	3,378.00	83.40%
Uniforms	4269	0.00	562.50	2,391.74	6,187.50	6,750.00	4,358.26	64.56%
Utilities (Elec, Gas, Wtr, Sewer)	4271	750.26	304.17	2,645.65	3,345.87	3,650.00	1,004.35	27.51%
Vehicle (Gas and Oil)	4273	3,606.05	4,779.17	62,173.81	52,570.87	57,350.00	(4,823.81)	(8.41)%
<b>Total Materials and Supplies</b>		<u>12,260.74</u>	<u>16,443.02</u>	<u>259,533.04</u>	<u>275,545.22</u>	<u>299,238.00</u>	<u>39,704.96</u>	<u>13.27%</u>
<b>Contractual</b>								
Consulting/Professional	4325	6,397.70	5,500.00	45,599.14	48,000.00	49,000.00	3,400.86	6.94%
Forestry	4350	93.00	0.00	25,229.78	36,960.00	36,960.00	11,730.22	31.73%
Street Light Oper & Maint.	4359	6,891.60	6,666.67	72,429.15	73,333.37	80,000.00	7,570.85	9.46%
Mosquito Abatement	4365	0.00	0.00	40,887.00	41,500.00	41,500.00	613.00	1.47%

**CITY OF DARIEN**  
**Statement of Revenues and Expenditures - Expenditures**  
**General Fund**  
**Public Works, Streets**  
**From 3/1/2012 Through 3/31/2012**

		Current Period Actual	Current Period Budget	Current Year Actual	YTD Budget	Total Budget	Total Budget Variance	Percent Total Budget Remaining
Street Sweeping	4373	0.00	0.00	18,380.08	29,419.00	29,419.00	11,038.92	37.52%
Drainage Projects	4374	801.20	0.00	27,702.54	40,000.00	40,000.00	12,297.46	30.74%
Tree Trim/Removal	4375	0.00	0.00	68,735.00	99,490.00	99,490.00	30,755.00	30.91%
Total Contractual		14,183.50	12,166.67	298,962.69	368,702.37	376,369.00	77,406.31	20.57%
Capital Outlay								
Residential Concrete Program	4381	0.00	0.00	146,455.32	0.00	0.00	(146,455.32)	0.00%
Equipment	4815	82,920.50	0.00	286,048.32	312,083.00	312,083.00	26,034.68	8.34%
Total Capital Outlay		82,920.50	0.00	432,503.64	312,083.00	312,083.00	(120,420.64)	(38.59)%
Total Expenditures		161,659.71	101,473.87	1,731,431.98	1,795,521.17	1,892,245.00	160,813.02	8.50%
Total		(161,659.71)	(101,473.87)	(1,731,431.98)	(1,795,521.17)	(1,892,245.00)	(160,813.02)	0.00%

**CITY OF DARIEN**  
**Statement of Revenues and Expenditures - Expenditures**  
**General Fund**  
**Police Department**  
**From 3/1/2012 Through 3/31/2012**

		Current Period Actual	Current Period Budget	Current Year Actual	YTD Budget	Total Budget	Total Budget Variance	Percent Total Budget Remaining
<b>Expenditures</b>								
<b>Salaries</b>								
Salaries	4010	32,859.33	32,967.14	397,444.00	395,605.68	428,573.00	31,129.00	7.26%
Salaries - Officers	4020	245,946.49	263,726.22	3,191,869.98	3,164,714.64	3,428,441.00	236,571.02	6.90%
Overtime	4030	22,432.83	40,000.00	463,284.17	480,983.00	500,983.00	37,698.83	7.52%
<b>Total Salaries</b>		<b>301,238.65</b>	<b>336,693.36</b>	<b>4,052,598.15</b>	<b>4,041,303.32</b>	<b>4,357,997.00</b>	<b>305,398.85</b>	<b>7.01%</b>
<b>Benefits</b>								
Social Security	4110	2,100.07	2,416.67	24,985.91	26,583.37	29,000.00	4,014.09	13.84%
Medicare	4111	3,708.99	4,583.33	47,515.43	50,416.63	55,000.00	7,484.57	13.60%
I.M.R.F.	4115	4,831.75	4,083.33	48,803.07	44,916.63	49,000.00	196.93	0.40%
Medical/Life Insurance	4120	36,740.78	40,250.00	383,616.87	442,750.00	483,000.00	99,383.13	20.57%
Police Pension	4130	0.00	0.00	1,185,029.13	1,174,292.00	1,174,292.00	(10,737.13)	(0.91)%
Supplemental Pensions	4135	3,485.10	4,400.00	45,009.65	48,400.00	52,800.00	7,790.35	14.75%
<b>Total Benefits</b>		<b>50,866.69</b>	<b>55,733.33</b>	<b>1,734,960.06</b>	<b>1,787,358.63</b>	<b>1,843,092.00</b>	<b>108,131.94</b>	<b>5.87%</b>
<b>Materials and Supplies</b>								
Animal Control	4201	145.00	166.67	874.35	1,833.37	2,000.00	1,125.65	56.28%
Auxiliary Police	4203	2,266.75	2,000.00	3,907.30	9,100.00	9,600.00	5,692.70	59.29%
Boards and Commissions	4205	65.00	2,291.67	440.00	25,208.37	27,500.00	27,060.00	98.40%
Dues and Subscriptions	4213	75.00	395.42	3,169.50	4,349.62	4,745.00	1,575.50	33.20%
Investigation and Equipment	4217	2,546.29	5,228.25	21,413.79	57,510.75	62,739.00	41,325.21	65.86%
Liability Insurance	4219	8,788.53	10,000.00	194,936.09	221,550.00	252,800.00	57,863.91	22.88%
Maintenance - Building	4223	1,902.60	3,681.25	43,825.90	40,493.75	44,175.00	349.10	0.79%
Maintenance - Equipment	4225	0.00	1,291.67	9,125.58	14,208.37	15,500.00	6,374.42	41.12%
Maintenance - Vehicles	4229	2,205.30	3,166.67	45,958.02	34,833.37	38,000.00	(7,958.02)	(20.94)%
Postage/Mailings	4233	817.11	250.00	3,114.86	2,750.00	3,000.00	(114.86)	(3.82)%
Printing and Forms	4235	260.00	250.00	3,174.95	2,750.00	3,000.00	(174.95)	(5.83)%
Public Relations	4239	0.00	895.83	4,325.92	9,854.13	10,750.00	6,424.08	59.75%
Rent - Equipment	4243	401.90	550.00	1,511.55	6,050.00	6,600.00	5,088.45	77.09%
Supplies - Office	4253	121.36	625.00	5,076.66	6,875.00	7,500.00	2,423.34	32.31%
Training and Education	4263	460.00	2,084.58	16,119.04	22,930.38	25,015.00	8,895.96	35.56%
Travel/Meetings	4265	424.21	925.00	5,093.55	10,175.00	11,100.00	6,006.45	54.11%
Telephone	4267	800.31	1,199.00	12,866.33	13,189.00	14,388.00	1,521.67	10.57%
Uniforms	4269	617.06	5,957.08	33,412.45	65,527.88	71,485.00	38,072.55	53.25%



**CITY OF DARIEN**  
**Statement of Revenues and Expenditures - Expenditures**  
**General Fund**  
**Police Department**  
**From 3/1/2012 Through 3/31/2012**

		Current Period Actual	Current Period Budget	Current Year Actual	YTD Budget	Total Budget	Total Budget Variance	Percent Total Budget Remaining
Utilities (Elec,Gas,Wtr,Sewer)	4271	485.39	1,000.00	4,535.62	11,000.00	12,000.00	7,464.38	62.20%
Vehicle (Gas and Oil)	4273	9,781.60	10,000.00	121,640.39	110,000.00	120,000.00	(1,640.39)	(1.36)%
Total Materials and Supplies		32,163.41	51,958.09	534,521.85	670,188.99	741,897.00	207,375.15	27.95%
Contractual								
Consulting/Professional	4325	0.00	29,167.92	349,101.42	320,847.12	350,015.00	913.58	0.26%
Dumeg/Fiat/Child Center	4337	0.00	2,186.67	26,610.00	24,053.37	26,240.00	(370.00)	(1.41)%
Contractual Services	4370	0.00	2,000.00	22,278.63	22,000.00	24,000.00	1,721.37	7.17%
Total Contractual		0.00	33,354.59	397,990.05	366,900.49	400,255.00	2,264.95	0.57%
Capital Outlay								
Equipment	4815	7,526.46	0.00	613,073.46	232,150.00	232,150.00	(380,923.46)	(164.08)%
Total Capital Outlay		7,526.46	0.00	613,073.46	232,150.00	232,150.00	(380,923.46)	(164.09)%
Total Expenditures		391,795.21	477,739.37	7,333,143.57	7,097,901.43	7,575,391.00	242,247.43	3.20%
Total		(391,795.21)	(477,739.37)	(7,333,143.57)	(7,097,901.43)	(7,575,391.00)	(242,247.43)	0.00%

**CITY OF DARIEN**  
**Statement of Revenues and Expenditures - Expenditures**  
**General Fund**  
**Business District**  
**From 3/1/2012 Through 3/31/2012**

		Current Period Actual	Current Period Budget	Current Year Actual	YTD Budget	Total Budget	Total Budget Variance	Percent Total Budget Remaining
Expenditures								
Materials and Supplies								
Liability Insurance	4219	0.00	0.00	3,459.00	5,500.00	5,500.00	2,041.00	37.10%
Maintenance - Equipment	4225	0.00	1,458.33	4,266.80	16,041.63	17,500.00	13,233.20	75.61%
Maintenance - Grounds	4227	212.90	2,916.67	21,745.80	32,083.37	35,000.00	13,254.20	37.86%
Utilities (Elec, Gas, Wtr, Sewer)	4271	1,108.87	208.33	8,113.86	2,291.63	2,500.00	(5,613.86)	(224.55)%
Total Materials and Supplies		1,321.77	4,583.33	37,585.46	55,916.63	60,500.00	22,914.54	37.88%
Debt Service								
Debt Service - 2007A Bonds	4952	0.00	0.00	399,000.00	399,000.00	399,000.00	0.00	0.00%
Total Debt Service		0.00	0.00	399,000.00	399,000.00	399,000.00	0.00	0.00%
Total Expenditures		1,321.77	4,583.33	436,585.46	454,916.63	459,500.00	22,914.54	4.99%
Total		(1,321.77)	(4,583.33)	(436,585.46)	(454,916.63)	(459,500.00)	(22,914.54)	0.00%

**CITY OF DARIEN**  
**Statement of Revenues and Expenditures - Expenditures**  
**Water Fund**  
**Public Works, Water**  
**From 3/1/2012 Through 3/31/2012**

		Current Period Actual	Current Period Budget	Current Year Actual	YTD Budget	Total Budget	Total Budget Variance	Percent Total Budget Remaining
<b>Expenditures</b>								
<b>Salaries</b>								
Salaries	4010	31,183.60	33,384.60	424,316.23	400,615.24	434,000.00	9,683.77	2.23%
Overtime	4030	510.66	8,500.00	25,998.14	62,000.00	68,000.00	42,001.86	61.76%
<b>Total Salaries</b>		<u>31,694.26</u>	<u>41,884.60</u>	<u>450,314.37</u>	<u>462,615.24</u>	<u>502,000.00</u>	<u>51,685.63</u>	<u>10.30%</u>
<b>Benefits</b>								
Social Security	4110	1,860.86	2,708.33	26,720.56	29,791.63	32,500.00	5,779.44	17.78%
Medicare	4111	435.19	632.67	6,260.98	6,959.37	7,592.00	1,331.02	17.53%
I.M.R.F.	4115	3,317.86	4,991.67	41,946.92	54,908.37	59,900.00	17,953.08	29.97%
Medical/Life Insurance	4120	6,094.52	8,333.33	71,220.76	91,666.63	100,000.00	28,779.24	28.77%
Supplemental Pensions	4135	276.90	200.00	3,323.10	2,200.00	2,400.00	(923.10)	(38.46)%
<b>Total Benefits</b>		<u>11,985.33</u>	<u>16,866.00</u>	<u>149,472.32</u>	<u>185,526.00</u>	<u>202,392.00</u>	<u>52,919.68</u>	<u>26.15%</u>
<b>Materials and Supplies</b>								
Liability Insurance	4219	2,636.50	5,000.00	131,839.52	173,141.00	174,141.00	42,301.48	24.29%
Maintenance - Building	4223	1,612.16	2,622.58	17,322.33	28,848.38	31,471.00	14,148.67	44.95%
Maintenance - Equipment	4225	0.00	633.33	3,875.72	6,966.63	7,600.00	3,724.28	49.00%
Maintenance - Water System	4231	3,100.38	10,833.33	99,451.58	119,166.63	130,000.00	30,548.42	23.49%
Postage/Mailings	4233	46.00	0.00	308.96	750.00	1,000.00	691.04	69.10%
Quality Control	4241	2,729.31	1,730.17	7,929.07	19,031.87	20,762.00	12,832.93	61.80%
Service Charge	4251	20,833.34	20,833.33	229,166.74	229,166.63	250,000.00	20,833.26	8.33%
Supplies - Operation	4255	0.00	570.83	1,350.00	6,279.13	6,850.00	5,500.00	80.29%
Training and Education	4263	287.60	195.83	1,279.60	2,154.13	2,350.00	1,070.40	45.54%
Telephone	4267	853.83	866.67	7,715.10	9,533.37	10,400.00	2,684.90	25.81%
Uniforms	4269	0.00	279.17	1,353.07	3,070.87	3,350.00	1,996.93	59.60%
Utilities (Elec,Gas,Wtr,Sewer)	4271	5,417.00	3,875.00	40,221.46	42,625.00	46,500.00	6,278.54	13.50%
Vehicle (Gas and Oil)	4273	1,102.01	1,500.00	18,319.41	16,500.00	18,000.00	(319.41)	(1.77)%
<b>Total Materials and Supplies</b>		<u>38,618.13</u>	<u>48,940.24</u>	<u>560,132.56</u>	<u>657,233.64</u>	<u>702,424.00</u>	<u>142,291.44</u>	<u>20.26%</u>
<b>Contractual</b>								
Audit	4320	0.00	0.00	10,000.00	10,000.00	10,000.00	0.00	0.00%
Consulting/Professional	4325	0.00	1,112.50	3,742.30	12,237.50	13,350.00	9,607.70	71.96%
Leak Detection	4326	0.00	1,491.67	2,289.00	16,408.37	17,900.00	15,611.00	87.21%

**CITY OF DARIEN**  
**Statement of Revenues and Expenditures - Expenditures**  
**Water Fund**  
**Public Works, Water**  
**From 3/1/2012 Through 3/31/2012**

		Current Period Actual	Current Period Budget	Current Year Actual	YTD Budget	Total Budget	Total Budget Variance	Percent Total Budget Remaining
Data Processing	4336	0.00	12,694.00	133,254.56	139,634.00	152,328.00	19,073.44	12.52%
DuPage Water Commission	4340	424,946.82	228,767.42	2,148,368.73	2,516,441.62	2,745,209.00	596,840.27	21.74%
Total Contractual		424,946.82	244,065.59	2,297,654.59	2,694,721.49	2,938,787.00	641,132.41	21.82%
Capital Outlay								
Equipment	4815	0.00	895.83	9,975.00	9,854.13	10,750.00	775.00	7.20%
Water Meter Purchases	4880	0.00	2,083.33	18,701.56	22,916.63	25,000.00	6,298.44	25.19%
Total Capital Outlay		0.00	2,979.16	28,676.56	32,770.76	35,750.00	7,073.44	19.79%
Debt Service								
Debt Retire-Water Refunding	4950	0.00	0.00	307,673.76	307,674.00	307,674.00	0.24	0.00%
Total Debt Service		0.00	0.00	307,673.76	307,674.00	307,674.00	0.24	0.00%
Total Expenditures		507,244.54	354,735.59	3,793,924.16	4,340,541.13	4,689,027.00	895,102.84	19.09%
Total		(507,244.54)	(354,735.59)	(3,793,924.16)	(4,340,541.13)	(4,689,027.00)	(895,102.84)	0.00%

**CITY OF DARIEN**  
**Statement of Revenues and Expenditures - Expenditures**  
**Motor Fuel Tax**  
**MFT Expenses**  
**From 3/1/2012 Through 3/31/2012**

		Current Period Actual	Current Period Budget	Current Year Actual	YTD Budget	Total Budget	Total Budget Variance	Percent Total Budget Remaining
Expenditures								
Salaries								
Salaries	4010	25,000.00	25,000.00	275,000.00	275,000.00	300,000.00	25,000.00	8.33%
Total Salaries		25,000.00	25,000.00	275,000.00	275,000.00	300,000.00	25,000.00	8.33%
Materials and Supplies								
Road Material	4245	1,847.84	2,000.00	24,796.04	32,530.00	34,530.00	9,733.96	28.18%
Salt	4249	17,660.32	5,500.00	201,729.55	235,500.00	235,500.00	33,770.45	14.33%
Supplies - Other	4257	0.00	833.33	4,282.03	9,166.63	10,000.00	5,717.97	57.17%
Pavement Striping	4261	0.00	0.00	5,776.84	6,000.00	6,000.00	223.16	3.71%
Total Materials and Supplies		19,508.16	8,333.33	236,584.46	283,196.63	286,030.00	49,445.54	17.29%
Capital Outlay								
Ditch Projects	4376	0.00	0.00	25,744.95	0.00	0.00	(25,744.95)	0.00%
Equipment	4815	0.00	0.00	25,849.58	0.00	0.00	(25,849.58)	0.00%
Total Capital Outlay		0.00	0.00	51,594.53	0.00	0.00	(51,594.53)	0.00%
Total Expenditures		44,508.16	33,333.33	563,178.99	558,196.63	586,030.00	22,851.01	3.90%
Total		(44,508.16)	(33,333.33)	(563,178.99)	(558,196.63)	(586,030.00)	(22,851.01)	0.00%

**CITY OF DARIEN**  
**Statement of Revenues and Expenditures - Expenditures**  
**Special Service Area Tax Fund**  
**SSA Expenditures**  
**From 3/1/2012 Through 3/31/2012**

		Current Period Actual	Current Period Budget	Current Year Actual	YTD Budget	Total Budget	Total Budget Variance	Percent Total Budget Remaining
Expenditures								
Contractual								
Consulting/Professional	4325	0.00	0.00	2,412.70	0.00	0.00	(2,412.70)	0.00%
Maintenance Contracts	4362	0.00	0.00	541.06	1,400.00	1,400.00	858.94	61.35%
Contractual Services	4370	0.00	0.00	2,040.56	6,500.00	6,500.00	4,459.44	68.60%
Total Contractual		<u>0.00</u>	<u>0.00</u>	<u>4,994.32</u>	<u>7,900.00</u>	<u>7,900.00</u>	<u>2,905.68</u>	<u>36.78%</u>
Total Expenditures		<u>0.00</u>	<u>0.00</u>	<u>4,994.32</u>	<u>7,900.00</u>	<u>7,900.00</u>	<u>2,905.68</u>	<u>36.78%</u>
Total		0.00	0.00	(4,994.32)	(7,900.00)	(7,900.00)	(2,905.68)	0.00%

**CITY OF DARIEN**  
**Statement of Revenues and Expenditures - Expenditures**  
**Water Depreciation Fund**  
**Depreciation Expenses**  
**From 3/1/2012 Through 3/31/2012**

	<u>Current Period Actual</u>	<u>Current Period Budget</u>	<u>Current Year Actual</u>	<u>YTD Budget</u>	<u>Total Budget</u>	<u>Total Budget Variance</u>	<u>Percent Total Budget Remaining</u>
Expenditures							
Capital Outlay							
Equipment	4815 0.00	0.00	35,494.00	47,540.00	47,540.00	12,046.00	25.33%
Total Capital Outlay	0.00	0.00	35,494.00	47,540.00	47,540.00	12,046.00	25.34%
Total Expenditures	0.00	0.00	35,494.00	47,540.00	47,540.00	12,046.00	25.34%
Total	0.00	0.00	(35,494.00)	(47,540.00)	(47,540.00)	(12,046.00)	0.00%

**CITY OF DARIEN**  
**Statement of Revenues and Expenditures - Expenditures**  
**Darien Area Dispatch Center**  
**Darien Area Dispatch**  
**From 3/1/2012 Through 3/31/2012**

		Current Period Actual	Current Period Budget	Current Year Actual	YTD Budget	Total Budget	Total Budget Variance	Percent Total Budget Remaining
Expenditures								
Salaries								
Salaries	4010	(560.78)	0.00	71,068.72	0.00	0.00	(71,068.72)	0.00%
Total Salaries		(560.78)	0.00	71,068.72	0.00	0.00	(71,068.72)	0.00%
Materials and Supplies								
Liability Insurance	4219	0.00	0.00	150.00	0.00	0.00	(150.00)	0.00%
Telephone	4267	0.00	0.00	2,100.45	0.00	0.00	(2,100.45)	0.00%
Total Materials and Supplies		0.00	0.00	2,250.45	0.00	0.00	(2,250.45)	0.00%
Contractual								
Audit	4320	0.00	0.00	2,375.00	0.00	0.00	(2,375.00)	0.00%
Data Processing	4336	0.00	0.00	503.15	0.00	0.00	(503.15)	0.00%
Total Contractual		0.00	0.00	2,878.15	0.00	0.00	(2,878.15)	0.00%
Total Expenditures		(560.78)	0.00	76,197.32	0.00	0.00	(76,197.32)	0.00%
Total		560.78	0.00	(76,197.32)	0.00	0.00	76,197.32	0.00%



**CITY OF DARIEN**  
**Statement of Revenues and Expenditures - Expenditures**  
**Capital Improvement Fund**  
**Capital Fund Expenditures**  
**From 3/1/2012 Through 3/31/2012**

		Current Period Actual	Current Period Budget	Current Year Actual	YTD Budget	Total Budget	Total Budget Variance	Percent Total Budget Remaining
Expenditures								
Capital Outlay								
Ditch Projects	4376	0.00	0.00	362,976.29	456,400.00	456,400.00	93,423.71	20.46%
Sidewalk Replacement Program	4380	0.00	0.00	61,677.45	79,300.00	79,300.00	17,622.55	22.22%
Crack Seal Program	4382	0.00	0.00	72,050.26	74,250.00	74,250.00	2,199.74	2.96%
Curb & Gutter Replacement Prog	4383	0.00	0.00	323,827.84	341,450.00	341,450.00	17,622.16	5.16%
Street Reconstruction/Rehab	4855	0.00	0.00	1,237,076.36	1,234,928.00	1,234,928.00	(2,148.36)	(0.17)%
Total Capital Outlay		0.00	0.00	2,057,608.20	2,186,328.00	2,186,328.00	128,719.80	5.89%
Debt Service								
Debt Retire - Property	4945	0.00	0.00	201,568.76	200,770.00	200,770.00	(798.76)	(0.39)%
Total Debt Service		0.00	0.00	201,568.76	200,770.00	200,770.00	(798.76)	(0.40)%
Total Expenditures		0.00	0.00	2,259,176.96	2,387,098.00	2,387,098.00	127,921.04	5.36%
Total		0.00	0.00	(2,259,176.96)	(2,387,098.00)	(2,387,098.00)	(127,921.04)	0.00%

**CITY OF DARIEN**  
**Statement of Revenues and Expenditures - Expenditures**  
**Debt Service Fund**  
**Debt Service Fund Expenditures**  
**From 3/1/2012 Through 3/31/2012**

		Current Period Actual	Current Period Budget	Current Year Actual	YTD Budget	Total Budget	Total Budget Variance	Percent Total Budget Remaining
Expenditures								
Debt Service								
Debt Service - Series 2007B	4951	0.00	0.00	104,375.00	104,500.00	104,500.00	125.00	0.11%
Total Debt Service		0.00	0.00	104,375.00	104,500.00	104,500.00	125.00	0.12%
Total Expenditures		0.00	0.00	104,375.00	104,500.00	104,500.00	125.00	0.12%
Total		0.00	0.00	(104,375.00)	(104,500.00)	(104,500.00)	(125.00)	0.00%

**CITY OF DARIEN -- CASH RESERVES**  
**March 31, 2012**

FUND	FUND NAME	TOTAL
01	General Fund	\$ 1,927,932.76
02	Water Fund	\$ 1,178,438.43
03	MFT Fund	\$ 91,078.43
05	Impact Fees Fund	\$ 13,017.97
10	Special Service Area Tax Fund	\$ 9,121.60
11	Drug Forfeiture Fund	\$ 13,547.93
12	Water Depreciation Fund	\$ 78,664.96
15	D.A.D.C. Fund	\$ 507,194.78
16	Escrow Fund	\$ 25.87
18	Drug Seizure Fund	\$ 10,504.03
21	Road Improvement Fund	\$ 5,938.90
25	Capital Improvement Fund	\$ 1,881,168.62
35	Debt Service Fund	\$ 4,202.46
	<b>TOTAL</b>	<b>\$ 5,720,836.74</b>

*Prior Month Cash Balance*      **\$ 5,153,881.47**

Bank Accounts and Interest Rates	Account Balances
Republic Bank Drug Forfeiture Account - 1.51%	\$ 11,753.03
Republic Bank Now Account - 1.51%	\$ 5,537,455.09
Republic Bank Operating Account	\$ 144,032.57
Republic Bank Payroll Account - Zero Balance Acct	\$ (24,997.96)
Illinois Funds Money Market Account - .101%	\$ 547.63
IMET Investment Fund - .27%	\$ 52,046.38
	<b>\$ 5,720,836.74</b>

**Market Value**  
**\$ 6,978,538**

Wells Fargo Collateral Statement

-

**AGENDA MEMO**

City Council  
April 16, 2012

-

**ISSUE STATEMENT**

A resolution authorizing the City Administrator to execute an agreement with Elizabeth A. Lahey to provide transcribing services for the City of Darien.

**RESOLUTION**

**BACKGROUND**

Elizabeth A. Lahey has provided transcribing services for the City of Darien for a number of years, primarily for the Planning and Zoning Commission. The most recent agreement with her was executed in 2008 for \$19 per hour. She has recently requested a review of the contract and her performance. An increase to \$20 per hour would be approximately 5% for a period of nearly four years. This increase would take effect May 1, 2012 and would cost the City of Darien approximately \$50 in the 2013 budget.

**RECOMMENDATION**

The Administrative/Finance Committee recommends approving the agreement.

**ALTERNATE CONSIDERATION**

Not approving the agreement would be an alternate consideration.

**DECISION MODE**

This item will be placed on the April 16, 2012 City Council agenda for formal approval.

**A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE AN AGREEMENT WITH ELIZABETH A. LAHEY TO PROVIDE TRANSCRIBING SERVICES FOR THE CITY OF DARIEN**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DARIEN, DU PAGE COUNTY, ILLINOIS**, that the City Administrator is authorized to enter into an agreement with Elizabeth A. Lahey to provide transcribing services for the City of Darien at a rate of \$20 per hour effective May 1, 2012, a copy of which is attached hereto as [Exhibit A](#).

**PASSED BY THE CITY COUNCIL OF THE CITY OF DARIEN, DU PAGE COUNTY, ILLINOIS**, this 16<sup>th</sup> day of April, 2012.

AYES: \_\_\_\_\_

NAYS: \_\_\_\_\_

ABSENT: \_\_\_\_\_

**APPROVED BY THE MAYOR OF THE CITY OF DARIEN, DU PAGE COUNTY, ILLINOIS**, this 16<sup>th</sup> day of April, 2012.

\_\_\_\_\_  
KATHLEEN MOESLE WEAVER, MAYOR

ATTEST:

\_\_\_\_\_  
JOANNE E. RAGONA, CITY CLERK

APPROVED AS TO FORM:

\_\_\_\_\_  
CITY ATTORNEY

**EMPLOYMENT AGREEMENT**

The City of Darien ("City"), with its office located at 1702 Plainfield Road, Darien, Illinois, hereby contracts with Elizabeth A. Lahey ("Contractee") as Secretary for the City of Darien Planning and Zoning Commission and the City of Darien Planning and Development Committee to serve and perform such duties at such times and places and in such manner as the City may from time to time request.

Contractee agrees to provide transcribing services to the Planning and Zoning Commission and Municipal Services Committee on an hourly basis, to include but not limited to, attendance at all regularly scheduled and special meetings of the Planning and Zoning Commission, and all meetings of the Municipal Services Committee, to take minutes of all such meetings and to transcribe and prepare the minutes of all such meetings within any time limits set forth by the state statute, ordinance or rules and regulations of the Planning and Zoning Commission and/or Municipal Services Committee. The manner and place of preparation of minutes is within the discretion of the Contractee.

In consideration of such services by Contractee, the City agrees to pay Contractee compensation at the rate of \$20.00 per hour and as such rate may be periodically adjusted by the City from time to time. Contractee shall receive no other benefits from the City for this position, such as, but not limited to, overtime, sick leave, vacation time, or health insurance benefits.

This agreement shall be in effect from May 1, 2012, until it is terminated by either party at any time on (14) days written notice to the other party.

At the termination of this agreement in any manner, the payment to Contractee of salary earned to the date of such termination shall be in full satisfaction of all claims against the City under this agreement.

In witness whereof, each party to this agreement has caused it to be executed on the date indicated below.

CITY OF DARIEN

By \_\_\_\_\_ Date \_\_\_\_\_  
City Administrator

By \_\_\_\_\_ Date \_\_\_\_\_  
Elizabeth Lahey

AGENDA MEMO

City Council

Meeting Date: April 16, 2012

**ISSUE STATEMENT**

Resolution approving a proposal from Speer Financial, dated April 4, 2012, to provide financial advisory services for the advance refunding of the G.O. Water Bonds, Series 2006.

**RESOLUTION**

**BACKGROUND/HISTORY**

SPEER FINANCIAL, INC has previously provided financial related professional services for the City and Darien Park District. SPEER assisted the City with the issuance of the G.O. Water Bonds, Series 2006. The City has received an unsolicited proposal from the underwriting firm of Robert W. Baird for the advance refunding of this bond. The process of advance refunding involves selling a new series of bonds to fund an escrow account to retire the callable bonds of Series 2006 on December 15, 2014. Between the time of sale (2012) and redemption (2014), the Series 2012 bond proceeds will be invested in U.S. Treasury securities and held in trust at a bank. Expected savings, net of all costs of issuance, which are paid by the bond issue, is likely to be in the \$125,000 range. Savings is dependent upon interest rate movement. Rates today average 2.1%. The professional advisory fee to SPEER, shown on page 12, would be \$8,640 and be payable only if the bond closes.

**STAFF/COMMITTEE RECOMMENDATION**

Administrative/Finance Committee and Staff recommend approval of the proposal.

**ALTERNATE CONSIDERATION**

As directed

**DECISION MODE**

This will be on the April 16<sup>th</sup>, 2012, City Council agenda for formal approval.

**A RESOLUTION APPROVING A PROPOSAL FROM SPEER FINANCIAL,  
DATED APRIL 4, 2012, TO PROVIDE FINANCIAL ADVISORY SERVICES FOR  
THE ADVANCE REFUNDING OF THE G.O. WATER BONDS, SERIES 2006**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DARIEN, DU PAGE COUNTY, ILLINOIS,** as follows:

**SECTION 1:** The City Council of the City of Darien hereby approves the Proposal from Speer Financial dated April 4, 2012 to provide financial advisory services for the advance refunding of the G.O. Water Bonds, Series 2006, a copy of which is attached hereto as "**Exhibit A**" and is by this reference expressly incorporated herein.

**SECTION 2:** This Resolution shall be in full force and effect from and after its passage and approval as provided by law.

**PASSED BY THE CITY COUNCIL OF THE CITY OF DARIEN, DU PAGE COUNTY, ILLINOIS,** this 16<sup>th</sup> day of April, 2012.

AYES: \_\_\_\_\_

NAYS: \_\_\_\_\_

ABSENT: \_\_\_\_\_

**APPROVED BY THE MAYOR OF THE CITY OF DARIEN, DU PAGE COUNTY, ILLINOIS,**  
this 16<sup>th</sup> day of April, 2012.

\_\_\_\_\_  
KATHLEEN MOESLE WEAVER, MAYOR

ATTEST:

\_\_\_\_\_  
JOANNE E. RAGONA, CITY CLERK

APPROVED AS TO FORM:

\_\_\_\_\_  
CITY ATTORNEY





**SPEER FINANCIAL INC.**

*Financial Advisory/Consulting*

**PROPOSAL TO THE  
CITY OF DARIEN  
DUPAGE COUNTY, ILLINOIS**

April 4, 2012



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**CITY OF DARIEN**

**DuPage County, Illinois**

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KEVIN W. McCANNA  
PRESIDENT

DAVID F. PHILLIPS  
SIL. VICE PRESIDENT

LARRY P. BURGER  
VICE PRESIDENT

DANIEL D. FORBES  
VICE PRESIDENT

BARBARA L. CHEVALIER  
VICE PRESIDENT

RAPHALIATA MCKENZIE  
VICE PRESIDENT

April 4, 2012

Mr. Bryon Vana  
Administrator  
City of Darien  
1702 Plainfield Rd  
Darien, IL 60561

Dear Bryon:

Speer Financial, Inc. is pleased to submit a proposal for continuing financial advisory services for the issuance of debt.

### **A. Background on Firm**

Speer Financial, Inc. is a nationally recognized, employee-owned firm of municipal finance consultants. We are charter members of the National Association of Independent Public Finance Advisors, an industry coalition seeking to develop and promote ethical and professional standards for financial advisory firms and their employees. We bring our clients years of experience in the financial markets. Since the firm's founding in 1954, Speer Financial has participated in the planning and sale of over \$24.6 Billion in taxable and tax-exempt securities for more than 825 clients. We routinely handle securities such as, general obligation bonds, revenue bonds, installment purchase contracts, notes, current and advance refunding issues, tax increment bonds, special assessment bonds and special service area bonds.

Speer Financial works solely with governments, and financial consulting is the firm's only business. **Speer Financial does not underwrite, purchase or sell bonds, nor is the firm affiliated with any bank, underwriter or investing institution. We are able, therefore, to render financial advice to clients without bias or conflict of interest.** Our services are solely for the benefit of our governmental clients.

The firm maintains a staff with varied backgrounds and disciplines which equip the staff to respond promptly to client questions. Speer Financial only accepts assignments within its staff's expertise and available time. Our many long-term relationships demonstrate the level of client satisfaction with our services. We base our recommendations on what a client needs to hear, not on what a client wants to hear.

# SPEER FINANCIAL, INC.

## B. Summary of Services

Speer Financial will prepare a financial plan and then implement it through the proposed sale and issuance of debt. The City will make all final decisions, but Speer Financial will make recommendations on all aspects of the financing and work closely with the City's staff, attorney and bond counsel. We will develop alternative debt schedules for the City's review. After consultation, we will recommend maturity schedules and other terms for the proposed debt issuance to meet both the City's needs and to match market requirements.

We will research financial and economic data relating to the City and compile an Official Statement for each debt issuance. If rating the debt is appropriate, we will recommend which rating service(s) to use and make application. If insurance is appropriate, we will make such application. We will recommend the most appropriate scope of sale and the best method of sale. When a competitive sale is appropriate we will distribute the Official Statement to underwriters and investors and work to develop bidding groups. We will attend all competitive sales, check the bids and recommend which bid to accept. When a negotiated placement is most advantageous to the City, we will work with you to select an underwriter. We will assist in negotiating the interest rates, spread, terms and conditions of the issue with the selected underwriter on your behalf.

We will arrange for the preparation and registration of the securities, the delivery of the securities to the purchaser and the simultaneous transfer of security proceeds to the City. We will advise, if requested, on the investment of security proceeds until they are scheduled to be expended. If requested, under separate contract, we will assist the City to comply with continuing disclosure requirements. We provide a detailed listing of these services in **Appendix A**, entitled "Financial Planning and Municipal Security Sale Services".

## C. Staff Assigned

### C.1. Tenure

<b>Key Officers or Managers of the Firm</b>		<b>Tenure with Speer</b>
President -	Kevin W. McCanna	31
Senior Vice President -	David F. Phillips	26
Vice President -	Daniel D. Forbes	18
Vice President -	Barbara L. Chevalier	19
Vice President -	Raphaliata T. McKenzie	15
Vice President -	Larry Burger	<u>19</u>
<b>To serve the City</b>		<b>128 years</b>

The six officers of Speer Financial, Inc. have a combined 128 years with the firm. All are owners. Not only are the officers invested in the success of the firm, but the four Financial Analysts have a combined 26 years with the firm and our six support staff have 91 combined years with the firm. In total, the 16 members of the firm have a combined 245 years with Speer Financial, Inc., or an average of over 15 years per employee.

**C.2. Team**

Speer Financial will provide a team of finance professionals to serve the City. A coordinated distribution of responsibility in the planning and issuance of the City's securities by Speer Financial benefits the City. The financing team will be composed of **Assistant Vice President Brenda Houston** and **President Kevin McCanna**, with the latter serving as Project Manager.

Speer Financial's team approach assures that someone familiar with the issue is available at all times. Our team approach provides us with the extra flexibility to meet with City officials at your convenience without unnecessary delays. The team approach also enables varied perspectives to surface in the planning phase and for specialization, like computer modeling, within the team.

While our main business activity is to provide municipal finance consulting services, our professional staff includes individuals with accounting, banking, economics, computer science, legal planning, and public management expertise. While the quality of our people is clearly more important than the quantity, it is important that the firm you select as your financial advisor be able to provide prompt and uninterrupted service to you during periods of vacations, periods of illness and conflicts in schedules. Working with a team assures you of prompt and professional service.

Please refer to **Appendix B** for staff biographies.

**D. Planning Your Issuance**

It is important to distinguish between firms that are primarily transaction oriented and Speer Financial, which is planning and transaction oriented. We know the importance of the actual security sale, but recognize that a sale is only successful if it accomplishes your policy objectives. We will work with you in the planning phase to identify your primary policy options. We will analyze each of these options by providing financial data on levies, tax rates and related information.

Our primary responsibility is to recommend a financing program that achieves your public policy objectives and results in the most favorable cost of capital with the most favorable terms. The financing plan will cover more than just a single project, should this be appropriate. Please refer to the following **Appendix C** for an example of our financial planning capabilities.

**E. Competitive or Negotiated Sale?**

The Municipal Securities Regulatory Board (MSRB) has been charged with greater oversight in the municipal finance industry by the Dodd-Frank Act. As such, new regulations are being promulgated including recommending that issuers separate the role of municipal advisor from underwriter when choosing the method of sale. The role of the municipal advisor is a fiduciary (best interest of the issuers) role while the role of underwriter is of mutual interests (selling/buying) but conflicting priorities (rates & terms) between the issuers and the investors.

Speer Financial will examine a number of factors to determine which method of sale is best for each debt issue of the City. Neither method is inherently superior in sale results, but the openness and objectivity of the competitive sale is more attractive to most public bodies.

Speer Financial, without a conflict of interest, will analyze these factors and make a recommendation whether to pursue a competitive or negotiated sale. A preliminary analysis would suggest:

Factor to Evaluate	Method of Sale		City of Darien
	Competitive	Negotiated	Projected Optimum Method of Sale
Issue Size	Above \$500,000 and Under \$100 Million	Under \$500,000 or Over \$100 Million	Competitive
Financing Structure	Traditional GOs, enterprise revenue bonds, installment contracts	Non-traditional, i.e.: TIF, SSA, Special Assessment	Competitive
Issuer	Good reputation in the bond market	No reputation or a poor reputation in the bond market	Competitive
Credit Strength	At or above investment grade	Below investment grade	Competitive
Bond Market	Relatively stable conditions	Volatile conditions	Competitive

A preliminary review of the factors involved in selecting a method of sale finds that all of the factors evaluated resulted in a competitive sale suggestion.

While a negotiated sale is an appropriate choice if you prefer, the optimal decision based on the previous criteria for the City is to select a competitive sale and let the various underwriters 'sharpen their pencils' to reduce the borrowing costs in an open bidding process that encourages all interested parties to participate.

## SPEER FINANCIAL, INC.

We present an overview of these factors and the related advantages of each method of sale in **Appendix C1**, entitled "Competitive and Negotiated Security Sales."

In 2011, 135 of Speer's 208 (64.87%) sales were competitively bid. This represents 70.87% of our dollar volume. A recent historical analysis of the most active bidders shows that even the most active bidder wins only 1 of every 3 issues. Even the most successful bidder was **not** low bid on more than 66% of the issues they bid upon as either manager or syndicate member proving the value of competition when it is appropriate to the situation. No single underwriting firm can claim that it is consistently the lowest cost underwriter of Illinois debt all the time, or even most of the time that they bid.

### **F. Role of an Independent Financial Advisor**

GFOA's best practices position paper, entitled "Selecting and Managing the Method of Sale of State and Local Government Bonds" states:

**"There is also a lack of understanding among many debt issuers about the appropriate roles of underwriters and financial advisors and the fiduciary relationship that each has or does not have with respect to state and local government issuers. The relationship between issuer and financial advisor is one of 'trust and confidence' which is the 'nature of a fiduciary relationship'. This is in contrast to the relationship between the issuer and underwriter where the relationship is one of some common purposes but also some competing objectives, especially at the time of bond pricing."**

The role of the independent financial advisor includes recommending a method of sale that is in the best interest of the City. **The City should ask each firm proposing to serve as its financial advisor whether that firm benefits financially in the purchase and resale of the securities to be issued.** If so, the underwriter/advisor has two clients with or conflicting interests:

- (1) The issuer (who wants low interest rates); and
- (2) The investors (who want high interest rates).

Impartial advice by a financial advisor assures that decisions made are in the City's best interest. Speer Financial uses both methods of sale. Perceived conflicts of interest are sometimes as damaging to the image of public bodies as actual conflicts of interest. Speer Financial has no potential conflict of interest. We do not purchase or trade in municipal securities. Speer Financial has believed since its founding that the best protection for an issuer is hiring an independent financial advisor.

## SPEER FINANCIAL, INC.

In 2011, 71 of Speer Financial's 208 sales were negotiated or privately placed with a commercial bank or an investment bank. In all cases we acted as financial advisor. This represents 34.13% of our sales and 25.42% of our dollar volume in calendar year 2011.

In a negotiated sale, the financial advisor serves as the firewall to protect the client from being over charged on interest rates, or having unnecessary restrictions to be over restricted in the terms and conditions of the sale. As the independent financial expert serving on behalf of the client, Speer Financial acts as the financing intermediary to the client with all on the financing team. As the financial facilitator, we assist the client making wise decisions in a timely manner.

### G. Independent Financial Advisor versus Senior Managing Underwriter

Hiring a senior managing underwriter prior to developing a financing plan and setting forth competitive bidding parameters is akin to deciding on which contractor to hire before retaining the architect and developing specifications for the project that are acceptable to all parties.

The role of the independent financial advisor is to develop the financing plan and subsequent financing specifications. Should the City later seek to negotiate the sale with a specific underwriter, the independent financial advisor will orchestrate the sale with the selected underwriter and protect the interests of the City.

### H. Speer Financial's Recent Bond Sale Experience and Ranking

In the last five calendar years, Speer Financial competitively sold 69.56% of our security sales, totaling over \$3.424 billion of securities.

We assisted in bringing 992 issues to market amounting to over \$5.067 Billion in municipal securities in the last five complete calendar years. This large number of issues and par value of securities illustrates Speer Financial's high level of expertise and market awareness which has been developed and honed by this high level of activity.

Calendar Year	Number of Sales			Bond Volume		
	Competitive	Negotiated	Total	Competitive	Negotiated	Total Par
2007	117	46	163	\$526,487,528	\$405,564,830	\$ 932,052,358
2008	129	51	180	\$680,549,178	\$233,576,072	\$ 914,125,249
2009	146	65	211	\$681,908,732	\$408,540,459	\$1,090,449,192
2010	163	67	230	\$906,403,955	\$381,116,125	\$1,287,520,080
2011	135	73	208	\$628,735,163	\$214,308,918	\$ 843,044,081
Five Year Total	690	302	992	\$3,424,084,555	\$1,643,106,404	\$5,067,190,959
Five Year Average	138	60	198	\$684,816,911	\$ 328,621,281	\$1,013,438,192
Five Year Average%	69.56%	30.44%	100.00%	67.57%	32.43%	100.00%



## SPEER FINANCIAL, INC.

Attached as **Appendix C2** is the summary of the top Illinois financial advisors of Long Term Municipal New Issues in 2011. This information is compiled by Thompson Securities Data Company, an independent information clearinghouse for the municipal bond industry. This 2011 ranking shows Speer Financial has retained the ranking held for more than 25 years as the most active financial advisor in Illinois, advising on 83 of 238 of tax exempt and taxable long term new money issues brought to market in Illinois. Further Speer Financial advised on 59 of the 104 (over 56.73%) competitively sold issues for 2011.

Attached as **Appendix D3** is the summary of the top nation-wide financial advisors of Long Term Municipal New Issues in 2011. This information, also compiled by Thompson Securities Data Company shows Speer Financial, Inc. is the eighth most active advisor in the U.S. with 104 sales of competitive long term municipal new issues in 2011.

A more detailed analysis of Speer Financial's 2011 sales shows that Speer Financial has extensive experience in selecting and completing the most cost effective type of debt offering and method of sale for each issue of each client:

### SALES

	Official Statements (Par amount usually over \$1mm)		Term Sheets (Par amount usually under \$1mm)		Combined Total	
	No.	%	No.	%	No.	%
<b>Competitive</b>	98	65.77%	39	66.10%	137	65.87%
<b>Negotiated</b>	51	34.23%	20	33.90%	71	34.13%
<b>TOTAL</b>	149	100.00%	59	100.00%	208	100.00%
<b>Competitive par</b>	\$ 605,226,688		\$ 23,508,475		\$ 628,735,162	
<b>Negotiated par</b>	\$ 202,597,143		\$ 11,711,775		\$ 214,308,918	
<b>Total Par</b>	\$ 807,823,831		\$ 35,220,250		\$ 843,044,081	
<b>Average Size</b>	\$ 5,421,636		\$ 596,953		\$ 4,053,097	

Factors that affect the most appropriate type of sale offering include par amounts, marketability of the debt, continuing disclosure, cost efficiencies and risk.

### I. Client Sales of Securities

Attached as **Appendices E1** and **E2** are listings of Speer Financial's 2012 Year-To-Date, and 2011 client sales of securities.

Speer Financial, Inc. serves a broad and diverse client base composed on all types of large to small issuers with all sizes of issues, varied credit strengths and varied lengths to maturity. It is this wide variety of experience that enhances the experience of our team in meeting and exceeding the expectation of our clients on the \$100,000 issue, the \$10,000,000 issue, or the \$100,000,000 issue, as each is critical to the issuer at that time. The broad experience provides Speer Financial, Inc. a unique perspective to bring that experience to our clients advantage.

**J. Marketing Your Securities**

Speer Financial will develop a debt structure to encourage favorable pricing by bidders. If a competitive sale is selected, Speer Financial will circulate the sale document as widely as is appropriate. We will also directly solicit bidders to obtain the most bids possible. As an example of a recent competitive sale for the City was the \$2,370,000 General Obligation Bonds, Series 2008 with 3 bidders that was sold on May 19, 2008.

It is these types of results that help support and quantify the fact that the costs associated with the retention of an independent financial advisor and the selection of a competitive method of sale is not only cost effective, but in fact provides a significant reduction of total costs.

On any given day, the order of bidding could be reversed, so that the ability to keep all bidders active up to the day of sale is inherently to the advantage of the City. An independent financial advisor can keep this interest in bidding.

**K. Technology**

**1. Electronic Posting**

Speer Financial's web page (SpeerFinancial.com) Debt Auction Center provides a sale calendar listing of all competitive sales being sold with Preliminary Official Statements (POSs). All competitive sales with POSs (not just larger competitive sales) are aggressively marketed utilizing the latest in technology to benefit our clients, and other municipal bond market participants, including rating agencies, insurance companies, banks (bidders), registrar/paying/escrow agents, and bond counsel.

**2. Notification To Bidders**

We electronically notify all potential bidders of an upcoming sale and direct them to the competitive sale calendar where they can access the Preliminary Official Statement, the Notice of Sale, the Financials and the Bid Form.

**3. Electronic Sales – SpeerAuction.com**

Since May of 1999, Speer Financial, Inc. has been competitively selling larger issues of securities utilizing the Internet. We were the first financial advisor in Illinois, and only the second in the United States, with a private label web site (SpeerAuction.com) for receiving bids electronically and posting bid results after the sale. In 2011, 78 of the 98 competitive sales (79.51%), using Official Statements, were sold on SpeerAuction.com totaling \$578,620,000. Thirty four of the 78 (43.59%) auctions were closed auctions totaling \$193.4 Million. Forty Four of the 78 auctions (56.41%) were open auctions totaling \$385.18 million.

During the eleven and one half years of its operation, through calendar year 2011, SpeerAuction.com has facilitated the sale of 671 issues totaling over \$6.0 billion of securities for 199 issuers.

## **SPEER FINANCIAL, INC.**

Due to its efficiency and speed, electronic sales enable the issuer to obtain the freshest bid possible and is now preferred by the bidders to the faxed bid method.

### **4. Open Auctions – Speer Auction.com**

In mid-2006 Speer Financial began a selective initiation of an electronic open auction as the next step in the progression of bidding.

The open auction is still a blind bid environment but it opens the information window to enable the bidder to see their bid placement (1<sup>st</sup> place, 2<sup>nd</sup> place etc), while they do not see other bidders or other bids. Knowing their place encourages increased competition and allows bidders to improve their bid if they wish to do so. This creates the possibility for a fluid exchange between bidders until the low bidder remains set for two minutes. On average about 25% of the open auctions result in trailing bidders overtaking a leader, but the fact that bidders can improve bids and eventually win creates an atmosphere of increased competition that tends to drive borrowing costs to lower levels. The technology encourages an exchange among the bidders and each bid improvement is to the issuers advantage.

### **5. SpeerBids.com**

In 2009, SpeerBids.com, a new bidding platform developed by Speer Financial, Inc., was developed and is now in use for smaller official statement sales and for Term Sheet sales where the costs associated with Speer Auction are not cost effective. SpeerBids.com is a non calculating bid platform that provides a more secure bid environment to banks than the outdated facsimile.

### **6. Other Calendars**

In addition, a competitive term sheet sale calendar, material posting and electronic sale notice distribution was initiated in 2005 so that even smaller transactions are benefiting by the application of technology to provide expanded services to our clients.

We also have a negotiated sale calendar available to assist the underwriter(s) in electronically posting and distributing the Preliminary Official Statement for their sales team and to provide clients easy accessibility to the information contained in such documents.

While the role of technology in the municipal bond market is still evolving, Speer Financial, Inc. is a leading innovator in the application of technology to better serve our clients.

We utilize the most current and sophisticated software available to analyze refunding opportunities and to structure debt issues to meet very specific planning targets.

### **L. Credit Rating and/or Insurance**

Speer Financial is a specialist in obtaining, upgrading and preserving our clients bond ratings. We assist our clients in presenting themselves in the best possible way to the rating agencies and insurance companies. In 2011, 71.63% (149 of 208) of Speer Financials sales were sold with a Preliminary Official Statement (POS). Of those 149 POS sales, 74.50% (111) were rated without other credit enhancement. This is up from 51.94% in 2008: due the increasing importance of an underlying rating after the 2008 credit downturn. As appropriate, Speer Financial will arrange for rating agency analysts to visit a client for a tour and an in-person presentation. Where it is advantageous, Speer Financial will arrange for in-person presentations at rating agency offices. Speer Financial assists in the preparation and submission of all written material for the analysts review and ultimate decision, and assist the client during telephone meetings with analysts where appropriate.

## **SPEER FINANCIAL, INC.**

In 2011, only 1 of 149 of Speer's POS sales were insured or otherwise enhanced without an underlying rating, while 6.71% (10) were insured with an underlying rating. Insured or insured and rated issues comprised 7.38% (11 of 149) of 2011 POS sales, including not only the traditional general obligation and revenue debt, but also installment contract certificates, debt certificates and general obligation (alternate) bonds. This 7.38% is down from 40% in 2007 which was prior to the credit crisis in the latter period of 2008. The level of insured bonds is dropping due to a weakened insurance industry with no general market insurers still Aaa/AAA rated, resulting in less competition. Higher premiums charged by the better rated companies have resulted, narrowing the cost benefit.

A credit rating and/or insurance was utilized on 81.88% (122 of 149) of POS sales in 2011 up slightly from 79% in 2008 due to increasing pricing penalties for unrated debt with the underlying rating much more prevalent currently.

Speer Financial will evaluate whether the City will benefit from a credit rating or from insurance. If either or both (rating and/or insurance) are appropriate, Speer Financial will recommend to whom application should be made and submit the necessary information to obtain the best investment rating or insurance commitment possible.

Please refer to **Appendix G1** for more information on Credit Ratings and/or Insurance and **Appendix G2** for Credit Rating Criteria. **Appendix G3** lists Selected Client Bond Ratings.

### **M. References, Long-Term Client Relationships**

**Appendix H1** provides Non Home rule references, while **Appendix H2** provides DuPage County regional references. Speer Financial has established many long-term client relationships that reflect a trusted working relationship among the elected officials, the staff and Speer Financial. Also refer to **Appendix H3** for a listing of long-term municipal, special district, and school district clients. We encourage you to contact our clients.

### **N. Planning and Transaction Service Levels Monitored**

Speer Financial is quality driven. We solicit feedback from our clients on each sale of securities to monitor where we exceeded, met or did not meet the expectations of our principal client contact. We recognize the value of our clients feedback and aggressively monitor performance to insure that we continue to perform to meet our high standards and your high expectations.

### **O. Compensation**

This proposal is for our professional services only and does not include the expenditure of any funds on behalf of the City. The City is to pay all of its own ordinary expenses in connection with the issue. These include, but may not be limited to, professional services (attorney, bond counsel, architect, engineer and auditor), credit enhancement (rating, insurance, letters of credit), delivery (postage, express mail, fax service), publication/printing fees (official statement, notice of sale, bid forms, report duplication), bidding vehicles (SpeerAuction.com or SpeerBids.com) and transaction costs (CUSIP, registration/paying agent).

**SPEER FINANCIAL, INC.**

Our fee for security sales is payable from sale proceeds. Our fee for each sale is based upon the par amount of securities issued and is calculated as follows:

Financial Advisory Fee:      \$4,500 for the first \$1,000,000 plus  
2/10 of 1% of municipal securities  
issued in excess of \$1,000,000.

Our fee is the same for competitive and negotiated sales. Our recommendation on the method of sale is based on the best interests of the City and is not influenced by our fee. The fee is due upon the sale of the debt instrument and payable upon receipt of proceeds. Should the debt not be sold, there is no obligation to pay our fee.

**P. Authorization**

This proposal, upon acceptance, constitutes an agreement between the City of Darien, DuPage County, Illinois, and Speer Financial, Inc. for financial consulting services.

We look forward to working with the City and are ready to proceed upon your notification of our employment. Should you need additional information, please call.

Respectfully submitted:



Kevin W. McCanna  
President

KWM/mj

This proposal is accepted on behalf of the City of Darien, DuPage County, Illinois, this \_\_\_\_\_ day of \_\_\_\_\_, 2012. By this action, a contract is established between the City of Darien, DuPage County, Illinois, and Speer Financial, Inc. This contract will extend until canceled by either party upon 90 days written notice.

CITY OF DARIEN  
DUPAGE COUNTY, ILLINOIS

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## FINANCIAL PLANNING AND MUNICIPAL SECURITY SALE SERVICES

Speer Financial will provide the following services and any others necessary to complete the security sale:

### **A. Financial Planning Services**

#### **(1) Orientation**

We will review your current financial position, statutory authority and financing capabilities, including whether a refunding or defeasance of any outstanding debt is appropriate.

#### **(2) Coordination**

We will coordinate all financial planning and issuance details with staff, bond counsel, printers, rating agencies and other involved parties.

#### **(3) Availability**

Members of our staff will be available to consult with the elected and key appointed officials and staff regarding all phases of the development and implementation of a financing plan. We will respond to any inquiries from the general public relating to the proposed sale.

#### **(4) Planning**

We will develop a debt financing plan that includes:

##### **a) Maturity Schedules**

We will prepare alternative maturity schedules. The schedules could "wrap" around existing debt to provide stable tax rates, level debt service payments, or meet other policy or cash flow requirements.

##### **(b) Market Receptivity**

We will evaluate potential market receptivity for each debt issuance and recommend the most suitable sale option.

##### **(c) Tax Law**

We will evaluate the ramifications of Federal tax law on the financial plan to maximize any cost savings available to the issuer.

##### **(d) Security Registrar and Paying Agent**

We will compare security registrar and paying agent fees and make recommendations for the selection of a Registrar and Paying Agent who most capably and economically meets a client's need.

##### **(e) Credit Rating and/or Insurance**

We will evaluate the costs and benefits of obtaining a credit rating and/or insurance. We will review the merits of credit enhancement and should the cost effectiveness be warranted, recommend the rating and/or insurance firm (or firms) to which application should be made.

##### **(f) Competitive and Negotiated Sale of Debt Securities**

We will analyze and make a recommendation on which method of sale is appropriate.

## **SPEER FINANCIAL INC.**

### **FINANCIAL PLANNING AND MUNICIPAL SECURITY SALE SERVICES**

(Page 2 of 3)

The decision to sell securities competitively or by negotiation is largely subjective and must be made on a case-by-case basis. The **circumstances which indicate a negotiated sale** include:

- (1) Either unusually large or very small debt issue amount;
- (2) Complex or non-traditional financing structure;
- (3) Issuer's first time into the public debt marketplace;
- (4) Issuer has a low or uncertain credit rating;
- (5) Volatile market conditions.

The **circumstances which indicate a competitive sale** include:

- (1) Attractive debt amount of \$500,000 and up;
- (2) Traditional financing structure such as a general obligation;
- (3) Good reputation in the debt marketplace;
- (4) Stable credit rating;
- (5) Stable market conditions.

#### **(g) Tentative Financing Timeline**

We will prepare a tentative financing timeline to guide officials regarding issuance topics and timing.

## **B. Bond Sale Services**

To facilitate sale of a client's debt issue(s), our services include:

### **(1) Legal Proceedings**

When the recommended plan of financing has been approved by the client, we will specify to the issuer's attorney and bond counsel the financial provisions to be included in the legal proceedings authorizing the debt issuance.

### **(2) Credit Rating and/or Insurance**

When a credit rating and/or insurance is found to be cost effective, we will submit the necessary data and arrange for presentation of the material to the selected rating and/or insurance company(ies).

### **(3) Official Statement, Notice of Sale and Bid Forms**

#### **(a) Preparation of Documents**

We will compile a Preliminary Official Statement, Notice of Sale and a Bid Form for each competitive sale. The Official Statement will describe the securities and contain detailed information about the issuer to permit prospective purchasers to make intelligent judgments.

#### **(b) Notice of Sale Publication**

We will notify the market of the sale without cost to the issuer and prepare a summary Notice of Sale for publication in The Bond Buyer (a trade journal published in New York City) if such a paid advertisement is warranted and so authorized.

**FINANCIAL PLANNING AND MUNICIPAL SECURITY SALE SERVICES**

(Page 3 of 3)

**(c) Encouragement to Bidders**

Upon authorization from the issuer, we will circulate the Preliminary Official Statement to our list of interested parties, including investment institutions, banks and underwriters, to induce the best possible bid for the securities. We will also make personal contacts to induce formation of bidding groups. In this manner, we generate as many bids as possible. A supply of Preliminary Official Statements and Official Bid Forms for each sale are furnished to the issuer for hand distribution to local banks and elected officials.

**(d) Bid Opening, Analysis and Recommendations**

We will conduct each sale, examine the bids submitted for completeness and compliance with the bid requirements and evaluate the bid(s) for accuracy. We recommend which bid, if any, should be accepted.

**(4) Preparation, Registration and Delivery of Securities**

We will conduct all steps necessary to complete the financing, including monitoring the preparation, registration and delivery of the securities being issued.

**(5) Debt Service Schedule**

We will provide the issuer with a final debt service schedule and other materials pertinent to the security sale.

**(6) Sale Proceeds Investment Schedule**

Upon request, we will estimate a realistic time schedule for the expenditure of security proceeds to enable unexpended amounts to be invested and thereby help offset interest expense.

**C. Negotiated Sale**

In the event of a negotiated sale, Speer Financial will also help the issuer select an underwriter or syndicate and will lead negotiations for the interest rates, terms and conditions of the debt issue.



## PROFESSIONAL STAFF

**Kevin W. McCanna, CIPFA; CFA** - President and Owner. Certified Independent Public Finance Advisor by National Association of Independent Public Finance Advisors, B.A. Political Science, University of Chicago; J.D. Loyola University; and M.B.A. Finance and Economics, Northwestern University. Member of the Chartered Financial Analysts Society of Chicago and Illinois Government Finance Officers Association and the Chicago Bar Association. Speaker at local, state and national gatherings. Has been employed by Speer Financial since 1981 and has been President since 1996.

**Brenda K. Houston** – Assistant Vice President, B.A. & S. Sociology, University of Illinois. Chicago Board of Education, Chicago, Illinois: Instructor (1969-1970); Cook County Department of Public Aid, Chicago, Illinois: Social Caseworker (1970-1972); LaSalle National Bank, Chicago, Illinois: Municipal Bond Underwriting Administrative Assistant (1972-1974); Banc Northwest, Chicago, Illinois: Bond Investment Officer (1974-1978); Speer Financial, Inc. Chicago, Illinois: Assistant Vice President (1978-1982); Houston Capital Management, Ltd, Chicago, Illinois: Manager of Municipal Bond Portfolios for Individuals (1982-2000). Has been employed by Speer Financial since 2003.

Additional staff available to support the financing team:

**Barbara L. Chevalier, CIPFA** - Vice President, Director and Owner, Certified independent Public Finance Advisor by National Association of Independent Public Finance Advisors. B.A., University of Illinois, Political Science, M.B.A. DePaul University, Concentration - Finance. Nine years previous experience as a Financial Analyst with Benjamin and Lang, Inc., Municipal Finance Consultants. Also served as technical consultant to a Chicago area underwriter - broker. Clients included cities and villages, park districts, schools, fire protection districts, libraries and other special districts. Member of the Illinois Government Finance Officers Association. Has been employed by Speer Financial since 1993.

**David F. Phillips, CIPFA** - Senior Vice President/Director of Marketing, Director and Owner. Certified Independent Public Finance Advisor by National Association of Independent Public Finance Advisors. B.S. Municipal Park and Recreation Administration, University of Iowa; Served as Park District Manager of the Wheeling Park District in northwest suburban Chicago (1972-1986), President of the National Recreation and Park Association (NRPA) Council of Affiliate Presidents (1985); President of the Illinois Park and Recreation Association (1983), Member of the Illinois City Management Association, Illinois Government Finance Officers Association, Illinois Association of School Business Officials, Illinois Association of School Administrators, Illinois Association of School Boards, Illinois Association of Park Districts, Illinois Park and Recreation Association, and Michigan Municipal Electric Association. Contributor to various professional magazines. Speaker at local, state and national gatherings. Has been employed by Speer Financial since 1986.

**Daniel D. Forbes, CIPFA** - Vice President, Director and Owner, Certified Independent Public Finance Advisor by National Association of Independent Public Finance Advisors. Certified Municipal Securities Representative by the National Association of Securities Dealers (NASD), B.S. Economics, Beloit College; J.D., and M.B.A., Finance, Washington University. Served as a financial analyst with a Chicago investment banking firm (1990-1994) which specialized in municipal economic development. Previously with Chapman and Cutler (1984-1990) and served as bond counsel, underwriter's counsel and corporation counsel for health care, cultural and educational organizations. Member of the Illinois Government Finance Officers. Has been employed by Speer Financial since 1994.

**PROFESSIONAL STAFF**  
**(Page 2 of 2)**

**Larry P. Burger, CIPFA** - Vice President, Director and Owner. Certified Independent Public Finance Advisor by National Association of Independent Public Finance Advisors, B.S. Public Administration with a minor in accounting, Upper Iowa University. Certified Iowa Municipal Clerk. Deputy Black Hawk County Auditor (1973-78); City of Waterloo Assistant Finance Director/Treasurer (1978-80), City Clerk (1980-83), City Clerk/Auditor/Treasurer (1983-93). President Iowa Municipal Finance Officers Association (IMFOA) (1992-93); IMFOA Board (1988-91). Member of IMFOA, Government Finance Officers Association, International Institute of Municipal Clerks, Iowa League of Cities, Iowa Association of School Boards, Iowa Association of Municipal Utilities, and Iowa Association of Counties. Speaker at local, State and National gatherings. Has been employed by Speer Financial since 1993.

**Raphaliata T. McKenzie**, Vice President, Director and Owner. Certified Independent Public Finance Advisor by National Association of Independent Public Finance Advisors Financial Analyst, B. S. Finance, DePaul University. Accountant with Jane Addams Hull House Association (1995-1997), with other prior experience at a Chicago based commercial bank and an investment bank. Has been employed by Speer Financial since 1997.

**Mark R. Jeretina**, Financial Analyst, B.S. Finance with a Minor in Economics, DePaul University, Chicago, Illinois. Prior experience in equity trading with a Chicago based firm. Has been employed By Speer Financial since 2010.

**William L. Glass, CIPFA** - Certified Independent Public Finance Advisor by National Association of Independent Public Finance Advisors Financial Analyst, B.S. Public Affairs with a Minor in Spanish, Indiana University, Bloomington, IN. Has been employed by Speer Financial since 2005.

\* \* \*

Notice: Speer Financial, Inc. is an equal opportunity employer.

Note: CIPFA - Certified Independent Public Financial Advisor

CFA - Certified Financial Analyst

CSBO - Certified School Business Official

## COMPETITIVE AND NEGOTIATED SALES OF DEBT SECURITIES

A number of factors are examined to determine which method of sale is best for each issue of each client. **The Government Finance Officers Association (GFOA) recommends that the competitive method of sale be chosen when conditions favoring this method of sale are present.** An examination of the benefits of each method of sale and the general circumstances favoring each method is presented below. While no hard and fast rules exist, these represent some good rules of thumb.

### I. Sales Methodology Options

#### A. Competitive Sale

##### 1. Advantages:

- **Transparency** Provides the best public perception of openness in the conduct of public business. Evidence in the form of written competitive bids provides a high level of comfort to the issuer, its constituents and the media that report on its conduct.
- **Commonplace** Historically has been the most frequently used and familiar method of sale, particularly for general obligation debt.
- **Market Competition** Market competition among potential buyers tends to benefit the issuer with lower net interest rates during stable market conditions.
- **Cost Known** All direct costs are established in advance.

##### 2. Circumstances indicating a competitive sale include:

- **Sufficient Par** Attractive debt amount of \$500,000 and up.
- **Common Security** A traditional (uncomplicated) financing structure such as a general obligation bond or a revenue bond with a historically performing revenue stream.
- **Good Name** The issuer has a good reputation and name recognition in the municipal direct and secondary market.
- **Good Credit** The issue is has an investment grade credit rating and/or credit enhancement.
- **Stable Market** Relatively stable conditions and strong market demand exists in the municipal securities market.

#### B. Negotiated Sale

##### 1. Advantages:

- **Explanation Required** Can be used to explain more complex or non-traditional financings to potential investors, thereby potentially reducing or removing market uncertainty.
- **Pre-Sale Comfort** Allows a longer pre-sale market assessment by an underwriter, which reduces the perceived marketing risk and can result in lower interest rates based on known (versus perceived) resale ability.

## **SPEER FINANCIAL INC.**

### **COMPETITIVE AND NEGOTIATED OF DEBT SECURITIES SALES**

(Page 2 of 4)

- **At-Will Service** Speer Financial's assistance to the issuer in setting rates, terms, and conditions of the bond issue results in increased responsiveness from underwriters. Until an actual agreement to sell is reached, underwriters typically serve at the pleasure of the issuer and may be removed or replaced for poor performance.
- **Target Specific** Specific (refunding minimum savings) targets may be established and the bonds only sold when the target is reached or exceeded.

#### **2. Circumstances favoring a negotiated sale include:**

- **Size Extremes** Either an unusually large or a very small debt amount;
- **Complexity** A complex or non-traditional financing structure;
- **Unfamiliar Name** The issuer is a new or infrequent participant in the market place;
- **Poor Credit** The issuer has a low or questionable credit rating, or the issue is secured by an indeterminate credit; and
- **Volatile Market** Volatile conditions exist in the municipal securities market and weak market demand exists in the municipal market.

## **II. Common Misconceptions**

### **A. All Underwriters are the Same**

They are not. Each underwriter has a market niche, often either geographically or in terms of certain types of security or credit strength. Some have strong bank resale networks and specialize in bank-qualified issues. Some have strong retail networks with individual investors, while some have strong institutional networks and specialize in general market issues. Some underwriters have clients who are risk averse and want low/no risk (insured) issues while other underwriters may have more aggressive clients who are willing to absorb more risk with unrated /uninsured issues while seeking more yield.

The issuer whose sale circumstances favor a negotiated sale will want to undertake an underwriter selection process by soliciting underwriters to respond to a Request for Qualifications (RFQ) to select the underwriter best positioned to excel in the sale of their securities. This underwriter selection process is best accomplished through the services of an independent financial advisor who is familiar with the strengths (and weaknesses) of each firm and can thoroughly evaluate the RFQ responses.

## COMPETITIVE AND NEGOTIATED SALES OF DEBT SECURITIES

(Page 3 of 4)

### B. Flexibility in Selecting a Date of Sale

Both competitive and negotiated sales allow for sale date flexibility. Designation of one official to approve a sale (within set guidelines) on a day-to-day basis is possible for either method of sale by pre-approval by the elected Board within defined parameters.

In either method of sale, the issuer selects a tentative sale date, normally on a regularly scheduled meeting date. Largely the length of the planning and transaction process, the timing of the need for funds, and the meeting schedule of the elected officials determine the date.

Should the market become unsettled or volatile, either type of sale can be postponed until a more favorable market exists. Rescheduling can be accomplished when more stable market conditions appear and a window is perceived to be open to re-enter the bond market and when the elected officials are regularly scheduled to meet, or can meet on short notice.

### C. Selective Comparable Sales Results

Underwriters provide pricing information on "comparable" sales to assure an issuer that by selling securities to their firm, the issuer will receive a fair, if not a more than fair, interest rate, and that an independent financial advisor is an unneeded added cost.

What sometimes occurs with an underwriter when an independent financial advisor is not present is a selective presentation of other sales results that make the current sale appear to be fair-to-outstanding, whether they are comparable or not. Longer maturities compared to shorter ones, lower or unrated bonds compared to higher rated or insured bonds, sales by different types of issuers (ex. Authorities vs. Cities or state income taxed issuers versus non-state income taxed issuers), sales held in different weeks when rates were higher, and general obligation bonds compared to revenue bonds may be presented to mislead an issuer who is not familiar with the nuances of bond pricing.

A truly comparable sale is difficult to find. Such a sale would be a mirror image of the issuer's credit strength, years to maturity, size of issue, name recognition, geographic location, type of security and date of sale. While well over \$379 Billion in tax-exempt securities were sold last year, the frequency of these mirror image sales is very rare.

Because Speer Financial, Inc. is in the bond market about four times each week, we can assure you that you will receive a "fair" interest rate in a negotiated sale. No one can assure you that you received the "best" interest rate, because there are very few truly comparable prices for your issue. Rather, you need to rely on the experience and professionalism of your independent advisor to ensure that the underwriter's comparable sales match an independent assessment of recent comparable sales.

**SPEER FINANCIAL INC.**

## **COMPETITIVE AND NEGOTIATED SALES OF DEBT SECURITIES**

(Page 4 of 4)

### **III. Role of an Independent Financial Advisor**

The role of the financial advisor includes recommending and justifying the selection of a method of sale that is in the best interest of the issuer. Issuers should ask the firm proposing to serve as their financial advisor whether it benefits financially in the purchase and resale of the securities to be issued. If so, the underwriter/advisor has two clients:

- (1) The issuer (who wants low interest rates); and
- (2) The investors (who want high interest rates).

Impartial advice assures an issuer that decisions made are in their best interests. Perceived conflicts of interest are sometimes as damaging to the image of public bodies as actual conflicts of interest. Speer Financial, Inc. is an employee-owned firm and has no potential conflict of interest. We do not purchase or trade municipal securities. We have believed since our founding that the best protection for an issuer is achieved by hiring an independent financial advisor who has no potential conflict of interest.

5/04

State of Illinois  
**Financial Advisor Rankings**  
 Long Term New Issues  
 Full Credit to Each Financial Advisor  
 Year End 2011

APPENDIX C2

Financial Advisors		Long Term Municipal New			Tax Exempt Long Term Municipal New			Taxable Long Term Municipal New			Negotiated Long Term Municipal New			Competitive Long Term Municipal New		
	# of Issues	Rank	Principal Amount	Average Principal Amount	# of Issues	Principal Amount	Average Principal Amount	# of Issues	Principal Amount	Average Principal Amount	# of Issues	Principal Amount	Average Principal Amount	# of Issues	Principal Amount	
			\$	\$ (000,000)		\$	\$ (000,000)		\$	\$ (000,000)		\$	\$ (000,000)		\$ (000,000)	
1	83	1	\$ 527.1	6.4	78	\$ 507.60	\$ 6.51	5	\$ 19.60	\$ 3.92	24	\$ 104.10	59	\$ 423.10		
2	29	2	415.3	14.3	25	394.00	15.76	4	21.30	5.33	19	304.30	10	111.00		
3	22	3	100.0	4.5	21	97.20	4.63	1	2.80	2.80	5	12.20	17	87.80		
4	19	4	2,148.0	113.1	17	2,122.20	124.84	2	25.90	12.95	16	1,971.00	3	177.10		
5	14	5	711.8	50.8	14	711.80	50.84	2	460.70	230.35	14	711.80	3	177.10		
6	6	6	1,190.3	196.4	4	-	-	2	460.70	230.35	6	1,190.30	1	15.00		
7	6	6	45.0	7.5	6	45.00	7.50	1	18.60	18.60	6	45.00	1	15.00		
8	5	7	262.7	52.5	4	244.20	61.05	1	18.60	18.60	5	262.70	1	15.00		
9	5	7	90.7	18.1	5	90.70	18.14	4	8.80	8.80	4	75.70	1	15.00		
10	4	8	8.8	2.2	4	8.80	2.20	4	8.80	8.80	4	8.80	1	15.00		
11	4	8	124.8	31.2	4	124.80	31.20	2	314.30	157.15	4	124.80	1	15.00		
12	4	8	655.2	163.8	2	340.90	170.45	2	314.30	157.15	4	655.20	1	15.00		
13	3	9	11.1	3.7	3	11.10	3.70	2	314.30	157.15	3	11.10	1	15.00		
14	3	9	10.0	3.3	3	10.00	3.33	2	314.30	157.15	3	11.10	1	15.00		
15	3	9	91.3	30.4	3	91.30	30.43	1	12.50	12.50	3	91.30	1	15.00		
16	3	9	41.4	13.8	2	28.90	14.45	1	12.50	12.50	3	91.30	1	15.00		
17	3	9	82.5	27.5	1	20.30	20.30	1	62.20	62.20	3	82.50	1	15.00		
18	3	9	19.2	6.4	3	19.20	6.40	1	0.70	0.70	3	19.20	1	15.00		
19	2	10	37.5	18.8	1	36.80	36.80	1	0.70	0.70	2	37.50	1	15.00		
20	2	10	4.4	2.2	2	2.20	1.10	1	0.70	0.70	2	37.50	1	15.00		
21	2	10	13.4	6.7	2	13.40	6.70	1	3,700.00	3,700.00	1	12.00	1	15.00		
22	2	10	3,901.2	1,950.6	1	201.20	201.20	1	3,700.00	3,700.00	2	3,901.20	1	15.00		
23	2	10	7.5	3.8	2	7.50	3.75	1	70.40	70.40	2	3,901.20	1	15.00		
24	1	11	47.6	47.6	1	47.60	47.60	1	70.40	70.40	1	47.60	1	15.00		
25	1	11	70.4	70.4	1	47.60	47.60	1	70.40	70.40	1	70.40	1	15.00		
26	1	11	3.3	3.3	1	3.30	3.30	1	70.40	70.40	1	70.40	1	15.00		
27	1	11	1.2	1.2	1	1.20	1.20	1	70.40	70.40	1	70.40	1	15.00		
28	1	11	20.1	20.1	1	20.10	20.10	1	70.40	70.40	1	70.40	1	15.00		
29	1	11	9.6	9.6	1	9.60	9.60	1	70.40	70.40	1	70.40	1	15.00		
30	1	11	117.4	117.4	1	117.40	117.40	1	70.40	70.40	1	70.40	1	15.00		
31	1	11	5.3	5.3	1	5.30	5.30	1	70.40	70.40	1	70.40	1	15.00		
32	1	11	300.0	300.0	1	300.00	300.00	1	70.40	70.40	1	70.40	1	15.00		
33	1	11	1.1	1.1	1	1.10	1.10	1	70.40	70.40	1	70.40	1	15.00		
<b>Totals</b>		<b>239</b>	<b>\$11,075.20</b>	<b>\$46.34</b>	<b>216</b>	<b>\$5,634.70</b>	<b>\$121.60</b>	<b>22</b>	<b>\$4,709.00</b>	<b>\$214.05</b>	<b>135</b>	<b>\$9,683.80</b>	<b>104</b>	<b>\$1,191.60</b>		
<b>Calendar Year 2011 Totals</b> <b>Speer Financial, Inc.'s</b> <b>Percent of Total Sales 34.73%</b> <b>Source: Thomson Financial Securities Data Company</b>																

# National Financial Advisor Rankings

## Competitive Long-Term Municipal New Issues

Full Credit to Each Financial Advisor

Year End 2011

APPENDIX C3

Financial Advisors	# of Issues	Rank By # of Sales	Gross Principal Amount (000,000)	Average Principal Amount (000,000)
1 Public Financial Management Inc.	341	1	\$11,347.6	\$33.3
2 Ehlers & Associates	262	2	\$1,178.5	\$4.5
3 First Southwest Company	247	3	\$4,170.5	\$16.9
4 Springsted Incorporated	181	4	\$1,854.4	\$10.2
5 Ross, Sinclair & Associates, Inc.	134	5	\$1,029.7	\$7.7
6 Piper Jaffray & Co	127	6	\$822.1	\$6.5
7 Stephen H McDonald & Assoc Inc.	126	7	\$178.2	\$1.4
8 SPEER FINANCIAL, INC.	104	8	\$608.2	\$5.8
9 Stephens Inc.	86	9	\$458.6	\$5.3
10 Fiscal Advisors & Marketing Inc.	84	10	\$331.5	\$3.9
11 Capital Markets Advisors LLC	83	11	\$796.9	\$9.6
12 RBC Capital Markets	70	12	\$963.2	\$13.8
13 Crews & Associates Inc.	66	13	\$416.4	\$6.3
14 Robert W. Baird	63	14	\$987.8	\$15.7
15 Public Resources Advisory Group	60	15	\$8,073.9	\$134.6
16 Unibank Fiscal Advisory Services Inc.	55	16	\$494.4	\$9.0
17 JJB Hillard WL Lyons Inc.	54	17	\$405.8	\$7.5
18 George K Baum & Associates Inc.	42	18	\$322.3	\$7.7
19 Northland Securities	41	19	\$333.9	\$8.1
20 Umbaugh LLP	41	19	\$239.0	\$5.8
21 Morgan Keegan & Co. Inc	36	21	\$409.9	\$11.4
22 Davenport & Company LLC	34	22	\$930.2	\$27.4
23 Specialized Public Finance Inc.	34	22	\$340.6	\$10.0
24 Munistat Services Inc.	30	24	\$199.5	\$6.7
25 Southwest Securities	30	24	\$303.1	\$10.1
26 Zions First National Bank	29	26	\$324.4	\$11.2
27 PMA Securities Inc.	27	27	\$304.2	\$11.3
28 Phoenix Advisors LLC	26	28	\$296.4	\$11.4
29 Seattle Northwest Securities Corp	23	29	\$1,303.3	\$56.7
30 Western Financial Group	22	30	\$453.5	\$20.6
31 Municipal Financial Consultants Inc.	21	31	\$239.5	\$11.4
32 Columbia Capital Management	20	32	\$598.1	\$29.9
33 Acacia Financial Group Inc.	19	33	\$715.3	\$37.6
34 New York Municipal Advisors Corp.	19	33	\$223.9	\$11.8
35 Government Finance Strategies, Inc.	14	35	\$343.1	\$24.5
36 AC Advisory Inc.	11	36	\$600.6	\$54.6
37 KNN Public Finance	11	36	\$233.3	\$21.2
38 Concorde Public Financial Advisors Inc.	9	38	\$181.4	\$20.2
39 BB&T Capital Markets	8	39	\$535.8	\$67.0
40 Montague DeRose & Associates	7	40	\$1,419.0	\$202.7
41 Public Advisory Consultants	7	40	\$660.4	\$94.3
42 BackstromMcCarley Berry & Co	5	42	\$573.4	\$114.7
43 Government Finance Associates, Inc.	5	42	\$389.0	\$77.8
44 Janney Montgomery Scott LLC	3	44	\$181.5	\$60.5
45 Wye River Group Inc.	2	45	\$211.1	\$105.6
46 Drexel Hamilton LLC	1	46	\$225.5	\$225.5
47 First American Municipals Inc.	1	46	\$263.4	\$263.4
48 Lamont Financial Services Corp.	1	46	\$225.5	\$225.5
49 Yuba Group LLC	1	46	\$250.0	\$250.0
Calendar Year 2011 Totals	2,723		\$47,947.8	\$17.6

Source: Thomson Financial Securities Data:  
Municipal Market Analysis



## CREDIT RATING AND/OR INSURING DEBT

### Rating Experience

The Speer Financial, Inc. relationship with the three primary New York based rating agencies (Moody's, Standard & Poor's and Fitch) extends beyond four decades for the longer established firms. We are in regular contact with them and know their requirements, preferences, and idiosyncrasies.

We lay no claim to obtaining a higher rating than a client deserves; our clients receive the highest rating to which they are entitled. Presentations to one or more agencies, whether in person or in writing, will be candid. The information provided will be as complete as possible and any additional details requested will be provided promptly. We have the experience to guide you in making the strongest possible presentation, which in turn results in the best interest rate your credit standing can justify.

### Bond Rating Cost Benefit Analysis

When the cost of a credit rating is offset or exceeded by interest savings, then Speer Financial, Inc. will recommend that the security be rated. Should a personal presentation be advantageous to the issuer, travel to New York is sometimes necessary. We also find it advantageous to bring analysts to a client to help tell a story. This usually occurs when the rating agencies face borderline decisions in upgrading or downgrading the security as compared to prior debt issues, or with infrequent issuers where familiarity is lacking.

### Rating Criteria

There are many criteria that the rating agencies examine when considering a credit rating. The attached **Appendix B2**, entitled Credit Rating Criteria, is intended to assist in understanding categories and criteria. Rating agencies obtain information from annual financial statements, audits, census, local planning reports, state labor department statistics, and other sources. Rating agencies are paying increasing attention to management as a factor in the rating process. The intangibility of management makes this more difficult to quantify.

### Bond Insurance Option

Speer Financial, Inc. will also analyze the cost benefit of municipal bond insurance. Securities that are insured may receive a Moody's Aaa; or a Standard & Poor's AAA; or a Fitch AAA rating and typically sell with interest rates similar to uninsured A1 rated bonds. Thus, a "Aaa/AAA" underlying credit would sell better than a "Aaa/AAA" insured credit.

The added cost of insurance must be offset by a lower interest rate for the one time insurance premium to be cost effective. Over 50% of the municipal market is now insured, due to aggressive pricing and broader acceptance of securities beyond general obligation bonds by insurers. Should insurance or other credit enhancement be advantageous, Speer Financial, Inc. will recommend one of several actions:

- (1) to obtain a commitment from one or more companies for insurance and design the sale for insurance purchase at the option (and cost) of the potential bidders; or
- (2) to obtain the insurance at the cost of the issuer; or
- (3) to require the security purchaser to pay for the insurance, in which case the cost will be reflected in the price paid for the securities.

Insurance may not be cost effective for issuers with stable credit ratings greater than "A1," or for very small or short term debt issues. The break-point at which bond insurance makes sense changes daily with the municipal market, and is best determined close to the sale date.

## CREDIT RATING CRITERIA MULTIPLE YEAR TRENDS AND SINGLE YEAR GEOGRAPHIC ANALYSIS

MANAGEMENT	FINANCES	PLANNING	DEBT LEVELS	SOCIO-ECONOMIC
Board-Staff Relations	Fund Balance/Discretionary Reserves	Budgeting-Operations & Capital	Direct (Issuer) Debt Levels and Retirement Rapidity	Employment by Industry & occupation
Union Contracts/Outlook For Salary Increases /Labor Peace	Cash Flow/Liquidity	Capital Needs	Indirect (Overlapping) Debt Levels	Largest Employers - Issuer and Area Unemployment
Vision/Strategic Planning & Risk Taking	Revenue Mix/Balance/ Growth of Base	Economic Development/ Redevelopment	Future Needs	Population Trends
Planning/Preparation	Balance Sheet	Financial Goals	Issuance Authority/Availability	Largest Taxpayers /Industry Concentration
Creativity/Innovation	Revenues and Expenditures - Extraordinary items?	Growth Management	Debt Structure/Asset Life	Per Capita & Household Income
Responsiveness	Tax Extensions & Collections		Pension & Retirement Obligations/Funding	Home Values, Affordability, Ownership, Distribution
Consistency	Equalized Assessed Valuation (residential, commercial, industrial mix)		Availability of Internal Funding for Capital Purposes	Effective Buying Income - Personal Income
Operational Efficiency	Tax Rates (Individual Funds & Overall)		Off Balance Sheet Obligations	Private Investment Trends
Leadership Stability - Administrative & Elected	Ability to Compress Spending Growth		Source/Strength of Debt Repayment Revenues	
	Revenue/Rate Raising Flexibility			

# SPEER FINANCIAL, INC.

## GENERAL OBLIGATION BOND RATINGS OF A SAMPLING OF CLIENTS

Shown below are the investment ratings of a sampling of clients

Appendix D3

Client Name	Type of Government	State	Moody's Rating	Standard & Poor's/ Fitch Rating
Addison	Village	Illinois	Aa1	AAA
Bannockburn	Village	Illinois		AAA
Buffalo Grove	Village	Illinois	Aaa	
Clarendon Hills	Village	Illinois		AAA
(Elgin) CCD No. 509	Community College	Illinois	Aaa	
Elk Grove Village	Village	Illinois	Aaa	
Green Oaks	Village	Illinois		AAA
Highland Park	City	Illinois	Aaa	
Hinsdale	Village	Illinois		AAA/AAA
Inverness	Village	Illinois		AAA
Lake County	County	Illinois	Aaa	AAA
Lake County Forest Preserve District	Forest Preserve District	Illinois	Aaa	AAA
Lake Forest	City	Illinois	Aaa	
Northbrook Park District	Park District	Illinois	Aaa	
Olympia Fields	Village	Illinois		AAA
Vernon Hills	Village	Illinois	Aaa	
Winnetka	Village	Illinois	Aaa	
(New Trier)THSD No. 203	High School District	Illinois	Aaa	
Wheeling	Village	Illinois		AA/AAA
Woodridge	Village	Illinois	Aa1	AAA
Algonquin	Village	Illinois		AA+
Arlington Heights	Village	Illinois	Aa1	
Burr Ridge	Village	Illinois	Aa1	
Downers Grove Park District	Park District	Illinois	Aa1	
Elgin	City	Illinois	Aa1	AA+
Elmhurst	City	Illinois	Aa1	
Gurnee	Village	Illinois	Aa1	AA+
Kane County	County	Illinois		AA+
Lake Bluff	Village	Illinois	Aa1	
Orland Park	Village	Illinois	Aa1	
Vernon Hills	Village	Illinois	Aa1	AA
(Waubensee) CCD No. 516	Community College	Illinois		AA+
Aurora	City	Illinois	Aa2	AA+
Batavia	City	Illinois	Aa2	
Bloomington	Village	Illinois	Aa2	
Central Lake County Joint Action Water Agency	Water Agency	Illinois	Aa2	
Des Moines Water Works	Municipal Utility	Iowa	Aa2	AA+
Des Plaines Park District	Park District	Illinois	Aa2	
Flossmoor	Village	Illinois	Aa2	AA
Fox Valley Park District	Park District	Illinois	Aa2	AA-
Geneva Park District	Village	Illinois	Aa2	
Glendale Heights	Village	Illinois	Aa2	
Hanover Park	Village	Illinois	Aa2	
Joliet	City	Illinois	Aa2	AA
LaGrange	Village	Illinois	Aa2	
Lake in the Hills	Village	Illinois	Aa2	AA-
Libertyville	Village	Illinois	Aa2	
Lincoln Land Community College	Community College	Illinois	Aa2	
Morton Grove	Village	Illinois	Aa2	AA-
Oak Park	City	Illinois	Aa2	AA
Peoria	City	Illinois	Aa2	

# SPEER FINANCIAL, INC.

## GENERAL OBLIGATION BOND RATINGS OF A SAMPLING OF CLIENTS

Shown below are the investment ratings of a sampling of clients

**Appendix D3**

Client Name	Type of Government	State	Moody's Rating	Standard & Poor's/ Fitch Rating
Peoria County	County	Illinois	Aa2	
Riverside	City	Illinois	Aa2	
Tinley Park Park District	Park District	Illinois	Aa2	
Waukegan Park District	Park District	Illinois	Aa2	
Winnebago County	County	Illinois	Aa2	
Western Springs	Village	Illinois	Aa2	
Lockport	City	Illinois		AA
Mt Prospect Park District	Park District	Illinois		AA
Roselle	Village	Illinois		AA
Charleston	City	Illinois		AA-
Chillicothe CUSD No. 321	High School District	Illinois		AA-
St Charles Park District	Park District	Illinois		
Western Dubuque Community School District		Iowa		AA-
Holland Board of Public Works	Municipal Electric Utility	Michigan	Aa3	AA-
Kane County Forest Preserve District	Forest Preserve District	Illinois	Aa3	AA
Knox County	County	Illinois	Aa3	
East Moline	City	Illinois	Aa3	
Huntley Area Public Library District	Library	Illinois	Aa3	
Montgomery	Village	Illinois	Aa3	
Romeoville	Village	Illinois	Aa3	
Bensenville	City	Illinois	A1	
Black Hawk County	County	Iowa	A1	
Bloomington Park District	Park District	Illinois	A1	
Clinton	City	Illinois	A1	
Decatur	City	Illinois	A1	
Elkhart Community School District		Indiana	A1	
Northwest Water Commission	Municipal Utility	Illinois	A1	
Peru	City	Illinois	A1	
West Des Moines Water Works		Iowa	A1	
Crystal Lake Park District	District	Illinois	AA-	
Matteson	Village	Illinois	A2	
Waterloo	City	Iowa	A2	
Waukegan	City	Illinois	A2	
Hiawatha	City	Iowa	A3	
Ottumwa	City	Iowa	A3	
Berkeley	City	Illinois		A
Palos Hills	City	Illinois		A
River Trails Park District	Park District	Illinois		A
Yorkville	City	Illinois		A-/A

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## LONG-TERM CLIENTS

Since 1954, Speer Financial, Inc. has assisted over 810 public agencies in the issuance of over \$23.7 Billion in tax-exempt securities. Below are some of the clients with which Speer Financial has enjoyed at least a ten year continuous relationship.

<u>Client</u>	<u>Services Performed</u>	<u>Retained Since</u>	<u>Number of Issues</u>	<u>Amount of Sales (000)</u>
Algonquin, Illinois	Bond Sales	1973	11	\$ 19,270
Arlington Heights, Illinois	Bond Sales Financial Studies	1975	28	204,485
Batavia, Illinois	Bond Sales Financial Studies	1959	27	31,685
Charleston, Illinois	Bond Sales Financial Studies	1969	6	18,425
Clinton, Iowa	Bond Sales Financial Studies	1963	26	71,232
Elmhurst, IL	Bond Sales Financial Studies I.R.B. Reports	1974	15	106,830
Galesburg, Illinois	Bond Sales Financial Studies	1957	11	38,495
Gurnee, Illinois	Bond Sales	1973	11	34,550
Joliet, Illinois	Bond Sales Financial Studies I.R.B. Reports	1969	30	288,538
Kane County Public Building Commission, Illinois	Bond Sales	1976	25	194,410
Lake County, Illinois	Bond Sales Financial Studies	1964	28	118,273

**LONG-TERM CLIENTS**  
(Page 2 of 2)

<u>Client</u>	<u>Services Performed</u>	<u>Retained Since</u>	<u>Number of Issues</u>	<u>Amount of Sales (000)</u>
Lake County Public Building Commission, Illinois	Bond Sales	1964	5	\$ 86,635
Moline School District Number 40, Illinois	Bond Sales	1973	22	107,730
New Trier Township High School District No. 203, Illinois	Bond Sales	1981	15	95,645
Oak Park, Illinois	Bond Sales Financial Studies	1986	27	115,405
Palos Heights, Illinois	Bond Sales	1978	12	27,730
Paris, Illinois	Bond Sales Financial Studies	1959	8	9,568
Peoria Public Building Commission, Illinois	Bond Sales	1976	22	122,756
Waterloo, Iowa	Bond Sales Financial Studies	1968	79	763,100
Western Dubuque County Comm. School Dist., Iowa	Bond Sales	1977	6	17,950
Winnetka, Illinois	Bond Sales	1977	11	19,200
Woodridge, Illinois	Bond Sales Financial Studies	1971	16	71,642

# SPEER FINANCIAL, INC.

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## CLIENT SALES OF SECURITIES 2012

Appendix F1

Issuer	Investment Rating	Issue Size	Type of Security	Date of Sale	# of Bidders	Net/True Interest Rate	Last Maturity
					Low Bid	High Bid	
1 Farley, IA	N/R	210,000	G.O. Street Improvement 2012	16-Jan	Neg.	1.8991%	2022
2 Fulton, IL	N/R	1,365,000	G.O. Ref (Alt) 2012B	16-Jan	Neg.	3.1201%	2025
3 Arlington Heights, IL	Aa1	9,670,000	G.O. Ref 2012A	17-Jan	8	1.6835%	2022
4 Murphysboro PD, IL	N/R	144,820	G.O. Ltd Tax Park 2012	18-Jan	2	1.9709%	2016
5 Western Springs, IL	Aa2	3,250,000	G.O. 2012	23-Jan	5	2.2366%	2025
6 Clarendon Hills PD, IL	AA-	1,700,000	G.O. Ltd Tax Park 2012	23-Jan	2	2.6105%	2025
7 Minooka, IL	AA-	2,750,000	G.O. Ref (Alt) 2012	24-Jan	Neg.	2.6464%	2025
8 Joliet, IL	AA-	13,160,000	Waterworks & Sewerage Rev Ref 2012	25-Jan	Neg.	1.8992%	2017
9 Waukegan, IL	A2	23,490,000	G.O. Ref 2012A	26-Jan	Neg.	2.9474%	2022
10 Decatur PD, IL	AA-	400,000	G.O. Airport 2012A	31-Jan	2	1.4638%	2012
11 Decatur PD, IL	AA-	3,500,000	G.O. Park 2012B	31-Jan	10	0.6671%	2013
12 Clarendon Hills, IL	AA+	2,360,000	Refunding Debt Certificates 2012	6-Feb	4	2.0098%	2025
13 Geneva, IL	Aa2	2,355,000	G.O. Ref 2012A	6-Feb	Neg.	1.5389%	2018
14 Geneva, IL	Aa2	5,250,000	G.O. Ref (Waterworks & Sewerage Alt) 2012B	6-Feb	Neg.	2.9214%	2030
15 Batavia, IL	Aa1	1,530,000	G.O. Ref 2012	6-Feb	Neg.	2.1195%	2025
16 Schaumburg, IL	Aaa/AA+	13,025,000	G.O. Ref 2012	7-Feb	Neg.	2.0728%	2024
17 Vernon Hills, IL	Aaa	7,850,000	G.O. 2012A	7-Feb	9	1.9288%	2026
18 Vernon Hills, IL	Aaa	1,625,000	G.O. 2012B	7-Feb	3	2.0631%	2026
19 Darien PD, IL	N/R	889,030	G.O. Ltd Tax Park 2012	9-Feb	4	1.2928%	2012
20 Kingsbury PD, IL	N/R	265,000	G.O. Ltd Tax Park 2012	6-Feb	2	1.0596%	2013
21 Prospect Heights, IL	Aa3	5,000,000	G.O. 2012	13-Feb	7	2.1095%	2026
22 Springfield PD, IL	A1	1,600,000	G.O. Ltd Tax Park 2012	15-Feb	4	2.8908%	2024
23 River Trails PD, IL	N/R	741,650	G.O. Ltd Tax Park 2012	15-Feb	4	1.3000%	2012
24 Des Plaines PD, IL	N/R	1,060,370	G.O. Ltd Tax Park 2012	16-Feb	4	1.2500%	2013
25 Wood Dale, IL	AA	9,995,000	G.O. (Alt) 2012	16-Feb	7	2.5826%	2032
26 Eikhart CSD, IL	Aa3/Aa2	13,675,000	First Mortgage Multipurpose 2012	16-Feb	Neg.	2.4038%	2024
27 Kankakee, IL	A	2,645,000	G.O. Ref 2012	21-Feb	Neg.	1.8987%	2019
28 Elgin, IL	AA+	15,215,000	G.O. Ref 2012	22-Feb	Neg.	1.9750%	2023
29 Willow Springs, IL	A-	1,100,000	Taxable G.O. (Alt) 2012A	23-Feb	2	4.5780%	2031
30 Willow Springs, IL	A-	1,765,000	G.O. Ref (Alt) 2012B	23-Feb	3	2.8005%	2022
31 Willow Springs, IL	A-	160,825	G.O. Ltd Tax 2012C	23-Feb	Neg.	2.7500%	2012
32 Moline, IL	Aa2	3,010,000	Taxable G.O. Corp Purpose 2012A	28-Feb	Neg.	4.0593%	2031
33 Moline, IL	Aa2	1,400,000	Taxable G.O. Corp Purpose 2012B	28-Feb	Neg.	4.1978%	2031
34 Moline, IL	Aa2	7,350,000	Taxable G.O. Corp Purpose 2012C	28-Feb	Neg.	2.4535%	2020
35 Moline, IL	Aa2	3,220,000	G.O. Ref 2012D	28-Feb	Neg.	1.2013%	2016
36 Moline, IL	Aa2	5,930,000	G.O. Ref 2012E	28-Feb	Neg.	1.9012%	2021



# SPEER FINANCIAL, INC.

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## CLIENT SALES OF SECURITIES 2012

Appendix F1

Issuer	Investment Rating	Issue Size	Type of Security	Date of Sale	# of Bidders	Net/True Interest Rate		Last Maturity
						Low Bid	High Bid	
37 Moline, IL	Aa2	5,810,000	G.O. Ref 2012F	28-Feb	Neg.	2.5460%		2024
38 Tipton, IA	N/R	2,720,000	Electric Rev 2012	29-Feb	Neg.	2.7901%		2027
39 Addison, IL	AA+	3,985,000	G.O. Ref 2012	5-Mar	Neg.	1.4053%		2019
40 Eagle Grove, IA	N/R	1,827,473	G.O. Ref 2012	5-Mar	Neg.	2.1929%		2026
41 Black Hawk County, IA	Aa2	1,540,000	G.O. 2012	6-Mar	6	0.7440%	1.2341%	2017
42 Hiawatha, IA	A1	2,855,000	G.O. Capital Loan Notes 2012A	7-Mar	5	1.3900%	1.6886%	2024
43 Hiawatha, IA	A1	955,000	Taxable G.O. Ref Capital Loan Notes 2012B	7-Mar	6	2.4403%	3.0057%	2024
44 Marshalltown, IA	Aa2	5,000,000	G.O. Corporate Purpose 2012A	12-Mar	5	1.9524%	2.2112%	2027
45 Marshalltown, IA	Aa2	3,080,000	G.O. Ref 2012B	12-Mar	Neg.	1.5073%		2023
46 La Porte City, IA	N/R	1,920,000	G.O. Capital Loan Notes 2012	13-Mar	4	2.5329%	2.6994%	2027
47 Elgin CCD No. 509, IL	Aaa	8,040,000	G.O. Ref 2012	13-Mar	Neg.	2.1487%		2022
48 Gail Borden Public Lib, IL	Aa2	2,755,000	G.O. Library Ref 2012	13-Mar	Neg.	2.3942%		2021
49 Oak Park PD, IL	Aa2	9,995,000	G.O. Park (Alt) 2012	15-Mar	4	3.0657%	3.2377%	2028
50 Zion, IL	N/R	2,500,000	Taxable G.O. (Alt) 2012	20-Mar	Neg.	6.1818%		2021
51 Woodridge, IL	Aa1/AAA	1,530,000	G.O. Ref 2012A	22-Mar	Neg.	1.3386%		2016
52 Woodridge, IL	Aa1/AAA	1,805,000	Taxable G.O. Ref 2012B	22-Mar	Neg.	2.0701%		2016

The above listing is a full and complete record of Speer Financial's sales of municipal securities for the time period shown.  
 Note: All interest rates are Net Interest Cost (NIC) except where True Interest Cost (TIC) is specified.

THSD = Township High School District	Ref. = Refunding	Moody's Rating Code: High to Low
PBC = Public Building Commission	ICC = Installment Contract Certificates	Grades: Aaa, Aa, A, Baa
SD = School District	(Alt.) = G.O. (Alternate Revenue Source) Bonds	Within Each Non-Aaa Grade: 1, 2, 3
PD = Park District	(Ins.) = Insured	
CCD = Community College District	DC = Debt Certificates	
FPD = Forest Preserve District		
CUSD = Community Unit School District		N/R = Not Rated

Type of Sale	Number of Issues	Par Amount	To Date in 2011	%
Negotiated .....	28	149,793,298	66.58%	

# SPEER FINANCIAL, INC.

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## CLIENT SALES OF SECURITIES 2012

Appendix F1

<u>Issuer</u>	<u>Investment Rating</u>	<u>Issue Size</u>	<u>Type of Security</u>	<u>Date of Sale</u>	<u># of Bidders</u>	<u>Net/True Interest Rate</u>	<u>Last Maturity</u>
Competitive .....	<u>24</u>	<u>46.15%</u>		<u>33.42%</u>		<u>Low Bid</u> <u>High Bid</u> 112 Bidders	
Total Bond Sales To Date In 2012	52	100.00%		100.00%		4.667 Average	
<b>FOR PRIOR YEAR 2011:</b>							
<u>Type of Sale</u>	Number of Issues	%	Par Amount	%	Number of Bidders		
Negotiated .....	<u>73</u>	<u>35.10%</u>	<u>212,060,108</u>	<u>25.15%</u>			
Competitive .....	<u>135</u>	<u>64.90%</u>	<u>630,929,885</u>	<u>74.85%</u>		596 Bidders	
Total Bond Sales In Calendar Year	208	100.00%	<u>842,989,993</u>	100.00%		4,415 Average	

# SPEER FINANCIAL, INC.

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CLIENT SALES OF SECURITIES

2011

Appendix F2

Issuer	Investment Rating	Issue Size	Type of Security	Date of Sale	# of Bidders	Net/True Interest Rate	High Bid	Last Maturity
						Low Bid		
1 Campton Township, IL	AA	4,420,000	G.O. Refunding 2011	11-Jan	5	4.0708%	4.6369%	2024
2 Olympia Fields PD, IL	N/R	400,000	Grant Anticipation Debt Certificates 2011	13-Jan	Neg.	3.5000%		2012
3 Geneva PD, IL	N/R	1,404,350	G.O. Ltd Tax Park 2011	13-Jan	2	1.4000%	2.1650%	2012
4 Olympia Fields PD, IL	N/R	820,000	G.O. (Alt) 2011	13-Jan	Neg.	4.6500%		2012
5 Robins, IA	N/R	3,130,000	G.O. Corp Purpose and Ref 2011	20-Jan	5	2.7684%	3.0462%	2023
6 Independence, IA	N/R	650,000	G.O. Sewer Improvement 2011	24-Jan	4	2.7112%	3.3685%	2021
7 Des Moines, IA	Aa1/AA+	10,250,000	Water Rev Ref 2011	25-Jan	9	1.8267%	2.1127%	2017
8 Ottumwa, IA	A1	3,600,000	G.O. 2011	1-Feb	10	0.9680%	1.8959%	2014
9 Darien PD, IL	N/R	855,475	G.O. Ltd Tax Park 2011	10-Feb	2	2.5000%	3.3000%	2011
10 River Forest PD, IL	N/R	180,115	G.O. Ltd Tax Park 2011	10-Feb	2	0.9364%	3.0000%	2013
11 Batavia PD, IL	N/R	431,490	G.O. Ltd Tax Park 2011	14-Feb	3	2.3470%	3.2500%	2011
12 Des Plaines PD, IL	N/R	1,142,345	G.O. Ltd Tax Park 2011	14-Feb	2	2.3453%	2.5000%	2011
13 Decatur PD, IL	AA-	500,000	G.O. Airport 2011A	15-Feb	3	1.6149%	3.0685%	2011
14 Decatur PD, IL	AA-	3,800,000	G.O. Park 2011B	15-Feb	5	0.9004%	2.2733%	2012
15 Decatur PD, IL	AA-	4,000,000	G.O. Park (Alt) 2011C	15-Feb	5	3.6816%	4.0943%	2021
16 River Trails PD, IL	N/R	746,515	G.O. Ltd Tax Park 2011	15-Feb	1	3.2500%		2012
17 Harper College CCD# 512, IL	Aaa	1,595,000	Taxable G.O. Ltd 2011A	16-Feb	Neg.	1.3945%		2012
18 Harper College CCD# 512, IL	Aaa	2,925,000	G.O. Ltd 2011B	16-Feb	Neg.	1.4372%		2013
19 Dolton PD, IL	N/R	191,815	G.O. Ltd Tax Park 2011	17-Feb	1	2.0000%		2011
20 Anamosa CSD, IA	N/R	1,000,000	Taxable School Infrastr Rev2011A(QSCB's)	21-Feb	Neg.	0.0000%		2026
21 Foss PD, IL	N/R	948,960	G.O. Ltd Tax Park 2011	22-Feb	Neg.	5.0815%		2013
22 Janesville CSD, IA	N/R	1,375,000	School Infrasa Sales Use Tax Rev 2011	22-Feb	Neg.	4.5935%		2028
23 Alburnett, IA	N/R	810,000	G.O. Corp Purpose and Ref 2011	23-Feb	2	4.0184%	4.3960%	2030
24 Vinton, IA	N/R	1,280,000	G.O. Ref 2011	24-Feb	5	1.8436%	2.3854%	2018
25 Walker, IA	N/R	955,000	G.O. Capital Loan Notes 2011	28-Feb	Neg.	3.7465%		2026
26 Rochester CUSD # 3A, IL	Aa3(Ins)/A1	10,295,000	G.O. School Ref 2011	1-Mar	3	4.9845%	5.3839%	2031
27 Marshalltown, IA	Aa2	7,620,000	G.O. Corp Purpose 2011	16-Mar	6	2.8401%	3.0222%	2026
28 Gilbertville, IA	N/R	590,000	G.O. Ref 2011A	21-Mar	4	3.2117%	3.6411%	2024
29 Hawkeye CC, IA	Aa2	5,550,000	G.O. School 2011	22-Mar	7	1.2165%	1.3722%	2015
30 Anamosa CSD, IA	N/R	4,200,000	Taxable School Infra Rev (QSCB's) 2011B	23-Mar	Neg.	0.0000%		2026
31 Kankakee, IL	AA+(Ins)/A	5,000,000	G.O. 2011A	4-Apr	Neg.	4.7374%		2025
32 Kankakee, IL	AA+(Ins)/A	370,000	G.O. Ref 2011B	4-Apr	Neg.	4.3393%		2020
33 Kankakee, IL	AA+(Ins)/A	1,310,000	G.O. Ref 2011C	4-Apr	Neg.	2.5669%		2015
34 Adair County, IA	A1	3,000,000	G.O. 2011	6-Apr	10	1.5533%	3.0000%	2016
35 New Hartford, IA	N/R	140,000	Taxable G.O. Capital Loan Notes 2011	8-Apr	Neg.	4.0526%		2022
36 Winnebago County, IL	N/R	5,814,000	Tax Anticipation Warrants 2011A	12-Apr	Neg.	0.9100%		2011
37 Fairfax, IA	N/R	540,000	G.O. Water Improvement 2011	12-Apr	3	3.0694%	3.4144%	2022
38 Cedar Falls CSD, IA	A+	20,500,000	School Infrasa Sales Use Tax Rev Ref 2011	13-Apr	3	5.0362%	5.1008%	2029
39 Boone, IA	A1	6,915,000	G.O. Capital Loan Notes 2011	19-Apr	8	3.2890%	3.5608%	2030
40 Hiawatha, IA	A1	3,605,000	G.O. Capital Loan Notes 2011	20-Apr	6	2.8812%	3.1693%	2026

# SPEER FINANCIAL, INC.

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CLIENT SALES OF SECURITIES

2011

Appendix F2

Issuer	Investment Rating	Issue Size	Type of Security	Date of Sale	# of Bidders	Net/True Interest Rate	High Bid	Last Maturity
41 Olympia Fields, IL	AAA	2,810,000	G.O. (Alt) 2011A	25-Apr	4	3.9499%	4.3311%	2031
42 Olympia Fields, IL	AAA	35,000	Taxable G.O. (Alt) 2011B	25-Apr	2	4.3533%		2014
43 Hawkeye CC, IA	Aa2	1,530,000	Industrial New Jobs Training Ref Cert Tax 2011-1	26-Apr	Neg.	2.5366%		2016
44 Hawkeye CC, IA	Aa2	1,520,000	Industrial New Jobs Training Ref Cert Tax 2011-2	26-Apr	Neg.	3.6854%		2021
45 Anamosa CSD, IA	N/R	2,000,000	Taxable School Infra Rev (QSCB's) 2011C	28-Apr	Neg.	0.0000%		2026
46 Wauconda, IL	Aa2	2,000,000	G.O. (Alt) 2011	3-May	3	5.3219%	5.5379%	2035
47 Lake County, IL	Aaa/AAA	20,000,000	G.O. (Sales Tax Alt) 2011A	9-May	9	3.9385%	4.3246%	2025
48 Urbana PD, IL	AA	7,000,000	G.O. Park (Alt) 2011A	10-May	6	4.4132%	4.8447%	2036
49 Mason City CSD, IA	A2	15,000,000	School Infra Use Tax Rev 2011	17-May	2	4.3875%	4.4144%	2029
50 Central City, IA	N/R	1,270,000	G.O. Corporate Purpose Ref 2011	18-May	5	2.2769%	2.5266%	2021
51 Bremer County, IA	N/R	3,130,000	G.O. Ref 2011	18-May	Neg.	2.4843%		2023
52 Elgin, IL	AA+/AAA	9,695,000	G.O. Corporate Purpose 2011	25-May	4	3.5477%	4.4618%	2028
53 Justice PD, IL	N/R	350,000	Taxable G.O. Ltd Tax Park 2011A	26-May	Neg.	5.1988%		2021
54 Justice PD, IL	N/R	385,000	G.O. Ltd Tax Park 2011B	26-May	Neg.	5.4431%		2027
55 Shell Rock, IA	N/R	1,300,000	G.O. Capital Loan Notes 2011A	26-May	5	2.2286%	2.7792%	2021
56 Black Hawk County, IA	Aa2	6,800,000	G.O. 2011	1-Jun	11	2.7389%	3.0470%	2026
57 Gilbertville, IA	N/R	440,000	G.O. Sewer Improvement 2011B	6-Jun	3	3.2243%	4.1904%	
58 Union County, IA	A1	3,300,000	G.O. Urban Renewal County Road Ref 2011	8-Jun	6	1.5385%	1.7637%	2021
59 Kane County FPD, IL	AA+	30,000,000	G.O. 2011A	13-Jun	6	3.9302%	4.4612%	2031
60 Prospect Heights, IL	Aa3	5,000,000	G.O. 2011A	13-Jun	6	3.3771%	3.7275%	2026
61 Prospect Heights, IL	Aa3	5,430,000	Taxable Refunding Debt Certificates 2011B	13-Jun	Neg.	3.2211%		2015
62 Western Iowa Tech CC, IA	N/R	5,540,000	Industrial New Job Training Cert Taxable 2011-1	13-Jun	Neg.	3.1173%		2030
63 Bensenville, IL	A+	17,975,000	G.O. Alt 2011A	14-Jun	Neg.	5.1241%		2026
64 Waterloo, IA	Aa2	8,985,000	G.O. 2011A	14-Jun	3	2.8487%	3.3129%	2026
65 Waterloo, IA	Aa2	8,655,000	G.O. Taxable 2011B	14-Jun	7	3.6342%	3.9013%	2026
66 Evanston/Skokie CCSD 65, IL	Aa1	12,000,000	G.O. Ltd Tax School 2011A	20-Jun	5	4.4642%	4.8078%	2030
67 Palatine, IL	Aa1/AA+	7,000,000	G.O. 2011A	20-Jun	7	2.8254%	3.4201%	2023
68 Palatine, IL	Aa2	850,000	G.O. Ref 2011B	20-Jun	3	2.0872%	2.1683%	2017
69 Riverside, IL	N/R	2,175,000	G.O. Ref (Alt) 2011	20-Jun	Neg.	3.5419%		2023
70 Mason CCSD, IA	N/R	2,000,000	G.O. (QSCB) 2011	20-Jun	Neg.	0.0000%		2027
71 Moline, IL	Aa2	7,605,000	Taxable G.O. Corporate Purpose 2011A	21-Jun	3	4.8272%	5.1677%	2030
72 Matteson SD # 162, IL	Aa3	4,499,996	Taxable GO Ltd Tax School (CABs & CIBs) 2011	21-Jun	Neg.	6.3787%		2030
73 Mettawa, IL	Aa2	1,900,000	G.O. 2011	21-Jun	4	3.0558%	3.6026%	2026
74 Waterloo, IA	Aa3	1,725,000	Sewer Revenue Refunding 2011 A	22-Jun	3	1.6884%	2.0152%	2017
75 Waterloo, IA	Aa3	4,560,000	Sewer Revenue Refunding Taxable 2011 B	22-Jun	8	1.5062%	2.1849%	2016
76 Lansing, IA	N/R	1,100,000	G.O. Corp Purpose Ref 2011	28-Jun	3	3.1663%	4.0061%	2025
77 Center Point, IA	N/R	2,955,000	G.O. Corp Purpose 2011	29-Jun	4	3.6025%	3.8643%	2030
78 Elkhart CS, IN	N/R	8,300,000	First Mortgage Refunding 2011	6-Jul	Neg.	2.9068%		2022
79 Tipton, IA	N/R	2,615,000	G.O. Corp Purpose 2011A	6-Jul	4	2.5338%	2.6372%	2023
80 Dyersville, IA	N/R	2,465,000	G.O. Corp Purpose & Refunding	12-Jul	4	2.9714%	3.1553%	2026

# SPEER FINANCIAL, INC.

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## CLIENT SALES OF SECURITIES 2011

Appendix F2

Issuer	Investment Rating	Issue Size	Type of Security	Date of Sale	# of Bidders	Net/True Interest Rate	High Bid	Last Maturity
81 Rockwell, IA	N/R	995,000	G.O. Swimming Pool 2011	13-Jul	2	4.0819%	4.1872%	2031
82 West Union, IA	N/R	1,175,000	Water Rev 2011	13-Jul	Neg.	4.5398%		2031
83 Clarendon Hills, IL	AAA	500,000	G.O. Alt 2011	18-Jul	2	3.3275%	4.1791%	2027
84 Crystal Lake Park District, IL	N/R	505,000	Debt Certificates 2011	27-Jul	1	2.2000%		2018
85 Arlington Heights, IL	Aa1	9,925,000	G.O. Ref 2011	1-Aug	5	3.7998%	3.9333%	2026
86 Mason City, IA	Aa2	1,400,000	G.O. 2011A	2-Aug	5	1.7873%	2.4494%	2022
87 Mason City, IA	Aa2	2,950,000	G.O. Ref 2011B	2-Aug	8	1.1520%	1.3924%	2018
88 Rock Island, IL	Aa2	2,065,000	G.O. 2011A	8-Aug	Neg.	2.2891%		2021
89 Lisbon, IA	N/R	735,000	G.O. Local Option Sales Tax 2011A	8-Aug	4	1.3372%	3.4774%	2014
90 Lena Comm PD, IL	N/R	239,615	G.O. Ltd Tax Park 2011	9-Aug	2	1.8500%	3.5000%	2012
91 Michigan Public Power Agency, MI	Aa3(Ins)/A2	26,315,000	Combustion Turbine No.1 Proj. Ref Rev 2011A	9-Aug	4	4.0681%	4.4879%	2027
92 Monmouth, IL	N/R	10,000,000	Revenue Bond (Monmouth College Project) 2011	9-Aug	Neg.	2.0000%		2031
93 Winnebago County, IL	Aa2	5,955,000	G.O. Ref Alt (Public Safety Sales Tax Alt) 2011B	10-Aug	Neg.	1.8869%		2017
94 Peoria County, IL	Aa2	2,000,000	G.O. (Ltd Tax) Debt Certificates 2011A	11-Aug	2	3.9847%	4.1874%	2030
95 Orland Park, IL	Aa1/AA+	9,995,000	G.O. Ref 2011	15-Aug	8	1.7549%	2.1987%	2019
96 Minooka, IL	AA-	3,300,000	G.O. Ref (Alt) 2011	23-Aug	Neg.	2.9198%		2023
97 Bensenville PD, IL	AA-/A+	1,985,000	G.O. Ltd Tax Park, 2011	24-Aug	Neg.	2.6307%		2022
98 Mt. Prospect PD, IL	AA	2,500,000	G.O. Ltd Tax Park 2011A	24-Aug	4	1.3854%	1.6182%	2015
99 Mt. Prospect PD, IL	A+	3,000,000	G.O. Park (Alt) 2011B	24-Aug	3	3.7037%	4.3845%	2025
100 Lisbon, IA	N/R	2,395,000	G.O. Corp Purpose and Ref 2011B	24-Aug	4	3.1333%	3.2240%	2030
101 Black Hawk County, IA	Aa3	1,540,000	G.O. Capital Loan Notes 2011	30-Aug	10	0.9559%	1.3366%	2017
102 Coultter, IA	N/R	235,000	G.O. Corporate Purpose 2011	31-Aug	Neg.	3.4344%		2025
103 Lake Forest, IL	Aaa	2,415,000	G.O. 2011A	6-Sep	7	1.3686%	1.8554%	2020
104 Lake Forest, IL	Aaa	24,825,000	G.O. 2011B	6-Sep	8	2.2423%	2.6522%	2023
105 Addison, IL	AA+	2,835,000	G.O. Ref 2011	6-Sep	Neg.	1.5275%		2017
106 Galesburg, IL	Aa3	265,000	G.O. Ref 2011A	6-Sep	7	1.6861%	2.5755%	2019
107 Galesburg, IL	Aa3	4,400,000	G.O. Ref 2011B	6-Sep	7	1.6861%	2.5755%	2019
108 Geneva, IL	Aa2	9,935,000	G.O. Ref (Electric System Alt Rev) 2011	6-Sep	3	2.2860%	2.5502%	2021
109 Britt, IA	N/R	930,000	G.O. Capital Loan Notes 2011	7-Sep	Neg.	2.9308%		2024
110 Peoria County, IL	Aa2/AA	42,000,000	G.O. (Alt) 2011	8-Sep	6	4.6263%	4.7561%	2041
111 Savanna PD, IL	N/R	120,000	G.O. Park 2011	12-Sep	2	1.3500%	2.0500%	2012
112 Bensenville, IL	AA+(Ins)/A+	7,205,000	G.O. (Alt) 2011B	13-Sep	Neg.	4.3030%		2030
113 Bensenville, IL	AA+(Ins)/A+	1,380,000	G.O. Ref (Alt) 2011C	13-Sep	Neg.	2.9069%		2020
114 Bensenville, IL	AA+(Ins)/A+	1,630,000	G.O. Ref (Alt) 2011D	13-Sep	Neg.	3.1694%		2020
115 Monona, IA	N/R	825,000	G.O. Corp Purpose	13-Sep	4	2.6353%	3.2660%	2026
116 Genoa Township PD, IL	N/R	245,085	G.O. Ltd Tax Park 2011	14-Sep	Neg.	1.9000%		2012
117 Peru, IL	A1	310,000	G.O. TIF Ref 2011A	15-Sep	Neg.	1.7093%		2015
118 Peru, IL	A1	3,105,000	G.O. Ref 2011B	15-Sep	Neg.	2.4549%		2020
119 Waverly-Shell Rock CSD, IA	SP-1	3,225,000	G.O. School Anticipation Notes 2011	15-Sep	6	0.7074%	1.5285%	2014
120 Galesburg, IL	Aa3	2,915,000	Taxable G.O. Ref 2011C	19-Sep	Neg.	3.9408%		2023

# SPEER FINANCIAL, INC.

4/4/2012

CLIENT SALES OF SECURITIES

2011

Appendix F2

Issuer	Investment Rating	Issue Size	Type of Security	Date of Sale	# of Bidders	Net/True Interest Rate	High Bid	Last Maturity
						Low Bid		
121 Kankakee, IL	A	2,035,000	G.O. Ref 2011D	19-Sep	Neg.	1.6920%		2014
122 Wheaton PD, IL	N/R	1,317,905	G.O. Ltd Tax Park 2011	20-Sep	Neg.	0.8000%		2011
123 Charleston, IL	AA+(Ins)/AA-	6,140,000	G.O. Waterworks and Sewerage Ref (Alt) 2011A	20-Sep	7	2.3988%	2.6598%	2022
124 Charleston, IL	AA-	950,000	G.O. Ref 2011B	20-Sep	1	2.0073%		2019
125 Ottumwa, IA	A1	2,050,000	G.O. Taxable 2011A	20-Sep	6	3.6987%	4.6598%	2031
126 Butler, IA	N/R	1,530,000	G.O. 2011	27-Sep	5	1.2959%	1.4539%	2018
127 Marshalltown, IA	Aa2	2,380,000	G.O. Corporate Purpose 2011B	29-Sep	5	2.2912%	2.7001%	2027
128 Monmouth, IL	A+	4,720,000	G.O. Ref 2011	3-Oct	4	1.9054%	2.2249%	2018
129 Wheeling, IL	AA/AAA	8,445,000	G.O. Ref 2011	3-Oct	5	2.4121%	2.5783%	2023
130 Oak Park, IL	Aa2/AA-	4,900,000	G.O. Corporate Purpose 2011A	3-Oct	5	2.1507%	2.3504%	2020
131 Oak Park, IL	Aa2/AA-	5,030,000	G.O. Corporate Purpose Project & Ref 2011B	3-Oct	5	3.3183%	3.8880%	2025
132 Moline, IL	Aa2	9,215,000	G.O. Ref 2011B	4-Oct	Neg.	2.6697%		2022
133 Darien PD, IL	AA	6,590,000	G.O. Ref Park (Alt.) 2011A	4-Oct	3	2.7543%	3.1352%	2025
134 Lake Bluff, IL	Aaa	2,185,000	G.O. Ref 2011	5-Oct	4	2.6818%	2.7204%	2024
135 Dolton PD, IL	N/R	192,140	G.O. Ltd Tax Park 2011A	5-Oct	Neg.	2.6000%		2012
136 Carbondale PD, IL	N/R	602,710	G.O. Ltd Tax Ref Park 2011	6-Oct	2	2.2500%	3.7491%	2012
137 Kane County FPD, IL	AA+	21,235,000	G.O. Ltd Tax Ref 2011B	6-Oct	4	2.5099%	2.8354%	2019
138 Manhattan PD, IL	AA-	310,000	G.O. (Alt) 2011A	6-Oct	Neg.	1.8967%		2016
139 Manhattan PD, IL	AA-	1,455,000	G.O. (Alt) 2011B	6-Oct	2	4.2191%	4.3589%	2031
140 Westchester PD, IL	N/R	490,580	G.O. Ltd Tax Park 2011	6-Oct	4	1.5000%	4.1000%	2012
141 CLCJAWA, IL	Aa2	9,790,000	Water Rev Ref 2011	11-Oct	Neg.	3.6856%		2026
142 Fairfax, IA	N/R	2,260,000	G.O. Corporate Purpose 2011B	11-Oct	4	2.4190%	3.0305%	2024
143 Tipton, IA	N/R	1,175,000	G.O. Corp Purpose 2011B	17-Oct	5	2.0505%	2.5830%	2024
144 Tipton, IA	N/R	1,985,000	G.O. Corp Purpose 2011C	17-Oct	5	2.5262%	4.0795%	2022
145 Freeport PD, IL	N/R	963,665	G.O. Ltd Tax Park 2011	18-Oct	3	1.1000%	1.8070%	2012
146 Homewood-Flossmoor PD, IL	N/R	900,000	G.O. Ltd Tax Park 2011A	18-Oct	Neg.	1.7351%		2012
147 Homewood-Flossmoor PD, IL	AA+(Ins)/A+	3,740,000	G.O. Ref Park (Alt) 2011B	18-Oct	Neg.	3.1000%		2021
148 Bloomingdale PD, IL	N/R	598,740	G.O. Ltd Tax Park 2011	19-Oct	3	2.0000%	4.0000%	2012
149 Norridge PD, IL	N/R	212,270	G.O. Ltd Tax Park 2011	19-Oct	1	0.9500%		2012
150 Dundee Township PD, IL	SP1+	1,747,520	G.O. Ltd Tax Park 2011	19-Oct	1	1.7822%		2012
151 Country Club Hills PD, IL	N/R	435,305	G.O. Ltd Tax Park 2011A	20-Oct	2	2.9555%	4.0055%	2012
152 Country Club Hills PD, IL	N/R	90,035	Taxable G.O. Ltd Tax Park 2011B	20-Oct	Neg.	5.9758%		2012
153 Hanover Park, IL	AA	7,030,000	G.O. Ref 2011	20-Oct	5	2.6281%	3.0675%	2024
154 Oak Park PD, IL	Aa2	9,995,000	G.O. Park (Alt) 2011	20-Oct	4	4.0241%	4.1447%	2033
155 Mattoon, IL	A1	2,300,000	G.O. Waterworks Refunding (Alt) 2011	20-Oct	Neg.	1.5531%		2015
156 Hanover Park PD, IL	A2	5,250,000	G.O. Ref Park (Alt) 2011A	24-Oct	4	2.9180%	4.1262%	2022
157 Hanover Park PD, IL	A2	565,255	G.O. Ltd Park 2011B	24-Oct	2	1.0000%	2.4472%	2012
158 Sycamore PD, IL	N/R	433,575	G.O. Ltd Tax Park 2011	25-Oct	2	2.0300%	2.7453%	2012
159 Waukegan PD, IL	N/R	1,614,345	G.O. Ltd Tax Ref Park 2011	25-Oct	2	0.9500%	1.7710%	2011
160 Yorkville, IL	AA+ (Ins)	11,150,000	G.O. Ref (Alt) 2011	25-Oct	Neg.	4.3950%		2025

# SPEER FINANCIAL, INC.

4/4/2012

CLIENT SALES OF SECURITIES

2011

Appendix F2

Issuer	Investment Rating	Issue Size	Type of Security	Date of Sale	# of Bidders	Net/True Interest Rate	High Bid	Last Maturity
161 Pekin PD, IL	N/R	556,405	G.O. Ltd Tax Park 2011	2-Nov	4	1.3000%	2.4605%	2012
162 Prospect Heights PD, IL	N/R	520,690	G.O. Ltd Tax Park 2011	7-Nov	2	2.2217%	2.8420%	2012
163 Gurnee ,IL	Aa1/AA+	9,995,000	G.O. 2011	7-Nov	5	2.6180%	2.8623%	2022
164 Lake County FPD, IL	Aaa/AAA	24,995,000	G.O. Land Acquisition and Development 2011	7-Nov	8	3.7826%	4.1764%	2035
165 Chicago Ridge PD, IL	N/R	313,065	G.O. Ltd Tax Park 2011	8-Nov	2	1.9000%	2.9450%	2012
166 Aurora, IL	AA+	9,060,000	G.O. Ref 2011	8-Nov	7	1.7291%	1.9281%	2022
167 Central City, IA	N/R	85,000	G.O. Sanitary Sewer 2011B	9-Nov	Neg.	0.9769%		2013
168 Riverside, IL	N/R	507,000	G.O. Ltd Tax Ref 2011A	14-Nov	2	1.9438%	2.4454%	2014
169 Batavia PD, IL	AA-	500,000	G.O. Ltd Tax Park 2011A	15-Nov	2	1.1970%	1.9990%	2012
170 Batavia PD, IL	AA-	3,110,000	G.O. Ref Park (Alt) 2011B	15-Nov	8	1.1193%	1.5912%	2015
171 Gurnee PD, IL	N/R	749,635	G.O. Ltd Tax Park 2011	15-Nov	4	1.5000%	1.9485%	2012
172 Cary PD, IL	N/R	638,790	G.O. Ltd Tax Ref Park 2011	16-Nov	3	1.8000%	2.1209%	2012
173 Crystal Lake Park District. IL	N/R	594,315	G.O. Ltd Tax Park 2011	16-Nov	Neg.	1.9907%	2.1800%	2012
174 Worth PD, IL	N/R	70,600	G.O. Ltd Tax Park 2011	16-Nov	Neg.	2.3017%		2012
175 Channahon PD, IL	N/R	680,935	G.O. Ltd Tax Ref Park 2011A	17-Nov	2	1.3091%	2.4823%	2012
176 Hawthorne PD, IL	N/R	156,400	G.O. Ltd Tax Park 2011	17-Nov	Neg.	2.7500%		2012
177 Kendall County, IL	AA	4,215,000	G.O. Ref (Alt) 2011	17-Nov	5	3.4510%	3.7680%	2032
178 Champaign County FPD, IL	Aa2	1,083,000	G.O. Ltd Tax 2011	21-Nov	4	2.0244%	2.3063%	2021
179 Dixon, IL	NR	6,375,000	G.O. (Utility Tax & Personal Property Tax (Alt)2011	21-Nov	Neg.	5.2283%		2032
180 Shell Rock, IA	N/R	190,000	Taxable Spec Asses Impr Ref Capital Loan 2011B	21-Nov	Neg.	2.6021%		2020
181 Tipton, IA	N/R	1,795,000	Electric Revenue	21-Nov	4	2.1599%		2022
182 Long Grove, IL	N/R	1,800,000	Special Tax Bonds 2011	22-Nov	Neg.	5.6950%		2041
183 St. Charles PD, IL	AA	3,870,000	G.O. Ltd Park 2011A	22-Nov	8	0.9088%	1.2843%	2014
184 St. Charles PD, IL	AA	3,050,000	G.O. Ref Park (Alt) 2011B	22-Nov	5	1.7270%	1.9529%	2019
185 Highland Park, IL	Aaa	5,000,000	G.O. 2011A	28-Nov	8	2.4257%	2.7844%	2026
186 Highland Park, IL	Aaa	4,600,000	G.O. Ref 2011B	28-Nov	8	1.2792%	1.6941%	2022
187 Montgomery, IL	Aa3	4,410,000	G.O. (Alt) Ref 2011	28-Nov	4	2.6063%	3.1990%	2024
188 Winnebago County FP, IL	Aa2	2,455,000	G.O. Ltd 2011A	29-Nov	Neg.	1.9962%		2019
189 Hiawatha, IA	A1	1,795,000	G.O. Capital Loan Notes 2011B	29-Nov	6	1.8072%	1.9915%	2023
190 Channahon PD, IL	N/R	8,740,000	G.O. Ref Park (Alt) 2011B	1-Dec	Neg.	4.4843%		2031
191 Des Plaines, IL	Aa2	3,540,000	G.O. Ref 2011	5-Dec	4	2.0789%	2.1874%	2021
192 East Moline, IL	Aa3	5,725,000	G.O. Ref (Alt) Waterworks and Sewerage 2011A	5-Dec	Neg.	2.5953%		2022
193 East Moline, IL	Aa3	2,460,000	G.O. Ref (Alt) Utility Tax 2011B	5-Dec	Neg.	2.6887%		2023
194 East Moline, IL	Aa3	955,000	G.O. Ref (Alt) Tax Increment 2011C	5-Dec	Neg.	2.6779%		2023
195 East Moline, IL	Aa3	530,000	G.O. Ref (Alt) 2011D	5-Dec	Neg.	1.8933%		2015
196 Eagle Grove, IA	N/R	1,550,000	G.O. Corp Purpose and Ref 2011	5-Dec	5	1.9502%	2.3314%	2024
197 Evansdale, IA	N/R	310,000	G.O. Corp Purpose 2012	6-Dec	3	1.9821%	2.3099%	2021
198 Joliet, IL	AA-	9,120,000	Waterworks and Sewerage Rev Ref 2011	7-Dec	Neg.	2.2424%		2019
199 Peoria City, IL	Aa2/AA	4,060,000	G.O. Ref 2011A	8-Dec	Neg.	2.5408%		2025
200 Fox Valley PD, IL	N/R	914,265	G.O. Ltd Tax Park 2011	8-Dec	5	1.5015%	3.0008%	2013

# SPEER FINANCIAL, INC.

4/4/2012

CLIENT SALES OF SECURITIES

2011

Appendix F2

Issuer	Investment Rating	Issue Size	Type of Security	Date of Sale	# of Bidders	Net/True Interest Rate	Last Maturity
						Low Bid	High Bid
201 Urbana PD, IL	N/R	665,000	G.O. Ltd Tax Park 2011B	12-Dec	3	1.3420%	2.7500%
202 Kane County, IL	N/R	1,960,000	G.O. Ltd Tax 2011	12-Dec	2	1.3988%	1.9896%
203 Summit PD, IL	N/R	695,650	G.O. Ltd Tax Park 2011	13-Dec	Neg.	3.5000%	2014
204 Schaumburg, IL	Aaa/AA+	9,990,000	G.O. Ref 2011	13-Dec	5	2.1248%	2.2469%
205 Fulton, IL	N/R	725,000	G.O. Ref Alt 2012A	19-Dec	Neg.	3.9609%	2024
206 Peoria PBC, IL	A+	3,890,437	Capital Appreciation Rev Ref 2011	20-Dec	Neg.	4.7252%	2025
207 Minooka, IL	AA-	1,655,000	G.O. 2011A	20-Dec	3	2.1323%	2.4590%
208 Peoria, IL	Aa2/AA	5,290,000	G.O. Ref 2011B	20-Dec	Neg.	2.8155%	2024

The above listing is a full and complete record of Speer Financial's sales of municipal securities for the time period shown.  
 Note: All interest rates are Net Interest Cost (NIC) except where True Interest Cost (TIC) is specified.

THSD = Township High School District  
 PBC = Public Building Commission  
 SD = School District  
 PD = Park District  
 CCD = Community College District  
 FPD = Forest Preserve District  
 CUSD = Community Unit School District

Ref. = Refunding  
 ICC = Installment Contract Certificates  
 (Alt.) = G.O. (Alternate Revenue Source) Bonds  
 (Ins.) = Insured  
 DC = Debt Certificates

Moody's Rating Code: High to Low  
 Grades: Aaa, Aa, A, Baa  
 Within Each Non-Aaa Grade: 1, 2,  
 N/R = Not Rated

Type of Sale	Number of Issues To Date in 2011	Par Amount To Date in 2011	%
Negotiated .....	73	212,060,108	25.16%
Competitive .....	135	630,929,885	74.84%
Total Bond Sales To Date In 2011	208	842,989,993	100.00%

FOR PRIOR YEAR 2010:	Number of Issues	Par Amount	%
Type of Sale	Number of Issues	Amount	
Negotiated .....	67	381,118,975	29.60%
Competitive .....	163	906,383,955	70.40%
Total Bond Sales In Calendar Year	230	1,287,502,930	100.00%

Number of Bidders  
 596 Bidders  
 4.415 Average

Number of Bidders  
 586 Bidders  
 3.595 Average



**AGENDA MEMO**  
**CITY COUNCIL**  
**April 16, 2012**

**ISSUE STATEMENT**

The City Council is requested to approve an ordinance amending various sections of Title 9, Chapter 8, “Seizure and Impoundment of Motor Vehicles” of the Darien City Code.

**ORDINANCE**

**BACKGROUND/HISTORY**

On May 16<sup>th</sup>, 2011, the City Council approved an ordinance change – 0-11-11 to amend Title 9, “Traffic Regulations” by adding new Chapter 7, “Administrative Hearing System”, new Chapter 8, “Seizure and Impoundment of Motor Vehicles” and new Chapter 9, “Administrative Fees”.

The Illinois General Assembly adopted Public Act 97-109, effective January 1<sup>st</sup>, 2012, which amends Chapter 11-208 of the Illinois Vehicle Code by providing fees and procedures for impounding vehicles. Certain sections of Darien City Code Title 9, Chapter 8 “Seizure and Impoundment of Motor Vehicles” must be amended to comply with the Illinois Vehicle Code-11-208. Attorney Judy Kolman worked on the revisions to the ordinance. [A copy of the changes is included.](#)

**STAFF/COMMITTEE RECOMMENDATION**

Based upon the above information, at their April 2, 2012 meeting, the Police Committee unanimously approved an ordinance amending Title 9, Chapter 8, “Seizure and Impoundment of Motor Vehicles” of the Darien City Code.

**ALTERNATE CONSIDERATION**

N/A

**DECISION MODE**

This item will be placed on the April 16, 2012, City Council Agenda for formal Council approval.

CITY OF DARIEN

DU PAGE COUNTY, ILLINOIS

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ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING VARIOUS SECTIONS OF TITLE 9, CHAPTER 8, "SEIZURE AND  
IMPOUNDMENT OF MOTOR VEHICLES," OF THE DARIEN CITY CODE

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ADOPTED BY THE

MAYOR AND CITY COUNCIL

OF THE

CITY OF DARIEN

THIS 16<sup>th</sup> DAY OF APRIL, 2012.

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Published in pamphlet form by authority  
of the Mayor and City Council of the City of Darien, DuPage County, Illinois,

this \_\_\_ day of \_\_\_\_\_, 2012.

**WHEREAS**, the City of Darien is a home rule unit of government pursuant to the provisions of Article VII, Section 6 of the Illinois Constitution of 1970; and

**WHEREAS**, as a home rule unit of local government, the City may exercise any power and perform any function pertaining to its government except as limited by Article VII, Section 6; and

**WHEREAS**, the City has previously adopted Ordinance No. O-11-11, "An Ordinance Amending Title 9, 'Traffic Regulations, By Adding New Chapter 7, 'Administrative Hearing System,' New Chapter 8, 'Seizure and Impoundment of Motor Vehicles,' And New Chapter 9, 'Administrative Fees,' Thereto"; and

**WHEREAS**, subsequent to the adoption of Ordinance No. O-11-11, the Illinois General Assembly adopted Public Act 97-109, effective January 1, 2011, which amends Chapter 11-208 of the Illinois Vehicle Code by providing for administrative fees and procedures for impounding vehicles (625 ILCS 5/11-208.7); and

**WHEREAS**, the provisions of Chapter 11-208 of the Illinois Vehicle Code are a limitation on the authority of home rule units to adopt local police regulations inconsistent herewith except pursuant to Section 11-208 of the Illinois Vehicle Code; and

**WHEREAS**, certain provisions of Title 9, Chapter 8 of the Darien City Code must be amended to be in compliance with Section 11-208.7 of the Illinois Vehicle Code (625 ILCS 5/11-208.7).

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DARIEN, DU PAGE COUNTY, ILLINOIS, IN THE EXERCISE OF ITS HOME RULE POWERS**, as follows:

**SECTION 1:** Title 9, Chapter 8, "Seizure and Impoundment of Vehicles, of the Darien City Code, is hereby amended as follows:

#### CHAPTER 8

#### **SEIZURE AND IMPOUNDMENT OF VEHICLES**

- 9-8-1: Definitions
- 9-8-2: Conduct Prohibited
- 9-8-3: Exceptions
- 9-8-4: Administrative Fees
- 9-8-5: Notice of Impoundment
- 9-8-6: Administrative Hearing
- 9-8-7: Administrative Penalty

9-8-1: **DEFINITIONS:** The following words, terms and phrases, when used in this Chapter, shall have the meanings ascribed to them in this Section, except where the context indicates a different meaning:

- (A) **Business Day.** Any day in which the office of the City Clerk of the City of Darien is open to the public for a minimum of seven (7) hours.
- (B) **Motor Vehicle.** Any vehicle which is self-propelled, including but not limited to automobiles, trucks, vans, motorcycles and motor scooters.
- (C) **Owner of Record or Owner.** The record title holder(s) of a motor vehicle as registered with the Secretary of State of the State of Illinois, or if not registered in Illinois, the particular state where the motor vehicle is registered.

9-8-2: **CONDUCT PROHIBITED:** A motor vehicle operated with the permission, express or implied, of the owner of record, shall be declared a public nuisance and shall be subject to seizure and impoundment under this Chapter where such motor vehicle is used in connection with any of the following violations. This Chapter is in addition to and shall not replace or otherwise abrogate any existing federal or state laws or City codes or ordinances pertaining to the seizure, towing and/or impoundment of motor vehicles.

- (A) Any motor vehicle which is used by a person during the aiding or abetting or commission of, or in the attempt to commit, a misdemeanor or felony as those terms are defined in the Illinois Criminal Code, 720 ILCS 5/2-7 and 2-8, as amended, and as provided in the Illinois Vehicle Code, as amended, and adopted in Section 9-5-2 of the Darien City Code.
- (B) Any motor vehicle that is used in the commission of, or in the attempt to commit, the following offenses set forth in Article 9 of the Illinois Criminal Code, 720 ILCS 5/9, *et seq.*, as amended: (i) first degree murder (9-1); and (ii) involuntary manslaughter and reckless homicide (9-3).
- (C) Any motor vehicle that is used in the commission of, or in the attempt to commit, aggravated kidnapping in violation of Section 10-2 of the Illinois Criminal Code, 720 ILCS 5/10-2, as amended.
- (D) Any motor vehicle that is used in the commission of, or in the attempt to commit, the following offenses set forth in Article 11 of the Illinois Criminal Code, 720 ILCS 5/11, *et seq.*, as amended: (i) criminal sexual assault (11-1.20); (ii) aggravated criminal sexual assault (11-1.30); (iii) predatory criminal sexual assault of a child (11-1.40); (iv) criminal sexual abuse (11-1.50(a)); (v) aggravated criminal sexual assault (11-1.60(a), (c) or (d)); (vi) indecent solicitation of a child (11-6); (vii) promoting juvenile prostitution (except for keeping a place of juvenile prostitution) (11-14.4); (viii) soliciting for a minor engaged in prostitution (11-15.1); (ix) child pornography (11-20.1); and (x) aggravated child pornography (11-20.1B).
- (E) Any motor vehicle that is used in the commission of, or attempt to commit, aggravated battery in violation of subsections (a)(1), (a)(2), (a)(4), (b)(1), (e)(1), (e)(2), (e)(3), (e)(4), (e)(5),

- (e)(6) or (e)(7) of Section 12-3.05 of the Illinois Criminal Code, 720 ILCS 5/12-3.05, as amended.
- (F) Any motor vehicle that is used in the commission of, or attempt to commit, the following offenses set forth in Article 12 of the Illinois Criminal Code, 720 ILCS 5/12, *et seq.*, as amended: (i) stalking (12-7.3); (ii) aggravated stalking (12-7.4); (iii) criminal sexual abuse (12-15(a)); and (iv) aggravated criminal sexual abuse (12-16(a), (c) or (d)).
- (G) Any motor vehicle that is used in the commission of, or attempt to commit, theft in violation of Article 16 (theft and related offenses) and Article 16(A) (retail theft) of the Illinois Criminal Code, 720 ILCS 5/16-1, *et seq.*, and 5/16A-1, *et seq.*, respectively, as amended.
- (H) Any motor vehicle that is used in the commission of, or attempt to commit armed robbery in violation of the Illinois Criminal Code, 720 ILCS 5/18-2, as amended.
- (I) Any motor vehicle that is used in the commission of, or attempt to commit, the following offenses set forth in Article 19 of the Illinois Criminal Code, 720 ILCS 5/19, *et seq.*, as amended: (i) burglary (19-1);(ii) possession of burglary tools (19-2); and (iii) residential burglary (19-3).
- (J) Any motor vehicle used in the commission of, or attempt to commit, the following offenses as set forth in Article 20 of the Illinois Criminal Code, 720 ILCS 5/20, *et seq.*, as amended: (i) arson(20-1); and (ii)possession of explosives or explosive or incendiary devices(20-2).
- (K) Any motor vehicle that is used in the commission of, or attempt to commit, the following offenses set forth in Article 24 of the Illinois Criminal Code, 720 ILCS 5/24, *et seq.*, as amended: (i) unlawful use of weapons (24-1); (ii) aggravated discharge of a firearm (24-1.2); (iii) aggravated discharge of a machine gun or firearm equipped with a device designed or used for silencing the report of a firearm (24-1.2-5); (iv) reckless discharge of a firearm (24-1.5); and (v) unlawful possession of firearms and firearm ammunition (24-3.1).
- (L) Any motor vehicle that is used in the commission of, or attempt to commit, gambling in violation of the Illinois Criminal Code, 720 ILCS 5/28-1, as amended.
- (M) Any motor vehicle that is used in the commission of, or attempt to commit, possession of a deadly substance in violation of the Illinois Criminal Code, 720 ILCS 5/29D-15.2, as amended.
- (N) Any motor vehicle that is used in the commission of, or attempt to commit, the following offenses set forth in the Cigarette Tax Act, 35 ILCS 130, *et seq.*, as amended, if the motor vehicle contains more than 10 cartons of cigarettes: (i) destruction or use of forfeited property (130/21); (ii) counterfeiting or forging stamps (130/22); (iii) sale of packages with counterfeit stamps or stamps previously affixed (130/23); (iv) sale or possession of contraband cigarettes (130/24); and (v) acting as distributor without license (130/26).
- (O) Any motor vehicle that is used in the commission of, or attempt to commit, the following offenses set forth in the Cigarette Use Tax Act, 35 ILCS 135, *et seq.*, as amended, if the motor vehicle contains more than 10 cartons of cigarettes: (i) forging, altering , or counterfeiting

stamps (135/28); (ii) sale of improper stamp (135/29); and (iii) sale or possession of unstamped packages of cigarettes, other than by a licensed distributor or transporter (135/30).

- (P) Any motor vehicle that is used in the commission of, or attempt to commit, disposal of hazardous waste in violation of the Environmental Protection Act, 415 ILCS 5/44, as amended.
- (Q) Any motor vehicle that is operated by a person driving under the influence of alcohol or other drug or drugs, intoxicating compound or compounds or any combination thereof under Section 11-501 of the Illinois Vehicle Code, 625 ILCS 5/11-501, as amended, during a period in which his/her driving privileges are revoked or suspended where the revocation or suspension was driving under the influence of alcohol or other drug or drugs, intoxicating compound or compounds or any combination thereof; Section 11-501.1 of the Illinois Vehicle Code, 625 ILCS 5/11-501.1, as amended (statutory summary suspension or revocation of driver's license for driving under the influence); Section 11-401(b) of the Illinois Vehicle Code, 625 ILCS 5/11-401(b), as amended (failing to stop when involved in an accident resulting in personal injury or death); and reckless homicide as defined in Section 9-3 of the Illinois Criminal Code, 720 ILCS 5/9-3, as amended.
- (R) Any motor vehicle that is operated by a person driving under the influence of alcohol or other drug or drugs, intoxicating compound or compounds or any combination thereof and has been previously convicted of reckless homicide or a similar provision of a law of another state relating to reckless homicide in which the person was determined to have been under the influence of alcohol, other drug or drugs, or intoxicating compound or compounds as an element of the offense or the person has previously been convicted of committing a violation of driving under the influence of alcohol or other drug or drugs, intoxicating compound or compounds or any combination thereof and was involved in a motor vehicle accident that resulted in death, great bodily harm or permanent disability or disfigurement to another when the violation was a proximate cause of the death or injuries.
- (S) Any motor vehicle otherwise subject to seizure and impoundment pursuant to 720 ILCS 5/36-1, as amended.
- (T) Any motor vehicle that is operated or used in the commission of, or in the attempt to commit, an offense in violation of the Illinois Cannabis Control Act, 720 ILCS 550/1, *et seq.*, as amended, and the Illinois Controlled Substances Act, 720 ILCS 570/100, *et seq.*, as amended, including, but not limited to, the solicitation, possession, attempt to solicit or possess, delivery, trafficking, purchase, attempt to purchase, sale or attempt to sell such cannabis or controlled substances in violation of said Acts.
- (U) Any motor vehicle which is operated by a person with an expired driver's license or permit or a restricted driver's permit in violation of 625 ILCS 5/6-101, as amended, of the Illinois Vehicle Code; except said violation does not include instances where a driver's license was validly issued to the vehicle operator but has expired for a period of one (1) year or less.
- (V) Any motor vehicle which is operated by a person who was never issued a driver's license, permit or restricted driving permit in violation of 625 ILCS 5/6-101, as amended, of the Illinois Vehicle Code, or operating a motor vehicle without ever having been issued a driver's

license, permit or restricted driving permit due to a person's age.

- (W) Any motor vehicle which is operated by a person driving while his/her driver's license, permit or privilege to operate a motor vehicle is suspended or revoked in violation of 625 ILCS 5/6-303, as amended, of the Illinois Vehicle Code; except that a motor vehicle shall not be subjected to seizure or impoundment if the suspension is for an unpaid citation (parking or moving) or due to failure to comply with emission testing.
- (X) Any motor vehicle which is operated by a person which is not covered by a liability insurance policy in violation of 7-601 of the Illinois Vehicle Code, 625 ILCS 5/7-601, as amended.
- (Y) Any motor vehicle which is operated by a person when such vehicle is used by the person in fleeing or attempting to elude a law enforcement officer or in aggravated fleeing or attempting to elude a law enforcement officer in violation of 625 ILCS 5/11-204 and 204.1, respectively, as amended, of the Illinois Vehicle Code.
- (Z) Any motor vehicle which is operated by a person who is under the influence of alcohol, other drug or drugs, intoxicating compound or compounds, or any combination thereof, in violation of 625 ILCS 5/11-501, as amended, of the Illinois Vehicle Code.
- (AA) Any motor vehicle which is operated by a person driving against whom a warrant has been issued by a circuit court in Illinois for failing to answer charges that the driver violated Section 6-101(driving without license, permit or restricted driving permit), Section 6-303 (driving while driver's license, permit or privilege to operate motor vehicle is revoked), or 11-501(driving while under the influence of alcohol, other drug or drugs, intoxicating compound or compounds or any combination thereof) of the Illinois Vehicle Code, 625 ILCS 5/6-101, 5/6-303 or 5/11-501, respectively, as amended.
- (BB) Any motor vehicle which is operated by a person who commits reckless driving as defined in 625 ILCS 5/11-503, as amended, of the Illinois Vehicle Code.
- (CC) Any motor vehicle which is operated by a person who is engaging in street racing as defined in 625 ILCS 5/11-506, as amended, of the Illinois Vehicle Code.
- (DD) Any motor vehicle which is operated by a person when such vehicle's registration is cancelled, suspended or revoked in violation of 625 ILCS 5/3-702, as amended, of the Illinois Vehicle Code, unless the registration of the motor vehicle has been suspended for noninsurance or the registration of the motor vehicle has been suspended for failure to purchase a vehicle tax sticker.
  - 1. Any motor vehicle which is operated by a person when such vehicle's registration is suspended for noninsurance is subject to seizure and impoundment where a person has been convicted of a second or subsequent violation of 625 ILCS 5/3-708, as amended, of the Illinois Vehicle Code (operation of a motor vehicle when the registration is suspended for noninsurance).
- (EE) Any motor vehicle which is operated by a person when such vehicle is being operated with a false, fraudulent, stolen or altered registration in violation of 625 ILCS 5/3-703, as amended,



of the Illinois Vehicle Code.

- (FF) Any motor vehicle which is operated by a person when such vehicle's registration is suspended for noninsurance in violation of 625 ILCS 5/3-708, as amended, of the Illinois Vehicle Code, as provided in subsection (DD)1., above.
- (GG) Any motor vehicle which is operated by a person who presents or displays a false insurance card to a law enforcement officer, court, or officer of the court in violation of 625 ILCS 5/3-710, as amended, of the Illinois Vehicle Code.

9-8-3: **EXCEPTIONS:** This Chapter shall not apply to:

- (A) A vehicle used in any of the violations set forth in Section 9-8-2 of this Chapter that was stolen at the time and the owner provides verifiable proof that the vehicle was stolen at the time the vehicle was impounded; or
- (B) Any person who is the lessor of the vehicle pursuant to a written lease agreement; provided, that upon the request of the City received within 120 days after the violation occurred, the lessor provides within 60 days after receipt of such receipt, the name and address of the lessee. The driver's license number of the lessee may be subsequently individually requested by the City if needed for enforcement of this Chapter. The lessee shall be provided an opportunity for a hearing, as afforded the registered owner, as provided in Section 9-8-6 of this Chapter.

9-8-4: **ADMINISTRATIVE FEES:** The registered owner of record of a properly impounded vehicle, or the agents(s) of said owner, shall be liable to the City for an administrative fee of \$500.00. Said administrative fee represents the administrative and processing costs associated with the investigation, arrest and detention of an offender, or the removal, impoundment, storage and release of the vehicle. The administrative fee is in addition to any towing and storage fees charged for the towing and storage of the impounded vehicle.

- (A) All administrative fees and towing and storage charges shall be imposed on the registered owner of the motor vehicle or the agents of that owner.
- (B) The fees shall be in addition to (i) any other penalties that may be assessed by a court of law for the underlying violations; and (ii) any towing or storage fees, or both, charged by the towing company.
- (C) The fees shall be collected by and paid to the City.
- (D) The towing or storage fees, or both, shall be collected by and paid to the person, firm, or entity that tows and stores the impounded vehicle. The towing and storage fees shall be those approved by the Chief of Police for all towers authorized to tow for the City of Darien Police Department.

9-8-5: **NOTICE OF IMPOUNDMENT:**

- (A) **Notice.** Whenever a police officer determines that a motor vehicle is subject to seizure and impoundment pursuant to this Chapter, the police officer shall provide for the towing of the vehicle to a facility authorized by the Chief of Police. Before or at the time the vehicle is towed, the police officer shall notify or make a reasonable attempt to notify the owner, lessee or any person identifying him/herself as the owner or lessee of the vehicle or any person who is found to be in control of the vehicle at the time of the alleged violation, and who is physically present at the scene, of the alleged violation, seizure and impoundment of the vehicle and the vehicle owner's or lessee's right to an administrative hearing. If the owner or lessee of the vehicle is not present at the scene, the City shall send the owner or lessee written notice of the seizure and impoundment at the address listed on the owner's vehicle registration within twenty-four (24) hours of the impoundment, excluding Saturdays, Sundays and City holidays. Said notice shall inform the owner or lessee that he/she has the right to an administrative hearing.
- (B) **Impoundment Pending Hearing.** The City shall provide notice to the owner or lessee that the motor vehicle shall remain impounded pending the completion of the administrative hearing unless the owner or lessee of the vehicle or a lienholder posts with the City a cash bond equal to, or pays by money order or certified check, with the City of Darien Police Department the amount of the administrative fee of \$500.00 and pays for all towing and storage charges.

9-8-6: **ADMINISTRATIVE HEARING:**

- (A) **Notice.** Within ten (10) days business days after a motor vehicle has been seized and impounded pursuant to this Chapter, the City shall notify the owner of record, lessee, and any lienholder of record by personal service or by first class mail, to the interested party's address as registered with the Secretary of State, of the date, time and location of the scheduled hearing that will be conducted pursuant to this Section. The name and address of the person to whom a vehicle is registered as shown on the records of the state in which the vehicle is registered shall be conclusive evidence of the name and address of the owner of record of the vehicle, unless the owner of record has given the City actual written notice of a different name and/or address. The notice shall state the penalty and fees that may be imposed, and that a motor vehicle not released by cash bond or other form of payment acceptable to the City may be sold or disposed of by the City in accordance with applicable law.
- (B) **Hearing.** The administrative hearing shall be scheduled no later than forty-five (45) days after the date of the mailing of the notice of hearing. The hearing shall be conducted, and the case heard and decided, by a hearing officer appointed by the City as provided in Title 9, Chapter 7, "Administrative Hearing System," of the City Code. Formal or technical rules of evidence shall not apply. The hearings shall be recorded and the hearing officer shall be empowered to administer oaths and to secure by subpoena both the attendance and testimony of witnesses and the production of relevant books and papers. Persons appearing at the hearing may be represented by counsel at their expense. At the conclusion of the hearing, the hearing officer shall issue a written decision either sustaining or overruling the vehicle impoundment. If, after

the hearing, the hearing officer determines that the motor vehicle, operated with the permission, express or implied of the owner, was used in connection with a violation set forth in this Chapter, the hearing officer shall enter an order finding the owner of record civilly liable to the City for an administrative penalty in an amount not to exceed \$500.00 and requiring the vehicle to continue to be impounded until the owner pays the administrative penalty to the City plus any applicable towing and storage fees. If the owner fails to appear at the hearing, the hearing officer shall enter a default order in favor of the City, requiring the payment to the City of an administrative penalty in the amount of \$500.00. A copy of the default order shall be sent to the registered owner via certified mail, return receipt requested. If a cash bond or other acceptable form of payment has been posted, that amount shall be applied to the amount owed. If the hearing officer finds that the vehicle was improperly seized and impounded pursuant to this Chapter, the hearing officer shall order the immediate return of the owner's vehicle along with any previously paid cash bond and any additional fees. All final decisions of the hearing officer shall be subject to review under the provisions of the Illinois Administrative Review Law (735 ILCS 5/3-101, *et seq.*).

- (C) **Driving While Intoxicated; Standard of Evidence.** A sworn report of a police officer prepared in conformity with Section 11-501.1 of the Illinois Vehicle Code, 625 ILCS 5/11-501.1, as amended, establishing that a person refused testing or has submitted to a test that discloses a blood alcohol concentration of 0.08 or more, or any amount of a drug, substance, or intoxicating compound in the person's breath, blood or urine resulting from the unlawful use or consumption of cannabis listed in the Cannabis Control Act, controlled substance listed in the Controlled Substances Act, or an intoxicating compound listed in the Use of Intoxicating Compounds Act, shall constitute prima facie evidence under this Chapter sufficient to establish a finding of the vehicle owner's liability under this Chapter. The presumption may be rebutted by clear and convincing evidence.

9-8-7: **ADMINISTRATIVE PENALTY:**

- (A) **Liability for Administrative Penalty and Costs.** If an administrative penalty is imposed pursuant to this Chapter, such penalty shall constitute a debt due and owing the City. If a cash bond or other form of monetary payment acceptable to the City has been posted pursuant to this Chapter, such amount shall be applied to the total penalty assessed at the hearing. Unless stayed by a court of competent jurisdiction, any fine, penalty, or administrative fee imposed under this Chapter, which remains unpaid in whole or in part after the expiration of the deadline for seeking judicial review under the Administrative Review Law, may be enforced in the same manner as a judgment entered by a court of competent jurisdiction. Except as provided otherwise in this Chapter, a vehicle shall continue to be impounded until: (i) the administrative penalty is paid to the City and any applicable towing and storage fees are paid to the tower, in which case possession of the vehicle shall be given to the person who is legally entitled to possess the vehicle; or (ii) the vehicle is sold or otherwise disposed of to satisfy a judgment to enforce a lien as provided by law. If the administrative penalty and other applicable fees are not paid within thirty-five (35) days after the hearing officer issues a written decision, the vehicle shall be deemed unclaimed and shall be disposed of in the manner provided for the disposition of unclaimed vehicles under section 4-208 of the Illinois Vehicle Code, 625 ILCS 5/4-208, as amended; provided, however, where proceedings have been instituted under state or federal drug asset forfeiture laws, the vehicle may not be disposed of

by the City except in a manner consistent with the disposition of vehicles that is provided for in those proceedings.

- (B) **Vehicle Possession.** Except as otherwise specifically provided by law, no owner, lienholder, or other person shall be legally entitled to take possession of a vehicle impounded under this Chapter until the administrative penalty and other applicable fees under this Chapter have been paid in full. However, whenever a person with a lien of record against an impounded vehicle has commenced foreclosure proceedings, possession of the vehicle shall be given to that person if he/she agrees in writing to refund the City the amount of the net proceeds of any foreclosure sale, less any amounts required to pay all lienholders of record, not to exceed the administrative penalty plus applicable fees.

**SECTION 2:** This ordinance and each of its terms shall be the effective legislative act of a home rule municipality without regard to whether such ordinance should (a) contain terms contrary to the provisions of current or subsequent non-preemptive state law, or (b) legislate in a manner or regarding a matter not delegated to municipalities by state law. It is the intent of the corporate authorities of the City of Darien that to the extent that the terms of this ordinance should be inconsistent with any non-preemptive state law, that this ordinance shall supersede state law in that regard within its jurisdiction.

**SECTION 3:** This Ordinance shall be in full force and effect from and after its passage and approval, and shall subsequently be published in pamphlet form as provided by law.

**PASSED BY THE CITY COUNCIL OF THE CITY OF DARIEN, DU PAGE COUNTY, ILLINOIS,** this 16<sup>th</sup> day of April, 2012.

AYES: \_\_\_\_\_

NAYS: \_\_\_\_\_

ABSENT: \_\_\_\_\_

**APPROVED BY THE MAYOR OF THE CITY OF DARIEN, DU PAGE COUNTY, ILLINOIS,** this 16<sup>th</sup> day of April, 2012.

\_\_\_\_\_  
KATHLEEN MOESLE WEAVER, MAYOR

ATTEST:  
  
\_\_\_\_\_

JOANNE E. RAGONA, CITY CLERK

APPROVED AS TO FORM:

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CITY ATTORNEY

WestlawNext™

5/11-208.7. Administrative fees and procedures for impounding vehicles for specified violations  
West's Smith-Hurd Illinois Compiled Statutes Annotated Chapter 625, Vehicles Effective: January 1, 2012

Chapter 11. Rules of the Road (Refs & Annos)  
Article II. Obedience to and Effect of Traffic Laws (Refs & Annos)

Effective: January 1, 2012

625 ILCS 6/11-208.7

5/11-208.7. Administrative fees and procedures for impounding  
vehicles for specified violations

Currentness

<Text of section added effective January 1, 2012.>

§ 11-208.7. Administrative fees and procedures for impounding vehicles for specified violations.

(a) Any municipality may, consistent with this Section, provide by ordinance procedures for the release of properly impounded vehicles and for the imposition of a reasonable administrative fee related to its administrative and processing costs associated with the investigation, arrest, and detention of an offender, or the removal, impoundment, storage, and release of the vehicle. The administrative fee imposed by the municipality may be in addition to any fees charged for the towing and storage of an impounded vehicle. The administrative fee shall be waived by the municipality upon verifiable proof that the vehicle was stolen at the time the vehicle was impounded.

(b) Any ordinance establishing procedures for the release of properly impounded vehicles under this Section may impose fees for the following violations:

- (1) operation or use of a motor vehicle in the commission of, or in the attempt to commit, an offense for which a motor vehicle may be seized and forfeited pursuant to Section 36-1 of the Criminal Code of 1961; or
- (2) driving under the influence of alcohol, another drug or drugs, an intoxicating compound or compounds, or any combination thereof, in violation of Section 11-501 of this Code; or
- (3) operation or use of a motor vehicle in the commission of, or in the attempt to commit, a felony or in violation of the Cannabis Control Act; or
- (4) operation or use of a motor vehicle in the commission of, or in the attempt to commit, an offense in violation of the Illinois Controlled Substances Act; or
- (5) operation or use of a motor vehicle in the commission of, or in the attempt to commit, an offense in violation of Section 24-1, 24-1.5, or 24-3.1 of the Criminal Code of 1961; or
- (6) driving while a driver's license, permit, or privilege to operate a motor vehicle is suspended or revoked pursuant to Section 6-303 of this Code; except that vehicles shall not be subjected to seizure or impoundment if the suspension is for an unpaid citation (parking or moving) or due to failure to comply with emission testing; or
- (7) operation or use of a motor vehicle while soliciting, possessing, or attempting to

solicit or possess cannabis or a controlled substance, as defined by the Cannabis Control Act or the Illinois Controlled Substances Act; or

(8) operation or use of a motor vehicle with an expired driver's license, in violation of Section 6-101 of this Code, if the period of expiration is greater than one year; or

(9) operation or use of a motor vehicle without ever having been issued a driver's license or permit, in violation of Section 6-101 of this Code, or operating a motor vehicle without ever having been issued a driver's license or permit due to a person's age; or

(10) operation or use of a motor vehicle by a person against whom a warrant has been issued by a circuit clerk in Illinois for failing to answer charges that the driver violated Section 6-101, 6-303, or 11-501 of this Code; or

(11) operation or use of a motor vehicle in the commission of, or in the attempt to commit, an offense in violation of Article 16 or 16A of the Criminal Code of 1961; or

(12) operation or use of a motor vehicle in the commission of, or in the attempt to commit, any other misdemeanor or felony offense in violation of the Criminal Code of 1961, when so provided by local ordinance.

(c) The following shall apply to any fees imposed for administrative and processing costs pursuant to subsection (b):

(1) All administrative fees and towing and storage charges shall be imposed on the registered owner of the motor vehicle or the agents of that owner.

(2) The fees shall be in addition to (i) any other penalties that may be assessed by a court of law for the underlying violations; and (ii) any towing or storage fees, or both, charged by the towing company.

(3) The fees shall be uniform for all similarly situated vehicles.

(4) The fees shall be collected by and paid to the municipality imposing the fees.

(5) The towing or storage fees, or both, shall be collected by and paid to the person, firm, or entity that tows and stores the impounded vehicle.

(d) Any ordinance establishing procedures for the release of properly impounded vehicles under this Section shall provide for an opportunity for a hearing, as provided in subdivision (b)(4) of Section 11-208.3 of this Code, and for the release of the vehicle to the owner of record, lessee, or a lienholder of record upon payment of all administrative fees and towing and storage fees.

(e) Any ordinance establishing procedures for the impoundment and release of vehicles under this Section shall include the following provisions concerning notice of impoundment:

(1) Whenever a police officer has cause to believe that a motor vehicle is subject to impoundment, the officer shall provide for the towing of the vehicle to a facility authorized by the municipality.

(2) At the time the vehicle is towed, the municipality shall notify or make a reasonable attempt to notify the owner, lessee, or person identifying himself or herself as the owner or lessee of the vehicle, or any person who is found to be in control of the vehicle at the time of the alleged offense, of the fact of the seizure, and of the vehicle owner's or lessee's right to an administrative hearing.

(3) The municipality shall also provide notice that the motor vehicle will remain impounded pending the completion of an administrative hearing, unless the owner or lessee of the vehicle or a lienholder posts with the municipality a bond equal to the administrative fee as provided by ordinance and pays for all towing and storage charges.

(f) Any ordinance establishing procedures for the impoundment and release of vehicles under this Section shall include a provision providing that the registered owner or lessee of the vehicle and any lienholder of record shall be provided with a notice of hearing. The notice shall:

- (1) be served upon the owner, lessee, and any lienholder of record either by personal service or by first class mail to the interested party's address as registered with the Secretary of State;
- (2) be served upon interested parties within 10 days after a vehicle is impounded by the municipality; and
- (3) contain the date, time, and location of the administrative hearing. An initial hearing shall be scheduled and convened no later than 45 days after the date of the mailing of the notice of hearing.

(g) In addition to the requirements contained in subdivision (b)(4) of Section 11-208.3 of this Code relating to administrative hearings, any ordinance providing for the impoundment and release of vehicles under this Section shall include the following requirements concerning administrative hearings:

- (1) administrative hearings shall be conducted by a hearing officer who is an attorney licensed to practice law in this State for a minimum of 3 years;
- (2) at the conclusion of the administrative hearing, the hearing officer shall issue a written decision either sustaining or overruling the vehicle impoundment;
- (3) if the basis for the vehicle impoundment is sustained by the administrative hearing officer, any administrative fee posted to secure the release of the vehicle shall be forfeited to the municipality;
- (4) all final decisions of the administrative hearing officer shall be subject to review under the provisions of the Administrative Review Law, and
- (5) unless the administrative hearing officer overturns the basis for the vehicle impoundment, no vehicle shall be released to the owner, lessee, or lienholder of record until all administrative fees and towing and storage charges are paid.

(h) Vehicles not retrieved from the towing facility or storage facility within 35 days after the administrative hearing officer issues a written decision shall be deemed abandoned and disposed of in accordance with the provisions of Article II of Chapter 4 of this Code.

(i) Unless stayed by a court of competent jurisdiction, any fine, penalty, or administrative fee imposed under this Section which remains unpaid in whole or in part after the expiration of the deadline for seeking judicial review under the Administrative Review Law may be enforced in the same manner as a judgment entered by a court of competent jurisdiction.

#### Credits

P.A. 76-1586, § 11-208.7, added by P.A. 97-109, § 5, eff. Jan. 1, 2012.

Current through P.A. 97-629 of the 2011 Reg. Sess.

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**End of Document**

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**CITY OF DARIEN  
DU PAGE COUNTY, ILLINOIS**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING VARIOUS SECTIONS OF  
TITLE 9, CHAPTER 8, "SEIZURE AND IMPOUNDMENT  
OF MOTOR VEHICLES," OF THE DARIEN CITY CODE**

**ADOPTED BY THE  
MAYOR AND CITY COUNCIL  
OF THE  
CITY OF DARIEN**

**THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2012.**

**Published in pamphlet form by authority  
of the Mayor and City Council of the City of  
Darien, DuPage County, Illinois, this \_\_\_\_ day  
of \_\_\_\_\_, 2012.**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING VARIOUS SECTIONS OF  
TITLE 9, CHAPTER 8, "SEIZURE AND IMPOUNDMENT OF  
MOTOR VEHICLES," OF THE DARIEN CITY CODE**

**WHEREAS**, the City of Darien is a home rule unit of government pursuant to the provisions of Article VII, Section 6 of the Illinois Constitution of 1970; and

**WHEREAS**, as a home rule unit of local government, the City may exercise any power and perform any function pertaining to its government except as limited by Article VII, Section 6; and

**WHEREAS**, the City has previously adopted Ordinance No. O-11-11, "An Ordinance Amending Title 9, 'Traffic Regulations, By Adding New Chapter 7, 'Administrative Hearing System,' New Chapter 8, 'Seizure And Impoundment of Motor Vehicles,' And New Chapter 9, 'Administrative Fees,' Thereto"; and

**WHEREAS**, subsequent to the adoption of Ordinance No. O-11-11, the Illinois General Assembly adopted Public Act 97-109, effective January 1, 2012, which amends Chapter 11-208 of the Illinois Vehicle Code by providing for administrative fees and procedures for impounding vehicles (625 ILCS 5/11-208.7); and

**WHEREAS**, the provisions of Chapter 11-208 of the Illinois Vehicle Code are a limitation on the authority of home rule units to adopt local police regulations inconsistent herewith except pursuant to Section 11-208 of the Illinois Vehicle Code; and

**WHEREAS**, certain provisions of Title 9, Chapter 8 of the Darien City Code must be amended to be in compliance with Section 11-208.7 of the Illinois Vehicle Code (625 ILCS 5/11-208.7).

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AMENDING VARIOUS SECTIONS OF  
TITLE 9, CHAPTER 8, "SEIZURE AND IMPOUNDMENT OF  
MOTOR VEHICLES," OF THE DARIEN CITY CODE**

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY  
OF DARIEN, DU PAGE COUNTY, ILLINOIS, IN THE EXERCISE OF ITS HOME RULE  
POWERS, as follows:**

**SECTION 1:** Title 9, Chapter 8, "Seizure and Impoundment of Vehicles, of the Darien City Code, is hereby amended as follows (deleted language stricken; added language underscored):

**CHAPTER 8**

**SEIZURE AND IMPOUNDMENT OF VEHICLES**

- 9-8-1: Definitions
- 9-8-2: Conduct Prohibited
- 9-8-3: Exceptions
- 9-8-4: ~~General Regulations~~ Administrative Fees
- 9-8-5: Notice of Impoundment ~~and Preliminary Hearing~~
- ~~9-8-6: Preliminary Hearing~~
- 9-8-~~76~~: Administrative Hearing
- 9-8-~~87~~: Administrative Penalty

9-8-1: **DEFINITIONS:** The following words, terms and phrases, when used in this Chapter, shall have the meanings ascribed to them in this Section, except where the context indicates a different meaning:

- (A) **Business Day.** Any day in which the office of the City Clerk of the City of Darien is open to the public for a minimum of seven (7) hours.
- (B) **Motor Vehicle.** Any vehicle which is self-propelled, including but not limited to automobiles, trucks, vans, motorcycles and motor scooters.
- (C) **Owner of Record or Owner.** The record title holder(s) of a motor vehicle as registered with the Secretary of State of the State of Illinois, or if not registered in Illinois, the particular state where the motor vehicle is registered.

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AMENDING VARIOUS SECTIONS OF  
TITLE 9, CHAPTER 8, "SEIZURE AND IMPOUNDMENT OF  
MOTOR VEHICLES," OF THE DARIEN CITY CODE**

9-8-2: **CONDUCT PROHIBITED:** A motor vehicle operated with the permission, express or implied, of the owner of record, shall be declared a public nuisance and shall be subject to seizure and impoundment under this Chapter where such motor vehicle is used in connection with any of the following violations ~~or the commission of any of the following violations~~ makes impoundment of the motor vehicle necessary as a community care-taking function so that the motor vehicle does not jeopardize public safety and the efficient movement of vehicular traffic. This Chapter is in addition to and shall not replace or otherwise abrogate any existing federal or state laws or City codes or ordinances pertaining to the seizure, towing and/or impoundment of motor vehicles.

- (A) Any motor vehicle which is used by a person during the aiding or abetting or commission of, or in the attempt to commit, a misdemeanor; or felony or forcible felony as those terms are defined in the Illinois Criminal Code, 720 ILCS 5/2-7, and 2-8 and 2-11 and as provided in the Illinois Vehicle Code, as amended, and adopted in Section 9-5-2 of the Darien City Code.
- (B) Any motor vehicle that is used in the commission of, or in the attempt to commit, the following offenses set forth in Article 9 of the Illinois Criminal Code, 720 ILCS 5/9, et seq., as amended: (i) first degree murder (9-1); and (ii) involuntary manslaughter and reckless homicide (9-3).
- (C) Any motor vehicle that is used in the commission of, or in the attempt to commit, aggravated kidnapping in violation of Section 10-2 of the Illinois Criminal Code, 720 ILCS 5/10-2, as amended.
- ~~(B)~~ ~~Any motor vehicle that is used in the commission of prostitution as defined in the Illinois Criminal Code, 720 ILCS 5/11, et seq., as amended, to solicitation of a prostitute or a sexual act as defined in said Code, pimping or juvenile pimping as defined in said Code, or exploitation of a child as defined in said Code.~~
- (D) Any motor vehicle that is used in the commission of, or in the attempt to commit, the following offenses set forth in Article 11 of the Illinois Criminal Code, 720 ILCS 5/11 et seq., as amended: (i) criminal sexual assault (11-1.20); (ii) aggravated criminal sexual assault (11-1.30); (iii) predatory criminal sexual assault of a child (11-1.40); (iv) criminal sexual abuse (11-1.50(a)); (v) aggravated criminal sexual

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assault (11-1.60(a), (c) or (d); (vi) indecent solicitation of a child (11-6); (vii) promoting juvenile prostitution (except for keeping a place of juvenile prostitution) (11-14.4); (viii) soliciting for a minor engaged in prostitution (11-15.1); (ix) child pornography (11-20.1); and (x) aggravated child pornography (11-20.1B).

- ~~(C)~~ Any motor vehicle that is used in the commission of the following offenses set forth in Article 12 of the Illinois Criminal Code, 720 ILCS 5/12, *et seq.*, as amended: (i) aggravated assault (5/12-2); (ii) aggravated battery (5/12-4); (iii) aggravated battery with a firearm (12/5-4.2); (iv) aggravated battery of a child (12/5-4.3); and aggravated battery of a senior citizen (12/5-12-4.6).
- (E) Any motor vehicle that is used in the commission of, or attempt to commit, aggravated battery in violation of subsections (a)(1), (a)(2), (a)(4), (b)(1), (e)(1), (e)(2), (e)(3), (e)(4), (e)(5), (e)(6) or (e)(7) of Section 12-30.05 of the Illinois Criminal Code, 720 ILCS 5/12-3.05, as amended.
- (F) Any motor vehicle that is used in the commission of, or attempt to commit, the following offenses set forth in Article 12 of the Illinois Criminal Code, 720 ILCS 5/12 *et seq.*, as amended: (i) stalking (12-7.3); (ii) aggravated stalking (12-7.4); (iii) criminal sexual abuse (12-15(a)); and (iv) aggravated criminal sexual abuse (12-16(a), (c) or (d)).
- ~~(D)~~ Any motor vehicle that is used in the commission of retail theft as defined in the Illinois Criminal Code, 720 ILCS 5/16A-3, as amended, when the value of the merchandise taken exceeds three hundred dollars (\$300.00).
- (G) Any motor vehicle that is used in the commission of, or attempt to commit, theft in violation of Article 16 (theft and related offenses) and Article 16(A) (retail theft) of the Illinois Criminal Code, 720 ILCS 5/16-1, *et seq.*, and 5/16A-1, *et seq.*, respectively, as amended.
- ~~(EH)~~ Any motor vehicle that is used in the commission of, or attempt to commit, the following offenses set forth in Article 18 of the Illinois Criminal Code, 720 ILCS 5/18, *et seq.*, as amended: (i) robbery (5/18-1); and (ii) armed robbery in violation of the Illinois Criminal Code, 720 ILCS (5/18-2), as amended.

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- (F) Any motor vehicle that is used in the commission of, or attempt to commit, the following offenses set forth in Article 19 of the Illinois Criminal Code, 720 ILCS 5/19, *et seq.*, as amended: (i) burglary (5/19-1); and (ii) possession of burglary tools (19-2); and (iii) residential burglary (5/19-3).
- (G) Any motor vehicle used in the commission, or attempt to commit, the following offenses as set forth in Article 20 of the Illinois Criminal Code, 720 ILCS 5/20, *et seq.*, of arson as defined in the Illinois Criminal Code, 720 ILCS 5/20-1, as amended, ~~:(i) arson aggravated arson, as defined in 720 ILCS 5/(20-1); and (ii)-1, as amended, and in connection with the unlawful possession and transportation of explosives or explosive or incendiary devices in violation of 720 ILCS 5/(20-2), as amended.~~
- ~~(H) Any motor vehicle used in the commission of the following offenses set forth in Article 21 of the Illinois Criminal Code, 720 ILCS 5/21, *et seq.*, as amended: (i) criminal damage to property (5/21-1); (ii) criminal damage of fire fighting apparatus, hydrants or equipment (5/21-1.1); (iii) institutional vandalism (5/21-1.2); criminal defacement of property (5/21-1.3); and criminal damage to government supported property (5/21-4).~~
- ~~(I) Any motor vehicle used in the unlawful use of weapons in violation of 720 ILCS 5-24, *et seq.*, as amended, ("Deadly Weapons") of the Illinois Criminal Code, or that contains a firearm or ammunition for which a Firearms Owner's Identification Card is required under the Illinois Owners Identification Card Act, 430 ILCS 65/0.01, *et seq.*, as amended.~~
- (K) Any motor vehicle that is used in the commission of, or attempt to commit, the following offenses set forth in Article 24 of the Illinois Criminal Code, 720 ILCS 5/24 *et seq.*, as amended: (i) unlawful use of weapons (24-1); (ii) aggravated discharge of a firearm (24-1.2); (iii) aggravated discharge of a machine gun or firearm equipped with a device designed or used for silencing the report of a firearm (24-1.2-5); (iv) reckless discharge of a firearm (24-1.5); and (v) unlawful possession of firearms and firearm ammunition (24-3.1).
- ~~(J) Any motor vehicle used in the commission of mob action as defined in the Illinois Criminal Code, 720 ILCS 5/25-1, as amended.~~

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- (L) Any motor vehicle that is used in the commission, or attempt to commit, gambling in violation of the Illinois Criminal Code, 720 ILCS 5/28-1, as amended.
- (M) Any motor vehicle that is used in the commission, or attempt to commit, possession of a deadly substance in violation of the Illinois Criminal Code, 720 ILCS 5/29D-15.2, as amended.
- (N) Any motor vehicle that is used in the commission of, or in attempt to commit, the following offenses set forth in the Cigarette Tax Act, 35 ILCS 130 et seq., as amended, if the motor vehicle contains more than 10 cartons of cigarettes: (i) destruction or use of forfeited property (130/21); (ii) counterfeiting or forging stamps (130/22); (iii) sale of packages with counterfeit stamps or stamps previously affixed (130/23); (iv) sale or possession of contraband cigarettes (130/24); and (v) acting as distributor without license (130/26).
- (O) Any motor vehicle that is used in the commission of, or attempt to commit, the following offenses set forth in the Cigarette Use Tax Act, 35 ILCS 135 et seq., as amended if the motor vehicle contains more than 10 cartons of cigarettes: (i) forging, altering, or counterfeiting stamps (135/28); (ii) sale of improper stamp (135/29); and (iii) sale or possession of unstamped packages of cigarettes, other than by a licensed distributor or transporter (135/30).
- (P) Any motor vehicle that is used in the commission of, or attempt to commit, disposal of hazardous waste in violation of the Environmental Protection Act, 415 ILCS 5/44, as amended.
- (Q) Any motor vehicle that is operated by a person driving under the influence of alcohol or other drug or drugs, intoxicating compound or compounds or any combination thereof under Section 11-501 of the Illinois Vehicle Code, 625 ILCS 5/11-501, as amended, during a period in which his/her driving privileges are revoked or suspended where the revocation or suspension was driving under the influence of alcohol or other drug or drugs, intoxicating compound or compounds or any combination thereof; Section 11-501.1 of the Illinois Vehicle Code, 625 ILCS 5/11-501.1, as amended (statutory summary suspension or revocation of driver's license for driving under the influence); Section 11-401(b) of the Illinois Vehicle Code, 625 ILCS 5/11-401(b), as amended (failing to stop when involved in an accident resulting

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in personal injury or death); and reckless homicide as defined in Section 9-3 of the Illinois Criminal Code, 720 ILCS 5/9-3, as amended.

- (R) Any motor vehicle that is operated by a person driving under the influence of alcohol or other drug or drugs, intoxicating compound or compounds or any combination thereof and has been previously convicted of reckless homicide or a similar provision of a law of another state relating to reckless homicide in which the person was determined to have been under the influence of alcohol, other drug or drugs, or intoxicating compound or compounds as an element of the offense or the person has previously been convicted of committing a violation of driving under the influence of alcohol or other drug or drugs, intoxicating compound or compounds or any combination thereof and was involved in a motor vehicle accident that resulted in death, great bodily harm or permanent disability or disfigurement to another when the violation was a proximate cause of the death or injuries.
- (KS) Any motor vehicle otherwise subject to seizure and impoundment pursuant to 720 ILCS 5/36-1, as amended.
- (~~LT~~) Any motor vehicle ~~that contains any cannabis or controlled substance of more than thirty (30) grams or more, as defined in~~ that is operated or used in the commission of, or in the attempt to commit, an offense in violation of the Illinois Cannabis Control Act, 720 ILCS 550/1, et seq., as amended, and the Illinois Controlled Substances Act, 720 ILCS 570/100, et seq., as amended, including, but not limited to, or that is used in the solicitation, possession, attempt to solicit or possess, delivery, trafficking, purchase, attempt to purchase, sale or attempt to sell such cannabis or controlled substances in violation of said Acts.
- (~~M~~) ~~Any motor vehicle used in the sale or delivery of drug paraphernalia or the unlawful possession of drug paraphernalia in violation of the Drug Paraphernalia Control Act, 720 ILCS 600/1, et seq., as amended.~~
- (~~NU~~) Any motor vehicle which is operated by a person ~~who does not own a valid Illinois~~ with an expired driver's license or permit or a restricted driver's permit in violation of 625 ILCS 5/6-101(~~a~~), as amended, of the Illinois Vehicle Code; except said violation does not include instances where a driver's license was validly issued to the vehicle operator but has expired for a period of less than one (1) year or less.



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- (V) Any motor vehicle which is operated by a person who was never issued a driver's license, permit or restricted driving permit in violation of 625 ILCS 5/6-101 of the Illinois Vehicle Code, as amended, or operating a motor vehicle without ever having been issued a driver's license, permit or restricted driving permit due to a person's age.
- (OW) Any motor vehicle which is operated by a person driving while his/her driver's license, permit or privilege to operate a motor vehicle is suspended or revoked in violation of 625 ILCS 5/6-303, as amended, of the Illinois Vehicle Code; except a ~~person whose driver's license, permit or privilege to operate a~~ that a motor vehicle shall not be subjected to seizure or impoundment if the suspension is for an unpaid citation (parking or moving) or due to failure to comply with emission testing is suspended only for a violation of 625 ILCS 5/13, et seq., as amended, "The Emissions Inspection Law," or suspended for vehicle registration. For purposes of this subsection, the terms "revoked" or "suspended" when used in context of driving privileges or driver's licenses, shall have the same meaning as contained on the Illinois Vehicle Code, 625 ILCS 5/6-100, et seq., as amended.
- (RX) Any motor vehicle which is operated by a person which is not covered by a liability insurance policy Any person who is in violation of 7-601 of the Illinois Vehicle Code, 625 ILCS 5/7-601, as amended. shall have his/her motor vehicle immediately impounded.
- (PY) Any motor vehicle which is operated by a person when such vehicle is used by the person in fleeing or attempting to elude a law enforcement officer or in aggravated fleeing or attempting to elude a law enforcement officer in violation of 625 ILCS 5/11-204.1 and 204.1, respectively, as amended, of the Illinois Vehicle Code.
- (QZ) Any motor vehicle which is operated by a person who is under the influence of alcohol, other drug or drugs, intoxicating compound or compounds, or any combination thereof, in violation of 625 ILCS 5/11-501(a), as amended, of the Illinois Vehicle Code.

~~1. The maximum amount of time allowed for the impoundment of such vehicle under this subsection is 12 hours after the time of arrest of the driver of the vehicle~~

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~~pursuant to section 4-203(e) of the Illinois Vehicle Code, 625 ILCS 5/4-203(e), as amended.~~

- (~~RAA~~) Any motor vehicle which is operated by a person driving against whom a warrant has been issued by the a ~~C~~ircuit ~~C~~court in Illinois for failing to answer charges that the driver violated subsection ~~9-8-2(O) or 9-8-2(Q)~~ above Section 6-101 (driving without license, permit or restricted driving permit), Section 6-303 (driving while driver's license, permit or privilege to operate motor vehicle is revoked), or 11-501 (driving while under the influence of alcohol, other drug or drugs, intoxicating compound or compounds or any combination thereof) of the Illinois Vehicle Code, 625 ILCS 5/6-101, 5/6-303 or 5/11-501, respectively, as amended.
- (~~S~~-BB) Any motor vehicle which is operated by a person who commits reckless driving as defined in 625 ILCS 5/11-503, as amended, of the Illinois Vehicle Code.
- (~~F~~CC) Any motor vehicle which is operated by a person who is engaging in street racing as defined in 625 ILCS 5/11-506, as amended, of the Illinois Vehicle Code.
- (~~U~~DD) Any motor vehicle which is operated by a person when such vehicle's registration is cancelled, suspended or revoked in violation of 625 ILCS 5/3-702, as amended, of the Illinois Vehicle Code, unless the registration of the motor vehicle has been suspended for noninsurance or the registration of the motor vehicle has been suspended for failure to purchase a vehicle tax sticker.
1. Any motor vehicle which is operated by a person when such vehicle's registration is suspended for noninsurance is subject to seizure and impoundment where a person has been convicted of a second or subsequent violation of 625 ILCS 5/3-708, as amended, of the Illinois Vehicle Code (operation of a motor vehicle when the registration is suspended for noninsurance).
- (~~V~~EE) Any motor vehicle which is operated by a person when such vehicle is being operated with a false, fraudulent, stolen or altered registration in violation of 625 ILCS 5/3-703, as amended, of the Illinois Vehicle Code.

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- (WFF) Any motor vehicle which is operated by a person when such vehicle's registration is suspended for noninsurance in violation of 625 ILCS 5/3-708, as amended, of the Illinois Vehicle Code, as provided in subsection (DD)1., above.
- (XGG) Any motor vehicle which is operated by a person who presents or displays a false insurance card to a law enforcement officer, court, or officer of the court in violation of 625 ILCS 5/3-710, as amended, of the Illinois Vehicle Code.
- ~~(Y) Any motor vehicle that has any alcoholic beverage which is not in its original container and/or has its seal broken in the passenger area of the vehicle in violation of 625 ILCS 5/11-502, as amended, of the Illinois Vehicle Code.~~

9-8-3: **EXCEPTIONS:** This Chapter shall not apply to:

- (A) ~~Driving a vehicle while a person whose driver's license, permit or privilege to operate a motor vehicle is suspended only for a violation of 625 ILCS 5/13, et seq., as amended, "The Emissions Inspection Law," or suspended for vehicle registration;~~
- (BA) A vehicle used in any of the violations set forth in Section 9-8-2 of this Chapter that was stolen at the time and the theft was reported to the appropriate law enforcement authorities within twenty-four (24) hours after the theft was discovered or reasonably should have been discovered and the owner provides verifiable proof that the vehicle was stolen at the time the vehicle was impounded; or
- (CB) ~~If the vehicle is operating as a common carrier and the violation occurs without the knowledge of the person in control of the vehicle; or~~ Any person who is the lessor of the vehicle pursuant to a written lease agreement; provided, that upon the request of the City received within 120 days after the violation occurred, the lessor provides within 60 days after receipt of such receipt, the name and address of the lessee. The driver's license number of the lessee may be subsequently individually requested by the City if needed for enforcement of this Chapter. The lessee shall be provided an opportunity for a hearing, as afforded the registered owner, as provided in Section 9-8-6 of this Chapter.
- ~~(D) With respect to subsections 9-8-2(I), (L) or (M) of this Chapter, the owner proves the item(s) found is not unlawful.~~

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9-8-4: ADMINISTRATIVE FEES: The registered owner of record of a properly impounded vehicle, or the agents(s) of said owner, shall be liable to the City for an administrative fee of \$500.00. Said administrative fee represents the administrative and processing costs associated with the investigation, arrest and detention of an offender, or the removal, impoundment, storage and release of the vehicle. The administrative fee is in addition to any towing and storage fees charged for the towing and storage of the impounded vehicle.

- (A) All administrative fees and towing and storage charges shall be imposed on the registered owner of the motor vehicle or the agents of that owner.
- (B) The fees shall be in addition to (i) any other penalties that may be assessed by a court of law for the underlying violations; and (ii) any towing or storage fees, or both, charged by the towing company.
- (C) The fees shall be collected by and paid to the City.
- (D) The towing or storage fees, or both, shall be collected by and paid to the person, firm, or entity that tows and stores the impounded vehicle. The towing and storage fees shall be those approved by the Chief of Police for all towers authorized to tow for the City of Darien Police Department.

~~9-8-4: GENERAL REGULATIONS:~~

- ~~(A) This Chapter is in addition to and shall not replace or otherwise abrogate any existing federal or state laws or City codes or ordinances pertaining to the seizure, towing and/or impoundment of motor vehicles.~~
- ~~(B) The owner of record of the motor vehicle shall be subject to the administrative penalty set forth in this Chapter in addition to any penalties that may be assessed by a court of law for any criminal charges in connection with said violation.~~
- ~~(C) The owner of record is responsible for paying fees for towing and storage of a vehicle towed and impounded pursuant to this Chapter, in addition to the \$500.00 administrative penalty imposed by Section 9-8-2 of this Chapter. The fees for towing~~

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~~and storage of a motor vehicle under this Chapter shall be those approved by the Chief of Police for all towers authorized to tow for the City of Darien Police Department.~~

**9-8-5: NOTICE OF IMPOUNDMENT AND PRELIMINARY HEARING:**

- (A) **Notice.** Whenever a police officer determines that a motor vehicle is subject to seizure and impoundment pursuant to this Chapter, the police officer shall provide for the towing of the vehicle to a facility authorized by the Chief of Police. Before or at the time the vehicle is towed, the police officer shall notify or make a reasonable attempt to notify any person identifying him/herself as the owner, lessee or any person identifying him/herself as the owner or lessee of the vehicle or any person who is found to be in control of the vehicle at the time of the alleged violation, and who is physically present at the scene, of the alleged violation, seizure and impoundment of the vehicle and the vehicle owner's or lessee's right to ~~request a preliminary vehicle impoundment~~ an administrative hearing to be conducted pursuant to this Chapter. If the owner is present at the scene, the police officer shall inform the owner that he/she has the right to make a written request for a preliminary vehicle impoundment hearing within forty-eight (48) hours of the seizure in accordance with Section 9-8-6 of this Chapter. If the owner or lessee of the vehicle is not present at the scene, the City shall send the owner or lessee written notice of the seizure and impoundment by certified mail, return receipt requested by personal service or first class mail, at the address listed on the owner's vehicle registration within twenty-four (24) hours of the impoundment, excluding Saturdays, Sundays and City holidays. Said notice shall inform the owner or lessee that he/she has the right to an administrative hearing ~~request a preliminary impoundment hearing~~ within forty-eight (48) hours of the owner's receipt of the notice in accordance with Section 9-8-6 of this Chapter .
- (B) **Impoundment Pending Hearing.** The City shall provide notice to the owner or lessee that said the motor vehicle shall be remain impounded pending the completion of the preliminary vehicle impoundment administrative hearing provided for in Section 9-8-6 of this Chapter, unless the owner or lessee of the vehicle or a lienholder posts with the City a cash bond equal to, or pays by money order or certified check, with the City of Darien Police Department the amount of the administrative fee of

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\$500.00 plus any accrued towing and storage charges and pays for all towing and storage charges.

~~9-8-6: **PRELIMINARY HEARING:** — If the owner of record of a motor vehicle seized and impounded pursuant to this Chapter desires to appeal the seizure, said owner must make a request for a preliminary vehicle impoundment hearing within forty eight (48) hours of the seizure, or within forty eight (48) hours of receipt of notice by the owner of the vehicle if the owner is not present at the time of the seizure. Said request shall be in writing and filed with the Chief of Police, or his duly authorized designee, who shall conduct such preliminary hearing within forty eight (48) hours after receipt of the request, excluding Saturdays, Sundays and City holidays. All interested persons shall be given a reasonable opportunity to be heard at the preliminary vehicle impoundment hearing. The formal rules of evidence shall not apply at the hearing and hearsay evidence will be admissible only if it is the type commonly relied upon by reasonably prudent persons in the conduct of their affairs. If, after the hearing, the Chief of Police, or his duly authorized designee, determines there is probable cause to believe the vehicle is subject to seizure and impoundment pursuant to this Chapter, the Chief of Police or his duly authorized designee, shall order the continued impoundment of the vehicle as provided in this Chapter, unless the owner of the vehicle posts with the City, a cash bond, or pays by money order or certified check, the amount of \$500.00 plus any applicable towing and storage fees. If the Chief of Police, or his duly authorized designee, determines there is no probable cause for the seizure and impoundment of the vehicle pursuant to this Chapter, the vehicle will be returned to the owner without penalty or other fees.~~

~~9-8-76: **ADMINISTRATIVE HEARING:**~~

~~(A) **Notice.** Unless the owner of the motor vehicle prevails at a preliminary vehicle impoundment hearing held pursuant to Section 9-8-6 of this Chapter, or the owner of record affirmatively waives his/her right to an administrative hearing, Within five (5) ten (10) days business days after a motor vehicle has been seized and impounded pursuant to this Chapter, the City shall notify the owner of record, lessee, and any lienholder of record by personal service or certified by first class mail, return receipt requested, to the interested party's address as registered with the Secretary of State, of the date, time and location of the scheduled hearing that will be conducted pursuant to this Section. The name and address of the person to whom a vehicle is registered~~

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as shown on the records of the state in which the vehicle is registered shall be conclusive evidence of the name and address of the owner of record of the vehicle, unless the owner of record has given the City actual written notice of a different name and/or address. The notice shall state the penalty and fees that may be imposed, and that a motor vehicle not released by cash bond or other form of payment acceptable to the City may be sold or disposed of by the City in accordance with applicable law.

- (B) **Hearing.** ~~The administrative hearing shall be scheduled, unless the owner prevailed at the preliminary vehicle impoundment hearing, affirmatively waives the administrative hearing, or the hearing is continued by order of the hearing officer, no later than thirty (30) forty-five (45) days after the motor vehicle is seized~~ date of the mailing of the notice of hearing. The hearing shall be conducted, and the case heard and decided, by a hearing officer appointed by the City as provided in Title 9, Chapter 7, "Administrative Hearing System," of the City Code. Formal or technical rules of evidence shall not apply. The hearings shall be recorded and the hearing officer shall be empowered to administer oaths and to secure by subpoena both the attendance and testimony of witnesses and the production of relevant books and papers. Persons appearing at the hearing may be represented by counsel at their expense. At the conclusion of the hearing, the hearing officer shall issue a written decision either sustaining or overruling the vehicle impoundment. If, after the hearing, the hearing officer determines ~~by a preponderance of the evidence~~ that the motor vehicle, operated with the permission, express or implied of the owner, was used in connection with a violation set forth in this Chapter, the hearing officer shall enter an order finding the owner of record civilly liable to the City for an administrative penalty in an amount not to exceed \$500.00 and requiring the vehicle to continue to be impounded until the owner pays the administrative penalty to the City plus any applicable towing and storage fees. If the owner fails to appear at the hearing, the hearing officer shall enter a default order in favor of the City, requiring the payment to the City of an administrative penalty in the amount of \$500.00. A copy of the default order shall be sent to the registered owner via certified mail, return receipt requested. If a cash bond or other acceptable form of payment has been posted, that amount shall be applied to the amount owed. If the hearing officer finds ~~by a preponderance of the evidence~~ that the vehicle was improperly seized and impounded pursuant to this Chapter, the hearing officer shall order the immediate return of the owner's vehicle along with any previously paid cash bond and any

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additional fees. All final decisions of the hearing officer shall be subject to review under the provisions of the Illinois Administrative Review Law (735 ILCS 5/3-101, et seq.).

- (C) **Driving While Intoxicated; Standard of Evidence.** A sworn report of a police officer prepared in conformity with Section 11-5-1.1 of the Illinois Vehicle Code, 625 ILCS 5/11-501.1, as amended, establishing that a person refused testing or has submitted to a test that discloses a blood alcohol concentration of 0.08 or more, or any amount of a drug, substance, or intoxicating compound in the person's breath, blood or urine resulting from the unlawful use or consumption of cannabis listed in the Cannabis Control Act, controlled substance listed in the Controlled Substances Act, or an intoxicating compound listed in the Use of Intoxicating Compounds Act, shall constitute prima facie evidence under this Chapter sufficient to establish a finding of the vehicle owner's liability under this Chapter. The presumption may be rebutted by clear and convincing evidence.

**9-8-87:ADMINISTRATIVE PENALTY:**

- (A) **Liability for Administrative Penalty and Costs.** If an administrative penalty is imposed pursuant to this Chapter, such penalty shall constitute a debt due and owing the City. If a cash bond or other form of monetary payment acceptable to the City has been posted pursuant to this Chapter, such amount shall be applied to the total penalty assessed at the hearing. ~~If a motor vehicle has been impounded when such an administrative penalty has been imposed, the City may seek to obtain a judgment on the debt and enforce such judgment against the vehicle as provided by law~~ Unless stayed by a court of competent jurisdiction, any fine, penalty, or administrative fee imposed under this Chapter, which remains unpaid in whole or in part after the expiration of the deadline for seeking judicial review under the Administrative Review Law, may be enforced in the same manner as a judgment entered by a court of competent jurisdiction. Except as provided otherwise in this Chapter, a vehicle shall continue to be impounded until: (i) the administrative penalty is paid to the City and any applicable towing and storage fees are paid to the tower, in which case possession of the vehicle shall be given to the person who is legally entitled to possess the vehicle; or (ii) the vehicle is sold or otherwise disposed of to satisfy a judgment to enforce a lien as provided by law. If the administrative penalty and other applicable fees are not paid within thirty-five (35) days after ~~an administrative~~



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~~penalty is imposed against the owner of record who defaults by failing to appear at the hearing, the vehicle shall be deemed unclaimed and shall be disposed of in the manner provided by law for the disposition of unclaimed vehicles. In all other cases, if the administrative penalty and other applicable fees are not paid within thirty (30) days after the expiration of time in which administrative review of the hearing officer's determination may be sought, or within thirty days (30) after an action seeking administrative review has been resolved in favor of the City, whichever is applicable~~ the hearing officer issues a written decision, the vehicle shall be deemed unclaimed and shall be disposed of in the manner provided for the disposition of unclaimed vehicles under section 4-208 of the Illinois Vehicle Code, 625 ILCS 5/4-208, as amended; provided, however, where proceedings have been instituted under state or federal drug asset forfeiture laws, the vehicle may not be disposed of by the City except in a manner consistent with the disposition of vehicles that is provided for in those proceedings.

- (B) **Vehicle Possession.** Except as otherwise specifically provided by law, no owner, lienholder, or other person shall be legally entitled to take possession of a vehicle impounded under this Chapter until the administrative penalty and other applicable fees under this Chapter have been paid in full. However, whenever a person with a lien of record against an impounded vehicle has commenced foreclosure proceedings, possession of the vehicle shall be given to that person if he/she agrees in writing to refund the City the amount of the net proceeds of any foreclosure sale, less any amounts required to pay all lienholders of record, not to exceed the administrative penalty plus applicable fees.

**SECTION 2:** This ordinance and each of its terms shall be the effective legislative act of a home rule municipality without regard to whether such ordinance should (a) contain terms contrary to the provisions of current or subsequent non-preemptive state law, or (b) legislate in a manner or regarding a matter not delegated to municipalities by state law. It is the intent of the corporate authorities of the City of Darien that to the extent that the terms of this ordinance should be

**AGENDA MEMO**  
**CITY COUNCIL**  
**April 16, 2012**

**ISSUE STATEMENT**

The City Council is requested to approve the purchase and installation of a Bi-Directional STARCOM Amplifier (BDA) for the police facility.

**RESOLUTION**      **BACKUP**

**BACKGROUND/HISTORY**

The FYE12 Budget includes the purchase/installation of a BDA system for the police facility. Because of the dense construction of the Police Facility – the STARCOM radios would not work in the lower level or some areas of the upper level of the building. The BDA will allow officers to receive and transmit on the STARCOM system anywhere in the building. The budget line item 01-40-4815 includes \$8350 for this project. The low quote was **\$6,943.28**. Quotes are as follows:

<b>Company</b>	<b>Price Quote</b>
Communications Direct, Inc.	\$ 6,943.28
Chicago Communications	\$ 8723.00
A Beep	\$17,124.00
United Radio Communications, Inc.	\$17,340.00
Miner Electronics	\$23,684.48

Staff made an error and authorized this project prior to formal council approval. Staff has internally reviewed the purchasing authority to ensure purchases over \$5,000 receive prior council approval.

The Police Committee unanimously approved this expenditure at their April 2, 2011 meeting.

**STAFF/COMMITTEE RECOMMENDATION**

The Staff recommends approval of the expenditure to Communications Direct Inc for \$6,943.28.

**ALTERNATE CONSIDERATION**

N/A

**DECISION MODE**

This item will be placed on the April 16, 2012, City Council Agenda for formal Council approval.

**A RESOLUTION APPROVING THE PAYMENT TO COMMUNICATIONS DIRECT, INC. IN AN AMOUNT NOT TO EXCEED \$6,943.28 FOR THE PURCHASE & INSTALLATION OF A BI-DIRECTIONAL STARCOM AMPLIFIER (BDA) FOR THE POLICE FACILITY**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DARIEN, DU PAGE COUNTY, ILLINOIS**, as follows:

**SECTION 1:** The City Council of the City of Darien hereby approves the payment to Communications Direct, Inc. in the amount not to exceed \$6,943.28 for the purchase and installation of a Bi-Directional STARCOM Amplifier (BDA) for the police facility.

**SECTION 2:** This Resolution shall be in full force and effect from and after its passage and approval as provided by law.

**PASSED BY THE CITY COUNCIL OF THE CITY OF DARIEN, DU PAGE COUNTY, ILLINOIS**, this 16<sup>th</sup> day of April, 2012.

AYES: \_\_\_\_\_

NAYS: \_\_\_\_\_

ABSENT: \_\_\_\_\_

**PASSED BY THE CITY COUNCIL OF THE CITY OF DARIEN, DU PAGE COUNTY, ILLINOIS**, this 16<sup>th</sup> day of April, 2012.

\_\_\_\_\_  
KATHLEEN MOESLE WEAVER, MAYOR

ATTEST:

\_\_\_\_\_  
JOANNE E. RAGONA, CITY CLERK

APPROVED AS TO FORM:

\_\_\_\_\_  
CITY ATTORNEY

**Please Return This Portion With Your Payment**

*Please put your customer number and invoice number on your check for prompt processing*

**Invoice Number**

IN113200

**Customer Number**

12109

**Invoice Date**

3/9/2012

\$6,943.28



**Send Payment To:** Communications Direct Inc.  
735 Hunter Drive - Unit F  
Batavia, IL 60510

**Invoice Total**

**Amount Paid**

**Billed To:** ACCOUNTS PAYABLE  
DARIEN POLICE DEPARTMENT  
1710 PLAINFIELD RD  
DARIEN, IL 60561

**Billed To:**  
ACCOUNTS PAYABLE  
DARIEN POLICE DEPARTMENT  
1710 PLAINFIELD RD  
DARIEN, IL 60561

**Shipped To:**  
JOHN COOPER  
DARIEN POLICE DEPARTMENT  
1710 PLAINFIELD RD  
DARIEN, IL 60561

# Invoice

Date: 3/9/2012  
Invoice #: IN113200

Sales Person	P.O. Number	Ship Via	Payment Terms	Due Date
Roger Folkerts	JOHN COOPER	INSTALL	NET 10	3/19/2012

Description	Quantity	Unit Price	Sales Total
BDA SYSTEM	1.00	\$5,528.28	\$5,528.28
Shipping	1.00	\$65.00	\$65.00
LABOR AND INSTALLATION	1.00	\$1,350.00	\$1,350.00
<b>Subtotal</b>			\$6,943.28
<b>Tax</b>			\$0.00
<b>Total</b>			\$6,943.28

For Questions Regarding This Invoice Please Call Roger Folkerts

*Thank You For Your Business!*



# QUOTE 1

Communications Direct, Inc.

735 Hunter Drive

Unit F

Batavia, IL 60510

(630)406-5404 Fax: (630)406-5405

## PRICE QUOTE

Date	Estimate No.
10/28/2011	1-KM50Z

Name / Address

Darien Police Department  
 1710 Plainfield Road  
 Darien, Illinois 60561  
 Attn: Deputy Chief Cooper

Terms	FOB	P.O.
Net 10	Prepay/Add	

ITEM	DESCRIPTION	QTY	COST	TOTAL
1	CSI 65 DB SMR700 BDA Amplifier	1	\$2,300.06	\$2,300.06
2	Cellmax In Building Antenna	5	\$36.00	\$180.00
3	Telewave 8DB Yagi Antenna	1	\$447.00	\$447.00
4	ICA12 1/2" Plenum Transmission Line	350	\$2.89	\$1,011.50
5	LDF4-50A 1/2" Foam Transmission Line	100	\$3.00	\$300.00
6	L4THM N' Male Connector	14	\$23.50	\$329.00
7	L4TNF N' Female Connector	2	\$23.50	\$47.00
8	Andrews #241088-1 Ground Kit	1	\$17.99	\$17.99
9	MLB D2 2 Port Splitter	1	\$68.33	\$68.33
10	MLB DN 4.8db Directional Coupler	1	\$118.34	\$118.34
11	MLB DN 8db Directional Coupler	2	\$118.34	\$236.68
12	L400-NMNM Cable Assembly	1	\$62.12	\$62.12
13	SAT-A42 NMNF Plenum Cable Assembly	6	\$32.22	\$193.32
14	SAT-A42 NMNM Plenum Cable Assembly	4	\$39.78	\$159.12
15	Consumables	1	\$58.00	\$58.00
16	Shipping	1	\$65.00	\$65.00
17	Installation and Optimization Charges	1	\$1,350.00	\$1,350.00
Thank you for using Communications Direct, inc.			<b>Total:</b>	\$6,943.46

John Cooper

QUOTE 2

**From:** Barry Wilk [bwilk911@comcast.net]  
**Sent:** Tuesday, November 01, 2011 7:00 AM  
**To:** John Cooper  
**Subject:** Starcom 21 BDA System - Darien PD 11-1-11

**United Radio Communications, Inc.**

9200 S. Oketo Ave.  
Bridgeview, IL 60455  
Tel: 708-430-5800

November 1, 2011

Deputy Chief John Cooper  
Darien Police  
1710 Plainfield Road  
Darien, IL 60561

John -

United Radio Communications, Inc. is pleased to provide the following proposal as requested and described below:

**Description**

**One (1) Starcom 21 Radio System Building Enhancement System to include:**

- Bi-Direction Amplifier, 700/800 MHz, 80 DB
- UPS, 2200VA, Dual Conversion
- Antenna, 700/800 Directional
- 1/2" Transmission Line w/Connectors
- 1/2" Transmission Line, Plenum w/Connectors
- Transmission Line Grounding
- Antenna Lighting Suppression
- Antenna Mount, Roof
- Splitters, 2 Port
- Antennas, Multi-band, Ceiling Mount
- RF Interconnect Cables
- Installation of above
- Set-up as required
- Testing as required

**Project Cost – \$ 17,340.00 (1)**

(1) Plus applicable Taxes, Shipping and Handling

**TERMS**

**50% with Order**

**30% upon Equipment Delivery**

**10% upon Completion of Installation**

**10% upon Acceptance**

**Valid for 30 days**

System is engineered to provide in excess of 95% in-building coverage with donor signal level of -70 dbm or better @ roof level.

QUOTE 3



August 23, 2011

Deputy Chief John Cooper  
Darien Police Department  
1710 Plainfield Rd.  
Darien, IL 60561

Dear Chief Cooper:

On behalf of Chicago Communications LLC, I am pleased to provide you with the pricing information you requested for adding in-building amplification for the 700 MHz frequency range in order to be able to fully communicate within your PD building when using the new 700/800 MHz Starcom county radio system. In addition, you will continue to be able use the current in-building amplifier system used for the Sprint/Nextel system, assuming it is currently providing the quality of service you require. Since the existing amplification system is not in our scope of work for this project, we have not verified its operating condition.

Our pricing for adding this amplifier is \$8,723.00. This pricing will remain valid until October 26, 2011.

The scope of this proposal is the addition of a 700 MHz SMR to the existing Nextel 800 SMR DAS currently installed in your building. This proposal includes the required 700 MHz repeater as well as the replacement of all in-building antennas, couplers, and splitters for 700 MHz compatibility. All existing in-building DAS cabling will be reused as installed and terminated. Both the existing roof penetration for our outdoor cable run, as well as, the current BDA electrical will be used for this upgrade.

Installation, engineering, and our project management are also included in our proposal pricing. Chief, if you have questions, both Dennis and I are available to provide you with the answers. Please do not hesitate to contact us.

Once again, Chief, thank you for this opportunity to work with you on this important project.

Sincerely,  
Chicago Communications LLC

Ray Hill  
Account Manager  
(630)993-4230

*Headquarters*  
200 Spangler Ave.  
Elmhurst, IL 60126  
Phone (630) 832-3311  
Fax (630) 832-7599

*Chicago Location*  
2100 S Peoria  
Chicago, IL 60608  
Phone (312) 829-2700  
Fax (312) 829-5157

QUOTE 4



452 N. CHICAGO ST. • JOLIET, IL 60432 • Fax (815) 740-1357 • (815) 740-1780 • www.abeep.com

Darien Police Department  
1710 Plainfield Rd.  
Darien, IL 60561  
Attn : Deputy Chief John Cooper

11/23/11



**PROPOSAL**  
To Supply Parts and Labor to Provide  
Coverage for STARCOM Radio System at Police Station with a  
New BDA System

1 - EMF 754-861 Bi-Directional Amplifier

1 - Antennas - Cabling - Connectors and Splitters Needed

1 - Labor to Install Above Parts Including Termination of Existing Remote and  
Speakers

\$10,125.00

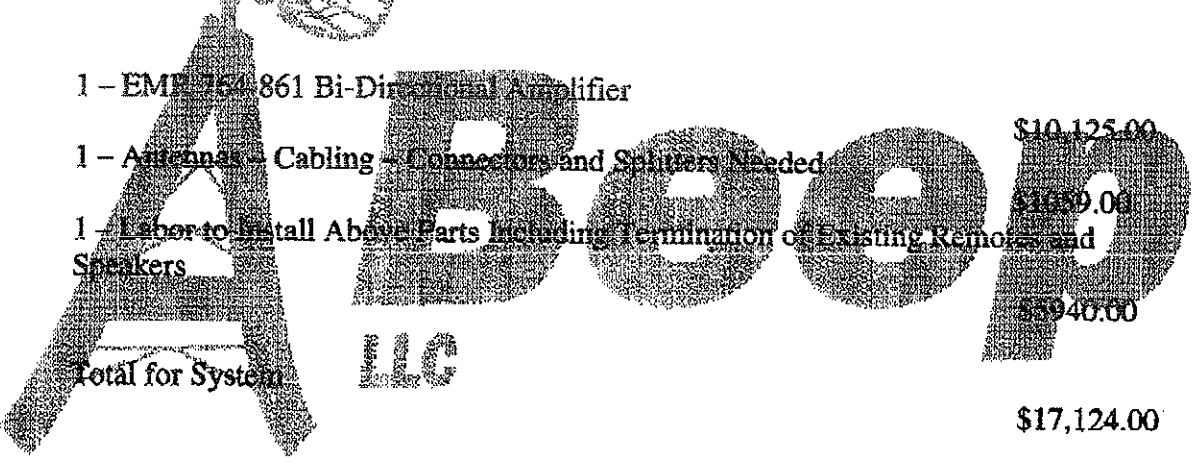
\$1659.00

\$5940.00

Total for System

LLC

\$17,124.00







# STARCOM BDA

## FY 2011/2012 EQUIPMENT REPLACEMENT INFORMATION

Department Police

Fund 01-40-4815

### Description of item to be replaced.

Requesting to add a 700 MHz signal booster to the police departments current BDA- bi-directional amplifier to help the STARCOM radio system operate out of the police building

### Status/Condition of item to be replaced.

Year purchased 2000

Original Cost Free from Nextel

Year item was/is scheduled for replacement- N/A

Additional information, including mileage/hours, condition, repair history, accident history. Include additional supporting material if needed. Dupage County and Darien Police are going to a new interoperable radio system called STARCOM in June 2011. This new radio system operates on 700 MHZ. Staff tested a STARCOM radio throughout the city. Unfortunately the only place found with a poor signal was the police station. The lower level was especially bad in booking. It is imperative that the officers can transmit and receive radio communications within the police station.

Description of replacement item, including upgrades and technological improvements. In 2000, Nextel provided the police department with a BDA at no cost to help the City cell phones work within the police building. Before the BDA, the reliability of the Nextel phones/radios was terrible. Part of the problem is the way the police department building is constructed with re-enforced concrete.

Staff had Chicago Communications out to look at the issue with the STARCOM radios. They devised a way to add a 700 MHz booster to the Nextel BDA. They will also need to change out the antennas. This is a savings over putting another amplifier into the building.

### Purchase information.

Estimated Cost \$8,323.00

Expected month of purchase May 2012

Account Name Capital

Account # 01-40-4815

Disposition of old equipment. N/A

**AGENDA MEMO**

**City Council**  
**April 16, 2012**

**ISSUE STATEMENT**

Motion to proceed with the ditch maintenance program including only the Poplar Lane and Bentley Avenue ditch projects.

**BACKGROUND/HISTORY**

Alderman Poterasko contacted staff and suggested that the city consider a reduced ditch maintenance program for Fiscal Year Ending 4-30-13. The suggestion was to complete only the proposed Poplar Lane and Bentley Avenue ditch projects. If the council authorized these two ditch projects then the proposed road maintenance program would proceed as planned, including Poplar Lane and Bentley Avenue.

The revised ditch maintenance plan would be as follows:

	Project	Original Proposed Cost	Revised Proposed Cost
1	Poplar Lane - Janet Avenue to Elm Street	\$146,500	\$146,500
2	Bentley Avenue – 71st Street to 72nd Street	\$73,800	\$73,800
3	Roger Road – Clarendon Hills Rd to Plainfield Rd	\$182,500	0
4	Eleanor Place – 69th Street to Holly Avenue	\$170,000	0
5	Brookbank Road – 69th Street to Holly Avenue	\$186,000	0
6	Mobilization	0	\$3,500
<b>TOTAL</b>		<b>\$758,000</b>	<b>\$223,800</b>

The original proposed project cost would be reduced by **\$535,000**. If the council did not authorize the two ditch projects then the road maintenance program would be reduced by removing Poplar Lane and Bentley Avenue. These streets would be removed from the proposed 2012 road maintenance program since the ditches would still need to be completed in the future. Fiala Paving, our low bidder on the road maintenance program, would honor their unit pricing for the road program even if Poplar Lane and Bentley Avenue were to be removed.

An outline for the council meeting action would be:

- Seek approval recommending staff to proceed with Poplar Lane and Bentley Avenue ditch projects.
- If the Poplar Lane and Bentley Avenue ditch projects are approved, we would seek approval of the entire proposed road program.
- If the Poplar Lane and Bentley Avenue ditch projects were not approved, we would seek approval of the modified road program that would exclude Poplar Lane and Bentley Avenue.

**STAFF RECOMMENDATION**

Administrative/Finance Committee and staff recommends approval to proceed with Poplar Lane and Bentley Avenue ditch projects.

**ALTERNATE CONSIDERATION**

As directed by the council.

**DECISION MODE**

This item will be placed on the April 16, 2012, agenda for formal consideration by the City Council.

## AGENDA MEMO

### City Council

April 16, 2012

#### ISSUE STATEMENT

Approval of a resolution authorizing the Mayor and City Clerk to execute a contract for the 2012 Neighborhood Drainage Program between the City of Darien and Scorpio Construction Corp for the layout and replacement of storm sewer pipes and structures, and grading in an amount not to exceed \$50,975.00.

#### RESOLUTION

#### BACKGROUND

The proposed FY 12-13 Budget includes funds for the following neighborhood drainage projects:

**Poplar Lane – Janet Avenue to Elm Street; and Bentley Avenue – 71<sup>st</sup> Street to 72<sup>nd</sup> Street;**. Residents adjacent to these projects have requested that the City address standing water in the ditches fronting their residences. The scope of work under the proposed contract would include the removal and replacement of culverts, removal and installation of inlets as required, ditch regrading, and bank stabilization and preparation for landscape restoration. All materials and outsourcing for landscaping, bituminous surface, concrete, testing, trucking and tipping and transfer fees were approved earlier this year under separate agenda memos.

Below is a narrative of the projects:

**Poplar Lane** from Janet Avenue to Elm Street. The existing conditions on Poplar Lane within the eastern and western right of way do not allow the conveyance of storm water from Janet Avenue to Elm Street ditches. The proposed project would include the removal and replacement of deteriorated culverts, installation of inlets as required, the enclosure of ditches as necessary, and approximately 1200 lineal feet of ditch regrading. The project goal is to allow storm water to flow at the optimal level. Poplar Lane is scheduled for a street resurfacing project this year under a separate contract.

**Bentley Avenue** between 71<sup>st</sup> Street and 72<sup>nd</sup> Street. The existing conditions within the eastern and western right of way do not allow the conveyance of storm water from 72<sup>nd</sup> Street to 71<sup>st</sup> Street ditches. The proposed project would include the removal and replacement of deteriorated culverts, removal and installation of inlets as required, the enclosure of ditches as necessary, and approximately 1200 lineal feet of ditch regrading. The project goal is to allow storm water to flow from 72<sup>nd</sup> Street to 71<sup>st</sup> Street. Bentley Avenue is scheduled for a street resurfacing project this year under a separate contract.

Staff had received five (5) sealed bids on January 20, 2012, see [Attachment A](#). The bid tabulation includes a base bid with alternatives. [Attachment B](#) summarizes the bid costs for the 2012 Neighborhood Drainage Program.

The proposed contract with Scorpio Construction Corp includes the following:

- A. Field Layout
- B. Removal and Placement of Deteriorated Pipes
- C. Removal and Placement of Inlets, Catch Basins and Grates
- D. Ditch Regrading

Scorpio Construction has provided services for the ditching program in 2008, 2010 and 2011 with very satisfactory results. Please see attached [pages 5-8](#), a Cost Summary as it relates to the projects. The vendor will be charging the City an additional \$3,500 for mobilization due to the proposed projects being alternates and not part of the base bid. ([See e-mail](#))

The proposed expenditure would be from the following account:

<b>ACCOUNT NUMBER</b>	<b>ACCOUNT DESCRIPTION</b>	<b>FY 12/13 BUDGET</b>	<b>PROPOSED EXPENDITURE TO SCORPIO</b>	<b>TOTAL PROJECT COST</b>	<b>PROPOSED BALANCE</b>
25-35-4376	DITCH PROJECTS	\$ 884,543.00	\$ 50,975.00	\$ 223,800.00	\$ 660,743.00

**COMMITTEE RECOMMENDATION**

The Municipal Services Committee recommends approval of the proposed contract with Scorpio Construction Corp for Projects - Poplar Lane and Bentley Avenue.

**ALTERNATE CONSIDERATION**

As directed by the City Council.

**DECISION MODE**

This item will be placed on the April 16, 2012 City Council agenda for formal approval.

**RESOLUTION NO.** \_\_\_\_\_

**A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A CONTRACT FOR THE 2012 DITCH MAINTENANCE PROJECT BETWEEN THE CITY OF DARIEN AND SCORPIO CONSTRUCTION IN AN AMOUNT NOT TO EXCEED \$50,975.00.**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DARIEN, DU PAGE COUNTY, ILLINOIS,** as follows:

**SECTION 1:** The City Council of the City of Darien hereby authorizes the Mayor and City Clerk to execute a Contract for the 2012 Ditch Maintenance Projects Poplar Lane and Bentley Avenue, between the City of Darien and Scorpio Construction, for the labor to remove and install various drainage structures consisting of metal and plastic pipe, storm sewer inlets/catch basins and ditch grading, attached hereto as [Exhibit A.](#)

**SECTION 3:** This Resolution shall be in full force and effect from and after its passage and approval as provided by law.

**PASSED BY THE CITY COUNCIL OF THE CITY OF DARIEN, DU PAGE COUNTY, ILLINOIS,** this 16<sup>th</sup> day of April 2012.

AYES: \_\_\_\_\_

NAYS: \_\_\_\_\_

ABSENT: \_\_\_\_\_

**APPROVED BY THE MAYOR OF THE CITY OF DARIEN, DU PAGE COUNTY, ILLINOIS,** this 16<sup>th</sup> day of April 2012.

\_\_\_\_\_  
KATHLEEN MOESLE WEAVER, MAYOR

ATTEST:

\_\_\_\_\_  
JOANNE E. RAGONA, CITY CLERK

APPROVED AS TO FORM:

\_\_\_\_\_  
CITY ATTORNEY

2012 ROADSIDE MAINTENANCE  
DITCHING SPECIFICATIONS  
FOR THE  
CITY OF DARIEN

SUBMITTED BY

Scorpio Construction  
NAME

103 Oswego Plains Dr. Oswego, IL. 60573  
STREET ADDRESS

1-20-12  
DATE

Bruno Rendine  
CONTACT PERSON

630-554-0397  
TELEPHONE NUMBER-FACSIMILE NUMBER

ScorpioConst@yahoo.com  
E-MAIL ADDRESS

CLEARLY MARK ENVELOPE "SEALED REQUEST FOR PROPOSALS-2012  
DITCH MAINTENANCE PROJECT"



PROPOSAL

**TO: CITY OF DARIEN**  
**PROJECT: 2012 ROADSIDE DITCH REGRADING**

**ACKNOWLEDGEMENTS:** The undersigned has received the Contract Documents entitled: "2012 Roadside Ditch Regrading" and the following addenda to these documents.

Addendum No. \_\_\_\_\_

Addendum No. \_\_\_\_\_

Addendum No. \_\_\_\_\_

Addendum No. \_\_\_\_\_

All provisions of the Contract Documents and the addenda have been included in the Proposal submitted by the undersigned. The undersigned has carefully examined all of the Contract Documents and the project site and submits the following Proposal:

1. Proposal of (Vendor's Name) SCORPIO CONSTRUCTION for the improvement of the above sections for the maintenance construction of the **2012 Various Roadside Ditch Project**.
2. The specifications referred to herein are those prepared by the Department of Transportation and designated as "Standard Specifications for Road and Bridge Construction" and the Supplemental Specifications: there to, adopted and in effect on the date of invitation for bids.
3. The undersigned agrees to accept, as part of the contract, the applicable instructions contained in this proposal.
4. The undersigned agrees to complete the Work by **July 30, 2012** unless additional time is granted in accordance with the specifications.
5. Each pay item shall have a unit price and a total price.

The unit price shall govern if no total price is shown or if there is a discrepancy between the products of the unit price multiplied by the quantity.

If a unit price is omitted, the total price will be divided by the quantity in order to establish a unit price.

A bid will be declared unacceptable if neither a unit price nor a total price is shown.

The undersigned firm certifies that it has not been convicted of bribery or attempting to bribe an officer or employee of the State of Illinois, nor has the firm made an omission of guilt such conduct which is a matter of record, nor has an official, agent or employee of the firm committed bribery or attempted bribery on behalf of the firm and pursuant to the direction or authorization of a responsible official of the firm. The undersigned firm further certifies that it is not barred from contracting with any unit of State or local government as a result of a violation of the State laws prohibiting bid-rigging or bid-rotating.

## Hourly Service Rate Sheet

DESCRIPTION	UNIT	COST
Lead Foreman	Hourly	95
Laborer	Hourly	90
Operator with Loader/Backhoe	Hourly	140
Operator with Grad All	Hourly	180
Placement of 6-12 inch stone (Rip-rap)	Square Yard	30

All Hourly Rates shall be guaranteed a four (4) minimal.

**Alternate 1- Drainage Project Poplar Lane**

The proposed **Project Poplar Lane** is related to the deficient storm water ditch conveyance between Janet Avenue and Elm Street. The existing conditions within the eastern and western right of ways do not allow the conveyance of storm water to flow from Janet Avenue to Elm Street. The proposed project only includes 1200 lineal feet of ditch line regrading. The project goal is to allow storm water to flow from the summits as determined to downstream basins or existing downstream ditches or creeks.

DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL COST
PIPE CULVERT REMOVAL	775	LINEAL FOOT	1	775
STRUCTURE REMOVAL	5	EACH	5	25
PIPE CULVERT INSTALLATION	1200	LINEAL FOOT	19	22,800
4-6-INCH CORRUGATED PERFORATED UNDER DRAIN	100	LINEAL FOOT	3	300
12 x 12 INLET BOXES	10	EACH	20	200
FLARED END SECTION-METAL	10	EACH	3	30
STORM SEWER STRUCTURE INSTALL	10	EACH	250	2,500
LAYOUT-JOB CONSULTATION	20	HOURLY	50	1,000
<b>DITCHING-GRADING COSTS</b>				
OPERATOR WITH GRAD-ALL OR RUBBER TRACK EXCAVATOR-LEAD FOREMAN-2-LABORERS	32	HOURLY	250	8,000
<b>TOTAL COST PROJECT POPLAR LANE</b>				<b>35,630</b>

**Alternate 1-Total Cost of Project Poplar Lane in words:**

THIRTY FIVE THOUSAND SIX HUNDRED THIRTY

**Alternate 2-Drainage Project Bentley Avenue 71<sup>st</sup> Street to 72nd Street**

The proposed **Project Bentley Avenue 71<sup>st</sup> Street to 72nd Street** is related to the deficient storm water ditch conveyance on Bentley Avenue, 71<sup>st</sup> Street to 72nd Street. The existing conditions on Bentley Avenue within the northern and southern right of way ditch do not allow the conveyance of storm water to flow downstream. The proposed project would include the removal and replacement of deteriorated culverts, installation of inlets as required, the enclosure of ditches as necessary, and approximately 1,200 lineal feet of ditch regrading. The project goal is to allow storm water to flow from the summits as determined to downstream basins or existing downstream ditches or creeks.

DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL COST
PIPE CULVERT REMOVAL	300	LINEAL FOOT	1	300
STRUCTURE REMOVAL	5	EACH	5	25
PIPE CULVERT INSTALLATION	500	LINEAL FOOT	8	4,000
4-6-INCH CORRUGATED PERFORATED UNDER DRAIN	100	LINEAL FOOT	3	300
12 x 12 INLET BOXES	10	EACH	5	50
FLARED END SECTION-METAL	10	EACH	3	30
STORM SEWER STRUCTURE INSTALL	5	EACH	100	500
LAYOUT-JOB CONSULTATION	8	HOURLY	80	640
<b>DITCHING-GRADING COSTS</b>				
OPERATOR WITH GRAD-ALL OR RUBBER TRACK EXCAVATOR-LEAD FOREMAN-2-LABORERS	24	HOURLY	250	6,000
<b>TOTAL COST PROJECT BENTLEY AVENUE 71<sup>st</sup> STREET TO 72<sup>ND</sup> STREET</b>				<b>11,845</b>

**Alternate 2-Total Cost of Project Bentley Avenue 71<sup>st</sup> Street to 72nd Street in words:**

ELEVEN THOUSAND EIGHT HUNDRED FORTY FIVE

	COST SUMMARY SCHEDULE	COST
Base Bid 1	<del>Drainage Project Roger Road-Plainfield Road to Clarendon Hills Road</del>	<del>54,265</del>
Base Bid 2	<del>Drainage Project Eleanor Place 69<sup>th</sup> Street to Holly Avenue</del>	<del>47,550</del>
Base Bid 3	<del>Drainage Project Brookbank Road-69<sup>th</sup> Street to Holly Avenue</del>	<del>60,330</del>
Alternate 1	Drainage Project Poplar Lane	35,630
Alternate 2	Drainage Project Bentley Avenue 71 <sup>st</sup> Street to 72nd Street	11,845
Alternate 3	<del>Drainage Project Sunrise Avenue</del>	<del>40,835</del>
Alternate 4	<del>Drainage Project Gail Avenue</del>	<del>49,435</del>
Alternate 5	<del>Drainage Project 68<sup>th</sup> Street High Road to Crest Road</del>	<del>59,585</del>
	TOTAL PROJECT COST-ITEMS BASE BID 1-3 AND ALTERNATIVE 1-5	<del>359,475</del>

\$47,475.00  
 Mobilization Charge \$ 3,500.00  
 \$50,975.00

City of Darien  
2012 Ditch Program Bid Results

**Attachment A**

PROJECT NO		Corrected				Submitted		S & K Excavating & Trucking, Inc.
		Scorpio Construction	Landmark Contractors	Riccio Construction	Century Contractors	Century Contractors	Century Contractors	
	<i>Base Bid</i>							
<b>1</b>	<i>Roger Road</i>	\$ 54,265.00	\$ 130,820.00	\$ 66,915.00	\$ 64,210.00	\$ 64,210.00	\$ 108,860.00	
<b>2</b>	<i>Eleanor Place</i>	\$ 47,550.00	\$ 141,702.50	\$ 76,100.00	\$ 71,275.00	\$ 71,275.00	\$ 118,780.00	
<b>3</b>	<i>Brookbank Road</i>	\$ 60,330.00	\$ 149,829.00	\$ 78,465.00	\$ 72,355.00	\$72,365.00	\$ 125,370.00	
	<i>Sub-Total Base Bid</i>	\$ 162,145.00	\$ 422,351.50	\$ 221,480.00	\$ 207,840.00	\$ 207,850.00	\$ 353,010.00	
	<i>Alternate Bid</i>							
<b>4</b>	Poplar Lane	\$ 35,630.00	\$ 91,002.50	\$ 47,305.00	\$ 41,155.00	\$ 41,155.00	\$ 75,332.00	
<b>5</b>	Bentley Avenue	\$ 11,845.00	\$ 49,960.00	\$ 25,430.00	\$ 22,390.00	\$ 22,390.00	\$ 39,754.00	
<b>6</b>	Sunrise Avenue	\$ 40,835.00	\$ 110,000.00	\$ 56,410.00	\$ 52,590.00	\$ 52,590.00	\$ 93,630.00	
<b>7</b>	Gail Avenue	\$ 49,435.00	\$ 134,335.00	\$ 68,270.00	\$ 63,900.00	\$ 63,900.00	\$ 113,094.00	
<b>8</b>	68th Street	\$ 59,585.00	\$ 151,870.00	\$ 79,110.00	\$ 67,390.00	\$67,400.00	\$ 126,130.00	
	<b>Sub-Total Alternate Bid</b>	\$ 197,330.00	\$ 537,167.50	\$ 276,525.00	\$ 247,425.00	\$ 247,435.00	\$ 447,940.00	
	<b>Grand Total Bid</b>	\$ 359,475.00	\$ 959,519.00	\$ 498,005.00	\$ 455,265.00	\$ 455,285.00	\$ 800,950.00	

**City of Darien  
2012 Ditch Program Proposed-Bid Results**

**Attachment B**

PROJECT NO	PROPOSED PROGRAM 2012	<i>Scorpio Construction</i>	Landmark Contractors	Riccio Construction	Corrected	Submitted	S & K Excavating & Trucking, Inc.
					Century Contractors	Century Contractors	
	<i>Base Bid</i>						
1	<i>Roger Road</i>	\$ 54,265.00	\$ 130,820.00	\$ 66,915.00	\$ 64,210.00	\$ 64,210.00	\$ 108,860.00
2	<i>Eleanor Place</i>	\$ 47,550.00	\$ 141,702.50	\$ 76,100.00	\$ 71,275.00	\$ 71,275.00	\$ 118,780.00
3	<i>Brookbank Road</i>	\$ 60,330.00	\$ 149,829.00	\$ 78,465.00	\$ 72,355.00	\$72,365.00	\$ 125,370.00
	<i>Sub-Total Base Bid</i>	\$ 162,145.00	\$ 422,351.50	\$ 221,480.00	\$ 207,840.00	\$ 207,850.00	\$ 353,010.00
	<i>Alternate Bid</i>						
4	<i>Poplar Lane</i>	\$ 35,630.00	\$ 91,002.50	\$ 47,305.00	\$ 41,155.00	\$ 41,155.00	\$ 75,332.00
5	<i>Bentley Avenue</i>	\$ 11,845.00	\$ 49,960.00	\$ 25,430.00	\$ 22,390.00	\$ 22,390.00	\$ 39,754.00
	<b>TOTALS</b>	\$ 209,620.00	\$ 563,314.00	\$ 294,215.00	\$ 271,385.00	\$ 271,395.00	\$ 468,096.00

**JOB LOCATION**

**Poplar Lane-Elm to Janet Proj S**

DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL COST	ACTUAL UNITS
12-INCH CULVERT METAL PIPE	300	LINEAL FT	\$ 7.80	\$ 2,340.00	-
15-INCH CULVERT METAL PIPE	0	LINEAL FT	\$ 9.80	\$ -	-
12-inch Sdr26 2241	400	LINEAL FT	\$ 16.00	\$ 6,400.00	-
16-inch Sdr26 2241	0	LINEAL FT	\$ 30.00	\$ -	-
18-INCH CULVERT METAL PIPE	0	LINEAL FT	\$ 12.00	\$ -	-
12-INCH HDPE	300	LINEAL FT	\$ 4.50	\$ 1,350.00	-
15-INCH HDPE	450	LINEAL FT	\$ 6.27	\$ 2,821.50	-
18-INCH HDPE	0	LINEAL FT	\$ 8.58	\$ -	-
12-INCH BAND	10	EACH	\$ 7.80	\$ 7.00	-
15-INCH BAND	0	EACH	\$ 9.80	\$ -	-
18-INCH BAND	0	EACH	\$ 12.00	\$ -	-
4-INCH HDPE PIPE WITH SOCK-PERFORATED	100	LINEAL FT	\$ 1.27	\$ 127.00	-
6-INCH HDPE PIPE WITH SOCK	0	LINEAL FT	\$ 1.99	\$ -	-
12x12 GARDEN INLETS	12	EACH	\$ 75.00	\$ 900.00	-
BEEHIVE GRATE NEENAH R-4340-B	10	EACH	\$ 129.00	\$ 1,290.00	-
2 X 24 INLET	5	EACH	\$ 65.00	\$ 325.00	-
2 X 30 INLET			\$ 69.00		-
2 X 36 INLET			\$ 80.00		-
2X36 CB OR INLET	5	EACH	\$ 88.00	\$ 440.00	-
4-FOOT MANHOLE WITH BOTTOM	1	EACH	\$ 1,250.00	\$ 1,250.00	-
36X32 MANHOLE W/FLOOR					-
48X6 FLATTOP					-
48X32 MANHOLE W/ FLOOR					-
48X6 FLATTOP					-
48X6 FLATTOP					-
48X24MANHOLE W/ FLOOR					-
12-18 INCH FLARED END SECTIONSWITH ANIMAL GRATES	10	EACH	\$ 75.00	\$ 750.00	-
CONCRETE DRIVEWAY	720	SQ FT	\$4.25	\$ 3,060.00	-
TOTAL LENGTH (FT)=	40		\$ -		-
WIDTH (FT)=	18				-
AREA (SF)=	720				-
CONCRETE SEALER	720		\$0.95	\$ 684.00	-
BITUMINOUS DRIVEWAYS	667	SQ YD	\$ 33.00	\$ 22,011.00	-
TOTAL LENGTH (FT)=	400				-
WIDTH (FT)=	15				-
AREA (SY)=	667				-
BITUMINOUS STREET CROSSING-SURFACE	111	SQ YD	\$ 42.00	\$ 4,662.00	-
TOTAL LENGTH (FT)=	100				-
WIDTH (FT)=	10				-
AREA (SY)=	111				-
BITUMINOUS PRODUCT	100	TON	\$ -	\$ -	-
PAVER BRICK	0	SQ FT	\$ 10.00	\$ -	-
TOTAL LENGTH (FT)=	0				-
WIDTH (FT)=	10				-
AREA (SF)=	0				-

5



TOP SOIL-MATERIAL	278	CUBIC YARD	\$ 12.75	\$ 3,544.50	-
TOTAL LENGTH (FT)=	2000				-
WIDTH (FT)=	15				-
AREA (CY)=	278				
TOP SOIL-INSTALLED	139	CUBIC YARD	\$ 22.50	\$ 3,127.50	-
TOTAL LENGTH (FT)=	2000				
WIDTH (FT)=	15				
AREA (CY)=	139				
SOD-INSTALLED	3333	SQUARE YARD	\$ 3.50	\$ 11,665.50	-
TOTAL LENGTH (FT)=	2000				-
WIDTH (FT)=	15				
AREA (SF)=	30000				
STONE GRADE 8	207	TON	\$ 9.90	\$ 2,049.30	-
TOTAL LENGTH (FT)=	600				
WIDTH (FT)=	3				
AREA (SY)=	200				
STONE GRADE CA-7	34.155	TON	\$ 14.15	\$ 483.29	-
TOTAL LENGTH (FT)=	150				
WIDTH (FT)=	2				
AREA (SY)=	33				-
ANALYTICAL TESTING	1	LUMP SUM	\$ 2,000.00	\$ 2,000.00	
DUMP FEES-EPA TEST CDCC	153	PER LOAD	\$ 55.00	\$ 8,415.00	
TOTAL LENGTH (FT)=	2300				-
WIDTH (FT)=	15				-
AREA (CY)=	1917				
DUMP FEES-SOD CONTAMINATED SPOILS	7	PER LOAD	\$ 100.00	\$ 700.00	-
TOTAL LENGTH (FT)=	1000				-
WIDTH (FT)=	15				-
AREA (CY)=	833				
TRUCKING	160	HOURLY	\$ 78.00	\$ 12,480.00	-
SUB-TOTAL COST				\$ 92,882.59	-
MISC-BRICK/ ADJ RINGS,MORTAR,MASTIC, WATER QUALITY STORM SEWER EPA REG	\$ 4,644.13	EACH	5% of Subtotal	\$ 4,644.13	-
SUB-TOTAL COST				\$ 97,526.72	
CONTRACT EXCAVATION-DITCH AREA	32.00	HOURLY	\$ 250.00	\$ 8,000.00	-
CONTRACT EXCAVATION PER FOOT-REMOVAL OF PIPE-OR DRIVEWAYS	775.00	LINEAL FOOT	\$ 1.00	\$ 775.00	-
CONTRACT EXCAVATION PER FOOT-INSTALLATION OF PIPE-OR DRIVEWAYS	1,200.00	LINEAL FOOT	\$ 19.00	\$ 22,800.00	-
CONTRACT STRUCTURE REMOVAL	5.00	EACH	\$ 5.00	\$ 25.00	-
4-6-INCH CORRUGATED PIPE	100.00	LINEAL FOOT	\$ 3.00	\$ 300.00	-
CONTRACT STRUCTURE INSTALL	10.00	EACH	\$ 250.00	\$ 2,500.00	-
INSTALL 12X12 INLET BOXES	10.00	EACH	\$ 20.00	\$ 200.00	-
FLARED END SECTIONS	10.00	EACH	\$ 3.00	\$ 30.00	-
LAYOUT	20.00	HOURLY	\$ 50.00	\$ 1,000.00	-
MOBILIZATION	1.00	LUMP SUM			
OUTSOURCE COST				\$ 35,630.00	
SUB TOTAL COST				\$ 133,156.72	
CONTINGENCY	1	LUMP SUM	10%	\$ 13,315.67	
TOTAL COST				\$ 146,472.39	
DIFFERENCE					
<b>TOTAL ESTIMATE-BUDGET</b>				<b>\$ 146,500.00</b>	

JOB LOCATION		Bentley Ave 71st to 72nd Proj			
DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL COST	ACTUAL UNITS
12-INCH CULVERT METAL PIPE	200	LINEAL FT	\$ 7.80	\$ 1,560.00	-
15-INCH CULVERT METAL PIPE	250	LINEAL FT	\$ 9.80	\$ 2,450.00	-
18-INCH CULVERT METAL PIPE	0	LINEAL FT	\$ 12.00	\$ -	-
12-INCH SDR 26	0	LINEAL FT	\$ 16.00		-
16-INCH SDR 26	0	LINEAL FT	\$ 30.00		-
12-INCH HDPE	100	LINEAL FT	\$ 4.50	\$ 450.00	-
15-INCH HDPE	0	LINEAL FT	\$ 6.27	\$ -	-
18-INCH HDPE	0	LINEAL FT	\$ 8.58	\$ -	-
12-INCH BAND	10	EACH	\$ 7.80	\$ 7.00	-
15-INCH BAND	0	EACH	\$ 9.80	\$ -	-
18-INCH BAND	0	EACH	\$ 12.00	\$ -	-
4-INCH HDPE PIPE WITH SOCK-PERFORATED	100	LINEAL FT	\$ 1.27	\$ 127.00	-
6-INCH HDPE PIPE WITH SOCK	0	LINEAL FT	\$ 1.99	\$ -	-
12x12 GARDEN INLETS	10	EACH	\$ 75.00	\$ 750.00	-
BEEHIVE GRATE NEENAH R-4340-B	10	EACH	\$ 129.00	\$ 1,290.00	-
2 X 24 INLET	5	EACH	\$ 65.00	\$ 325.00	-
2 X 30 INLET			\$ 69.00		-
2 X 36 INLET			\$ 80.00		-
2X36 CB OR INLET	1	EACH	\$ 88.00	\$ 88.00	-
4-FOOT MANHOLE WITH BOTTOM	4	EACH	\$ 1,250.00	\$ 5,000.00	-
36X32 MANHOLE W/FLOOR					-
48X6 FLATTOP					-
48X32 MANHOLE W/ FLOOR					-
48X6 FLATTOP					-
48X6 FLATTOP					-
48X24MANHOLE W/ FLOOR					-
12-18 INCH FLARED END SECTIONSWITH ANIMAL GRATES	20	EACH	\$ 75.00	\$ 1,500.00	-
CONCRETE DRIVEWAY	0	SQ FT	\$4.25	\$ -	-
TOTAL LENGTH (FT)=	0		\$ -		-
WIDTH (FT)=	0				-
AREA (SF)=	0				-
CONCRETE SEALER	0		\$0.95	\$ -	-
BITUMINOUS DRIVEWAYS	267	SQ YD	\$ 33.00	\$ 8,811.00	-
TOTAL LENGTH (FT)=	160				
WIDTH (FT)=	15				
AREA (SY)=	267				
BITUMINOUS STREET CROSSING-SURFACE	56	SQ YD	\$ 42.00	\$ 2,352.00	-
TOTAL LENGTH (FT)=	50				
WIDTH (FT)=	10				
AREA (SY)=	56				
BITUMINOUS PRODUCT	100	TON	\$ -	\$ -	-
PAVER BRICK	0	SQ FT	\$ 10.00	\$ -	-
TOTAL LENGTH (FT)=	0				
WIDTH (FT)=	10				
AREA (SF)=	0				

TOP SOIL-MATERIAL	139	CUBIC YARD	\$ 13.00	\$ 1,807.00	-
TOTAL LENGTH (FT)=	1000				-
WIDTH (FT)=	15				-
AREA (CY)=	139				
TOP SOIL-INSTALLED	69	CUBIC YARD	\$ 22.50	\$ 1,552.50	-
TOTAL LENGTH (FT)=	1000				
WIDTH (FT)=	15				
AREA (CY)=	69				
SOD-INSTALLED	1667	SQUARE YARD	\$ 3.50	\$ 5,834.50	-
TOTAL LENGTH (FT)=	1000				-
WIDTH (FT)=	15				
AREA (SF)=	15000				
STONE GRADE 8	172.845	TON	\$ 9.90	\$ 1,711.17	-
TOTAL LENGTH (FT)=	500				
WIDTH (FT)=	3				
AREA (SY)=	167				
STONE GRADE CA-7	57.96	TON	\$ 14.15	\$ 820.13	-
TOTAL LENGTH (FT)=	250				
WIDTH (FT)=	2				
AREA (SY)=	56				-
ANALYTICAL TESTING	1	LUMP SUM	\$ 2,000.00	\$ 2,000.00	
DUMP FEES	67	PER LOAD	\$ 55.00	\$ 3,685.00	
			\$ -		-
TOTAL LENGTH (FT)=	1000		\$ -		-
WIDTH (FT)=	15				-
AREA (CY)=	833				
DUMP FEES-SOD CONTAMINATED SPOILS	1	PER LOAD	\$ 100.00	\$ 100.00	-
TOTAL LENGTH (FT)=	200				-
WIDTH (FT)=	15				-
AREA (CY)=	167				
TRUCKING	69	HOURLY	\$ 78.00	\$ 5,382.00	-
SUB-TOTAL COST				\$ 47,602.30	-
MISC-BRICK/ ADJ RINGS,MORTAR,MASTIC, WATER QUALITY STORM SEWER EPA REG	\$ 4,760.23	EACH	10% of Subtotal	\$ 4,760.23	-
SUB-TOTAL COST				\$ 52,362.53	
CONTRACT EXCAVATION-DITCH AREA	24.00	HOURLY	\$ 250.00	\$ 6,000.00	-
CONTRACT EXCAVATION PER FOOT-REMOVAL OF PIPE-OR DRIVEWAYS	300.00	LINEAL FOOT	\$ 1.00	\$ 300.00	-
CONTRACT EXCAVATION PER FOOT-INSTALLATION OF PIPE-OR DRIVEWAYS	500.00	LINEAL FOOT	\$ 8.00	\$ 4,000.00	-
CONTRACT STRUCTURE REMOVAL	5.00	EACH	\$ 5.00	\$ 25.00	-
4-6-INCH CORRUGATED PIPE	100.00	LINEAL FOOT	\$ 3.00	\$ 300.00	-
CONTRACT STRUCTURE INSTALL	5.00	EACH	\$ 100.00	\$ 500.00	-
INSTALL 12X12 INLET BOXES	10.00	EACH	\$ 5.00	\$ 50.00	-
FLARED END SECTIONS	10.00	EACH	\$ 3.00	\$ 30.00	-
LAYOUT	8.00	HOURLY	\$ 80.00	\$ 640.00	-
OUTSOURCE COST				\$ 11,845.00	
SUB TOTAL COST				\$ 64,207.53	
CONTINGENCY	1	LUMP SUM	15%	\$ 9,631.13	
TOTAL COST				\$ 73,838.66	
DIFFERENCE					
<b>TOTAL ESTIMATE-BUDGET</b>				<b>\$ 73,800.00</b>	

## Ashley Prueter

---

**From:** Dan Gombac  
**Sent:** Tuesday, April 10, 2012 11:22 AM  
**To:** Ashley Prueter  
**Subject:** FW: 2012 Ditch Contract

*Daniel Gombac*  
*Director of Municipal Services*  
*630-353-8106*

---

**From:** Bruno Rendina [<mailto:scorpioconst@yahoo.com>]  
**Sent:** Tuesday, April 03, 2012 3:27 PM  
**To:** Dan Gombac  
**Subject:** Re: 2012 Ditch Contract

Of course, as long as our agreement still stands (1/9/2012) that I will add \$3,500.00 for mobilization if I'm only to do those two locations.

Bruno Rendina  
Scorpio Construction  
103 Oswego Plains Dr.  
Oswego, IL. 60543

630-554-0397 office  
630-554-6441 fax

**From:** Dan Gombac <[dgombac@darienil.gov](mailto:dgombac@darienil.gov)>  
**To:** "[scorpioconst@yahoo.com](mailto:scorpioconst@yahoo.com)" <[scorpioconst@yahoo.com](mailto:scorpioconst@yahoo.com)>  
**Cc:** Bryon Vana <[bvana@darienil.gov](mailto:bvana@darienil.gov)>  
**Sent:** Tuesday, April 3, 2012 11:51 AM  
**Subject:** RE: 2012 Ditch Contract

Bruno:

There may be reconsideration for the Poplar and Bentley projects. Would you hold your unit pricing with a tentative start date for May 1?

*Daniel Gombac*  
*Director of Municipal Services*  
*630-353-8106*

---

**From:** Dan Gombac  
**Sent:** Tuesday, April 03, 2012 8:23 AM  
**To:** '[scorpioconst@yahoo.com](mailto:scorpioconst@yahoo.com)'  
**Cc:** Ashley Prueter; Bryon Vana; Kathy Weaver; Joe Marchese; Dan Salvato; Kris Throm; David Fell; Schauer, Ted V; Halil Avci  
**Subject:** 2012 Ditch Contract

Good morning Bruno:

The City Council at their April 2, 2012 meeting did not approve funding for any of the proposed 2012 Ditch Projects. Thank you for your time and we look forward to working with you in the future.

Sincerely,

*Daniel Gombac*  
*Director of Municipal Services*  
*630-353-8106*

## Ashley Prueter

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**From:** Dan Gombac  
**Sent:** Monday, January 09, 2012 2:45 PM  
**To:** Bruno Rendina  
**Cc:** Bryon Vana; Ashley Prueter  
**Subject:** RE: Regarding-2011 Ditch Contract

Thank you and we will keep you posted.

*Daniel Gombac*  
*Director of Municipal Services*  
*630-353-8106*

---

**From:** Bruno Rendina [mailto:[scorpioconst@yahoo.com](mailto:scorpioconst@yahoo.com)]  
**Sent:** Monday, January 09, 2012 12:53 PM  
**To:** Dan Gombac  
**Subject:** Regarding-2011 Ditch Contract

Mr. Dan Gombac,  
I have received your letter pertaining to the 2011 Ditch Prodcuts. Scorpio Construction will hold unit prices from the 2011 Ditch Contract until April 1st, 2012 for Popular Lane and Bentley Ave. A \$3,500.00 mobilization will be added if only these two locations need to be done. If more locations are added the mobilization will be credited.

If you have any questions please give me a call.  
Thank you.

*Bruno Rendina*  
*Scorpio Construction*  
*103 Oswego Plains Dr.*  
*Oswego, IL 60543*  
*630-554-0397 office*  
*630-554-6441 fax*

**AGENDA MEMO****City Council****April 16, 2012****Issue Statement**

Approval of the 2012 Street Maintenance contract with James D. Fiala Paving Inc. in the amounts of \$1,253,108.49 for the base bid; and Option No 1-Resurfacing Public Works Facility \$174,849.30; and Option No 2-Darien Pathway Development \$23,557.10; and Option No 3-Capra Trail-Bailey Park Homeowners Association \$66,191.90; and Option No 4-Mark Delay School Parking Lot \$63,411.60 and Option No 5-Selective Base Repair 1,500 Square yards \$74,250.00 for a grand total cost of **\$1,655,368.39**.

**RESOLUTION****Background/History**

The City's 2012 Street Maintenance Program includes 4.9 miles. The program consists of the following roads:

<b>2012 ROAD RESURFACING PROGRAM</b>					
<b>STREET</b>	<b>SUBDIVISION</b>	<b>LIMIT</b>	<b>RATING</b>	<b>LAST REHAB</b>	<b>ROAD LENGTH</b>
Poplar Lane	Marion Hills South	Janet Avenue to Elm Street	53	1999	840
Maple Lane	Hinsbrook	Richmond Ave to Clarendon Hills Rd	61	1997	2840
Donegal Drive	Carriage Hill	Meyers Wood Park to Donegal Court	62	1995	1254
Stewart Drive	Bailey Park	Bailey Road to limit	63	1996	1400
Cramer Lane	Farmingdale Village	Brewer Road to Drover Lane	64	1998	480
Tamarack Drive	Hinsbrook	Richmond Avenue to Beechnut Lane	64	1999	2200
High Road	Marion Hills North	67 <sup>th</sup> Street to Plainfield Road	65	1998	2950
Arrow Lane	Farmingdale Terrace	Portsmouth Drive to limit	65	1992	600
Comstock Lane	Farmingdale Terrace West	Walnut Drive to Nantucket Drive	65	1995	900
Del Court	Farmingdale Terrace West	79 <sup>th</sup> Street to limit	65	1996	400
Bantry Court	Darien Club	Darien Club Drive to limit	65	1996	660
Clover Court	Darien Club	Darien Club Drive to limit	65	1995	350
Burgess Lane	Farmingdale Village	Drover Lane to limit	65	1998	390
Pine Court	Farmingdale South	Greenbriar Lane to limit	65	1998	600
High Road	Marion Hills South	Plainfield Road to Janet Avenue	66	1998	440
Bentley Avenue	Plainfield Highlands	71 <sup>st</sup> Street to 72 <sup>nd</sup> Street	66	1998	480
Hayenga Lane	Farmingdale Terrace West	Walnut Drive to Andermann Lane	66	1994	980
Allison Lane	Farmingdale Unit 5 – 9	Cass Avenue to limit	66	1989	335
Sandalwood Drive	Farmingdale Village	Beller Drive to Water Tower Lane	66	1987	600
Clare Court	Darien Club	Darien Club Drive to limit	67	1996	360
Irish Court	Darien Club	Darien Club Drive to limit	67	1995	350
Exner Court	Farmingdale Unit 5 – 9	Exner Road to limit	67	1994	160
Maple Lane CDS #1	Hinsbrook	Maple Lane to limit	67	1997	180
Andermann Lane	Farmingdale Terrace West	Hayenga Lane to Nantucket Drive	68	1994	660
Baker Court	Farmingdale Terrace West	Andermann Lane to limit	68	1996	640
Water Tower Lane	Farmingdale Village	Pearson Drive to Sandalwood Drive	68	1996	340
Maple Lane CDS#2	Hinsbrook	Maple Lane to limit	68	1997	180
Alden Lane	Farmingdale Village	Brewer Road to Burgess Lane	69	1998	760
Barrymore Drive	Bailey Park	Bailey Road to Capra Trail	69	1996	1500

2012 ROAD RESURFACING PROGRAM					
STREET	SUB DIVISION	LIMIT	RATING	LAST REHAB	ROAD LENGTH
Robert Road	Carriage Hill	Oldfield Road to Donegal Drive	69	1995	820
Sleepy Hollow Lane	Regency Grove	Adams Street to Cass Avenue	69	2000	1100
Shannon Court	Carriage Hill	Robert Road to limit	70	1995	325
	Totals	Ln Feet			25,974
		Miles			4.9
<b>OPTIONS</b>					
Public Works Parking Lot		1041 S. Frontage Road			
Darien Pathway	Darien Path	Cass Avenue to limit			
Capra Trail	Bailey Park	Barrymore Drive to limit			
Mark DeLay School South Parking Lot/Kelly Circle					

The bid tabulations included 5 additional options and are broken down as follows:

**Base Bid**-Includes the proposed schedule as listed above “2012 Road Resurfacing Program” **\$1,253,108.49**

**Option No 1-Resurfacing Public Works Facility \$174,849.30** - Included the removal and replacement of the bituminous surface of the Public Works Facility parking lot at 1041 South Frontage Road.



**Option No 2-Darien Pathway Development \$23,557.10** - This item includes selective base repair and resurfacing for Darien Pathway as part of the Public Improvements. The funding for the proposed improvement is secured from the letter of credit on file and called by the City Council on February 21, 2012.

**Option No 3-Capra Trail-Bailey Park Homeowners Association \$66,191.90 -See Attachment B** - This item includes the removal and replacement of a private roadway, Capra Trail located in the Bailey Park Subdivision. The scope of work includes removal of the existing bituminous roadway, aggregate base repair, and bituminous surface products. Funds for the project are required to be on file with the City by March 2, 2012.

**Option No 4-Mark DeLay School Parking Lot \$63,411.60 - See Attachment C** - This item includes selective removal and replacement of the Mark DeLay parking lot as per the attachment. The scope of work includes selective bituminous and aggregate base repair, and bituminous surface products. The proposed work is further covered through an Intergovernmental Agreement and under a separate agenda memo.

**Option No 5-Selective Base Repair 1,500 Square yards \$74,250.00 - See Attachment D** – This item includes selective roadways for 1,500 square yards of base repair on roads outside the scope of the scheduled 2012 roadway resurfacing program. The base repair was identified as a preventive maintenance program that would address identified sections of roadways that require sooner than later repairs. This maintenance item also preserves the roadways from more costly repairs in the future. The identified sections are considered base repair patches and are identified as sections of roadways that the existing asphalt is breaking apart and/or developing severe alligatoring, rutting and potholes. The identified deficiencies indicate that base is weakened and requires stabilization. The identified areas are excavated 6-inches and replaced with a bituminous product.

Sealed bids were opened on February 1, 2012. A summary of the three (3) bids received is attached as [Attachment A](#). James D. Fiala Paving provided the lowest competitive bid for the base bid and any addition of the options.

The proposed 2012 Road Program would be funded from the following FY 12-13 Budget:

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	FY 12-13 BUDGET	PROPOSED EXPENDITURE
25-35-4855	STREET RECONSTRUCTION/REHAB-2012 City Road Maintenance Program	\$ 1,253,108.49	\$ 1,253,108.49
25-35-4855	OPTION 1-Public Works Facility	\$ 174,849.30	\$ 174,849.30
25-35-4855	OPTION 5-Base Repair 1500 Square Yards	\$ 74,250.00	\$ 74,250.00
<b>TOTAL CITY PROGRAM EXPENDITURE</b>		\$ 1,502,207.79	\$ 1,502,207.79
25-35-4855	<b>REIMBURSEMENT</b> -Option No 2-Darien Pathway Development	LETTER OF CREDIT CALL (received)	\$ 23,557.10
25-35-4855	<b>REIMBURSEMENT</b> - Option No 3-Capra Trail-Bailey Park Homeowners Association	FUNDS ON FILE	\$ 66,191.90
25-35-4855	<b>REIMBURSEMENT</b> - Option No 4-Mark DeLay School Parking Lot/Kelly Circle	IGA ON FILE – to be invoiced upon completion	\$ 63,411.60
<b>TOTAL PROGRAM EXPENDITURE</b>		\$ 1,502,207.79	\$ 1,655,368.39

### Committee Recommendation

The Municipal Services Committee, Christopher B. Burke Engineering and staff recommend awarding the base bid and Options 1-5 to James D. Fiala Paving Inc. for the 2012 Road Maintenance Contract in the amount of \$1,655,368.39. James D. Fiala Paving Inc. was awarded the street maintenance contracts in 2005, 2007, 2008, 2009, 2010 and 2011 and has provided quality results for the program.

### Alternate Consideration

As directed by City Council.

**Decision Mode**

This item will be placed on the April 16, 2012 City Council agenda for formal approval.

**RESOLUTION NO.** \_\_\_\_\_

**A RESOLUTION TO ENTER INTO A CONTRACT AGREEMENT FOR THE 2012 STREET MAINTENANCE PROGRAM BETWEEN THE CITY OF DARIEN AND JAMES D. FIALA PAVING COMPANY INC IN AN AMOUNT NOT TO EXCEED \$1,655,368.39**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DARIEN, DU PAGE COUNTY, ILLINOIS**, as follows:

**SECTION 1:** The City Council of the City of Darien hereby authorizes the Mayor to execute a Contract Agreement for the 2012 Street Maintenance Program, including the Base Bid in the amount of \$1,253,108.49; and Option No. 1 resurfacing Public Works Facility \$174,849.30; and Option No. 2 Darien Pathway Development in the amount of \$23,557.10; and Option No. #Capra Trail-Bailey Park Homeowners Association in the amount of \$66,191.90; and Option No. 4 Mark Delay School in the amount of \$63,411.60; and Option No. 5 Selective Base Repair 1,500 square yards in the amount of \$74,250.00 for streets outside the 2012 Street Maintenance program between the City of Darien and James D. Fiala Paving Company Inc. in an amount not to exceed \$1,655,368.39, relating to a resurfacing program for various roadways and parking lots, a copy of which is attached hereto as "Exhibit A" and is by this reference expressly incorporated herein.

**SECTION 2:** This Resolution shall be in full force and effect from and after its passage and approval as provided by law.

**PASSED BY THE CITY COUNCIL OF THE CITY OF DARIEN, DU PAGE COUNTY, ILLINOIS**, this 16<sup>th</sup> day of April 2012.

AYES: \_\_\_\_\_

NAYS: \_\_\_\_\_

ABSENT: \_\_\_\_\_

**APPROVED BY THE MAYOR OF THE CITY OF DARIEN, DU PAGE COUNTY, ILLINOIS**, this 16<sup>th</sup> day of April 2012.

\_\_\_\_\_  
KATHLEEN MOESLE WEAVER, MAYOR

ATTEST:



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JOANNE E. RAGONA, CITY CLERK

APPROVED AS TO FORM:

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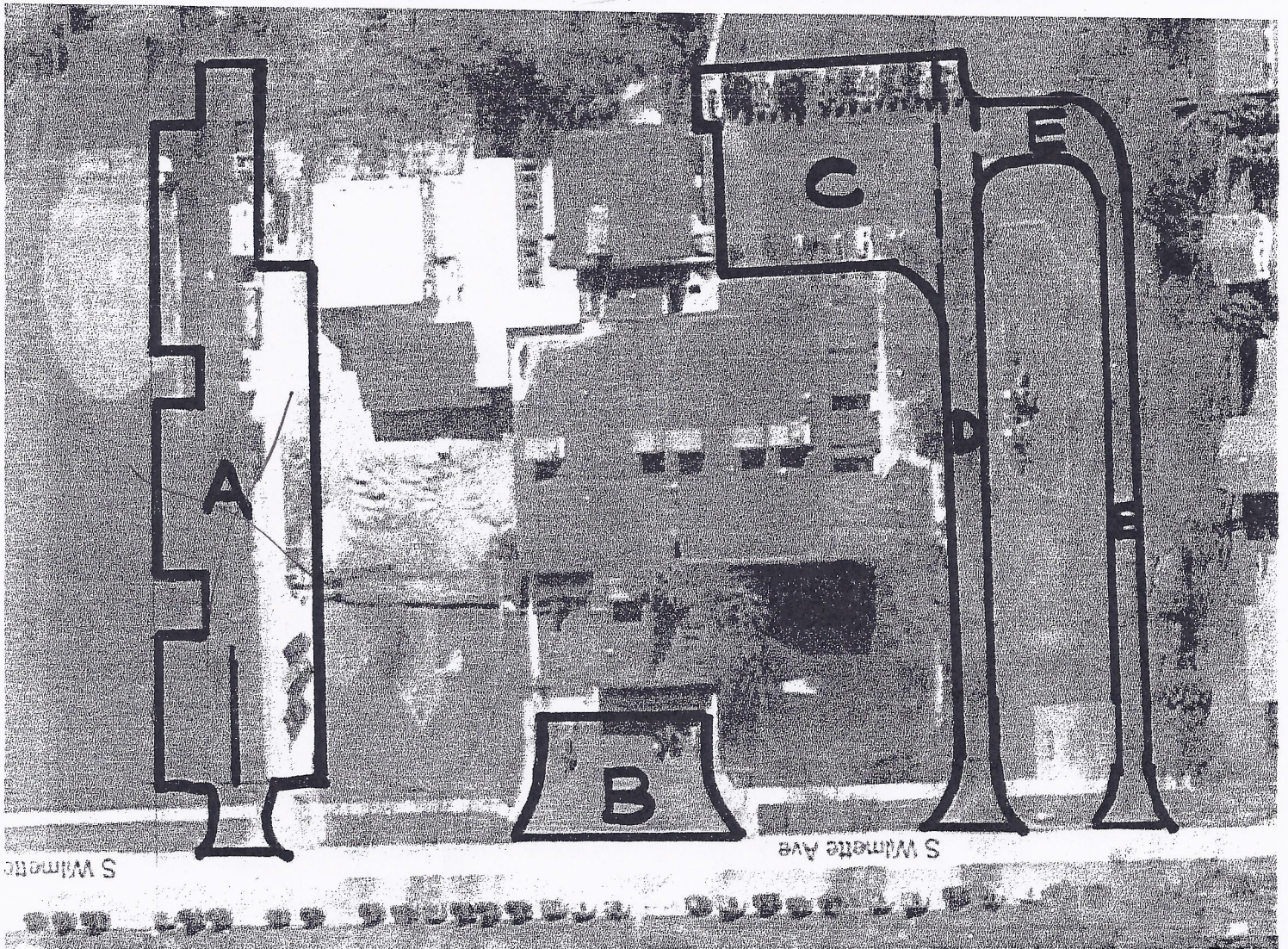
CITY ATTORNEY



A	MAIN ROAD	533	20	1184
B	8047-8051	133	20	296
		35	26	101
		36	23	92
C	8060-8066	96	20	213
		35	35	136
		35	35	136
D	8057-8059	37	28	115
E	8070	89	19	188
		35	26	101
F	PARKING	39	20	87
G	PARKING	28	23	72
H	8078	36	23	92
	TOTAL SY			2813

**INDIVIDUAL WORK SECTION**

WORK ITEM DESCRIPTION	QUANTITY ( SQ. FT. )	SECT. "A"	SECT. "B"	SECT. "C"	SECT. "D"	SECT. "E"
4" REMOVE & REPAVE	13,800					
4" REMOVE & REPAVE	3,150					
4" REMOVE & REPAVE	7,600					
4" REMOVE & REPAVE	6,000					
4" REMOVE & REPAVE	5,175					



## 2012 Road Patch List

2012 PATCHING ROADS	Limit	Last Rehab	1st Round Crackfill	2nd Round Crackfill	Patching SY
AYLESBURY LN	Wakefield to Cambridge	2001	2006	2009	50
EVERGREEN LN	Bailey to Frontage	2001	2006	2009	75
BLACK SWAN CT	Royal Swan to Limit	2001	2006	2009	25
ROYAL SWAN LN	Lake Ridge Dr to Limit	2001	2006	2009	25
CREEKSIDE LN	Kearney Rd to Limit	2001	2006	2009	100
WOODMERE DR	Lemont to Windsor	2001	2006	2009	25
CURRAN CT	Windsor to limit	2001	2006	2009	25
WHITLOCK DR	Hedgewood to Oxford	2001	2006	2009	25
OXFORD DR	Whitlock to limit	2001	2006	2009	25
CAMERON CT	Whitlock to limit	2001	2006	2009	25
HEDGEWOOD DR	Whitlock to Woodmere	2001	2006	2009	25
GIGI LN	75th to Fairview	2001	2006	2009	100
BENTLEY AV	69th to 71st	2001	2006	2009	50
ABBEY DR	Cambridge to Limit	2001	2006	2009	50
CLARENDON HILLS RD	67th to Plainfield	2001	2006	2009	25
HEATHER LN	Carriage Greens to Gleneyre	2002	2007	2010	95
79TH ST	Cass to Sawyer	2002	2007	2012	75
73RD	Summit to Whittier	2002	2010	N/C	50
SEQUOIA	Adams to Williams	2004	2009	2012	50
HAMILTON LN	Carlton to Danbury	2004	N/C	N/C	25
DANBURY DR	Green Valley to Hamilton	2004	N/C	N/C	50
CARLTON RD	Manning to Green Valley	2004	N/C	N/C	25
72RD	Richmond to Tennessee	2005	2011	N/C	50
71ST	Fairview to Washington	2005	2012	N/C	100
IRONWOOD	Beechnut to Seminole	2006	2009	2012	80
CARRIAGE GREEN DR	Frontage to Heather	1999	N/C	N/C	50
CAMBRIDGE RD	75th to Aylesbury	1998	N/C	N/C	50
MCADAMS RD	Holly to Willcox	1995	N/C	N/C	50
SOMERSET LN	Mayfair to Dorchester	1995	N/C	N/C	75
WILLMETTE AV	Frontage to Limit	1994	N/C	N/C	25
TOTAL SY					1500



**CHRISTOPHER B. BURKE** ENGINEERING, LTD.  
 9575 West Higgins Road Suite 600 Rosemont, Illinois 60018 TEL (847) 823-0500 FAX(847) 823-0520

February 1, 2012

City of Darien  
 City Hall  
 1702 Plainfield Rd  
 Darien, IL 60561

Attention: Dan Gombac

Subject: City of Darien  
 2012 Street Resurfacing Program  
 (CBBEL Project No. 11-0563)

Dear Dan:

On Wednesday February 1, 2012 at 9:30 a.m., bids were received at the City of Darien City Hall for the 2012 Street Resurfacing Program. There were three bids received for this project. Below is our engineer's estimate and bid result for each the Base Bid, Option 1, Option 2, Option3, Option 4 and Option 5.

Company Name	Base Bid	Option 1	Option 2	Option 3	Option 4	Option 5
Engineer's Estimate	\$1,310,544.70	\$174,988.75	\$18,863.00	\$65,631.00	\$56,200.40	\$60,000.00
Fiala Paving	\$1,253,108.49	\$174,849.30	\$23,557.10	\$66,191.90	\$63,411.60	\$74,250.00
Central Blacktop	\$1,369,231.82	\$183,042.07	\$21,731.52	\$64,420.53	\$64,066.53	\$67,500.00
K-Five Construction	\$1,385,963.93	\$168,701.00	\$24,352.70	\$63,039.90	\$65,408.60	\$97,125.00

Please note that Fiala Paving was the low bidder for the base bid and any addition of the five options to the base bid. Fiala Paving has completed previous years road programs in the City of Darien.

Enclosed for your review are the reviewed bid tabulations. If you have any other questions, please do not hesitate to contact me.

Sincerely,

Lee M. Fell, PE  
 Project Manager



STREET PROGRAM				GRIND 2"		GRIND 2"	
				LENGTH (FT)=	2950	LENGTH (FT)=	840
				WIDTH (FT)=	18	WIDTH (FT)=	19
				AREA (SY)=	5900	AREA (SY)=	1773
				High Road (67th St. to Plainfield Rd.)		Poplar Lane (Janet Ave to Elm St.)	
NUMBER	ITEM	UNIT	UNIT COST	QUANTITY	TOTAL COST	QUANTITY	TOTAL COST
001200	REMOVAL AND DISPOSAL OF UNSUITABLE MATERIAL	CY	\$ 20.00	0	\$ -	0	\$ -
000100	PREPARATION OF BASE	SQ YD	\$ 1.10	0	\$ -	0	\$ -
000200	AGGREGATE BASE REPAIR	TON	\$ 12.00	0	\$ -	0	\$ -
000100	BITUMINOUS MATERIALS (PRIME COAT)	GAL	\$ 2.50	310	\$ 775.00	93	\$ 233.25
000300	AGGREGATE (PRIME COAT)	TON	\$ 1.00	6	\$ 6.00	2	\$ 2.00
000625	LEVELING BINDER (MACHINE METHOD), N50	TON	\$ 62.00	279	\$ 17,298.00	76	\$ 4,732.00
003080	HOT-MIX ASPHALT BINDER COURSE, IL-19.0, N50	TON	\$ 59.00	0	\$ -	0	\$ -
003310	HOT MIX ASPHALT SURFACE COURSE, MIX C, N50	TON	\$ 62.00	559	\$ 34,658.00	153	\$ 9,486.00
000157	HOT-MIX ASPHALT SURFACE REMOVAL, 2"	SY	\$ 2.35	5900	\$ 13,865.00	1773	\$ 4,171.21
000165	HOT-MIX ASPHALT SURFACE REMOVAL, 4"	SY	\$ 3.90	0	\$ -	0	\$ -
000100	AREA REFLECTIVE CRACK CONTROL TREATMENT	SY	\$ 1.48	5900	\$ 8,732.00	1773	\$ 2,626.44
000100	DETECTOR LOOP, TYPE I	FOOT	\$ 13.00	150	\$ 1,950.00	0	\$ -
002258	STRUCTURES TO BE ADJUSTED	EACH	\$ 350.00	1	\$ 350.00	0	\$ -
006392	CLASS D PATCHES, 6" (SPECIAL)	SY	\$ 43.00	118	\$ 5,074.00	36	\$ 1,548.00
042002	POROUS GRANULAR EMBANKMENT, SUBGRADE	CY	\$ 20.00	0	\$ -	0	\$ -
*NA	HOT-MIX ASPHALT REMOVAL, SPECIAL (DARIEN PATHWAY)	SY	\$ 3.40	0	\$ -	0	\$ -
				TOTAL = \$	62,709.00	TOTAL = \$	22,477.65

				GRIND 2"		GRIND 2"	
				LENGTH (FT)=	900	LENGTH (FT)=	980
				WIDTH (FT)=	28	WIDTH (FT)=	28
				AREA (SY)=	2800	AREA (SY)=	3049
				Comstock Lane (Walnut Dr to Nantucket Dr)		Hayenga Lane (Walnut Dr to Andermann Ln)	
NUMBER	ITEM	UNIT	UNIT COST	QUANTITY	TOTAL COST	QUANTITY	TOTAL COST
001200	REMOVAL AND DISPOSAL OF UNSUITABLE MATERIAL	CY	\$ 20.00	0	\$ -	0	\$ -
000100	PREPARATION OF BASE	SQ YD	\$ 1.10	0	\$ -	0	\$ -
000200	AGGREGATE BASE REPAIR	TON	\$ 12.00	0	\$ -	0	\$ -
000100	BITUMINOUS MATERIALS (PRIME COAT)	GAL	\$ 2.50	147	\$ 367.50	160	\$ 400.00
000300	AGGREGATE (PRIME COAT)	TON	\$ 1.00	3	\$ 3.00	3	\$ 3.00
000625	LEVELING BINDER (MACHINE METHOD), N50	TON	\$ 62.00	121	\$ 7,502.00	131	\$ 8,122.00
003080	HOT-MIX ASPHALT BINDER COURSE, IL-19.0, N50	TON	\$ 59.00	0	\$ -	0	\$ -
003310	HOT MIX ASPHALT SURFACE COURSE, MIX C, N50	TON	\$ 62.00	242	\$ 15,004.00	263	\$ 16,306.00
000157	HOT-MIX ASPHALT SURFACE REMOVAL, 2"	SY	\$ 2.35	2800	\$ 6,580.00	3049	\$ 7,165.11
000165	HOT-MIX ASPHALT SURFACE REMOVAL, 4"	SY	\$ 3.90	0	\$ -	0	\$ -
000100	AREA REFLECTIVE CRACK CONTROL TREATMENT	SY	\$ 1.48	2800	\$ 4,144.00	3049	\$ 4,512.52
000100	DETECTOR LOOP, TYPE I	FOOT	\$ 13.00	0	\$ -	0	\$ -
002258	STRUCTURES TO BE ADJUSTED	EACH	\$ 350.00	0	\$ -	1	\$ 350.00
006392	CLASS D PATCHES, 6" (SPECIAL)	SY	\$ 43.00	56	\$ 2,408.00	153	\$ 6,579.00
042002	POROUS GRANULAR EMBANKMENT, SUBGRADE	CY	\$ 20.00	0	\$ -	0	\$ -
*NA	HOT-MIX ASPHALT REMOVAL, SPECIAL (DARIEN PATHWAY)	SY	\$ 3.40	0	\$ -	0	\$ -
				TOTAL = \$	36,008.50	TOTAL = \$	41,177.53

				GRIND 4"		GRIND 4"	
				LENGTH (FT)=	360	LENGTH (FT)=	660
				WIDTH (FT)=	33	WIDTH (FT)=	25
				AREA (SY)=	1320	AREA (SY)=	1833
				Clare Ct (Darien Club Dr to Limit)		Bantry Ct (Darien Club Dr to Limit)	
NUMBER	ITEM	UNIT	UNIT COST	QUANTITY	TOTAL COST	QUANTITY	TOTAL COST
001200	REMOVAL AND DISPOSAL OF UNSUITABLE MATERIAL	CY	\$ 20.00	88	\$ 1,760.00	122	\$ 2,440.00
000100	PREPARATION OF BASE	SQ YD	\$ 1.10	1320	\$ 1,452.00	1833	\$ 2,016.30
000200	AGGREGATE BASE REPAIR	TON	\$ 12.00	28	\$ 336.00	38	\$ 456.00
000100	BITUMINOUS MATERIALS (PRIME COAT)	GAL	\$ 2.50	69	\$ 172.50	96	\$ 240.00
000300	AGGREGATE (PRIME COAT)	TON	\$ 1.00	1	\$ 1.00	2	\$ 2.00
000625	LEVELING BINDER (MACHINE METHOD), N50	TON	\$ 62.00	0	\$ -	0	\$ -
003080	HOT-MIX ASPHALT BINDER COURSE, IL-19.0, N50	TON	\$ 59.00	209	\$ 12,331.00	290	\$ 17,110.00
003310	HOT MIX ASPHALT SURFACE COURSE, MIX C, N50	TON	\$ 62.00	114	\$ 7,068.00	158	\$ 9,796.00
000157	HOT-MIX ASPHALT SURFACE REMOVAL, 2"	SY	\$ 2.35	0	\$ -	0	\$ -
000165	HOT-MIX ASPHALT SURFACE REMOVAL, 4"	SY	\$ 3.90	1320	\$ 5,148.00	1833	\$ 7,190.70
000100	AREA REFLECTIVE CRACK CONTROL TREATMENT	SY	\$ 1.48	0	\$ -	0	\$ -
000100	DETECTOR LOOP, TYPE I	FOOT	\$ 13.00	0	\$ -	0	\$ -
002258	STRUCTURES TO BE ADJUSTED	EACH	\$ 350.00	0	\$ -	0	\$ -
006392	CLASS D PATCHES, 6" (SPECIAL)	SY	\$ 43.00	0	\$ -	0	\$ -
042002	POROUS GRANULAR EMBANKMENT, SUBGRADE	CY	\$ 20.00	88	\$ 1,760.00	122	\$ 2,440.00
*NA	HOT-MIX ASPHALT REMOVAL, SPECIAL (DARIEN PATHWAY)	SY	\$ 3.40	0	\$ -	0	\$ -
				TOTAL = \$	30,028.50	TOTAL = \$	41,177.53

				GRIND 2"		GRIND 2"	
				LENGTH (FT)=	160	LENGTH (FT)=	480
				WIDTH (FT)=	50	WIDTH (FT)=	25
				AREA (SY)=	889	AREA (SY)=	1333
				Exner Ct. (Exner Rd to Limit)		Cramer Lane (Brewer Rd to Drover Ln)	
NUMBER	ITEM	UNIT	UNIT COST	QUANTITY	TOTAL COST	QUANTITY	TOTAL COST
001200	REMOVAL AND DISPOSAL OF UNSUITABLE MATERIAL	CY	\$ 20.00	0	\$ -	0	\$ -
000100	PREPARATION OF BASE	SQ YD	\$ 1.10	0	\$ -	0	\$ -
000200	AGGREGATE BASE REPAIR	TON	\$ 12.00	0	\$ -	0	\$ -
000100	BITUMINOUS MATERIALS (PRIME COAT)	GAL	\$ 2.50	47	\$ 117.50	70	\$ 175.00
000300	AGGREGATE (PRIME COAT)	TON	\$ 1.00	1	\$ 1.00	1	\$ 1.00
000625	LEVELING BINDER (MACHINE METHOD), N50	TON	\$ 62.00	38	\$ 2,356.00	67	\$ 4,154.00
003080	HOT-MIX ASPHALT BINDER COURSE, IL-19.0, N50	TON	\$ 59.00	0	\$ -	0	\$ -
003310	HOT MIX ASPHALT SURFACE COURSE, MIX C, N50	TON	\$ 62.00	77	\$ 4,774.00	135	\$ 8,370.00
000157	HOT-MIX ASPHALT SURFACE REMOVAL, 2"	SY	\$ 2.35	889	\$ 2,089.15	1333	\$ 3,122.55
000165	HOT-MIX ASPHALT SURFACE REMOVAL, 4"	SY	\$ 3.90	0	\$ -	0	\$ -
000100	AREA REFLECTIVE CRACK CONTROL TREATMENT	SY	\$ 1.48	889	\$ 1,315.72	1333	\$ 1,976.44
000100	DETECTOR LOOP, TYPE I	FOOT	\$ 13.00	0	\$ -	0	\$ -
002258	STRUCTURES TO BE ADJUSTED	EACH	\$ 350.00	0	\$ -	0	\$ -
006392	CLASS D PATCHES, 6" (SPECIAL)	SY	\$ 43.00	18	\$ 774.00	67	\$ 2,881.00
042002	POROUS GRANULAR EMBANKMENT, SUBGRADE	CY	\$ 20.00	0	\$ -	0	\$ -
*NA	HOT-MIX ASPHALT REMOVAL, SPECIAL (DARIEN PATHWAY)	SY	\$ 3.40	0	\$ -	0	\$ -
				TOTAL = \$	11,427.37	TOTAL = \$	20,477.53

				GRIND 4"		GRIND 2" AND GRIND 4"		GRIND 2"		GRIND 2"		GRIND 2"	
				LENGTH (FT)= 600	WIDTH (FT)= 25	LENGTH (FT)= 1254	WIDTH (FT)= 30	LENGTH (FT)= 1400	WIDTH (FT)= 25	LENGTH (FT)= 1500	WIDTH (FT)= 25	LENGTH (FT)= 600	WIDTH (FT)= 29
				AREA (SY)= 1667	AREA (SY)= 4180	AREA (SY)= 3889	AREA (SY)= 4167	AREA (SY)= 1933					
				Sandalwood Dr. (Beller Dr to Water Tower Ln)		Donegal Dr. (Mayers Wood Pk to Donegal Ct)		Stewart Dr. (Bailey Rd to Limit)		Barymore Dr. (Bailey Rd to Capra Tr)		Pino Ct. (Greenbriar Ln to Limit)	
NUMBER	ITEM	UNIT	UNIT COST	QUANTITY	TOTAL COST	QUANTITY	TOTAL COST	QUANTITY	TOTAL COST	QUANTITY	TOTAL COST	QUANTITY	TOTAL COST
001200	REMOVAL AND DISPOSAL OF UNSUITABLE MATERIAL	CY	\$ 20.00	111	\$ 2,220.00	139	\$ 2,780.00	0	\$ -	0	\$ -	0	\$ -
000100	PREPARATION OF BASE	SQ YD	\$ 1.10	1667	\$ 1,833.70	2090	\$ 2,299.00	0	\$ -	0	\$ -	0	\$ -
000200	AGGREGATE BASE REPAIR	TON	\$ 12.00	35	\$ 420.00	43.5	\$ 522.00	0	\$ -	0	\$ -	0	\$ -
000100	BITUMINOUS MATERIALS (PRIME COAT)	GAL	\$ 2.50	88	\$ 220.00	219	\$ 547.50	204	\$ 510.00	219	\$ 547.50	101	\$ 252.50
000300	AGGREGATE (PRIME COAT)	TON	\$ 1.00	2	\$ 2.00	4	\$ 4.00	4	\$ 4.00	4	\$ 4.00	2	\$ 2.00
000625	LEVELING BINDER (MACHINE METHOD), N50	TON	\$ 62.00	0	\$ -	90	\$ 5,580.00	168	\$ 10,416.00	200	\$ 12,400.00	83	\$ 5,146.00
003080	HOT-MIX ASPHALT BINDER COURSE, IL-19.0, N50	TON	\$ 59.00	264	\$ 15,576.00	331	\$ 19,499.50	0	\$ -	0	\$ -	0	\$ -
003310	HOT MIX ASPHALT SURFACE COURSE, MIX C, N50	TON	\$ 62.00	144	\$ 8,928.00	361	\$ 22,382.00	335	\$ 20,770.00	399	\$ 24,738.00	167	\$ 10,354.00
000157	HOT-MIX ASPHALT SURFACE REMOVAL, 2"	SY	\$ 2.35	0	\$ -	2090	\$ 4,911.50	3889	\$ 9,139.15	4167	\$ 9,792.45	1933	\$ 4,542.55
000165	HOT-MIX ASPHALT SURFACE REMOVAL, 4"	SY	\$ 3.90	1667	\$ 6,501.30	2090	\$ 8,151.00	0	\$ -	0	\$ -	0	\$ -
000100	AREA REFLECTIVE CRACK CONTROL TREATMENT	SY	\$ 1.48	0	\$ -	2090	\$ 3,093.20	3889	\$ 5,755.72	4167	\$ 6,167.16	1933	\$ 2,860.84
000100	DETECTOR LOOP, TYPE I	FOOT	\$ 13.00	0	\$ -	0	\$ -	0	\$ -	0	\$ -	0	\$ -
002258	STRUCTURES TO BE ADJUSTED	EACH	\$ 350.00	0	\$ -	0	\$ -	0	\$ -	0	\$ -	0	\$ -
006392	CLASS D PATCHES, 6" (SPECIAL)	SY	\$ 43.00	0	\$ -	42	\$ 1,806.00	78	\$ 3,354.00	84	\$ 3,612.00	97	\$ 4,171.00
042002	POROUS GRANULAR EMBANKMENT, SUBGRADE	CY	\$ 20.00	111	\$ 2,220.00	139	\$ 2,780.00	0	\$ -	0	\$ -	0	\$ -
*NA	HOT-MIX ASPHALT REMOVAL, SPECIAL (DARIEN PATHWAY)	SY	\$ 3.40	0	\$ -	0	\$ -	0	\$ -	0	\$ -	0	\$ -
				TOTAL = \$	37,921.00	TOTAL = \$	74,355.70	TOTAL = \$	49,948.87	TOTAL = \$	57,261.11	TOTAL = \$	27,328.89

				GRIND 2"		GRIND 2"		GRIND 2"		GRIND 2"		GRIND 4"	
				LENGTH (FT)= 2840	WIDTH (FT)= 26	LENGTH (FT)= 2200	WIDTH (FT)= 26	LENGTH (FT)= 180	WIDTH (FT)= 80	LENGTH (FT)= 180	WIDTH (FT)= 80	LENGTH (FT)= 820	WIDTH (FT)= 27
				AREA (SY)= 8204	AREA (SY)= 6356	AREA (SY)= 1600	AREA (SY)= 1600	AREA (SY)= 1600	AREA (SY)= 2460				
				Maple Lane (Richmond Ave to Clarendon Hills Ln)		Tamarack Dr. (Richmond Ave to Beechnut Ln)		Maple Ln. (CDS#1)		Maple Ln. (CDS#2)		Robert Rd. (Oldfield Rd to Donegal Dr)	
NUMBER	ITEM	UNIT	UNIT COST	QUANTITY	TOTAL COST	QUANTITY	TOTAL COST	QUANTITY	TOTAL COST	QUANTITY	TOTAL COST	QUANTITY	TOTAL COST
001200	REMOVAL AND DISPOSAL OF UNSUITABLE MATERIAL	CY	\$ 20.00	0	\$ -	0	\$ -	0	\$ -	0	\$ -	164	\$ 3,280.00
000100	PREPARATION OF BASE	SQ YD	\$ 1.10	0	\$ -	0	\$ -	0	\$ -	0	\$ -	2460	\$ 2,706.00
000200	AGGREGATE BASE REPAIR	TON	\$ 12.00	0	\$ -	0	\$ -	0	\$ -	0	\$ -	51	\$ 612.00
000100	BITUMINOUS MATERIALS (PRIME COAT)	GAL	\$ 2.50	431	\$ 1,077.50	334	\$ 835.00	84	\$ 210.00	84	\$ 210.00	129	\$ 322.50
000300	AGGREGATE (PRIME COAT)	TON	\$ 1.00	9	\$ 9.00	7	\$ 7.00	2	\$ 2.00	2	\$ 2.00	3	\$ 3.00
000625	LEVELING BINDER (MACHINE METHOD), N50	TON	\$ 62.00	354	\$ 21,948.00	274	\$ 16,988.00	69	\$ 4,278.00	69	\$ 4,278.00	0	\$ -
003080	HOT-MIX ASPHALT BINDER COURSE, IL-19.0, N50	TON	\$ 59.00	0	\$ -	0	\$ -	0	\$ -	0	\$ -	389	\$ 22,951.00
003310	HOT MIX ASPHALT SURFACE COURSE, MIX C, N50	TON	\$ 62.00	708	\$ 43,896.00	548	\$ 33,976.00	138	\$ 8,556.00	138	\$ 8,556.00	212	\$ 13,144.00
000157	HOT-MIX ASPHALT SURFACE REMOVAL, 2"	SY	\$ 2.35	8204	\$ 19,279.40	6356	\$ 14,936.60	1600	\$ 3,760.00	1600	\$ 3,760.00	0	\$ -
000165	HOT-MIX ASPHALT SURFACE REMOVAL, 4"	SY	\$ 3.90	0	\$ -	0	\$ -	0	\$ -	0	\$ -	2460	\$ 9,594.00
000100	AREA REFLECTIVE CRACK CONTROL TREATMENT	SY	\$ 1.48	8204	\$ 12,141.92	6356	\$ 9,406.88	1600	\$ 2,368.00	1600	\$ 2,368.00	0	\$ -
000100	DETECTOR LOOP, TYPE I	FOOT	\$ 13.00	0	\$ -	0	\$ -	0	\$ -	0	\$ -	0	\$ -
002258	STRUCTURES TO BE ADJUSTED	EACH	\$ 350.00	1	\$ 350.00	1	\$ 350.00	0	\$ -	0	\$ -	0	\$ -
006392	CLASS D PATCHES, 6" (SPECIAL)	SY	\$ 43.00	411	\$ 17,673.00	318	\$ 13,674.00	80	\$ 3,440.00	80	\$ 3,440.00	0	\$ -
042002	POROUS GRANULAR EMBANKMENT, SUBGRADE	CY	\$ 20.00	0	\$ -	0	\$ -	0	\$ -	0	\$ -	164	\$ 3,280.00
*NA	HOT-MIX ASPHALT REMOVAL, SPECIAL (DARIEN PATHWAY)	SY	\$ 3.40	0	\$ -	0	\$ -	0	\$ -	0	\$ -	0	\$ -
				TOTAL = \$	116,374.82	TOTAL = \$	90,173.48	TOTAL = \$	22,614.00	TOTAL = \$	22,614.00	TOTAL = \$	55,892.50

				GRIND 4"		GRIND 2"		Base Bid	
				LENGTH (FT)= 325	WIDTH (FT)= 40	LENGTH (FT)= 1100	WIDTH (FT)= 27		
				AREA (SY)= 1444	AREA (SY)= 3300				
				Shannon Ct. (Robert Rd to Limit)		Sleepy Hollow Lane (Adams St to Cass Ave)			
NUMBER	ITEM	UNIT	UNIT COST	QUANTITY	TOTAL COST	QUANTITY	TOTAL COST	QUANTITY	TOTAL COST
001200	REMOVAL AND DISPOSAL OF UNSUITABLE MATERIAL	CY	\$ 20.00	96	\$ 1,920.00	0	\$ -	1238	\$ 24,760.00
000100	PREPARATION OF BASE	SQ YD	\$ 1.10	1444	\$ 1,588.40	0	\$ -	18575	\$ 20,432.50
000200	AGGREGATE BASE REPAIR	TON	\$ 12.00	30	\$ 360.00	0	\$ -	387.5	\$ 4,650.00
000100	BITUMINOUS MATERIALS (PRIME COAT)	GAL	\$ 2.50	76	\$ 190.00	173	\$ 432.50	4096	\$ 10,240.00
000300	AGGREGATE (PRIME COAT)	TON	\$ 1.00	2	\$ 2.00	3	\$ 3.00	82	\$ 82.00
000625	LEVELING BINDER (MACHINE METHOD), N50	TON	\$ 62.00	0	\$ -	142	\$ 8,804.00	2657	\$ 165,354.00
003080	HOT-MIX ASPHALT BINDER COURSE, IL-19.0, N50	TON	\$ 59.00	228	\$ 13,452.00	0	\$ -	2937.5	\$ 173,312.50
003310	HOT MIX ASPHALT SURFACE COURSE, MIX C, N50	TON	\$ 62.00	125	\$ 7,750.00	285	\$ 17,670.00	6942	\$ 430,404.00
000157	HOT-MIX ASPHALT SURFACE REMOVAL, 2"	SY	\$ 2.35	0	\$ -	3300	\$ 7,755.00	59453	\$ 139,714.55
000165	HOT-MIX ASPHALT SURFACE REMOVAL, 4"	SY	\$ 3.90	1444	\$ 5,631.60	0	\$ -	18575	\$ 72,442.50
000100	AREA REFLECTIVE CRACK CONTROL TREATMENT	SY	\$ 1.48	0	\$ -	3300	\$ 4,884.00	59453	\$ 87,990.44
000100	DETECTOR LOOP, TYPE I	FOOT	\$ 13.00	0	\$ -	0	\$ -	300	\$ 3,900.00
002258	STRUCTURES TO BE ADJUSTED	EACH	\$ 350.00	0	\$ -	1	\$ 350.00	6	\$ 2,100.00
006392	CLASS D PATCHES, 6" (SPECIAL)	SY	\$ 43.00	0	\$ -	165	\$ 7,095.00	2162	\$ 92,966.00
042002	POROUS GRANULAR EMBANKMENT, SUBGRADE	CY	\$ 20.00	96	\$ 1,920.00	0	\$ -	1238	\$ 24,760.00
*NA	HOT-MIX ASPHALT REMOVAL, SPECIAL (DARIEN PATHWAY)	SY	\$ 3.40	0	\$ -	0	\$ -	0	\$ -
				TOTAL = \$	32,814.00	TOTAL = \$	46,993.50	TOTAL = \$	1,253,108.49

\$ check 1,253,108.49

				OPTION 1		
				LENGTH (FT)= 300	WIDTH (FT)= 200	
				AREA (SY)= 6667		
				Public Works Parking Lot		
NUMBER	ITEM	UNIT	UNIT COST	QUANTITY	TOTAL COST	
001200	REMOVAL AND DISPOSAL OF UNSUITABLE MATERIAL	CY	\$ 24.00	444	\$ 10,656.00	
000100	PREPARATION OF BASE	SQ YD	\$ 1.40	6667	\$ 9,333.80	
000200	AGGREGATE BASE REPAIR	TON	\$ 12.00	278	\$ 3,336.00	
000100	BITUMINOUS MATERIALS (PRIME COAT)	GAL	\$ 2.60	350	\$ 910.00	
000300	AGGREGATE (PRIME COAT)	TON	\$ 1.00	7	\$ 7.00	
000625	LEVELING BINDER (MACHINE METHOD), N50	TON	\$ -	0	\$ -	
003080	HOT-MIX ASPHALT BINDER COURSE, IL-19.0, N50	TON	\$ 64.00	1054	\$ 67,456.00	
003310	HOT MIX ASPHALT SURFACE COURSE, MIX C, N50	TON	\$ 75.00	575	\$ 43,125.00	
000157	HOT-MIX ASPHALT SURFACE REMOVAL, 2"	SY	\$ -	0	\$ -	
000165	HOT-MIX ASPHALT SURFACE REMOVAL, 4"	SY	\$ 4.50	6667	\$ 30,001.50	
000100	AREA REFLECTIVE CRACK CONTROL TREATMENT	SY	\$ -	0	\$ -	
000100	DETECTOR LOOP, TYPE I	FOOT	\$ -	0	\$ -	
002258	STRUCTURES TO BE ADJUSTED	EACH	\$ 350.00	2	\$ 700.00	
006392	CLASS D PATCHES, 6" (SPECIAL)	SY	\$ -	0	\$ -	
042002	POROUS GRANULAR EMBANKMENT, SUBGRADE	CY	\$ 21.00	444	\$ 9,324.00	
*NA	HOT-MIX ASPHALT REMOVAL, SPECIAL (DARIEN PATHWAY)	SY	\$ -	0	\$ -	
				TOTAL = \$	174,849.30	

				OPTION 2		
				LENGTH (FT)= 800	WIDTH (FT)= 23	
				AREA (SY)= 2044		
				Darien Pathway (Private Developer)		
UNIT COST	QUANTITY	TOTAL COST				
\$ -	0	\$ -				
\$ -	0	\$ -				
\$ -	0	\$ -				
\$ 2.50	107	\$ 267.50				
\$ 1.00	2	\$ 2.00				
\$ -	0	\$ -				
\$ -	0	\$ -				
\$ 75.00	176	\$ 13,200.00				
\$ -	0	\$ -				
\$ -	0	\$ -				
\$ 350.00	1	\$ 350.00				
\$ 68.00	41	\$ 2,788.00				
\$ -	0	\$ -				
\$ 3.40	2044	\$ 6,949.60				
		TOTAL = \$	23,557.10			

				OPTION 3		
				LENGTH (FT)= 0	WIDTH (FT)= 0	
				AREA (SY)= 2800		
				Capri Trail - Bally Park		
UNIT COST	QUANTITY	TOTAL COST				
\$ 23.00	100	\$ 2,300.00				
\$ 1.20	2800	\$ 3,360.00				
\$ 13.00	100	\$ 1,300.00				
\$ 2.70	147	\$ 396.90				
\$ 1.00	3	\$ 3.00				
\$ -	0	\$ -				
\$ 62.00	443	\$ 27,486.00				
\$ 68.00	242	\$ 16,456.00				
\$ -	0	\$ -				
\$ 5.20	2800	\$ 14,560.00				
\$ 350.00	1	\$ 350.00				
\$ -	0	\$ -				
\$ -	0	\$ -				
\$ -	0	\$ -				
\$ -	0	\$ -				
		TOTAL = \$	66,191.90			

OPTION 4

LENGTH (FT)= 190/575  
 WIDTH (FT)= 80/21  
 AREA (SY)= 1689 and 1342

Mark Delay School Parking Lot					
NUMBER	ITEM	UNIT	UNIT COST	QUANTITY	TOTAL COST
201200	REMOVAL AND DISPOSAL OF UNSUITABLE MATERIAL	CY	\$ 23.00	89	\$ 2,047.00
800100	PREPARATION OF BASE	SQ YD	\$ 1.70	1342	\$ 2,281.40
800200	AGGREGATE BASE REPAIR	TON	\$ 26.00	28	\$ 728.00
600100	BITUMINOUS MATERIALS (PRIME COAT)	GAL	\$ 2.60	159	\$ 413.40
600300	AGGREGATE (PRIME COAT)	TON	\$ 1.00	3	\$ 3.00
600625	LEVELING BINDER (MACHINE METHOD), N50	TON	\$ 76.00	73	\$ 5,548.00
603080	HOT-MIX ASPHALT BINDER COURSE, IL-19.0, N50	TON	\$ 62.00	212	\$ 13,144.00
603310	HOT MIX ASPHALT SURFACE COURSE, MIX C, N50	TON	\$ 74.00	261	\$ 19,314.00
000157	HOT-MIX ASPHALT SURFACE REMOVAL, 2"	SY	\$ 3.20	1689	\$ 5,404.80
000165	HOT-MIX ASPHALT SURFACE REMOVAL, 4"	SY	\$ 5.50	1342	\$ 7,381.00
600100	AREA REFLECTIVE CRACK CONTROL TREATMENT	SY		0	\$ -
600100	DETECTOR LOOP, TYPE I	FOOT		0	\$ -
002258	STRUCTURES TO BE ADJUSTED	EACH		0	\$ -
006392	CLASS D PATCHES, 6" (SPECIAL)	SY	\$ 60.00	85	\$ 5,100.00
042002	POROUS GRANULAR EMBANKMENT, SUBGRADE	CY	\$ 23.00	89	\$ 2,047.00
*NA	HOT-MIX ASPHALT REMOVAL, SPECIAL (DARIEN PATHWAY)	SY		0	\$ -
				TOTAL =	\$ 63,411.60

OPTION 5

MISC BASE REPAIR

AREA (SY)= 1500

VARIOUS		
UNIT COST	QUANTITY	TOTAL COST
	0	\$ -
	0	\$ -
	0	\$ -
	0	\$ -
	0	\$ -
	0	\$ -
	0	\$ -
	0	\$ -
	0	\$ -
	0	\$ -
	0	\$ -
	0	\$ -
	0	\$ -
\$ 49.50	1500	\$ 74,250.00
	0	\$ -
	0	\$ -
		TOTAL = \$ 74,250.00

**AGENDA MEMO****City Council****April 16, 2012****Issue Statement**

Approval of a Resolution authorizing the Mayor and City Clerk to execute an Intergovernmental Agreement with Darien Public School District #61 for the reimbursement of the parking lot paving maintenance at Mark DeLay School-Option 4, through the City of Darien's 2012 Road Maintenance Contract with James D. Fiala Paving Co.

**[RESOLUTION](#)**      **[BACKUP](#)**

**Background/History**

The Intergovernmental Agreement with Darien Public School District #61 authorizes the City of Darien's road maintenance contractor James D. Fiala Paving to perform paving maintenance at Mark DeLay School, 6801 Wilmette Ave-Alternate 4. The City's 2012 Road Maintenance Contract included quantities for the parking lot. The project includes quantities for grinding, aggregate base repair, leveling binder and a surface course. The City of Darien would be reimbursed by Darien Public School District #61 in an amount of approximately \$63,411.60. Attached, please find a cost summary sheet. The District #61 School Board approved the Intergovernmental Agreement at their February 28, 2012 meeting.

**Committee Recommendation**

The Municipal Services Committee recommends signing the Intergovernmental Agreement.

**Alternate Consideration**

Not approving the Resolution.

**Decision Mode**

This item will be placed on the April 16, 2012 City Council agenda for formal consideration.

**A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF DARIEN AND DARIEN PUBLIC SCHOOL DISTRICT #61 FOR ASPHALT PAVING WORK AT MARK DELAY SCHOOL**

**WHEREAS**, under the Constitution and Statues of the State of Illinois, a municipality is authorized to participate in intergovernmental cooperation; and

**WHEREAS**, an Intergovernmental Agreement has been prepared between the City of Darien and the Darien Public School District #61 concerning said repaving of the Mark DeLay School parking lot, a copy of which is attached hereto as "[Exhibit A](#)," and is incorporated herein; and

**WHEREAS**, The Corporate Authorities, for record keeping, desire to authorize the execution of the Intergovernmental Agreement by Resolution.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DARIEN, DUPAGE COUNTY**, as follows:

**SECTION 1:** That the Mayor and City Clerk are hereby authorized to execute an Intergovernmental Agreement for the repaving of the Mark DeLay School parking lot through the City’s 2012 awarded paving contractor James D. Fiala Paving Company to provide services consisting of grinding, base repair leveling binder and resurfacing, subject to the Darien Public School District #61 Intergovernmental Agreement paying for the final quantities.

The obligations of the City of Darien shall be limited to those specifically stated within the terms of the Intergovernmental Agreement.

**SECTION 2:** This Resolution shall be in full force and effect from and after its passage and approval as provided by law.

**PASSED BY THE CITY COUNCIL OF THE CITY OF DARIEN, DUPAGE COUNTY, ILLINOIS**, this 16<sup>th</sup> day of April, 2012.

AYES: \_\_\_\_\_

NAYS: \_\_\_\_\_

ABSENT: \_\_\_\_\_

**APPROVED BY THE MAYOR FOR THE CITY OF DARIEN, DUPAGE COUNTY,  
ILLINOIS, this 16<sup>th</sup> day of April, 2012.**

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KATHLEEN MOESLE WEAVER, MAYOR

ATTEST:

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JOANNE E. RAGONA, CITY CLERK

APPROVED AS TO FORM:

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CITY ATTORNEY

**INTERGOVERNMENTAL AGREEMENT  
BETWEEN THE CITY OF DARIEN AND THE DARIEN SCHOOL DISTRICT #61  
FOR ASPHALT PAVING WORK AT MARK DELAY SCHOOL**

This agreement is made and entered into this 28<sup>th</sup> day of February, 2012, by and between the City of Darien, an Illinois municipal corporation (hereinafter the "City"), and Darien Public School District #61 (Mark DeLay School), an Illinois School District corporation, (hereinafter the "School District") (collectively "the parties").

WHEREAS, the corporate authorities of the parties possess authority to enter into this intergovernmental agreement pursuant to Article VII, Section 10 of the 1970 Constitution of the State of Illinois and pursuant to the provisions of the Illinois Intergovernmental Cooperation Act, 5 ILCS 220/1, *et seq.*;

WHEREAS, the City had been awarded a contract with contractor Fiala Paving Incorporated (the "Contractor") to complete asphalt paving work in the City;

WHEREAS, the School District owns a building called Mark Delay School located within the City;

WHEREAS, the City desires to assist the School District by allowing the Contractor to complete asphalt paving work on the Mark Delay School premises, said work with an estimated cost of \$63,411.60;

WHEREAS, the parties desire to commit their agreements and understandings to writing;

NOW, THEREFORE, in consideration of the mutual covenants contained in this Agreement, the parties hereto agree, as follows:

1. The recitals set forth above are hereby incorporated into and made a part of this Agreement.

2. The City agrees to allow the Contractor to complete asphalt paving work on the Mark DeLay School premises as part of the City's 2012 Road Maintenance Program.
3. The School District authorizes the Contractor on the Mark Delay School premises to complete the asphalt paving work; the City's Director of Public Works is authorized to supervise the Mark Delay School work on behalf of the School District.
4. The School District shall reimburse the City for the asphalt paving charges completed on the Mark Delay School premises by the Contractor within 30 days of being invoiced by the City.
5. The City will require the Contractor to add the School District as an additional insured on the Contractor's policy of insurance furnished to the City; to the extent this requirement increases the contract price, the School District will be responsible for the increase.
6. All notices, requests and other communications under this Agreement shall be in writing and shall be deemed properly served upon delivery by hand to the party to whom it is addressed, or upon receipt, if sent, postage pre-paid by United States registered or certified mail, return receipt requested, as follows:
  - a. If intended for the City:

City of Darien  
1702 Plainfield Road  
Darien, Illinois 60561  
Attn: Bryon Vana



b. If intended for the School District:

Darien Public Schools, District #61  
7414 Cass Avenue  
Darien, Illinois 60561  
Attn: Megan Stoltz-Business Manager

7. The validity, meaning, and effect of this Agreement shall be determined in accordance with the laws of the State of Illinois applicable to intergovernmental agreements made and contracts made and to be formed in Illinois.

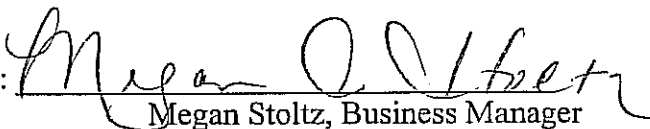
IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed in their respective corporate names, by the authorized signatures of their respective officers and by their respective corporate seals affixed and attached hereto by their respective officers having custody thereof on this 28th day of February, 2012.

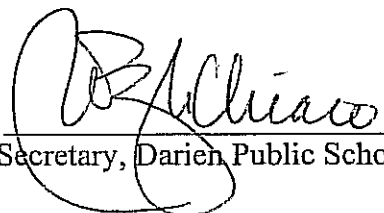
CITY OF DARIEN

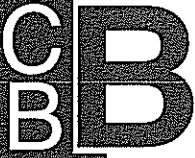
BY: \_\_\_\_\_  
Kathleen Weaver, Mayor

ATTEST: \_\_\_\_\_  
City Clerk

DARIEN PUBLIC SCHOOLS, DISTRICT #61

BY:   
Megan Stoltz, Business Manager  
Darien Public Schools, District #61

ATTEST:   
Secretary, Darien Public Schools, District #61



**CHRISTOPHER B. BURKE** ENGINEERING, LTD.  
9575 West Higgins Road Suite 600 Rosemont, Illinois 60018 TEL (847) 823-0500 FAX(847) 823-0520

February 1, 2012

City of Darien  
City Hall  
1702 Plainfield Rd  
Darien, IL 60561

Attention: Dan Gombac

Subject: City of Darien  
2012 Street Resurfacing Program  
(CBBEL Project No. 11-0563)

Dear Dan:

On Wednesday February 1, 2012 at 9:30 a.m., bids were received at the City of Darien City Hall for the 2012 Street Resurfacing Program. There were three bids received for this project. Below is our engineer's estimate and bid result for each the Base Bid, Option 1, Option 2, Option3, Option 4 and Option 5.

Company Name	Base Bid	Option 1	Option 2	Option 3	Option 4	Option 5
Engineer's Estimate	\$1,310,544.70	\$174,988.75	\$18,863.00	\$65,631.00	\$56,200.40	\$60,000.00
Fiala Paving	\$1,253,108.49	\$174,849.30	\$23,557.10	\$66,191.90	\$63,411.60	\$74,250.00
Central Blacktop	\$1,369,231.82	\$183,042.07	\$21,731.52	\$64,420.53	\$64,066.53	\$67,500.00
K-Five Construction	\$1,385,963.93	\$168,701.00	\$24,352.70	\$63,039.90	\$65,408.60	\$97,125.00

Please note that Fiala Paving was the low bidder for the base bid and any addition of the five options to the base bid. Fiala Paving has completed previous years road programs in the City of Darien.

Enclosed for your review are the reviewed bid tabulations. If you have any other questions, please do not hesitate to contact me.

Sincerely,

Lee M. Fell, PE  
Project Manager

**OPTION 3 - CAPRI TRAIL, BAILEY PARK**

Item #	Item	Unit	Quantity	Engineer's Estimate		Fiala Paving		Central Blacktop		K-Five	
				Unit Price	Cost	Unit Price	Cost	Unit Price	Cost	Unit Price	Cost
20201200	REMOVAL AND DISPOSAL OF UNSUITABLE MATERIAL	CY	100	\$ 25.00	\$ 2,500.00	\$ 23.00	\$ 2,300.00	\$ 25.00	\$ 2,500.00	\$ 30.00	\$ 3,000.00
35800100	PREPARATION OF BASE	SQ YD	2800	\$ 1.75	\$ 4,900.00	\$ 1.20	\$ 3,360.00	\$ 1.25	\$ 3,500.00	\$ 1.25	\$ 3,500.00
35800200	AGGREGATE BASE REPAIR	TON	100	\$ 12.50	\$ 1,250.00	\$ 13.00	\$ 1,300.00	\$ 15.00	\$ 1,500.00	\$ 8.50	\$ 850.00
40600100	BITUMINOUS MATERIALS (PRIME COAT)	GAL	147	\$ 1.00	\$ 147.00	\$ 2.70	\$ 396.90	\$ 2.50	\$ 367.50	\$ 2.30	\$ 338.10
40600300	AGGREGATE (PRIME COAT)	TON	3	\$ 1.00	\$ 3.00	\$ 1.00	\$ 3.00	\$ 0.01	\$ 0.03	\$ 10.00	\$ 30.00
40603080	HOT-MIX ASPHALT BINDER COURSE, IL-19.0, N50	TON	443	\$ 66.00	\$ 29,238.00	\$ 62.00	\$ 27,466.00	\$ 65.00	\$ 28,795.00	\$ 60.60	\$ 26,845.80
40603310	HOT MIX ASPHALT SURFACE COURSE, MIX C, N50	TON	242	\$ 66.50	\$ 16,093.00	\$ 68.00	\$ 16,456.00	\$ 74.00	\$ 17,908.00	\$ 68.00	\$ 16,456.00
44000165	HOT-MIX ASPHALT SURFACE REMOVAL, 4"	SY	2800	\$ 4.00	\$ 11,200.00	\$ 5.20	\$ 14,560.00	\$ 3.25	\$ 9,100.00	\$ 4.15	\$ 11,620.00
*XX002258	STRUCTURES TO BE ADJUSTED	EACH	1	\$ 300.00	\$ 300.00	\$ 350.00	\$ 350.00	\$ 750.00	\$ 750.00	\$ 400.00	\$ 400.00
<b>TOTAL =</b>					\$ 65,631.00		\$ 66,191.90		\$ 64,420.53		\$ 63,039.90

**OPTION 4 - MARK DELAY SCHOOL PARKING LOT**

Item #	Item	Unit	Quantity	Engineer's Estimate		Fiala Paving		Central Blacktop		K-Five	
				Unit Price	Cost	Unit Price	Cost	Unit Price	Cost	Unit Price	Cost
20201200	REMOVAL AND DISPOSAL OF UNSUITABLE MATERIAL	CY	89	\$ 25.00	\$ 2,225.00	\$ 23.00	\$ 2,047.00	\$ 25.00	\$ 2,225.00	\$ 30.00	\$ 2,670.00
35800100	PREPARATION OF BASE	SQ YD	1342	\$ 1.75	\$ 2,348.50	\$ 1.70	\$ 2,281.40	\$ 2.00	\$ 2,684.00	\$ 4.00	\$ 5,368.00
35800200	AGGREGATE BASE REPAIR	TON	28	\$ 12.50	\$ 350.00	\$ 26.00	\$ 728.00	\$ 15.00	\$ 420.00	\$ 8.50	\$ 238.00
40600100	BITUMINOUS MATERIALS (PRIME COAT)	GAL	159	\$ 1.00	\$ 159.00	\$ 2.60	\$ 413.40	\$ 2.50	\$ 397.50	\$ 2.30	\$ 365.70
40600300	AGGREGATE (PRIME COAT)	TON	3	\$ 1.00	\$ 3.00	\$ 1.00	\$ 3.00	\$ 0.01	\$ 0.03	\$ 10.00	\$ 30.00
40600625	LEVELING BINDER (MACHINE METHOD), N50	TON	73	\$ 65.50	\$ 4,781.50	\$ 76.00	\$ 5,548.00	\$ 80.00	\$ 5,840.00	\$ 73.00	\$ 5,329.00
40603080	HOT-MIX ASPHALT BINDER COURSE, IL-19.0, N50	TON	212	\$ 66.00	\$ 13,992.00	\$ 62.00	\$ 13,144.00	\$ 70.00	\$ 14,840.00	\$ 66.00	\$ 13,992.00
40603310	HOT MIX ASPHALT SURFACE COURSE, MIX C, N50	TON	261	\$ 66.50	\$ 17,356.50	\$ 74.00	\$ 19,314.00	\$ 80.00	\$ 20,880.00	\$ 74.00	\$ 19,314.00
44000157	HOT-MIX ASPHALT SURFACE REMOVAL, 2"	SY	1689	\$ 2.10	\$ 3,546.90	\$ 3.20	\$ 5,404.80	\$ 3.00	\$ 5,067.00	\$ 3.00	\$ 5,067.00
44000165	HOT-MIX ASPHALT SURFACE REMOVAL, 4"	SY	1342	\$ 4.00	\$ 5,368.00	\$ 5.50	\$ 7,381.00	\$ 4.00	\$ 5,368.00	\$ 5.95	\$ 7,984.90
*XX006392	CLASS D PATCHES, 6" (SPECIAL)	SY	85	\$ 40.00	\$ 3,400.00	\$ 60.00	\$ 5,100.00	\$ 38.00	\$ 3,230.00	\$ 28.00	\$ 2,380.00
*Z0042002	POROUS GRANULAR EMBANKMENT, SUBGRADE	CY	89	\$ 30.00	\$ 2,670.00	\$ 23.00	\$ 2,047.00	\$ 35.00	\$ 3,115.00	\$ 30.00	\$ 2,670.00
<b>TOTAL =</b>					\$ 56,200.40		\$ 63,411.60		\$ 64,066.53		\$ 65,408.60

**OPTION 5 - MISCELLANEOUS BASE REPAIR**

Item #	Item	Unit	Quantity	Engineer's Estimate		Fiala Paving		Central Blacktop		K-Five	
				Unit Price	Cost	Unit Price	Cost	Unit Price	Cost	Unit Price	Cost
*XX006392	CLASS D PATCHES, 6" (SPECIAL)	SY	1500	\$ 40.00	\$ 60,000.00	\$ 49.50	\$ 74,250.00	\$ 45.00	\$ 67,500.00	\$ 64.75	\$ 97,125.00
<b>TOTAL =</b>					\$ 60,000.00		\$ 74,250.00		\$ 67,500.00		\$ 97,125.00

**AGENDA MEMO**

City Council

April 16, 2012

**Issue Statement**

A resolution authorizing the City Administrator or Assistant City Administrator to accept a proposal from the winning electric supplier to serve the City of Darien under the ordinance and Plan of Governance passed by the City Council on April 2, 2012.

**RESOLUTION****Background/History**

On March 20, 2012 Darien residents passed a referendum authorizing the City of Darien to operate an “opt out” electrical aggregation program under the Illinois Power Agency Act. On March 26, 2012 and April 2, 2012 the City of Darien held public hearings on the Plan of Operation and Governance, which was adopted through ordinance at the April 2, 2012 City Council meeting. This ordinance authorizes the electric aggregation program in accordance with the Plan of Operation and Governance. During the week of April 9, 2012 electric suppliers were sent a supply agreement and required to submit proposals by April 16, 2012. Due to the nature of electric as a commodity, the proposals are only good for one day and expire on April 17, 2012. Pricing from the proposals will be provided to the City Council at the meeting, with options for one, two or three years, as well as adding green energy above and beyond the requirement already in place. The resolution authorizes the City Administrator or Assistant City Administrator to execute an agreement with the lowest cost provider under the terms set forth by the City Council.

**Staff/Committee Recommendation**

Staff recommends approval.

**Alternate Consideration**

Not approving this resolution, and conducting another bid in the future would be an alternate consideration.

**A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR OR ASSISTANT CITY ADMINISTRATOR TO ACCEPT A PROPOSAL FROM THE WINNING ELECTRIC SUPPLIER TO SERVE THE CITY OF DARIEN UNDER THE ORDINANCE AND PLAN OF GOVERNANCE PASSED BY THE CITY COUNCIL ON APRIL 2, 2012**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DARIEN, DU PAGE COUNTY, ILLINOIS**, that the City Administrator or Assistant City Administrator are authorized to accept a proposal from the winning electric supplier to serve the City of Darien under the ordinance and Plan of Governance passed by the City Council on April 2, 2012. The term of the agreement shall be \_\_\_\_\_ years and shall include \_\_\_\_\_% additional green energy in addition to current requirements.

**PASSED BY THE CITY COUNCIL OF THE CITY OF DARIEN, DU PAGE COUNTY, ILLINOIS**, this 16<sup>th</sup> day of April, 2012.

AYES: \_\_\_\_\_

NAYS: \_\_\_\_\_

ABSENT: \_\_\_\_\_

**APPROVED BY THE MAYOR OF THE CITY OF DARIEN, DU PAGE COUNTY, ILLINOIS**, this 16<sup>th</sup> day of April, 2012.

\_\_\_\_\_  
KATHLEEN MOESLE WEAVER, MAYOR

ATTEST:

\_\_\_\_\_  
JOANNE E. RAGONA, CITY CLERK

APPROVED AS TO FORM:

\_\_\_\_\_  
CITY ATTORNEY