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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**

June 1, 2015

7:30 P.M.

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Declaration of Quorum
5. Questions, Comments and Announcements — **General (This is an opportunity for the public to make comments or ask questions on any issue – 3 Minute Limit Per Person, Additional Public Comment Period - Agenda Item 18)**
6. Approval of Minutes — [May 18, 2015](#)
7. Receiving of Communications
8. Mayor's Report
  - A. Mayoral Proclamation “[Charles Thompson Day](#)” (June 1, 2015)
9. City Clerk's Report
10. City Administrator's Report
11. Department Head Information/Questions
12. Treasurer's Report
  - A. Warrant Number — [14-15-26](#)
  - B. Warrant Number — [15-16-03](#)
13. Standing Committee Reports
  - A. Discussion – [Chucks Liquor License-Amending of hours](#)

14. 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 – 3 Minute Limit Per Person)**
15. Old Business
16. Consent Agenda
  - A. Consideration of a Motion to Approve:
    - [Our Lady of Peace Crusader Challenge 2015, 5K Run](#), Sunday, August 23, 2015 Beginning at 8:30 A.M. and  
The Police Department will not absorb any additional costs for this event. Temporary no parking signs will be placed on 71st Street between Clarendon Hills Road and Bentley and that road will be closed during the race.
    - Use of the Right Half of the Following Streets for the [Crusader Challenge 2015](#) which Begins at the Darien Community Park and Proceed as Follows: **5K Run**– 71<sup>st</sup> Street to Bentley Avenue; North on Bentley Avenue, West onto Maple Lane to Richmond Avenue; South on Richmond Avenue to 71st Street; west on 71st Street to Beechnut Lane; North on Beechnut Lane to Ironwood Avenue; East on Ironwood Avenue to 69<sup>th</sup> Street; East on 69<sup>th</sup> Street to Richmond Avenue; South on Richmond Avenue to 70<sup>th</sup> Street; East on 70<sup>th</sup> Street to Bentley Avenue; North on Bentley Avenue to 69<sup>th</sup> Street; East on 69<sup>th</sup> Street to Clarendon Hills Road; South on Clarendon Hills Road to 70<sup>th</sup> Street; West on 70<sup>th</sup> Street to Bentley Avenue; South on Bentley Avenue to Maple Lane; East on Maple Lane to Clarendon Hills Road; South on Clarendon Hills Road to 71st Street to finish at Northwest corner of Darien Community Park
  - B. Consideration of a Motion to Approve [an Ordinance Authorizing the Sale of Personal Property Owned by the City of Darien](#) (Safe and Fuji Film)
  - C. Consideration of a Motion to Approve the [Purchase of One \(1\) Sharp Interactive Display Board](#) in the Amount of \$6,930.36 from Sharp Business Systems Using Department of Justice Award Money
  - D. Consideration of a Motion to Approve [an Ordinance Approving a Variation to the Sign Code \(PZC 2015-03: Darien Immediate Care, 8190 Cass Avenue\)](#)
  - E. Consideration of a Motion to Approve [an Ordinance Approving a Variation to the Zoning Ordinance \(PZC 2015-04: 113 68<sup>th</sup> Street\)](#)
  - F. Consideration of a Motion to Approve a Resolution [Accepting a Proposal from the Associated Technical Services \(ATS\)](#) in the Amount of \$8,761.89 for the Leak Detection Phase and a per Unit Cost for the Leak Location Phase in the Amount of \$395.00 per mainline or Service Leak, and \$95.00 per Fire Hydrant Leak or Mainline Valve for a total Amount not to Exceed \$14,700.00
  - G. Consideration of a Motion to Approve a Resolution [Authorizing the Mayor to Accept a Proposal from Superior Road Striping](#) in an Amount not to Exceed \$10,500.00 for the 2015 Street Striping Program

- H. Consideration of a Motion to Approve a Resolution [Authorizing the Purchase of Six \(6\) Various Steel Road Plates from Lee Jensen Sales Co.](#) in the Amount not to Exceed \$10,360.00
  - I. Consideration of a Motion to Approve a Resolution [Authorizing the Purchase of an Aluminum Trench Box from Lee Jensen Sales Co.](#) in the Amount of \$6,500.00
  - J. Consideration of a Motion to Approve a Resolution [Accepting a Proposal from United Septic, Inc for the Cleaning and Televising of Ironwood Avenue and Evergreen Lane Storm Sewer System](#) in an Amount not to Exceed \$14,980 and Hourly Rate for Routine and Emergency Services for Cleaning Storm Sewer Infrastructure in an Amount not to Exceed \$15,000.00
17. New Business
- A. Consideration of a Motion to Approve a Resolution Authorizing the Mayor and City Clerk to Execute [an Amendment to the City Administrator Agreement between the City of Darien and Bryon D. Vana](#)
  - B. Consideration of a Motion to Approve an Ordinance [Providing for the Issuance of not to Exceed \\$1,500,000 General Obligation Refunding Bonds, Series 2015](#), of the City of Darien, DuPage County, Illinois, Providing for the Levy and Collection of a Direct Annual Tax Sufficient for the Payment of the Principal of and Interest on Said Bonds, Authorizing the Sale of Said Bonds to Bernardi Securities, Inc., and Further Providing for the Execution of an Escrow Agreement in Connection with Such Issuance
18. Questions, Comments and Announcements — **General (This is an opportunity for the public to make comments or ask questions on any issue – 3 Minute Limit Per Person)**
19. Adjournment

A WORK SESSION WAS CALLED TO ORDER AT 7:02 P.M. BY MAYOR WEAVER FOR THE PURPOSE OF REVIEWING ITEMS ON THE MAY 18, 2015 AGENDA WITH THE CITY COUNCIL. THE WORK SESSION RECESSED AT 7:02 P.M., RECONVENED AT 7:23 P.M., AND ADJOURNED AT 7:25 P.M.

**EXECUTIVE SESSION – PERSONNEL SECTION 2(C)(1) OF THE OPEN MEETINGS ACT**

It was moved by Alderman McIvor and seconded by Alderman Kenny to go into Executive Session for the purpose of discussion of Personnel, Section 2(C)(1) of the Open Meetings Act at 7:02 P.M.

Roll Call: Ayes: Beilke, Belczak, Kenny, Marchese, McIvor, Schauer  
Nays: None  
Absent: None

Results: Ayes 6, Nays 0, Absent 0

**MOTION DULY CARRIED**

It was moved by Alderman Schauer and seconded by Alderman Beilke to adjourn Executive Session.

Roll Call: Ayes: Beilke, Belczak, Kenny, Marchese, McIvor, Schauer  
Nays: None  
Absent: None

Results: Ayes 6, Nays 0, Absent 0

**MOTION DULY CARRIED**

Executive Session adjourned at 7:20 P.M.

**Minutes of the Regular Meeting**

**of the City Council of the**

**CITY OF DARIEN**

**May 18, 2015**

**7:30 P.M.**

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 Deputy Clerk Dubman was as follows:

Present:	Tina Beilke	Joseph A. Marchese
	Thomas J. Belczak	Sylvia McIvor
	Joseph A. Kenny	Ted V. Schauer

Absent: None

Also in Attendance: Kathleen Moesle Weaver, Mayor  
Lynn Dubman, Deputy Clerk  
Michael J. Coren, City Treasurer  
Bryon D. Vana, City Administrator  
Paul Nosek, Assistant City Administrator  
Ernest Brown, Police Chief  
Gregory Cheaure, Police Sergeant

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

5. **QUESTIONS, COMMENTS AND ANNOUNCEMENTS - GENERAL**

There were none.

6. **APPROVAL OF MINUTES** - May 4, 2015 City Council Meeting

It was moved by Alderman Beilke and seconded by Alderman Schauer to approve the minutes of the City Council Meeting of May 4, 2015 as presented.

Roll Call: Ayes: Beilke, Belczak, Kenny, Marchese, McIvor, Schauer

Nays: None

Absent: None

Results: Ayes 6, Nays 0, Absent 0

**MOTION DULY CARRIED**

7. **RECEIVING OF COMMUNICATIONS**

Alderman Beilke received a noise complaint from a resident on Peony regarding motorcyclists who live in the area. Chief Brown will research the state noise ordinance.

Alderman Kenny received a complaint from Frank Kross regarding work performed by Nicor with no prior notice provided to the residents. Assistant Administrator Nosek will research future utility work in order to communicate the information to residents through Direct Connect.

Mayor Weaver attended Career Day at Eisenhower Junior High School and found it to be a rewarding experience. She received several thank you cards from the students.

8. **MAYOR’S REPORT**

**A. CONSIDERATION OF A MOTION TO APPROVE THE APPOINTMENT OF ANDREW J. KELLY TO THE PLANNING AND ZONING COMMISSION**

A motion was made by Alderman Marchese and seconded by Alderman Schauer to approve the appointment of Andrew J. Kelly to the Planning and Zoning Commission.

Roll Call: Ayes: Beilke, Belczak, Kenny, Marchese, McIvor, Schauer

Nays: None

Absent: None

Results: Ayes 6, Nays 0, Absent 0

**MOTION DULY CARRIED**

Deputy Clerk Dubman administered the Oath of Office to Mr. Kelly.

**B. DARIEN CHAMBER UPDATE**

Clare Bongiovanni provided the following update:

- Extended an invitation to the Quality Pain Management Ribbon Cutting Ceremony on May 20, 2015 at 5:00 p.m.
- The Cottage “Once Upon A Time In The Real World” is hosting their 4<sup>th</sup> Annual Enchanted Farmers Market on June 7, 2015.
- The Darien Chamber of Commerce is hosting a Multi-Chamber Progressive Networking Luncheon at Ashton Place on June 9, 2015 at 11:30 a.m.
- Nick Pitzer State Farm Agency will celebrate his Grand Opening and Ribbon Cutting on June 24, 2015 at 5:00 p.m.
- Celestine Salon and Spa is celebrating 10 years in Darien on June 27, 2015 with an Anniversary Ribbon Cutting at 10:00 a.m. followed by a celebration from 11:00 a.m. to 6:00 p.m.
- The Chamber of Commerce celebrated its 15<sup>th</sup> Annual Darien Dash on Sunday, May 17, 2015. A heartfelt thank you to sponsors, partners, volunteers and race participants with a special thank you to Darien VFW Post 2838, Eddie Andersen, Claire Wagner, 2015 Citizen of the Year Ron Kiefer, Kris Sant, Steve Hiatt, and Gerry Piccoli for all their hard work on the new race course.
- Thanked Presenting Sponsor: Vein Center University Medicine Cardiology; Race Bag Sponsor: Blue Diamond Wealth Management; Water Station Sponsors: Walgreens on Cass Avenue and Quality Pain Management; T-Shirt Sponsors: Home Run Inn, Burr Ridge Veterinary Clinic, Chuck’s Southern Comforts Café, State Farm Nick Pitzer, Athletico, First Merchants Bank, ComEd, Rotary Club of Darien, Smile Studio 87, The Goddard School, Uni-Carrier, Darien Youth Club, American Academy of Sleep Study, MFC Sports Performance; On-Site Marketing: Athletico, Chuck’s Southern Comforts Café, Countryside Bank, Chiro One; and all race bag sponsors.

Clare Bongiovanni introduced Jim Cook, a 15 year supporter of Darien Dash, who was a 1<sup>st</sup> Place winner in his age group. Mr. Cook’s mother presented him with his award.

Mayor Weaver commended Ms. Bongiovanni’s efforts on an extremely well-coordinated and successful event.

9. **CITY CLERK'S REPORT**

Deputy Clerk Dubman announced that city offices will be closed on May 25, 2015 in observance of the Memorial Day Holiday.

10. **CITY ADMINISTRATOR'S REPORT**

Administrator Vana announced that Deputy Clerk Lynn Dubman will be retiring and wished her well.

11. **DEPARTMENT HEAD INFORMATION/QUESTIONS**

**A. POLICE DEPARTMENT MONTHLY REPORT – 3<sup>rd</sup> PERIOD 2015**

There were no questions regarding the monthly report.

Chief Brown spoke of the latest telephone scams and urged residents who have caller ID to take down the caller's number, hang up, and call 911. He reminded residents to never provide information or funds to callers. He also reported on ten recent car burglaries, and noted that all of the vehicles had been left unlocked.

Chief Brown responded to Council questions.

12. **TREASURER'S REPORT**

**A. WARRANT NUMBER 14-15-25**

It was moved by Alderman Schauer and seconded by Alderman Belczak to approve payment of Warrant Number 14-15-25 in the amount of \$510,079.05.

Roll Call: Ayes: Beilke, Belczak, Kenny, Marchese, McIvor, Schauer

Nays: None

Absent: None

Results: Ayes 6, Nays 0, Absent 0

**MOTION DULY CARRIED**



**B. WARRANT NUMBER 15-16-02**

It was moved by Alderman Belczak and seconded by Alderman Kenny to approve payment of Warrant Number 15-16-02 in the amount of \$212,085.05 from the enumerated funds; and \$240,757.88 from payroll funds for the period ending 05/14/15; for a total to be approved of \$452,842.93.

Roll Call: Ayes: Beilke, Belczak, Kenny, Marchese, McIvor, Schauer

Nays: None

Absent: None

Results: Ayes 6, Nays 0, Absent 0

**MOTION DULY CARRIED**

13. **STANDING COMMITTEE REPORTS**

**Municipal Services Committee** — Chairman Marchese announced the next meeting of the Municipal Services Committee is scheduled for Tuesday, May 26, 2015 at 6:30 P.M. in the Council Chambers.

**Police Committee** — Chairman McIvor submitted the minutes of the April 20, 2015 Police Committee Meeting and advised the next meeting will take place on July 20, 2015 at 6:00 P.M. in the Police Department Training Room.

**Administrative/Finance Committee** — Chairman Schauer announced the next meeting of the Administrative/Finance Committee is scheduled for June 1, 2015 at 6:00 P.M. in the upstairs conference room.

14. **QUESTIONS AND COMMENTS – AGENDA RELATED**

There were none.

15. **OLD BUSINESS**

There was none.

16. CONSENT AGENDA

Mayor Weaver announced Consent Agenda items A and B have been moved to New Business as items A and B.

17. NEW BUSINESS

**A. CONSIDERATION OF A MOTION TO APPROVE A RESOLUTION APPROVING PARTICIPATION WITH THE VILLAGE OF WOODRIDGE AND VILLAGE OF DOWNERS GROVE TO PROVIDE FIREWORKS DISPLAY AT ZIEGFIELD TROY GOLF COURSE ON THE FOURTH OF JULY BY CONTRIBUTING AN AMOUNT NOT TO EXCEED \$5,110.00.**

It was moved by Alderman Belczak and seconded by Alderman Beilke to approve the resolution as presented.

Alderman McIvor spoke against the expenditure. Alderman Beilke noted that the contribution decreased \$2,890 from last year. Although not in favor of the expenditure, Treasurer Coren was pleased that this year’s contribution is based on fair share.

**RESOLUTION NO. R-60-15**

**A RESOLUTION APPROVING PARTICIPATION WITH THE VILLAGE OF WOODRIDGE AND VILLAGE OF DOWNERS GROVE TO PROVIDE FIREWORKS DISPLAY AT ZIEGFIELD TROY GOLF COURSE ON THE FOURTH OF JULY BY CONTRIBUTING AN AMOUNT NOT TO EXCEED \$5,100.00**

Roll Call:	Ayes:	Beilke, Belczak, Kenny, Marchese, Schauer
	Nays:	McIvor
	Absent:	None

Results: Ayes 5, Nays 1, Absent 0

**MOTION DULY CARRIED**

**B. CONSIDERATION OF A MOTION TO APPROVE AN ORDINANCE AMENDING TITLE 2 OF THE DARIEN CITY CODE TO ELIMINATE CERTAIN COMMITTEES**

It was moved by Alderman Schauer and seconded by Alderman McIvor to approve the ordinance as presented.

**ORDINANCE NO. O-16-15**

**AN ORDINANCE AMENDING TITLE 2 OF THE DARIEN CITY CODE TO ELIMINATE CERTAIN COMMITTEES**

Roll Call:       Ayes:       Beilke, Belczak, Kenny, Marchese, McIvor, Schauer  
                      Nays:       None  
                      Absent:     None

Results: Ayes 6, Nays 0, Absent 0

**MOTION DULY CARRIED**

Mayor Weaver requested Assistant Administrator Nosek contact members of the Environmental Committee to confirm their desire to continue service.

18. **QUESTIONS, COMMENTS AND ANNOUNCEMENTS – GENERAL**

Assistant Administrator Nosek advised that Constellation will be the supplier of electricity over a 26 month period beginning in July 2015. He added that a letter from Constellation has been sent to Darien residents.

Alderman Belczak inquired the status of the Ward 4 Alderman position. Mayor Weaver responded that she has begun the interview process.

19. **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 the City Council meeting.

**VIA VOICE VOTE – MOTION DULY CARRIED**

The City Council meeting adjourned at 8:16 P.M.

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Mayor

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Deputy Clerk

All supporting documentation and report originals of these minutes are on file in the Office of the City Clerk under File Number 05-18-15. Minutes of 05-18-15 CCM.

DRAFT

## *Mayoral Proclamation*

*Whereas, Mr. Chuck Thompson has been Darien Resident since 1964; and*

*Whereas, Mr. Thompson is married to Susan Thompson and have two children; and*

*Whereas, Mr. Thompson has spearheaded the Holiday Dinner Drives at Our Lady of Mount Carmel Parish for the last 12 years; and*

*Whereas, The Holiday Dinner Drives include Thanksgiving, Christmas and Easter food assistance to needy individuals; and*

*Whereas, Mr. Thompson has also spearheaded the Christmas Toy Drive at Our Lady of Mount Carmel for the last 12 years; and*

*Whereas, Mr. Thompson's Holiday Dinner efforts over the past 12 years has included his work at engineering, refinancing and expanding the program so that it engages the entire Our Lady of Mount Carmel Parish Community; and*

*Whereas, Mr. Thompson's Holiday Dinner efforts to serve residents of Darien and six surrounding communities has expanded its outreach to Joliet and to Southside Chicago communities; and*

*Whereas, under Mr. Thompson's leadership, the Thanksgiving Dinner Drive supplies whole turkeys and fixings to more than five-hundred families; and*

*Whereas, under Mr. Thompson's leadership, the Christmas Dinner Drive provides for over three hundred families; and*

*Whereas, under Mr. Thompson's leadership, the Easter Dinner Drive provides for an additional two-hundred and fifty families; and*

*Whereas, Mr. Thompson's organizational effort includes soliciting donations for food items, volunteers to sort and pack full meal parcels, and to mobilize a group of volunteers who work to deliver all food items; and*

*Whereas, Mr. Thompson's efforts include pulpit solicitations, the recruitment and training of volunteers, running meetings and strategy sessions, establishing contact with recipient families and staging for each Holiday Dinner effort; and*

*Whereas, Mr. Thompson's efforts in organizing the Christmas Toy Program includes similar organizational efforts as described for the Holiday Dinner Drives and his efforts serve over one-thousand children on a yearly basis; and*

*Whereas, as stated by Father Mike O'Keefe, Pastor of Our Lady of Mount Carmel Parish, "Mr. Chuck Thompson's vision and industry, not to mention his huge heart, help to define us (Our Lady of Mount Carmel Parish), as a caring parish community."*

*NOW, THEREFORE, I, Kathleen Moesle Weaver, Mayor of the City of Darien, do hereby proclaim the 1<sup>st</sup> day of June, 2015, as*

## ***Charles Thompson Day***

*in the City of Darien and urge all residents to recognize the service Mr. Charles Thomson has given to the community.*

***In Witness Whereof, I Have Hereunto Set My Hand And Caused To Be Affixed The Seal Of The City Of Darien.***

*DONE, this first day of June Two-Thousand fifteen.*

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*Kathleen Moesle Weaver, Mayor*

*Attest:*

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*JoAnne E. Ragona, City Clerk*



## CITY OF DARIEN

 EXPENDITURE APPROVAL LIST  
 FOR CITY COUNCIL MEETING ON  
**June 1, 2015**

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>\$13,818.37</b>
Water Fund	<b>\$4,206.08</b>
Motor Fuel Tax Fund	<b>\$2,691.55</b>
Water Depreciation Fund	
Debt Service Fund	
Capital Improvement Fund	<b>\$64,906.59</b>
Special Service Area Tax Fund	
Federal Equitable Sharing Fund	
<i>Subtotal:</i>	<u><u>\$ 85,622.59</u></u>
General Fund Payroll	
General Fund Payroll	
Water Fund Payroll	
Water Fund Payroll	
<i>Subtotal:</i>	<u><u>\$ -</u></u>
<b><i>Total to be Approved by City Council:</i></b>	
	<u><u>\$ 85,622.59</u></u>

*Approvals:*

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Kathleen Moesle Weaver, Mayor

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JoAnne E. Ragona, City Clerk

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Michael J. Coren, Treasurer

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Bryon D. Vana, City Administrator

**CITY OF DARIEN**  
**Expenditure Journal**  
**General Fund**  
**Administration**  
**From 4/23/2015 Through 4/23/2015**

<u>Vendor Name</u>	<u>Invoice Description</u>	<u>Acct Code</u>	<u>Acct Title</u>	<u>Dept Amount</u>
AIS	APRIL 2015 COMPUTER SERVICES	4325	Consulting/Professional	1,891.25
AIS	MARCH 2015 COMPUTER SERVICES	4325	Consulting/Professional	3,782.50
CHRISTOPHER B. BURKE ENG, LTD	ELEVATION CERTIFICATE - 333 ROGER ROAD	4328	Const/Prof Reimbursable	165.00
DUPAGE COUNTY PUBLIC WORKS	1702 PLAINFIELD - 21005549-01	4271	Utilities (Elec,Gas,Wtr,Sewer)	41.57
NICOR GAS	1702 PLAINFIELD - ACCT 82-54-11-1000 1	4271	Utilities (Elec,Gas,Wtr,Sewer)	82.63
NICOR GAS	7422 S. CASS - ACCT 05-09-41-1000 3	4271	Utilities (Elec,Gas,Wtr,Sewer)	64.41
ROSENTHAL, MURPHEY, COBLENTZ	APRIL 2015 LEGAL FEES	4219	Liability Insurance	<u>110.00</u>
			Total Administration	6,137.36



**CITY OF DARIEN**  
**Expenditure Journal**  
**General Fund**  
**City Council**  
**From 4/23/2015 Through 4/23/2015**

<u>Vendor Name</u>	<u>Invoice Description</u>	<u>Acct Code</u>	<u>Acct Title</u>	<u>Dept Amount</u>
MICHAEL & PATRICIA DIPASQUALE	REFUND OF 14 RETURNED PILOT II COUPONS	4235	Printing and Forms	35.00
ROSENTHAL, MURPHEY, COBLENTZ	APRIL 2015 LEGAL FEES	4219	Liability Insurance	<u>2,138.61</u>
			Total City Council	2,173.61

**CITY OF DARIEN**  
**Expenditure Journal**  
**General Fund**  
**Community Development**  
**From 4/23/2015 Through 4/23/2015**

<u>Vendor Name</u>	<u>Invoice Description</u>	<u>Acct Code</u>	<u>Acct Title</u>	<u>Dept Amount</u>
CHRISTOPHER B. BURKE ENG, LTD	FLOODWAY REVIEW - 6730 HIGH ROAD	4325	Consulting/Professional	200.00
CHRISTOPHER B. BURKE ENG, LTD	FLOOD PLAIN REVIEW -6906 BROOKBANK	4325	Consulting/Professional	200.00
CHRISTOPHER B. BURKE ENG, LTD	ROAD PROFILE REVIEW - 2100 MANNING ROAD	4328	Const/Prof Reimbursable	414.00
CHRISTOPHER B. BURKE ENG, LTD	REVISED PLANS & STORMWATER - CARRIAGE GREENS	4328	Const/Prof Reimbursable	770.00
ROSENTHAL, MURPHEY, COBLENTZ	APRIL 2015 LEGAL FEES	4219	Liability Insurance	<u>935.00</u>
			Total Community Development	2,519.00

**CITY OF DARIEN**  
**Expenditure Journal**  
**General Fund**  
**Public Works, Streets**  
**From 4/23/2015 Through 4/23/2015**

<u>Vendor Name</u>	<u>Invoice Description</u>	<u>Acct Code</u>	<u>Acct Title</u>	<u>Dept Amount</u>
A&W AUTO, TRUCK & TRAILER	TRAILER ADAPTER FOR TRUCK 103	4229	Maintenance - Vehicles	15.95
CONSTELLATION NEW ENERGY, INC.	STREET LIGHTS - ACCOUNT 0448008035	4359	Street Light Oper & Maint.	1,087.20
INTERSTATE BILLING SERVICE INC	REPAIR PARTS FOR FLEET VEHICLES	4229	Maintenance - Vehicles	237.60
			Total Public Works, Streets	1,340.75

**CITY OF DARIEN**  
**Expenditure Journal**  
**General Fund**  
**Police Department**  
**From 4/23/2015 Through 4/23/2015**

<u>Vendor Name</u>	<u>Invoice Description</u>	<u>Acct Code</u>	<u>Acct Title</u>	<u>Dept Amount</u>
NICOR GAS	1710 PLAINFIELD ROAD - ACCT 82-80-00-1000 9	4271	Utilities (Elec, Gas, Wtr, Sewer)	613.73
ROSENTHAL, MURPHEY, COBLENTZ	APRIL 2015 LEGAL FEES	4219	Liability Insurance	770.00
SHELL	FUEL COSTS - FYE 15	4273	Vehicle (Gas and Oil)	(22.06)
SHELL	FUEL COSTS - FYE 15	4273	Vehicle (Gas and Oil)	<u>285.98</u>
			Total Police Department	<u>1,647.65</u>
			Total General Fund	<u>13,818.37</u>

**CITY OF DARIEN**  
**Expenditure Journal**  
**Water Fund**  
**Public Works, Water**  
**From 4/23/2015 Through 4/23/2015**

Vendor Name	Invoice Description	Acct Code	Acct Title	Dept Amount
DONALD BEUSSE	CDL REIMBURSEMENT	4219	Liability Insurance	65.00
NICOR GAS	1930 MANNING ROAD - ACCT 05-00-21-1000 4	4271	Utilities (Elec,Gas,Wtr,Sewer)	87.83
NICOR GAS	1897 MANNING - ACCT 12-34-41-1000 7	4271	Utilities (Elec,Gas,Wtr,Sewer)	63.95
NICOR GAS	8600 LEMONT - ACCT 23-64-41-1000 1	4271	Utilities (Elec,Gas,Wtr,Sewer)	60.49
NICOR GAS	1220 PLAINFIELD - ACCT 21-71-02-6494 2	4271	Utilities (Elec,Gas,Wtr,Sewer)	41.00
PDC LABORATORIES, INC.	WATER SAMPLING	4241	Quality Control	460.00
VILLAGE OF WOODRIDGE	8697 LEMONT (DWFPD) WATER USAGE 042214 - 021215	4340	DuPage Water Commission	458.53
VILLAGE OF WOODRIDGE	8975 LEMONT ROAD (SHELL GAS STATION) WATER USAGE	4340	DuPage Water Commission	1,397.28
ZIEBELL WATER SERVICE PRODUCTS	REPAIR CLAMPS	4231	Maintenance - Water System	712.00
ZIEBELL WATER SERVICE PRODUCTS	HYDRANT PARTS	4231	Maintenance - Water System	860.00
			Total Public Works, Water	4,206.08
			Total Water Fund	4,206.08

**CITY OF DARIEN**  
**Expenditure Journal**  
**Motor Fuel Tax**  
**MFT Expenses**  
**From 4/23/2015 Through 4/23/2015**

<u>Vendor Name</u>	<u>Invoice Description</u>	<u>Acct Code</u>	<u>Acct Title</u>	<u>Dept Amount</u>
ELMHURST CHICAGO STONE COMPANY	ROAD MATERIAL	4245	Road Material	<u>2,691.55</u>
			Total MFT Expenses	<u>2,691.55</u>
			Total Motor Fuel Tax	2,691.55

**CITY OF DARIEN**  
**Expenditure Journal**  
**Capital Improvement Fund**  
**Capital Fund Expenditures**  
**From 4/23/2015 Through 4/23/2015**

Vendor Name	Invoice Description	Acct Code	Acct Title	Dept Amount
ADVANCED DRAINAGE SYSTEMS	TENNESSEE DITCH PROJECT	4376	Ditch Projects	4,619.30
ADVANCED DRAINAGE SYSTEMS	CREDIT ON INVOICE 16839700	4376	Ditch Projects	(679.56)
E.F. HEIL LLC	69TH STREET DITCH PROJECT	4376	Ditch Projects	1,890.00
HARD ROCK CONCRETE CUTTERS	69TH DITCH PROJECT	4376	Ditch Projects	1,300.00
NORWALK TANK	TENNESSEE DITCH PROJECT	4376	Ditch Projects	5,914.09
NORWALK TANK	CREDIT ON INVOICE 147564 TO MATCH 14-15 PRICING	4376	Ditch Projects	(28.68)
NORWALK TANK	CREDIT FOR CORRECTION TO COMPLY WITH 14/15 PRICING	4376	Ditch Projects	(426.38)
NORWALK TANK	CREDIT FOR INVOICE 147573	4376	Ditch Projects	(464.00)
NORWALK TANK	69TH STREET DTICH PROJECT	4376	Ditch Projects	14,724.77
ZIEBELL WATER SERVICE PRODUCTS	69TH STREET DITCH PROJECT	4376	Ditch Projects	16,840.40
ZIEBELL WATER SERVICE PRODUCTS	TENNESSEE DITCH PROJECT	4376	Ditch Projects	20,809.60
ZIEBELL WATER SERVICE PRODUCTS	69TH STREET DITCH PROJECT	4376	Ditch Projects	407.05
			Total Capital Fund Expenditures	64,906.59
			Total Capital Improvement Fund	64,906.59
Report Total				85,622.59



## CITY OF DARIEN

### EXPENDITURE APPROVAL LIST FOR CITY COUNCIL MEETING ON **June 1, 2015**

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>\$40,708.72</b>
Water Fund		<b>\$9,709.32</b>
Motor Fuel Tax Fund		<b>\$7,180.52</b>
Water Depreciation Fund		<b>\$4,767.90</b>
Debt Service Fund		
Capital Improvement Fund		<b>\$307,768.35</b>
Special Service Area Tax Fund		
Federal Equitable Sharing Fund		<b>\$6,975.00</b>
	<b>Subtotal:</b>	<b><u>\$ 377,109.81</u></b>
General Fund Payroll	<i>05/28/15</i>	<b>\$ 238,126.29</b>
Water Fund Payroll	<i>05/28/15</i>	<b>\$ 20,835.80</b>
	<b>Subtotal:</b>	<b><u>\$ 258,962.09</u></b>
<b>Total to be Approved by City Council:</b>		<b><u>\$ 636,071.90</u></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 5/19/2015 Through 6/1/2015**

<u>Vendor Name</u>	<u>Invoice Description</u>	<u>Acct Code</u>	<u>Acct Title</u>	<u>Dept Amount</u>
ILCMA	2015-2016 MEMBERSHIP DUES - BRYON VANA	4213	Dues and Subscriptions	337.25
NOTARY PUBLIC ASSOCIATION OF I	ANTONIA M. BROWN - NOTARY COMMISSION RENEWAL	4213	Dues and Subscriptions	49.00
WEBQA INC.	GOV QA CRM SUBSCRIPTION 7/1/15 - 6/30/16	4325	Consulting/Professional	4,140.00
			Total Administration	4,526.25

**CITY OF DARIEN**  
**Expenditure Journal**  
**General Fund**  
**City Council**  
**From 5/19/2015 Through 6/1/2015**

<u>Vendor Name</u>	<u>Invoice Description</u>	<u>Acct Code</u>	<u>Acct Title</u>	<u>Dept Amount</u>
ACTION FLAG COMPANY	CITY OF DARIEN FLAGS (6)	4239	Public Relations	408.00
			Total City Council	408.00

**CITY OF DARIEN**  
**Expenditure Journal**  
**General Fund**  
**Public Works, Streets**  
**From 5/19/2015 Through 6/1/2015**

Vendor Name	Invoice Description	Acct Code	Acct Title	Dept Amount
C. LAUDIZIO	MAILBOX REPAIR	4257	Supplies - Other	95.38
CASE LOTS, INC.	JANITORIAL PRODUCTS	4223	Maintenance - Building	114.15
CLARKE ENVIRONMENTAL MOSQUITO	JUNE 2015 MOSQUITO MANAGEMENT SERVICES	4365	Mosquito Abatement	10,221.75
ILL CENTRAL SWEEPING SERVICE	MAY 2015 STEET SWEEPING	4373	Street Sweeping	7,420.50
INDUSTRIAL ELECTRICAL SUPPLY	BALLAST FOR PD LIGHTS	4223	Maintenance - Building	192.00
POMP'S TIRE SERVICE, INC.	TIRES FOR TRUCK 108	4229	Maintenance - Vehicles	567.14
R & R INDUSTRIES, INC.	SAFETY VESTS & GOGGLES	4219	Liability Insurance	370.96
RENTAL MAX	VIBRATORY PLATE RAMMER - MODEL BS60-2I	4815	Equipment	1,498.37
SEASON COMFORT, CORP.	POLICE DEPT COOLING SYSTEM REPAIR	4223	Maintenance - Building	552.75
STEVE PIPER & SONS, INC.	MAY 2015 TUB GRIND	4243	Rent - Equipment	2,200.00
TAPCO	STREET SIGN BUCKLING	4257	Supplies - Other	136.81
TRAFFIC CONTROL AND PROTECTION	SIGN POST ANCHORS	4257	Supplies - Other	164.40
TRAFFIC CONTROL AND PROTECTION	NO PARKING SIGNS	4257	Supplies - Other	659.45
UNIQUE PRODUCTS & SERVICE CORP	JANITORIAL SUPPLIES	4223	Maintenance - Building	32.60
UNIQUE PRODUCTS & SERVICE CORP	JANITORIAL SUPPLIES	4223	Maintenance - Building	85.05
			Total Public Works, Streets	24,311.31

**CITY OF DARIEN  
Expenditure Journal  
General Fund  
Police Department  
From 5/19/2015 Through 6/1/2015**

Vendor Name	Invoice Description	Acct Code	Acct Title	Dept Amount
AUSTIN JUMP	MEALS & GASOLINE AT PTI CONFERENCE	4265	Travel/Meetings	186.24
COMCAST CABLE	CABLE BOXES	4267	Telephone	8.42
DAVID STOCK	VACATION PAY CORRECTION	4020	Salaries - Officers	4,194.12
F.I.A.T.	2015/2016 ANNUAL DUES	4337	Dumeg/Fiat/Child Center	3,500.00
NUTOYS LEISURE PRODUCTS	PICNIC TABLE FOR OFFICERS	4815	Equipment	776.00
PROVEN BUSINESS SYSTEMS	COPIER SERVICE RECORDS - TOSHIBA ESTUDIO 457	4225	Maintenance - Equipment	175.00
SARAH T. FALCO	VACATION PAY CORRECTION	4010	Salaries	2,538.10
SHELL	FUEL COSTS FYE16	4273	Vehicle (Gas and Oil)	50.33
WILLOWBROOK FORD, INC.	REPAIR TPMS SENSORS - D24	4229	Maintenance - Vehicles	34.95
			Total Police Department	11,463.16
			Total General Fund	40,708.72

**CITY OF DARIEN**  
**Expenditure Journal**  
**Water Fund**  
**Public Works, Water**  
**From 5/19/2015 Through 6/1/2015**

Vendor Name	Invoice Description	Acct Code	Acct Title	Dept Amount
ASSOCIATED TECHNICAL SERVICES	79TH STREET LEAK DETECTION	4326	Leak Detection	645.50
CASE LOTS, INC.	JANITORIAL PRODUCTS	4223	Maintenance - Building	114.15
CENTRAL SOD FARMS	SOD FOR RESTORATIONS	4231	Maintenance - Water System	276.00
CENTRAL SOD FARMS	SOD FOR RESTORATIONS	4231	Maintenance - Water System	256.00
DAN GOMBAC	DRINKING WATER OPERATOR CERTIFICATE OF COMPETENCY	4263	Training and Education	10.00
DUPAGE TOPSOIL, INC.	PULVARIZED DIRT FOR PW PROJECTS	4231	Maintenance - Water System	170.00
EJ USA, INC.	ROAD REHAB & REV FRAME/WIRE COVERS	4231	Maintenance - Water System	742.00
HBK WATER METER SERVICE	BENCH TEST FOR METER CROSSROADS (8109 LEMONT)	4880	Water Meter Purchases	37.00
HD SUPPLY WATERWORKS, LTD	REPAIR CLAMPS	4231	Maintenance - Water System	491.00
HONDA HOUSE OF ELMHURST	VALVE SET FLOAT FOR TRASH PUMPS	4231	Maintenance - Water System	102.60
KIEFT BROS., INC.	SOLID BLOCK FOR WATER REPAIR	4231	Maintenance - Water System	224.16
R & R INDUSTRIES, INC.	SAFETY VESTS & GOGGLES	4219	Liability Insurance	370.96
RENTAL MAX	VIBRATORY PLATE RAMMER - MODEL BS60-2I	4815	Equipment	1,498.37
SCORPIO CONSTRUCTION GROUP	TENNESSEE, 69TH STREET, SUNRISE	4231	Maintenance - Water System	2,860.00
SUBURBAN CONCRETE, INC.	WATER DEPARTMENT	4231	Maintenance - Water System	1,026.58
ZIEBELL WATER SERVICE PRODUCTS	PROBES & TRAVERSE CITY HYDRANT STEM EXTENSIONS	4231	Maintenance - Water System	255.00

**CITY OF DARIEN**  
**Expenditure Journal**  
**Water Fund**  
**Public Works, Water**  
**From 5/19/2015 Through 6/1/2015**

Vendor Name	Invoice Description	Acct Code	Acct Title	Dept Amount
ZIEBELL WATER SERVICE PRODUCTS	PROBES & TRAVERSE CITY HYDRANT STEM EXTENSIONS	4231	Maintenance - Water System	630.00
			Total Public Works, Water	9,709.32
			Total Water Fund	9,709.32

**CITY OF DARIEN**  
**Expenditure Journal**  
**Motor Fuel Tax**  
**MFT Expenses**  
**From 5/19/2015 Through 6/1/2015**

<u>Vendor Name</u>	<u>Invoice Description</u>	<u>Acct Code</u>	<u>Acct Title</u>	<u>Dept Amount</u>
EJ USA, INC.	ROAD REHAB SEWER IRONS	4257	Supplies - Other	828.00
EJ USA, INC.	ROAD REHAB ADJUSTMENTS	4257	Supplies - Other	422.12
EJ USA, INC.	ROAD REHAB & REV FRAME/WIRE COVERS	4257	Supplies - Other	4,332.00
NORWALK TANK	ROAD REHAB ADJUSTING RING	4257	Supplies - Other	242.48
NORWALK TANK	IRONWOOD ROAD REHAB	4257	Supplies - Other	143.48
NORWALK TANK	IRONWOOD ROAD REHAB	4257	Supplies - Other	393.19
QUARRY MATERIALS	COLD PATCH	4245	Road Material	<u>819.25</u>
			Total MFT Expenses	<u>7,180.52</u>
			Total Motor Fuel Tax	7,180.52

**CITY OF DARIEN**  
**Expenditure Journal**  
**Water Depreciation Fund**  
**Depreciation Expenses**  
**From 5/19/2015 Through 6/1/2015**

Vendor Name	Invoice Description	Acct Code	Acct Title	Dept Amount
DMD CONSULTANTS INC.	FIRE HYDRANT PAINTING	4818	Scada System	4,767.90
			Total Depreciation Expenses	4,767.90
			Total Water Depreciation Fund	4,767.90



**CITY OF DARIEN**  
**Expenditure Journal**  
**Federal Equitable Sharing Fund**  
**Drug Forfeiture Expenditures**  
**From 5/19/2015 Through 6/1/2015**

Vendor Name	Invoice Description	Acct Code	Acct Title	Dept Amount
POLICE ONE EQUIPMENT, INC.	ACTIVE SHOOTER KITS & HELMETS	4213	Dues and Subscriptions	6,975.00
			Total Drug Forfeiture Expenditures	6,975.00
			Total Federal Equitable Sharing Fund	6,975.00

**CITY OF DARIEN**  
**Expenditure Journal**  
**Capital Improvement Fund**  
**Public Works, Streets**  
**From 5/19/2015 Through 6/1/2015**

Vendor Name	Invoice Description	Acct Code	Acct Title	Dept Amount
NORWALK TANK	TENNESSEE DITCH PROJECT	4376	Ditch Projects	792.00
			Total Public Works, Streets	792.00

**CITY OF DARIEN**  
**Expenditure Journal**  
**Capital Improvement Fund**  
**Capital Fund Expenditures**  
**From 5/19/2015 Through 6/1/2015**

Vendor Name	Invoice Description	Acct Code	Acct Title	Dept Amount
DAS ENTERPRISES, INC.	TENNESSEE DITCH PROJECT	4376	Ditch Projects	830.15
DAS ENTERPRISES, INC.	TENNESSEE DITCH PROJECT	4376	Ditch Projects	1,700.79
DAS ENTERPRISES, INC.	TENNESSEE DITCH PROJECT	4376	Ditch Projects	2,449.95
DAS ENTERPRISES, INC.	TENNESSEE DITCH PROJECT	4376	Ditch Projects	1,741.28
DAS ENTERPRISES, INC.	TENNESSEE DITCH PROJECT	4376	Ditch Projects	1,741.28
DAS ENTERPRISES, INC.	TENNESSEE DITCH PROJECT	4376	Ditch Projects	1,700.80
ELMHURST CHICAGO STONE COMPANY	STONE FOR TENNESSEE DITCH PROJECT	4376	Ditch Projects	4,730.71
ELMHURST CHICAGO STONE COMPANY	STONE FOR TENNESSEE DITCH PROJECT	4376	Ditch Projects	1,910.83
NORWALK SALES CO.	TENNESSEE DITCH PROJECT	4376	Ditch Projects	3,009.80
NORWALK TANK	CATCH BASINS - TENNESSEE DITCH PROJECT	4376	Ditch Projects	1,692.54
SCORPIO CONSTRUCTION GROUP	BALANCE DUE ON INVOICE 548-15	4376	Ditch Projects	2,000.00
SCORPIO CONSTRUCTION GROUP	TENNESSEE, 69TH STREET, SUNRISE	4376	Ditch Projects	64,397.66
SCORPIO CONSTRUCTION GROUP	TENNESSEE, 69TH STREET, SUNRISE	4376	Ditch Projects	18,976.40
SCORPIO CONSTRUCTION GROUP	BALANCE DUE ON INVOICE 548-15	4376	Ditch Projects	(2,000.00)
SCORPIO CONSTRUCTION GROUP	TENNESSEE DITCH PROJECT	4376	Ditch Projects	19,640.00
SUBURBAN CONCRETE, INC.	SIDEWALKS	4380	Sidewalk Replacement Progr...	17,830.35
SUBURBAN CONCRETE, INC.	RESIDENT REIMBURSEMENT	4381	Residential Concrete Program	12,388.41

**CITY OF DARIEN**  
**Expenditure Journal**  
**Capital Improvement Fund**  
**Capital Fund Expenditures**  
**From 5/19/2015 Through 6/1/2015**

Vendor Name	Invoice Description	Acct Code	Acct Title	Dept Amount
SUBURBAN CONCRETE, INC.	PUBLIC WORKS PROJECTS	4383	Curb & Gutter Replacement ...	518.52
SUBURBAN CONCRETE, INC.	CURBS	4383	Curb & Gutter Replacement ...	122,411.25
THE BANK OF NEW YORK MELLON	CITY OF DARIEN GOB, SERIES 2008	4945	Debt Retire - Property	28,503.13
THE BANK OF NEW YORK MELLON	ANNUAL PAYING AGENT FEE GOB 2008	4945	Debt Retire - Property	802.50
			Total Capital Fund Expenditures	306,976.35
			Total Capital Improvement Fund	307,768.35
Report Total				377,109.81



**AGENDA MEMO**  
**CITY COUNCIL**  
**MEETING DATE: June 1, 2015**

**Issue Statement**

**Liquor License:** Discussion regarding amending the hours liquor can be served for Chucks Southern Comfort Barbecue Café.

**Planning Overview/Discussion**

Chuck's Southern BBQ Café has requested changing the hours liquor may be served. The following are the current license regulations:

3-3-7-4: CLASS D LICENSE:

(A) A class D license shall authorize the sale at retail and serving of alcoholic liquor at a counter or bar and at tables, provided such operation is carried on in conjunction with a restaurant operation serving a menu offering complete meals. The bar service or service at tables where a full menu is not available shall take place in a separate room from the full menu restaurant operation.

*(B) It shall be unlawful for any person to sell or offer for sale alcoholic liquor in conjunction with a class D liquor license between one o'clock (1:00) A.M. and eleven o'clock (11:00) A.M., except on Saturdays and Sundays when it shall be unlawful for anyone to sell or offer for sale alcoholic liquor under a class D liquor license between the hours of two o'clock (2:00) A.M. and ten o'clock (10:00) A.M. The commissioner may extend the hours for lawful sale and service of alcoholic liquor on special occasions such as New Year's Eve.*

(C) Live music shall be permitted. Such music may be provided by a band, musical group or an individual playing an instrument. No person providing such music shall be under the age of eighteen (18). Such music shall be for the dancing or listening pleasure of patrons only.

(D) The number of class D licenses shall be ten (10).

(E) The annual fee for a class D license shall be two thousand dollars (\$2,000.00).

Following are the requested changes:

*Monday-Saturday: sales/service prohibited between 2:00am-7:00am.*

*Sunday: sales/service prohibited between 3:00am-7:00am.*

A [table](#) accompanies this memo which summarizes the licenses held by several Darien businesses and a similar business in Westmont.

There are 10 businesses holding a Class D Liquor License. Amending the license affects all of these businesses.

**Staff Findings/Recommendations**

The following options are available:

1. No amendment to the license.
2. Amend license as requested.
3. Amend license to be in sync with license held by establishment in an adjacent

community.

For options 2 and 3, creating a separate license could be done so the action is targeted to Chuck's only and not all Class D license holders.

### **Municipal Services Committee Discussion – May 26, 2015**

The Municipal Services Committee discussed this matter at its meeting on May 26, 2015. The following members were present: Mayor Kathleen Moesle Weaver, Alderman Joseph Marchese – Chairperson, Alderman Tom Belczak, Dan Gombac – Director, Michael Griffith – Senior Planner and Elizabeth Lahey – Secretary.

Dan Gombac, Director, reviewed the proposed changes to the liquor sale and service hours requested by Chuck's and options to amend the license. He stated Chuck's holds a Class D license as well as several other businesses. He stated changing the Class D license impacts those other businesses.

Mayor Weaver stated her concern with expanding hours, it would apply to all businesses with a Class D license. She asked if there would be a full menu offered during the expanded hours.

Jim Pine, Chuck's, stated they open for breakfast at 7:00 AM, and provides a variety of breakfast foods. He stated the desire is to be able to serve liquor to those getting off work early in the morning and to patrons who enjoy having such items as a Mimosa or Bloody Mary with their breakfast.

Chairperson Marchese stated having a full menu is important with the liquor service.

Alderman Belczak stated his concern with the late evening hours but thought the morning hours would be acceptable.

Mayor Weaver agreed the late evening hours are a concern but allowing service to begin at 7:00 AM is more acceptable.

Mr. Pine stated the expanded hours would give them flexibility. He stated he does not expect a lot of liquor sales at those hours, however. He stated they have a 7:00 AM license in Burbank. He stated they prefer the morning hours over the late evening hours if there is a concern.

Mayor Weaver noted the email from Joe Weber, Main Street, stating his concern over the proposed late night hours. Please see [e-mail attached](#) to Alderwoman Mcivor.

The Committee discussed that Chuck's is a unique business, that a license should be drafted specific to Chuck's, to allow service to begin at 7:00 AM but to keep the current cut off at 1:00 AM Monday – Friday and 2:00 AM Saturday – Sunday.

As additional information, Dotty's opens at 7:00 am for breakfast, but the machines are not turned on until 11:00 am on weekdays and 10:00 am on Saturday and Sunday thus the liquor

Agenda Memo

Class D Liquor License: Discussion, hours...Page 3

license dictates the hours of operation of the gaming machines.

### **City Council – June 1, 2015**

For discussion only-The City Council is requested to discuss the following:

1. Creating a new liquor license for Chucks
2. A. Amend the Class D license to 9, if a new license is created  
B. Keep the current number of 10 Class D licenses and creating a new license for Chucks  
C. Establish an annual fee in the amount of \$2,500 for the new license, (Class D license is \$2,000 per year)

Pending discussion, the agenda item would be forwarded back to the Municipal Services for a recommendation and subsequently back to the City Council for formal approval.

### **Decision Mode**

Municipal Services Committee: May 26, 2015

City Council: June 1, 2015

Business	License Class	Current Regulations Summary	Requested Regulations
<b>Chuck's Southern BBQ</b> (Other establishments with a D Liquor License: Aodake, Dotty's, Estilo Rancho Restaurant, La Notte Due, Mi Hacienda, Old Vilnius Café, Patio Restaurant, Tai San Chef, TGI Friday's)	D 10 licenses	Alcohol sales and service at a counter or bar and at tables in conjunction with a restaurant offering complete meals. Service without complete meals to take place in a separate room from the restaurant.  <b>Hours:</b> <b>Monday-Friday: prohibited between 1:00am – 11:00am.</b> <b>Saturday-Sunday: prohibited between 2:00am – 10:00am.</b> <b>Liquor Commissioner may extend hours for special occasions.</b>	<b>Hours:</b> <b>Monday-Saturday: prohibited between 2:00am-7:00am.</b> <b>Sunday: prohibited between 3:00am-7:00am.</b>
<b>Q Bar</b>	I 1 license	Alcohol sales in conjunction with an amusement establishment, on-premises consumption.  <b>Hours:</b> Monday-Friday: prohibited between 1:00am – 11:00am. Saturday: prohibited between 2:00am – 11:00am. Sunday: prohibited between 2:00am-12:00 noon. Liquor Commissioner may extend hours for special occasions.	
<b>Carriage Greens Country Club</b>	C 1 license	Alcohol sales and service for a country club, on-premises consumption. Sales and service permitted at a counter or bar for seated customers.  <b>Hours:</b> Monday-Saturday: prohibited between 1:00am – 11:00am. Sunday: prohibited between 1:00am – 10:00am. Liquor Commissioner may extend hours for special occasions.	
<b>Stella's</b> (Other establishments with a K Liquor License: Buona, Café Smilga, Para Sushi and Ramen, Red Bowl Hibachi Grill & Sushi Buffet)	K 5 licenses	Alcohol sales of beer and wine for on-site consumption at tables in conjunction with the main purpose of serving food for on-premises or carryout.  <b>Hours:</b> Monday-Saturday: prohibited between 1:00am – 11:00am Sunday: prohibited between 1:00am – 12:00 noon. Liquor Commission may extend hours for special occasions.	
<b>Uncle Bubb's</b> (Village of Westmont)	2 13 licenses	Sale of alcohol for on-premises consumption as well as sale of alcohol in the original package and off-premises consumption, in conjunction with a restaurant, including banquet facility, with seating capacity of at least 75 and not exceeding 200 persons.  <b>Hours:</b> Monday-Friday: prohibited between 1:00am – 9:00am. Saturday and Sunday: prohibited between 2:00am – 9:00am. Hours extended on the Wednesday before Thanksgiving.	







**From:** [Michael Griffith](#)  
**To:** [Maria Gonzalez](#)  
**Subject:** Council item: Chuck's liq lic hours, for discussion  
**Date:** Thursday, May 28, 2015 1:47:52 PM

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**From:** Joe Weber [<mailto:jweber@airsourcepro.com>]  
**Sent:** Tuesday, May 26, 2015 11:58 AM  
**To:** [jmarchese@darienil.gov](mailto:jmarchese@darienil.gov)  
**Cc:** Sylvia McIvor; Luanne; [cpadonr@msn.com](mailto:cpadonr@msn.com); pkj4567 jopa  
**Subject:** Class D Liquor License

Hi Joe:

Hope all is well. Just a quick note concerning something on your agenda tonight.

I see that you have on your agenda tonight a discussion concerning Chuck's seeking to amend the hours of the class D liquor licenses. If I read it correctly they are looking to push back their week day close to 2 AM from 1 AM and their Saturday close to 3 AM from 2 AM as well as start service at 7 AM on Saturday and Sunday.

I think Chuck's has been a great addition to our community and I have enjoyed patronizing Chucks; but do we really need to have bars/restaurants and gambling "cafes" closing at 2 and 3 AM in our community? I sort of understand/sympathize with the 7 AM request to have champagne/mimosa service with brunch, but I have some real trepidation about later closing/serving hours. I do not think the proposed change to 2 AM and 3 AM service hours are an improvement to our community or a step in the right direction.

Note if I count correctly (5) of the (10) establishments that have class D licenses are in Ward 6 thus I wanted to make sure Sylvia was aware of this discussion as well.

Thanks,  
Joe Weber  
President  
Air Source Products  
24W500 Maple Ave  
Naperville, IL 60540  
(office): 630-355-7655  
(cell): 630-967-4961  
(fax): 630-355-7665

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**AGENDA MEMO**  
**City Council Meeting**  
**June 1, 2015**

**ISSUE STATEMENT**

Consideration of a Motion to Approve:

- Our Lady of Peace Crusader Challenge 2015, 5K Run, Sunday August 23, 2015 Beginning at 8:30 A.M. and  
The Police Department will not absorb any additional costs for this event. Temporary no parking signs will be placed on 71st Street between Clarendon Hills Road and Bentley and that road will be closed during the race.
- Use of the Right Half of the Following Streets for the Crusader Challenge 2015 which Begins at the Darien Community Park and Proceed as Follows:  
**5K Run**– 71<sup>st</sup> Street to Bentley Avenue; North on Bentley Avenue, West onto Maple Lane to Richmond Avenue; South on Richmond Avenue to 71st Street; west on 71st Street to Beechnut Lane; North on Beechnut Lane to Ironwood Avenue; East on Ironwood Avenue to 69<sup>th</sup> Street; East on 69<sup>th</sup> Street to Richmond Avenue; South on Richmond Avenue to 70th Street; East on 70th Street to Bentley Avenue; North on Bentley Avenue to 69<sup>th</sup> Street; East on 69th Street to Clarendon Hills Road; South on Clarendon Hills Road to 70th Street; West on 70th Street to Bentley Avenue; South on Bentley Avenue to Maple Lane; East on Maple Lane to Clarendon Hills Road; South on Clarendon Hills Road to 71st Street to finish at Northwest corner of Darien Community Park

**BACKUP**

**BACKGROUND HISTORY**

Our Lady of Peace Catholic School will be hosting a 5K event on Sunday, August 23, 2015 beginning at 8:30 a.m. The Police Department will not absorb any additional costs for this event. Temporary no parking signs will be placed on 71<sup>st</sup> Street between Clarendon Hills Road and Bentley and that road will be closed during the race. This is the only impact the race has on the City.

**STAFF/COMMITTEE RECOMMENDATION**

Staff recommends to approve Our Lady of Peace Catholic School 5K run.

**ALTERNATE CONSIDERATION**

Not approve the motion at this time.



City of Darien, City Clerk's Office  
Attn: Maria Gonzalez  
1702 Plainfield Road  
Darien, IL 60561

Dear Mrs. Gonzalez,

With much thanks to the City of Darien and the Darien Police Department, Our Lady of Peace School successfully hosted the Crusader Challenge 5k for the past 5 years.

I would like to request approval for our 2015 event to take place on Sunday, August 23<sup>rd</sup> at 8:30am at Darien Community Park.

I would like to use the same course as the 2015 Darien Dash, as it has been certified and I know they worked closely with the Police Department to minimize inconvenience for the neighbors. The route would begin at the Community Park, travel west on 71<sup>st</sup>, briefly head north on Bentley to Maple and continue to Richmond south to 71<sup>st</sup> again. It will then continue heading west on 71st, turn north on Beechnut to Ironwood Ave northeast to 69<sup>th</sup>, turning briefly south on Richmond to 70<sup>th</sup> east to Bentley. Bentley will take participants north to 69<sup>th</sup> again to Clarendon Hills Road, before heading west on 70<sup>th</sup> to Bentley south, turning at Maple east to Clarendon Hills Road again, before turning west on 71st to the finish at the Community Park.

We have secured this date with the park district and will await approval by the City Council. Please don't hesitate to contact me with any questions. I appreciate your time.

Sincerely,

Angel Arflack  
OLPCrusader Challenge Coordinator  
630-805-2719  
aarflack@att.net



**AGENDA MEMO**  
**City Council**  
**June 1, 2015**

**ISSUE STATEMENT**

Approval of an ordinance authorizing the disposal of surplus property.

**ORDINANCE**

**BACKGROUND/HISTORY**

Police Committee is requesting that the following property be declared as surplus property and auctioned using an on-line auction service, Public Surplus, or disposed of:

ITEM	EXPLANATION
1 Sentry Black Safe	No longer functional-electronic lock does not work
2 35 mm Fujifilm CH 135 24 exposure x 8 for law enforcement.	Outdated technology-no longer use 35mm cameras.

**STAFF/COMMITTEE RECOMMENDATION**

Based upon the above information, the Police Committee recommends that the items above be declared surplus property and be auctioned or disposed of.

**ALTERNATE CONSIDERATION**

Not approving this ordinance at this time would be an alternate consideration.

**DECISION MODE**

If approved this item will be placed on the June 1, 2015 City Council Agenda for formal Council approval.



**CITY OF DARIEN**

**DU PAGE COUNTY, ILLINOIS**

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

**AN ORDINANCE AUTHORIZING THE SALE  
OF PERSONAL PROPERTY  
OWNED BY THE CITY OF DARIEN**

---

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

**THIS 1<sup>st</sup> DAY OF JUNE, 2015**

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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  
\_\_\_\_\_ of June, 2015.**

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

**AN ORDINANCE AUTHORIZING THE SALE  
OF PERSONAL PROPERTY  
OWNED BY THE CITY OF DARIEN**

WHEREAS, in the opinion of at least three fourths of the corporate authorities of the City of Darien, it is no longer necessary or useful, or for the best interests of the City of Darien, to retain ownership of the personal property hereinafter described; and

WHEREAS, it has been determined by the Mayor and City Council of the City of Darien to sell said personal property at a Public Auction or dispose of said property.

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:** The Mayor and City Council of the City of Darien find that the following described personal property, now owned by the City of Darien, is no longer necessary or useful to the City of Darien and the best interests of the City of Darien will be served by auctioning it using Public Surplus or disposing of said property.

ITEM	EXPLANATION
1 Sentry Black Safe	No longer functional-electronic lock does not work.
2 35 mm Fujifilm CH 135 24 exposures x 8 for law enforcement.	Outdated Technology-no longer use 35mm cameras.

**SECTION 2:** The City Administrator is hereby authorized and directed to sell the aforementioned personal property, now owned by the City of Darien. Items will be auctioned using Public Surplus or disposing of said property.



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

**SECTION 3:** 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 4:** This Ordinance 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 1<sup>st</sup> day of June, 2015.**

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

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

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

**APPROVED BY THE MAYOR OF THE CITY OF DARIEN, DU PAGE COUNTY, ILLINOIS, this 1<sup>st</sup> day of June, 2015.**

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

ATTEST:

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

APPROVED AS TO FORM:

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



# AGENDA MEMO

## City Council

### June 1, 2015

#### **ISSUE STATEMENT**

Motion approving the purchase of one (1) Sharp Interactive Display Board in the amount of \$6,930.36 from Sharp Business Systems using Department of Justice award money.

#### **BACKGROUND/HISTORY**

Police Department staff saw this Sharp Display Board at a recent training conference. It has an on-board computer that will connect the display to the city network and internet. This will allow supervisors to share important law enforcement information with their shifts including officer safety bulletins, policy updates, department directives from the chief's office, review reports, statistics and review training videos from law enforcement websites such as Policeone.com, Lexipol, and Caliber Press.

The display also offers an electronic white board that will allow officers to diagram/pre-plan missions, conduct debriefings, brainstorming sessions, classroom interactions, and more. Discussions and presentations become platforms for effective and lively exchanges of opinions.

The Darien Police Department is a proud participant in the United States Department of Justice and the United States Department of Treasury Equitable Sharing Program for State and Local Law Enforcement Agencies. For the last two years the Darien Police Department has participated in federal task forces whose goal is to stem the flow of illegal narcotics into the Chicago metropolitan area which is one of the major hubs for illegal narcotics coming into the United States. It is the goal of this program to not only cut off the flow of illegal narcotics into the area, but to take away and use the tools, proceeds and property derived from any criminal activity against the offenders. These seized tools, proceeds and property are ultimately a deterrent to criminal activity and an enhancement to law enforcement. Under the *Guidelines of the Equitable Sharing Program*, the funds received cannot be used to replace or supplant the police department's regularly budgeted monies but augment the police budget. These seized monies may only be used by the police department in order to augment the police budget. This purchase meets the *Guidelines of the Equitable Sharing Program* and will provide an important tool for the police department that otherwise would not be available without participation in the Equitable Sharing Program.

#### **Proposals/Bids**

COMPANY	AMOUNT
<a href="#">Sharp Business Systems</a>	\$6,930.36
<a href="#">CDS Office Technologies</a>	\$7,815.00
<a href="#">Des Plaines Office Equipment</a>	\$10,500.00
<a href="#">Gordon Flesch Company, Inc.</a>	\$10,800.00

#### **STAFF/COMMITTEE RECOMMENDATION**

At their May 18, 2015 meeting, the Police Committee unanimously approved the purchase of this equipment in the amount of \$6,930.36 from Sharp Business Systems. They included a 3 year warranty, delivery, set-up and training at no additional cost.

#### **ALTERNATE CONSIDERATION**

The alternate consideration would be to not approve purchasing the additional equipment at this time.

#### **DECISION MODE**

This item will be placed on the June 1, 2015 City Council agenda for formal consideration and approval.



## Darien Police Department

Prepared for Deputy Chief John Cooper



Prepared By Morgan McDonnell

SHARP BUSINESS SYSTEMS | 1815 S Meyers Rd, Suite 100

Oakbrook Terrace, IL 60181 | 630-613-5302

## PROPOSED SOLUTION – SHARP PN-L703B INTERACTIVE WITH MOBILE CART

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Quantity	Model	Description	Special Gov't Purchase Price
1	PNL703B	70" Class (70" Diagonal) Full Color Professional LCD Monitor with Interactive 10 Touch Screen	\$6,930.36
1	PenSftwr	Sharp Pen software, stylus marker, eraser, remote	Included
1	31008MLSSR	Whoosh Screen Shine Pocket Cleaner Included w Aquos Board	Included
1	MSPL01204	4 GB Aquos Board Computer	Included
1	PNSR763M	Mobile Rolling Cart w/integrated AC Strip and Cable Management	Included
1	PN-ZL01	Pressure Sensor Pen with Function Buttons	Included
		Initial and Ongoing Training	Included
		Delivery and Setup	Included

## INVESTMENT INCLUDES: SPECIAL GOVERNMENT PRICING

---

### Manufacturers' Warranty

- 3 Year Warranty
- Optional extended warranty available

### Your Sharp investment will include:

- Delivery and Set-up
- Training
- Local accountability
- Stability of manufacturer in changing industry climate
- Sales tax not included in pricing

### Smooth, Intuitive, and Made for Sharing— Sharp AQUOS BOARDS Gives Your Communications a Boost



Sharp's AQUOS BOARD™ PN-L703A/703B/603A/603B are designed for smooth and effortless communication in a wide range of contexts. Their highly responsive touch pens allow several people to write on the same screen at the same time. And Sharp's Touch Display Link software enables multifaceted wireless communication. Whether in the boardroom or the classroom, Sharp changes the way you communicate.

## Simple, Intuitive Operation Lets You Focus on Interacting

### Simultaneous Writing

Recognizing up to 10 points of contact, the PN-L703A/703B and PN-L603A/603B multi-touch LCD monitors allow up to four people to write on the screen at the same time using touch pens or fingers. Participants can take an active part in meetings, brainstorming sessions, classroom interactions, and more. Discussions and presentations become platforms for effective and lively exchanges of opinions.



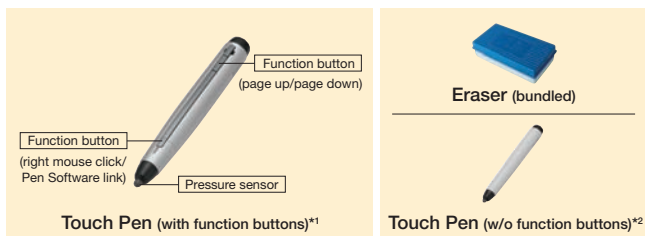
### User-Friendly Pen Software Interface

Using a touch pen, you can easily launch and display the Pen Software user interface—a menu comprising smartly arranged icons that provide easy access to pen settings and functions. Each touch pen has its own dedicated menu, which can be displayed even when up to four people are writing on the screen at the same time. Pen settings such as color and line thickness can be set for each touch pen (with function buttons).



### Smooth, Highly Responsive Touch Pen

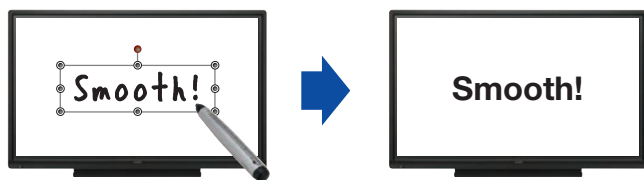
The dedicated touch pen with function buttons\*1 is so smooth and light that using it is like writing on paper. A pressure sensor at the tip of this slim and lightweight pen lets you write with high precision and with an effortless and uninterrupted flow.



\*1 Bundled with PN-L703A/603A; optional for PN-L703B/603B  
\*2 Bundled with PN-L703B/603B

### Handwriting Recognition

These LCD monitors feature a handwriting recognition\*3 function for converting selected onscreen handwriting into standard text. This convenient function allows you to utilize onscreen content to make neat and legible minutes of your meetings.



\*3 Works with languages supported by Pen Software.

## Work Smarter with Touch Display Link

Touch Display Link 2.0\*1 software supports effective and multifaceted communication. Onscreen content—including handwritten notes and drawings made in real time—can be viewed simultaneously on the AQUOS BOARD and mobile devices\*2 such as PCs, tablets, and smartphones. Touch Display Link facilitates interactive presentations, lively discussions, and paperless meetings in both business and educational settings.

\*1 Number of connectable mobile devices depends on the following conditions.  
• LCD monitors  
PN-L703A/603A used with pre-installed software: Max. 20  
PN-L703A/603A/703B/603B used with bundled software CD-ROM: Max. 50  
• OS – Windows® 7: Max. 20; Windows® 8/8.1: Max. 50  
\*2 OS requirements:  
PCs: Windows® 7, Windows® 8/8.1; Tablets: Windows® 7, Windows® 8/8.1, Android, iOS;  
Smartphones: Android, iOS  
\*3 Connecting 20 or more mobile devices requires at least two LAN access points.



# Designed with True User-Friendliness in Mind

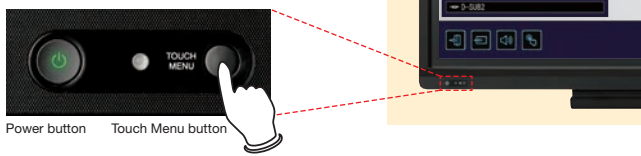
## Quick Startup (PN-L703A/603A)

The whiteboard function on the PN-L703A/603A can start up quickly at a press of the power button, so that meetings get underway without delay.

Note: When booting the LCD monitor from power off status (power turned off using the power button on the monitor or remote control)

## Touch-Operated Onscreen Display

Pressing the Touch Menu button displays an onscreen menu that lets you easily switch input sources, change volume level, or turn the touchscreen function on and off without using a remote controller.

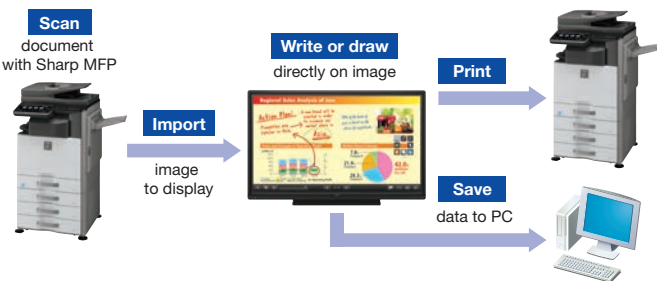


## Minimise Glare and Fingerprints

Protecting the screen is an anti-glare film that works to reduce glare and reflections and minimize fingerprint soiling on the glass.

## MFP Connectivity

Documents and images scanned from a color-scan-capable Sharp MFP can be imported directly to the pen software for display on the AQUOS BOARD. For added convenience, image data shown onscreen—including notations—can be saved to a PC or sent directly to an MFP for printout.



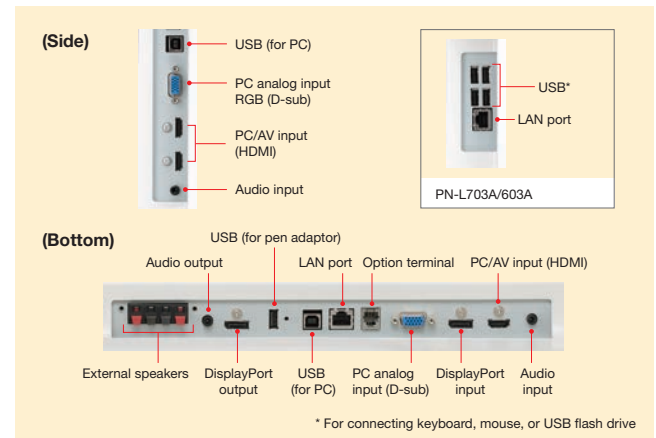
- Touch Display Link enables the following interactive functions on AQUOS BOARD and mobile devices connected via wireless LAN:
  - sharing of onscreen content
  - transfer of files
  - interactive onscreen writing and drawing
  - remote control of the AQUOS BOARD from mobile devices
- Up to 50 mobile devices\*1\*3 can be connected simultaneously.
- Files can be exchanged between mobile devices even if they are not connected to the AQUOS BOARD.
- Users can capture onscreen images and save them on their mobile devices to make personally annotated memos (personal memo).
- Touch Display Link also connects two AQUOS BOARD on the same network (intranet, VPN, etc.) to enable larger-scale interactive communications.

## Front-Mounted Speakers

Two speakers (10W + 10W) are mounted low on the front of the LCD monitor to deliver clearer sound.

## A Wealth of Input/Output Terminals

The PN-L703A/703B and PN-L603A/603B come standard-equipped with a wealth of input/output terminals—on the side and the bottom of the monitor—to enable easy connection with a wide variety of equipment. This array of terminals includes three HDMI ports, two D-sub ports, two DisplayPort™ terminals (one input, one output), and two touchscreen-supporting USB ports. One of the USB ports can be assigned to a regularly connected PC, such as a host PC used to operate the LCD monitor. The other USB port facilitates temporary connection to another PC, such as one used by a meeting participant. This allows easy PC connection without the need to switch the USB cable.



## Feature Comparison

	PN-L703A/603A	N-L703B/603B
Quick Startup	●	—
Pen Software*1	(pre-installed)	(bundled; user installed)
Touch Pen	with function buttons	▲*2 (optionally available)
	w/o function buttons	(1 pen)
Touch Display Link*3	(pre-installed / bundled; user installed)	(bundled; user installed)

▲ feature available under conditions indicated in parentheses.  
 \*1 Supports 11 languages (English, German, Spanish, French, Italian, Dutch, Portuguese, Russian, simplified Chinese, traditional Chinese, Japanese)  
 \*2 Please check with your local authorized Sharp dealer/representative on availability.  
 \*3 For details, see the section on Touch Display Link.



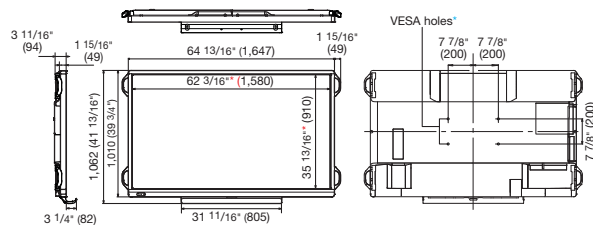
Specifications

Model Name	PN-L703A	PN-L703B	PN-L603A	PN-L603B
Installation	Landscape			
LCD Panel	70-inch-class (69 1/2-inch diagonal) UVFA*1 LCD		60-inch-class (60 1/16-inch diagonal) UVFA*1 LCD	
Max. Resolution	1,920 x 1,080 pixels			
Max. Display Colors (approx.)	1.06 billion colors			
Pixel Pitch (H x V)	0.802 x 0.802 mm		0.692 x 0.692 mm	
Max. Brightness (average)*2	300 cd/m <sup>2</sup>			
Contrast Ratio	3,000 : 1			
Viewing Angle (H/V)	160°/160° (CR ≥ 10)			
Active Screen Area (W x H) (approx.)	60 3/16" x 34 1/16"		52 3/16" x 29 7/16"	
Response Time	6 ms (grey to grey, avg.)			
Backlight	LED, edge lit			
Touchscreen	Touch Technology: IR (infrared blocking detection method)			
PC Connection Port	USB 2.0 (type B) x 2			
Power Supply	Supplied from main unit			
Multi Touch	10 points			
Protection Glass	Thickness: Approx. 3.4 mm*3 Shock resistance: 130 cm*4		Thickness: Approx. 3.0 mm*3 Shock resistance: 130 cm*4	
Touch Pen	Communication	Wireless communication method	Wireless communication method	-
	Function Button	Yes	Yes	No
Whiteboard Function	Built-in			
Computer Input	Video	Analogue RGB (0.7 Vp-p) [75Ω], DisplayPort 1.1a		
	Synchronization	Horizontal/vertical separation (TTL: positive/negative), Sync on green (D-sub 15-pin only), Composite sync (TTL: positive/negative)		
	Plug & Play	VESA DDC2B		
	Power Management	VESA DPMS		
Video Color System	NTSC (3.58 MHz, 4.43 MHz), PAL, PAL60, SECAM			
Input Terminals*5	PC analogue: Mini D-sub 15-pin x 2*6, HDMI (HDCP and 1080p compatible), PC/AV signal compatible) x 3, 3.5 mm-diameter mini stereo jack x 2, Video x 1*6, Component video x 1*6, DisplayPort (HDCP compatible, PC signal compatible) x 1			
Output Terminals*5	3.5 mm-diameter mini stereo jack x 1, DisplayPort (HDCP compatible) x 1,			
Input/Output Terminals*5	LAN port (10Base-T/100Base-TX) x 1			
Controller*5	USB	Type A x 4*7	-	Type A x 4*7
	LAN port	10Base-T/100Base-TX/1000Base-T x 1	-	10Base-T/100Base-TX/1000Base-T x 1
Speaker Output	Built-in	10 W + 10 W		
	External	10 W + 10 W (6Ω)		
Mounting	VESA (4 points), 400 x 200 mm pitch, M6 screw			
Power Supply	100V – 240V AC, 50/60 Hz			
Power Consumption	250 W	225 W	210 W	185 W
Environmental Conditions	Operating Temperature	5°C to 35°C		
	Operating Humidity	20% to 80% RH (no condensation)		
Dimensions (W x D x H) (approx.) (display only)	64 13/16" x 3 11/16" x 39 3/4"		56 9/16" x 3 11/16" x 35"	
Weight (approx.)	134.5 lbs	130.1 lbs	105.9 lbs	101.5 lbs
Main Accessories	AC power cord, remote control unit, batteries (AA size x 2), set-up manual, blank sticker, cable clamps x 5, camera mount, USB cable (3.0 m), eraser, pen tray			
	Touch pen (with function button), pen adaptor, touch pen battery (AAA size), Touch Display Link 2.0 software CD-ROM	Touch pen (without function button), Touch Display Link 2.0 software CD-ROM	Touch pen (with function button), pen adaptor, touch pen battery (AAA size), Touch Display Link 2.0 software CD-ROM	Touch pen (without function button), Touch Display Link 2.0 software CD-ROM

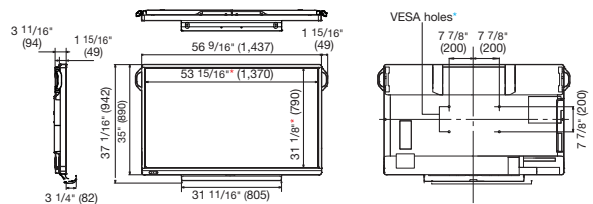
\*1 UVFA stands for Ultraviolet-induced Multi-domain Vertical Alignment, a photo-alignment technology that ensures uniform alignment of liquid crystal molecules. \*2 Brightness depends on input mode and other picture settings. Brightness level will decrease slightly over the lifetime of the product. Due to the physical limitations of the equipment, it is not possible to maintain a precisely constant level of brightness. \*3 Including AG film on the front and AR film on the back. \*4 Approximate distance at which the glass panel can withstand the impact of a 500-gram iron ball dropped on its center. \*5 Use a commercially available connection cable for PC and other video connections. \*6 Analog PC, video, and component video are switchable (on bottom interface); use the menu to select. Video and component video connections require conversion cable via mini D-sub 15-pin jack. \*7 For connecting keyboard, mouse, and USB memory device.

Dimensions

■ PN-L703A/703B



■ PN-L603A/603B



Units: inch (mm)  
\* Screen dimensions  
\* To use the VESA-standard mounting bracket, use M6 screws that are 8 to 10 mm plus the thickness of the bracket.

Windows® PC System Requirements

PC	PC/AT compatible machine with USB 2.0 port and screen resolution of 1,920 x 1,080 (CD-ROM drive required for installation)
CPU	Intel® Celeron® 1.6GHz, or AMD Sempron™ 1.6GHz or higher (Intel® Core™ 2 Duo 2.8GHz, or AMD Athlon™ II x 2 2.8 GHz or higher recommended)
OS	Windows® 7 (32-bit/64-bit), Windows® 8 (32-bit/64-bit), Windows® 8.1 (32-bit/64-bit)
Memory	2GB or more
Hard disk	200MB or more free space (additional space required for saving data)

Options

■ PN-ZL01 : Touch Pen and Touch Pen Adaptor

■ PN-ZL02 : Touch Pen



SHARP ELECTRONICS CORPORATION  
Sharp Plaza, Mahwah, NJ 07495-1163  
1-800-BE-SHARP • www.sharpusa.com

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**CDS Office Technologies**  
 1271 HAMILTON PARKWAY  
 Itasca, Illinois 60143  
 United States  
 (P) 630-677-1315  
 (F) 630-305-9876

Quotation (Open)	
<b>Date</b>	May 12, 2015 08:45 AM CDT
<b>Doc #</b>	445916 - rev 1 of 1
<b>Description</b>	Sharp Smartboard PN-L703APKG1 w/ stand and PC
<b>SalesRep</b>	Gottlieb, Mark (P) 630-677-1315 (F) 630-305-9876
<b>Customer Contact</b>	Cooper, John (P) 630-353-8359 jcooper@darien.il.us

**Customer**

Darien Police Department (24138)  
 Cooper, John  
 1710 Plainfield Rd.  
 Darien, IL 60561  
 United States  
 (P) 630-971-3999

**Bill To**

Darien Police Department  
 Accounts, Payable  
 1710 Plainfield Rd.  
 Darien, IL 60561  
 United States  
 (P) 630-971-3999

**Ship To**

Darien Police Department  
 Cooper, John  
 1710 Plainfield Rd.  
 Darien, IL 60561  
 United States  
 (P) 630-971-3999

**Ship Via:**

UPS Ground

**Special Instructions:**

**Carrier Account #:**

#	Description	Part #	Qty	Unit Price	Total
<b>Sharp Aquos Interactive Display - with integrated controller, stand and PC</b>					
1	Sharp Interactive Display System PN-L703A 70" Class ( 69.5" viewable ) - commercial use - Aquos Board LED-backlit LCD flat panel display with built-in PC and touch-screen - 1080p (FullHD) - edge-lit	PN-L703APKG1	1	\$7,600.00	\$7,600.00
<b>Additional Digital Pen</b>					
2	Sharp PN-ZL01 Digital pen - wireless - USB wireless receiver - for Interactive Display System - function buttons for page up/page down and right click (one included with PN-L703A)	PN-ZL01	1	\$215.00	\$215.00
<b>Training</b>					
3	CDS OFFICE TECHNOLOGIES - Training Sharp Aquos Board training (may be remote)	ZBLOCKCNET	1	\$600.00	\$600.00

Subtotal: \$8,415.00  
 Tax (8.500%): \$0.00  
 Shipping: \$0.00  
**Total: \$8,415.00**

CDS Office Technologies disclaims any responsibility for product information and products described on this site. Some product information may be confusing without additional explanation. All product information, including prices, features, and availability, is subject to change without notice. Applicable taxes & shipping may be added to the final order. CREDIT CARD ORDERS WILL BE CHARGED A 2.75% CONVENIENCE FEE FOR PROCESSING THE ORDER. All returns must be accompanied by original invoice and authorized RMA number within 30 days of invoice date and are subject to a 15% restocking fee. Due to manufacturer s restrictions, Panasonic items are not eligible for return. Late fees may apply to payments past 30 days from invoice date. Please contact your sales representative if you have any questions.



# ORDER FORM

1020 Bonaventure Drive  
 Elk Grove Village, IL 60007  
 Tel: (847) 879-6400  
 Fax: (847) 879-6411

TOTAL SALE:	10,500.00
REC. DEPOSIT:	0.00
C.O.D.:	0.00
BALANCE:	10,500.00
TERMS:	

CUSTOMER NAME City of Darien Police Department DATE 5/11/15

---

ADDRESS \_\_\_\_\_ SUITE \_\_\_\_\_ FAX \_\_\_\_\_

---

CITY Darien ZIPCODE 60561 PHONE (630) 353-8359

---

SALESREP \_\_\_\_\_ CUST. PO # \_\_\_\_\_ EMAIL \_\_\_\_\_

QUANTITY	ITEM NUMBER	DESCRIPTION	UNIT PRICE	EXTENDED
1	pnl703a	70inch Sharp interactive touch screen	10,500.00	10,500.00
1	pnzl01	pen		0.00
1	ts-17	windows 8 computer		0.00
1	sha-pnsr760m	rolling flat stand		0.00
				0.00
				0.00
		includes delivery and installation		0.00
				0.00
				0.00
				0.00
				0.00
				0.00
				0.00
				0.00
				0.00
				0.00
				0.00
				0.00
				0.00
				0.00

Title to all merchandise remains with seller until paid in full. Customer agrees to be responsible for proper care of merchandise until balance is PAID. This order constitutes a bona fide purchase subject to acceptance by DES PLAINES OFFICE EQUIPMENT CO.

SUB TOTAL 10,500.00  
 TAX RATE \_\_\_\_\_ TAX 0.00

CUSTOMER SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

NETWORK \_\_\_\_\_  
 INSTALLATION \_\_\_\_\_  
 MAINTENANCE \_\_\_\_\_  
 TOTAL SALE 10,500.00

**THANK YOU FOR YOUR BUSINESS!**

CONFIDENTIAL AND PROPRIETARY INFORMATION OF DES PLAINES OFFICE EQUIPMENT CO.



MEMO

## Sharp Aquos 70" Interactive Display System

- Display, Annotate, Store and Share Information.
- Full 1080 HD resolution high quality display.
- High Performance Optical Imaging Touch Technology - detects touch points with extremely high accuracy. Create work plans, highlight key topics, annotate files and more – and then share marked up documents or print hard copies for future reference.
- Remote Collaboration Tool – Ability to conduct webinars, video conferences and more. Works seamlessly with WebEx, GoToMeetings, Skype and others.
- Intuitive Sharp Pen Software™ Application - provides new dimension in interactive control. Utilizing the tip of your finger or touch pen you can open and close documents, enlarge or shrink images, even make hard copy printouts. This software is compatible with Windows® 7, enabling you to import files quickly.
- Dual Touch Interface - with two fingers, you can easily enlarge, reduce or rotate an image.
- Rolling Cart floor stand.



Gordon Flesch Contact	
Equipment needs consultation and purchase:	
Name	Larry Zea
Title	Senior Account Representative
Address	401 N. Kirk Road
City	Geneva
State	Illinois
Zip Code	60134
Telephone Number	(630) 262-8300
E-Mail Address	<a href="mailto:lzea@gflesch.com">lzea@gflesch.com</a>





## Sharp Aquos 70" Interactive Display System

- 70" Aquos Interactive Board package:  
Includes: 70" display, Model PN-L703a 2.6 GHz intel processor computer, Rolling Floor Cart Display. Extra interactive Pen ZL01



Packaged Price: \$10,800

Gordon Flesch Contact Equipment needs consultation and purchase:	
Name	Larry Zea
Title	Senior Account Representative
Address	401 N. Kirk Road
City	Geneva
State	Illinois
Zip Code	60134
Telephone Number	(630) 262-8300
E-Mail Address	<a href="mailto:lzea@gflesch.com">lzea@gflesch.com</a>





**AGENDA MEMO**  
**CITY COUNCIL**  
**MEETING DATE: June 1, 2015**

**Issue Statement**

**PZC 2015-03: Darien Immediate Care, 8190 Cass Avenue:** Petitioner seeks approval of a variation from the Sign Code to permit a wall sign on the side of the building which is not the front façade within the O Office zoning district.

**ORDINANCE**

**SIGN DRAWING**

Applicable Regulations: Sign Code, Section 4-3-10(C): Permitted Signs In Zoning Districts, O Office and the Office, Research and Industrial Districts (O and OR&I).

**Discussion**

**Both the Planning and Zoning Commission and the Municipal Services Committee recommend approval of this petition, subject to conditions. The following conditions were recommended by the Committee:**

- 1. The sign is to be turned off when the clinic is closed.**
- 2. Sign variation granted to Darien Immediate Care and does not run with the property/building.**

Full discussion follows as “Additional Information.”

Draft ordinance attached. Ordinance grants variation to the business, variation runs with the business and not the property/building.

**Decision Mode**

Planning and Zoning Commission: May 20, 2015

Municipal Services Committee: May 26, 2015

City Council: June 1, 2015

## **Additional Information**

### **Issue Statement**

**PZC 2015-03: Darien Immediate Care, 8190 Cass Avenue:** Petitioner seeks approval of a variation from the Sign Code to permit a wall sign on the side of the building which is not the front façade within the O Office zoning district.

Applicable Regulations: Sign Code, Section 4-3-10(C): Permitted Signs In Zoning Districts, O Office and the Office, Research and Industrial Districts (O and OR&I).

### **General Information**

Petitioner/Owner: Darien Immediate Care  
Dr. Kohli  
8190 Cass Avenue  
Darien, IL 60561

Property Location: 8190 Cass Avenue

PIN: 09-33-213-022

Existing Zoning: O Office

Existing Land Use: Medical clinic

Comprehensive Plan Update: Office

Surrounding Zoning and Land Use:

North: O Office: offices

East: B-1 Neighborhood Convenience Shopping District: offices, bank

South: R-3 Multi-Family Residence: attached single-family homes (townhomes)

West: O Office: offices

Size of Property: 31,379 square feet

Floodplain: None.

Natural Features: None.

Transportation: Property has access onto Cass Avenue.

History: In 2013, the City Council granted a special use for a medical clinic

within the O Office zoning district.

The subject property is part of a 6 building office complex approved in 1997.

### **Documents Submitted**

This report is based on the following information submitted to the Community Development Department by the Petitioner:

1. Plat of Survey, 1 sheet, prepared by NEKOLA, dated March 5, 2005.
2. Sign drawing, 1 sheet, prepared by Fastsigns, dated April 1, 2015.
3. Approval letter from Glen Oaks Office Park Owners Association, 1 sheet, dated November 24, 2014.

### **Planning Overview/Discussion**

The subject property is located on the west side of Cass Avenue across the street from offices and a bank.

The petitioner proposes to place a wall sign on the east wall of the building, facing Cass Avenue., not the façade which is the entrance to the building. The property is zoned O Office. Within the O Office zoning district, wall signage is permitted on the building front. In this case, the building front is the north wall of the building facing the parking lot where the entrance is located.

The sign area complies based on the wall length (1 square foot of sign area per linear foot of wall length). The sign is 17.5 square feet, illuminated.

Per Section 4-3-18 of the Sign Code, the following shall be considered:

1. The available locations for adequate signage on the property.
2. The effect of the proposed sign on pedestrian and motor traffic.
3. The cost to the applicant in complying with the Sign Code as opposed to the detriment, if any, to the public from granting of the variation.
4. If undue hardships and practical difficulties result in complying with the Sign Code and if these hardships are a result of previous actions of the applicant.
5. The general intent of the Sign Code.

Section 4-3-2 of the Sign Code provides the general intent of the Sign Code:

This sign code is adopted for the following purposes:

- A. To promote and protect the public health, safety, comfort, morals, convenience and general welfare of the residents of the City.

- B. To enhance the physical appearance of the City by preserving the scenic and natural beauty of the area.
- C. To promote the safety and recreational value of public travel.
- D. To protect the public investment in streets and highways by reducing sign or advertising distractions that may increase traffic accidents.
- E. To ensure compatibility of signs with surrounding land uses.
- F. To enhance the economy of the City by promoting the reasonable, orderly and effective display of outdoor advertising.
- G. To protect the pedestrians and motorists within the City from damage or injury caused by distractions, obstructions and hazards created by a proliferation of off-site advertising signs.
- H. To prevent the proliferation of off-site advertising signs which distract from the development of the City in an aesthetically pleasing manner.
- I. To preserve the character of the City which is a single-family residential community by assuring the compatibility of signs with the surrounding land uses.

### **Staff Findings/Recommendations**

Staff does not object to the proposed sign. Cass Avenue is a mix of retail and office uses, it would be expected to have signage face such a street. The proposed variation will not affect pedestrian and motor traffic and meets the general intent of the Sign Code by enhancing the economy of the City by promoting reasonable, orderly and effective display of signage.

Therefore, staff recommends the Planning and Zoning Commission make the following recommendation to approve the variation:

**Based upon the submitted petition and the information presented, the request associated with PZC 2015-03 is in conformance with the standards of the Darien City Code and, therefore, I move the Planning and Zoning Commission approve the petition as presented.**

### **Planning and Zoning Commission Review – May 20, 2015**

The Planning and Zoning Commission considered this matter at their meeting on May 20, 2015. The following members were present: Beverly Meyer – Chairperson, Andrew Kelly, Ronald Kiefer, John Lind, Louis Mallers, Raymond Mielkus, Kenneth Ritzert, Michael Griffith – Senior Planner and Elizabeth Lahey – Secretary.

Absent: John Laratta, Pauline Oberland.

Michael Griffith, Senior Planner, reviewed the agenda memo. He stated the variation concerns the location of the sign on the side of the building and not on the front of the building where the entrance is located. He stated the size of the sign is in compliance and it may be illuminated.



Revinder Chadha, Practice Manager, Darien Immediate Care, was present. She stated patients coming to the clinic cannot find the clinic. She stated they have a monument sign along Cass Avenue but nothing on the building. She stated the monument sign has not helped. She stated patients complain that they cannot find their clinic. She stated the nature of their practice is immediate, emergency care. She stated the clinic is open 7 days a week usually between 8:00 AM – 7:00 PM.

Commissioner Mallers stated the proposed sign makes sense.

Commissioner Kelly asked if the sign would be illuminated when the clinic is closed.

Ms. Chadha stated yes.

Michael Coren, Meadow Court, stated he owns the office building to the north. He stated he objects to the sign, stated the sign is out of character. He stated the building is located within an office development which is different from commercial property. He stated the office development was intended to be a nice, neat entrance into Darien. He stated the petitioner know the nature of the property when they choose the location. He stated the office association had two new monument signs erected in the development along Cass Avenue, the petitioner has 2/3 of one of the signs. He stated the association did not approve a sign on the entrance side of the petitioner's building. He stated they could put a small wood sign outside near the building entrance. He stated if the petition is approved there will be requests for signs on the sides of the other office buildings.

The Commission discussed signage options, such as illuminating the monument sign, a small sign near the entrance of the building.

Commissioner Lind stated the business is being negatively impacted by not having a sign on the building.

Commissioner Kelly stated he had difficulty finding the clinic when his family needed to find it. He stated illuminating the monument sign would not help.

Commissioners Kiefer, Lind, Mallers and Ritzert stated the immediate care nature of the clinic requires a sign on the building to identify the building in which the clinic is located. They stated the monument sign is not adequate to locate the building.

The Commission discussed, and the petitioner agreed, to turning off the sign when the clinic is closed.

**Without further discussion, Commissioner Mallers made the following motion seconded by Commissioner Kelly:**

**Based upon the submitted petition and the information presented, the request associated with PZC 2015-03 is in conformance with the standards of the Darien City Code and, therefore, I move the Planning and Zoning Commission approve the petition, subject to the following:**

- 1. The sign is to be turned off when the clinic is closed.**

**Upon a roll call vote, THE MOTION CARRIED by a vote of 6-1.**

**Ayes: Kelly, Kiefer, Lind, Mallers, Mielkus, Ritzert  
Nays: Meyer  
Absent: Laratta, Oberland**

### **Municipal Services Committee – May 26, 2015**

Based on the Planning and Zoning Commission's recommendation, staff recommends the Committee make the following motion recommending approval of the petition subject to the noted condition:

**Based upon the submitted petition and the information presented, the request associated with PZC 2015-03 is in conformance with the standards of the Darien City Code and, therefore, I move the Municipal Services Committee approve the petition, subject to the following:**

- 1. The sign is to be turned off when the clinic is closed.**

### **Municipal Services Committee Review – May 26, 2015**

The Municipal Services Committee considered this matter at its meeting on May 26, 2015. The following members were present: Alderman Joseph Marchese – Chairperson, Alderman Tom Belczak, Dan Gombac – Director, Michael Griffith – Senior Planner and Elizabeth Lahey – Secretary.

The petitioner was present.

Michael Griffith, Senior Planner, reviewed the agenda memo, noted the Planning and Zoning Commission's recommendation. He stated the Commission's reason for recommending approval of the variation related to the emergency nature of the business, that a sign was needed on the building to identify the location. He stated the O Office zoning of the property creates the unique situation, if the property were zoned business a variation would not be required.

Dan Gombac, Director, stated it is also an economic development issue.

Alderman Belczak stated this is a unique situation where there is a need for a sign on the building.

Chairperson Marchese agreed.

Michael Coren, Meadow Lane, stated he owns the building to the north. He stated his objection to the sign, it detracts from the neat appearance of the office complex. He stated the association erected a monument sign for the petitioner where they occupy 2/3 of the sign. He stated granting the variation would put his property at a disadvantage regarding signage. He stated the association denied signage on the front façade of the building facing in towards his building.

Chairperson Marchese stated each variation request would be considered on its own merits, but he understood Mr. Coren's concerns.

Alderman Belczak asked if the variation would run with the business as opposed to the property. He stated the variation helps the patients find the clinic.

Dan Gombac, Director, stated the variation would run with the business.

Mr. Griffith stated the Commission's recommendation included the sign being turned off when the business was closed.

Chairperson Marchese noted the association approved the sign on the side of the building.

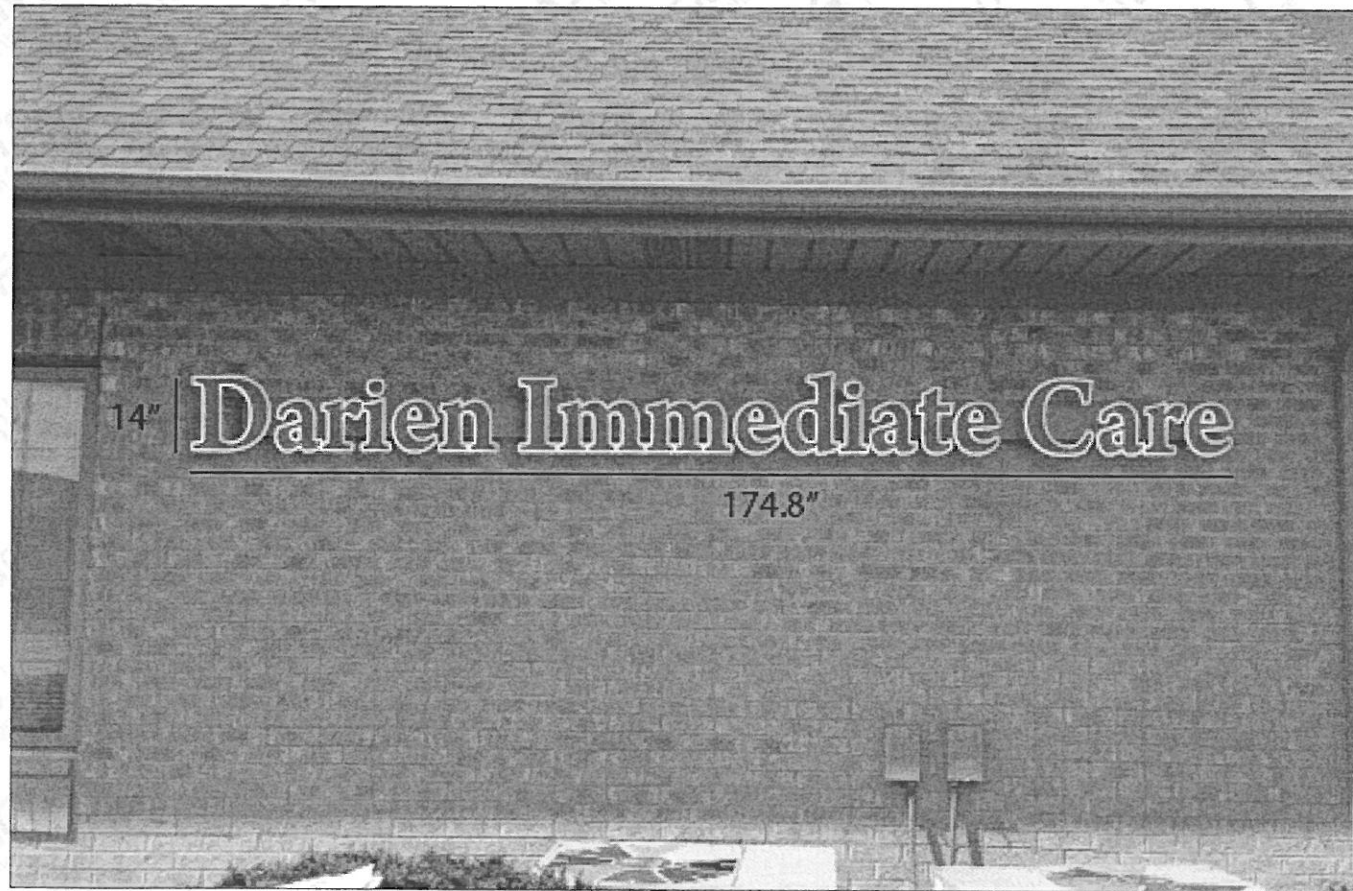
**Without further discussion, Alderman Belczak made a motion to recommend approval of the sign variation with the following conditions'**

- 1. The sign is to be turned off when the clinic is closed.**
- 2. Sign variation granted to the business and does not run with the property.**

**Upon a voice vote, THE MOTION CARRIED by a 2-0 vote.**



### LED CHANNEL LETTERS



\*DRAWING IS NOT TO SCALE BUT IS PROPORTIONATE\*

**Darrien Immediate Care**  
8190 Cass Avenue  
Darrien, IL 60561  
Revised :: 04/01/2015



Please sign & return drawing/s to FASTSIGNS  
Signature below indicates approval of BOTH designs & placement of sign/s

X *Signature of Approval*

*Date*

**DISCLAIMER:** It is the customer's responsibility to ensure that the proof is correct in all areas. Please be sure to double-check spelling, grammar, layout and design before approving artwork. **If a proof containing errors is approved by the customer, the customer is responsible for payment of all original costs of printing, including corrections and reprints.** The customer is 100% responsible for approvals of Copyright, Trademark and Licensing Agreements of artwork. **Customer's approval on artwork is contractually binding for payment of all services rendered.** All artwork must be approved by the customer before a job will be entered into production.

**FASTSIGNS** | Naperville  
More than fast. More than signs.™

931 E. Ogden Ave Suite 127  
Naperville, IL 60563  
ph. 630-357-FAST  
76@fastsigns.com

### LED CHANNEL LETTERS

(1) set of 14"H, U/L case, White LED-illuminated, raceway-mounted channel letters with White returns and trim cap; Red acrylic faces with 1/2" white outline; raceway painted to match building facade; includes photo cell for dusk-to-dawn illumination.

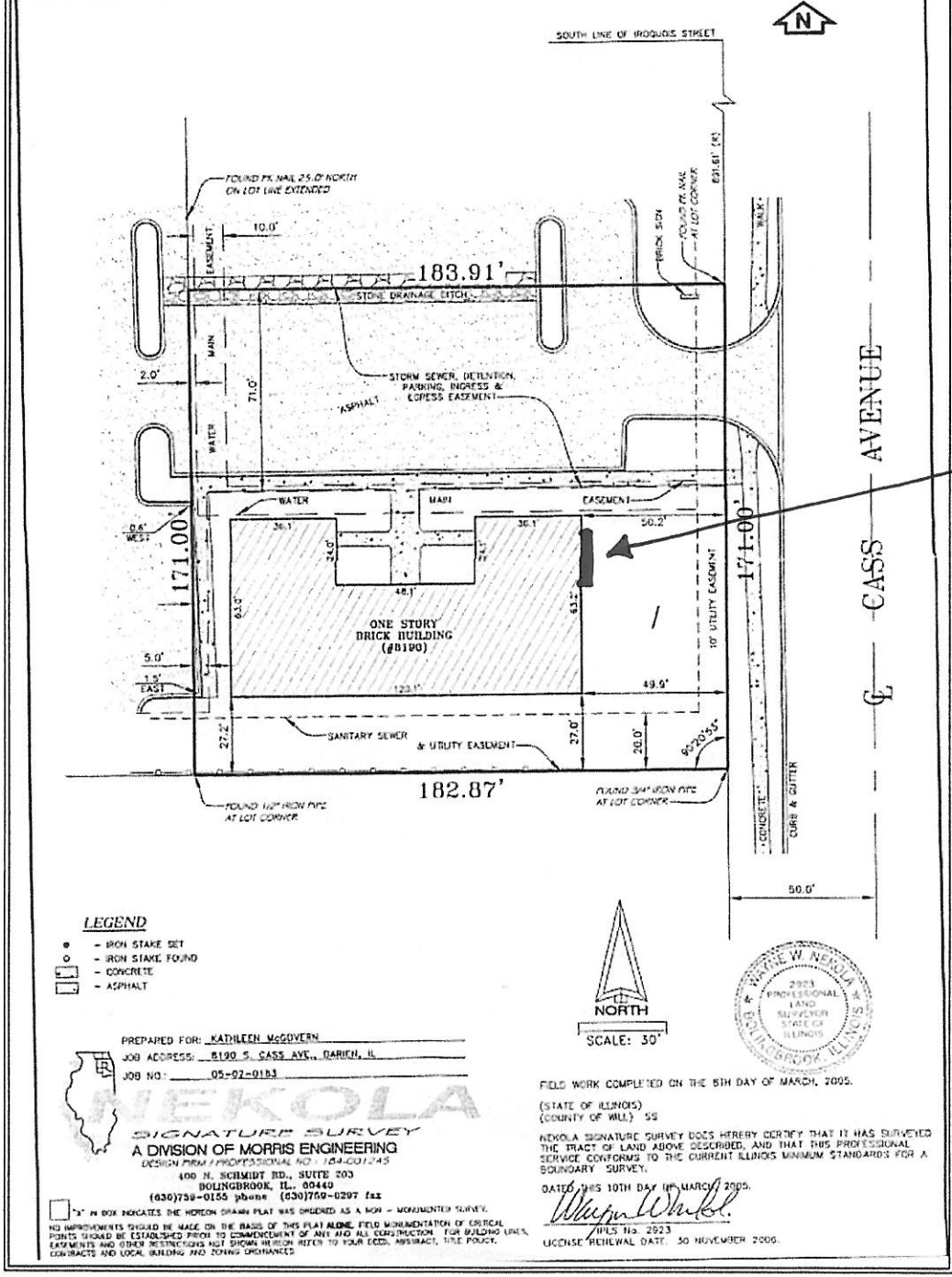
Quantity :: 1

# PLAT OF SURVEY

## PLAT OF SURVEY

OF

GLEN OAKS OFFICE PARK UNIT 1, BEING A SUBDIVISION OF PART OF LOTS 4, 5, 6 AND 7 IN SMART ACRES, A SUBDIVISION OF THE SOUTH HALF OF THE NORTHEAST QUARTER OF SECTION 33, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS.



**LEGEND**

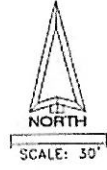
- - IRON STAKE SET
- - IRON STAKE FOUND
- ▭ - CONCRETE
- ▭ - ASPHALT

PREPARED FOR: KATHLEEN MCGOVERN  
 JOB ADDRESS: 8190 S. CASS AVE., DARIEN, IL  
 JOB NO: 05-07-0183



**NEKOLA**  
 SIGNATURE SURVEY  
 A DIVISION OF MORRIS ENGINEERING  
 DESIGN PERM # PROFESSIONAL NO. 184-001245  
 400 N. SCHMIDT RD., SUITE 203  
 BOLLINGBROOK, IL, 60440  
 (830)739-0155 phone (830)769-0297 fax

"A" IN BOX INDICATES THE HORIZON ORANGE PLAT WAS ORDERED AS A NON-MONUMENTED SURVEY.  
 NO IMPROVEMENTS SHOULD BE MADE ON THE BASIS OF THIS PLAT ALONE. FIELD MONUMENTATION OF CRITICAL POINTS SHOULD BE ESTABLISHED PRIOR TO COMMENCEMENT OF ANY AND ALL CONSTRUCTION. FOR BUILDING LINES, EXAMINATIONS AND OTHER RESTRICTIONS NOT SHOWN HEREIN REFER TO YOUR LOCAL AGENCIES, TITLE POLICY, CONTRACTS AND LOCAL BUILDING AND ZONING ORDINANCES.



FIELD WORK COMPLETED ON THE 8TH DAY OF MARCH, 2005.  
 (STATE OF ILLINOIS)  
 (COUNTY OF WILL) 55  
 NEKOLA SIGNATURE SURVEY DOES HEREBY CERTIFY THAT IT HAS SURVEYED THE TRACT OF LAND ABOVE DESCRIBED, AND THAT THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.  
 DATED THIS 10TH DAY OF MARCH 2005.  
*Wayne W. Nekola*  
 WWS  
 LICENSE RENEWAL DATE: 30 NOVEMBER 2006.

# ***GLEN OAKS OFFICE PARK OWNERS ASSOCIATION***

City of Darien  
Received  
APR 02 2015  
Community Development

November 24, 2014

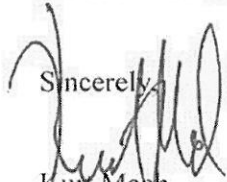
Darien Immediate Care  
8190 S Cass Ave  
Darien, IL 60561

To Whom It May Concern:

This letter is to confirm that the Glen Oaks Owners Association has approved the LED illuminated, raceway mounted channel letter, 14" high X 174" long sign for Darien Immediate Care. The sign is to be mounted on the NE corner of the 8190 Cass building facing east towards Cass Ave.

Thank you for your help in this matter and if you should have any questions, please do not hesitate to contact us by the address or phone below or at [kmach55@aol.com](mailto:kmach55@aol.com).

Sincerely,



Kurt Mach  
Property Manager



**CITY OF DARIEN**

**DU PAGE COUNTY, ILLINOIS**

---

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

**AN ORDINANCE APPROVING A VARIATION  
TO THE SIGN CODE**

**(PZC 2015-03: Darien Immediate Care, 8190 Cass Avenue)**

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

**THIS 1<sup>st</sup> DAY OF MAY, 2015**

---

**Published in pamphlet form by authority of  
the Mayor and City Council of the City of  
Darien, DuPage County, Illinois, this  
\_\_\_\_\_ day of May, 2015.**

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

**AN ORDINANCE APPROVING A VARIATION  
TO THE SIGN CODE**

**(PZC 2015-03: Darien Immediate Care, 8190 Cass Avenue)**

**WHEREAS**, the City of Darien is a home rule unit of local 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 property legally described in Section 1 (the “Subject Property”), is zoned O Office District pursuant to the Darien Zoning Ordinance; and

**WHEREAS**, the petitioner filed a petition requesting approval of a variation from the terms of the Darien Sign Code, to allow a wall signage on the exterior building wall that is not the building front; and

**WHEREAS**, the Planning and Zoning Commission at its meeting of May 20, 2015, has forwarded its findings and recommendation of approval of said petition to the City Council; and

**WHEREAS**, on May 26, 2015, the Municipal Services Committee of the City Council reviewed the petition and has forwarded its recommendation of approval of said petition to the City Council; and

**WHEREAS**, the City Council has reviewed the findings and recommendations described above and now determines to grant the petition subject to the terms, conditions and limitations described below.



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

**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: Subject Property.** This Ordinance is limited and restricted to Darien Immediate Care, located at 8190 Cass Avenue, Darien, Illinois, and legally described as follows:

LOT 1 IN GLEN OAKS OFFICE PARK UNIT 1, BEING A SUBDIVISION OF PART OF LOTS 4, 5, 6 AND 7 IN SMART ACRES, BEING A SUBDIVISION OF THE SOUTH HALF OF THE NORTHEAST ¼ OF SECTION 33, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 5, 1997 AS DOCUMENT R97-031506, IN DUPAGE COUNTY, ILLINOIS.

PIN: 09-33-213-022

**SECTION 2: Variation from Sign Code Granted.** A variation from the Darien Sign Code, Section 4-3-10(C)(2), is hereby granted to permit a wall sign on the east side of the building facing Cass Avenue, subject to the following condition:

- A. The sign is to be turned off when the clinic is closed.

**SECTION 3: Home Rule.** 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 of the terms of this ordinance should be inconsistent with any non-preemptive state law, that this ordinance shall supercede state law in that regard within its jurisdiction.

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

**SECTION 4: Effective Date.** This Ordinance 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 1<sup>st</sup> day of May, 2015.

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

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

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

**APPROVED BY THE MAYOR OF THE CITY OF DARIEN, DU PAGE COUNTY, ILLINOIS,** this 1<sup>st</sup> day of May, 2015.

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

ATTEST:

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

APPROVED AS TO FORM:

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



**AGENDA MEMO**  
**CITY COUNCIL**  
**MEETING DATE: June 1, 2015**

**Issue Statement**

**PZC 2015-04: 113 68<sup>th</sup> Street:** Petitioner seeks approval of the following variations from the Zoning Ordinance in order to construct a new single-family home on an existing foundation:

1. To reduce the required front yard setback from 35 feet to 30.8 feet.
2. To reduce the required east interior side yard from 10 feet to 8 feet.
3. To reduce the required west interior side yard from 10 feet to 9.2 feet.

**ORDINANCE**      **SITE PLAN**

Applicable regulations:

Zoning Ordinance Section 5A-4-3-2: Restoration of Damaged Nonconforming Buildings or Structures.

Zoning Ordinance Section 5A-7-2-6: Yard Requirements, R-2 Single-Family Residence.

**Overview**

**Both the Planning and Zoning Commission and the Municipal Services Committee recommend approval of the petition as presented. The Commission held the required public hearing on May 20, 2015.**

The discussion follows as “Additional Information.”

Draft ordinance accompanies this memo.

**Decision Mode**

Planning and Zoning Commission: May 20, 2015

Municipal Services Committee: May 26, 2015

City Council: June 1, 2015

## **Additional Information**

### **Issue Statement**

**PZC 2015-04: 113 68<sup>th</sup> Street:** Petitioner seeks approval of the following variations from the Zoning Ordinance in order to construct a new single-family home on an existing foundation:

1. To reduce the required front yard setback from 35 feet to 30.8 feet.
2. To reduce the required east interior side yard from 10 feet to 8 feet.
3. To reduce the required west interior side yard from 10 feet to 9.2 feet.

Applicable regulations:

Zoning Ordinance Section 5A-4-3-2: Restoration of Damaged Nonconforming Buildings or Structures.

Zoning Ordinance Section 5A-7-2-6: Yard Requirements, R-2 Single-Family Residence.

### **General Information**

Petitioner: Andrius Butkevicius  
113 68<sup>th</sup> Street  
Darien, IL 60561

Property Owner: Nijole Butkevicius  
7200 Birchwood Court, Unit C  
Willowbrook, IL 60527

Property Location: 113 68<sup>th</sup> Street

PIN: 09-23-306-016

Existing Zoning: R-2 Single-Family Residence

Existing Land Use: Single-family home, detached

Comprehensive Plan Update: Low Density Residential

Surrounding Zoning and Land Use:  
North: R-2 Single-Family Residence: single-family residential  
East: R-2 Single-Family Residence: single-family residential  
South: R-2 Single-Family Residence: single-family residential  
West: R-2 Single-Family Residence: single-family residential

Size of Property: 13,800 square feet

Floodplain: None.  
Natural Features: None.  
Transportation: Property fronts onto 68<sup>th</sup> Street  
History: None.

### **Documents Submitted**

This report is based on the following information submitted to the Community Development Department by the Petitioner:

1. Plat of Survey, 1 sheet, prepared by Associated Surveying Group, LLC.

### **Planning Overview/Discussion**

The subject property is located on the south side of 68<sup>th</sup> Street, west of Crest Road.

In the Fall of 2014, the previous single-family home on the property suffered fire damage and was torn down. The petitioner plans to construct a new home on the existing foundation, with a 4-foot covered front porch addition. The foundation is closer to the front and side lot lines than permitted by the Zoning Ordinance.

Section 5A-4-3-2 of the Zoning Ordinance addresses nonconforming uses and structures. Structures which are damaged by fire, collapse, explosion, other casualty or act of God by more than 50% of the fair market value can be restored so long as the structure is brought into compliance. The Zoning Ordinance requires the new home to comply with all building setbacks.

The foundation encroaches slightly into the west interior side yard setback, 5 feet into the required front yard setback (due to the covered front porch) and 2 feet into the required 10-foot east interior side yard setback.

The variation request must address the following criteria for approval:

1. Whether the general character of the property will be adversely altered.
2. Whether the overall value of the property will be improved and there will not be any potential adverse effects on the neighboring properties.
3. Whether the alleged need for the variation has been created by any person presently having a proprietary interest in the premises.
4. Whether the proposed variation will impair an adequate supply of light and air in adjacent property, substantially increase congestion in the public streets, increase the danger of fire or endanger the public safety.
5. Whether the proposed variation will adversely alter the essential character of the neighborhood.

### **Staff Findings/Recommendations**

Staff does not object to the requested variations. The proposed home will be in the same location and have essentially the same footprint as the home torn down, the encroachments are not significant. Staff finds the proposed variation will not adversely alter the essential character of the property or neighborhood, will not impair adequate supply of light and air in adjacent properties, will not substantially increase congestion in the public streets.

Therefore, staff recommends the Planning and Zoning Commission make the following recommendation to approve the variation petition as presented:

**Based upon the submitted petition and the information presented, the request associated with PZC 2015-04 is in conformance with the standards of the Darien City Code and, therefore, I move the Planning and Zoning Commission recommend approval of the petition.**

### **Planning and Zoning Commission Review – May 20, 2015**

The Planning and Zoning Commission considered this matter at their meeting on May 20, 2015. The following members were present: Beverly Meyer – Chairperson, Andrew Kelly, Ronald Kiefer, John Lind, Louis Mallers, Raymond Mielkus, Kenneth Ritzert, Michael Griffith – Senior Planner and Elizabeth Lahey – Secretary.

Absent: John Laratta, Pauline Oberland

Andrius Butkevicius, the petitioner, was present. He stated the house on the property was destroyed in a fire, the house torn down and now he plans to construct a new home on the same foundation. He stated there are a couple small additions being made. He noted the encroachments.

Commissioner Ritzert asked when the previous home was built.

Michael Griffith, Senior Planner, stated the home was likely built in the 1950s or 60s, before the City was established. He stated it is assumed the previous home was built in compliance at the time, but now under Darien's Zoning Ordinance, does not meet current building setbacks. He reviewed the regulations as it pertains to nonconforming structures.

Mr. Griffith stated no one from the public contacted him concerning this matter.

Commissioner Lind stated he did not have an issue.

There was not anyone from the public to offer comments.

**Without further discussion, Commissioner Kiefer made the following motion seconded by Commissioner Ritzert:**

**Based upon the submitted petition and the information presented, the request associated with PZC 2015-04 is in conformance with the standards of the Darien City Code and, therefore, I move the Planning and Zoning Commission recommend approval of the petition.**

**Upon a roll call vote, THE MOTION CARRIED by a vote of 7-0.**

### **Municipal Services Committee – May 26, 2015**

Based on the Planning and Zoning Commission's recommendation, staff recommends the Committee make the following motion recommending approval of the petition:

**Based upon the submitted petition and the information presented, the request associated with PZC 2015-04 is in conformance with the standards of the Darien City Code and, therefore, I move the Municipal Services Committee recommend approval of the petition.**

### **Municipal Services Committee Review – May 26, 2015**

The Municipal Services Committee considered this matter at its meeting on May 26, 2015. The following members were present: Alderman Joseph Marchese – Chairperson, Alderman Tom Belczak, Dan Gombac – Director, Michael Griffith – Senior Planner and Elizabeth Lahey – Secretary.

The petitioner was present.

Michael Griffith, Senior Planner, reviewed the agenda memo, noted the Planning and Zoning Commission's recommendation.

Chairperson Marchese stated it was good to see improvements to the neighborhood.

The Committee did not have any objections.

**Without further discussion, Alderman Belczak made a motion to recommend approval of the petition as presented, seconded by Chairperson Marchese.**

**Upon a voice vote, THE MOTION CARRIED 2-0.**

# Associated Surveying Group, LLC

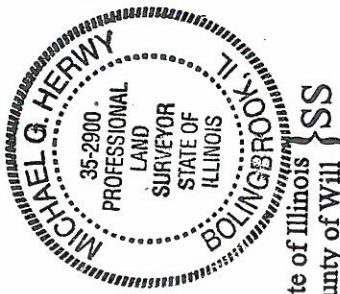
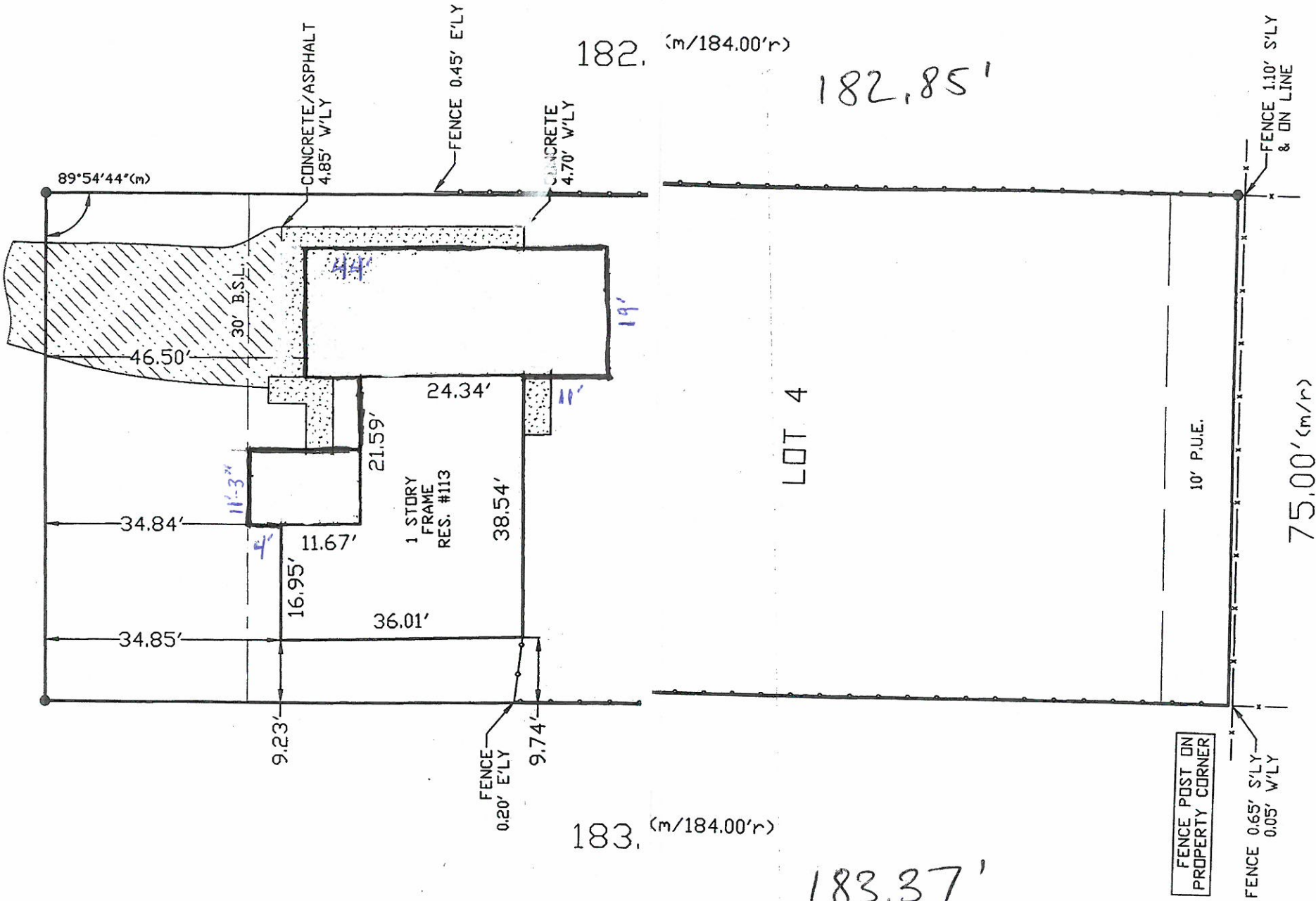
Illinois Prof. Design Firm No. 184-004973  
 P.O. Box 810  
 Bolingbrook, IL 60440  
 PH: 630-759-0205 FAX: 630-759-9291

## PLAT OF SURVEY

LOT 4 IN BLOCK 40 IN TRI STATE VILLAGE UNIT NO. 5, BEING A SUBDIVISION OF THE SOUTHWEST 1/4 OF SECTION 23 (EXCEPT THAT PART THEREOF LYING SOUTHERLY OF THE CENTER LINE OF THE PUBLIC HIGHWAY KNOWN AS PLAINFIELD ROAD) ALSO THAT PART OF THE EAST 1/2 OF THE NORTHWEST 1/4 OF SECTION 26, LYING NORTHERLY OF THE CENTER LINE EAST OF SAID PLAINFIELD ROAD, ALL IN TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JULY 20, 1994 AS DOCUMENT 465114 IN DUPAGE COUNTY, ILLINOIS.

68TH STREET

74.64' (m/75.00'r)



State of Illinois }  
 County of Will }

I, Michael G. Herwy, an Illinois Professional Land Surveyor, do hereby certify that I have surveyed the parcel of Land hereon described and that the Plat hereon drawn is a correct representation of said survey.

Dated, this 15TH day of DECEMBER, A.D., 2014,  
 at Bolingbrook, Illinois.

*Michael G. Herwy*  
 Michael G. Herwy  
 Illinois Professional Land Surveyor No. 35-002900  
 License Expires: November 30, 2016

FIELDWORK DATE: DECEMBER 5, 2014

CLIENT: BUTKEVICIUS

JOB NO.: 74937-14

NOTES:  
 1. COMPARE THE LEGAL DESCRIPTION ON THIS PLAT WITH YOUR DEED, ABSTRACT, OR CERTIFICATE OF TITLE; ALSO, COMPARE ALL FIELD MEASURED LOT CORNERS & BUILDING TIES WITH THIS PLAT BEFORE CONSTRUCTION AND REPORT ANY DIFFERENCE AT ONCE.  
 2. BUILDING LINES AND EASEMENTS ARE SHOWN ONLY WHERE THEY ARE SO DEPICTED ON THE RECORDED SUBDIVISION PLAT.  
 3. MEASURED LOT DIMENSIONS ARE SHOWN ONLY WHEN THEY DIFFER FROM RECORD DIMENSIONS BY 0.15 FEET OR MORE.  
 4. CURVED LINES DENOTED WITH ARC LENGTHS UNLESS OTHERWISE NOTED. ALSO, ALL ARCS ARE TANGENT UNLESS OTHERWISE NOTED.

LEGEND:	
	ASPHALT
	WALL
	WOOD/ PVC
	IRON PIPE
	REBAR/ROD
	PK NAILS AS NOTCH
	CHAIN LINK FENCE
	WOOD FENCE
	ALL OTHER FENCE TYPES
	BRICK
	CONCRETE
	ENCLOSED COVERED
	CROSS
	NOTCH

ABBREVIATIONS:  
 A = ARC LENGTH  
 R = RADIUS  
 CH = CHORD LENGTH  
 (i) = RECORD VALUE  
 (m) = MEASURED VALUE  
 B.S.L. = BUILDING SETBACK LINE  
 P.U.E. = PUBLIC UTILITY EASEMENT  
 P.D.E. = PUBLIC UTILITY & DRAINAGE EASEMENT  
 N'LY = NORTHERLY  
 S'LY = SOUTHERLY  
 E'LY = EASTERLY  
 W'LY = WESTERLY  
 TYP = TYPICAL



SCALE 1"= 20'



183.37'

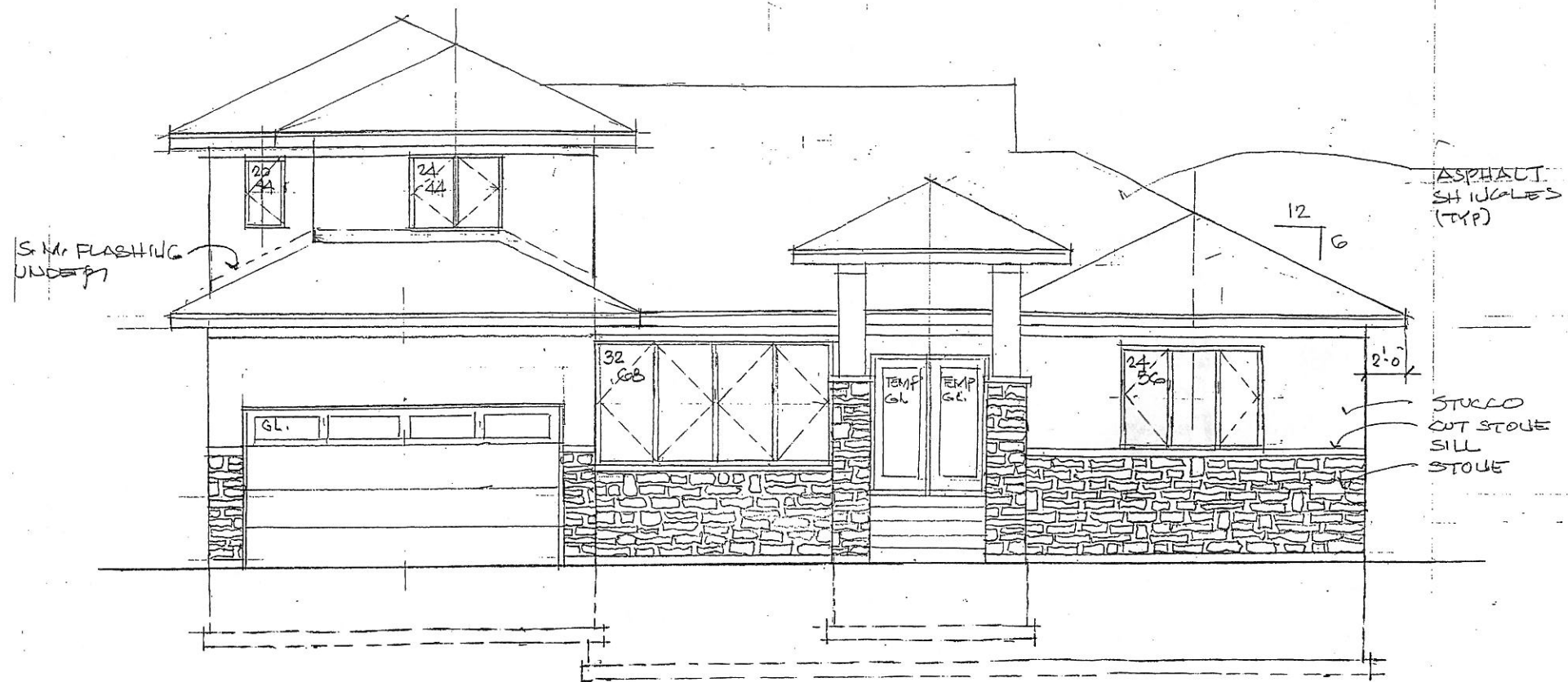
LOT 4

182.85'

182. (m/184.00'r)

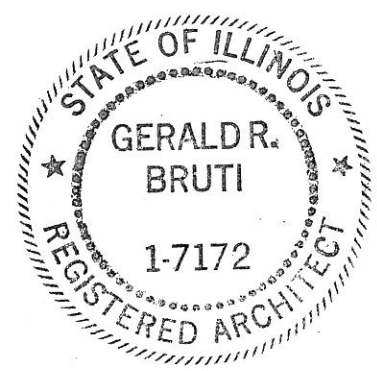
183. (m/184.00'r)





NORTH ELEVATION

1/8" = 1'-0"



SOUTH ELEVATION

I HEREBY CERTIFY THAT THESE DRAWINGS HAVE BEEN PREPARED UNDER MY SUPERVISION AND TO THE BEST OF MY KNOWLEDGE MEETS ALL LOCAL CODES.

*Gerald R. Bruti*

NEW RESIDENCE	
113 68TH STREET, DANIEL	
PROJECT NO. 1501	MARCH 15, 2015
JERRY BRUTI, ARCHITECT	1 OF 6



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

---

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

**AN ORDINANCE APPROVING A VARIATION  
TO THE ZONING ORDINANCE**

**(PZC 2015-04: 113 68<sup>th</sup> Street)**

---

**ADOPTED BY THE  
MAYOR AND CITY COUNCIL  
OF THE  
CITY OF DARIEN  
THIS 1<sup>st</sup> DAY OF MAY, 2015**

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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 May, 2015.**

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

**AN ORDINANCE APPROVING A VARIATION  
TO THE ZONING ORDINANCE**

**(PZC 2015-04: 113 68<sup>th</sup> Street)**

**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 property legally described in Section 1 ("Subject Property"), is zoned R-2 Single-Family Residence pursuant to the Darien Zoning Ordinance; and

**WHEREAS**, petitioner has submitted a petition for variations to the City's Zoning Ordinance in order to construct a new single-family home on an existing foundation along with a covered front porch addition; and

**WHEREAS**, pursuant to proper legal notice, a Public Hearing was held before the Planning and Zoning Commission on May 20, 2015, regarding the petition; and

**WHEREAS**, the Planning and Zoning Commission at its regular meeting of May 20, 2015, forwarded its findings and recommendation of approval of the petition to the City Council; and

**WHEREAS**, on May 26, 2015, the Municipal Services Committee of the City Council reviewed the petition and forwarded its recommendation of approval of the petition to the City Council; and

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

**WHEREAS**, the City Council has reviewed the findings and recommendations described above and has determined that it is in the best interests of the City to grant the petition subject to the terms, conditions and limitations described below.

**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: Subject Property.** This Ordinance is limited and restricted to the property generally located at 113 68<sup>th</sup> Street, Darien, Illinois and legally described as follows:

LOT 4 IN BLOCK 40 IN TRI STATE VILLAGE UNIT NO. 5, BEING A SUBDIVISION OF THE SOUTHWEST ¼ OF SECTION 23 (EXCEPT THAT PART THEREOF LYING SOUTHERLY OF THE CENTER LINE OF THE PUBLIC HIGHWAY KNOWN AS PLAINFIELD ROAD) ALSO THAT PART OF THE EAST ½ OF THE NORTHWEST ¼ OF SECTION 26, LYING NORTHERLY OF THE CENTER LINE EAST OF SAID PLAINFIELD ROAD, ALL IN TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JULY 20, 1994, AS DOCUMENT 465114 IN DUPAGE COUNTY, ILLINOIS.

PIN: 09-23-306-016

**SECTION 2: Variation Granted.** The following variations from Section 5A-7-2-6: Yard Requirements of the Darien Zoning Ordinance are hereby granted:

- A. To reduce the required front yard setback from 35 feet to 30.8 feet.
- B. To reduce the required east interior side yard from 10 feet to 8 feet.
- C. To reduce the required west interior side yard from 10 feet to 9.2 feet.

**SECTION 3:** 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

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

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 4:** 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 1<sup>st</sup> day of May, 2015.

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

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

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

**APPROVED BY THE MAYOR OF THE CITY OF DARIEN, DU PAGE COUNTY, ILLINOIS,** this 1<sup>st</sup> day of May, 2015.

ATTEST:

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

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

APPROVED AS TO FORM:

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



**AGENDA MEMO**  
**City Council**  
**June 1, 2015**

**Issue Statement**

A resolution accepting a proposal from Associated Technical Services (ATS) for the 2015 Water Leak Survey, in the amount of \$8,761.89 for the Leak Detection Phase and a per unit cost for the Leak Location Phase in the amount of \$395.00 per mainline or service leak, and \$95.00 per fire hydrant leak or mainline valve for a total amount not to exceed \$14,700.

**RESOLUTION**

**Background/History**

The FY 15/16 Budget includes \$14,700.00 for this year's Water Leak Survey Program. The leak survey program as proposed by Associated Technical Services (ATS) includes two phases consisting of surveying 473,616 lineal feet (89.7 lineal miles) of water main and the second phase includes the pinpointing of leaks found in the system. The proposed quote from ATS is structured in a fashion that the vendor is additionally motivated to find as many leaks as possible since the proposal is further driven on unit costs for pinpointing leaks. Based on leak detection results from 2000, 2002, 2003, 2007, 2011 and 2014, ATS has located an average of 20 various leaks per year, whereas the competition has identified an average of 5 leaks for years 2008, 2009, and 2012.

Should the City have 25 various leaks, (see [Attachment A](#), labeled as Competitive Quote Summary), the cost for the program could be approximately an additional \$6,200 dollars for a total expense of approximately \$14,488. Staff does anticipate finding leaks, but the amount will not be known until the leak survey is completed. Staff had reached out to ATS requesting to locate and pinpoint all leaks at a total cost not to exceed \$14,700. ATS has agreed not to exceed said amount should more than 25 various leaks be located, see attached e-mail correspondence.

City staff had solicited for competitive quotes and received four. Based on the detection phase, ATS is the lowest competitive quote. Funding for the Water Leak Maintenance Program would be expended from the following line item of the FY15/16 Budget:

ACCOUNT NUMBER	PROJECT CODE	ACCOUNT DESCRIPTION	FY 15/16 BUDGET	PROPOSED EXPENDITURE	PROPOSED BALANCE
02-50-4326		LEAK LOCATING QUALITY CONTROL	\$14,700.00	\$8,761.89- \$14,700	\$5,938.11-\$0

**Committee Recommendation**

The Municipal Services Committee recommends a resolution accepting a proposal from Associated Technical Services (ATS) for the 2015-16 Water Leak Survey, in the amount of

Leak Detection Program 2015-16

June 1, 2015

Page 2

\$8,761.89 for the Leak Detection Phase and a per unit cost for the Leak Location Phase in the amount of \$395.00 per mainline or service leak, and \$95.00 per fire hydrant leak or mainline valve for a total amount not to exceed \$14,700. Associated Technical Services has provided very satisfactory services to the City of Darien in the past.

**Alternate Consideration**

Not approving this proposal.

**Decision Mode**

This item will be placed on the June 1, 2015 City Council agenda for formal consideration.



**COST CENTER ANALYSIS**

Competitive Quote Summary					
Vendor	City of Darien	Package Price	Anticipated Leaks	Estimated Cost for P	Total Proposed Costs for City of Darien
Associated Technical Services-Option A-Detection Phase	\$8,761.89	\$8,761.89			\$8,761.89
Location Phase-Per leak					
Pinpoint Mainline or Service Line	\$395.00		10	\$3,950.00	\$3,950.00
Fire Hydrant/Main line valve	\$95.00		20	\$1,900.00	\$1,900.00
Total Cost				\$5,850.00	\$14,611.89
<b>Total Cost Not To Exceed</b>					<b>\$14,700.00</b>
Edenbros, LLC	\$9,963.55	\$9,963.55	N/A	N/A	N/A
M.E. Simpson Co., Inc.	\$15,249.00	\$15,249.00	N/A	N/A	N/A
ADS Enviornmental Services	\$12,290.00	\$12,290.00	N/A	N/A	N/A

Break Size: 1/16" x 180 Degrees of 360				
Pipe Diameter Per Inch	Daily Loss in Gallons	Price per 1,000 gallon-Wholesale	Annual Loss in Gallons	Annual Cost
2	45,600	\$ 3.32	16,644,000	\$ 55,258.08
4	81,400	\$ 3.32	29,711,000	\$ 98,640.52
6	136,800	\$ 3.32	49,932,000	\$ 165,774.24
8	182,400	\$ 3.32	66,576,000	\$ 221,032.32
10	228,100	\$ 3.32	83,256,500	\$ 276,411.58
12	273,700	\$ 3.32	99,900,500	\$ 331,669.66
16	364,900	\$ 3.32	133,188,500	\$ 442,185.82

Break Size: 1/16" x 360 Degrees				
Pipe Diameter Per Inch	Daily Loss in Gallons	Price per 1,000 gallon	Annual Loss in Gallons	Annual Cost
2	91,100	\$ 3.32	33,251,500	\$ 110,394.98
4	182,500	\$ 3.32	66,612,500	\$ 221,153.50
6	273,600	\$ 3.32	99,864,000	\$ 331,548.48
8	364,800	\$ 3.32	133,152,000	\$ 442,064.64
10	456,200	\$ 3.32	166,513,000	\$ 552,823.16
12	547,400	\$ 3.32	199,801,000	\$ 663,339.32
16	729,900	\$ 3.32	266,413,500	\$ 884,492.82

WATER INVENTORY (LMO) REPORTING YEAR	UNACCOUNTABLE FLOW PERCENTAGE	UNACCOUNTABLE FLOW GALLONS PER DAY	UNACCOUNTABLE FLOW GALLONS PER YEAR	WHOLESALE COST PER 1000 GALLONS	WHOLESALE COST
*2014	4.55%	99,200	94,535,000	\$ 4.68	-\$442,423.80
2013	3.18%	69,200	25,258,000	\$ 3.03	-\$76,531.74
2012	3.76%	89,232	32,569,669	\$ 2.73	-\$88,915.20
2011	1.61%	46,726	17,054,990	\$ 2.73	-\$46,560.12
2010	7.96%	191,000	69,715,000	\$ 2.73	-\$190,321.95
2009	6.40%	153,000	55,845,000	\$ 2.73	-\$152,456.85
2008	3.20%	81,000	29,565,000	\$ 2.73	-\$80,712.45
2007	1.46%	29,900	10,913,500	\$ 2.73	-\$29,793.86
2006	4.91%	102,000	37,230,000	\$ 2.73	-\$101,637.90
2005	3.80%	88,500	32,302,500	\$ 2.73	-\$88,185.83
AVERAGE	5.55%	129,080	47,114,200	\$ 2.73	-\$128,621.77

\* A major leak was idnetified at Cass Ave and South Frontage Rd-accounting for the increase.





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

**A RESOLUTION ACCEPTING A PROPOSAL FROM ASSOCIATED TECHNICAL SERVICES (ATS) IN THE AMOUNT OF \$8,761.89 FOR THE LEAK DETECTION PHASE AND A PER UNIT COST FOR THE LEAK LOCATION PHASE IN THE AMOUNT OF \$395.00 PER MAINLINE OR SERVICE LEAK, AND \$95.00 PER FIRE HYDRANT LEAK OR MAINLINE VALVE FOR A TOTAL AMOUNT NOT TO EXCEED \$14,700.00**

**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 to accept a proposal from Associated Technical Services in the amount of \$8,761.89 for the Leak Detection Phase and a per unit cost for the Leak Location Phase in the amount of \$395.00 per mainline or service leak, and \$95.00 per fire hydrant leak or mainline valve for a total amount not to exceed \$14,700.00, 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 1<sup>st</sup> day of June, 2015.**

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

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

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

**APPROVED BY THE MAYOR OF THE CITY OF DARIEN, DU PAGE COUNTY, ILLINOIS, this 1<sup>st</sup> day of June, 2015.**

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

ATTEST:

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

APPROVED AS TO FORM:

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



ASSOCIATED TECHNICAL SERVICES LTD

www.ATSLIMITED.com



Established 1979

524 W. ST. CHARLES RD. VILLA PARK, IL

Office: 630.834.1558 / Fax: 630.834.5501

May 5, 2015

City of Darien  
 Department of Municipal Services  
 1702 Plainfield Road  
 Darien, Illinois 60561

Attn: Kris Throm  
 Water Foreman

RE: 2015 Darien Water Distribution System  
 Leak Detection Survey Proposal

Dear Mr. Throm,

We are pleased to present the following proposal to perform another comprehensive "ATS LEAK DETECTION & LOCATION SURVEY" for the City of Darien. With an "ATS Leak Survey Program" your water conservation program remains on its best possible course.

**ATS and the City of Darien: A 31 Year Partnership of Success**

- **ATS has enjoyed a long and very successful relationship with the City of Darien.**
- **Since 1984, ATS has accurately pinpointed over 75 leaks during over 65 Scheduled and Emergency Leak Location Call-Outs**
- **Another 190 leaks have been accurately detected and pinpointed during eight system-wide leak surveys that were conducted in 1997, 2000, 2002, 2003, 2008, 2011, 2012 and 2014.**
- **Altogether, ATS has pinpointed over 245 leaks for Darien with consistent accuracy. ATS is proud to be the firm that Darien relies upon whenever you need that leak found promptly and accurately.**

**ATS conducted 8 System-Wide leak surveys for Darien between 1997 - 2014**

<u>Firm</u>	<u>Main</u>	<u>Service</u>	<u>Hydrant</u>	<u>Valve</u>	<u>Totals</u>	<u>Daily Loss (GPD)</u>	<u>Value / Yr.</u>	<u>Pay Back</u>
2014 ATS Survey:	6	1	11	1	18			
ATS 8-Year Total:	29	21	108	30	190	2,730,599 GPD	\$ 3,890,609	
ATS Survey Average:	4	3	13	4	24	390,085 GPD	\$ 555,801	\$ 92: \$1
Competition Averages:	0.25	0.50	7.25	1.50	9.75			Much less than ATS

**Accuracy is not just putting our mark on the leak, but accurately detecting every suspect leak and turning every suspect leak into an accurate location.** It is also important to note that our pinpointing accuracy 97.8% for these eight Darien surveys for leaks being located within the first repair excavation or on the appurtenance that was determined to be leaking. Superior ATS pinpointing accuracy saves the City by limiting and reducing costs for dry holes, pavement restoration and landscaping restoration costs.

**WATER CONSERVATION SPECIALISTS**

EMERGENCY LEAK PINPOINTING • LEAK DETECTION SURVEYS • UNDERGROUND UTILITY LOCATION • GIS / GPS SURVEYS  
 VALVE EXERCISING • CCTV PIPE INSPECTIONS • HYDRANT TESTING & FLUSHING • LOCATION EQUIPMENT SALES & TRAINING

***A Comprehensive ATS Leak Survey is essentially accomplished with these steps:***

- **Prepare a Proposal** – We take into consideration essential factors like system size, age, layout and pipe materials; frequency and type of annually occurring leaks and main breaks; amount of unaccounted for water loss and system pressure. Once our proposal has been submitted and approved, we will be in contact with you to schedule the **Pre-Survey Meeting**.
- **Prepare a Survey Completion Schedule** upon request using a detailed Gantt Chart. **ATS** uses **Microsoft Office Project Professional** to accomplish this task. This schedule and corresponding milestones dates would be updated as the survey progresses.
- **Pre-Survey Meeting** – conducted with **ATS Survey Project Manager**, to discuss all aspects of the project from methodology, equipment, documentation and results with the **City**.
- **The Designated Survey Area is divided up into manageable “survey sub-areas” which are scaled directly from your maps to get the quantity of water main in each area.**
- **ATS Crews will check in with the City at the start of every survey workday.** You’ll always know where we’ll be that day and what kind of progress we’re making. Our office never closes. **ATS Crews and Offices are available 24 hours a day / 365 days a year.**
- **Ultrasonic Leak Detection Phase** of each survey sub-area. We will log every monitored appurtenance, every detected suspect leak site, all map discrepancies and any inaccessible points that need to be found or exposed so they can be surveyed.
- **Develop List of Inaccessible Points** that we are unable to locate or access. Submit this list the **City** for preparation as needed so **ATS** can survey these points.
- **Map Discrepancies** - All appurtenances that are shown incorrectly or not shown at all on your maps will be logged on our survey sheets. They can also be located via GPS upon request so you can update your water atlases.
- **Computerized Electronic Leak Location Phase** – Re-survey every suspect leak site and accurately pinpoint every subsequently detected leak.
- **Leak Location Reports** are submitted daily as leaks are located. Leak locations are marked, diagramed and documented in detail, and located with GPS upon request.
- **Interim Monthly Progress Reports** - Area by area progress summary by phase, total leak types and calculated water and revenue recovery to date. They are typically submitted monthly, or by request anytime you need an update.
- **Inaccessible Appurtenances** - Monitor all previously inaccessible points so that every possible point is surveyed and pinpoint all of the subsequently detected leaks.
- **Re-Survey All Repaired Leak Sites** and pinpoint all subsequently detected Leaks.
- **Final Survey Report** - Gather Leak Repair Data, Recovery calculations, Maps displaying Leak Locations and assemble **Final Report**. Present the comprehensive **Final Survey Report** to the **City**

### **ATS INCENTIVE-BASED COMPREHENSIVE LEAK SURVEY PROGRAM**

The **ATS Comprehensive Leak Survey Program** is the most thorough and successful leak survey program in the business on three fronts – **Superior Findings, Consistently Accurate Pinpointing which translates into excellent value.**

**Incentive-Based Survey Pricing** – **ATS** originated this type of pricing to compete against low price / low results lump sum bids. This is also our most popular survey program. Without guaranteed money beyond the detection phase, this unique contract pricing puts the burden on **ATS** to produce results. With this type of contract proposal, the detection phase is essentially a lump sum figure based upon the amount of water main you have, while pinpointing is a unit cost per pinpointed leak.

**Incentive-Based Survey Pricing** gives the **City** the opportunity to save money if the water system turns out to be tighter than expected. The **City** still wins if it ends up that your water system contains a good number of leaks because you won't spend an extra dollar without getting a money-saving and water-conserving leak in return. Since there are no fee guarantees for **ATS** beyond the detection phase, there is natural incentive for **ATS** to accurately find as many leaks as possible for the **City**.

### **ESTIMATE OF COST**

**SURVEY AREA:** The **City** has ± 89.7 lineal miles (473,616 LF) of water distribution system.

**Monitored System Appurtenances will include:**

- **Every Fire Hydrant (± 1,435)**
- **Every accessible Fire Hydrant Auxiliary Valve (± 1,435)**
- **Every accessible Main Line Valve (± 1,434 boxes and vaults)**
- **± 175 strategically located Customer Service Line Curb Stops (aka B-Boxes)**
- **Approximately ± 4,304 potential points will be ultrasonically surveyed for leak sounds**

**ATS Incentive-Based Proposal** – You only pay for as many leaks as you actually have.

**Detection Phase:** 473,616 per lineal feet of water main @ \$ 0.0185 per LF = \$ 8,761.89

**Location Phase:** \$ 395.00 for Every Pinpointed Main Line and Service Line Leak.

\$ 95.00 for Every Fire Hydrant Leak and Valve Leak.

**Total Cost:** We will not exceed total amount of your budgeted funds. Should we detect an extraordinary amount of leaks, we will classify and prioritize leak pinpointing so that leaks that are estimated to be the largest leaks will be pinpointed first.

**SURVEY COMPLETION TIME:** We estimate the **DETECTION PHASE** of the survey can be completed in approximately 20 workdays. The duration of the **LOCATION PHASE** will depend upon the number of suspect leak sites to investigate and actual number, type and location of those pinpointed leaks. The Location phase may take another 5 - 10 workdays to complete. **We will have the leak survey project completed on or before your July 31, 2015 deadline.**

**Additional Callout Savings:** **Discounted Leak Pinpointing** - While your leak survey is underway, any leak or utility location callout that can be scheduled during normal weekday work hours of 7:30 AM – 3:00 PM will be discounted to the \$ 395.00 leak survey rate. This represents a savings of at least \$ 200.00 per callout. Normal rates apply to all emergency, after-hour, holiday and weekend callouts.

## **SCOPE OF WORK**

**ATS Comprehensive Survey Program:** **Every** fire hydrant, accessible hydrant auxiliary valve, and **every** mainline valve will be monitored for leak sounds. When a water system starts to get tighter, there is more emphasis on the surveyor to have to dig deeper to find the leaks that are not making obvious leak sounds. This fact makes monitoring every valve essential to finding these tough leaks. Valves are the highest quality listening point. The thoroughness of this aggressive survey insures that every detectable leak is discovered.

**Ultrasonic Leak Detection Phase:** The existence and general neighborhood of every detected suspect leak is established with *FCS S-30 Ultrasonic Leak Detection Equipment*. A preliminary leak size and leak type classification is also made at that time. A significant difference between an **ATS Leak Survey** and the other surveyors is in the ultrasonic leak detection phase's number of checkpoints. You put yourself in the best position to detect more leaks by listening to as many points as possible, especially mainline valves. No one checks more points for leak sounds as accurately and as thoroughly as **ATS**.

**Detection Survey Records:** Every accessible fire hydrant, hydrant auxiliary valve and mainline valve is monitored for suspect leak sounds. B-Boxes are checked only in the vicinity of a detected suspect leak site. Valuable survey and system data is collected and logged on these records. ***This data includes:*** Appurtenance Type and Location, General Conditions Encountered, Accessibility, Map Discrepancies and Leak Sound Characteristics.

**Computerized Leak Analysis & Pinpointing Phase:** Every suspect leak site, no matter how slight the sound, is electronically confirmed with one of our 10 computerized *FCS Tri-Corr Touch, FCS AccuCorr, FCS 9090 or Sewerin SeCorr Leak Noise Correlator Systems*. A leak's exact location is pinpointed by analyzing, timing and measuring leak sound waves simultaneously from two monitoring points. The pinpointing phase begins with the re-surveying every suspect leak site, followed electronic Correlator analysis of that site to eliminate a suspect leak site or accurately confirm the presence and pinpoint a leak's exact location.

**"X" Marks The Spot!:** The pinpointed location of every mainline, service line and valve leak will be marked in the field with spray marking paint with an "X". The exceptions are homeowner's side service leaks and hydrant leaks. A ***"Leak Location Report"*** form documents the location and type, characteristics of every pinpointed leak.

**GPS Leak Location Data:** Upon request, every pinpointed leak will be documented using *Trimble Professional GPS Receivers*. Locations will be electronically provided with industry standard sub-meter accuracy with sub-foot accuracy available if requested. The location of every pinpointed leak is also displayed in survey area maps in the ***Final Report***.

**Re-Monitoring Phase:** The location and immediate vicinity of every repaired survey leak will be ultrasonically resurveyed for any possible leaks whose sound may have been covered up by the sound of the initial leak. Any subsequently detected leaks will be pinpointed.

**Overnight (24-Hour) and Weekend Survey:** Whenever conditions dictate that this type of equipment can be useful, **ATS** can employ **FCS-Radcom's SoundSens Leak Location System**. With this system **ATS** has the capability of placing 2 to 8 correlating remote sensors in a strategic pattern where leakage is suspected. Each Sensor can be programmed to run a correlation between it and any combination of Sensors to determine if and where leaks may exist. This is useful in areas where safety is an issue, high traffic and industrial areas where ambient noise and building noise can inhibit accurate leak detection. Traditional detection survey techniques during evening and weekend hours may also be performed when necessary.

**Water Main / Service Line Tracing and Valve Location:** All of the water main and service connections are accurately located in the vicinity of every leak location. This helps insure that every survey leak is pinpointed as accurately as possible. All utility line location work is expertly performed with **Radiodetection RD8000, RD7000 High Performance Utility Location Systems, Schonstedt, CTS Berger and Radiodetection Ferromagnetic Metal Locators**. **No one works a leak site harder than ATS!**

**Inaccessible Points & Map Discrepancies:** A listing of all appurtenances that are found to be inaccessible or visually un-locatable will be submitted to the **City** so **ATS** can return to check it. Once that point has been located and/or prepared for us. We never know when we will encounter a leak that is only detectable at one listening point. This added measure to help ensure that every detectable leak is detected and pinpointed accurately.

**Interim Survey Status Reports:** **Survey Status Reports** are typically submitted monthly, or upon request whenever you would like an up to date status report. This report gives you all the essential information you need so you'll know the exact status of your survey with area-by-area completion percentages and water recovery. This report concisely summarizes all of our survey activities and findings, breakdowns of the number and type of leaks found in each area; plus revenue recovery calculations for each leak you've already repaired.

**Leak Location Reports:** This is an individual report form that details the exact location and characteristics of each pinpointed leak. These forms are submitted daily as the leaks are pinpointed. The **City** with actual leak repair information updates each **Leak Report** which is used to calculate water loss and revenue recovery data for the **Final Report**.

**Final Report:** Two (2) copies of a comprehensive **FINAL SURVEY REPORT** will be submitted after the completion of the survey. Additional copies are available upon request. These reports concisely detail all of our survey activities and findings; estimated & calculated leak sizes; revenue recovery calculations for each leak; area maps showing leak locations, leak location reports; general observations and recommendations. **Final Survey Reports** are also digitally available in Microsoft Word or PowerPoint, or PDF formats, that can be printed, emailed or recorded on your choice of CD, DVD or USB Flash drives upon request. The **Final Report** will be submitted within 30 days of the completion of our field work and all leak repairs.

**Initiating The Survey:** We only need your verbal authorization followed by your **Purchase Order** and / or signed **ATS Leak Survey Contracts**, to schedule your **Pre-Survey Meeting**, and initiate your Survey. The **Pre-Survey Meeting** details all aspects of the survey, our survey procedures, types of documentation, survey duration, the kind of assistance we made request during the survey, repair information we'll need from the **City** for our **Final Report**, projected survey results, and set up a starting date for the survey.

***There are more good reasons why choosing ATS makes excellent business sense.***

**Superior Experience** - ***ATS helped introduce leak location correlators, and subsequently started to specialize in leak detection in 1979.*** As a result, ***ATS*** has performed more leak surveys and pinpointed more leaks with this technology than anyone. ***ATS*** developed the leak survey techniques, correlator survey specs and field strategies that have become the standards for the industry. Over the years some of ***FCS – Fluid Conservation Systems'*** top people including Regional Managers, Sales Staff, Instructors have received training from ***ATS***. ***FCS*** also uses ***ATS*** for testing new equipment developments and software upgrades.

**Conserving Municipal Manpower and Resources** - Public works departments are already stretched to their limit, providing quality services to your citizens. With our tremendous amount of municipal leak survey experience, ***ATS*** frees up your staff so that they can concentrate on their normal duties without distraction. Municipal involvement is normally answering questions, and freeing up inaccessible points \ during the location phase on an ***“as-needed basis”***.

**24 Hour Customer Support During and After the Survey** – ***ATS never has less than two crews on call 24 hours a day / 365 days a year. ATS has a fleet of 10 Correlator Equipped “ATS Leakmobiles” out in the field five days a week.*** Every mobile van is fully equipped with an experienced and trained two-person crew capable of handling any leak location or utility location situation you will ever have. While other water suppliers have to typically wait 3 or more hours for our competitors to arrive, ***ATS*** is almost always on the scene in 60 - 90 minutes or less of your call for help. ***No other firm consistently responds to emergencies as quickly as ATS.***

**Superior Results** - For 35 years, ***ATS*** has been out in the field nearly every day performing leak surveys, utility locations and leak pinpointing. Subsequently our listening skills are going to be that much more acute. Your survey is more effectively accomplished while we detect more leaks and pinpoint them with more consistent accuracy than any other survey firm.

**Cost Effectiveness** - Compare the actual survey results found by ***ATS*** verses the others. Call on our references. We've highlighted those municipalities that have used ***ATS*** and our competition. The differences in the survey findings are remarkable.

- ***No one listens more intently to every accessible access point as ATS.*** Therefore we detect more suspect leak sounds than anyone else.
- ***No one works a suspect leak site more aggressively than ATS.*** Therefore, we turn more suspect leak sounds into confirmed leak locations than anyone else.
- ***No one spends more time analyzing a suspect leak site as thoroughly as ATS.*** Therefore no one pinpoints more leaks as accurately as ***ATS*** does. For our clients, more precise leak pinpointing means less digging and less restoration costs.
- ***ATS spends more time performing your leak survey*** so you can spend less time repairing them, and get a greater return in recovering precious water and reducing your water losses.
- ***As an ATS Survey Client,*** you automatically receive discounted pricing on and scheduled leak and utility line location callouts that you may need while your leak survey is underway. You will also receive preferred customer discounted pricing and priority scheduling on all scheduled and emergency callouts you may need during the remainder of your budget year.

**Pre-Survey Meeting:** Your verbal authorization followed by you Purchase Order and / or signed **ATS** Leak Survey Contracts, is all we need to schedule your Leak Survey. The **Pre-Survey Meeting** details all aspects of the survey. We will discuss how the survey will be performed, how to interpret the survey documentation, format and delivery of survey data to your staff, and the type of assistance and mutual cooperation that will be required during the survey. All Field and Administrative Personnel that would be involved or has a general interest in the survey are encouraged to attend.

**Scheduling the Survey:** We can typically begin your leak survey shortly after receiving your authorization to proceed. It's a good idea to wait until your crews have finished any hydrant / water main flushing programs that you might have scheduled. We often find leaking hydrants or some leaks that might have been caused by water hammering or subsequent water pressure variations during the flushing process. We would also ask for a list of streets that you might have scheduled for resurfacing. We would start the detection survey on those streets first so that you minimize the chances of covering up an old leak with a brand new street surface. Many cities use **ATS** to survey their water main, before and after a construction project, just to make sure no leaks were caused by earth moving or other heavy construction equipment during construction activities.

We welcome the opportunity to meet with you and your staff to answer any questions you may have about **ATS Survey Equipment and Methodology**. Please take a little time to read through the enclosed literature, and feel free to contact anyone on the reference list that we've enclosed. We hope that as you review our proposal package that you will gain some new knowledge of our professional services and unique skills that give us the necessary expertise to perform a thorough and successful leak survey. Thank you for your consideration of **Associated Technical Services Ltd.**

Yours Truly,  
**ASSOCIATED TECHNICAL SERVICES LTD.**

**Ralph L. Gross**  
**Executive Vice President**



**BASIC SCHEDULE OF PRICES**

**LEAK DETECTION & LOCATION SURVEYS**

*(Survey Area to be defined by Owner)*

1. Minimum Leak Survey - 10,000 Lineal Feet of Water Main = \$ \_\_\_\_\_

1a. Survey Areas over 10,000 Lineal Feet of pipe will be priced as follows:

<u>More than</u>	<u>But less than</u>	<u>Unit Price Per Lineal Foot</u>
10,000 LF	19,999 LF	\$ _____
20,000 LF	39,999 LF	\$ _____
40,000 LF	59,999 LF	\$ _____
60,000 LF	79,999 LF	\$ _____
80,000 LF	99,999 LF	\$ _____
100,000 LF	or More	<b><u>\$ 0.0185</u></b>

1b) LOCATION:

**\$ 395.00 for every Main Line or Service Line Leak.**

**\$ 95.00 for every Fire Hydrant Leak and Valve Packing Leak.**

**Extras: \$ 395.00\* discounted flat rate for Leak Pinpointing Callouts**

**\$ 295.00\* Homeowner's side service leak pinpointing scheduled by City**

*\* Callouts scheduled during normal weekday work hours for the duration of the survey contract. Homeowner service leaks must be scheduled by the City with the Homeowner.*

2. MOBILIZATION & MILEAGE: - **MILEAGE IS WAIVED**

\$ 1.75 per mile - round trip from ATS Office to the Project Site.

**TERMS:** Payment is due upon receipt of invoice. **ATS** will, at its option, submit periodic billings based upon the percentage of completion of the project. **ATS** also reserves the right to determine the percentage of completion for billing purposes. Interest rates will be based at 2% per month upon the unpaid balance at 30 days from the date of the invoice and thereafter.

**PLEASE NOTE:** All prices are based upon utmost cooperation and advance preparation by the **Owner**. Such as accurate plans and knowledge of the water system, and making all needed appurtenances accessible to our survey crews. See Section II of the attached "**General Conditions for Leak Surveys**" for a detailed listing of responsibilities of **ATS** and the **Owner**. **ATS** reserves the right to adjust the "**Basic Schedule of Prices**" if preliminary field investigation of the survey reveals extraordinary, hazardous or otherwise adverse conditions.

***Please be sure to forward any questions you have directly to Ralph L. Gross at 630.834.1558 (ofc)***

**GENERAL CONDITIONS**

**LEAK DETECTION & LOCATION SURVEYS**

**Responsibility of ATS / Associated Technical Services Ltd.**

- A) **Two-Person crew qualified to operate the *ATS Leak Detection & Location System*.**
- B) **The “*ATS Leak Detection & Location System*” consists of:**
- ***FCS S30 Ultrasonic Leak Surveyor Instruments (Leak Detection Phase)***
  - ***FCS/Fluid Conservation Systems and Sewerin Leak Noise Correlators (Leak Location Phase)***
  - ***FCS and Sewerin Ultrasonic Preamplifiers (Leak Location Phase)***
  - ***FCS, Wilcoxon, Vibrometer, Sewerin Accelerometers, Gas Sensors, Hydrophone Sensors***
  - ***Radcom FCS SoundSens Programmable Leak Correlation / Localization System***
  - ***Radiodetection RD7000 and RD8000 Utility Location Systems; CST Berger, Schonstedt and Radiodetection Ferro Magnetic Location Equipment for buried valve enclosures.***
- C) **“*ATS Leakmobile*” - Mobile Van with self-contained power supply and /or capability of operating from an alternate VAC 60 Hz source, or suitable alternate vehicle at the discretion of *ATS*.**
- D) ***Mobilization / Mileage* – Round Trip, Portal-to-Portal and On-Site.**
- E) ***On-Site Consultation with Owner* or their representatives as necessary.**
- F) **The entire area designated by the *Owner* shall be surveyed for leakage. Detected leaks shall be pinpointed only on that part of the water system maintained by the *Owner*. Unless it is previously specified and ordered, customer service line leaks will only be pinpointed up to the municipal side of the curb stop without additional charges. Leaks on the customer side of the curb stop typically require a separate appointment so *ATS* can make contact with the service line inside the building.**
- G) **Only those leaks that are detected by the *ATS Leak Survey* are to be included in the pinpointing phase of this contract. Unless other previous arrangements are made, any pinpointing of any incidentally or coincidentally occurring leakage, main breaks or previously known leakage that was not initially included in our proposal or as a part of this agreement shall be charged at our normal rates for scheduled / emergency service call-outs.**
- H) **If the “*Re-monitoring of Repaired Leak Sites*” service is specified, included in our proposal and ordered, this agreement, leak repairs to that site must be completed within 30 days after that leak’s location report was submitted to the *Owner*. The *Owner* then must notify *ATS* at the time of repairs so re-monitoring can be scheduled. All subsequently detected leakage will be located.**
- I) ***ATS* will establish and mark the location of a leak or leaks in the field with either marking paint, a field stake and / or written individual “*ATS Leak Location Report*”.**
- J) ***ATS* will provide basic traffic warning equipment and traffic control and re-direction with flagmen on an as-needed basis, whenever conditions dictate the necessity of these safety precautions. ***ATS Work Zone Safety Equipment*** includes but is not limited to safety vests, vehicle arrow boards, strobe warning lights and safety cones that are used whenever our vehicles are parked during the course of the leak survey on residential and other light or slower traffic areas.**

## GENERAL CONDITIONS FOR LEAK SURVEYS

### RESPONSIBILITY OF OWNER

The **Owner** will insure easy access to all main line valves, valve boxes or other strategically necessary access points. This may also include exposing and cleaning out auxiliary valves and b-boxes on an as-needed basis if they will facilitate the accurate confirmation and pinpointing of a detected leak. **This could include:** breaking loose needed valve covers; pumping water out all valve vaults and boxes and, if necessary, removing debris from those enclosures to make the valves and adjoining pipelines accessible. The **Owner** will also make access available to any point or location strategically needed by **ATS** to perform said work at the discretion of **ATS**.

- If the **Owner** orders leak pinpointing between the curb stop and the customer's building, the **Owner** shall be responsible for making contact with the customer. Pinpointing can be performed on a weekday from 7:00 AM to 4:00 PM without incurring overtime charges.
- The **Owner** will make available to **ATS** any and all available location maps, schematics, as-built drawings, final reports from previous leak surveys, and any other data pertaining to the area being surveyed. Access to the "IDOT LMO-2" Annual Water Audit Reports is also very helpful.
- The **Owner** will make available knowledgeable, qualified personnel for consultation and assistance regarding the **Owner's** water system.
- Identify the authorized representatives of the **Owner** to act on behalf of the **Owner** and sign **ATS** agreements, purchase orders and additional work orders.
- Give **ATS** right of access, and necessary identification required, and notify appropriate authorities (Police, Fire Dept., Public Works Dept., etc.) as needed of program underway.
- The **Owner** will at its option, provide **Traffic Warning Equipment, Traffic Control and Re-Direction with Flagmen** on an as-needed basis, should conditions dictate the necessity of this safety precaution. Instances such as a lane closure in a heavy traffic area may require hiring the services of a **Work Zone Safety Vendor** to provide the necessary traffic control equipment such as barricades, warning lights, arrow panels and temporary barriers. The **Owner** must approve any use of a **Work Zone Safety Vendor** in advance. **Owner** will be responsible for the costs of the **Work Zone Safety Vendor**.
- **Owner's** repair crews shall make a reasonable effort to provide **ATS** with accurate leak repair information whenever this data is available. **Repair data should detail the following:** Date of repair; type of leak; approximate size and shape of the leak orifice; approximate water pressure; and method of repair. This information is necessary for **ATS** to make leak size, water loss and revenue recovery calculations for a comprehensive "**Leak Survey Final Report**".

**Please Note:** **ATS** does not guarantee the detection or accurate pinpointing of a leak or leaks, but does assure that a best effort in that regard will be put forward.

Certain input data to the **ATS Leak Detection & Location System** is based upon information received from the **Owner**. The accuracy of the **Owner's** data will directly affect the results of the Leak Survey. **ATS** will attempt to verify such data by consultation with the **Owner** and thereupon will have a right to rely upon the accuracy of the **Owner's** data. **ATS** is not liable for any costs to the **Owner** as a result of incomplete or inaccurate data supplied by the **Owner** or their representatives.

### ATS Experience, Manpower and Equipment

- In 1979, **ATS** became the first company in America to use leak noise correlators.
- **ATS** developed the correlator-based leak survey procedures and methodology that are considered to standard of the industry and subsequently taught by **FCS** and **ATS**.
- Every **ATS Field Technician** is Fully Trained and Experienced in a wide range of applications. We only use **Top of the Line – State of the Art Equipment** for All Phases of Leak Detection and Location Procedures; Field Strategies and Locating All Types of Underground Utilities.
- **ATS Crew Chiefs** average over 15 years of Correlator Based Leak Survey Experience.
- Leading correlator manufacturers, **FCS/Fluid Conservation Systems, Metravib and Palmer**, have relied on **ATS** to perform beta testing of new equipment and software developments. **ATS** has trained some of **FCS'** key staff members and provides training assistance for new personnel.
- All phases of an **ATS Leak Survey** are performed with a fully trained Two-Person Crew.
- **ATS** has a fleet of Ten Complete Correlator Systems and dedicated Surveyor Vans with Crews, (**ATS Leakmobiles**) that are fully equipped with correlator systems; Utility Location Equipment and every tool needed to perform leak detection and location in all types of conditions.
- No other leak survey company matches **ATS'** Level of Experience, Accuracy and Results.

**Leak Survey Equipment:** *ATS uses the best equipment available on the market today. Here are some of the key components that are used to equip every "ATS Leakmobile".*

#### Leak Detection Phase

FCS S-30 Ultrasonic Leak Surveyors  
FCS S-20 Ultrasonic Leak Surveyors  
PGA 710 Ultrasonic Leak Surveyors

#### Leak Location Phase

FCS TriCorr Touch Leak Noise Correlators  
FCS Accu-Corr Correlators  
FCS C9090 Leak Noise Correlators  
FCS C2000 Leak Noise Correlators  
Radcom SoundSens Programmable System  
Sewerin SeCorr Correlators

#### Transducers (Sensors)

Various piezo-electric accelerometer types, Hydrophones and Gas Sensors are used depending upon the situation and sensitivity that is needed to find the leak.

#### Correlator Preamplifiers

FCS / Palmer Accu-Corr Preamplifiers  
FCS MP-90 Ultrasonic Preamplifiers  
Sewerin SeCorr 08 Preamplifiers

#### Utility Location Equipment

*All suspect water main and adjacent water service lines are electronically traced during every leak location to ensure accuracy.*

Trimble TDS Recon	GPS Locator
Magellan CX Professional	GPS Locator
Radiodetection Ground Penetrating Radar	
Radiodetection RD8000	Receivers
Radiodetection RD7000	Receivers
Radiodetection RD5000	Receivers
Radiodetection RD T3w	Transmitters
Radiodetection RD T10w	Transmitters
CST Berger RD316	Metal Locators
Fisher FPID 2100	Metal Locators
Schonstedt GA-52CX	Metal Locators

#### Valve Operation & Assessment Systems

EH Wachs ERV-750 / TM-7 / VMT-1 Systems  
On-Board Survey-Grade Trimble GPS  
VITALS Complete Documentation Software

#### Fire Hydrant Assessment, Flow Testing, Exercising; and Water Main Flushing

Little Hose Monster: Flows of 1,500 GPM or less  
Hose Monster HM4: Flows up to 2,800 GPM  
Comprehensive Documentation Software



### **KNOWN BY THE COMPANY WE KEEP**

The clients for whom **ATS** has worked provide the best reference as to the expertise of **ATS** manpower, superior results and unmatched accuracy of **ATS Leak Detection & Location Surveys**. **ATS** surveys thousands of miles of water main and pinpoints thousands of leaks every year. The year of each Village's **ATS Leak Survey** and other firms they've used are listed. We would be pleased to provide you with more references and specific details about every **ATS Leak Survey** that's listed here, and other towns we've recently surveyed that are not on this list.

#### **Lake County Public Works (S)**

Heather Galan PE, Senior Engineer  
847.377.7500  
(ATS Surveys: 2011, 2013, 2014-15 – All 13 water systems)

#### **Village of Plainfield**

Alan Persons, Director of Public Works  
815.436.3577  
(ATS Annual Surveys: 1985 – 2015)

#### **Village of Palatine (P)**

Jim Vlcek, Coordinator – Utilities Division  
847.705.5200  
(ATS Annual Surveys: 2002 – 2010, 2015 Scheduled)

#### **City of St. Charles (S, W)**

Paul Marschinke (ret), Water Dept. Foreman  
630.377.4463  
(ATS Annual Surveys: 1990 - 2015)

#### **City of Aurora (E, P)**

Ray Hull, Director of Water Maintenance  
630.844.2800  
(ATS Annual Surveys: 1996, 1999 – 2010, over 3,500 leaks)

#### **Village of Hillside**

Joe Pisano, Director of Public Works  
708.449.6450  
(ATS Bi-Annual Surveys: 1988 - 2015)

#### **Village of Villa Park (E,S,P,W)**

Vydas Juskellas, Director of Public Works  
630.834.8505  
(ATS Annual Surveys: 1992-96, 2000-05, 2011-12)

#### **Village of Shorewood**

Chris Drey, Supt. of Public Works  
815.725.4464  
(ATS Annual Surveys: 2006 - 2013)

#### **Village of Bensenville (P,S)**

Rick Radde, Utility Supervisor  
708.350-3417  
(ATS Surveys: 2012, 2014)

**Legend:** (E) = Earth Tech (Rust Environmental, Donahue); (P) = ADS Environmental Services (Severn Trent, Pitometer);  
(S) = ME Simpson; (W) = Water Services; (O) = Others

#### **City of Rolling Meadows**

Dan Seveska, Utilities Foreman  
847.963.0500 ext. 7022  
(ATS Annual Surveys: 1982 - 2014)

#### **Village of La Grange Park (O)**

Brendan McLaughlin, Director of Public Works  
708.352.2922  
(ATS Annual Surveys: 1981 - 2015)

#### **Village of Elmwood Park (P)**

Dino Braglia, Water Superintendent  
708.452.7300  
(ATS Annual Surveys: 1986-1989, 2005 - 2014)

#### **Village of Bellwood (P, O)**

Reggie Alexander (ref), Water Supervisor  
708.547.3541  
(ATS Annual Surveys: 1994 - 2013)

#### **Village of Barrington**

Phil Freund, Utility Supervisor  
847.304.3360  
(ATS Annual Surveys: 1993-96, 2001-2007, 2011-14)

#### **Village of Wauconda (O)**

Jacob Mann, Foreman – Water Division  
847.526.9704  
(ATS Survey: 2010, 2011, 2012, 2013)

#### **City of New Lenox**

Wayne Rassman, Water Superintendent  
815.485.7589  
(ATS Surveys: 1999, 2010, 2011, 2012, 2013, 2014)

#### **City of Elmhurst (P, O)**

Chris Dufort, Utilities Superintendent  
630.530.3000  
(ATS Annual Surveys: 1984 – 2007, 2013 - 2014)

#### **Village of La Grange (S,P,W)**

Mike Bojovic, Asst. Director of Public Works  
708.579.2325  
(ATS Surveys: 1989, '94, '98, 2000, '01, '11, '13, '15)

### PROFESSIONAL HIGH TECHNOLOGY SERVICES

EMERGENCY LEAK PINPOINTING • LEAK DETECTION SURVEYS • UNDERGROUND UTILITY LOCATION • GIS / GPS MAPPING  
VALVE EXERCISING • CCTV PIPE INSPECTIONS • HYDRANT TESTING • WATERMAIN FLUSHING • EQUIPMENT SALES & TRAINING

ASSOCIATED TECHNICAL SERVICES LTD



524 W. ST. CHARLES RD. VILLA PARK, IL. 60181

www.ATSLIMITED.com

Office: 630.834.1558 / Fax: 630.834.5501

Established 1979

**"KNOWN BY THE COMPANY WE KEEP"**

*The following companies have benefited from the same professional high technology services that ATS can provide for you. We therefore proudly list these fine companies as references.*

AT&T Bell Laboratories	General Mills	Northwestern Univ. Medical Ctr.
Abbott Laboratories	General Motors Corporation	O'Hare International Airport
Albertsons	Gould Electronics Inc.	Olin Corporation
Alberto Culver Co.	Governors State University	Palos Community Hospital
Alcoa Aluminum	Great Lakes Naval Training Ctr.	Pepper Construction
Allstate Insurance Co.	Grinnel Fire Protection	Pepsi Co.
Amway Corp.	Helene Curtis Industries	Pfizer Inc.
American Airlines	Harper Rainey College	Praxair Inc.
Amoco Chemical Corp.	Hines VA Hospital	Purdue University
Amtrak	Holiday Inn Corp.	PPG Industries
Argonne National Laboratories	Hyatt Hotels	Quaker Oats Co.
Arlington Park Int'l Race Track	Illinois E.P.A.	Reynolds Metals
Benjamin Moore & Co.	Illinois American Water Co.	Revere Ware Corp.
Bennett & Kahnweiler	Industrial Risk Insurance	Rockwell
Bliss & Laughlin Steel Co.	Inland Steel	Rust-Oleum Corporation
Borden, Inc.	Inland Const. & Development	Safety Kleen
Borg Warner	Jewel Food Stores	Sante Fe Railway
Brookfield Zoo	Kemper Insurance	Scott Airforce Base
Brach & Sons Candy Co.	Kinder Morgan	S-K Hand Tool Corp.
Burlington Northern R.R.	Kraft Foods	Sargent Welch Scientific
Cambridge Homes	La Rabida Children's Hospital	John G. Shed Aquarium
Canfield's Beverage Co.	Lewis University	Sherwin Williams Co.
Cargill Inc.	Lincoln Park Zoo - Chicago	Shell Oil Company
Carson Pirie Scott & Co.	Lockheed Air Terminals, Inc.	State Farm Insurance
Carus Chemical Co.	Loyola University	Tootsie Roll Inc.
Center Point Properties	Loyola University Medical Ctr.	Toys R Us
Chicago Bridge & Iron	LTV Steel & LTV Aerospace	Toyota Motors Corp.
Chicago & Northwestern R.R.	Lucent Technologies	Trammell Crow Corp.
Clorox Co.	Macy's Inc.	Unichema
College of DuPage	Masonite Corporation	Unicom Thermo Technologies
College of Lake County	McDonald's Corporation	Union Carbide Corp.
Commonwealth Edison	M&M Mars Candy Inc.	Union Pacific Railroad
Comcast	Marathon Oil Company	United Airlines
Corn Products	Marriot Hotels	United Parcel Service
Del Webb Communities	McGraw Edison Company	Unocal Corp.
Dominic's Finer Foods	USGA & PGA Championships	US Gypsum
Dow Chemical	Merck Pharmaceutical	US Steel
Dresden Nuclear Power Station	Michael Reese Hospital	US Postal Service
DuPont	Midway Airport	US Army
Electro-Motive Div. of GM	Midwest Generation	US Air Force
Exelon Corporation	Mobil Oil Corporation	US Navy
Exxon Corporation	Morton Arboretum	University of Chicago
Federal Aviation Administration	Motorola	University of Illinois
Factory Mutual Insurance	Museum of Science & Industry	University of Wisconsin
Fermilab Accelerator Laboratory	Nabisco	Von Maur Department Stores
Field Museum of Natural History	Nalco Chemical Co.	Walgreens
Ford Motor Company	Navy Pier, Chicago	Waste Management
Fort Sheridan Military Base	Nestle	US Cellular Field (White Sox)
First Brands Corp.	NICOR	Wrigley Field (Cubs)
FSC Paper Co.	Northrop Grumman Corporation	Wrigley Gum Co.
General Electric	Northern Telecom	Xerox Corporation
General Foods	Northwestern University	Zenith Electronics Corp.

**WATER CONSERVATION SPECIALISTS**

LEAK PINPOINTING • LEAK DETECTION SURVEYS • UTILITY LOCATION • GIS / GPS MAPPING • VALVE EXERCISING PROGRAMS  
CCTV INSPECTIONS • HYDRANT FLOW TESTING • UNIDIRECTIONAL WATERMAIN FLUSHING • EQUIPMENT SALES & TRAINING



**AGENDA MEMO  
CITY COUNCIL  
June 1, 2015**

**ISSUE STATEMENT**

A resolution authorizing the Mayor to accept a proposal from Superior Road Striping in an amount not to exceed \$10,500.00 for the 2015 Street Striping Program.

[RESOLUTION](#)   [BACKUP](#)

**BACKGROUND/HISTORY**

The Street Striping program includes the placement of various thermal plastic quantities for Crosswalks, Only's, Only Arrows, Center Lanes, and Stop Bars as per the attached schedule labeled as [Attachment A](#).

The FY 15-16 Budget includes funds for the 2015 Street Striping Program.

Staff has selected Superior Road Striping, Inc. for the awarded vendor as Superior Road Striping, Inc. and is the awarded vendor for the Northwest Municipal Conference Joint Purchasing Cooperative for road striping to municipalities within the Midwest.

The proposed Street Striping Program would be funded from the following line item:

<b>ACCOUNT NUMBER</b>	<b>ACCOUNT DESCRIPTION</b>	<b>FY 15/16 BUDGET</b>	<b>PROPOSED EXPENDITURE</b>	<b>PROPOSED BALANCE</b>
03-60-4261	Pavement Striping	\$ 10,500.00	\$ 10,500.00	\$ - 0 -

**COMMITTEE RECOMMENDATION**

The Municipal Services Committee recommends approval of the resolution authorizing the Mayor to accept a proposal from Superior Road Striping in an amount not to exceed \$10,500.00 for the 2015 Street Striping Program.

**ALTERNATE CONSIDERATION**

As recommended by the Committee.

**DECISION MODE**

This item will be placed on the June 1, 2015 agenda for formal consideration by the City Council.



# A Joint Purchasing Program For Local Government Agencies

February 23, 2015

Ms. Joan Yario  
Superior Road Striping  
1967 Cornell Court  
Melrose Park, IL 60160

Dear Ms. Yario,

This letter is to inform you that the Suburban Purchasing Cooperative's Governing Board has approved the third of three (3) possible one-year contract extensions on the SPC Lane Marking Contract #123 to Superior Road Striping, Melrose Park, IL from April 12, 2015 through April 11, 2016, with no price increases.

<u>Description</u>	<u>UOM</u>	<u>2015-16 Unit Price</u>
4" Line	LF	\$0.54
6" Line	LF	\$0.81
12" Line	LF	\$1.63
24" Line	LF	\$4.09
Letters & Symbols	SF	\$4.09
Removal	SF	\$0.75

With the acceptance of this contract extension, Superior Road Striping, Melrose Park, IL agrees to all terms and conditions as set forth in the specifications contained within the Request for Proposals to which you responded. This award is not in conjunction with the Illinois Department of Transportation, so participating communities will not be utilizing Motor Fuel Tax (MFT) funds. However, Superior Road Striping must comply with all IDOT rules and regulations, as well as prevailing wage and certified payroll.

The SPC looks forward to another productive year working with Superior Road Striping. Please sign and date the agreement below and return an original to my attention and retain a copy for your files.

Sincerely,

Ellen Dayan, CPPB  
NWMC Program Manager for Purchasing

Name: Ellen Dayan

2/23/15  
Date

2-24-15  
Name: Joan Yario

Date

**DuPage Mayors &  
Managers Conference**  
1220 Oak Brook Road  
Oak Brook, IL 60523  
Suzette Quintell  
Phone: (630) 571-0480  
Fax: (630) 571-0484

**Northwest Municipal  
Conference**  
1600 East Golf Rd., Suite 0700  
Des Plaines, IL 60016  
Ellen Dayan  
Phone: (847) 296-9200  
Fax: (847) 296-9207

**South Suburban Mayors  
And Managers Association**  
1904 West 174<sup>th</sup> Street  
East Hazel Crest, IL 60429  
Ed Paesel  
Phone: (708) 206-1155  
Fax: (708) 206-1133

**Will County  
Governmental League**  
3180 Theodore Street, Suite 101  
Joliet, IL 60435  
Cherie Belom  
Phone: (815) 729-3535  
Fax: (815) 729-3536





CITY HALL PARKING LOT						
		STOP BAR	CROSS WALK	DELINEATION	DELINEATION	ARROW-ONLY
		White	White	White	Yellow	White
		24 INCH	12 INCH	6 INCH	4 INCH	
PAINT TOTAL		50			1700	4

HANDI-CAP STALLS
Blue/White
Standard
4



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

**A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT A PROPOSAL FROM SUPERIOR ROAD STRIPING IN AN AMOUNT NOT TO EXCEED \$10,500.00 FOR THE 2015 STREET STRIPING PROGRAM**

**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 does hereby accept a proposal from Superior Road Striping in an amount not to exceed \$10,500.00 for the 2015 Street Striping Program, 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 1<sup>st</sup> day of June, 2015.**

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

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

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

**APPROVED BY THE MAYOR OF THE CITY OF DARIEN, DU PAGE COUNTY, ILLINOIS, this 1<sup>st</sup> day of June, 2015.**

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

ATTEST:

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

APPROVED AS TO FORM:

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



# SRS

**SUPERIOR ROAD STRIPING, INC.**  
1967 CORNELL COURT MELROSE PARK, IL 60160

**TELEPHONE 708-865-0718**  
**FAX 708-865-0296**

5/15/2015

## PROPOSAL

VILLAGE OF DARIEN  
1702 PLAINFIELD ROAD  
DARIEN, IL 60561  
ATTN: DAVE 630-429-1711 - DFELL@DARIENIL.ORG

JOB LOCATION: VARIOUS

THE UNDERSIGNED, PROPOSE TO FURNISH THERMOPLASTIC  
PAVEMENT MARKING AND LABOR FOR JOB DESCRIBED BELOW

DESCRIPTION	UNIT	APPROX QUANTITY	UNIT PRICE	AMOUNT
THPL PVT MK L & S	SF		4.09	
THPL PVT MK LINE 4	LF		0.54	
THPL PVT MK LINE 6	LF		0.81	
THPL PVT MK LINE 12	LF		1.63	
THPL PVT MK LINE 24	LF		4.09	
PAVEMENT MARKING REMOVAL	SF		0.75	

**\$10,000.00**

ACCEPTANCE: YOU ARE HEREBY AUTHORIZED TO FURNISH MATERIAL AND  
LABOR NECESSARY TO COMPLETE JOB DESCRIBED.

**PLEASE SIGN AND RETURN FAX**

SIGNATURE \_\_\_\_\_

DATE: \_\_\_\_\_

PRINT FIRST AND LAST NAME \_\_\_\_\_

RESPECTFULLY SUBMITTED,

5/15/15

SANDRA DEHOYOS  
SUPERIOR ROAD STRIPING INC.



**AGENDA MEMO**  
**City Council**  
**June 1, 2015**

**ISSUE STATEMENT**

A resolution authorizing the purchase of six (6) various Steel Road Plates from Lee Jensen Sales Co. in an amount not to exceed \$10,360.00.

**RESOLUTION**

**BACKGROUND/HISTORY**

The proposed Steel Road Plates will be used by the Street and Water Departments during emergency and maintenance excavations where the hole is required to be left temporarily open. The plates are an item that the department has borrowed or rented in the past. The department's practice is to minimize open excavations for any length of time however, due to unforeseen situations the department is required to leave an open hole due to securing parts, utility conflicts, or pavement restoration within County roadways. The plates will allow the department to secure open excavations through the placement of the steel plates across an excavation therefore avoiding unnecessary road closures, traffic congestion and safety to the general public.

Below is a summary of the competitive quotes for the purchase of the following Steel Road Plates:

DESCRIPTION-ALL PLATES ARE 1- INCH THICK	QUANTITY
4-FOOT X 8-FOOT	1
8-FOOT X 8-FOOT	1
8-FOOT X 10-FOOT	2
8-FOOT X 12-FOOT	2

VENDOR	COST
Lee Jensen Sales Co.	\$10,360.00
Pro-Tech Equipment, Inc.	\$14,400.00
Wisconsin Shoring & Supply Co., Inc.	\$12,180.00

The FY15/16 Budget includes funding for the abovementioned items from the following accounts:

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	FY 15/16 BUDGET	EXPENDITURE	BALANCE
01-30-4815	Capital Purchases - Equipment	\$ 5,250.00	\$ 5,180.00	\$ 70.00
02-50-4815	Capital Purchases – Equipment	\$ 5,250.00	\$ 5,180.00	\$ 70.00
<b>TOTALS</b>		<b>\$ 10,500.00</b>	<b>\$ 10,360.00</b>	<b>\$ 140.00</b>

**Committee Recommendation**

The Municipal Services Committee recommends approval of this resolution for the purchase of six (6) Steel Road Plates from Lee Jensen Sales Co., in an amount not to exceed \$10,360.00.

Steel Road Plates

June 1, 2015

Page 2

**Alternate Consideration**

As directed by the Committee.

**Decision Mode**

This item will be placed on the June 1, 2015 City Council agenda for formal consideration.



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

**A RESOLUTION AUTHORIZING THE PURCHASE OF SIX (6) VARIOUS STEEL ROAD PLATES FROM LEE JENSEN SALES CO. IN THE AMOUNT NOT TO EXCEED \$10,360.00**

**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 to authorize the purchase of six (6) various Steel Road Plates from Lee Jensen Sales Co. in the amount not to exceed \$10,360.00, 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 1<sup>st</sup> day of June, 2015.

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

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

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

**APPROVED BY THE MAYOR OF THE CITY OF DARIEN, DU PAGE COUNTY, ILLINOIS**, this 1<sup>st</sup> day of June, 2015.

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

ATTEST:

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

APPROVED AS TO FORM:

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





# Quotation

## Lee Jensen Sales Co.

101 West Terra Cotta Avenue  
Crystal Lake, IL. 60014  
Ph. 815-459-0929  
Fax. 815-459-6458

Date: 12/03/14

To: CITY OF DARIEN  
Attn: KRIS  
Ph.  
Fax. 630/887-0091

From: LISA MARTINI  
Terms:

Re:

Thank you for the opportunity to provide pricing and availability for the equipment listed below. Please feel free to contact me with any questions you might have.

Quantity	Description	Price Each	Extended
1	4 X 8 X 1" STREET PLATE WEIGHT: 1305LBS.		\$720.00
1	8 X 8 X 1" STREET PLATE WEIGHT: 2610LBS.		\$1,440.00
1	8 X 10 X 1" STREET PLATE WEIGHT: 3265LBS.		\$1,820.00
1	8 X 12 X 1" STREET PLATE WEIGHT: 3920LBS.		\$2,180.00
		x 2	3640
		v 2	4360
	FREIGHT		\$200.00
		Total	\$6,360.00

This quotation is valid for 30 days. Thereafter prices are subject to change with out notice.

610,360



**AGENDA MEMO**  
**City Council**  
**June 1, 2015**

**ISSUE STATEMENT**

A resolution authorizing the purchase of an Aluminum Trench Box from Lee Jensen Sales Co. in the amount of \$6,500.00.

**RESOLUTION**

**BACKGROUND/HISTORY**

The proposed Aluminum Trench Box would be replacing a “Build-a-Box” trench box system purchased in 1998. Trench boxes are required to be utilized during underground utility excavations and the current trench shield has exceeded its useful life.

The new trench box provides staff with the proper safety equipment on excavations in excess of 5 feet in depth. The added stability of the trench box will allow staff to spend less time adjusting the box in and out of an excavation. The adjustable spreader bars will also provide staff the ability to adjust the size of the box according to the size of the excavated dig and allow further adjustments with competing utilities in a trench area.

Below please find a summary of the competitive quotes for the purchase of one new Aluminum Trench Box w/Adjustable Spreader bars (52”-88”)

VENDOR	PRICE QUOTED
Lee Jensen Sales Co.	\$6,500.00
Pro-Tech Equipment, Inc.	\$9,550.00
Wisconsin Shoring & Supply Co., Inc.	\$7,715.00

The FY15/16 Budget includes funding for the abovementioned items from the following account:

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	FY 15/16 BUDGET	PROPOSED EXPENDITURE	PROPOSED BALANCE
02-50-4815	Capital Purchases-Equipment	\$6,500.00	\$6,500.00	\$0.00

**COMMITTEE RECOMMENDATION**

The Municipal Services Committee recommends approval of this resolution for the purchase of an Aluminum Trench Box with a set of four adjustable spreader bars from Lee Jensen Sales Co. in the amount of \$6,500.00.

**ALTERNATE DECISION**

As directed by Committee.

**DECISION MODE**

This item will be placed on the June 1, 2015 City Council agenda for formal consideration.



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

**A RESOLUTION AUTHORIZING THE PURCHASE OF AN ALUMINUM TRENCH BOX FROM LEE JENSEN SALES CO. IN THE AMOUNT OF \$6,500.00**

**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 to authorize the purchase of an Aluminum Trench Box from Lee Jensen Sales Co. in the amount of \$6,500.00, 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 1<sup>st</sup> day of June, 2015.

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

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

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

**APPROVED BY THE MAYOR OF THE CITY OF DARIEN, DU PAGE COUNTY, ILLINOIS**, this 1<sup>st</sup> day of June, 2015.

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

ATTEST:

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

APPROVED AS TO FORM:

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



Exhibit A

# Quotation

## Lee Jensen Sales Co.

101 West Terra Cotta Avenue  
Crystal Lake, IL. 60014  
Ph. 815-459-0929  
Fax. 815-459-6458

Date: 05/05/15

To: CITY OF DARIEN  
Attn: KRIS  
Ph.  
Fax. 630/887-0091

From: LISA MARTINI  
Terms:

Re: TRENCH BOX QUOTE

Thank you for the opportunity to provide pricing and availability for the equipment listed below. Please feel free to contact me with any questions you might have.

Quantity	Description	Price Each	Extended
1	8 X 8 ALUMINUM TRENCH BOX WEIGHT:960LBS. DEPTH RATING:16'		\$5,375.00
1	(SET OF 4) 52"-88" TELESCOPING ADJUSTABLE SPREADERS		\$895.00
	FREIGHT		\$230.00
<b>Total</b>			<b>\$6,500.00</b>

This quotation is valid for 30 days. Thereafter prices are subject to change with out notice.



**AGENDA MEMO**  
**City Council**  
**June 1, 2015**

**ISSUE STATEMENT**

1. A resolution accepting a proposal from United Septic Inc. for the following:
  - A. Cleaning and Televising of Ironwood Avenue and Evergreen Lane Storm Sewer System in an amount not to exceed \$14,980
  - B. Hourly Rate for Routine and Emergency Services for Cleaning Storm Sewer Infrastructure in an amount not to exceed \$15,000 from May 2015-April 2016
2. A motion authorizing a contingency for any necessary repairs in a total amount not to exceed \$10,000 (\$5,000 for Ironwood and \$5,000 for Evergreen Lane)

**RESOLUTION**

**BACKGROUND**

**A. Ironwood Avenue**-The existing 12 and 24 inch concrete storm sewer accepts water from Ironwood Avenue in the Hinsbrook subdivision and travels along the center of the road which eventually outfalls into Sawmill Creek.

**Evergreen Lane**-The 12 inch concrete storm sewer accepts water from the Evergreen Lane subdivision and travels along the rear easement on the north side behind the homes which eventually outfalls into the west branch of Sawmill Creek. The storm sewer structures have been identified to be surcharging, indicating potential blockages.

The existing conditions indicate that over the years sediment deposits have accumulated within the pipes and structures. The goal of the project is to clean and televise the infrastructure for any additional repairs and to ensure the existing infrastructure is in optimal operating condition. These maintenance projects also fulfill the ongoing requirements of the IEPA, as it pertains to the Storm Water Protection Plan (SWPP) for the City.

**B. Hourly Rate for Routine and Emergency Services**

The department requires the use of a jetter truck from time to time to clean or clear a clogged storm sewer. Pending the circumstance, these types of services may be considered emergency or routine and would be completed on an hourly basis, see [Attachment A](#). Staff is requesting authorization through a motion to make any necessary repairs identified after the cleaning and/or televising. Repairs may consist of excavating and repairing a pipe or a structure. The repairs would be completed in house and would apply to Ironwood Avenue and Evergreen Lane.

Staff had requested proposals for the abovementioned services and received two competitive quotes, see [Attachment A](#). The FY15/16 Budget includes funding for the abovementioned items from the following accounts:

Storm Sewer Infrastructure Maintenance-Jetting

June 1, 2015

Page 2

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	PROJECT CODE	FY 15/16 BUDGET	JETTING CLEANING TELEVISIONING EXPENDITURE	REPAIR CONTINGENCY	PROPOSED BALANCE
25-35-4376	Ironwood Storm Sewer Cleaning	FYE165006	\$ 15,800	\$ 7,040	\$ 5,000	\$3,760
25-35-4376	Evergreen Storm Sewer Cleaning	FYE165007	\$ 26,000	\$ 7,940	\$5,000	\$ 13,060
TOTALS			\$ 41,800	\$ 14,980	\$ 10,000	\$16,820
01-30-4243	Routine and Emergency Jetting Cleaning		\$ 15,000	\$ 15,000	N/A	TBD

**Committee Recommendation**

The Municipal Services Committee recommends approval of the following:

1. A resolution accepting a proposal from United Septic Inc. for the following:
  - A. Cleaning and Televising of Ironwood Avenue and Evergreen Lane Storm Sewer System in an amount not to exceed \$14,980.
  - B. Hourly Rate for Routine and Emergency Services for Cleaning Storm Sewer Infrastructure in an amount not to exceed \$15,000
2. A motion authorizing a contingency for any necessary repairs in an amount not to exceed \$10,000 (\$5,000 for Ironwood Avenue and \$5,000 for Evergreen Lane).

**Alternate Consideration**

As directed by the Committee.

**Decision Mode**

This item will be placed on the June 1, 2015 City Council agenda for formal consideration.



Description	Pipe	Location	Quantity Lineal Ft	Unit	United Septic		National Power Rodding	
					Unit price	Total	Unit Price	Total
<b>Ironwood Av-Center Road</b>	Jet, Root and Televis 21-24 Inch RCP		600	Lineal Foot	\$ 5.00	\$ 3,000.00	\$ 10.00	\$ 6,000.00
	Jet, Root and Televis 12-15 Inch RCP		600	Lineal Foot	\$ 5.00	\$ 3,000.00	\$ 8.00	\$ 4,800.00
	Catch basin/inlet clean 2 foot below invert		8	Each	\$ 130.00	\$ 1,040.00	\$ 700.00	\$ 5,600.00
<b>Total Cost for Ironwood</b>						<b>\$ 7,040.00</b>		<b>\$ 16,400.00</b>

<b>Evergreen Ln-Rear Yard</b>	Jet, Root and Televis 12-Inch RCP		850	Lineal Foot	\$ 6.00	\$ 5,100.00	\$ 25.00	\$ 21,250.00
	Jet, Root and Televis 8-Inch PVC		140	Lineal Foot	\$ 6.00	\$ 840.00	\$ 20.00	\$ 2,800.00
	Catch basin/inlet clean 2 foot below invert		5	Each	\$ 400.00	\$ 2,000.00	\$ 700.00	\$ 3,500.00
<b>Total Cost for Evergreen</b>						<b>\$ 7,940.00</b>		<b>\$ 27,550.00</b>
<b>Total Cost for Evergreen and Ironwood</b>						<b>\$ 14,980.00</b>		<b>\$ 43,950.00</b>
<b>Hourly Rates-Routine and Emergency</b>								
	After hour response within 4 hours off road			Hourly Rate		\$ 700.00		\$ 750.00
	After hour response within 4 hours in road			Hourly Rate		\$ 500.00		\$ 565.00
	Scheduled response off road			Hourly Rate		\$ 600.00		\$ 600.00
	Scheduled response in road			Hourly Rate		\$ 450.00		\$ 465.00
					Total Hourly Rates		\$ 2,250.00	\$ 2,380.00

Quote is required from May 1, 2015 to April 30, 2016



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

**A RESOLUTION ACCEPTING A PROPOSAL FROM UNITED SEPTIC, INC FOR THE CLEANING AND TELEVISIONING OF IRONWOOD AVENUE AND EVERGREEN LANE STORM SEWER SYSTEM IN AN AMOUNT NOT TO EXCEED \$14,980.00 AND HOURLY RATE FOR ROUTINE AND EMERGENCY SERVICES FOR CLEANING STORM SEWER INFRASTRUCTURE IN AN AMOUNT NOT TO EXCEED \$15,000.00**

**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 does hereby accept a proposal from United Septic, Inc for the Cleaning and Televisioning of Ironwood Avenue and Evergreen Lane Storm Sewer system in an amount not to exceed \$14,980.00 and Hourly Rate for routine and emergency services for cleaning storm sewer infrastructure in an amount not to exceed \$15,000.00, 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 1<sup>st</sup> day of June, 2015.**

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

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

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

**APPROVED BY THE MAYOR OF THE CITY OF DARIEN, DU PAGE COUNTY, ILLINOIS, this 1<sup>st</sup> day of June, 2015.**

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

ATTEST:

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

APPROVED AS TO FORM:

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



DARIEN PW



CITY OF DARIEN  
 1702 Plainfield rd  
 Darien, IL 60551

Respond by April 15th to:

David Fell  
 1041 S Frontage  
 630-429-1711  
 dfell@darienil.gov

Option 1 Ironwood Dr 24"-21" RCP Center Road 600  
 15"-12" RCP Center Road 600

<del>Jet and Root cut as necessary</del>	<del>Liner Foot rate</del>	<del>\$1,800.00</del>	<del>4.00</del>
Jet, Root cut as necessary and Televis	Liner Foot rate	\$6,000.00	5.00
Catch basin/Inlet clean 2 foot below Invert	Each	\$130.00	130.00
* debris pull back must be removed dump at Darien public works		Sub total	<del>\$10,930.00</del>

Option 2 Evergreen Ln 12" RCP Rear yard 850  
 8" PVC Rear yard 340

<del>Jet and Root cut as necessary</del>	<del>Liner Foot rate</del>	<del>\$4,950.00</del>	<del>5.00</del>
Jet, Root cut as necessary and Televis	Liner Foot rate	\$5,940.00	6.00
Catch basin/Inlet clean 2 foot below Invert	Each	\$400.00	400.00
* debris pull back must be removed dump at Darien public works		Sub total	<del>\$11,290.00</del>

Option 1 & 2 awarded based on this total  
 Plans available upon request  
 Total options 1 & 2 ~~\$22,220.00~~

After hour response within 4 hours off road	Hourly Rate	\$700/hr	\$700/hr
After hour response within 4 hours in road	Hourly Rate	\$500/hr	\$500/hr
Scheduled response off road	Hourly Rate	\$600/hr	\$600/hr
Scheduled response in road	Hourly Rate	\$450/hr	\$450/hr

Quote is required from May 1 2015 to May 1 2016

Total Cost option 3 2,250.00

Company Name & address: United Septic, Inc.  
 1327 W Beecher Rd.  
 Bristol, IL. 60512

Owner signature:



**AGENDA MEMO**  
**City Council**  
**June 1, 2015**

**ISSUE STATEMENT**

**A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN AMENDMENT TO THE CITY ADMINISTRATOR AGREEMENT BETWEEN THE CITY OF DARIEN AND BRYON D. VANA**

**RESOLUTION**

**BACKGROUND/HISTORY**

The proposed amendment to the City Administrator's agreement includes:

- The salary for FYE 2016 shall be increased by 1.75% to \$150,153 effective May 1, 2016, which is equal to the non-contract employees' salary range adjustment for FYE 2016.
- Bryon D. Vana will receive a \$1,950 merit bonus for performance in FYE 2016, which is equal to the maximum merit bonus provided for non-contract employees in Darien.

**STAFF/COMMITTEE RECOMMENDATION**

The amendment is recommended by the Council and needs formal approval at Council meeting.

**ALTERNATE CONSIDERATION**

As directed.

**DECISION MODE**

This item will be placed on the June 1, 2015, City Council Agenda for formal consideration.



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

**A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN AMENDMENT TO THE CITY ADMINISTRATOR AGREEMENT BETWEEN THE CITY OF DARIEN AND BRYON D. VANA**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DARIEN, DUPAGE COUNTY, AS FOLLOWS:**

**SECTION 1:** The City Council of the City of Darien hereby authorizes the Mayor and City Clerk to execute an amendment to the City Administrator Agreement between the City of Darien and Bryon D. Vana, a copy of which is attached 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, DUPAGE COUNTY, ILLINOIS, this 1<sup>st</sup> day of June, 2015.**

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

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

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

**APPROVED BY THE MAYOR OF THE CITY OF DARIEN, DUPAGE COUNTY, ILLINOIS, this 1<sup>st</sup> day of June, 2015.**

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

ATTEST:

\_\_\_\_\_

JOANNE E. RAGONA, CITY CLERK

APPROVED AS TO FORM:

\_\_\_\_\_

CITY ATTORNEY



**SECOND AMENDMENT TO CITY ADMINISTRATOR'S AGREEMENT DATED**

**JUNE 20, 2011**

The City Administrator Agreement between the City of Darien and Bryon D. Vana is hereby amended as follows:

1. The salary for FYE 2016 shall be increased by 1.75% to \$150,153 effective May 1, 2016, which is equal to the non-contract employees' salary range adjustment for FYE 2016.
2. Bryon D. Vana will receive a \$1,950 merit bonus for performance in FYE 2016, which is equal to the maximum merit bonus provided for non-contract employees in Darien.

City of Darien

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

Attest:

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

\_\_\_\_\_  
Bryon D. Vana



**AGENDA MEMO**  
**City Council**  
**June 1, 2015**

**ISSUE STATEMENT**

A AN ORDINANCE providing for the issuance of not to exceed \$1,500,000 General Obligation Refunding Bonds, Series 2015, of the City of Darien, DuPage County, Illinois, providing for the levy and collection of a direct annual tax sufficient for the payment of the principal of and interest on said bonds, authorizing the sale of said bonds to Bernardi Securities, Inc., and further providing for the execution of an escrow agreement in connection with such issuance.

**[ORDINANCE](#)**      **[ENGAGEMENT LETTER](#)**      **[RISK DISCLOSURE](#)**      **[BACKUP](#)**

**BACKGROUND/HISTORY**

The City previously received an unsolicited proposal from BERNARDI SECURITIES for the advance refunding of the City's G.O. Bond, Series 2008. When this proposal was originally reviewed by the City we anticipated a net savings of \$60,000. The advance refunding of this bond was postponed due to changes in the bond market that would have resulted in a savings under the \$60,000 target.

Based on the bond market's movements we are proposing an ordinance which is referred to as a *parameters ordinance*. If this ordinance is approved it allows the City to close on the refinance of the bonds within the next 6 months once certain parameters are met. The parameters include:

- The Financial Advisor shall provide advice (in the form of written certificate or report) that the terms of the Bonds are fair and reasonable in light of current conditions in the market for Tax-exempt obligations such as the Bonds.
- The net present value savings derived from the Refunding (as shown in a written certificate delivered by the Financial Advisor or the Purchaser), shall not be less than \$60,000.

The Administrative/Finance Committee is reviewing this issue at its June 1, 2015 meeting.

**STAFF/COMMITTEE RECOMMENDATION**

Staff recommends approval of the Ordinance.

**ALTERNATE CONSIDERATION**

As directed.

**DECISION MODE**

This item will be placed on the June 1, 2015, City Council Agenda for formal consideration.



Bernardi Securities, Inc.  
20 South Clark Street, Suite 2700  
Chicago, Illinois 60603

June 1, 2015

Re: Independent Registered Municipal Advisor Representation

Ladies and Gentlemen:

We are writing to provide you with certain representations pursuant to Rule 15Ba1-1 (the "Municipal Advisor Rule") of the Securities and Exchange Commission (the "SEC") under the Securities Exchange Act of 1934, as amended (the "Act"), regarding our independent registered municipal advisor.

Pursuant to paragraph (d)(3)(vi)(B) of the Municipal Advisor Rule, we hereby represent to you that we are represented by, and will rely on the advice of, Speer Financial, Inc. (the "Advisor") on all matters relating to Issuances of Municipal Securities and Municipal Financial Products.

We have been advised by the Advisor that: (i) it has registered as a municipal advisor with the SEC and the Municipal Securities Rulemaking Board; and (ii) the following individuals, each of whom has been employed by the Advisor for at least two years prior to the date of this letter, are the Associated Individuals of the Advisor for its representation of us:

Associated Individuals of the Advisor

Kevin W. McCanna, President

Brenda K. Houston, Assistant Vice President

\_\_\_\_\_

Capitalized terms used and not defined in this letter have the meanings assigned to them in the Act, the Municipal Advisor Rule and the related guidance of the SEC's Office of Municipal Securities. You may rely on this representation letter until such time as you receive notice from us.

Sincerely,

City of Darien, DuPage County, Illinois

By \_\_\_\_\_  
Its \_\_\_\_\_ City Administrator



Ms. Kathleen Weaver, Mayor  
City of Darien  
1702 Plainfield Road  
Darien, Illinois 60561

Date: June 1, 2015

Dear Mayor Weaver:

Bernardi Securities, Inc., acting as Underwriter (the “Underwriter”), anticipates structuring and underwriting General Obligation Refunding Bonds, Series 2015 (the “Bonds”) on behalf of the City of Darien, DuPage County, Illinois (the “Issuer”) for the purpose of refinancing General Obligation Bonds, Series 2008 and paying for the costs of issuance associated with the Bonds. We understand that Speer Financial, Inc. is the Issuer’s financial advisor acting in a fiduciary capacity.

This contract will serve as the Underwriter's authorization to structure and underwrite the Bonds. At such time as the Issuer has approved all of the documents and proceedings related to the issuance of the Bonds, the Underwriter will be expected to submit a detailed purchase agreement to the Issuer for execution that includes, among other things, final interest rates, dated date, principal maturity dates, interest payment dates, and other closing documents for issuing the Bonds.

All costs of issuance are to be paid from Bond proceeds and, as applicable, other funds. These costs include but are not limited to: legal fees, trustee fees, if any, paying agent / bond registrar fees, book-entry setup charges, closing costs, escrow verification fees, if any, escrow agent fees, if any and any rating and bond insurance fees. Bernardi Securities, Inc.’s underwriting fee will also be paid from Bond proceeds and shall not exceed 1.00% of the par amount of the Bonds.

The rules of the Municipal Securities Rulemaking Board require the Underwriter to inform you that compensation that is contingent on the closing of a transaction or the size of a transaction presents a conflict of interest. While this form of compensation is customary in the municipal securities market, it may cause the Underwriter to recommend an offering that is unnecessary or to recommend the size of the proposed offering be larger than necessary.

In recent years, Congress has enacted legislation seeking to reform financial markets in the wake of the 2008-2009 financial crisis. One of the most prominent pieces of legislation is the Dodd-Frank Wall Street Reform and Consumer Protection Act. The implementation of Dodd-Frank has led to a series of regulatory changes governing municipal securities.

The 2011 amendments to Rule G-23 of the Municipal Securities Rulemaking Board (MSRB) and 2012 interpretative guidance under MSRB Rule G-17 require Bernardi Securities, Inc. to define its role at the earliest stages of our relationship with you for this issue.

Bernardi Securities, Inc. will only serve as an underwriter. As an underwriter, we will be acting as a principal in a commercial, arms' length transaction, and not as a municipal advisor, financial advisor, or fiduciary. At the Issuer's request, Bernardi Securities, Inc. may provide incidental services, including advice as to the structure, timing, terms and other matters concerning the issuance of the Bonds. Please note the Bernardi Securities, Inc. would be providing such services in its capacity as underwriter and not as a financial advisor to the Issuer.

As an underwriter, our purchase of the Bonds will be with a view to distribute the Bonds to investors. It is important for you to understand that, in this role, Bernardi Securities, Inc. has financial and other interests that may differ from yours.

MSRB Rule G-17 requires us to deal fairly at all times with both municipal issuers and investors. Our duty to purchase the Bonds from the Issuer at fair and reasonable prices is balanced with our duty to sell the Bonds to investors at fair and reasonable prices.

Bernardi Securities, Inc. will review the Issuer's official statement for the Bonds in accordance with, and as part of, our responsibilities to investors under federal securities laws, as applied to the facts and circumstances of this transaction.

As with any Bond issue, your obligation to pay principal and interest will be an obligation that will require you to make these payments no matter what budget constraints you encounter. Furthermore, to the extent that you agree in the Bond issue to rate covenants, additional bond tests or other financial covenants, these may constrain your ability to operate and to issue additional debt and, if you do not comply with these covenants, they can result in a failure to perform with respect to the Bond issue.

If the Bonds are issued as tax-exempt or tax-advantaged obligations, this requires that you comply with various federal tax law requirements and restrictions relating to how you use and invest the proceeds of the Bonds, how you use any facilities constructed or improved with proceeds of the Bonds and other restrictions throughout the term of the Bonds. These requirements and restrictions may constrain how you operate the financed facilities and may preclude you from capitalizing on certain opportunities. Further, violation of these requirements and restrictions can result in a loss of the tax-exempt or tax-advantaged status of the Bonds, and may cause you to become liable to the Internal Revenue Service and to the owners of the Bonds. In addition, in the event of an audit of the Bonds by the IRS, obtaining an independent review of IRS positions with which you legitimately disagree is difficult and may not be practicable.

Bernardi Securities, Inc. is a full service securities firm and as such Bernardi Securities, Inc. and its affiliates may from time to time provide brokerage and other services and products to municipalities, other institutions, and individuals, including the Issuer, certain Issuer officials and employees, and potential purchasers of the Bonds. If these services are rendered, Bernardi Securities, Inc. may receive customary compensation, however, such services are not related to the proposed offering of the Bonds.

In the ordinary course of fixed income trading business, Bernardi Securities, Inc. may purchase, sell, or hold a broad array of investments and may actively trade securities and other financial instruments, including the Bonds and other municipal bonds, for its own account and for the accounts of customers, including its employees and their family members, where Bernardi Securities, Inc. may receive a mark-up or mark-down. Such investments and trading activities may involve or relate to the offering or other assets, securities and/or instruments of the Issuer and/or persons and entities with relationships with the Issuer.



Bernardi Securities, Inc. has not identified any additional potential or actual material conflicts that require disclosure to you. If potential or actual conflicts arise in the future, we will provide you with supplemental disclosures about them.

The designation of Bernardi Securities, Inc. as underwriter applies solely to this issue. We encourage you to consult with your own legal, accounting, tax, financial and other advisors, as applicable, to the extent you deem appropriate.

Accompanying this letter is a risk disclosure document describing financial characteristics and security structures of fixed rate municipal bonds as well as a general description of certain financial risks pursuant to MSRB Rule G-17.

If there is any aspect of the foregoing disclosures that requires further clarification, please do not hesitate to contact us. We understand that you have the authority to bind the Issuer by contract with us, and that you are not a party to any conflict of interest relating to the proposed Bond offering.

The Issuer understands the primary contacts for this process will be John E. Balzano and Robert P. Vail.

BERNARDI SECURITIES, INC.,



Robert P. Vail  
Vice President

ACCEPTED BY:

By \_\_\_\_\_  
Its \_\_\_\_\_ Mayor \_\_\_\_\_

ATTEST:

By \_\_\_\_\_  
Its \_\_\_\_\_

The above proposal accepted this date of \_\_\_\_\_, \_\_\_\_\_, by the action of the Mayor.



| City of Darien, DuPage County, Illinois

General Obligation Refunding Bonds, Series 2015

June 1, 2015 |

**RISK DISCLOSURES PURSUANT TO MSRB RULE G-17**

**FIXED RATE BONDS  
(THAT ARE NOT “COMPLEX MUNICIPAL SECURITIES FINANCINGS”)**

The following is a general description of the financial characteristics and security structures of fixed rate municipal bonds (“*Fixed Rate Bonds*”), as well as a general description of certain financial risks that are known to us and reasonably foreseeable at this time and that you should consider before deciding whether to issue Fixed Rate Bonds. If you have any questions or concerns about these disclosures, please make those questions or concerns known immediately to us. In addition, you should consult with your financial and/or municipal, legal, accounting, tax and other advisors, as applicable, to the extent you deem appropriate.

**FINANCIAL CHARACTERISTICS**

***Maturity and Interest.*** Fixed Rate Bonds are interest-bearing debt securities issued by state and local governments, political subdivisions and agencies and authorities. Maturity dates for Fixed Rate Bonds are fixed at the time of issuance and may include serial maturities (specified principal amounts are payable on the same date in each year until final maturity) or one or more term maturities (specified principal amounts are payable on each term maturity date) or a combination of serial and term maturities. The final maturity date typically will range between 10 and 30 years from the date of issuance. Interest on the Fixed Rate Bonds typically is paid semiannually at a stated fixed rate or rates for each maturity date.

***Redemption.*** Fixed Rate Bonds may be subject to optional redemption, which allows you, at your option, to redeem some or all of the bonds on a date prior to scheduled maturity, such as in connection with the issuance of refunding bonds to take advantage of lower interest rates. Fixed Rate Bonds will be subject to optional redemption only after the passage of a specified period of time, often approximately ten years from the date of issuance, and upon payment of the redemption price set forth in the bonds, which may include a redemption premium. You will be required to send out a notice of optional redemption to the holders of the bonds, usually not less than 30 days prior to the redemption date. Fixed Rate Bonds with term maturity dates also may be subject to mandatory sinking fund redemption, which requires you to

redeem specified principal amounts of the bonds annually in advance of the term maturity date. The mandatory sinking fund redemption price is 100% of the principal amount of the bonds to be redeemed.

## SECURITY

Payment of principal of and interest on a municipal security, including Fixed Rate Bonds, may be backed by various types of pledges and forms of security, some of which are described below. The description below regarding “Security” is only a brief summary of certain possible security provisions for the bonds and is not intended as legal advice. You should consult with your bond counsel for further information regarding the security for the bonds.

**General Obligation Bonds.** “General obligation bonds” are debt securities to which your full faith and credit is pledged to pay principal and interest. If you have taxing power, generally you will pledge to use your ad valorem (property) taxing power to pay principal and interest. All taxable property in the taxing body is subject to the levy of taxes to pay the same without limitation as to rate or amount. The term “limited” tax is used when a limit exists as to the amount of the tax (see below).

General obligation bonds constitute a debt and, depending on applicable state law, may require that you obtain approval by voters prior to issuance. In the event of default in required payments of interest or principal, the holders of general obligation bonds have certain rights under state law to compel you to impose a tax levy.

**Limited Bonds.** Taxing bodies, subject to the Property Tax Extension Limitation Law of the State of Illinois, as amended (the “*Extension Limitation Law*”), can issue limited bonds. Limited bonds are issued in lieu of general obligation bonds that otherwise have been authorized by applicable law. They are payable from a separate property tax levy that is unlimited as to rate, but the amount of taxes that will be extended to pay the bonds is limited by the Extension Limitation Law. Limited bonds are payable from your debt service extension base (*the “Base”*), which is an amount equal to that portion of the extension for the applicable levy year for the payment of non-referendum bonds (other than alternate bonds or refunding bonds issued to refund bonds initially issued pursuant to referendum), increased each year, beginning with the 2009 levy year, by the lesser of 5% or the percentage in the Consumer Price Index for All Urban Consumers (as defined in the Extension Limitation Law) during the 12-month calendar year preceding the levy year. The Limitation Law further provides that the annual amount of taxes to be extended to pay the limited bonds and all other limited bonds heretofore and hereafter issued by you shall not exceed the Base less the amount extended to pay certain other non-referendum bonds heretofore and hereafter issued by you and bonds issued to refund such bonds.

Limited bonds constitute a debt. In the event of default in required payments of interest or principal, the holders of limited bonds have certain rights under state law to compel you to impose a tax levy (limited as set forth in the previous paragraph).

**Alternate Bonds.** Section 15 of the Local Government Debt Reform Act of the State of Illinois, as amended (the “*Debt Reform Act*”), permits you to issue alternate or

“double-barrelled” bonds. Alternate bonds are general obligation bonds payable from enterprise revenues or from a revenue source, or both, with your general obligation acting as backup security for the bonds. Once issued, and until paid or defeased, alternate bonds are a general obligation, for the payment of which you pledge your full faith and credit. Such bonds are payable from the levy of ad valorem property taxes upon all taxable property in your taxing body without limitation as to rate or amount. The intent of the Debt Reform Act is for the enterprise revenues or the revenue source to be sufficient to pay the debt service on the alternate bonds so that taxes need not be levied, or, if levied, need not be extended, for such payment.

The Debt Reform Act prescribes several conditions that must be met before alternate bonds may be issued. First, alternate bonds must be issued for a lawful corporate purpose. If issued in lieu of revenue bonds (as described below), then the revenue bonds must have been authorized under applicable law (including satisfying any backdoor referendum requirements) and the alternate bonds must be issued for the purpose for which the revenue bonds were authorized. If issued payable from a revenue source limited in its purposes or applications, then the alternate bonds must be issued only for such limited purposes or applications.

Second, alternate bonds are subject to a backdoor referendum. The issuance of alternate bonds must be submitted to referendum if, within 30 days after publication of the authorizing ordinance and notice of intent to issue the alternate bonds, a petition is filed. The petition must be signed by the greater of (i) 7.5% of your registered voters or (ii) the lesser of 200 of the registered voters or 15% of the registered voters, asking that the issuance of the alternate bonds be submitted to referendum. Backdoor referendum proceedings for revenue bonds and for alternate bonds to be issued in lieu of revenue bonds may be conducted at the same time.

Notwithstanding the previous paragraph, in governmental units with fewer than 500,000 inhabitants that propose to issue alternate bonds payable solely from enterprise revenues, except for alternate bonds that finance or refinance projects concerning public utilities, public streets and roads or public safety facilities and related infrastructure and equipment, if no petition is filed within 45 days of publication of the authorizing ordinance and notice, the alternate bonds may be issued. For purposes of this paragraph, the required number of petitioners for a governmental unit with more than 4,000 registered voters is the lesser of (i) 5% of the registered voters or (ii) 5,000 registered voters and the required number of petitioners for a governmental unit with 4,000 or fewer registered voters is the lesser of (i) 15% of the registered voters or (ii) 200 registered voters.

Third, you must demonstrate that the enterprise revenues are, or that the revenue source is, sufficient to meet the requirements of the Debt Reform Act. If enterprise revenues are pledged as security for the alternate bonds, you must demonstrate that such revenues are sufficient in each year to pay all of the following:

- (a) costs of operation and maintenance of the utility or enterprise, excluding depreciation;
- (b) debt service on all outstanding revenue bonds payable from such enterprise revenues;

(c) all amounts required to meet any fund or account requirements with respect to such outstanding revenue bonds;

(d) other contractual or tort liability obligations, if any, payable from such enterprise revenues; and

(e) in each year, an amount not less than 1.25 times debt service on all:

(i) outstanding alternate bonds payable from such enterprise revenues; and

(ii) the alternate bonds proposed to be issued.

If one or more revenue sources are pledged as security for the alternate bonds, you must demonstrate that such revenue sources are sufficient in each year to provide not less than 1.25 times (1.10 times if the revenue source is a government revenue source) debt service on all outstanding alternate bonds payable from such revenue source and on the alternate bonds proposed to be issued. You need not meet the test described in this paragraph for the amount of debt service set aside at closing from bond proceeds or other moneys.

The determination of the sufficiency of enterprise revenues or revenue source or sources, as applicable, must be supported by reference to the most recent audit of the governmental unit, which must be for a fiscal year ending not earlier than 18 months previous to the time of issuance of the alternate bonds. If such audit does not adequately show such enterprise revenues or revenue source, as applicable, or if such enterprise revenues or revenue source, as applicable, are shown to be insufficient, then the determination of sufficiency must be supported by the report of an independent accountant or feasibility analyst, the latter having a national reputation for expertise in such matters, who is not otherwise involved in the project being financed or refinanced with the proceeds of the alternate bonds, demonstrating the sufficiency of such revenues and explaining, if appropriate, by what means the revenues will be greater than as shown in the audit.

Alternate bonds may be issued to refund alternate bonds without meeting any of the conditions set forth above if the term of the refunding bonds is not longer than the term of the refunded bonds and that the debt service payable in any year on the refunding bonds does not exceed the debt service payable in such year on the refunded bonds.

Alternate bonds are not regarded or included in any computation of indebtedness for the purpose of any statutory provision or limitation unless taxes, other than a designated revenue source, are extended to pay the bonds. In the event taxes are extended, the amount of alternate bonds then outstanding counts against your debt limit until your audit shows that the alternate bonds have been paid from the pledged enterprise revenues or revenue source for a complete fiscal year.

In the event of default in required payments of interest or principal, the holders of alternate bonds have certain rights under state law to compel you to increase the pledged revenues or have the tax levy extended for such payment.

***Debt Certificates.*** You may issue “debt certificates” to evidence your payment obligation under an installment contract or lease. Your governing body may provide for the treasurer, comptroller, finance officer or other officer of the governing body charged with financial administration to act as counterparty to the installment contract or lease, as nominee-seller or lessor. The installment contract or lease is then executed by your authorized officer and is filed with and executed by the nominee-seller or lessor. As contracts for the acquisition and construction of the project to be financed are executed (the “*Work Contracts*”), the governing body orders those Work Contracts to be filed with the nominee-seller or lessor. The nominee-seller or lessor identifies the Work Contracts to the particular installment contract or lease. Such identification permits the payment of the Work Contracts from the proceeds of the debt certificates.

Debt certificates are paid from your lawfully available funds. You are expected to agree to annually budget/appropriate amounts to pay the principal of and interest on the debt certificates. There is no separate levy available for the purpose of making such payments.

Debt certificates constitute a debt. In the event of default in required payments of interest or principal, the holders of the debt certificates cannot compel you to impose a tax levy, but you have promised the holders of the debt certificates that you will pay the debt certificates and they can proceed to file suit to enforce such promise.

***Special Service Area Bonds.*** When special services are provided to a particular contiguous area within a municipality, in addition to the services generally provided throughout the municipality, a municipality may create a special service area. The cost of the special services may be paid from taxes levied upon the taxable real property within the area, and such taxes may be levied in the special service area at a rate or amount sufficient to produce revenues required to provide the special services.

Prior to the first levy of taxes in the special service area and prior to or within 60 days after the adoption of the ordinance proposing the establishment of the special service area, you are required to hold a public hearing and to publish and mail notice of such hearing. At the public hearing, any interested person may file written objections or give oral statements with respect to the establishment of the special service area and the levy of taxes therein. As a result of the hearing, you may delete areas from the special service area as long as the remaining area is contiguous. After the hearing, an ordinance establishing the special service area must be timely filed with the county recorder and the county clerk.

Bonds secured by the full faith and credit of the special service area territory may be issued for the purpose of providing special services. Such bonds are paid from the levy of taxes unlimited as to rate or amount against the taxable real property in the special service area. The county clerk will annually extend taxes against all of the taxable real property in the area in amounts sufficient to pay the principal and interest on the bonds. Such bonds are exempt from the Extension Limitation Law of the State of Illinois, as amended.

Prior to the issuance of special service area bonds, you must give published and mailed notice and hold a hearing at which any interested person may file written objections, or be heard

orally, with respect to the issuance of the bonds. The questions of the creation of the special service area, the levy of a tax on such area and the issuance of special service area bonds may all be considered at the same hearing.

The creation of the special service area, the levy of a tax within the area and the issuance of bonds for the provision of special services to the area are subject to a petition process. If, within 60 days after the public hearing, a petition signed by not less than 51% of the electors residing within the special service area and 51% of the owners of record of land located within the special service area is filed with the municipal clerk objecting to the creation of the special service area, the levy of a tax or the issuance of bonds, then the area may not be created, the tax may not be levied and the bonds may not be issued. If such a petition is filed, the subject matter of the petition may not be proposed relative to any of the signatories within the next two years.

Special service area bonds do not constitute an indebtedness of the municipality, and no exercise of your taxing power may be compelled on behalf of the special service area bondholders other than the ad valorem property taxes to be extended on the taxable real property in the special service area.

**Revenue Bonds.** “Revenue bonds” are debt securities that are payable only from a specific source or sources of revenues. Revenue bonds are not a pledge of your full faith and credit and you are obligated to pay principal and interest on your revenue bonds only from the revenue source(s) specifically pledged to the bonds. Revenue bonds do not permit the bondholders to compel you to impose a tax levy for payment of debt service. Pledged revenues may be derived from operation of the financed project or system, grants or excise or other specified taxes. Generally, subject to state law or local charter requirements, you are not required to obtain voter approval prior to issuance of revenue bonds. Revenue bonds may, however, be subject to a backdoor referendum. If the specified source(s) of revenue become inadequate, a default in payment of principal or interest may occur. Various types of pledges of revenue may be used to secure interest and principal payments on revenue bonds. The nature of these pledges may differ widely based on state law, the type of issuer, the type of revenue stream and other factors.

Some revenue bonds, referred to as conduit revenue bonds, may be issued by a governmental issuer acting as conduit for the benefit of a private sector entity or a 501(c)(3) organization (the obligor). Conduit revenue bonds commonly are issued for not-for-profit hospitals, educational institutions, single and multi-family housing, airports, industrial or economic development projects, and student loan programs, among other obligors. Principal and interest on conduit revenue bonds normally are paid exclusively from revenues pledged by the obligor. Unless otherwise specified under the terms of the bonds, you are not required to make payments of principal or interest if the obligor defaults.

**Tax Increment Financing.** Tax increment financing provides a means for municipalities, after the approval of a “redevelopment plan and project,” to redevelop blighted, conservation or industrial park conservation areas. The Tax Increment Allocation Redevelopment Act of the State of Illinois, as amended, allows incremental property taxes to be used to pay certain redevelopment project costs and to pay debt service with respect to tax increment bonds issued to

pay redevelopment project costs. The municipality is authorized to issue tax increment bonds payable from, and secured by, incremental property tax revenues expected to be generated in the redevelopment project area. Incremental property tax revenues are derived from the increase in the current equalized assessed valuation of the real property within the redevelopment project area over and above the certified initial equalized assessed valuation for such redevelopment project area.

Before adopting the necessary ordinances to designate a redevelopment project area, a municipality must hold a public hearing and convene a joint review board to consider the proposal. At the public hearing, any interested person or taxing district may file written objections and may give oral statements with respect to the proposed financing. After the municipality has considered all comments made by the public and the joint review board, it may adopt the necessary ordinances to designate a redevelopment project area.

Tax increment bonds may be secured by the full faith and credit of the municipality. The issuance of general obligation tax increment bonds is subject to a “backdoor,” rather than a direct, referendum. Once a municipality has authorized the issuance of tax increment obligations secured by its full faith and credit, the ordinance authorizing the issuance must be published in a newspaper of general circulation in the municipality. In response, voters may petition to request that the question of issuing obligations using the full faith and credit of the municipality as security to pay for redevelopment project costs be submitted to the electors of the municipality. If, within 30 days after the publication, 10% of the registered voters of the municipality sign such a petition, the question of whether to issue tax increment bonds secured by the municipality’s full faith and credit must be approved by the voters pursuant to referendum. Such bonds are not exempt from the Extension Limitation Law unless first approved at referendum.

Tax increment revenues may also be treated as a “revenue source” and be pledged to the payment of alternate bonds under Section 15 of the Debt Reform Act.

## **FINANCIAL RISK CONSIDERATIONS**

Certain risks may arise in connection with your issuance of Fixed Rate Bonds, including some or all of the following (generally, the obligor, rather than you, will bear these risks for conduit revenue bonds):

***Issuer Default Risk.*** You may be in default if the funds pledged to secure your bonds are not sufficient to pay debt service on the bonds when due. The consequences of a default may be serious for you and, depending on applicable state law and the terms of the authorizing documents, the holders of the bonds, the trustee and any credit support provider may be able to exercise a range of available remedies against you. For example, if the bonds are secured by a general obligation pledge, you may be ordered by a court to raise taxes. Other budgetary adjustments also may be necessary to enable you to provide sufficient funds to pay debt service on the bonds. If the bonds are revenue bonds or alternate bonds, you may be required to take steps to increase the available revenues that are pledged as security for the bonds. A default may negatively impact your credit ratings and may effectively limit your ability to publicly offer bonds or other securities at



market interest rate levels. Further, if you are unable to provide sufficient funds to remedy the default, subject to applicable state law and the terms of the authorizing documents, you may find it necessary to consider available alternatives under state law, including (for some issuers) state-mandated receivership or bankruptcy. A default also may occur if you are unable to comply with covenants or other provisions agreed to in connection with the issuance of the bonds.

This description is only a brief summary of issues relating to defaults and is not intended as legal advice. You should consult with your bond counsel for further information regarding defaults and remedies.

***Redemption Risk.*** Your ability to redeem the bonds prior to maturity may be limited, depending on the terms of any optional redemption provisions. In the event that interest rates decline, you may be unable to take advantage of the lower interest rates to reduce debt service.

***Refinancing Risk.*** If your financing plan contemplates refinancing some or all of the bonds at maturity (for example, if you have term maturities or if you choose a shorter final maturity than might otherwise be permitted under the applicable federal tax rules), market conditions or changes in law may limit or prevent you from refinancing those bonds when required. Further, limitations in the federal tax rules on advance refunding of bonds (an advance refunding of bonds occurs when tax-exempt bonds are refunded more than 90 days prior to the date on which those bonds may be retired) may restrict your ability to refund the bonds to take advantage of lower interest rates.

***Reinvestment Risk.*** You may have proceeds of the bonds to invest prior to the time that you are able to spend those proceeds for the authorized purpose. Depending on market conditions, you may not be able to invest those proceeds at or near the rate of interest that you are paying on the bonds, which is referred to as “negative arbitrage.”

***Tax Compliance Risk.*** The issuance of tax-exempt bonds is subject to a number of requirements under the United States Internal Revenue Code, as enforced by the Internal Revenue Service (IRS). You must take certain steps and make certain representations prior to the issuance of tax-exempt bonds. You also must covenant to take certain additional actions after issuance of the tax-exempt bonds. A breach of your representations or your failure to comply with certain tax-related covenants may cause the interest on the bonds to become taxable retroactively to the date of issuance of the bonds, which may result in an increase in the interest rate that you pay on the bonds or the mandatory redemption of the bonds. The IRS also may audit you or your bonds, in some cases on a random basis and in other cases targeted to specific types of bond issues or tax concerns. If the bonds are declared taxable, or if you are subject to audit, the market price of your bonds may be adversely affected. Further, your ability to issue other tax-exempt bonds also may be limited.

This description of tax compliance risks is not intended as legal advice and you should consult with your bond counsel regarding tax implications of issuing the bonds.

Received and read by:

\_\_\_\_\_  
Signature

Kathleen Weaver  
\_\_\_\_\_  
Name

Mayor  
\_\_\_\_\_  
Title

\_\_\_\_\_  
Date



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ORDINANCE NUMBER \_\_\_\_\_

AN ORDINANCE providing for the issuance of not to exceed \$1,500,000 General Obligation Refunding Bonds, Series 2015, of the City of Darien, DuPage County, Illinois, providing for the levy and collection of a direct annual tax sufficient for the payment of the principal of and interest on said bonds, authorizing the sale of said bonds to Bernardi Securities, Inc., and further providing for the execution of an escrow agreement in connection with such issuance.

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Adopted by the City Council on the 1st day of June, 2015.

Published in Pamphlet Form by Authority of the City Council on the \_\_\_\_ day of June, 2015.

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LIST OF EXHIBITS:

- A — Form of Bond Order
- B — Form of Escrow Agreement
- C — Form of Continuing Disclosure Undertaking

**ORDINANCE NUMBER \_\_\_\_\_**

AN ORDINANCE providing for the issuance of not to exceed \$1,500,000 General Obligation Refunding Bonds, Series 2015, of the City of Darien, DuPage County, Illinois, and providing for the levy and collection of a direct annual tax sufficient for the payment of the principal of and interest on said bonds, and further providing for the execution of an escrow agreement in connection with such issuance.

**PREAMBLES**

— WHEREAS —

A. The City of Darien, DuPage County, Illinois (the “*City*”) has elected, pursuant to the provisions of Section 6 of Article VII of the Constitution of the State of Illinois, to become a home rule unit and as such may exercise any power or perform any function pertaining to its government and affairs including, but not limited to, the power to tax and to incur debt.

B. Pursuant to the provisions of said Section 6, the City has the power to incur debt payable from ad valorem property tax receipts or from any other lawful source and maturing within 40 years from the time it is incurred without prior referendum approval.

C. The City Council of the City (the “*Corporate Authorities*”) have adopted no ordinances, resolutions, orders or motions or provided any City Code provisions which restrict or limit the exercise of the home rule powers of the City in the issuance of general obligation bonds without referendum for corporate purposes or which provides any special rules or procedures for the exercise of such power.

D. The City has heretofore issued the following outstanding and validly subsisting and unpaid general obligation bonds (the “*Prior Bonds*”):

**GENERAL OBLIGATION BONDS, SERIES 2008**

Original principal amount:           \$2,370,000  
Dated:                                    June 15, 2008  
Originally due serially:               2009-2024  
Amount outstanding:                 \$1,460,000

Due or subject to mandatory redemption on January 1, and described as follows:

YEAR	AMOUNT (\$) OUTSTANDING	RATE OF INTEREST (%)
2016	145,000	3.750
2017	155,000	3.875
2018	160,000	3.875
2019	165,000	3.875
2020	170,000	3.875
2021	175,000	3.875
2022	185,000	4.000
2023	190,000	4.000
2024	115,000	4.000

which bonds due on and after January 1, 2017, are subject to redemption prior to maturity at the option of the City, from any available funds, on January 1, 2016, at the redemption price of par plus accrued interest to the redemption date.

E. For the amounts and maturities of the Prior Bonds to be refunded (as hereinafter more fully defined, the “*Refunded Bonds*”), interest rates are now more favorable in the market for tax-exempt municipal bonds than they were at the time the Prior Bonds were issued; and it is possible to refund the Refunded Bonds to achieve a net aggregate dollar and present value savings.

F. Pursuant to said Section 6 of the Illinois Constitution, also Sections 8-4-3 through 8-4-10 of the Illinois Municipal Code, as amended, and the Local Government Debt Reform Act of the State of Illinois, as amended (the “*Reform Act*”), the City is authorized to borrow money and to issue its general obligation refunding bonds to accomplish the refunding (the

“*Refunding*”) of the Refunded Bonds, which Refunding is defined to include the payment of related costs of issuance of bonds and of such refunding; and it is deemed necessary and desirable to provide for the issuance of not to exceed \$1,500,000 principal amount general obligation refunding bonds for such purpose and for the purpose of realizing such net debt service savings.

G. The Corporate Authorities do hereby determine that it is advisable and in the best interests of the City to borrow not to exceed \$1,500,000 at this time pursuant to the Act (as hereinafter defined) and the Reform Act for the purpose of accomplishing the Refunding and, in evidence of such borrowing, to issue full faith and credit bonds of the City in such principal amount.

H. The Corporate Authorities have heretofore, and it hereby expressly is, determined that it is desirable and in the best interests of the City that certain officers of the City be authorized to sell the bonds and, accordingly, it is necessary that said officers be so authorized within certain parameters as hereinafter set forth.

NOW THEREFORE BE IT AND IT IS HEREBY ORDAINED by the City Council of the City of Darien, DuPage County, Illinois, in the exercise of its home rule powers, as follows:

*Section 1. Definitions.* Words and terms used in this Ordinance shall have the meanings given them, unless the context or use clearly indicates another or different meaning is intended. Words and terms defined in the singular may be used in the plural and vice-versa. Reference to any gender shall be deemed to include the other and also inanimate persons such as corporations, where applicable.

A. The following words and terms are as defined in the preambles.

Corporate Authorities  
Prior Bonds  
Reform Act

Refunding  
City

B. The following words and terms are defined as set forth.

“*Act*” means the Illinois Municipal Code, as supplemented and amended, the Reform Act, as supplemental authority, and also the home rule powers of the City under Section 6 of Article VII of the Constitution of the State of Illinois; and in the event of conflict between the provisions of said code and home rule powers, the home rule powers shall be deemed to supersede the provisions of said code.

“*Ad Valorem Property Taxes*” means the real property taxes levied to pay the Bonds as described and levied in (Section 12 of) this Ordinance, and as more particularly to be enumerated in the Bond Order.

“*Bond Fund*” means the Bond Fund established and defined in (Section 15 of) this Ordinance.

“*Bond Moneys*” means the Ad Valorem Property Taxes and any other moneys deposited into the Bond Fund and investment income held in the Bond Fund.

“*Bond Order*” means a Bond Order as authorized to be executed by Designated Officials of the City as provided in (Section 15 of) this Ordinance, substantially in the form (with related certificates) as attached hereto as *Exhibit A*, and by which the final terms of the Bonds will be established.

“*Bond Purchase Agreement*” means the contract for the sale of the Bonds by and between the City and the Purchaser.

“*Bond Register*” means the books of the City kept by the Bond Registrar to evidence the registration and transfer of the Bonds.

“*Bond Registrar*” means The Bank of New York Mellon Trust Company, National Association, a national banking association having trust powers and duly authorized to do



business as a bond registrar and paying agent with the powers and duties as herein set forth, or a successor thereto or a successor designated as bond registrar and paying agent hereunder.

“*Bonds*” means the General Obligation Refunding Bonds, Series 2015, authorized to be issued by this Ordinance including bonds issued in exchange for or upon transfer or replacement of bonds previously issued under this Ordinance.

“*Book Entry Form*” means the form of the Bonds as fully registered and available in physical form only to the Depository.

“*Clerk*” means the City Clerk of the City.

“*Code*” means the Internal Revenue Code of 1986, as amended.

“*County*” means The County of DuPage, Illinois, within which the corporate limits of the City exist.

“*County Clerk*” means the County Clerk of the County.

“*Depository*” means The Depository Trust Company, a limited purpose trust company organized under the laws of the State of New York, its successors, or a successor depository qualified to clear securities under applicable state and federal laws.

“*Designated Official*” means any two of the Mayor, Clerk, Treasurer or City Administrator of the City, acting in concert.

“*Escrow Agent*” means The Bank of New York Mellon Trust Company, National Association, having trust offices located in the City of Chicago, Illinois, in its capacity as escrow agent under the Escrow Agreement, or successor as therein provided.

“*Escrow Agreement*” means the Escrow Agreement by and between the City and the Escrow Agent as authorized in (Section 16 of) this Ordinance, substantially in the form as attached hereto as *Exhibit B*.

“*Financial Advisor*” means Speer Financial, Inc., Chicago, Illinois, the firm acting as financial advisor to the City in the sale of the Bonds.

“*Government Securities*” means direct full faith and credit obligations of the United States of America (including bills, notes, bonds and obligations of the State and Local Government Series).

“*Letter of Representations*” means the agreement (letter of representations or blanket letter of representations or other) between the City and the Depository accommodating the Book Entry Form of the Bonds.

“*Mayor*” means the Mayor of the City.

“*Purchase Price*” means the price to be paid by the Purchaser for the Bonds, to-wit: not less than 98% of the principal amount thereof (exclusive of original issue discount, if any), plus accrued interest, if any, to the date of delivery.

“*Purchaser*” means Bernardi Securities, Inc., Chicago, Illinois, as the purchaser and underwriter of the Bonds.

“*Record Date*” means the 15th day of the month next preceding any regular or other interest payment date occurring on the 1st day of any month and the 15th day next preceding any interest payment date occasioned by the redemption of Bonds on other than the 1st day of a month.

“*Refunded Bonds*” means those of the Prior Bonds actually selected to be refunded pursuant to the Bond Order.

“*Tax-exempt*” means, with respect to the Bonds, the status of interest paid and received thereon as excludable from the gross income of the owners thereof under the Code for federal income tax purposes.

“*Term Bonds*” means Bonds subject to mandatory redemption by operation of the Bond Fund and designated as term bonds pursuant to the Bond Order.

“*Treasurer*” means the City Treasurer of the City.

C. Definitions also appear in the above preambles or in specific sections, as appearing below.

*Section 2. Incorporation of Preambles.* The Corporate Authorities hereby find that the recitals contained in the preambles to this Ordinance are true, correct, and complete and do incorporate them into this Ordinance by this reference.

*Section 3. Determination to Issue Bonds.* It is necessary and in the best interests of the City to provide for the Refunding and to borrow money and issue the Bonds for such purpose. It is hereby found and determined that such borrowing of money is for a proper public purpose and is in the public interest and is authorized pursuant to the Act; and these findings and determinations shall be deemed conclusive.

*Section 4. Bond Details.* There shall be issued and sold the Bonds to the aggregate principal amount of not to exceed \$1,500,000. The Bonds shall each be designated “*General Obligation Refunding Bond, Series 2015*” or such other name or series designation as may be appropriate and as stated in the Bond Order; be dated on or before the date of issuance as may be set forth in the Bond Order (the “*Dated Date*”); and shall also bear the date of authentication thereof. The Bonds shall be fully registered and in Book Entry Form, shall be in denominations of \$5,000 or integral multiples thereof (but no single Bond shall represent principal maturing on more than one date), and shall be numbered consecutively in such reasonable fashion as shall be determined by the Bond Registrar. The Bonds shall become due and payable serially or as Term Bonds (subject to right of prior redemption) on January 1 of the years in which the Bonds are to mature.

The Bonds shall mature in the amounts and in the years as shall be set forth in the Bond Order; *provided, however*, (i) that the maximum maturity date of the Bonds shall not extend past January 1, 2024, and (ii) that the maximum interest rate on the Bonds shall not exceed five percent (5.00%) per annum. Further conditions of sale and delivery of the Bonds are also set forth in (Section 15 of) this Ordinance.

Each Bond shall bear interest from the later of its Dated Date as herein provided or from the most recent interest payment date to which interest has been paid or duly provided for, until the principal amount of such Bond is paid or duly provided for, such interest (computed upon the basis of a 360-day year of twelve 30-day months) being payable on January 1 and July 1 of each year, commencing on such date as shall be provided in the Bond Order. Interest on each Bond shall be paid by check or draft of the Bond Registrar, payable upon presentation thereof in lawful money of the United States of America, to the person in whose name such Bond is registered at the close of business on the applicable Record Date and mailed to the registered owner of the Bond as shown in the Bond Registrar or at such other address furnished in writing by such Registered Owner, or as otherwise may be agreed with the Depository for so long as the Depository or its nominee is the registered owner as of a given Record Date. The principal of or redemption price due on the Bonds shall be payable in lawful money of the United States of America upon presentation thereof at the office of the Bond Registrar maintained for the purpose or at successor Bond Register or locality.

*Section 5. Book Entry Form.* The Bonds shall be initially issued in the form of a separate single fully registered Bond for each of the maturities of the Bonds. Upon initial issuance, the ownership of each such Bond shall be registered in the Bond Register in such name as may be provided by the Depository (the “*Book Entry Owner*”) and, accordingly, in Book Entry Form as provided and defined herein. The Clerk or the Treasurer is authorized to execute

a Letter of Representations or to utilize the provisions of an existing Letter of Representations. Without limiting the generality of the authority given with respect to entering into the Letter of Representations for the Bonds, it may contain provisions relating to (a) payment procedures, (b) transfers of the Bonds or of beneficial interests therein, (c) redemption notices and procedures unique to the Depository, (d) additional notices or communications, and (e) amendment from time to time to conform with changing customs and practices with respect to securities industry transfer and payment practices. With respect to Bonds registered in the Bond Register in the name of the Book Entry Owner, neither the City nor the Bond Registrar shall have any responsibility or obligation to any broker-dealer, bank, or other financial institution for which the Depository holds Bonds from time to time as securities depository (each such broker-dealer, bank, or other financial institution being referred to herein as a “*Depository Participant*”) or to any person on behalf of whom such a Depository Participant holds an interest in the Bonds. Without limiting the meaning of the immediately preceding sentence, neither the City nor the Bond Registrar shall have any responsibility or obligation with respect to (a) the accuracy of the records of the Depository, the Book Entry Owner, or any Depository Participant with respect to any ownership interest in the Bonds; (b) the delivery to any Depository Participant or any other person, other than a registered owner of a Bond as shown in the Bond Register or as expressly provided in the Letter of Representations, of any notice with respect to the Bonds, including any notice of redemption; or (c) the payment to any Depository Participant or any other person, other than a registered owner of a Bond as shown in the Bond Register, of any amount with respect to principal of or interest on the Bonds. No person other than a registered owner of a Bond as shown in the Bond Register shall receive a Bond certificate with respect to any Bond. In the event that (a) the City determines that the Depository is incapable of discharging its responsibilities described herein or in the Letter of Representations, (b) the

agreement among the City and the Depository evidenced by the Letter of Representations shall be terminated for any reason, or (c) the City determines that it is in the best interests of the City or of the beneficial owners of the Bonds that they be able to obtain certificated Bonds; the City shall notify the Depository of the availability of Bond certificates, and the Bonds shall no longer be restricted to being registered in the Bond Register to the Book Entry Owner. The City may determine at such time that the Bonds shall be registered in the name of and deposited with a successor depository operating a book entry only system, as may be acceptable to the City, or such depository's agent or designee, but if the City does not select such successor depository, then the Bonds shall be registered in whatever name or names registered owners of Bonds transferring or exchanging Bonds shall designate, in accordance with the provisions hereof.

*Section 6. Execution; Authentication.* The Bonds shall be executed on behalf of the City by the manual or duly authorized facsimile signature of the Mayor and attested by the manual or duly authorized facsimile signature of the Clerk, as they may determine, and shall have impressed or imprinted thereon the corporate seal or facsimile thereof of the City. In case any such officer whose signature shall appear on any Bond shall cease to be such officer before the delivery of such Bond, such signature shall nevertheless be valid and sufficient for all purposes, the same as if such officer had remained in office until delivery. All Bonds shall have thereon a certificate of authentication, substantially in the form hereinafter set forth, duly executed by the Bond Registrar as authenticating agent of the City and showing the date of authentication. No Bond shall be valid or obligatory for any purpose or be entitled to any security or benefit under this Ordinance unless and until such certificate of authentication shall have been duly executed by the Bond Registrar by manual signature, and such certificate of authentication upon any such Bond shall be conclusive evidence that such Bond has been authenticated and delivered under this Ordinance. The certificate of authentication on any Bond

shall be deemed to have been executed by it if signed by an authorized signatory of the Bond Registrar, but it shall not be necessary that the same person sign the certificate of authentication on all of the Bonds issued hereunder.

*Section 7. Term Bonds; Mandatory Redemption.* As designated in the Bond Order, Bonds may be subject to mandatory redemption (as Term Bonds); *provided, however,* that in such event the amounts due pursuant to mandatory redemption shall be the amounts used to satisfy the tests set forth in (Section 4 of) this Ordinance for the maximum amounts of principal and interest due on the Bonds in any given calendar year. Bonds designated as Term Bonds shall be made subject to mandatory redemption by operation of the Bond Fund at a price equal to the principal amount redeemed plus accrued interest to the redemption date, on January 1 of the years and in the amounts as shall be determined in a Bond Order. The City covenants that it will redeem Term Bonds pursuant to the mandatory redemption requirement for such Term Bonds. Proper provision for mandatory redemption having been made, the City covenants that the Term Bonds so selected for redemption shall be payable as at maturity, and taxes shall be levied and collected as provided herein accordingly.

*Section 8. Effects of Purchase or Optional Redemption of Term Bonds.* If the City redeems pursuant to optional redemption as may be provided or purchases Term Bonds of any maturity and cancels the same from Bond Moneys as hereinafter described, then an amount equal to the principal amount of Term Bonds so redeemed or purchased shall be deducted from the mandatory redemption requirements provided for Term Bonds of such maturity, first, in the current year of such requirement, until the requirement for the current year has been fully met, and then in any order of such Term Bonds as due at maturity or subject to mandatory redemption in any year, as the City shall determine. If the City redeems pursuant to optional redemption as may be provided or purchases Term Bonds of any maturity and cancels the same from moneys

other than Bond Moneys, then an amount equal to the principal amount of Term Bonds so redeemed or purchased shall be deducted from the amount of such Term Bonds as due at maturity or subject to mandatory redemption requirement in any year, as the City shall determine.

*Section 9. Optional Redemption.* As designated in the Bond Order, Bonds may be made subject to redemption prior to maturity at the option of the City, from any available funds, in whole or in part, on any date specified, and if in part, in any order of maturity (and, if applicable, in any order of mandatory redemption payments) as selected by the City, and if less than an entire maturity, in integral multiples of \$5,000, selected by lot by the Bond Registrar, at the redemption price equal to the principal amount redeemed plus accrued interest to the redemption date. As designated in the Bond Order, some portion or all of the Bonds may be made not subject to optional redemption.

*Section 10. Redemption Procedure.* Bonds subject to redemption shall be identified, notice given, and paid and redeemed pursuant to the procedures as follows:

A. *Notice to Registrar.* For a mandatory redemption, the Bond Registrar shall proceed to redeem Bonds without any further order or direction from the City whatsoever. For an optional redemption, the City shall, at least 45 days prior to a redemption date (unless a shorter time period shall be satisfactory to the Bond Registrar), notify the Bond Registrar of such redemption date and of the maturities and principal amounts of Bonds to be redeemed, and, if Term Bonds are to be redeemed, the application of the amount redeemed to the mandatory redemption schedule for such Term Bonds.

B. *Selection of Bonds within a Maturity.* For purposes of any redemption of less than all of the Bonds of a single maturity, the particular Bonds or portions of Bonds



to be redeemed shall be selected by lot by the Bond Registrar for the Bonds of such series and maturity by such method of lottery as the Bond Registrar shall deem fair and appropriate; *provided*, that such lottery shall provide for the selection for redemption of Bonds or portions thereof so that any \$5,000 Bond or \$5,000 portion of a Bond shall be as likely to be called for redemption as any other such \$5,000 Bond or \$5,000 portion. The Bond Registrar shall make such selection upon the earlier of the irrevocable receipt of funds sufficient to pay the redemption price of the Bonds to be redeemed or the time of the giving of official notice of redemption.

C. *Official Notice of Redemption.* The Bond Registrar shall promptly notify the City in writing of the Bonds or portions of Bonds selected for redemption and, in the case of any Bond selected for partial redemption, the principal amount thereof to be redeemed. Unless waived by the registered owner of Bonds to be redeemed, official notice of any such redemption shall be given by the Bond Registrar on behalf of the City by mailing the redemption notice by first class U.S. mail not less than 30 days and not more than 60 days prior to the date fixed for redemption to each registered owner of the Bond or Bonds to be redeemed at the address shown on the Bond Register or at such other address as is furnished in writing by such registered owner to the Bond Registrar. All official notices of redemption shall include the name of the Bonds and at least the information as follows:

- (1) the redemption date;
- (2) the redemption price;
- (3) if less than all of the outstanding Bonds of a particular maturity are to be redeemed, the identification (and, in the case of partial redemption of Bonds

within such maturity, the respective principal amounts) of the Bonds to be redeemed;

(4) a statement that on the redemption date the redemption price will become due and payable upon each such Bond or portion thereof called for redemption and that interest thereon shall cease to accrue from and after said date; and

(5) the place where such Bonds are to be surrendered for payment of the redemption price, which place of payment shall be the office of the Bond Registrar maintained for that purpose.

*D. Conditional Redemption.* Unless moneys sufficient to pay the redemption price of the Bonds to be redeemed shall have been received by the Bond Registrar prior to the giving of such notice of redemption, such notice may, at the option of the City, state that said redemption shall be conditional upon the receipt of such moneys by the Bond Registrar on or prior to the date fixed for redemption. If such moneys are not received, such notice shall be of no force and effect, the City shall not redeem such Bonds, and the Bond Registrar shall give notice, in the same manner in which the notice of redemption was given, that such moneys were not so received and that such Bonds will not be redeemed.

*E. Bonds Shall Become Due.* Subject to the stated condition in paragraph (D) immediately preceding, official notice of redemption having been given as described, the Bonds or portions of Bonds so to be redeemed shall, on the redemption date, become due and payable at the redemption price therein specified, and from and after such date (unless the City shall default in the payment of the redemption price) such Bonds or portions of Bonds shall cease to bear interest. Upon surrender of such Bonds for

redemption in accordance with said notice, such Bonds shall be paid by the Bond Registrar at the redemption price. The procedure for the payment of interest due as part of the redemption price shall be as herein provided for payment of interest otherwise due.

*F. Insufficiency in Notice Not Affecting Other Bonds; Failure to Receive Notice; Waiver.* Neither the failure to mail such redemption notice, nor any defect in any notice so mailed, to any particular registered owner of a Bond, shall affect the sufficiency of such notice with respect to other registered owners. Notice having been properly given, failure of a registered owner of a Bond to receive such notice shall not be deemed to invalidate, limit or delay the effect of the notice or redemption action described in the notice. Such notice may be waived in writing by a registered owner of a Bond entitled to receive such notice, either before or after the event, and such waiver shall be the equivalent of such notice. Waivers of notice by registered owners shall be filed with the Bond Registrar, but such filing shall not be a condition precedent to the validity of any action taken in reliance upon such waiver. *In lieu of the foregoing official notice, so long as the Bonds are held in Book Entry Form, notice may be given as provided in the Representations Letter, and the giving of such notice shall constitute a waiver by the Depository and the Book Entry Owner, as registered owner, of the foregoing notice.*

*G. New Bond in Amount Not Redeemed.* Upon surrender for any partial redemption of any Bond, there shall be prepared for the registered owner a new Bond or Bonds of like tenor, of authorized denominations, of the same maturity, and bearing the same rate of interest in the amount of the unpaid principal.

*H. Effect of Nonpayment upon Redemption.* If any Bond or portion of Bond called for redemption shall not be so paid upon surrender thereof for redemption, the

principal shall, until paid or duly provided for, bear interest from the redemption date at the rate borne by the Bond or portion of Bond so called for redemption.

*I. Bonds to be Cancelled; Payment to Identify Bonds.* All Bonds which have been redeemed shall be cancelled and destroyed by the Bond Registrar and shall not be reissued. Upon the payment of the redemption price of Bonds being redeemed, each check or other transfer of funds issued for such purpose shall bear the CUSIP number identifying, by issue and maturity, the Bonds being redeemed with the proceeds of such check or other transfer.

*J. Additional Notice.* The City agrees to provide such additional notice of redemption as it may deem advisable at such time as it determines to redeem Bonds, taking into account any requirements or guidance of the Securities and Exchange Commission, the Municipal Securities Rulemaking Board, the Governmental Accounting Standards Board, or any other federal or state agency having jurisdiction or authority in such matters; *provided, however,* that such additional notice shall be (1) advisory in nature, (2) solely in the discretion of the City, (3) not be a condition precedent of a valid redemption or a part of the Bond contract, and (4) any failure or defect in such notice shall not delay or invalidate the redemption of Bonds for which proper official notice shall have been given. Reference is also made to the provisions of the Continuing Disclosure Undertaking of the City with respect to the Bonds, which may contain other provisions relating to notice of redemption of Bonds.

*K. Bond Registrar to Advise City.* As part of its duties hereunder, the Bond Registrar shall prepare and forward to the City a statement as to notices given with respect to each redemption together with copies of the notices as mailed.

*Section 11. Registration of Bonds; Persons Treated as Owners.* The City shall cause books (the “*Bond Register*” as defined) for the registration and for the transfer of the Bonds as provided in this Ordinance to be kept at the office of the Bond Registrar maintained for such purpose, which is hereby constituted and appointed the registrar of the City for the Bonds. The City is authorized to prepare, and the Bond Registrar or such other agent as the City may designate shall keep custody of, multiple Bond blanks executed by the City for use in the transfer and exchange of Bonds. Subject to the provisions of this Ordinance relating to the Bonds in Book Entry Form, any Bond may be transferred or exchanged, but only in the manner, subject to the limitations and upon payment of the charges as set forth in this Ordinance. Upon surrender for transfer or exchange of any Bond at the designated office of the Bond Registrar, duly endorsed by or accompanied by a written instrument or instruments of transfer or exchange in form satisfactory to the Bond Registrar and duly executed by the registered owner or an attorney for such owner duly authorized in writing, the City shall execute and the Bond Registrar shall authenticate, date, and deliver in the name of the transferee or transferees or, in the case of an exchange, the registered owner, a new fully registered Bond or Bonds of like tenor, of the same maturity, bearing the same interest rate, of authorized denominations, for a like aggregate principal amount. The Bond Registrar shall not be required to transfer or exchange any Bond during the period from the close of business on the Record Date for an interest payment to the opening of business on such interest payment date or during the period of 15 days preceding the giving of notice of redemption of Bonds or to transfer or exchange any Bond all or a portion of which has been called for redemption. The execution by the City of any fully registered Bond shall constitute full and due authorization of such Bond, and the Bond Registrar shall thereby be authorized to authenticate, date, and deliver such Bond; *provided, however*, that the principal amount of Bonds of each maturity authenticated by the Bond Registrar shall not at any one time

exceed the authorized principal amount of Bonds for such maturity less the amount of such Bonds which have been paid. The person in whose name any Bond shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes, and payment of the principal of or interest on any Bond shall be made only to or upon the order of the registered owner thereof or his legal representative. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Bond to the extent of the sum or sums so paid. No service charge shall be made to any registered owner of Bonds for any transfer or exchange of Bonds, but the City or the Bond Registrar may require payment of a sum sufficient to cover any tax or other governmental charge that may be imposed in connection with any transfer or exchange of Bonds, but the City or the Bond Registrar may require payment of a sum sufficient to cover any tax or other governmental charge that may be imposed in connection with any transfer or exchange of Bonds.

*Section 12. Form of Bond.* The Bonds shall be in substantially the form hereinafter set forth; *provided, however,* that if the text of the Bonds is to be printed in its entirety on the front side of the Bonds, then the second paragraph on the front side and the legend “See Reverse Side for Additional Provisions” shall be omitted and the text of paragraphs set forth for the reverse side shall be inserted immediately after the first paragraph on the front side.

[FORM OF BOND - FRONT SIDE]

REGISTERED  
NO. \_\_\_\_\_

REGISTERED  
\$ \_\_\_\_\_

**UNITED STATES OF AMERICA  
STATE OF ILLINOIS  
COUNTY OF DUPAGE  
CITY OF DARIEN  
GENERAL OBLIGATION REFUNDING BOND, SERIES 2015**

See Reverse Side for  
Additional Provisions.

Interest Rate: \_\_\_\_\_%      Maturity Date: January 1, 20\_\_\_\_      Dated Date: \_\_\_\_\_, 2015      CUSIP: \_\_\_\_\_

Registered Owner:      CEDE & Co.

Principal Amount:      DOLLARS

KNOW ALL PERSONS BY THESE PRESENTS that the City of Darien, DuPage County, Illinois, a municipality, home rule unit, and political subdivision of the State of Illinois (the “City”), hereby acknowledges itself to owe and for value received promises to pay to the Registered Owner identified above, or registered assigns as hereinafter provided, on the Maturity Date identified above, the Principal Amount identified above and to pay interest (computed on the basis of a 360-day year of twelve 30-day months) on such Principal Amount from the later of the Dated Date of this Bond identified above or from the most recent interest payment date to which interest has been paid or duly provided for, at the Interest Rate per annum identified above, such interest to be payable on January 1 and July 1 of each year, commencing \_\_\_\_\_ 1, 20\_\_\_\_, until said Principal Amount is paid or duly provided for except as the hereinafter stated provisions for redemption prior to maturity may be and become applicable hereto. The principal of or redemption price on this Bond is payable in lawful money of the United States of America upon presentation hereof at The Bank of New York Mellon Trust Company, National Association, with trust offices maintained for the purpose located in

Chicago, Illinois, as paying agent and bond registrar (the "*Bond Registrar*"). Payment of interest shall be made to the Registered Owner hereof as shown on the registration books of the City maintained by the Bond Registrar at the close of business on the Record Date for each interest payment date and shall be paid by check or draft of the Bond Registrar, payable upon presentation at the Bond Registrar in lawful money of the United States of America, mailed to the address of such Registered Owner as it appears on such registration books, or as otherwise agreed to by the City and the Depository if holding this Bond in Book Entry Only Form, as provided for same. "*Record Date*" means the 15th day of the month next preceding any regular or other interest payment date occurring on the 1st day of any month and the 15th day next preceding any interest payment date occasioned by the redemption of Bonds on other than the 1st day of a month.

Reference is hereby made to the further provisions of this Bond set forth on the reverse hereof, and such further provisions shall for all purposes have the same effect as if set forth at this place.

The full faith and credit of the City are hereby irrevocably pledged to the punctual payment of the principal of and interest on the Bonds. The Bonds shall be direct and general obligations of the City.

It is hereby certified and recited that all conditions, acts, and things required by the Constitution and Laws of the State of Illinois to exist or to be done precedent to and in the issuance of this Bond, including the Act, have existed and have been properly done, happened, and been performed in regular and due form and time as required by law; that the indebtedness of the City, represented by the Bonds, and including all other indebtedness of the City, howsoever evidenced or incurred, does not exceed any constitutional or statutory or other lawful limitation; and that provision has been made for the collection of a direct annual tax, in addition



to all other taxes, on all of the taxable property in the City sufficient to pay the interest hereon as the same falls due and also to pay and discharge the principal hereof at maturity.

This Bond shall not be valid or become obligatory for any purpose until the certificate of authentication hereon shall have been signed by the Bond Registrar.

IN WITNESS WHEREOF the City of Darien, DuPage County, Illinois, by its City Council, has caused this Bond to be executed by the manual or duly authorized facsimile signature of its Mayor and attested by the manual or duly authorized facsimile signature of its City Clerk and its corporate seal or a facsimile thereof to be impressed or reproduced hereon, all as appearing hereon and as of the Dated Date identified above.

\_\_\_\_\_  
Mayor, City of Darien,  
DuPage County, Illinois

ATTEST:

\_\_\_\_\_  
City Clerk, City of Darien,  
DuPage County, Illinois

[SEAL]

**CERTIFICATE OF AUTHENTICATION**

This Bond is one of the Bonds described in the within-mentioned Ordinance and is one of the General Obligation Refunding Bonds, Series 2015, having a Dated Date of \_\_\_\_\_, 2015, of the City of Darien, DuPage County, Illinois.

THE BANK OF NEW YORK MELLON TRUST  
COMPANY, NATIONAL ASSOCIATION  
as Bond Registrar

Date of Authentication:

\_\_\_\_\_, 2015

By \_\_\_\_\_  
Authorized Officer

[FORM OF BOND - REVERSE SIDE]

**UNITED STATES OF AMERICA  
STATE OF ILLINOIS  
COUNTY OF DUPAGE  
CITY OF DARIEN  
GENERAL OBLIGATION REFUNDING BOND, SERIES 2015**

This bond is one of a series of bonds (the “*Bonds*”) in the aggregate principal amount of \$\_\_\_\_\_ issued by the City for the purpose of refunding certain of the City’s outstanding general obligation bonds and of paying expenses incidental thereto, all as described and defined in Ordinance Number \_\_\_\_\_ of the City, passed by the City Council on the 1st day of June, 2015, authorizing the Bonds (the “*Ordinance*”), pursuant to and in all respects in compliance with the applicable provisions of the Illinois Municipal Code, as amended; as further supplemented and, where necessary, superseded, by the powers of the City as a home rule unit under the provisions of Section 6 of Article VII of the Constitution of the State of Illinois; and as further supplemented by the Local Government Debt Reform Act of Illinois, as amended (collectively, such Illinois Municipal Code, constitutional home rule powers, and Debt Reform Act being the “*Act*”), and with the Ordinance, which has been duly approved by the Mayor, and published, in all respects as by law required.

This Bond is subject to provisions relating to [redemption and terms and notice of redemption,] registration, transfer, and exchange and such other terms and provisions relating to security and payment as are set forth in the Ordinance, to which reference is hereby expressly made, and to all the terms of which the registered owner hereof is hereby notified and shall be subject.

The Bonds are issued in fully registered form in the denomination of \$5,000 or authorized integral multiples thereof. Subject to the provisions relating to this Bond remaining in Book Entry Only Form, this Bond may be transferred or exchanged, but only in the manner, subject to the limitations, and upon payment of the charges as set forth in the Ordinance.

The City and the Bond Registrar may deem and treat the person in whose name any Bond shall be registered in the Bond Register as the absolute owner of such Bond, whether such Bond shall be overdue or not, for the purpose of receiving payment of or on account of the principal of or interest thereon and for all other purposes whatsoever; all such payments so made to any such Registered Owner or upon such Owner's order shall be valid and effectual to satisfy and discharge the liability upon such Bond to the extent of the sum or sums so paid; and neither the City nor the Bond Registrar shall be affected by any notice to the contrary.

THE CITY HAS DESIGNATED THIS BOND AS A "QUALIFIED TAX-EXEMPT OBLIGATION" PURSUANT TO SECTION 265(b)(3) OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED.

**ASSIGNMENT**

FOR VALUE RECEIVED, the undersigned sells, assign, and transfers unto \_\_\_\_\_

Here insert Social Security Number, Employer Identification Number or other Identifying Number

\_\_\_\_\_  
\_\_\_\_\_

(Name and Address of Assignee)

the within Bond and does hereby irrevocably constitute and appoint \_\_\_\_\_

\_\_\_\_\_ as attorney to transfer the said Bond on the books kept for registration thereof with full power of substitution in the premises.

Dated: \_\_\_\_\_

Signature guaranteed: \_\_\_\_\_

NOTICE: The signature to this transfer and assignment must correspond with the name of the Registered Owner as it appears upon the face of the within Bond in every particular, without alteration or enlargement or any change whatever.

*Section 13. Security for the Bonds; Ad Valorem Property Taxes; Abatement.* The Bonds are a general obligation of the City, for which the full faith and credit of the City are irrevocably pledged, and are payable from the levy of the Ad Valorem Property Taxes on all of the taxable property in the City, without limitation as to rate or amount, and from any other lawfully available funds.

For the purpose of providing funds required to pay the interest on the Bonds promptly when and as the same falls due, and to pay and discharge the principal thereof at maturity or as due by mandatory redemption, there is hereby levied upon all of the taxable property within the City, in the years for which any of the Bonds are outstanding, a direct annual tax sufficient for that purpose; and *there is hereby levied upon all of the taxable property within the City, in the years for which any of the Bonds are outstanding, a direct annual tax as shall be fully set forth in the Bond Order for the Bonds.* The Bond Moneys in the Bond Fund shall be applied to pay principal of and interest on the Bonds when due and principal or redemption price when due at maturity or as redeemed pursuant to mandatory redemption from the Bond Fund. Interest on or principal of the Bonds coming due at any time when there are insufficient funds on hand from the Ad Valorem Property Taxes to pay the same shall be paid promptly when due from current funds on hand in advance of the collection of the Ad Valorem Property Taxes; and when the Ad Valorem Property Taxes shall have been collected, reimbursement shall be made to said funds in the amount so advanced. The City covenants and agrees with the purchaser and registered owners of the Bonds that so long as any of the Bonds remain outstanding, the City will take no action or fail to take any action which in any way would adversely affect the ability of the City to levy and collect the foregoing tax levy, except as set forth below. The City and its officers will comply with all present and future applicable laws in order to assure that the

Ad Valorem Property Taxes may be levied, extended and collected as provided in this Ordinance and deposited into the Bond Fund, except as set forth below.

In the event that funds from any other lawful source are made available for the purpose of paying any principal of or interest on the Bonds so as to enable the abatement of the Ad Valorem Property Taxes levied herein for the payment of same, the Corporate Authorities shall, by proper proceedings, direct the transfer of such funds to the Bond Fund, and shall then direct the abatement of the taxes by the amount so deposited. The City covenants and agrees that it will not direct the abatement of taxes until money has been deposited into the Bond Fund in the amount of such abatement. A certified copy or other notification of any such proceedings abating taxes may then be filed with the County Clerk in a timely manner to effect such abatement.

*Section 14. Filing with County Clerk.* Promptly, after this Ordinance has become effective, copies hereof certified by the Clerk shall be filed with the County Clerk; and it shall be the duty of the County Clerk annually in and for each of the years 2015 to 2022, inclusive, to ascertain the rate necessary to produce the Ad Valorem Property Taxes hereinbefore provided to be levied in each of said years; and extend the same for collection on the tax books against all of the taxable property within the City in connection with other taxes levied in each said years for City purposes in order to raise the respective amounts of the Ad Valorem Property Taxes; and, subject to abatement as stated hereinabove, in each year such annual tax shall be computed, extended, and collected in the same manner as now or hereafter provided by law for the computation, extension, and collection of taxes for general City purposes. When collected, the taxes shall be placed to the credit of the Bond Fund.

*Section 15. Sale of Bonds; Bond Order; Certain Conditions of Sale; Official Statement.*  
The Designated Officials are hereby authorized to proceed, without any further official

authorization or direction whatsoever from the Corporate Authorities, to sell and deliver Bonds as herein provided. The Designated Officials shall be and are hereby authorized and directed to sell the Bonds to the Purchaser at the Purchase Price; *provided, however,* that the following conditions shall also be met:

A. The Financial Advisor shall provide advice (in the form of written certificate or report) that the terms of the Bonds are fair and reasonable in light of current conditions in the market for Tax-exempt obligations such as the Bonds.

B. The net present value savings derived from the Refunding (as shown in a written certificate delivered by the Financial Advisor or the Purchaser), shall not be less than \$60,000.

The Corporate Authorities do hereby find and determine that no person holding any office of the City either by election or appointment, is in any manner financially interested, either directly, in his or her own name, or indirectly, in the name of any other person, association, trust or corporation, in the agreement with the Purchaser for the purchase of the Bonds. Upon the sale of the Bonds, the Mayor, Clerk, Treasurer, City Administrator and any other officers of the City as shall be appropriate shall be and are hereby authorized and directed to approve or execute, or both, such documents of sale of the Bonds as may be necessary, including, without limitation, a Bond Order, Preliminary Official Statement, Official Statement, Bond Purchase Agreement, and closing documents. The Preliminary Official Statement relating to the Bonds, such document to be in substantially the form now on file with the City Clerk and available to the Corporate Authorities and to members of the interested public, is hereby in all respects authorized and approved; and the proposed use by the Purchaser of an Official Statement (in substantially the form of the Preliminary Official Statement but with appropriate variations to reflect the final terms of the Bonds) is also hereby authorized and approved. The City officer(s) designated to

sign the Bond Purchase Agreement are hereby authorized to execute same, and their execution shall constitute full and complete approval of all necessary or appropriate completions and revisions as shall appear therein. Upon the sale of the Bonds, the Designated Officials so acting shall prepare the Bond Order for same, such document to be in substantially the form as set forth as *Exhibit A* attached hereto, which shall include the pertinent details of sale as provided herein, and which shall enumerate the levy of taxes to pay the Bonds, and such shall in due course be entered into the records of the City and made available to the Corporate Authorities. *The authority to sell the Bonds pursuant to any Bond Order as herein provided shall expire on November 18, 2015.*

*Section 16. Creation of Funds and Appropriations and Approval of Escrow Agreement.*

A. There is hereby created the “*General Obligation Refunding Bonds, Series 2015, Bond and Interest Sinking Fund Account*” (the “*Bond Fund*”), which shall be the fund for the payment of principal of and interest on the Bonds.

B. The Ad Valorem Property Taxes shall either be deposited into the Bond Fund and used for paying the principal of and interest on the Bonds or be used to reimburse a fund or account from which advances to the Bond Fund may have been made to pay principal of or interest on the Bonds prior to receipt of Ad Valorem Property Taxes. Surplus amounts, interest income or investment profit earned in the Bond Fund shall be retained in the Bond Fund for payment of the principal of or interest on the Bonds on the next interest payment date or, to the extent lawful and as determined by the Corporate Authorities, transferred to such other fund as may be determined. The City hereby pledges, as equal and ratable security for the Bonds, all present and future proceeds of the Ad Valorem Property Taxes for the benefit of the registered owners of the Bonds, subject to the reserved right of the Corporate Authorities to transfer surplus

amounts, interest income or investment profit earned in the Bond Fund to other funds of the City, as described in the preceding sentence.

C. The amount necessary from the proceeds of the Bonds as may be necessary shall be deposited into a separate fund, hereby created, designated the “*Expense Fund*” to be used to pay expenses of issuance of the Bonds. Disbursements from such fund shall be made from time to time as necessary. Any excess in said fund shall be deposited into the Bond Fund hereinabove created within six months from the date of issuance of the Bonds. Alternatively, the expenses of issuing the Bonds may be paid from Bond proceeds by the Purchaser at closing.

D. The amount necessary from the proceeds of the Bonds, together with such money in the existing City bond fund for the Prior Bonds as may be advisable for the purpose, shall be used to provide for the Refunding and the payment of such expenses as may be designated. The Refunding shall occur pursuant to the provisions of the Escrow Agreement, all in accordance with the provisions of such Escrow Agreement with the Escrow Agent as designated, substantially in the form attached hereto as *Exhibit B* to this Ordinance, made a part hereof by this reference, and hereby approved. The City officers appearing signatory to such Escrow Agreement are hereby authorized and directed to execute the same, their execution to constitute conclusive proof of action in accordance with this Ordinance, and approval of all completions or revisions necessary or appropriate to effect the Refunding. Subject only to the delivery of the Bonds, the Refunded Bonds are hereby called for redemption on the date and upon the terms and provisions as provided in the Bond Order and Escrow Agreement as relates thereto.

E. The remaining proceeds of the Bonds, if any, shall be deposited into the Bond Fund.

F. Alternatively to the creation of the Bond Fund or the Expense Fund as described above, the Treasurer may allocate Bond Moneys or the proceeds of the Bonds for expenses to one or more related funds of the City already in existence and in accordance with good



accounting practice; *provided, however*, that this shall not relieve the City or the Treasurer of the duty to account and invest for the Bond Moneys and the proceeds of the Bonds as herein provided, as if such funds had in fact been created.

*Section 17. Purchase of the Government Securities.* The Financial Advisor and the Escrow Agent are each hereby authorized to act as agent for the City in the purchase of the Government Securities described and set forth in the Escrow Agreement.

*Section 18. Continuing Disclosure Undertaking.* The Mayor, Clerk and Treasurer are each hereby authorized, empowered, and directed to execute and deliver the Continuing Disclosure Undertaking (the “*Continuing Disclosure Undertaking*”) in substantially the form attached hereto as *Exhibit C* to this Ordinance, made a part hereof by this reference, and hereby approved. When the Continuing Disclosure Undertaking is executed and delivered on behalf of the City as herein provided, the Continuing Disclosure Undertaking will be binding on the City and the officers, employees, and agents of the City; and the officers, employees, and agents of the City are hereby authorized, empowered, and directed to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of the Continuing Disclosure Undertaking as executed. Notwithstanding any other provision of this Ordinance, the sole remedies for failure to comply with the Continuing Disclosure Undertaking shall be the ability of the beneficial owner of any Bond to seek mandamus or specific performance by court order, to cause the City to comply with its obligations under the Continuing Disclosure Undertaking.

*Section 19. General Tax Covenants.* The City hereby covenants that it will not take any action, omit to take any action, or permit the taking or omission of any action within its control (including, without limitation, making or permitting any use of the proceeds of the Bonds) if taking, permitting, or omitting to take such action would cause any of the Bonds to be an

arbitrage bond or a private activity bond within the meaning of the Code or would otherwise cause the interest on the Bonds not to be excludable from the gross income of the recipients thereof for federal income tax purposes. The City acknowledges that, in the event of an examination by the Internal Revenue Service of the exemption from federal income taxation for interest paid on the Bonds, under present rules, the City may be treated as the “taxpayer” in such examination and agrees that it will respond in a commercially reasonable manner to any inquiries from the Internal Revenue Service in connection with such an examination. In furtherance of the foregoing provisions, but without limiting their generality, the City agrees: (a) through its officers, to make such further specific covenants, representations as shall be truthful, and assurances as may be necessary or advisable; (b) to comply with all representations, covenants, and assurances contained in certificates or agreements as may be prepared by Chapman and Cutler LLP, Chicago, Illinois (“*Bond Counsel*”); (c) to consult with such counsel and to comply with such advice as may be given; (d) to file such forms, statements, and supporting documents as may be required and in a timely manner; and (e) if deemed necessary or advisable by its officers, to employ and pay fiscal agents, financial advisors, attorneys, and other persons to assist the City in such compliance.

*Section 20. Certain Specific Tax Covenants.*

A. None of the Bonds shall be a “private activity bond” as defined in Section 141(a) of the Code; and the City certifies, represents, and covenants as follows:

(1) Not more than 5% of the net proceeds of the Bonds is to be used and not more than 5% of the net proceeds of the Prior Bonds were used, directly or indirectly, in any activity carried on by any person other than a state or local governmental unit.

(2) Not more than 5% of the amounts necessary to pay the principal of and interest on the Prior Bonds or the Bonds has been to date or will be derived, directly or

indirectly, from payments with respect to any private business use by any person other than a state or local governmental unit.

(3) None of the proceeds of the Bonds is to be used and no proceeds of the Prior Bonds were used, directly or indirectly, to make or finance loans to persons other than a state or local governmental unit.

(4) No user of the real or personal property of the City acquired, constructed, or improved with the proceeds of the Prior Bonds, other than the City or another governmental unit, will use the same on any basis other than the same basis as the general public; and except as noted, no person, other than the City or another governmental unit, will be a user of such property as a result of (i) ownership or (ii) actual or beneficial use pursuant to a lease, a management or incentive payment contract other than as expressly permitted by the Code, or (iii) any other arrangement.

B. The Bonds shall not be “arbitrage bonds” under Section 148 of the Code; and the City certifies, represents, and covenants as follows:

(1) All of the proceeds of the Prior Bonds have been spent, except for money treated as proceeds on deposit in the bond fund or debt service fund for the Prior Bonds.

(2) All the proceeds of the Bonds, except for a small rounding amount, are to be used for the Refunding and related expenses.

(3) Except for the Bond Fund, the City has not created or established and will not create or establish any sinking fund, reserve fund or any other similar fund to provide for the payment of the Bonds. The Bond Fund has been established and will be funded in a manner primarily to achieve a proper matching of tax revenues and debt service, and will be collectively depleted at least annually to an amount not in excess of 1/12 the particular annual debt service on the Bonds. Money deposited therein will be spent

within a 13-month period beginning on the date of deposit, and investment earnings therein will be spent or withdrawn within a one-year period beginning on the date of receipt.

(4) Amounts of money related to the Bonds required to be invested at a yield not materially higher than the yield on the Bonds, as determined pursuant to such tax certifications or agreements as the City officers may make in connection with the issuance of the Bonds, shall be so invested; and appropriate City officers are hereby authorized to make such investments.

(5) Unless an applicable exception to Section 148(f) of the Code, relating to the rebate of “excess arbitrage profits” to the United States Treasury (the “*Rebate Requirement*”) is available to the City, the City will meet the Rebate Requirement. The City expects the yield on investments of all proceeds of the Bonds to be less than the yield on the Bonds.

(6) Relating to applicable exceptions, any City officers charged with issuing the Bonds are hereby authorized to make such elections under the Code as such officers shall deem reasonable and in the best interests of the City.

(7) Interest earnings in the Bond Fund are hereby authorized to be transferred, without further order or direction from the Corporate Authorities, from time to time as required, to meet the Rebate Requirement for the purposes herein provided; and proceeds of the Bonds and other funds of the City are also hereby authorized to be used to meet the Rebate Requirement, but only if necessary after application of investment earnings as aforesaid and only as appropriated by the Corporate Authorities.

C. None of the proceeds of the Bonds will be used to pay, directly or indirectly, in whole or in part, for an expenditure that has been paid by the City prior to the date hereof.

D. The City reserves the right to use or invest moneys in connection with the Bonds in any manner or to use the City infrastructure acquired, constructed, or improved with the proceeds of the Prior Bonds in any manner, notwithstanding the representations and covenants in (Sections 18 and 19 of) this Ordinance; *provided* it shall first have received an opinion from Bond Counsel to the effect that use or investment of such moneys or the changes in or use of such infrastructure as contemplated will not result in loss or impairment of Tax-exempt status for the Bonds.

E. The City hereby designates each of the Bonds as a “qualified tax-exempt obligation” for the purposes and within the meaning of Section 265(b)(3) of the Code. In support of such designation, the City hereby certifies that (i) none of the Bonds will be at any time a “private activity bond” (as defined in Section 141 of the Code), (ii) as of the date hereof in calendar year 2015, other than the Bonds, no Tax-exempt obligations of any kind have been issued (A) by or on behalf of the City, (B) by other issuers, any of the proceeds of which have been or will be used to make any loans to the City or (c) any portion of which has been allocated to the City for purposes of Section 265(b) of the Code and (iii) not more than \$10,000,000 of obligations of any kind (including the Bonds) issued (A) by or on behalf of the City (B) by other issuers any of the proceeds of which have been or will be used to make any loans to the City or (C) any portion of which has been allocated to the City for purposes of Section 265(b) of the Code during calendar year 2015 will be designated for purposes of Section 265(b)(3) of the Code.

The City is not subject to Control by any entity, and there are no entities subject to Control by the City.

On the date hereof, the City does not reasonably anticipate that for calendar year 2015 it will issue, have another entity issue on behalf of the City, borrow the proceeds of or have

allocated to the City for purposes of Section 265(b) of the Code more than \$10,000,000 Section 265 Tax-Exempt Obligations (including the Bonds). “*Section 265 Tax-Exempt Obligations*” are obligations the interest on which is excludable from gross income of the owners thereof under Section 103 of the Code, *except for* private activity bonds other than qualified 501(c)(3) bonds, both as defined in Section 141 of the Code. The City will not, in calendar year 2015 issue, permit the issuance on behalf of it or by any entity subject to Control by the City (which may hereafter come into existence), borrow the proceeds of or have allocated to it for purposes of Section 265(b) of the Code Section 265 Tax-Exempt Obligations (including the Bonds) that exceed the aggregate amount of \$10,000,000 during calendar year 2015 unless it first obtains an opinion of Bond Counsel to the effect that such issuance, borrowing or allocation will not adversely affect the treatment of the Bonds as “qualified tax-exempt obligations” for the purpose and within the meaning of Section 265(b)(3) of the Code.

The Bonds have not been sold in conjunction with any other obligation.

*Section 21. Rights and Duties of Bond Registrar.* If requested by the Bond Registrar, and upon approval as to form by the City Attorney, the Mayor, Clerk and Treasurer are each authorized to execute a standard form of agreement between the City and the Bond Registrar with respect to the obligations and duties of the Bond Registrar hereunder. In addition to the terms of such agreements and subject to modification thereby, the Bond Registrar by acceptance of duties hereunder agrees:

(a) to act as bond registrar, authenticating agent, paying agent, and transfer agent as provided herein;

(b) to maintain a list of Bondholders as set forth herein and to furnish such list to the City upon request, but otherwise to keep such list confidential except as otherwise may be required by law;

- (c) to give notice of redemption of Bonds as provided herein;
- (d) to cancel and/or destroy Bonds which have been paid at maturity, upon redemption or submitted for exchange or transfer;
- (e) to furnish the City at least annually a certificate with respect to Bonds cancelled and/or destroyed; and
- (f) to furnish the City at least annually an audit confirmation of Bonds paid, Bonds outstanding, and payments made with respect to interest on the Bonds.

The City covenants that it shall at all times retain a Bond Registrar with respect to the Bonds, that it will maintain at the designated office(s) of such Bond Registrar a place or places where Bonds may be presented for payment or registration of transfer or exchange, and that it shall require that the Bond Registrar properly maintain the Bond Register and perform the other duties and obligations imposed upon it by this Ordinance in a manner consistent with the standards, customs and practices of the municipal securities industry.

The Bond Registrar shall signify its acceptance of the duties and obligations imposed upon it by this Ordinance by executing the certificate of authentication on any Bond, and by such execution the Bond Registrar shall be deemed to have certified to the City that it has all requisite power to accept and has accepted such duties and obligations not only with respect to the Bond so authenticated but with respect to all the Bonds. The Bond Registrar is the agent of the City and shall not be liable in connection with the performance of its duties except for its own negligence, willful wrongdoing, acts, or omissions. The Bond Registrar shall, however, be responsible for any representation in its certificate of authentication on the Bonds. The City may remove the Bond Registrar at any time. In case at any time the Bond Registrar shall resign, shall be removed, shall become incapable of acting, or shall be adjudged a bankrupt or insolvent, or if a receiver, liquidator, or conservator of the Bond Registrar or of the property thereof shall be

appointed, or if any public officer shall take charge or control of the Bond Registrar or of the property or affairs thereof, the City covenants and agrees that it will thereupon appoint a successor Bond Registrar. The City shall give notice of any such appointment made by it to each registered owner of any Bond within twenty days after such appointment by notification in a manner similar to a material events notice as provided in its Continuing Disclosure Undertaking. Any Bond Registrar appointed under the provisions of this Section shall be a bank, trust company, or national banking association maintaining an office for registration, transfer, and payment of bonds in Chicago, Illinois, or in New York, New York having capital, surplus, and undivided profit in excess of \$100,000,000. The Clerk is hereby directed to file a certified copy of this Ordinance with the Bond Registrar.

*Section 22. Taxes Previously Levied.* The taxes previously levied to pay principal of and interest on the Refunded Bonds for the years 2015 and subsequent, to the extent such principal and interest is provided for from the proceeds of the Bonds or otherwise as hereinabove described, shall be abated. The filing of a certificate or certificates of abatement with the County Clerk shall constitute authority and direction for the County Clerk to make such abatement. The taxes so levied for the Refunded Bonds for the years 2014 and preceding, which have been or are to be collected, and subject to use of same as may be required by the Code in assuring the Tax-exempt status of the Refunded Bonds and the Bonds, shall be applied to the Refunding or to the payment of the Bonds.

*Section 23. Municipal Bond Insurance.* In the event the payment of principal of and interest on the Bonds is insured pursuant to a municipal bond insurance policy (a "*Municipal Bond Insurance Policy*") issued by a bond insurer (a "*Bond Insurer*"), and as long as such Municipal Bond Insurance Policy shall be in full force and effect, the City and the Bond Registrar agree to comply with such usual and reasonable provisions regarding presentment and



payment of the Bonds, subrogation of the rights of the Bondholders to the Bond Insurer when holding Bonds, amendment hereof, or other terms, as approved by any of the Mayor, Clerk, Treasurer or City Administrator on advice of counsel, his, her or their approval to constitute full and complete acceptance by the City of such terms and provisions under authority of this Section.

*Section 24. Defeasance.* Any Bond or Bonds (a) which are paid and cancelled, (b) which have matured and for which sufficient sums been deposited with a bank or trust company authorized to keep trust accounts to pay all principal and interest due thereon, or (c) for which sufficient funds and Defeasance Obligations have been deposited with the Bond Registrar or similar institution to pay, taking into account investment earnings on such obligations, all principal of and interest on such Bond or Bonds when due at maturity or as called for redemption, pursuant to an irrevocable escrow or trust agreement, (such Bonds as described in this clause (c) being “*Defeased Bonds*”) shall cease to have any lien on or right to receive or be paid from the Ad Valorem Property Taxes levied hereunder and shall no longer have the benefits of any covenant for the registered owners of outstanding Bonds as set forth herein as such relates to lien and security of the outstanding Bonds. All covenants relative to the Tax-exempt status, payment, registration, transfer, and exchange of the Bonds are expressly continued whether outstanding Bonds or not. For purposes of this Section, “*Defeasance Obligations*” means (i) noncallable, non-redeemable direct and general full faith and credit obligations of the United States Treasury (“*Directs*”), (ii) certificates of participation or trust receipts in trusts comprised wholly of Directs or (iii) other noncallable, non-redeemable obligations unconditionally guaranteed as to timely payment by the United States Treasury.

*Section 25. Severability.* If any section, paragraph, or provision of this Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such

section, paragraph, or provision shall not affect any of the remaining provisions of this Ordinance.

*Section 26. Publication of Ordinance.* A full, true and complete copy of this Ordinance shall be published within ten days after passage in pamphlet form by authority of the Corporate Authorities.

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*Section 27. Superseder and Effective Date.* All ordinances, resolutions, and orders, or parts thereof, in conflict herewith, are to the extent of such conflict hereby superseded; and this Ordinance shall be in full force and effect immediately as provided by law.

ADOPTED: June 1, 2015

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

\_\_\_\_\_

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

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

Approved: June 1, 2015

\_\_\_\_\_  
Mayor, City of Darien,  
DuPage County, Illinois

Recorded in the City Records on June 1, 2015.

Published in pamphlet form by authority of the City Council on June \_\_, 2015

ATTEST:

\_\_\_\_\_  
City Clerk, City of Darien,  
DuPage County, Illinois

**EXHIBIT A**

STATE OF ILLINOIS        )  
                                      ) SS  
COUNTY OF DUPAGE        )

**BOND ORDER**

**IN CONNECTION WITH THE ISSUANCE OF  
\$ \_\_\_\_\_  
GENERAL OBLIGATION REFUNDING BONDS,  
SERIES 2015**

To:    City Council  
      City of Darien, DuPage County, Illinois, and the  
      County Clerk of The County of DuPage, Illinois

GREETINGS:

A.    SALE

Please be advised that responsive to authority contained in an ordinance adopted by the City Council (the “*Corporate Authorities*”) of the City of Darien, DuPage County, Illinois (the “*City*”), on the 1st day of June, 2015, numbered \_\_\_\_\_ and being entitled:

AN ORDINANCE providing for the issuance of not to exceed \$1,500,000 General Obligation Refunding Bonds, Series 2015, of the City of Darien, DuPage County, Illinois, providing for the levy and collection of a direct annual tax sufficient for the payment of the principal of and interest on said bonds, authorizing the sale of said bonds to Bernardi Securities Inc., and further providing for the execution of an escrow agreement in connection with such issuance.

(the “*Bond Ordinance*”), a contract for the purchase of \$\_\_\_\_\_ General Obligation Refunding Bonds, Series 2015 (the “*Bonds*”), of the City was awarded by the undersigned officers (the “*Designated Officers*”) to the purchaser thereof, namely, Bernardi Securities, Inc., Chicago, Illinois (the “*Purchaser*”) at a price of \$\_\_\_\_\_ [(being the par amount of the bonds, plus [net] original issue premium of \$\_\_\_\_\_ and less an underwriters’ discount of \$\_\_\_\_\_), plus accrued interest to the date of delivery of \$-0-]. It is hereby found and

determined that said price is not less than the 98% as required by the Bond Ordinance; and such price is hereby approved. The Refunded Bonds as are as set forth in *Exhibit I* attached hereto and made a part hereof. Terms used herein shall have the meanings given to them in the Bond Ordinance unless otherwise defined herein.

B. FINDINGS

The following further conditions have also been met: (1) We have received the required certificates and reports of Speer Financial, Inc., the Financial Advisor, and of the Purchaser, supporting our statements herein. (2) The maximum maturity date of the Bonds does not extend past January 1, 2024. (3) The par amount of the Bonds does not exceed the maximum authorized of \$1,500,000. (4) No interest rate on the Bonds exceeds five percent (5.00%) per annum. (5) The purchase price of the Bonds to the Purchaser is not less than 98% of par. (6) The terms of the Bonds are fair and reasonable in light of current conditions in the market for tax-exempt obligations such as the Bonds. (7) The net present value savings derived from the Refunding is not less than \$60,000.

C. NO CONFLICTS

No member of the Corporate Authorities nor any person signing this Bond Order on behalf of the City is in any manner financially interested, either directly, in his or her own name, or indirectly, in the name of any other person, association, trust or corporation, in the Bond Purchase Agreement with the Purchaser, for the purchase of the Bonds.

D. TERMS OF THE BONDS

Pursuant to the terms of the Bond Purchase Agreement, executed on this \_\_\_\_ day of \_\_\_\_\_, 2015, the Bonds shall be issued in the amount stated; shall be dated as of the date of delivery; and shall have the further terms as is set forth in *Exhibit II* attached hereto and incorporated herein by reference.

E. TAXES

Section 13 of the Bond Ordinance provides for direct annual taxes to pay the principal of and interest on the Bonds promptly when and as the same falls due at maturity or as subject to mandatory redemption. Please be further advised that the Bonds were sold on terms resulting in a final schedule of taxes levied and to be extended as set forth in *Exhibit III* attached hereto and incorporated herein by reference.

F. BOND INSURANCE

The Purchaser has not requested and bond insurance has not been procured as of the date hereof for the payment of principal of and interest on the Bonds.

G. DEPOSITS INTO FUNDS

At the time of execution of this Bond Order, the proceeds of the Bonds are expected to be used substantially as follows:

Derived as follows:

(1)	Reoffering Price	\$	
(2)	Purchaser's Underwriting Compensation (-)	\$	_____
(3)	Purchase Price (=)	\$	
(4)	Accrued Interest (+)		_____ \$-0-
(5)	Total Received by City (=)	\$	

Allocated or spent as follows:

(a)	Costs of Issuance to be paid directly or to Expense Fund (+)	\$	
(b)	Accrued Interest to Bond Fund (+)		\$-0-
(c)	For the Refunding of the Refunded Bonds, by deposit to the Escrow Account under an Escrow Agreement with The Bank of New York Mellon Trust Company, National Association, as provided in the Bond Ordinance (+)	\$	_____
(d)	Total (=)	\$	

H. BOND REGISTRAR

The Bond Registrar and Paying Agent for the Bonds is The Bank of New York Mellon Trust Company, National Association, Chicago, Illinois.

I. ESCROW AGENT

The Escrow Agent for the Refunding of the Refunded Bonds is The Bank of New York Mellon Trust Company, National Association, Chicago, Illinois.

J. RECORDS

Finally, please be advised that this Bond Order shall be entered into the records of the City and made available to all members of the Corporate Authorities at a public meeting thereof held after the date hereof.

Respectfully submitted as of this \_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Mayor \*

\_\_\_\_\_  
City Clerk \*

\_\_\_\_\_  
City Treasurer \*

\_\_\_\_\_  
City Administrator \*

**ACKNOWLEDGMENT OF FILING**

Filed in the office of the City Clerk of the City of Darien, DuPage County, Illinois, this \_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
City Clerk  
City of Darien  
DuPage County, Illinois

\_\_\_\_\_  
\* To be executed by not less than two of the four officers.



**EXHIBITS:**

EXHIBIT	DESCRIBES
I	Refunded Bonds
II	Terms of the Bonds
III	Taxes to be levied for the Bonds

**EXHIBIT I**

**DESCRIPTION OF THE REFUNDED BONDS**

**GENERAL OBLIGATION BONDS, SERIES 2008**

Original principal amount: \$2,370,000  
Dated: June 15, 2008  
Originally due serially: 2009 to 2024  
Amount outstanding: \$1,460,000  
Amount to be refunded: \$1,315,000

Due or subject to mandatory redemption on January 1, and described as follows:

YEAR	AMOUNT (\$) OUTSTANDING	RATE OF INTEREST (%)	AMOUNT TO BE REFUNDED
2016	145,000	3.750	0
2017	155,000	3.875	155,000
2018	160,000	3.875	160,000
2019	165,000	3.875	165,000
2020	170,000	3.875	170,000
2021	175,000	3.875	175,000
2022	185,000	4.000	185,000
2023	190,000	4.000	190,000
2024	115,000	4.000	115,000

**EXHIBIT II**  
**TERMS OF THE BONDS**

**A. MATURITY SCHEDULE AND INTEREST RATES**

The Bonds are dated the date of delivery thereof, and are due serially on January 1 of the years and in the amounts and bear interest at the rates percent per annum as follows:

YEAR	AMOUNT (\$)	RATE (%)
2015		
2016		
2017		
2018		
2019		
2020		
2021		
2022		
2023		
2024		

Each of the Bonds bears interest from the later of the dated date as stated above or from the most recent interest payment date to which interest has been paid or duly provided for, until the principal amount of such Bond, respectively, is paid or duly provided for, such interest (computed upon the basis of a 360-day year of twelve 30-day months) being payable on January 1 and July 1 of each year, commencing on \_\_\_\_\_ 1, 20\_\_.

**B. REDEMPTION**

*Mandatory Redemption.* None. There are no Term Bonds.

*Optional Redemption.* [The Bonds are not subject to optional redemption prior to maturity.] [Those of the Bonds due on or after January 1, 20\_\_, are subject to redemption prior to maturity at the option of the City, from any available funds, in whole or in part on any date on or after January 1, 20\_\_, and if in part, in any order of maturity as shall be selected by the City, and if less than an entire maturity, in integral multiples of \$5,000, selected by lot by the Bond Registrar, at the redemption price of par plus accrued interest to the redemption date.]

**EXHIBIT III**

**TAX LEVY FOR BONDS**

YEAR	A TAX SUFFICIENT TO PRODUCE THE DOLLAR (\$) AMOUNT
2015	for interest and principal up to and including January 1, 2017 [interest and principal due up to and including January 1, 2016, otherwise provided for]
2016	for interest and principal
2017	for interest and principal
2018	for interest and principal
2019	for interest and principal
2020	for interest and principal
2021	for interest and principal
2022	for interest and principal

**EXHIBIT B**

**ESCROW AGREEMENT**

This Escrow Agreement, dated as of \_\_\_\_\_, 2015, actually executed and delivered the date last hereinbelow written, by and between the City of Darien, DuPage County, Illinois, and The Bank of New York Mellon Trust Company, National Association, a national banking association, with corporate trust offices located in the City of Chicago, Illinois, not individually but in the capacity as hereinafter described, for and in consideration of mutual covenants set forth:

**WITNESSETH:**

**ARTICLE I**

**DEFINITIONS**

The following words and terms used in this Agreement shall have the following meanings unless the context or use clearly indicates another or different meaning.

*“Aggregate Payment Requirement”* means each payment of interest on and principal of or redemption price (as applicable) of the Refunded Bonds from the date hereof through the Call Date.

*“Agreement”* means this Escrow Agreement, dated as of \_\_\_\_\_, 2015.

*“Bond Ordinance”* means the ordinance passed by the City Council of the City on the 1st day of June, 2015, entitled:

AN ORDINANCE providing for the issuance of not to exceed \$1,500,000 General Obligation Refunding Bonds, Series 2015, of the City of Darien, DuPage County, Illinois, providing for the levy and collection of a direct annual tax sufficient for the payment of the principal of and interest on said bonds, authorizing the sale of said bonds to Bernardi Securities, Inc., and further providing for the execution of an escrow agreement in connection with such issuance.

authorizing the Bonds.

“*Bond Registrar*” means The Bank of New York Mellon Trust Company, National Association, Chicago, Illinois, as bond registrar and paying agent for the Refunded Bonds.

“*Bonds*” means the City’s General Obligation Refunding Bonds, Series 2015, the proceeds of which are to be used for the refunding of the Refunded Bonds.

“*Call Date*” means January 1, 2016, which is the earliest date of redemption for the Refunded Bonds.

“*City*” means the City of Darien, DuPage County, Illinois.

“*City Council*” means the City Council which is the governing body of the City.

“*Escrow Account*” means the trust fund created under the terms of this Agreement with the Escrow Agent and comprised of the Government Obligations as more fully described in 2.02 hereof.

“*Escrow Agent*” means The Bank of New York Mellon Trust Company, National Association, Chicago, Illinois, not individually but in the capacity for the uses and purposes hereinafter mentioned, or any successor thereto.

“*Government Obligations*” means direct non-callable obligations of the United States of America (being United States Bills, Notes, Bonds or STRPS or SLGS) deposited hereunder.

“*Paying Agent*” means the paying agent for the Refunded Bonds, namely, The Bank of New York Mellon Trust Company, National Association, Chicago, Illinois.

“*Refunded Bonds*” means the refunded bonds described as follows:

**GENERAL OBLIGATION BONDS, SERIES 2008**

Original principal amount:	\$2,370,000
Dated:	June 15, 2008
Originally due serially:	2009 to 2024
Amount outstanding:	\$1,460,000
Amount to be refunded:	\$1,315,000

Due or subject to mandatory redemption on January 1, and described as follows:

YEAR	AMOUNT (\$) OUTSTANDING	RATE OF INTEREST (%)	AMOUNT (\$) TO BE REFUNDED
2016	145,000	3.750	0
2017	155,000	3.875	155,000
2018	160,000	3.875	160,000
2019	165,000	3.875	165,000
2020	170,000	3.875	170,000
2021	175,000	3.875	175,000
2022	185,000	4.000	185,000
2023	190,000	4.000	190,000
2024	115,000	4.000	115,000

of which bonds, those due on or after January 1, 2017, are subject to redemption on January 1, 2016, the first call date, at the redemption price of par plus accrued interest to the date of redemption.

“*SLGS*” means U.S. Treasury Obligations of the State and Local Government Series.

“*Treasurer*” means the City Treasurer of the City.

“*Verification Report*” means the report of Sikich LLP, Certified Public Accountants, Naperville, Illinois, attached hereto as *Exhibit A*, that the principal of, interest on, and profit realized from the Government Obligations, when received, and the beginning deposit on demand held hereunder will be sufficient timely to meet the Aggregate Payment Requirement.

**ARTICLE II**  
**CREATION OF ESCROW**

2.01. *Statement of Refunding.* The Refunded Bonds are hereby refunded through their Call Date by the deposit with the Escrow Agent of moneys sufficient to purchase certain Government Obligations described in 2.02 hereof, which Government Obligations (together with the beginning deposit of funds as described herein) will provide all moneys necessary to meet the Aggregate Payment Requirement.

2.02. *Escrow Deposit.* The City has deposited with the Escrow Agent at the execution and delivery of this Escrow Agreement the sum of \$\_\_\_\_\_ derived from: (i) proceeds of the Bonds in the amount of \$\_\_\_\_\_ and (ii) transfers from debt service funds for the Refunded Bonds in the amount of \$\_\_\_\_\_ (collectively, the “*Proceeds*”). The Proceeds have been used to acquire the Government Obligations and to establish a beginning cash balance (“*Beginning Cash*”). The Escrow Agent now holds the Government Obligations and the Beginning Cash, as follows:

TYPE	DATED DATE	MATURITY DATE	PAR AMOUNT (\$)	RATE OF INTEREST (%)
------	---------------	------------------	--------------------	-------------------------

Beginning Cash: \$\_\_\_\_\_.

**ARTICLE III**  
**COVENANTS OF ESCROW AGENT**

The Escrow Agent covenants and agrees with the City as follows:

3.01. *Hold Escrow Account.* The Escrow Agent will hold the Government Obligations and all interest, income and profit derived therefrom and all uninvested cash in a segregated and



separate trust fund account for the sole and exclusive benefit of the City and of the holders and registered owners of the Refunded Bonds and the Bonds, all to the purposes for which escrowed.

3.02. *Beginning Cash; Reinvestments.* The Beginning Cash (\$\_\_\_\_\_) in the Escrow Account shall not be invested by the Escrow Agent. There are no reinvestments of the money in the Escrow Account.

3.03. *Uninvested Amounts Held in Trust.* The Escrow Agent shall hold all balances not invested or reinvested as hereinabove described and on deposit in the Escrow Account on demand and in trust for the purposes hereof and shall secure same in accordance with applicable Illinois law for the securing of public funds.

3.04. *No Arbitrage.* The Escrow Agent will take no action in the investment or securing of the proceeds of the Government Obligations, which would cause the Bonds or the Refunded Bonds to be classified as “arbitrage bonds” under applicable sections of the Internal Revenue Code of 1986, as amended, and all lawful regulations promulgated thereunder; *provided*, it shall be under no duty to affirmatively inquire whether the Government Obligations as deposited are properly invested under said section; and, *provided, further*, it may rely on all specific directions in this Agreement in the investment or reinvestment of balances held hereunder.

3.05. *Apply Escrow Account to Pay Refunded Bonds.* The Escrow Agent will promptly collect the principal of, interest on and income and profit from the Government Obligations and promptly apply the same solely and only to meet and pay the Aggregate Payment Requirement as due from time to time for the Refunded Bonds.

3.06. *Remit Money to Paying Agent.* The Escrow Agent will remit to the Paying Agent for the benefit of the Refunded Bonds, in good funds on or before the Call Date, moneys sufficient timely to meet the Aggregate Payment Requirement, as set out in the Verification

Report, and each such remittance shall fully release and discharge the Escrow Agent from any further duty or obligation thereto under this Agreement.

3.07. *Pay No Fees.* The Escrow Agent will make no payment of fees, due or to become due, of any Bond Registrar or the Paying Agent.

3.08. *Escrow Agent Fees.* The costs and expenses of the Escrow Agent will be paid by the City from funds other than those deposited hereunder. The Escrow Agent shall have no lien or right of set-off of any kind on the Escrow Account and shall look solely to the City and its other funds for payment. The Escrow Agent shall charge such fees for its services as are reasonable and usual for like services rendered by similar institutions.

3.09. *Powers and Duties.* The Escrow Agent has all the powers and duties herein set forth with no liability in connection with any act or omission to act hereunder, except for its own negligence or willful breach of trust, and shall be under no obligation to institute any suit or action or other proceeding under this Agreement or to enter any appearance in any suit, action or proceeding in which it may be defendant or to take any steps in the enforcement of its, or any, rights and powers hereunder, nor shall be deemed to have failed to take any such action, unless and until it shall have been indemnified by the City to its satisfaction against any and all costs and expenses, outlays, counsel fees and other disbursements, including its own reasonable fees, and if any judgment, decree or recovery be obtained by the Escrow Agent, payment of all sums due it, as aforesaid, shall be a first charge against the amount of any such judgment, decree or recovery.

3.10. *May Hold Bonds and Refunded Bonds.* The Escrow Agent may in good faith buy, sell or hold and deal in any of the Bonds or Refunded Bonds.

3.11. *Call for Redemption.* The Refunded Bonds subject to redemption are hereby called for redemption on their Call Date at the redemption price therefor, stated again as follows:

SERIES	AMOUNT (\$)	CALL DATE	PREMIUM (%)	PREMIUM (\$)	TOTAL (\$)
2008	1,315,000	01/01/2016	-0-	-0-	1,315,000

3.12. *Manner of Redemption.* The time, manner and form of giving notice of the call for redemption of the Refunded Bonds shall be as set forth in the ordinances of the City and related documents on file with the Bond Registrar, pursuant to which the Refunded Bonds were issued, and certified copy of which, by execution hereof, the Escrow Agent acknowledges receipt; and further, as required by The Depository Trust Company (“DTC”), which is the registered owner of all of the Refunded Bonds through its nominee Cede & Co. The Escrow Agent avers that it is a participant in DTC, and as such participant, the Escrow Agent knows the rules and procedures of DTC with respect to the redemption of the Refunded Bonds. **The Escrow Agent shall act as agent for the City in performing all acts, giving or causing to be given all notices, and providing such directions to the Bond Registrar to effect the payment and redemption of the Refunded Bonds as aforesaid.**

3.13. A. *MSRB Notice.* The Escrow Agent shall act as agent for the City to authorize and direct the Bond Registrar to give notice of the call of such bonds, on or before the date the notice of such redemption is given to the holders of such bonds, to the Municipal Securities Rulemaking Board (the “MSRB”) via the MSRB’s Electronic Municipal Market Access (“EMMA”) system or by such other method as at the time of giving such notice shall be directed or recognized by the Securities and Exchange Commission (the “Commission”).

B. *Notice of Defeasance.* Promptly, upon the delivery of this Agreement, and in no event later than 10 calendar days from the date hereof, the Escrow Agent shall act as agent for the City in giving notice of the defeasance of all the Refunded Bonds to the MSRB via the EMMA system.

3.14. *Statement of Account.* The Escrow Agent will submit to the Treasurer a statement within 45 days of the date of this Agreement and thereafter within 30 days of each payment date out of the Escrow Account, itemizing all moneys received by it and all payments made by it under the provisions of this Agreement during the period of such statement.

3.15. *Insufficiencies of Money.* If at any time it shall appear to the Escrow Agent that the available proceeds of the Government Obligations and funds on deposit in the Escrow Account will not be sufficient to make any payment (whether principal, interest or premium) due to the holders or registered owners of any of the Refunded Bonds, as and to the extent provided herein, the Escrow Agent shall notify the City not less than 15 days prior to such date, and the City agrees that it will make a determination as to whether it is legally obligated to do so, and if so, then the City shall, from any funds lawfully available for such purpose, make up the anticipated deficit so that no default in the making of any such payment will occur.

#### **ARTICLE IV**

##### **COVENANTS OF CITY**

The City covenants and agrees with the Escrow Agent as follows:

4.01. *Escrow Agent Not Liable for City.* The Escrow Agent shall have no responsibility or liability whatsoever for (a) any of the recitals of the City herein, (b) the performance of or compliance with any covenant, condition, term or provision of the Bond Ordinance, and (c) any undertaking or statement of the City hereunder or under said Bond Ordinance.

If the Escrow Agent renders any service hereunder not provided for in this Agreement, or the Escrow Agent is made a party to or intervenes in any litigation pertaining to this Agreement or institutes interpleader proceedings relative hereto, the Escrow Agent shall be compensated reasonably by the City for such extraordinary services and reimbursed for any and all claims, liabilities, losses, damages, fines, penalties, and expenses, including out-of-pocket and incidental

expenses and legal fees occasioned thereby, unless such claim, liability, loss, damages, fine, penalty, and expense shall have been finally adjudicated to have resulted from the bad faith or negligence of the Escrow Agent.

The Escrow Agent may execute any of the trusts or powers hereof and perform any of its duties by or through attorneys, agents or receivers, and shall be entitled to advice of counsel concerning all matters of trusts hereof and duties hereunder.

The Escrow Agent may consult with counsel, and the advice of such counsel shall be full and complete authorization and protection in respect of any action taken, suffered or omitted by the Escrow Agent hereunder in good faith and in reliance thereon. The Escrow Agent shall not be required to risk or expend its own funds before taking any action under this Agreement.

*4.02. City Shall Pay Insufficiencies.* To the fullest extent it is required under the terms of the Refunded Bonds, the City will promptly and without delay remit to the Escrow Agent, within ten days after receipt of its written request, such sum or sums of money as are necessary to make the payments required under 3.15 hereof and to fully pay and discharge any obligation or obligations or charges, fees or expenses incurred by the Escrow Agent in carrying out any of the duties, terms or provisions of this Agreement. The City will promptly pay all Paying Agent and Bond Registrar fees.

*4.03. Waive Other Redemption.* The City does hereby waive any right to pay at maturity or redeem on any other date than as herein specified any of the Refunded Bonds.

## **ARTICLE V**

### **AMENDMENTS AND IRREVOCABILITY OF AGREEMENT**

*5.01. Amend for Error.* The City and the Escrow Agent may amend or add to the terms of this Agreement to correct errors, clarify ambiguities or insert inadvertently omitted material but only if any such correction, clarification or insertion has absolutely no adverse impact on the

holders or registered owners of the Bonds or any of the Refunded Bonds. The City may supplement this Agreement by providing for notice prior to any amendment to such parties as it may name in any such supplement, which will be effective upon filing with the Escrow Agent.

5.02. *No Other Amendment.* Except as provided in 5.01 hereof, all of the rights, powers, duties and obligations of the Escrow Agent hereunder shall be irrevocable and shall not be subject to amendment by the Escrow Agent and shall be binding on any successor to the Escrow Agent during the term of this Agreement.

5.03. *No Other Amendment.* Except as provided in 5.01 hereof, all of the rights, powers, duties and obligations of the City hereunder shall be irrevocable and shall not be subject to amendment by the City and shall be binding on any successor to the officials now comprising the City Council of the City during the term of this Agreement.

5.04. *No Other Amendment.* Except as provided in 5.01 and 5.02 hereof, all of the rights, powers, duties and obligations of the Treasurer hereunder shall be irrevocable and shall not be subject to amendment by the Treasurer and shall be binding on any successor to said official now in office during the term of this Agreement.

## **ARTICLE VI**

### **NOTICE**

6.01. *Notice to City.* All notices and communications to the City and the City Council shall be addressed in writing to:

City Clerk  
City of Darien  
1702 Plainfield Road  
Darien, Illinois 60561

or at such other address as is furnished from time to time by the City.

6.02. *Notice to Escrow Agent.* All notices and communications to the Escrow Agent shall be addressed in writing to:

The Bank of New York Mellon Trust  
Company, National Association  
Corporate Trust Services  
2 N. LaSalle Street, Suite 1020  
Chicago, Illinois 60602

or at such other address as is furnished from time to time by the Escrow Agent.

6.03. *Notice to Treasurer.* All notices and communications to the Treasurer shall be addressed in writing to:

Treasurer  
City of Darien  
1702 Plainfield Road  
Darien, Illinois 60561

or at such other address as is furnished from time to time by the Treasurer.

## **ARTICLE VII**

### **TERMINATION OF AGREEMENT**

Upon the final disbursement for the payment of the Refunded Bonds as hereinabove provided for, the Escrow Agent will transfer any balance remaining in the Escrow Account to the Treasurer with due notice thereof mailed to the City, and thereupon this Agreement shall terminate.

— This space intentionally blank —

IN WITNESS WHEREOF the City has caused this Agreement to be signed in its name by its Mayor, to be attested by the City Clerk under its corporate seal hereunto affixed; and the Escrow Agent, not individually, but in the capacity as hereinabove described, has caused this Agreement to be signed in its corporate name by one of its \_\_\_\_\_ and to be attested by one of its \_\_\_\_\_, all this \_\_\_\_ day of \_\_\_\_\_, 2015.

CITY OF DARIEN, DUPAGE COUNTY, ILLINOIS

By \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

[SEAL]

THE BANK OF NEW YORK MELLON TRUST  
COMPANY, NATIONAL ASSOCIATION,  
Chicago, Illinois, as Escrow Agent

By \_\_\_\_\_  
Its \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Its \_\_\_\_\_



The foregoing Escrow Agreement has been received and acknowledged by me as of the date last written.

---

City Treasurer  
City of Darien  
DuPage County, Illinois

**EXHIBIT A**

**VERIFICATION REPORT**

**EXHIBIT B**  
**EXHIBIT A**

## EXHIBIT C

### CONTINUING DISCLOSURE UNDERTAKING FOR THE PURPOSE OF PROVIDING CONTINUING DISCLOSURE INFORMATION UNDER SECTION (b)(5) OF RULE 15c2-12

This Continuing Disclosure Undertaking (the “*Agreement*”) is executed and delivered by the City of Darien, DuPage County, Illinois (the “*City*”) in connection with the issuance of \$\_\_\_\_\_ General Obligation Refunding Bonds, Series 2015 (the “*Bonds*”). The Bonds are being issued pursuant to an Ordinance adopted by the City Council of the City on the 1st day of June, 2015 (the “*Ordinance*”).

In consideration of the issuance of the Bonds by the City and the purchase of such Bonds by the beneficial owners thereof, the City covenants and agrees as follows:

1. PURPOSE OF THIS AGREEMENT. This Agreement is executed and delivered by the City as of the date set forth below, for the benefit of the beneficial owners of the Bonds and in order to assist the Participating Underwriters in complying with the requirements of the Rule (as defined below). The City represents that it will be the only obligated person with respect to the Bonds at the time the Bonds are delivered to the Participating Underwriters and that no other person is expected to become so committed at any time after issuance of the Bonds.

2. DEFINITIONS. The terms set forth below shall have the following meanings in this Agreement, unless the context clearly otherwise requires.

*Annual Financial Information* means the financial information and operating data described in *Exhibit I*.

*Annual Financial Information Disclosure* means the dissemination of disclosure concerning Annual Financial Information and the dissemination of the Audited Financial Statements as set forth in Section 4.

*Audited Financial Statements* means the audited financial statements of the City prepared pursuant to the standards and as described in *Exhibit I*.

*Commission* means the Securities and Exchange Commission.

*Dissemination Agent* means any agent designated as such in writing by the City and which has filed with the City a written acceptance of such designation, and such agent’s successors and assigns.

*EMMA* means the MSRB through its Electronic Municipal Market Access system for municipal securities disclosure or through any other electronic format or system prescribed by the MSRB for purposes of the Rule.

*Exchange Act* means the Securities Exchange Act of 1934, as amended.

*MSRB* means the Municipal Securities Rulemaking Board.

*Participating Underwriter* means each broker, dealer or municipal securities dealer acting as an underwriter in the primary offering of the Bonds.

*Reportable Event* means the occurrence of any of the Events with respect to the Bonds set forth in *Exhibit II*.

*Reportable Events Disclosure* means dissemination of a notice of a Reportable Event as set forth in Section 5.

*Rule* means Rule 15c2-12 adopted by the Commission under the Exchange Act, as the same may be amended from time to time.

*State* means the State of Illinois

*Undertaking* means the obligations of the City pursuant to Sections 4 and 5.

3. CUSIP NUMBER/FINAL OFFICIAL STATEMENT. The CUSIP Numbers of the Bonds are as set forth:

DATE OF MATURITY	CUSIP NUMBER
January 1, 2016	237220 ____
January 1, 2017	237220 ____
January 1, 2018	237220 ____
January 1, 2019	237220 ____
January 1, 2020	237220 ____
January 1, 2021	237220 ____
January 1, 2022	237220 ____
January 1, 2023	237220 ____
January 1, 2024	237220 ____

The Final Official Statement relating to the Bonds is dated \_\_\_\_\_, 2015 (the “*Final Official Statement*”). The City will include the CUSIP Number in all disclosure described in Sections 4 and 5 of this Agreement.

4. ANNUAL FINANCIAL INFORMATION DISCLOSURE. Subject to Section 8 of this Agreement, the City hereby covenants that it will disseminate its Annual Financial Information and its Audited Financial Statements (in the form and by the dates set forth in *Exhibit I*) to EMMA in such manner and format and accompanied by identifying information as is prescribed by the MSRB or the Commission at the time of delivery of such information and by such time so that such entities receive the information by the dates specified. MSRB Rule G-32 requires all EMMA filings to be in word-searchable PDF format. This requirement extends to all documents

required to be filed with EMMA, including financial statements and other externally prepared reports.

If any part of the Annual Financial Information can no longer be generated because the operations to which it is related have been materially changed or discontinued, the City will disseminate a statement to such effect as part of its Annual Financial Information for the year in which such event first occurs.

If any amendment or waiver is made to this Agreement, the Annual Financial Information for the year in which such amendment or waiver is made (or in any notice or supplement provided to EMMA) shall contain a narrative description of the reasons for such amendment or waiver and its impact on the type of information being provided.

5. REPORTABLE EVENTS DISCLOSURE. Subject to Section 8 of this Agreement, the City hereby covenants that it will disseminate in a timely manner (not in excess of ten business days after the occurrence of the Reportable Event) Reportable Events Disclosure to EMMA in such manner and format and accompanied by identifying information as is prescribed by the MSRB or the Commission at the time of delivery of such information. MSRB Rule G-32 requires all EMMA filings to be in word-searchable PDF format. This requirement extends to all documents required to be filed with EMMA, including financial statements and other externally prepared reports. Notwithstanding the foregoing, notice of optional or unscheduled redemption of any Bonds or defeasance of any Bonds need not be given under this Agreement any earlier than the notice (if any) of such redemption or defeasance is given to the Bondholders pursuant to the Ordinance.

6. CONSEQUENCES OF FAILURE OF THE CITY TO PROVIDE INFORMATION. The City shall give notice in a timely manner to EMMA of any failure to provide Annual Financial Information Disclosure when the same is due hereunder.

In the event of a failure of the City to comply with any provision of this Agreement, the beneficial owner of any Bond may seek mandamus or specific performance by court order, to cause the City to comply with its obligations under this Agreement. A default under this Agreement shall not be deemed a default under the Ordinance, and the sole remedy under this Agreement in the event of any failure of the City to comply with this Agreement shall be an action to compel performance.

7. AMENDMENTS; WAIVER. Notwithstanding any other provision of this Agreement, the City, by ordinance authorizing such amendment or waiver, may amend this Agreement, and any provision of this Agreement may be waived, if:

- (a) (i) The amendment or waiver is made in connection with a change in circumstances that arises from a change in legal requirements, including without limitation, pursuant to a “no-action” letter issued by the Commission, a change in law, or a change in the identity, nature, or status of the City, or type of business conducted; or

(ii) This Agreement, as amended, or the provision, as waived, would have complied with the requirements of the Rule at the time of the primary offering, after taking into account any amendments or interpretations of the Rule, as well as any change in circumstances; and

(b) The amendment or waiver does not materially impair the interests of the beneficial owners of the Bonds, as determined either by parties unaffiliated with the City (such as the Bond Counsel).

In the event that the Commission or the MSRB or other regulatory authority shall approve or require Annual Financial Information Disclosure or Reportable Events Disclosure to be made to a central post office, governmental agency or similar entity other than EMMA or in lieu of EMMA, the City shall, if required, make such dissemination to such central post office, governmental agency or similar entity without the necessity of amending this Agreement.

8. TERMINATION OF UNDERTAKING. The Undertaking of the City shall be terminated hereunder if the City shall no longer have any legal liability for any obligation on or relating to repayment of the Bonds under the Ordinance. The City shall give notice to EMMA in a timely manner if this Section is applicable.

9. DISSEMINATION AGENT. The City may, from time to time, appoint or engage a Dissemination Agent to assist it in carrying out its obligations under this Agreement, and may discharge any such Dissemination Agent, with or without appointing a successor Dissemination Agent.

10. ADDITIONAL INFORMATION. Nothing in this Agreement shall be deemed to prevent the City from disseminating any other information, using the means of dissemination set forth in this Agreement or any other means of communication, or including any other information in any Annual Financial Information Disclosure or notice of occurrence of a Reportable Event, in addition to that which is required by this Agreement. If the City chooses to include any information from any document or notice of occurrence of a Reportable Event in addition to that which is specifically required by this Agreement, the City shall have no obligation under this Agreement to update such information or include it in any future disclosure or notice of occurrence of a Reportable Event. If the City is changed, the City shall disseminate such information to EMMA.

11. BENEFICIARIES. This Agreement has been executed in order to assist the Participating Underwriters in complying with the Rule; however, this Agreement shall inure solely to the benefit of the City, the Dissemination Agent, if any, and the beneficial owners of the Bonds, and shall create no rights in any other person or entity.

12. RECORDKEEPING. The City shall maintain records of all Annual Financial Information Disclosure and Reportable Events Disclosure, including the content of such disclosure, the names of the entities with whom such disclosure was filed and the date of filing such disclosure.

13. ASSIGNMENT. The City shall not transfer its obligations under the Ordinance unless the transferee agrees to assume all obligations of the City under this Agreement or to execute an Undertaking under the Rule.

14. GOVERNING LAW. This Agreement shall be governed by the laws of the State.

CITY OF DARIEN, DUPAGE COUNTY, ILLINOIS

By: \_\_\_\_\_  
Its: Mayor

Date: \_\_\_\_\_, 2015

**EXHIBIT I**  
**ANNUAL FINANCIAL INFORMATION AND TIMING AND AUDITED**  
**FINANCIAL STATEMENTS**

“*Annual Financial Information*” is defined in the Official Statement.

All or a portion of the Annual Financial Information and the Audited Financial Statements as set forth below may be included by reference to other documents which have been submitted to EMMA or filed with the Commission. If the information included by reference is contained in a Final Official Statement, the Final Official Statement must be available on EMMA; the Final Official Statement need not be available from the Commission. The City shall clearly identify each such item of information included by reference.

Annual Financial Information exclusive of Audited Financial Statements will be submitted to EMMA by 210 days after the last day of the City’s fiscal year (currently April 30). Audited Financial Statements as described below should be filed at the same time as the Annual Financial Information. If Audited Financial Statements are not available when the Annual Financial Information is filed, unaudited financial statements shall be included.

Audited Financial Statements will be prepared according to Generally Accepted Accounting Principles as applicable to governmental units (*i.e.*, as subject to the pronouncements of the Governmental Standards Accounting Board and subject to any express requirements of State law). Audited Financial Statements will be submitted to EMMA within 30 days after availability to City.

If any change is made to the Annual Financial Information as permitted by Section 4 of the Agreement, the City will disseminate a notice of such change as required by Section 4.



**EXHIBIT II**  
**EVENTS WITH RESPECT TO THE BONDS**  
**FOR WHICH REPORTABLE EVENTS DISCLOSURE IS REQUIRED**

1. Principal and interest payment delinquencies
2. Non-payment related defaults, if material
3. Unscheduled draws on debt service reserves reflecting financial difficulties
4. Unscheduled draws on credit enhancements reflecting financial difficulties
5. Substitution of credit or liquidity providers, or their failure to perform
6. Adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the security, or other material events affecting the tax status of the security
7. Modifications to the rights of security holders, if material
8. Bond calls, if material, and tender offers
9. Defeasances
10. Release, substitution or sale of property securing repayment of the securities, if material
11. Rating changes
12. Bankruptcy, insolvency, receivership or similar event of the City\*
13. The consummation of a merger, consolidation, or acquisition involving the City or the sale of all or substantially all of the assets of the City, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material
14. Appointment of a successor or additional trustee or the change of name of a trustee, if material

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\* This event is considered to occur when any of the following occur: the appointment of a receiver, fiscal agent or similar officer for the City in a proceeding under the U.S. Bankruptcy Code or in any other proceeding under state or federal law in which a court or governmental authority has assumed jurisdiction over substantially all of the assets or business of the City, or if such jurisdiction has been assumed by leaving the existing governing body and officials or officers in possession but subject to the supervision and orders of a court or governmental authority, or the entry of an order confirming a plan of reorganization, arrangement or liquidation by a court or governmental authority having supervision or jurisdiction over substantially all of the assets or business of the City.

STATE OF ILLINOIS        )  
  ) SS  
COUNTY OF DUPAGE        )

**CERTIFICATION OF AGENDA, MINUTES AND ORDINANCE**

I, the undersigned, do hereby certify that I am the duly qualified and acting City Clerk of the City of Darien, DuPage County, Illinois (the “City”), and as such official I am the keeper of the official journal of proceedings, books, records, minutes, and files of the City and of the City Council (the “Corporate Authorities”) thereof.

I do further certify that the foregoing is a full, true, and complete transcript of that portion of the minutes of the meeting (the “Meeting”) of the Corporate Authorities held on the 1st day of June, 2015 insofar as the same relates to the adoption of an ordinance, numbered \_\_\_\_\_ entitled:

AN ORDINANCE providing for the issuance of not to exceed \$1,500,000 General Obligation Refunding Bonds, Series 2015, of the City of Darien, DuPage County, Illinois, providing for the levy and collection of a direct annual tax sufficient for the payment of the principal of and interest on said bonds, authorizing the sale of said bonds to Bernardi Securities, Inc., and further providing for the execution of an escrow agreement in connection with such issuance.

(the “Ordinance”) a true, correct, and complete copy of which Ordinance as adopted at the Meeting appears in the foregoing transcript of the minutes of the Meeting.

I do further certify that the deliberations of the Corporate Authorities on the adoption of the Ordinance were taken openly; that the vote on the adoption of the Ordinance was taken openly; that the Meeting was held at a specified time and place convenient to the public; that notice of the Meeting was duly given to all newspapers, radio or television stations, and other news media requesting such notice; that an agenda (the “Agenda”) for the Meeting was posted at the location where the Meeting was held and at the principal office of the Corporate Authorities at least 48 hours in advance of the holding of the Meeting and also not later than 5:00 p.m. on

**Friday, May 29, 2015**; that the Agenda remained continuously posted until the adjournment of the Meeting; that the Agenda contained a separate specific item concerning the proposed adoption of the Ordinance; **that a true, correct and complete copy of the Agenda as so posted is attached to this certificate**; and that the Meeting was called and held in strict compliance with the provisions of the Open Meetings Act of the State of Illinois, as amended, and the Illinois Municipal Code, as amended, and that the Corporate Authorities have complied with all of the provisions of said Act and said Code and with all of the procedural rules of the Corporate Authorities in the adoption of the Ordinance.

IN WITNESS WHEREOF I hereunto affix my official signature and the seal of the City this  
1st day of June, 2015.

---

City Clerk

[SEAL]

[Attachments: Minutes, Ordinance, Posted Agenda]

STATE OF ILLINOIS        )  
  ) SS  
COUNTY OF DUPAGE        )

**CERTIFICATE OF PUBLICATION IN PAMPHLET FORM**

I, the undersigned, do hereby certify that I am the duly qualified and acting City Clerk of the City of Darien, DuPage County, Illinois (the “City”), and as such official I am the keeper of the official journal of proceedings, books, records, minutes, and files of the City and of the City Council (the “Corporate Authorities”) thereof.

I do further certify that on the \_\_\_\_ day of May, 2015 there was published in pamphlet form, by authority of the Corporate Authorities, a true, correct, and complete copy of Ordinance Number \_\_\_\_\_ of the City entitled:

AN ORDINANCE providing for the issuance of not to exceed \$1,500,000 General Obligation Refunding Bonds, Series 2015, of the City of Darien, DuPage County, Illinois, and providing for the levy and collection of a direct annual tax sufficient for the payment of the principal of and interest on said bonds, and further providing for the execution of an escrow agreement in connection with such issuance.

as adopted by the Corporate Authorities on the 1st day of June, 2015 and providing for the issuance of not to exceed \$\_\_\_\_\_ General Obligation Refunding Bonds, Series 2015, of the City and that said ordinance as so published was on said date readily available for public inspection and distribution, in sufficient number to meet the needs of the general public, at my office as City Clerk located in the City.

IN WITNESS WHEREOF I have affixed hereto my official signature and the seal of the City this \_\_\_\_ day of May, 2015.

\_\_\_\_\_  
City Clerk

[SEAL]

STATE OF ILLINOIS        )  
  ) SS  
COUNTY OF DUPAGE        )

**CERTIFICATE OF FILING**

I, the undersigned, do hereby certify that I am the duly qualified and acting County Clerk of The County of DuPage, Illinois, and as such official I do further certify that on the \_\_\_\_ day of \_\_\_\_\_, 2015 there was filed in my office a duly certified copy of an ordinance numbered \_\_\_\_\_ and entitled:

AN ORDINANCE providing for the issuance of not to exceed \$1,500,000 General Obligation Refunding Bonds, Series 2015, of the City of Darien, DuPage County, Illinois, and providing for the levy and collection of a direct annual tax sufficient for the payment of the principal of and interest on said bonds, and further providing for the execution of an escrow agreement in connection with such issuance.

duly adopted by the City Council of City of Darien, DuPage County, Illinois, on the 1st day of June, 2015, and approved by the Mayor, and that the same has been deposited in (and all as appearing from) the official files and records of my office.

IN WITNESS WHEREOF, I hereunto affix my official signature and the seal of The County of DuPage, Illinois, at Wheaton, Illinois, this \_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
County Clerk of  
The County of DuPage, Illinois

[SEAL]

EXTRACT OF MINUTES of the regular public meeting of the City Council of the City of Darien, DuPage County, Illinois, held at the City Hall, located at 1702 Plainfield Road, in the City, at 7:30 p.m., on the 1st day of June, 2015.

The Mayor called the meeting to order and directed the City Clerk to call the roll. Upon the roll being called, Kathleen Weaver, the Mayor, being physically present at such time and place, and the following Aldermen, being physically present at such time and place, answered present: \_\_\_\_\_

\_\_\_\_\_

The following Aldermen were allowed by a majority of the City Council in accordance with and to the extent allowed by rules adopted by the City Council to attend the meeting by video or audio conference: \_\_\_\_\_

\_\_\_\_\_

No Alderman was denied permission to attend the meeting by video or audio conference.

The following Aldermen were absent and did not participate in the meeting in any manner or to any extent whatsoever: \_\_\_\_\_

There being a quorum present, the City Council conducted various business.

\* \* \* \* \*

The City Council then discussed a proposed bond refunding for the City and considered an ordinance providing for the issuance of not to exceed \$1,500,000 General Obligation Refunding Bonds, Series 2015, of the City, and providing for the levy and collection of a direct annual tax for the payment of the principal of and interest on said bonds, and further providing for the execution of an escrow agreement in connection with such issuance.

Thereupon, the Mayor presented an ordinance entitled:

AN ORDINANCE providing for the issuance of not to exceed \$1,500,000 General Obligation Refunding Bonds, Series 2015, of the City of Darien, DuPage County, Illinois, and providing for the levy and collection of a direct annual tax sufficient for the payment of the principal of and interest on said bonds, and further providing for the execution of an escrow agreement in connection with such issuance.

(the "*Bond Ordinance*").

Alderman \_\_\_\_\_ moved and Alderman \_\_\_\_\_ seconded a motion that the Bond Ordinance as presented be adopted.

A discussion of the matter followed. During the discussion, the City Administrator gave a public recital of the nature of the matter, which included a reading of the title of the Bond Ordinance and statements (1) that the Bond Ordinance provided for the issuance of general obligation refunding bonds for the purpose of refunding certain outstanding general obligation corporate purpose bonds for debt service savings, (2) that the bonds are issuable without referendum pursuant to the laws of the State of Illinois, (3) that the Bond Ordinance provides for the levy of taxes to pay the bonds and approves a form of escrow agreement to accomplish the refunding, and (4) that the Bond Ordinance provides many details for the bonds, including tax-exempt status covenants, terms and form of the bonds, and appropriations.

The Mayor directed that the roll be called for a vote upon the motion to adopt the Bond Ordinance.

Upon the roll being called, the following Aldermen voted

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

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

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

Whereupon the Mayor declared the motion carried and the Bond Ordinance adopted, and henceforth did approve and sign the same in open meeting and did direct the City Clerk to record the same in full in the records of the City Council of the City of Darien, DuPage County, Illinois.

\* \* \* \* \*

Other business was duly transacted at said meeting.

\* \* \* \* \*

Upon motion duly made and carried, the meeting adjourned.

\_\_\_\_\_  
City Clerk