

**PUBLIC MEETING NOTICE AND AGENDA
VILLAGE OF HUNTLEY
VILLAGE BOARD MEETING**

**THURSDAY, JANUARY 23, 2020
7:00 P.M.**



1. Call to Order
2. Roll Call
3. Pledge of Allegiance
4. Administration of the Oath of Office: Sergeant Charles McGrath
5. Public Comments
6. Items For Discussion and Consideration:
 - a) Consideration – Approval of the January 9, 2020 Village Board Meeting Minutes
 - b) Consideration – Approval of the January 23, 2020 Bill List in the amount of \$779,315.74
 - c) Consideration – Ordinance Amending Chapter 156 of the Huntley Village Code Regarding Zoning Regulations for Medical Cannabis Facilities Operating in Accordance with the Illinois Compassionate Use of Medical Cannabis Program Act, 430 ILCS 130/1 *et seq.*
 - d) Consideration – Ordinance Amending Chapter 156 of the Huntley Village Code Regarding Zoning Regulations for Adult-Use Cannabis Business Establishments Operating in Accordance with the Illinois Cannabis Regulation and Tax Act, 410 ILCS 705/1-1 *et seq.* 1221
 - e) Consideration – Ordinance Approving an Amendment to Title XI of the Huntley Village Code to Prohibit Adult-Use Cannabis Businesses within the Village of Huntley
 - f) Consideration – Ordinance Amending Sections 120.17 and 130.25 of the Huntley Village Code Regarding Cannabis Paraphernalia
 - g) Consideration – Resolution Approving the Year 2 and Year 3 Bid Extension to AB Sanchez, Inc. for the Entryway Area and Ornamental Bed Beautification Services
 - h) Consideration – Resolution Approving the Year 2 and Year 3 Bid Extension to C.T. Veach, Inc. for the Landscape Maintenance Services
 - i) Consideration – Resolution Approving the Purchase of a 2021 International Single Axle Dump Truck Cab and Chassis from Rush Truck Centers through the State of Illinois Department of Central Management Services (CMS) Joint Purchasing Procurement Program in the Amount of \$77,470.00
 - j) Consideration – Resolution Approving the Purchase of a Dump Body and Equipment Package for a 2021 International 5-Yard Single Axle Dump Truck from Bonnell Industries, Inc. through the Sourcewell Cooperative Purchasing Program in the amount of \$96,911.00

k) Consideration – Resolutions:

- i. Authorizing the Local Public Agency Agreement for Federal Participation and Appropriating \$44,000.00 for the Reed Road Multi-Use Path Project
- ii. Approving a Construction Engineering Services Agreement for Federal Participation for the Reed Road Multi-Use Path – Christopher B. Burke Engineering, Ltd in an Amount Not To Exceed \$19,993.70

l) Consideration – Resolution Authorizing a Professional Services Agreement with Engineering Enterprises, Inc. for the Preliminary Nutrient Assessment Reduction Plan (NARP) Workplan Development in the Amount of \$35,449

7. Village Attorney's Report

8. Village Manager's Report

9. Village President's Report

10. Unfinished Business

11. New Business

12. Executive Session

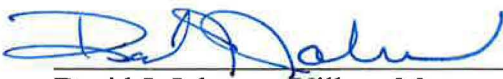
- a) Probable or Imminent Litigation and Pending Litigation
- b) Contractual
- c) Property Acquisition, Purchase, Sale or Lease of Real Estate
- d) Appointment, Employment, Dismissal, Compensation, Discipline and Performance of an Employee of the Village of Huntley
- e) Collective Bargaining
- f) Appointment, Discipline or Removal of Public Officers
- g) Appointment of a Public Officer
- h) Review of Closed Session Minutes
- i) Other

13. Possible action on any Closed Session Item

14. Adjournment

MEETING LOCATION
Village of Huntley Municipal Complex
10987 Main Street
Huntley, IL 60142

The Village of Huntley is subject to the requirements of the Americans with Disabilities Act of 1990. Individuals with disabilities who plan to attend this meeting and who require certain accommodations in order to allow them to observe and/or participate in this meeting, or who have questions regarding accessibility of the meeting or the facilities, are requested to contact Mr. David Johnson, Village Manager at 847-515-5200. The Village Board Room is handicap accessible.



David J. Johnson, Village Manager

Agenda Item: **Consideration – Approval of the January 9, 2020 Village Board Meeting Minutes**

Department: **Village Manager's Office**



Introduction

The following meeting minutes are presented for Village Board approval:

- January 9, 2020 Village Board Meeting

Action Requested

A motion of the Village Board to approve the January 9, 2020 Village Board Meeting Minutes.

**VILLAGE OF HUNTLEY
SPECIAL VILLAGE BOARD
January 9, 2020
MEETING MINUTES**

CALL TO ORDER:

A meeting of the Village Board of the Village of Huntley was called to order on Thursday, January 9, 2020 at 7:00 p.m. in the Municipal Complex, Village Board Room, 10987 Main St., Huntley, Illinois 60142.

ATTENDANCE:

PRESENT: Mayor Charles Sass; Trustees: Ronda Goldman, Tim Hoeft, Niko Kanakaris, Harry Leopold, John Piwko, and JR Westberg.

ABSENT: None

IN ATTENDANCE: Village Manager David Johnson, Assistant Village Manager Lisa Armour, Management Assistant Barbara Read, Director of Development Services Charles Nordman, Chief Robert Porter, Director of Public Works and Engineering Timothy Farrell, and Village Attorney John Cowlin.

PLEDGE OF ALLEGIANCE: Mayor Sass led the Pledge of Allegiance.

PUBLIC COMMENTS:

Mr. Paxton Knopsnyder, 12893 Farm Hill Drive, commented on the proposed construction of the Holiday Inn Express at Regency Square and noted that there is increased traffic on Farm Hill Drive and Cold Springs now and asked if a traffic study could be conducted.

Ms. Melissa Solis, 11330 Dean Street, stated that they have owned their home since November, 2019 and stated that it is intolerable to live there with the noise from the trucks at the Dean Foods facility. She stated that the decibels are over 90 at night and on Sundays. She stated that they have already put up sound-proof curtains but it doesn't help as the trucks are parking on the fence line adjacent to their property. She asked the Village for assistance. Mayor Sass stated they have been asked to put the trailers on the east side of the lot and also noted that the Village is in negotiations with them regarding their proposed plans. Village Manager Johnsons stated that there is a meeting with Country Delight on Monday and Staff will discuss the issues at that time.

Ms. Michelle Thimios, District Director for Representative Lauren Underwood, reported on the various items the Representative can help residents and municipalities and also noted recent accomplishments. Ms. Thimios gave information for distribution in the Village Hall reception area.

ITEMS FOR DISCUSSION AND CONSIDERATION:

- a) Consideration – Approval of the November 14, 2019 Village Board Meeting, December 5, 2019 Special Village Board Meeting, December 19, 2019 Special Village Board Meeting, and December 19, 2019 Liquor Commission Hearing Minutes

Mayor Sass reported that Trustee Kanakaris was absent from the December 5, 2019 meeting.

Mayor Sass asked if the Village Board had any comments or changes to the Minutes; there were none.

A MOTION was made to approve the November 14, 2019 Village Board Meeting, December 19, 2019 Special Village Board Meeting, and December 19, 2019 Liquor Commission Hearing Minutes.

MOTION: Trustee Leopold
SECOND: Trustee Piwko
AYES: Trustees: Goldman, Hoeft, Kanakaris, Leopold, Piwko, and Westberg
NAYS: None
ABSENT: None
The motion carried: 6-0-0

A MOTION was made to approve the December 5, 2019 Special Village Board Meeting Minutes.

MOTION: Trustee Leopold
SECOND: Trustee Hoeft
AYES: Trustees: Goldman, Hoeft, Leopold, Piwko, and Westberg
NAYS: None
ABSENT: None
ABSTAIN: Trustee Kanakaris
The motion carried: 5-0-0-1

b) Consideration – Approval of the January 9, 2020 Bill List in the amount of \$282,312.32

Mayor Sass reported that \$237,730.77 of the bill list expenditures is from the FY19 Budget and the remaining \$44,581.44 is from the FY20 Budget.

Mayor Sass asked if the Village Board had any comments or questions; there were none.

A MOTION was made to approve the January 9, 2020 Bill List in the amount of \$282,312.32.

MOTION: Trustee Leopold
SECOND: Trustee Piwko
AYES: Trustees: Goldman, Hoeft, Kanakaris, Leopold, Piwko, and Westberg
NAYS: None
ABSENT: None
The motion carried: 6-0-0

c) Consideration – A Resolution Approving a Façade Improvement Assistance Program Grant for DNT Properties LLC, 10501 Route 47

Director of Development Services Charles Nordman reviewed a Power Point presentation and reported that the petitioner, DNT Properties LLC, has submitted a Façade Improvement Assistance Program application requesting \$20,000.00 in assistance for improvements to 10501 Route 47. The scope of work proposes to remove the existing canopy signage and bracing located over the showroom portion of the building and construct a new canopy that will be sided with 'James Hardie' artisan shiplap siding. The work also proposes to paint the existing face brick, limestone sills, and overhead doors on the portion of the building utilized by the used auto dealership. The other portions of the building will

remain as existing and no other site improvements are proposed. The construction cost of the proposed work is estimated at \$45,000 (the petitioner has submitted three quotes for the proposed work which range from \$49,000 to \$59,875).

The petitioner was previously before the Village Board on August 22, 2019, to request an extension for completing exterior improvements that are required as a condition of Ordinance (O)2018-07.26, which approved a special use permit for Sardar Motors Inc. to operate a used automobile dealership. The petitioner was requesting a twelve-month extension; however, the Village Board granted an extension of six months, therefore requiring the exterior improvements to be completed by February 29, 2020 (Ordinance (O) 2019-08.55). Failure to complete the required improvements by February 29, 2020 shall constitute grounds for the revocation of the special use permit for Sardar Motors.

Staff Analysis

The Façade Improvement Assistance Program Guide identifies specific exterior improvements that are eligible for reimbursement. All proposed exterior improvements are identified as eligible improvements under the guidelines of the program.

The Village Board shall evaluate the project based on the value of the aesthetic improvements to the Village of Huntley and the following criteria:

- Condition of the building and need for renovation (see photos with application)
- Extent to which the improvements conform to the Downtown Revitalization Plan and Commercial Design Guidelines
- Extent to which the proposed improvements restore, maintain, or enhance the character of the building and surrounding area

Strategic Plan Priority

The 2016-2020 Strategic Plan identifies “*Promote New Business Development, Retention, and Expansion*” as a priority, and “clean up or redevelop businesses along Route 47 corridor north of Main Street” as an objective.

Financial Impact

The FY20 budget includes \$50,000 for the Façade Improvement Assistance Program in the Downtown TIF District No. 2 Fund.

The Façade Improvement Assistance Program allows reimbursement of up to fifty percent (50%) of the project cost per property with a maximum reimbursement of \$10,000 per project. As a policy, the maximum aggregate amount of all grants approved for a property within any five (5) year period shall be limited to \$20,000. The estimated cost of the proposed improvements totals \$45,000 which would allow for a maximum reimbursement of \$20,000 if the Village Board finds that the proposed project meets the review criteria.

Legal Analysis

If the requested grant is approved by the Village Board, the petitioner must sign and abide by the terms of the Façade Improvement Assistance Program Agreement in order to be reimbursed for the project.

Director Nordman reported that the property owner, Tommy Kondraros, was in attendance to answer questions.

Mayor Sass asked if the Village Board had any comments or questions.

Trustee Goldman asked if there was going to be any signage on the building. Mr. Kondraros stated that he is waiting to hear from Sardar regarding signage.

Trustee Piwko asked if this project will be completed by February 29th? Mr. Kondraros said that he has the contractors lined up and ready to start.

Mayor Sass asked about the completion of the parking lot as it is nothing but gravel and doesn't work. Mayor Sass also stated that the proposed plans do not look much different than the building does presently.

Trustee Westberg recommended that the old glass block be replaced with a commercial grade window so that the building looks better. Mr. Kondraros stated that the glass block is in the office.

Trustee Kanakaris stated that he is not ready to vote on this item as the building does not look right and that nothing is changed from its current appearance.

Trustee Hoeft stated that he needs to see the proposed signage.

Trustee Goldman stated that he needs to improve on the aesthetics of the building.

Mayor Sass asked if it was the consensus of the Village Board to have the petitioner return with signage and the removal of the glass block window with a store-front window. Trustee Westberg asked Mr. Kondraros how long it would take for him to prepare this information.

Trustee Hoeft asked about the signage and stated that he could not vote until the sign plan was presented. Director Nordman stated that the current sign is a sign box.

Trustee Leopold told Mr. Kondraros that he needs to prepare a new design for the building and return in 30-days. Mr. Kondraros stated that he has already spent over \$7,000 for the design.

Trustee Westberg asked Mr. Kondraros if he could return in 30 or 60 days with an improved design.

It was the consensus of the Village Board for Mr. Kondraros to return in 60 days or sooner with an improved design.

A MOTION was made to TABLE a Resolution Approving a Façade Improvement Assistance Program Grant for DNT Properties LLC, 10501 Route 47 until the March 12, 2020 Village Board Meeting.

MOTION: Trustee Kanakaris

SECOND: Trustee Westberg

AYES: Trustees: Goldman, Hoeft, Kanakaris, Leopold, Piwko, and Westberg

NAYS: None

ABSENT: None

The motion carried: 6-0-0

- d) Consideration – A Resolution Authorizing Negotiations for a Business Development Agreement with Huntley Hotel, LLC for a Holiday Inn Express on a 5.7 Acre Site at Regency Square

Village Manager David Johnson reviewed a Power Point presentation and reported that the contract purchaser owns several properties in the Village including the new multi-tenant center with Starbucks at Reed's Corner. He has informed staff that he has secured an IHG Franchise for a Holiday Inn Express for the Huntley market. He has indicated that this is a three-year license granting him the franchise rights for Huntley. He also stated he is ready to contract with an architect. The proposed hotel would include approximately 95-100 rooms.

Staff Analysis

The site is zoned Business Park – Planned Development District ("BP-PDD") and a hotel is a special use within Regency Square. The site is subject to the Regency Square Design Guidelines and will require at a minimum the following review and approvals from the Plan Commission and Village Board:

1. Special Use Permit
2. Site Plan Review, including any necessary relief
3. Plat of Subdivision

The contract purchaser has expressed interest in starting construction in Summer 2020, with an opening in the Summer of 2021.

Strategic Plan Priority

The 2016-2020 Strategic Plan identifies "*Promote New Business Development, Retention, and Expansion*" as a priority, and "secure a commitment for the construction of a hotel" as an objective.

Financial Impact

The contract purchaser is seeking financial assistance. The estimated project cost is \$11.5 million. The purchaser is seeking authorization from the Village Board to enter into negotiations for a Business Development Agreement that would provide for a property tax abatement and rebate of hotel/motel taxes.

Legal Analysis

A Business Development Agreement would require future Village Board approval.

Village Manager Johnson reported that the property owner, Henry Patel, was in attendance to answer questions.

Mayor Sass asked if the Village Board had any comments or questions.

Trustee Leopold stated that the proposed building looks like an apartment house. Mr. Patel stated that Holiday Inn is very strict on their design standards.

Mayor Sass asked Mr. Patel to do whatever possible to make the building look better; Mr. Patel agreed.

Trustee Westberg stated that he anticipates most of the traffic coming from the east on Kreutzer Road from Route 47 and not Farm Hill Drive and doesn't believe that there will be a need for a traffic study. Trustee Leopold agreed.

There were no other comments or questions.

A MOTION was made authorizing Negotiations for a Business Development Agreement with Huntley Hotel, LLC for a Holiday Inn Express on a 5.7 Acre Site at Regency Square.

MOTION: Trustee Leopold

SECOND: Trustee Hoeft

AYES: Trustees: Goldman, Hoeft, Leopold, Piwko, and Westberg

NAYS: None

ABSENT: None

ABSTAIN: Trustee Kanakaris

The motion carried: 5-0-0-1

- e) Consideration – A Resolution Approving a Bid Award to Compass Minerals for the Purchase of Water Softening Salt in the Amount of \$104 per ton

Director of Public Works and Engineering Timothy Farrell reported that the Village operates five water treatment plants that utilize the Ion-Exchange process to treat water to IEPA standards. Each water plant has three softeners. Salt is required to regenerate the softeners after a predetermined amount of water is filtered through. The water treatment plants cannot treat and produce drinking water without salt. Therefore, it is vital to purchase from a qualified, reliable source to ensure availability of product throughout the year.

On Thursday, December 19, 2019 the Village received bids from two contractors for the purchase of Water Softening Salt. The bid results are summarized in the attached bid tabulation.

Staff Analysis

The bids have been reviewed by Staff and the lowest responsive, responsible bidder is Compass Minerals in the Year 1 Unit Price Bid amount of \$104 per ton. Based on an estimated annual quantity of 1,200 tons, the estimated Year 1 annual cost is \$124,800. The Village has been obtaining water softening salt from Compass Minerals for over 20 years. All is in order to award the bid to Compass Minerals.

Financial Impact

The FY20 budget includes \$190,000 in the Water Operating Expense Fund, line item 510-60-65-7225 for water treatment chemicals of which \$160,000 is budgeted for Water Softening Salt.

Mayor Sass asked if the Village Board had any comments or questions; there were none.

A MOTION was made to approve a Resolution Approving a Bid Award to Compass Minerals for the Purchase of Water Softening Salt in the Amount of \$104 per ton.

MOTION: Trustee Westberg

SECOND: Trustee Goldman

AYES: Trustees: Goldman, Hoeft, Kanakaris, Leopold, Piwko, and Westberg

NAYS: None

ABSENT: None

The motion carried: 6-0-0

- f) Consideration – A Resolution Waiving the Formal Bidding Process and Approving the Purchase of Chemicals from Hawkins, Inc. in an Amount Not to Exceed \$130,000

Director of Public Works and Engineering Timothy Farrell reported that water and wastewater plants cannot properly operate without various chemicals. IEPA regulations require the permittee to maintain parameters that only can be met through the use of specific chemicals.

Staff Analysis

The Village has been obtaining water and wastewater treatment chemicals from Hawkins, Inc. for approximately the past 12 years. The quality and consistency of chemicals purchased can have an effect on water and wastewater plant operations and many of the chemicals used by the Village are proprietary in nature. Changing vendors would most likely result in a disruption of plant processes for both the water and wastewater treatment plants. Due to the importance of maintaining compliance with IEPA regulations and the specialized nature of these products, it would be in the Village's best interest to waive the formal bidding process for the purchase of these commodities and allow the continued purchase from this vendor.

Financial Impact

The FY20 budget includes \$100,000 in the Wastewater Operating Fund, 520-60-66-7225 and \$30,000 in the Water Operating Fund, 510-60-65-7225 for this item.

Mayor Sass asked if the Village Board had any comments or questions; there were none.

A MOTION was made to approve a Resolution Waiving the Formal Bidding Process and Approving the Purchase of Chemicals from Hawkins, Inc. in an Amount Not to Exceed \$130,000.

MOTION: Trustee Hoeft

SECOND: Trustee Kanakaris

AYES: Trustees: Goldman, Hoeft, Kanakaris, Leopold, Piwko, and Westberg

NAYS: None

ABSENT: None

The motion carried: 6-0-0

- g) Consideration – A Resolution Authorizing the Waiver of the Formal Bidding Process and Approving the Purchase of Water Meters and Radio Transmitters from Core & Main in an Amount Not to Exceed \$150,000

Director of Public Works and Engineering Timothy Farrell reported that Village Board approval is requested for the purchase of up to \$150,000 in water meters and radio transmitters from Core & Main. The Village Board's approval of the request will allow for the sale of water meter and radio devices in new residential and commercial properties as well as the on-going replacement and maintenance of aging water meters and non-functioning radio devices. This will help ensure the accurate and efficient gathering of water meter readings and proper billing of water use consumption to the Village's customers. Due to the proprietary nature of the meter radio transmitters and mobile drive-by reading equipment, staff is requesting the Board waive competitive bidding.

Staff Analysis

Accurate reading and billing of water use is vital to ensure adequate funding to support operational and capital needs within the Water and Wastewater Divisions.

The Village uses a drive-by meter radio system to gather meter reads for the Village's bi-monthly billing of utilities. Replacement of the water meter and radio device typically occur every 15 to 20 years, at which time the accuracy of the water meter begins to decrease and the battery life of the radio transmitter has been exhausted. Once the battery stops functioning, the radio ceases to transmit and the drive-by reading equipment can no longer read the water meter. Accounts that have radio transmitting devices that no longer function require the water bill to be estimated until such time that the radio device can be replaced and an actual meter reading can be taken off the face of the water meter.

The meter radio transmitters and mobile drive-by reading equipment are specific to each meter company. The reading equipment from one manufacturer cannot read the meter radios from another manufacturer. For this reason, staff is requesting the Village Board waive competitive bidding and proceed with the purchase of the water meters and radio devices through Core & Main.

Financial Impact

The FY20 budget includes \$150,000 in the Water Capital Improvement and Equipment Fund line items 515-00-00-7110 (\$75,000) and 515-00-00-8123 (\$75,000) for the purchase of new Meters and MXU's. Meter sales revenue is budgeted at \$25,000 in line item 515-00-00-4640.

Because the warranty period for water meters and radio transmitters begins upon purchase and not installation, it is preferred not to keep an extraordinary amount of stock on hand. For that reason, staff is requesting authorization to expend up to the budgeted amount of \$150,000 for the purchase of water meters and radio transmitters with an understanding that these items would not be purchased as part of a single order, but would be purchased on an as-needed basis throughout the fiscal year. If the expenditure is approved, staff would not return to the Board for approval of the subsequent purchases (within the budgeted amount) in this fiscal year.

Legal Analysis

Given the proprietary, single-source nature of meter radio devices, waiver of competitive bidding is requested.

Mayor Sass asked if the Village Board had any comment or questions; there were none.

A MOTION was made to approve a Resolution Waiving the Formal Bidding Process and Approving the Purchase of Water Meters and Radio Transmitters from Core & Main in an Amount Not to Exceed \$150,000.

MOTION: Trustee Kanakaris

SECOND: Trustee Leopold

AYES: Trustees: Goldman, Hoeft, Kanakaris, Leopold, Piwko, and Westberg

NAYS: None

ABSENT: None

The motion carried: 6-0-0

- h) Consideration – Approving Payout Request No. 2 (Final) to Mauro Sewer Construction Inc. for the 2019 Water Main Replacement Program in the amount of \$215,635.40

Director of Public Works and Engineering Timothy Farrell reported that on August 8, 2019, the Village Board approved a Resolution Authorizing a Bid Award to Mauro Sewer Construction Inc. in the amount of \$429,955.00 for the 2019 Water Main Replacement Program.

Mauro Sewer Construction, Inc. has submitted the second and final payout request for the 2019 Water Main Replacement Program. Public Works and Engineering staff has reviewed the request and all is in order for approval of Payout Request No. 2 (Final). The project final cost is \$25,082 (5.8%) below the Bid amount.

Staff Analysis

Pay Request	Total Completed Work	Retention	Previous Payments	Amount Requested
#1	\$404,873.00	\$0.00	\$189,237.60	\$215,635.40

Financial Impact

The FY19 Budget included \$385,000 for the Water Main Replacement Program engineering and construction in the Water Capital Improvement and Equipment Fund 515-00-00-8004. If necessary, a budget amendment will be presented to the Village Board for consideration at a later date.

Mayor Sass asked if the Village Board had any comments or questions; there were none.

A MOTION was made to approve Payout Request No. 2 (Final) to Mauro Sewer Construction, Inc. in the amount of \$215,635.40 for the work completed under the 2019 Water Main Replacement Program.

MOTION: Trustee Goldman

SECOND: Trustee Kanakaris

AYES: Trustees: Goldman, Hoeft, Kanakaris, Leopold, Piwko, and Westberg

NAYS: None

ABSENT: None

The motion carried: 6-0-0

- i) Consideration – A Resolution Authorizing a Professional Services Agreement with Ruekert-Mielke, Inc. for a Water System Capacity Analysis

Director of Public Works and Engineering Timothy Farrell reported that a Proposal dated November 26, 2019 was received from Ruekert-Mielke, the Village GIS consultant, for a Water System Capacity Analysis.

Staff Analysis

A Water System Capacity Analysis can be used in conjunction with GIS as a tool to identify existing issues within the water distribution system and to evaluate alternatives for correcting deficiencies or areas of concern. The analysis would also provide information on what could be done to address areas in the Village with low pressure and be used to plan for development. Flow and pressures throughout the Village could be analyzed with new pipes, replacement of mains with larger sizes and looped systems.

The cost for the Water System Capacity Analysis is \$59,400.

Financial Impact

The FY20 Budget includes \$59,400 in the Water Capital Improvement and Equipment Fund 515-00-00-6120.

Mayor Sass asked if the Village Board had any comments or questions; there were none.

A MOTION was made to approve a Resolution Authorizing a Professional Services Agreement with Ruekert-Mielke, Inc. for a Water System Capacity Analysis.

MOTION: Trustee Leopold

SECOND: Trustee Piwko

AYES: Trustees: Goldman, Hoeft, Kanakaris, Leopold, Piwko, and Westberg

NAYS: None

ABSENT: None

The motion carried: 6-0-0

- j) Consideration – A Resolution Authorizing Professional Service Agreements with Ruekert-Mielke for GIS and Asset Management Program Services

Director of Public Works and Engineering Timothy Farrell reported that proposals were received from Ruekert-Mielke, the Village GIS consultant, for the annual GIS and Asset Management Program services.

Staff Analysis

Each year over the past several years, the Village has budgeted funds to continue building the GIS system on an incremental basis. The GIS inventory and update has provided the Village with additional data including field verified utility locations that was uploaded to the web application for these areas. The cost for continued web-based GIS services is \$29,230 in 2020.

A new addition to the program in 2018 was an asset management solution called VUEWorks, with six modules consisting of Service Requests, Work Orders, Resource Manager, Condition, Request Portal, and MobileVue specific to Public Works initiatives. The Service Request Module tracks calls, complaints and requests from citizens. The cost to implement the Asset Management solution tailored to the existing GIS Program was \$50,000 in FY2018 and \$36,450 in 2019. The Asset Management implementation is now complete and costs are reduced to an annual subscription charge and support services at \$30,000 total.

Financial Impact

The FY20 Budget includes funding shared across six funds for the GIS and Asset Management Program services.

Mayor Sass asked if the Village Board had any comments or questions; there were none.

A MOTION was made to approve a Resolution Authorizing Professional Service Agreements with Ruekert-Mielke for GIS and Asset Management Program Services.

MOTION: Trustee Leopold

SECOND: Trustee Westberg

AYES: Trustees: Goldman, Hoeft, Kanakaris, Leopold, Piwko, and Westberg

NAYS: None

ABSENT: None

The motion carried: 6-0-0

k) Consideration – A Resolution Waiving the Formal Bidding Process and Approving the Purchase of Bulk Fuel from Blu Petroleum

Director of Public Works and Engineering Timothy Farrell reported that the Village Board approved a fuel delivery contract with Blu Petroleum on March 24, 2016. The terms of the contract required Blu Petroleum to remove the existing aging gasoline and diesel fuel supply equipment located at the Public Works Facility and replace with new equipment including tanks, monitors, pumps, meters, hoses, nozzles, etc. The removal and installation of new equipment was completed in the Spring of 2016 and has been in use since that time. The Blu Petroleum equipment has a value of nearly \$24,000 and is provided to the Village at no cost as long as the Village purchases gasoline and diesel fuel from Blu Petroleum.

Staff Analysis

Blu Petroleum Fuel price is determined as follows:

87 Gasoline = Daily Rack + \$0.20; Diesel = Daily Rack + \$0.23

*pricing includes ValvTect premium additive

**Blu does not charge any additional delivery fees

Daily Rack is usually set once per day and includes the cost of the fuel itself, as well as transportation, overhead, and profit costs. The price can vary from terminal to terminal and depends on the cost of crude oil and related refining costs. Blu Petroleum's service also includes the fuel system accounting.

As of December 16, 2019, total annual usage for all Village departments was 64,138 gallons. In addition, the Huntley Fire Protection District also utilizes the Village fueling system and was billed for an additional 21,528 gallons of fuel for the same period.

Financial Impact

The FY20 budget includes \$160,800 for fuel purchases in all departments.

Mayor Sass asked if the Village Board had any comments or questions.

Trustee Leopold asked if Staff checked prices with Palatine; Director Farrell stated that Blu Petroleum is less expensive, provides the equipment at no additional cost and their customer service is better.

There were no other comments or questions.

A MOTION was made to approve a Resolution Waiving the Formal Bidding Process and Approving the Purchase of Bulk Fuel from Blu Petroleum.

MOTION: Trustee Leopold

SECOND: Trustee Hoeft

AYES: Trustees: Goldman, Hoeft, Kanakaris, Leopold, Piwko, and Westberg

NAYS: None

ABSENT: None

The motion carried: 6-0-0

- l) Consideration – A Resolution Authorizing the Purchase of Two 2020 Police Ford Interceptor SUV Vehicles through the Illinois Department of Central Management Services (CMS) Procurement Program in the Amount of \$71,410.00

Chief Robert Porter reported that based on current vehicle use and projected mileage of vehicles, the FY20 Budget provides for the replacement of two police patrol vehicles. These two vehicles will replace vehicles with high mileage and will be used in the police patrol division as fully marked squad cars.

Staff Analysis

The FY20 replacement plan will address the replacement of Squad #20, a 2013 Ford Interceptor SUV with 133,443 miles, and Squad #26, a 2013 Ford Interceptor Sedan with 110,437 miles. Both are used in the patrol division.

Authorization to dispose of these vehicles will be requested at a later date. Both vehicles will be replaced with the 2020 Ford Interceptor SUV.

Financial Impact

The Village will purchase these vehicles through the Illinois Department of Central Management Services (CMS) Procurement Program. Total cost for the two vehicles is \$71,410.00. This is within the approved budget amount of \$50,000 for each vehicle. Additional funds will be utilized to equip the police vehicles with emergency equipment once the vehicles are delivered. Funds for this project will come from the Village's Equipment Replacement Fund line item: 480-50-00-8132.

Mayor Sass asked if the Village Board had any comments or questions.

Trustee Leopold asked if the vehicles will be black and white; Chief Porter stated that they will be black and white.

There were no other comments or questions.

A MOTION was made to approve a Resolution Authorizing the Purchase of Two 2020 Ford Interceptor SUV Vehicles through the Illinois Department of Central Management Services (CMS) Procurement Program in the amount of \$71,410.00.

MOTION: Trustee Kanakaris

SECOND: Trustee Goldman

AYES: Trustees: Goldman, Hoeft, Kanakaris, Leopold, Piwko, and Westberg

NAYS: None

ABSENT: None

The motion carried: 6-0-0

- m) Consideration – A Resolution Authorizing an Intergovernmental Agreement with Kane County for Animal Control Services in the Kane County Portion of the Village

Chief Robert Porter reported that the Village of Huntley is located in both Kane and McHenry Counties and therefore receives animal control services from both counties. Kane County requires a signed agreement with the Village to provide these services. The Village entered into an agreement with Kane

County for Animal Control services for the Kane County portion of the Village in 2018. The agreement expired on December 31, 2019. The agreement provided an option for renewal.

Staff Analysis

The services being renewed include pickup of stray domestic animals and animals that would be considered dangerous or a nuisance. The services also include the removal of wild animals that are sick or injured.

Financial Impact

In order to provide these services to Village residents within Kane County, Kane County Animal Control would charge the Village a fee to cover their costs which could range from \$20.00 to \$175.00 per animal as per the attached fee schedule. Average cost of animal impoundment is approximately \$100.00 per animal. The fees are the same as in the previous contract.

Legal Analysis

The Agreement has been reviewed by the Village Attorney.

Mayor Sass asked if the Village Board had any comments or questions.

Trustee Leopold asked what the cost would be to trap and remove coyotes; Chief Porter stated that to do this would require the need to hire a private trapper and not Kane County. Trustee Leopold asked about removal of raccoons from someone's attic; Chief Porter stated that would be the homeowner's responsibility.

Chief Porter reported that the County would be called to remove a dead or injured animal from the street.

Trustee Leopold asked how many times Kane County's services were needed in 2019; Chief Porter reported that the County was called two times in 2019.

There were no other comments or questions.

A MOTION was made to approve a Resolution Authorizing the Village of Huntley to Renew an Intergovernmental Agreement with Kane County for Animal Control Services in the Kane County Portion of the Village.

MOTION: Trustee Kanakaris

SECOND: Trustee Goldman

AYES: Trustees: Goldman, Hoeft, Kanakaris, Leopold, Piwko, and Westberg

NAYS: None

ABSENT: None

The motion carried: 6-0-0

- n) Consideration – A Resolution Authorizing Expenditure of Funds for the Purchase of Information Technology Support Services

Assistant Village Manager Lisa Armour reported that the Village Board approved a Master Contract and 2020 Task Order with Advanced Business Networks (ABN) on December 19, 2019 for the provision of supplementary information technology services. ABN assistance is provided via two ABN employees

that are on-site for a total of 16 hours per week (“support hours”) as well as off-site monitoring and management of the Village’s network infrastructure (“project hours”).

Staff Analysis

ABN provides a 20% discount by purchasing blocks of pre-paid project hours over 300 hours and a 33% discount by purchasing support hours. As in previous years, Staff is seeking authorization to commit the Village to purchase an initial block of 350 project hours at a cost of \$42,000 and 416 support hours (six months) at a cost of \$41,600 for FY20. Additional support hours will be purchased for the remaining six months of the year at a later date. Project hours and support hours do not have an expiration date and if not used during FY20 could be carried over to FY21.

Strategic Plan Priority

The 2016-2020 Strategic Plan identifies *Promote Innovation through Technology* as a priority and “continually monitor network security system to protect against cyber-attack” as an objective.

Financial Impact

The total cost for these services was budgeted for in the FY20 Budget.

Mayor Sass asked if the Village Board had any comments or questions; there were none.

A MOTION was made to approve a Resolution Authorizing Expenditure of Funds for the Purchase of Information Technology Support Services.

MOTION: Trustee Westberg

SECOND: Trustee Hoeft

AYES: Trustees: Goldman, Hoeft, Kanakaris, Leopold, Piwko, and Westberg

NAYS: None

ABSENT: None

The motion carried: 6-0-0

VILLAGE ATTORNEY’S REPORT: None

VILLAGE MANAGER’S REPORT:

Trustee Westberg asked if there was an update on the burglaries. Chief Porter reported that they are currently under investigation with multiple communities. Chief Porter stated that they are asking residents to say something right away if they see something suspicious.

VILLAGE PRESIDENT’S REPORT:

Mayor Sass reported that the next McCOG meeting will be held on January 22nd.

UNFINISHED BUSINESS: None

NEW BUSINESS: None

EXECUTIVE SESSION: None

POSSIBLE ACTION ON ANY CLOSED SESSION ITEM: None

ADJOURNMENT:

There being no further items to discuss, a MOTION was made to adjourn the meeting at 7:55 p.m.

MOTION: Trustee Piwko

SECOND: Trustee Kanakaris

The Voice Vote noted all ayes and the motion carried.

Respectfully submitted,

Barbara Read
Recording Secretary

DRAFT



AGENDA ITEM
VILLAGE BOARD MEETING: 1/23/2020
Bills List Fiscal Year End 12/31/2020

The following is a breakdown by Fund for the January 23, 2020 Bills List.

FUND	DEPARTMENT	TOTALS
100	General Fund *(Non-Expense Related Items)	\$294,334.05
100-10	Legislative & Executive	\$7,243.10
100-20-10	Village Manager's Office	\$386.00
100-20-21	Human Resources	\$3,735.13
100-20-22	Information Technology	\$1,410.55
100-30	Finance	\$1,817.15
100-60-62	Buildings & Grounds	\$1,806.13
100-50	Police Department	\$8,639.06
100-60-61	Streets/Underground	\$100,343.93
100-60-10	PW Admin/Engineering	\$2,225.94
100-70	Development Services	\$4,107.90
400	Capital Projects Fund	\$21,270.21
420	Street Improvement/Road & Bridge	\$5,844.70
410	Facilities & Grounds Maintenance	\$12,144.02
510	Water Operating	\$24,595.18
520	Wastewater Operating	\$40,207.42
525	Wastewater Capital Fund	\$1,330.02
440	Downtown TIF	\$5,286.27
515	Water Capital Fund	\$216,831.22
220	Cemetery	\$2,648.30
230	Public Liability Insurance	\$8,339.16
600	Benefits Fund	\$1,108.94
480	Equipment Replacement	\$4,716.52
250	Special Service Area #5	\$8,684.70
700	Escrow Agency Fund	\$260.14
	1/23/20 Bills Payable	\$779,315.74
	1/2/2020 Payroll Date	\$420,835.39
	Total Payroll	\$420,835.39
	Total Disbursements	\$1,200,151.13

*(Compliance Bond Refunds, Impact Fees, Sales Tax Rebates, Deposit Refunds, Pe-Paid Expenses, and A/R-Bulk Fuel)



DETAIL BOARD REPORT 1/23/2020

VENDOR/DESCRIPTION/FUND/DEPARTMENT		AMOUNT
102 - ADT LLC		
SECURITY CAMERA SERVICE - FLEET GARAGE		
<i>Facilities & Grounds Maintenance</i>		\$44.72
102 - ADT LLC Total		\$44.72
110 - ACE HARDWARE		
ADAPTER, BUSHING, PLIERS		
<i>Water Operating Fund-Public Works-Water</i>		\$9.56
BOLTS - VEH 1616		
<i>General Fund-Public Works-Streets Utilities & Fleet Svcs</i>		\$9.56
HARDWARE FOR BRINE TANK		
<i>General Fund-Public Works-Streets Utilities & Fleet Svcs</i>		\$55.33
HARDWARE FOR STREET SIGNS		
<i>General Fund-Public Works-Streets Utilities & Fleet Svcs</i>		\$48.58
HOSE & BRUSH FOR VEH 1697		
<i>General Fund-Public Works-Streets Utilities & Fleet Svcs</i>		\$24.17
OUTLET STRIP FOR 2-WAY RADIOS		
<i>General Fund-Public Works-Streets Utilities & Fleet Svcs</i>		\$8.59
TORCH, DRILL BIT		
<i>General Fund-Public Works-Streets Utilities & Fleet Svcs</i>		\$51.98
110 - ACE HARDWARE Total		\$207.77
112 - ADVANCED BUSINESS NETWORKS INC		
EOC PROJECT/CAT6 JACKS & 2 PORT BOX		
<i>Capital Projects and Improvement</i>		\$70.00
STORAGE CRAFT DESKTOP - BACKUP FOR SERVER		
<i>General Fund-Public Works-Streets Utilities & Fleet Svcs</i>		\$100.00
112 - ADVANCED BUSINESS NETWORKS INC Total		\$170.00
125 - ASCAP		
2020 ASCAP LICENSE RENEWAL		
<i>General Fund-Legislative</i>		\$363.00
125 - ASCAP Total		\$363.00
127 - APWA		
ANNUAL MEMBERSHIP RENEWAL 3/1/20 - 2/28/21		
<i>General Fund-Public Works-Administration</i>		\$350.00
<i>General Fund-Public Works-Streets Utilities & Fleet Svcs</i>		\$350.00
127 - APWA Total		\$700.00
135 - ASSOCIATED ELECTRICAL CONTRACTORS LLC		
REPLACED CONTROL CIRCUIT ON SALT CONVEYOR		
<i>General Fund-Public Works-Streets Utilities & Fleet Svcs</i>		\$705.28
135 - ASSOCIATED ELECTRICAL CONTRACTORS LLC Total		\$705.28



DETAIL BOARD REPORT 1/23/2020

VENDOR/DESCRIPTION/FUND/DEPARTMENT		AMOUNT
143 - B&F CONSTRUCTION CODE SVC INC		
BACKFLOW PREVENTION INSPECTIONS - 11/2019		
Water Operating Fund-Public Works-Water		\$1,220.00
143 - B&F CONSTRUCTION CODE SVC INC Total		\$1,220.00
158 - BLU PETROLEUM		
DIESEL FUEL		
General Fund		\$4,924.75
HIGH PERFORMANCE GREASE - EAST PLANT		
Wastewater Operating Fund-Public Works-Wastewater		\$360.90
REGULAR FUEL		
General Fund		\$6,335.97
158 - BLU PETROLEUM Total		\$11,621.62
160 - THE BLUE LINE		
RECORDS CLERK JOB POSTING		
General Fund-Village Managers Office-Human Resources		\$298.00
160 - THE BLUE LINE Total		\$298.00
164 - BOTTS WELDING & TRK SVC INC		
HARDWARE FOR VEH 1697		
General Fund-Public Works-Streets Utilities & Fleet Svcs		\$53.60
SHOCK ABSORBER - VEH 1697		
General Fund-Public Works-Streets Utilities & Fleet Svcs		\$149.44
SOLENOID VALVE - VEH 1690		
General Fund-Public Works-Streets Utilities & Fleet Svcs		\$106.67
164 - BOTTS WELDING & TRK SVC INC Total		\$309.71
171 - C & L RENTALS SALES & SVC INC		
DISCHARGE HOSE & SUBMERSIBLE PUMP FOR EAST PLANT		
Wastewater Operating Fund-Public Works-Wastewater		\$448.91
OIL FILLER CAP FOR CHAINSAW		
General Fund-Public Works-Streets Utilities & Fleet Svcs		\$8.93
SPARK PLUGS & AIR FILTER FOR GENERATOR & PRESSURE WASHER		
General Fund-Public Works-Streets Utilities & Fleet Svcs		\$34.65
STIHL CHAINSAW		
General Fund-Public Works-Streets Utilities & Fleet Svcs		\$339.95
171 - C & L RENTALS SALES & SVC INC Total		\$832.44
172 - COPS TESTING SVC INC		
PRE-EMPLOYMENT POLYGRAPH		
General Fund-Village Managers Office-Human Resources		\$320.00
PRE-EMPLOYMENT PSYCH EVAL		



DETAIL BOARD REPORT 1/23/2020

VENDOR/DESCRIPTION/FUND/DEPARTMENT	AMOUNT
<i>General Fund-Village Managers Office-Human Resources</i>	\$400.00
172 - COPS TESTING SVC INC Total	\$720.00
 173 - CB BURKE ENGINEERING LTD	
2019 MFT CONSTRUCTION OBSV SVCS	
<i>Street Improvement/Road & Bridge</i>	\$5,815.00
2019 NATURAL AREA MAINT. - WING POINTE WETLANDS	
<i>Capital Projects and Improvement</i>	\$4,817.20
2019 SOUTHWIND ECOLOGICAL RESTORATION & MAINT.	
<i>Special Service Area #5</i>	\$8,684.70
173 - CB BURKE ENGINEERING LTD Total	\$19,316.90
 177 - CDW GOVERNMENT INC	
CRUCIAL MX500 - SOLID STATE DRIVE - 500 GB - SATA 6GB/S	
<i>General Fund-Village Managers Office-Information Technology</i>	\$210.87
EOC UPGRADE - TECHNOLOGY ITEMS	
<i>Capital Projects and Improvement</i>	\$9,615.89
HP 24UH 24" LED-BACKLIT LCD - BLACK	
<i>General Fund-Village Managers Office-Information Technology</i>	\$663.00
NETGEAR 5-PORT GIGABIT ETHERNET UNMANAGED SWITCH	
<i>General Fund-Village Managers Office-Information Technology</i>	\$108.27
SEAGATE BACKUP PLUS STHP4000400 - HARD DR - 4 TB - USB	
<i>General Fund-Village Managers Office-Information Technology</i>	\$208.98
SOFTWARE LICENSE FOR NAPA TRACS SYSTEM	
<i>General Fund-Public Works-Streets Utilities & Fleet Svcs</i>	\$306.60
TRIPP LITE DISPLAYPORT VGA ACTIVE ADAPTER	
<i>General Fund-Village Managers Office-Information Technology</i>	\$147.25
ZYXEL GS-108B V3 - SWITCH - 8 PORTS	
<i>General Fund-Village Managers Office-Information Technology</i>	\$72.18
177 - CDW GOVERNMENT INC Total	\$11,333.04
 196 - CLARK BAIRD SMITH LLP	
LEGAL SERVICES	
<i>General Fund-Legislative</i>	\$235.00
196 - CLARK BAIRD SMITH LLP Total	\$235.00
 204 - CONCENTRIC INTEGRATION LLC	
SCADA SERVICES	
<i>Wastewater Operating Fund-Public Works-Wastewater</i>	\$8,000.00
SCADA SERVICES - ONSITE PROGRAMMING /WATER LOSS	
<i>Wastewater Operating Fund-Public Works-Wastewater</i>	\$2,465.00
SCADA SYSTEM SUPPORT	
<i>Wastewater Operating Fund-Public Works-Wastewater</i>	\$1,623.43
TIME AND MATERIALS FOR CONVERSION	



DETAIL BOARD REPORT 1/23/2020

VENDOR/DESCRIPTION/FUND/DEPARTMENT	AMOUNT
<i>Water Operating Fund-Public Works-Water</i>	\$3,600.00
204 - CONCENTRIC INTEGRATION LLC Total	\$15,688.43
208 - COMED	
ELECTRICITY	
<i>Cemetery Fund</i>	\$19.40
<i>Facilities & Grounds Maintenance</i>	\$71.39
<i>General Fund-Public Works-Streets Utilities & Fleet Svcs</i>	\$668.30
<i>Wastewater Operating Fund-Public Works-Wastewater</i>	\$8,980.46
<i>Water Operating Fund-Public Works-Water</i>	\$11,282.49
208 - COMED Total	\$21,022.04
209 - CONSTELLATION NEWENERGY INC	
ELECTRICITY	
<i>General Fund-Public Works-Streets Utilities & Fleet Svcs</i>	\$9,987.20
209 - CONSTELLATION NEWENERGY INC Total	\$9,987.20
214 - CORE & MAIN	
VALVE REPAIR PARTS - LOCKNUT & COTTER PIN	
<i>Wastewater Capital & Equipment</i>	\$43.00
214 - CORE & MAIN Total	\$43.00
218 - COWLIN & CURRAN PROF CORP	
LEGAL SERVICES	
<i>General Fund-Legislative</i>	\$100.00
<i>General Fund-Police</i>	\$3,330.35
218 - COWLIN & CURRAN PROF CORP Total	\$3,430.35
233 - DISCOVERY BENEFITS INC	
FSA MONTHLY FEE	
<i>General Fund-Village Managers Office-Human Resources</i>	\$116.40
NON-DISCRIMINATION TESTING	
<i>General Fund-Village Managers Office-Human Resources</i>	\$500.00
233 - DISCOVERY BENEFITS INC Total	\$616.40
258 - FEDEX	
UB LOCK BOX REPORTS	
<i>Wastewater Operating Fund-Public Works-Wastewater</i>	\$119.92
<i>Water Operating Fund-Public Works-Water</i>	\$119.90
258 - FEDEX Total	\$239.82
286 - GRAFTON TOWNSHIP	
IMPACT FEES DECEMBER 2019	
<i>General Fund</i>	\$300.00



DETAIL BOARD REPORT 1/23/2020

VENDOR/DESCRIPTION/FUND/DEPARTMENT		AMOUNT
IMPACT FEES NOVEMBER 2019		
General Fund		\$2,200.00
286 - GRAFTON TOWNSHIP Total		\$2,500.00
293 - HAWKS NAPA AUTO PARTS		
BACK UP ALARM - VEH 1602		
General Fund-Public Works-Streets Utilities & Fleet Svcs		\$86.98
BALANCE WEIGHTS FOR TIRES - STOCK		
General Fund-Police		\$270.94
CONNECTORS, SENSOR - VEH 11-09		
General Fund-Police		\$38.27
FLEET SHOP SUPPLIES		
General Fund-Public Works-Buildings & Grounds		\$17.07
General Fund-Public Works-Streets Utilities & Fleet Svcs		\$132.33
MOTOR OIL - STOCK		
General Fund-Public Works-Streets Utilities & Fleet Svcs		\$330.41
SCREWS - FLEET SHOP		
General Fund-Public Works-Buildings & Grounds		\$39.00
SHOP SUPPLIES		
General Fund-Public Works-Buildings & Grounds		\$51.48
VARIOUS FILTERS - VEH 1697		
General Fund-Public Works-Streets Utilities & Fleet Svcs		\$243.12
293 - HAWKS NAPA AUTO PARTS Total		\$1,209.60
294 - HAWKINS INC		
2300LB TOTE OF POLYMER FOR WEST PLANT GBT		
Wastewater Operating Fund-Public Works-Wastewater		\$3,682.35
BULK LOAD OF ALUM. FOR WEST PLANT		
Wastewater Operating Fund-Public Works-Wastewater		\$4,260.22
POLYMER FOR WEST PLANT & WEST PLANT PRESS		
Wastewater Operating Fund-Public Works-Wastewater		\$146.62
TOTE OF POLYMER FOR WEST PLANT PRESS		
Wastewater Operating Fund-Public Works-Wastewater		\$3,874.84
294 - HAWKINS INC Total		\$11,964.03
301 - HUNTLEY CHAMBER OF COMMERCE		
2020 ANNUAL DINNER SPONSOR		
General Fund-Legislative		\$200.00
2020 MEMBERSHIP RENEWAL		
General Fund-Legislative		\$175.00
301 - HUNTLEY CHAMBER OF COMMERCE Total		\$375.00



DETAIL BOARD REPORT 1/23/2020

VENDOR/DESCRIPTION/FUND/DEPARTMENT	AMOUNT
302 - HUNTLEY FIRE PROTECTION DIST	
IMPACT FEES DECEMBER 2019	
<i>General Fund</i>	\$2,555.00
IMPACT FEES NOVEMBER 2019	
<i>General Fund</i>	\$15,070.00
302 - HUNTLEY FIRE PROTECTION DIST Total	\$17,625.00
303 - HUNTLEY FLORAL	
SYMPATHY FLOWERS - MULLARD	
<i>General Fund-Village Managers Office-Administration</i>	\$88.95
303 - HUNTLEY FLORAL Total	\$88.95
304 - HUNTLEY LIBRARY DISTRICT	
IMPACT FEES DECEMBER 2019	
<i>General Fund</i>	\$1,020.00
IMPACT FEES NOVEMBER 2019	
<i>General Fund</i>	\$7,480.00
304 - HUNTLEY LIBRARY DISTRICT Total	\$8,500.00
307 - HUNTLEY COMMUNITY SCHOOL DIST 158	
IMPACT FEES DECEMBER 2019	
<i>General Fund</i>	\$16,058.00
IMPACT FEES NOVEMBER 2019	
<i>General Fund</i>	\$60,378.00
307 - HUNTLEY COMMUNITY SCHOOL DIST 158 Total	\$76,436.00
309 - HUNTLEY TAX HOLDINGS LLC	
SALES TAX REBATE - AUG 2019	
<i>General Fund</i>	\$35,710.71
SALES TAX REBATE - JULY 2019	
<i>General Fund</i>	\$35,211.88
SALES TAX REBATE - JUNE 2019	
<i>General Fund</i>	\$35,787.92
SALES TAX REBATE - OCT 2019	
<i>General Fund</i>	\$33,597.21
SALES TAX REBATE - SEPT 2019	
<i>General Fund</i>	\$36,279.61
309 - HUNTLEY TAX HOLDINGS LLC Total	\$176,587.33
325 - IL NOTARY DISCOUNT BONDING CO	
NOTARY RENEWAL/KEANE & WILLARD	
<i>Facilities & Grounds Maintenance</i>	\$107.90
325 - IL NOTARY DISCOUNT BONDING CO Total	\$107.90



DETAIL BOARD REPORT 1/23/2020

VENDOR/DESCRIPTION/FUND/DEPARTMENT		AMOUNT
331 - IL STATE POLICE		
PRE-EMPLOYMENT FINGERPRINTING		
General Fund-Village Managers Office-Human Resources		\$508.50
331 - IL STATE POLICE Total		\$508.50
346 - JP MORGAN CHASE BANK NA		
SUBPOENA PROCESSING 19-006285		
General Fund-Police		\$15.00
SUBPOENA PROCESSING 19-006825		
General Fund-Police		\$10.00
346 - JP MORGAN CHASE BANK NA Total		\$25.00
361 - LAKE IN THE HILLS		
SOUTHWIND WATER TRTMT FACILITY DISCHG		
Water Operating Fund-Public Works-Water		\$54.50
361 - LAKE IN THE HILLS Total		\$54.50
365 - LANGTON GROUP		
SNOW REMOVAL - AREA 1, ROUTE 1 - 12/31/19		
General Fund-Public Works-Streets Utilities & Fleet Svcs		\$1,241.25
SNOW REMOVAL - AREA 2, ROUTE 1 - 12/31/19		
General Fund-Public Works-Streets Utilities & Fleet Svcs		\$1,181.25
SNOW REMOVAL - AREA 3, ROUTE 1 - 12/31/19		
General Fund-Public Works-Streets Utilities & Fleet Svcs		\$1,209.38
365 - LANGTON GROUP Total		\$3,631.88
373 - LEE JENSEN SALES CO INC		
TRANSMITTER PROBE FOR UTILITY LOCATES		
Wastewater Operating Fund-Public Works-Wastewater		\$275.00
373 - LEE JENSEN SALES CO INC Total		\$275.00
377 - LIONHEART CRITICAL POWER SPECIALISTS INC		
EMERGENCY REPAIR - WEST PLANT GENERATOR		
Wastewater Capital & Equipment		\$998.40
377 - LIONHEART CRITICAL POWER SPECIALISTS INC Total		\$998.40
392 - MDC ENVIRONMENTAL SVCS INC		
WASTEHAULING SERVICE - 11879 MAIN ST		
General Fund-Public Works-Buildings & Grounds		\$59.28
392 - MDC ENVIRONMENTAL SVCS INC Total		\$59.28
402 - MEADE ELECTRIC CO INC		
STREET LIGHT KNOCKDOWN - REED & HALIGUS INCIDENT 8/30/19		
Liability Insurance Fund		\$8,339.16
TRAFFIC SIGNAL MAINTENANCE		
General Fund-Public Works-Streets Utilities & Fleet Svcs		\$750.00
402 - MEADE ELECTRIC CO INC Total		\$9,089.16



DETAIL BOARD REPORT 1/23/2020

VENDOR/DESCRIPTION/FUND/DEPARTMENT		AMOUNT
403 - MENARDS COMMERCIAL ACCOUNT		
EOC UPGRADE PROJECT MATERIALS		
<i>Capital Projects and Improvement</i>		\$381.97
EPOXY PAINT/PW BASEMENT		
<i>General Fund-Public Works-Buildings & Grounds</i>		\$738.94
MICROWAVE		
<i>Wastewater Operating Fund-Public Works-Wastewater</i>		\$69.00
MISC PLANT MATERIALS & SUPPLIES		
<i>Wastewater Operating Fund-Public Works-Wastewater</i>		\$215.79
MISC SUPPLIES		
<i>General Fund-Public Works-Streets Utilities & Fleet Svcs</i>		\$23.94
403 - MENARDS COMMERCIAL ACCOUNT Total		\$1,429.64
408 - MIDCO INC		
CARD READER 2ND FLOOR DOOR & INSTALL		
<i>Equipment Replacement Fund</i>		\$4,260.08
LABOR/REPAIR INTERVIEW RECORDER		
<i>Facilities & Grounds Maintenance</i>		\$1,040.00
408 - MIDCO INC Total		\$5,300.08
414 - MOTOROLA SOLUTIONS STARCOM		
MONTHLY LOCAL USE RATE-STARCOM21 NETWORK 12/2019		
<i>General Fund-Police</i>		\$1,292.00
414 - MOTOROLA SOLUTIONS STARCOM Total		\$1,292.00
424 - OFFICE DEPOT		
OFFICE SUPPLIES		
<i>General Fund-Development Services</i>		\$43.60
<i>General Fund-Finance</i>		\$90.18
<i>General Fund-Legislative</i>		\$11.97
<i>General Fund-Police</i>		\$695.80
424 - OFFICE DEPOT Total		\$841.55
425 - COMPASS MINERALS		
WATER SOFTENING SALT		
<i>Water Operating Fund-Public Works-Water</i>		\$4,749.73
425 - COMPASS MINERALS Total		\$4,749.73
428 - NICOR GAS		
NATURAL GAS		
<i>Wastewater Operating Fund-Public Works-Wastewater</i>		\$869.61
428 - NICOR GAS Total		\$869.61



DETAIL BOARD REPORT 1/23/2020

VENDOR/DESCRIPTION/FUND/DEPARTMENT	AMOUNT
429 - NORTHWEST HERALD - SHAW	
BILL: BO2 INVESTMENTS/REG SQ PHS 2 LOT1&4	
Escrow / Recapture Fund	\$130.74
BILL: VERIZON ANTENNA/DOLAN REALTY	
Escrow / Recapture Fund	\$129.40
429 - NORTHWEST HERALD - SHAW Total	\$260.14
446 - PDC LABORATORIES INC	
LAB SAMPLE TESTING	
Wastewater Operating Fund-Public Works-Wastewater	\$293.50
Water Operating Fund-Public Works-Water	\$867.50
446 - PDC LABORATORIES INC Total	\$1,161.00
452 - POMPS TIRE SERVICE	
DELIVERY FEE	
General Fund-Public Works-Streets Utilities & Fleet Svcs	\$5.00
FIRESTONE TRANSFORCE TIRES - VEH 1618	
General Fund-Public Works-Streets Utilities & Fleet Svcs	\$536.72
SCRAP TIRE DISPOSAL FEE	
General Fund-Police	\$12.00
USER FEE	
General Fund-Public Works-Streets Utilities & Fleet Svcs	\$10.00
452 - POMPS TIRE SERVICE Total	\$563.72
459 - PRECISE MOBILE RESOURCE MGMNT	
GPS MONITORING SERVICE	
Equipment Replacement Fund	\$183.35
General Fund-Public Works-Streets Utilities & Fleet Svcs	\$183.33
Wastewater Capital & Equipment	\$183.33
Wastewater Operating Fund-Public Works-Wastewater	\$183.33
Water Capital & Equipment Fund	\$183.33
Water Operating Fund-Public Works-Water	\$183.33
459 - PRECISE MOBILE RESOURCE MGMNT Total	\$1,100.00
462 - PROFESSIONAL CEMETERY SVCS	
CEMETERY GROUNDS MAINT 1/2020	
Cemetery Fund	\$876.30
CEMETERY GROUNDS MAINT 8/2019	
Cemetery Fund	\$876.30
CEMETERY GROUNDS MAINT 9/2019	
Cemetery Fund	\$876.30
462 - PROFESSIONAL CEMETERY SVCS Total	\$2,628.90



DETAIL BOARD REPORT 1/23/2020

VENDOR/DESCRIPTION/FUND/DEPARTMENT		AMOUNT
464 - PUMP SUPPLY INC		
MARCH WET END KIT TE-7.5K-MD		
<i>Water Capital & Equipment Fund</i>		\$907.20
464 - PUMP SUPPLY INC Total		\$907.20
467 - QUILL CORP		
CONFERENCE TABLE - 120" RACETRACK MOHAGANY		
<i>General Fund-Public Works-Buildings & Grounds</i>		\$801.99
OFFICE SUPPLIES		
<i>General Fund-Village Managers Office-Human Resources</i>		\$65.23
STORAGE CABINET		
<i>Wastewater Operating Fund-Public Works-Wastewater</i>		\$209.99
467 - QUILL CORP Total		\$1,077.21
471 - CCS CONTRACTOR EQUIPMENT & SUPPLY INC		
QUIKRETE MORTAR MIX		
<i>General Fund-Public Works-Streets Utilities & Fleet Svcs</i>		\$17.00
471 - CCS CONTRACTOR EQUIPMENT & SUPPLY INC Total		\$17.00
473 - RADICOM BUSINESS COMM SYSTEMS		
TRUCK RADIO REPAIR		
<i>General Fund-Public Works-Streets Utilities & Fleet Svcs</i>		\$166.03
473 - RADICOM BUSINESS COMM SYSTEMS Total		\$166.03
481 - RED WING SHOE COMPANY INC		
PAIR RED WING BOOTS - BUCK WEISS		
<i>General Fund-Public Works-Streets Utilities & Fleet Svcs</i>		\$200.00
PAIR RED WING BOOTS - NICK KARMIS		
<i>General Fund-Public Works-Streets Utilities & Fleet Svcs</i>		\$193.49
481 - RED WING SHOE COMPANY INC Total		\$393.49
491 - WILLIAM A RUTH LANDSCAPE CO		
2019 HOLIDAY DECORATING		
<i>Facilities & Grounds Maintenance</i>		\$10,000.00
491 - WILLIAM A RUTH LANDSCAPE CO Total		\$10,000.00
493 - RUEKERT & MIELKE INC		
2019 VUEWORKS IMPLEMENTATION		
<i>General Fund-Public Works-Administration</i>		\$1,371.10
<i>Wastewater Operating Fund-Public Works-Wastewater</i>		\$1,370.70
<i>Water Operating Fund-Public Works-Water</i>		\$1,370.70
493 - RUEKERT & MIELKE INC Total		\$4,112.50



DETAIL BOARD REPORT 1/23/2020

VENDOR/DESCRIPTION/FUND/DEPARTMENT		AMOUNT
494 - RUSH POWER SYSTEMS LLC		
EMERGENCY GENERATOR HOSE REPAIR - POLICE DEPT		
<i>Facilities & Grounds Maintenance</i>		\$880.01
494 - RUSH POWER SYSTEMS LLC Total		\$880.01
495 - RUSH TRUCK CENTER HUNTLEY		
AIR DRYER VALVE - VEH 1991		
<i>Wastewater Operating Fund-Public Works-Wastewater</i>		\$415.00
BRAKE DRUM		
<i>General Fund-Public Works-Streets Utilities & Fleet Svcs</i>		\$300.00
HVAC AIR INLET FILTER - VEH 1697		
<i>General Fund-Public Works-Streets Utilities & Fleet Svcs</i>		\$38.90
KT SHOE, REMAN SHOE KIT		
<i>General Fund-Public Works-Streets Utilities & Fleet Svcs</i>		\$46.96
KT SHOE, REMAN SHOE KIT CORE		
<i>General Fund-Public Works-Streets Utilities & Fleet Svcs</i>		\$23.09
RELINSHOE		
<i>General Fund-Public Works-Streets Utilities & Fleet Svcs</i>		\$156.00
RELINSHOE CORE		
<i>General Fund-Public Works-Streets Utilities & Fleet Svcs</i>		\$106.40
TEMP SENSOR, BOLTS - VEH 1697		
<i>General Fund-Public Works-Streets Utilities & Fleet Svcs</i>		\$306.82
495 - RUSH TRUCK CENTER HUNTLEY Total		\$1,393.17
507 - SESAC INC		
2020 MUSIC PERFORMANCE LICENSE RNWL		
<i>General Fund-Legislative</i>		\$919.00
507 - SESAC INC Total		\$919.00
510 - SHERWIN WILLIAMS CO		
PAINT - EOC ROOM		
<i>Capital Projects and Improvement</i>		\$595.15
510 - SHERWIN WILLIAMS CO Total		\$595.15
526 - STEINER ELECTRIC CO		
250 V MIDGET TO FUSE FOR STREETLIGHTS		
<i>General Fund-Public Works-Streets Utilities & Fleet Svcs</i>		\$60.80
526 - STEINER ELECTRIC CO Total		\$60.80
533 - SUN CITY COMMUNITY ASSOC OF HUNTLEY		
CBOND 2019-1201 12880 DEL WEBB BLVD		
<i>General Fund</i>		\$100.00
533 - SUN CITY COMMUNITY ASSOC OF HUNTLEY Total		\$100.00



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VENDOR/DESCRIPTION/FUND/DEPARTMENT		AMOUNT
545 - THOMPSON ELEVATOR INSP SVC INC		
ELEVATOR INSPECTIONS		
<i>General Fund-Development Services</i>		\$3,537.00
545 - THOMPSON ELEVATOR INSP SVC INC Total		\$3,537.00
 547 - TODAYS UNIFORMS		
BOOTS/OFC ROWLETT		
<i>General Fund-Police</i>		\$144.95
UNIFORM ITEMS/STG MCGRATH		
<i>General Fund-Police</i>		\$803.15
547 - TODAYS UNIFORMS Total		\$948.10
 548 - TOM PECK FORD OF HUNTLEY INC		
O2 SENSORS - VEH 24		
<i>General Fund-Police</i>		\$140.48
SPARK PLUGS - VEH 1601		
<i>General Fund-Public Works-Administration</i>		\$23.32
SPARK PLUGS, GASKET , IGNITION BOOTS - VEH 1610		
<i>General Fund-Public Works-Streets Utilities & Fleet Svcs</i>		\$196.28
SPARK PLUGS, GASKET, IGNITION BOOT - VEH 22		
<i>General Fund-Police</i>		\$69.94
548 - TOM PECK FORD OF HUNTLEY INC Total		\$430.02
 557 - TYLER TECHNOLOGIES INC		
ET-TIME & ATTENDANCE ANNUAL SAAS - DEC 2019		
<i>Equipment Replacement Fund</i>		\$210.59
<i>Wastewater Capital & Equipment</i>		\$105.29
<i>Water Capital & Equipment Fund</i>		\$105.29
ET-TIME & ATTENDANCE ANNUAL SAAS JAN&FEB 2020		
<i>General Fund-Finance</i>		\$842.33
FINANCIAL SOFTWARE UPGRADE PROJ/EXECUTIME		
<i>Equipment Replacement Fund</i>		\$62.50
557 - TYLER TECHNOLOGIES INC Total		\$1,326.00
 558 - THE UPS STORE 6063		
POSTAGE/IL SOS FRAUD DEPT		
<i>General Fund-Police</i>		\$32.36
558 - THE UPS STORE 6063 Total		\$32.36
 559 - U S POSTAL SERVICE		
REFILL POSTAGE METER FUNDS #26377817		
<i>General Fund</i>		\$1,000.00
559 - U S POSTAL SERVICE Total		\$1,000.00



DETAIL BOARD REPORT 1/23/2020

VENDOR/DESCRIPTION/FUND/DEPARTMENT	AMOUNT
562 - ULTRA STROBE COMMUNICATIONS INC	
SELECTOR KNOB FOR VEHICLE BACK UP CAMERA	
<i>Street Improvement/Road & Bridge</i>	\$29.70
WIRELESS REAR VIEW CAMERAS FOR PUBLIC WORKS VEHICLES	
<i>Capital Projects and Improvement</i>	\$5,790.00
562 - ULTRA STROBE COMMUNICATIONS INC Total	\$5,819.70
570 - VERIZON WIRELESS	
CELL PHONE SERVICE	
<i>General Fund-Development Services</i>	\$463.45
<i>General Fund-Finance</i>	\$56.34
<i>General Fund-Legislative</i>	\$56.34
<i>General Fund-Police</i>	\$1,452.35
<i>General Fund-Public Works-Administration</i>	\$99.13
<i>General Fund-Public Works-Buildings & Grounds</i>	\$98.37
<i>General Fund-Public Works-Streets Utilities & Fleet Svcs</i>	\$426.75
<i>General Fund-Village Managers Office-Administration</i>	\$233.20
<i>Wastewater Operating Fund-Public Works-Wastewater</i>	\$276.58
<i>Water Operating Fund-Public Works-Water</i>	\$316.33
570 - VERIZON WIRELESS Total	\$3,478.84
572 - VILLAGE OF DOWNERS GROVE	
HEALTH INSURANCE PREMIUM/PORTER-2/2020	
<i>Benefits Fund</i>	\$1,108.94
572 - VILLAGE OF DOWNERS GROVE Total	\$1,108.94
584 - WHITE SILO MEDIA	
ADVERTISING/FARMER'S MARKET	
<i>General Fund-Legislative</i>	\$3,396.43
584 - WHITE SILO MEDIA Total	\$3,396.43
592 - ZOOS R US INC	
REINDEER DDISPLAY/A VERY MERRY HUNTLEY	
<i>General Fund-Legislative</i>	\$847.50
592 - ZOOS R US INC Total	\$847.50
640 - PERSPECTIVES LTD	
MONTHLY EAP SERVICES	
<i>General Fund-Village Managers Office-Human Resources</i>	\$285.00
640 - PERSPECTIVES LTD Total	\$285.00
677 - CARGILL INC	
ROAD SALT	
<i>General Fund-Public Works-Streets Utilities & Fleet Svcs</i>	\$70,553.57
677 - CARGILL INC Total	\$70,553.57



DETAIL BOARD REPORT 1/23/2020

VENDOR/DESCRIPTION/FUND/DEPARTMENT	AMOUNT
729 - HEAGNEY, TIMOTHY	
TUITION REIMBURSEMENT - PADM 530	
<i>General Fund-Village Managers Office-Human Resources</i>	\$975.00
729 - HEAGNEY, TIMOTHY Total	\$975.00
858 - NORTHWESTERN MEDICINE OCCUPATIONAL HEALTH	
5 PANEL DRUG SCREEN	
<i>General Fund-Village Managers Office-Human Resources</i>	\$50.00
BREATH ALCOHOL TEST	
<i>General Fund-Village Managers Office-Human Resources</i>	\$30.00
PRE-HIRE PHYSICAL	
<i>General Fund-Village Managers Office-Human Resources</i>	\$187.00
858 - NORTHWESTERN MEDICINE OCCUPATIONAL HEALTH Total	\$267.00
923 - ACCOUNTEMPS	
TEMP SERVICES/MASON	
<i>General Fund-Finance</i>	\$702.12
<i>Wastewater Operating Fund-Public Works-Wastewater</i>	\$140.43
<i>Water Operating Fund-Public Works-Water</i>	\$561.70
923 - ACCOUNTEMPS Total	\$1,404.25
932 - VARITECH INDUSTRIES INC	
EST FREIGHT	
<i>General Fund-Public Works-Streets Utilities & Fleet Svcs</i>	\$69.08
TRANSFER PUMP 1.5" - 1.5 HP	
<i>General Fund-Public Works-Streets Utilities & Fleet Svcs</i>	\$1,161.82
932 - VARITECH INDUSTRIES INC Total	\$1,230.90
933 - GREVE CONSTRUCTION INC	
SNOW SERVICES - DOWNTOWN & PARKING LOTS	
<i>General Fund-Public Works-Streets Utilities & Fleet Svcs</i>	\$7,100.00
933 - GREVE CONSTRUCTION INC Total	\$7,100.00
937 - CURRAN CONTRACTING CO	
UPM COLD PATCH	
<i>General Fund-Public Works-Streets Utilities & Fleet Svcs</i>	\$278.40
937 - CURRAN CONTRACTING CO Total	\$278.40
952 - PROKUSKI, JOSH	
REFUND SUBPOENA FEE CK 5184	
<i>General Fund</i>	\$25.00
952 - PROKUSKI, JOSH Total	\$25.00



DETAIL BOARD REPORT 1/23/2020

VENDOR/DESCRIPTION/FUND/DEPARTMENT		AMOUNT
953 - FIFTH THIRD BANK		
SUBPOENA PROCESSING 19-04356		
General Fund-Police		\$57.62
953 - FIFTH THIRD BANK Total		\$57.62
956 - GOODWILL NI		
CBOND 2019-1325 11900 KREUTZER RD		
General Fund		\$100.00
956 - GOODWILL NI Total		\$100.00
957 - GREAT CLIPS		
CBOND 2019-1312 12192 ROUTE 47		
General Fund		\$100.00
957 - GREAT CLIPS Total		\$100.00
958 - SUN CITY COMM ASSOC/ANNUAL ART & CRAFT FAIRE		
CBOND 2019-1204 12880 DEL WEBB BLVD		
General Fund		\$100.00
958 - SUN CITY COMM ASSOC/ANNUAL ART & CRAFT FAIRE Total		\$100.00
369 - THE LAW OFFICE OF THOMAS R BURNEY, LLC		
BILL: HUNTLEY DEV LTD PARTNERSHIP/HORIZON		
Escrow / Recapture Fund		\$87.50
BILL: COUNTRY DELIGHT		
Escrow / Recapture Fund		\$787.50
369 - THE LAW OFFICE OF THOMAS R BURNEY, LLC Total		\$875.00
0 - LEE WILLIAMS		
0101008950-003UM CREDIT BAL REFUND		
Water Operating Fund		\$41.35
0 - LEE WILLIAMS Total		\$41.35
0 - ELAINE AHLGRIM		
0501017310-000 UM CREDIT BAL REFUND		
Water Operating Fund		\$32.94
0 - ELAINE AHLGRIM Total		\$32.94
Grand Total		\$555,309.10



VENDOR/DESCRIPTION/FUND/DEPARTMENT	Amount
205 - COMCAST BUSINESS	
PHONE SERVICES	
<i>General Fund-Public Works-Administration</i>	\$318.54
<i>Wastewater Operating Fund-Public Works-Wastewater</i>	\$58.98
<i>Water Operating Fund-Public Works-Water</i>	\$58.98
205 - COMCAST BUSINESS Total	\$436.50
232 - DIRECT ENERGY BUSINESS	
ELECTRICITY	
<i>Wastewater Operating Fund-Public Works-Wastewater</i>	\$1,740.67
232 - DIRECT ENERGY BUSINESS Total	\$1,740.67
423 - MAILFINANCE	
LETTER OPENER LEASE - 1ST QTR	
<i>General Fund-Finance</i>	\$62.33
<i>Wastewater Operating Fund-Public Works-Wastewater</i>	\$62.34
<i>Water Operating Fund-Public Works-Water</i>	\$62.32
POSTAGE MACHINE LEASE - 1ST QTR	
<i>General Fund-Development Services</i>	\$63.85
<i>General Fund-Finance</i>	\$63.85
<i>General Fund-Legislative</i>	\$63.86
<i>General Fund-Police</i>	\$63.85
<i>General Fund-Public Works-Administration</i>	\$63.85
<i>General Fund-Village Managers Office-Administration</i>	\$63.85
<i>Wastewater Operating Fund-Public Works-Wastewater</i>	\$63.85
<i>Water Operating Fund-Public Works-Water</i>	\$63.85
423 - MAILFINANCE Total	\$697.80
520 - SPECIAL T UNLIMITED	
NEW HIRE ACADEMY UNIFORM PACKAGE	
<i>General Fund-Police</i>	\$210.00
520 - SPECIAL T UNLIMITED Total	\$210.00
Grand Total	\$3,084.97



VENDOR/DESCRIPTION/FUND/DEPARTMENT		Amount
312 - IL EPA		
PROF SVCS/CATTY BLDG		
General Fund-Public Works-Administration		\$5,286.27
312 - IL EPA Total		\$5,286.27
Grand Total		\$5,286.27



MANUAL CHECK RUN 1/10/20

****Approved at the 1/9/20 Village Board Meeting**

VENDOR/DESCRIPTION/FUND/DEPARTMENT		Amount
395 - MAURO SEWER CONSTRUCTION INC		
2019 WATER MAIN REPLACEMENT PROGRAM -FINAL PAYOUT		
<i>Water Capital & Equipment Fund</i>		\$215,635.40
395 - MAURO SEWER CONSTRUCTION INC Total		<u>\$215,635.40</u>
Grand Total		<u><u>\$215,635.40</u></u>

Agenda Item: **Consideration – Ordinance Amending Chapter 156 of the Huntley Code Regarding Zoning Regulations for Medical Cannabis Facilities Operating in Accordance with the Illinois Compassionate Use of Medical Cannabis Program Act, 430 ILCS 130/1 *et seq.***

Petitioner: **Village of Huntley**

Department: **Development Services Department - Planning and Zoning Division**

Introduction

Medical cannabis businesses are regulated under the Compassionate Use of Medical Cannabis Program Act (the “Act”) and consist of two types of businesses: dispensaries and cultivation centers. As with Adult-Use Cannabis, Medical Cannabis businesses are exclusively licensed by the state, and the statute and state regulatory process largely govern the manner in which the businesses operate. Home rule power is preempted except for authority to enact “reasonable zoning ordinances” that do not conflict with the state Act (410 ILCS 130/140).

Differences between medical and recreational (Adult-Use) Cannabis relevant to the zoning process include:

- No local prohibition option for medical cannabis. A local government “may not unreasonably prohibit the cultivation, dispensing, and use of medical cannabis” as authorized by state law (410 ILCS 130/140). Accordingly, the Village cannot simply prohibit medical cannabis dispensaries or cultivation centers, and it cannot enact zoning regulations that are unreasonably restrictive such that they would effectively prohibit these uses.
- No local cap on the number of businesses. Unlike with Adult-Use Cannabis, the Medical Cannabis Act does not authorize a municipality to cap the number of dispensaries or cultivation centers within their jurisdiction.
- Buffer requirements. The Act specifies buffer requirements for Medical Cannabis cultivation centers (2,500 feet from the property line of a pre-existing public or private preschool or elementary or secondary school or day care center, day care home, group day care home, part-day child care facility, or an area zoned for residential use). When it was originally adopted, the Act also specified buffer requirements for dispensaries, but a recent amendment states that those requirements “shall not apply to any dispensing organizations registered on or after July 1, 2019.” Although (unlike the Adult-Use Cannabis statute) the Act does not expressly authorize local governments to impose buffer requirements, it is reasonable to conclude that buffers could be part of a municipality’s “reasonable zoning ordinances” in the absence of a state requirement, provided that the buffers do not unreasonably limit the sites available.
- On-Premises Consumption. Unlike the Adult-Use Cannabis statute, the Medical Cannabis Act does not address on-premises consumption of cannabis within a medical dispensary or local authority to regulate such activities. Similar to buffer requirements, a prohibition of on-premises consumption would be justified as a reasonable zoning regulation in the absence of a state law requirement.

The Village's Special Counsel has prepared a memorandum, dated December 5, 2019, providing a further explanation of the Act. Special Counsel will be in attendance at the Village Board meeting to answer questions on the subject.

Staff Analysis

To maintain consistency with the proposed Adult-Use Cannabis dispensary regulations (which will be considered in as a separate agenda item), a Medical Cannabis dispensary is also proposed as a special use in the "C-2" Regional Retail Zoning District. The additional standards for Medical Cannabis dispensaries are also the same terms as proposed for Adult-Use Cannabis dispensaries, except that the numerical limit of one dispensary cannot not apply.

The Compassionate Use of Medical Cannabis Program Act does not allow a municipality to prohibit a Medical Cannabis cultivation center; thus, a Medical Cannabis cultivation center has been proposed as a special use in the "M" Manufacturing Zoning District. The Act prohibits a medical cultivation center from locating within 2,500 feet (0.47 miles) of pre-existing schools, daycare facilities, and areas zoned for residential use, which significantly limits possible locations in the Village. The only "M" Manufacturing zoned property that meets the 2,500 feet buffer requirement is located south of Interstate 90, west of Route 47.

Proposed Zoning Code Amendments

The following is the proposed Zoning Code amendment in its entirety:

Section 156.011, entitled "Definitions" of Article II, entitled "Interpretations and Definitions," of Chapter 156, entitled "Zoning Code," of Title XV, entitled "Land Usage" of the Huntley Code is proposed to be amended in part to add the following new definitions:

"Medical Cannabis Cultivation Center" means a facility operated by an organization or business that is registered by the Illinois Department of Agriculture to perform necessary activities to provide registered Medical Cannabis dispensing organizations with usable Medical Cannabis.

"Medical Cannabis Dispensary" means a facility operated by an organization or business that is registered by the Illinois Department of Financial and Professional Regulation to acquire Medical Cannabis from a registered Medical Cannabis cultivation center for the purpose of dispensing cannabis, paraphernalia, or related supplies and educational materials to registered qualifying patients.

SECTION III. Section 156.061, entitled "(C-2) Regional Retail District" of Article VI, entitled "Planned Development District," of Chapter 156, entitled "Zoning Code," of Title XV, entitled "Land Usage" of the Huntley Code is proposed to be amended in part as follows:

§ 156.061 (C-2) REGIONAL RETAIL DISTRICT

* * *

(B) Uses.

* * *

- (2) *Special Uses.* Upon recommendation by the Plan Commission after public hearing on petition pertaining thereto, in accordance with the requirements set forth for such hearing in Article VII of this Ordinance, the Village may, by Special Use Permit, allow the following uses in the C-2 District:

* * *

RETAIL SALES – Furniture sales (used), Outdoor sales & service,
Secondhand store, **Medical cannabis dispensary.**

* * *

SECTION IV. Section 156.045, entitled “(M) Manufacturing District” of Article V, entitled “Business and Non-Residential Districts,” of Chapter 156, entitled “Zoning Code,” of Title XV, entitled “Land Usage” of the Huntley Code is proposed to be amended in part as follows:

§ 156.045 (M) MANUFACTURING DISTRICT

* * *

(B) *Uses.*

* * *

- (2) *Special Uses.* Upon recommendation by the Plan Commission after public hearing on petition pertaining thereto, in accordance with the requirements set forth for such hearing in Article VII of this Ordinance, **the Village may, by Special Use Permit, allow the following uses in the M District:**

AGRICULTURAL BUSINESS - Kennel/boarding, Poultry hatchery, Veterinary Hospital, Wind Energy Systems (large or small), **Medical Cannabis cultivation center.**

SECTION V. Section 156.068, entitled “Special Use Permits” of Article VII, entitled “Special Use Permits,” of Chapter 156, entitled “Zoning Code,” of Title XV, entitled “Land Usage” of the Huntley Code is proposed to be amended in part as follows:

- (F) *Special Standards for Specified Special Uses.* Where the district regulations authorizing any special use permit in a particular district impose special standards to be met by such use in such district, a permit for such use in such district shall not be recommended or granted unless the applicant shall establish compliance with such special standards.

* * *

(10) Medical Cannabis Cultivation Centers.

a. Location Restrictions

- (i) **No Medical Cannabis cultivation center shall be established, maintained or operated on any lot that has a property line within 2,500 feet of the property line of a pre-existing public or private pre-school or elementary or secondary school or day care center, day care home, group day care home, part-day child care facility, or an area zoned for residential use.**

- (ii) Medical Cannabis cultivation centers shall not be established on multiple-use or multiple-tenant property or on a property that shares parking with other users.

b. Manufacture and Production Standards

- (i) Unless otherwise stated herein or provided by state law, the Medical Cannabis cultivation center shall conform to all Village rules, regulations and ordinances.
- (ii) All Medical Cannabis cultivation centers shall comply with the Compassionate Use of Medical Cannabis Program Act, 410 ILCS 130/1 et seq., (“Medical Cannabis Act”) and all rules and regulations adopted in accordance therewith.
- (iii) Parking areas shall be well lit and monitored by video surveillance equipment in accordance with the Medical Cannabis Act and State regulations.

c. Setbacks/Lot Area/Bulk Regulations. A Medical Cannabis cultivation center shall conform to the setback, lot area, and bulk regulations applicable to the zoning district in which the Medical Cannabis cultivation center is located.

d. Signage

- (i) Other than signage expressly required by State law, all signage for a Medical Cannabis cultivation center shall be limited to one flat wall sign not to exceed ten square feet in area, and one identifying sign, which can only include the center’s address, not to exceed two square feet in area; such signs shall not be directly illuminated.
- (ii) Electronic changeable copy signs and temporary signs are not permitted in connection with a Medical Cannabis cultivation center.

e. Age and Access Limitations. Cultivation centers shall not employ anyone under the age of twenty-one (21). Access shall be limited exclusively to Medical Cannabis cultivation center staff and local and state officials and those specifically authorized under the Medical Cannabis Act and State regulations.

f. Security and Video Surveillance

- (i) The Medical Cannabis cultivation center shall be an enclosed locked facility and shall provide and maintain adequate security on the premises, including lighting, video surveillance, and alarms that comply with the Medical Cannabis Act and State regulations. The facility shall be enclosed by a high security fence. The fence must be adequately secure to prevent unauthorized entry and include gates connected into an access control system.

- (ii) The Medical Cannabis cultivation center parking area, cultivation, production, warehousing areas, and shipping bays and entrance shall be monitored by video surveillance equipment that complies with the Medical Cannabis Act and State regulations. The operator shall promptly make such records available to the Huntley Police Department upon request.
 - (iii) Loading of all Medical Cannabis products shall occur within secure enclosed shipping bays and shall not be visible from the exterior of the building.
 - (iv) A Medical Cannabis cultivation center is subject to inspection by the Huntley Police Department and/or Huntley Development Services Department at any time during regular business hours.
- g. Noxious Odors. All Medical Cannabis cultivation centers shall operate in a manner that prevents odor impacts on neighboring premises or properties, and, if necessary, the facility shall be ventilated with a system for odor control.
- h. Conduct on Site
 - (i) Retail sales of Medical Cannabis or Medical Cannabis infused products are strictly prohibited at Medical Cannabis cultivation centers.
 - (ii) It shall be unlawful for a Medical Cannabis cultivation center to cultivate, manufacture, process, package, or sell any product other than useable cannabis and cannabis-infused products intended for human consumption in accordance with the Medical Cannabis Act.
- i. Interpretation. The provisions of this Subsection 156.068(F)(10) are intended to be interpreted in a manner consistent with the provisions and limitations of the Medical Cannabis Act and State regulations promulgated thereunder.

(11) Medical Cannabis Dispensaries

- a. Minimum required buffer from protected uses:
 - i. A Medical Cannabis dispensary may not be located within 1,000 feet of the property line of a pre-existing public or private nursery school, preschool, primary or secondary school, or day care center. Learning centers and vocational/trade centers shall not be classified as a public or private school for purposes of this Section.
 - (ii) A Medical Cannabis dispensary may not be located within 1,000 feet of the property line of an existing religious establishment, park district property, or library.

(iii) A Medical Cannabis dispensary may not be located within 250 feet of residentially zoned property except when separated by a State highway.

(iv) For the purposes of this section, distances shall be measured in a straight line, without regard to intervening structures or objects, from the nearest point on the property line of the lot on which an applicable Medical Cannabis dispensary is located to the nearest point on a property line of any protected use.

(v) Summary of Buffer Requirements:

Use	Required Buffer
Schools	1,000 feet
Daycare	1,000 feet
Religious Establishment	1,000 feet
Residentially zoned property*	250 feet
Park District Property	1,000 feet
Library	1,000 feet

*Except when separated by a State highway.

- b. A Medical Cannabis dispensary may not conduct any sales or distribution of cannabis other than as authorized by the Medical Cannabis Act; provided, however, that if the Medical Cannabis dispensary is also a licensed Adult-Use Cannabis Dispensary, then it may conduct sales or distribution of cannabis in accordance with the Cannabis Regulation and Tax Act, 410 ILCS 705/1 et seq. and the regulations of this Chapter that apply to Adult-Use Cannabis Dispensaries.
- c. Exterior Display: A Medical Cannabis dispensary shall be maintained or operated in a manner that the public viewing of cannabis, cannabis products, cannabis paraphernalia or similar products from any sidewalk, public or private right-of-way or from outside of the cannabis dispensing organization is not allowed.
- d. Hours of Operations: Hours of operation are limited to between 6:00am and 10:00pm.
- e. Environmental: Emission of dust, fumes, vapors, or odors in a manner that impacts neighboring premises or properties or any public property or right-of-way shall be prohibited.
- f. Signage: Electronic changeable copy signs are not permitted for a Medical Cannabis dispensary. No cannabis leaf or bud image may be used in promotional signage for a Medical Cannabis dispensary.

- g. State Requirements: The Medical Cannabis dispensary must comply with all applicable provisions of the Medical Cannabis Act as may be revised or amended from time to time.
- h. All hazardous waste and cannabis waste shall be disposed of in accordance with the provisions of the statutes of the State of Illinois and ordinances of the Village of Huntley.
- i. On-Premises Consumption: It shall be prohibited to consume cannabis products in a Medical Cannabis dispensary or anywhere on the site occupied by a Medical Cannabis dispensary.
- j. Other Cannabis Businesses Prohibited. Adult-Use Cannabis craft growers, cultivation centers, infusers, processors, and transporter organizations shall not be permitted to be co-located with a medical cannabis dispensary.
- k. Interpretation. The provisions of this Subsection 156.068(F)(11) are intended to be interpreted in a manner consistent with the provisions and limitations of the Medical Cannabis Act and State regulations promulgated thereunder.

Plan Commission Recommendation

On December 9, 2019, the Plan Commission conducted a public hearing to consider regulations for cannabis businesses operating in accordance with the Illinois Compassionate Use of Medical Cannabis Program Act. There were no members of the public that requested to testify at the hearing. The Plan Commission recommended unanimously by a vote of 7-0 to approve the proposed amendments as drafted.

The December 9, 2019, Plan Commission meeting minutes are provided as an exhibit to this report.

Financial Impact

The Cannabis Retailers' Occupation Tax is not applicable to Medical Cannabis; therefore, the Village cannot collect a tax on the sale of Medical Cannabis.

Action Requested

The Village Board is requested to consider the Plan Commission's recommendation for the proposed Text Amendments to the Village of Huntley Zoning Code regarding Medical Cannabis businesses operating in accordance with the Illinois Compassionate Use of Medical Cannabis Program Act, 430 ILCS 130/1 *et seq.*, and act on a motion to consider the amendments as drafted, or as discussed and modified.

Exhibits

1. Memorandum from Betsy Gates-Alford, Filippini Law Firm, to Members of the Plan Commission, dated 12/5/19
2. Maps 1, 2 and - Buffers from Sensitive Uses, not dated
3. Excerpt from 12/9/19 Plan Commission Meeting Minutes
4. Draft Ordinance



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Memorandum

Date: December 5, 2019

To: Chairman Kibort and Members of the Plan Commission

From: Betsy Gates-Alford

Re: Regulation of Medical Cannabis Cultivation Centers and Dispensaries

A. Background

The Compassionate Use of Medical Cannabis Program Act, 410 ILCS 130, (the “**Act**”) was originally enacted by the Illinois General Assembly effective January 1, 2014. In June 2019, the General Assembly passed various amendments to the Act in connection with the legalization of adult-use cannabis pursuant to the Cannabis Regulation and Tax Act, 401 ILCS 705/1-1, *et. seq.* The Act sets forth an extensive statewide regulatory scheme for production, distribution, and use of medical cannabis and provides for the operation of two types of medical cannabis businesses: medical cannabis dispensaries and medical cannabis cultivation centers.¹

State law governs the total number of medical cannabis dispensaries and cultivation centers that may operate throughout Illinois. Up to 60 medical cannabis dispensaries may be registered in Illinois, and those registrations are further allocated among several “Dispensing Organization Districts.” 410 ILCS 130/115. Kane County is designated as a Dispensing Organization District and allocated two registrations, and there are two medical cannabis dispensaries currently registered in Kane County.² McHenry County is also designated as a Dispensing Organization District and is allocated one registration. There is not currently a registered medical cannabis dispensary in McHenry County. The Act also authorizes the registration of one cultivation center in each of Illinois’ twenty-two State Police Districts. Huntley is located in District 2, which consists of Lake, Kane, McHenry, DuPage, and DeKalb Counties, and there is currently one medical cannabis cultivation center registered in District 2.³

¹ Under certain circumstances, State law allows a cultivation center organization or a dispensary organization to hold licenses for production or sale, respectively, of both medical cannabis and adult-use cannabis at a single location. See, e.g. 410 ILCS 705/15-15; 410 ILCS 705/20-10.

² Verilife in North Aurora and Zen Leaf in St. Charles. See <https://www.idfpr.com/FormsMC/ListofLicensedDispensaries.pdf>

³ Curative Health Cultivation, LLC. See <https://www2.illinois.gov/sites/agr/Plants/MCPP/Pages/default.aspx>.

The Act establishes some basic regulations for the location of cultivation centers. Specifically, a cultivation center must be located more than 2,500 feet from pre-existing schools, day care facilities, and areas zoned for residential use. 410 ILCS 130/105(c). Although the Act originally included buffer requirements for medical cannabis dispensaries as well, those requirements were eliminated by recent amendments to the Act and will not apply to medical dispensaries registered on or after July 1, 2019. 410 ILCS 130/130(d).

The Act also authorizes municipalities to enact “reasonable” local land use regulations that do not “unreasonably prohibit the cultivation, dispensing, and use of medical cannabis” in accordance with the Act. 410 ILCS 130/140. Accordingly, local zoning regulations can limit the location of medical cannabis businesses, including by establishing reasonable buffer limitations for medical dispensaries, provided that the buffers or other limitations are not so restrictive as to effectively prohibit medical cannabis businesses from locating within the community.

Except for land use regulations authorized by the Act, local regulation over medical cannabis facilities is generally prohibited. *Id.* Much like the Cannabis Regulation and Tax Act’s regulatory structure of adult-use cannabis businesses, the Act delegates most regulatory and enforcement functions to State agencies. The Department of Professional and Financial Regulation (“**DPFR**”) exclusively licenses and oversees medical cannabis dispensaries, and the Department of Agriculture (“**DOA**”) exclusively licenses and oversees medical cannabis cultivation centers. Both DPFR and DOA have adopted administrative rules that extensively regulate topics such as registration and licensing of medical cannabis facilities and their owners and staff; security systems and procedures; production, storage, transportation, and distribution of medical cannabis; facility hours and access; electronic surveillance and alarm systems; recordkeeping; inventory control; sanitation; inspections and investigations; and disciplinary procedures. But the regulations do not comprehensively cover many subjects that fall within traditional municipal zoning authority, such as minimum lot size, setbacks, parking, screening, landscaping, signage, and separation from/ proximity to other uses.

Although local authority to establish land use regulations for medical cannabis businesses is similar in many ways to local authority over adult-use cannabis businesses (which were discussed in greater detail in our memorandum to the Plan Commission dated November 4, 2019) there are some key differences, including the following:

- No prohibition option for medical cannabis. Unlike with adult-use cannabis businesses, the Village does not have the option to simply prohibit medical cannabis cultivation centers or dispensaries. Under the Act, a local government “may not unreasonably prohibit the cultivation, dispensing, and use of medical cannabis” as authorized by state law. 410 ILCS 130/140. The Village also cannot make zoning regulations that are unreasonably restrictive such that they would effectively prohibit medical cannabis businesses.
- No cap on the number of businesses. The Act does not authorize a municipality to impose a cap on the number of medical cannabis dispensaries or cultivation centers within their jurisdiction.
- Buffer requirements. As discussed above, the Act specifies buffer requirements for medical cannabis cultivation centers, which will preempt any conflicting local regulations. See 410 ILCS 130/140. But the Act does not dictate any particular buffer requirements for dispensaries registered with the State on or after July 1, 2019. Accordingly, buffers between new dispensaries and other, sensitive uses can be established as part of the Village’s reasonable zoning regulations.

- On-Premises Consumption. Unlike the Cannabis Regulation and Tax Act, the Act does not address on-premises consumption of cannabis within a medical dispensary. Since the Act is silent on this subject, a local prohibition of on-premises consumption would not conflict with the Act and could be included in the Village's reasonable zoning regulations.

B. Proposed Zoning Code Amendments.

A draft ordinance is provided with this memorandum and includes the following proposed regulations for the Plan Commission's consideration and discussion:

- **Zoning Districts:** The draft ordinance proposes that medical cannabis dispensaries would be appropriately classified as a special use in the C-2 Regional Retail District, and that medical cannabis cultivation centers would be appropriately classified as a special use in the M Manufacturing District. The Plan Commission previously recommended that adult-use dispensaries should be classified as special uses in the C-2 District.
- **Buffers:** The draft ordinance incorporates the buffer requirements prescribed by State law for medical cultivation centers. It proposes that medical dispensaries be subject to the same buffer requirements that the Plan Commission recommended for adult-use dispensaries.
- **Performance Standards:** The draft ordinance includes suggestions for performance standards for medical dispensaries and cultivation centers that do not conflict with the Act and applicable State regulations. With respect to medical dispensaries, the proposed standards parallel those that the Plan Commission recommended for adult-use dispensaries. If medical cannabis businesses are classified as special uses, then additional, reasonable site-specific conditions could be imposed as part of granting the special use permit. Note that, as discussed above, the Act and State regulations establish significant requirements for the physical facilities and operations of medical cannabis businesses, which preempt conflicting or concurrent local regulations, so those subjects need not be addressed in the Zoning Code.
- **On-Premises Consumption:** It is proposed that the Plan Commission consider prohibiting on-premise consumption at medical dispensaries. The Plan Commission previously recommended that on-premises consumption be prohibited in adult-use dispensaries.

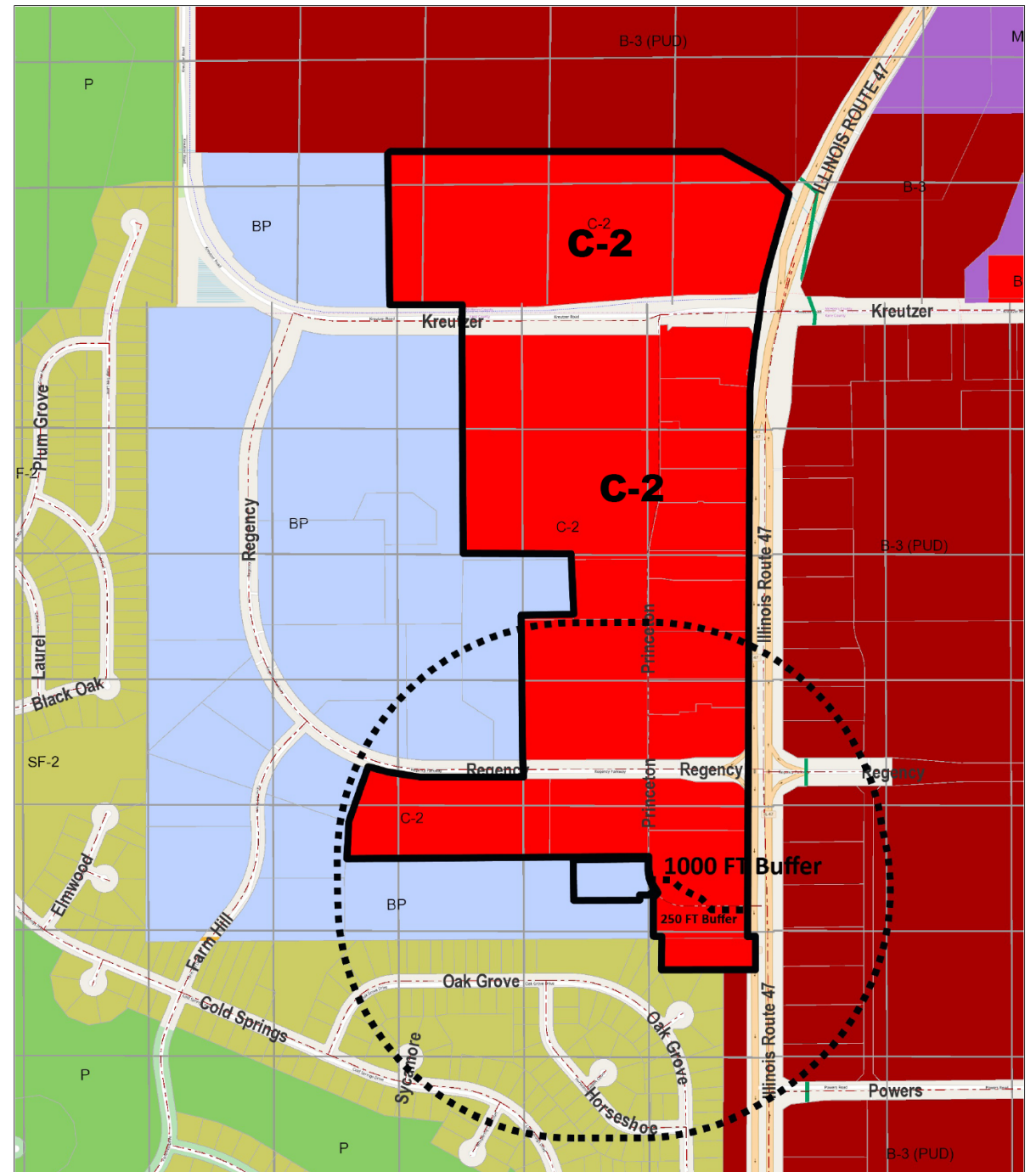
Please contact our office with any questions.

Medical Dispensaries Proposed in C-2 as a Special Use

Map 1 - Buffers from Sensitive Uses

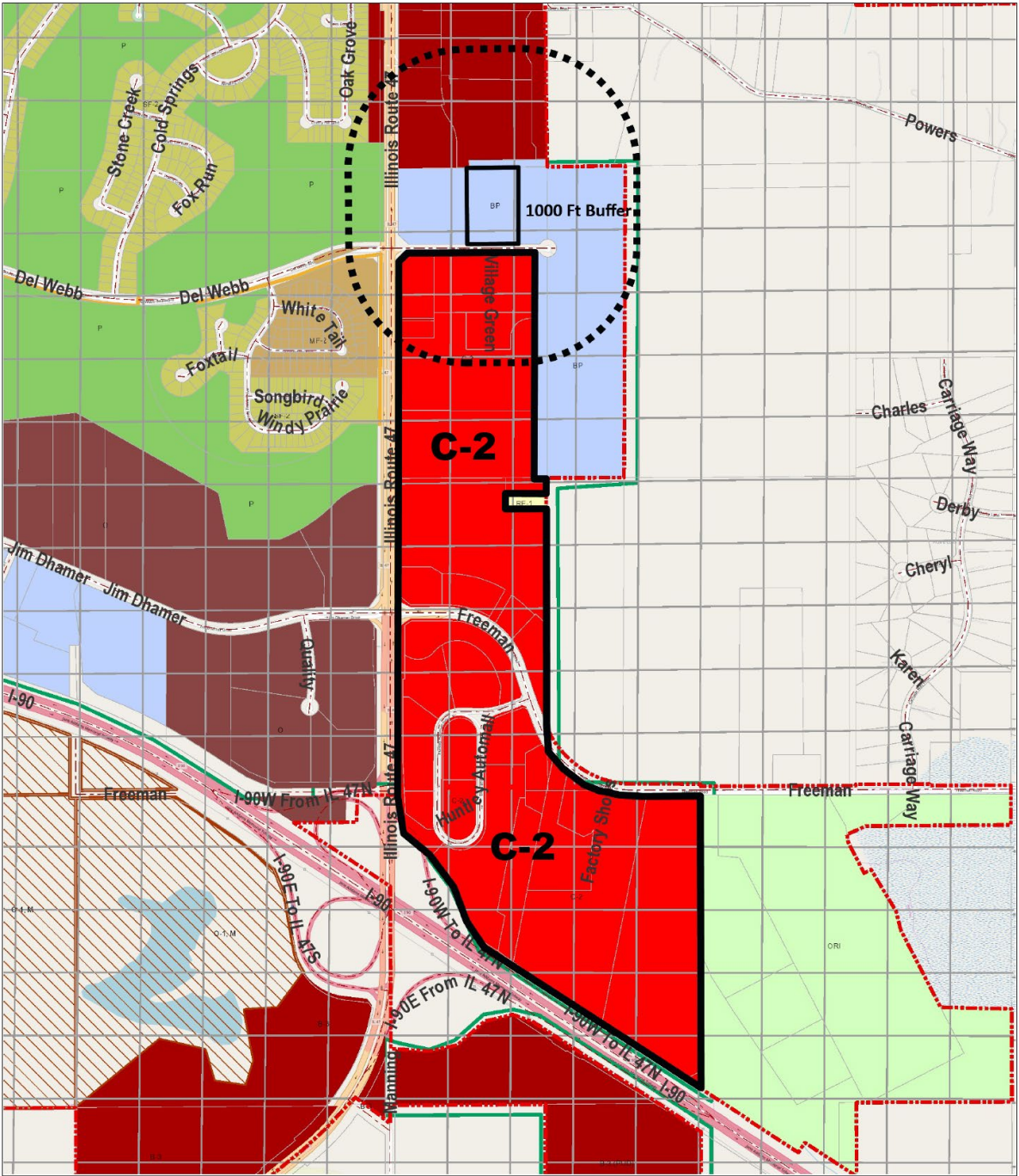
1,000 feet buffer from Daycare

250 feet buffer from Residential



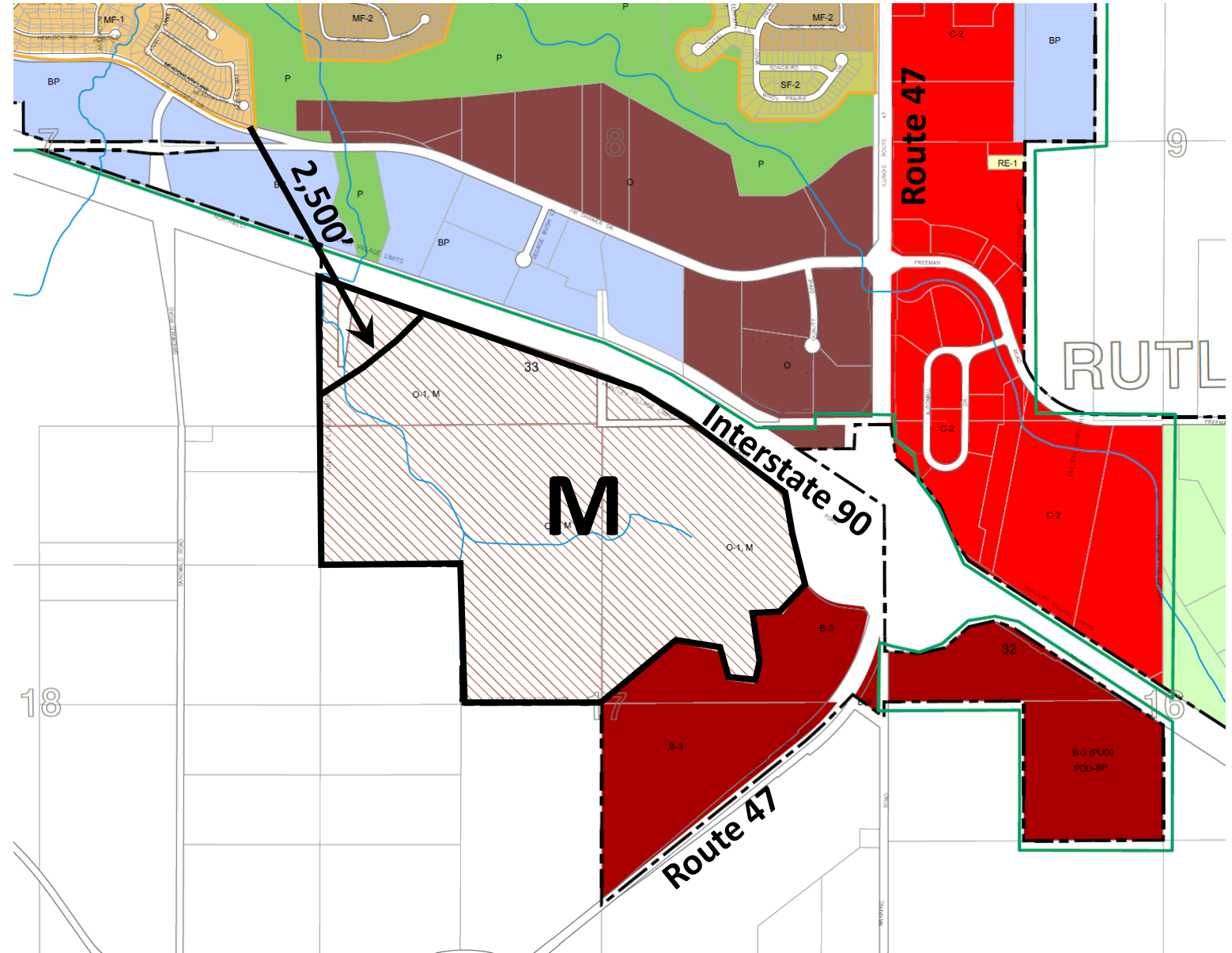
Medical Dispensaries Proposed in C-2 as a Special Use

Map 2 - Buffers from Sensitive Uses
1,000 feet buffer from School



Medical Cultivation Proposed in “M” as a Special Use

Map 3 - 2,500 feet Buffer
from Residential



EXCERPT FROM 12/9/19 PLAN COMMISSION MEETING MINUTES

- A. Petition No. 19-12.3, Village of Huntley, as petitioner, Consideration of potential text amendments to the Village of Huntley Zoning Ordinance regarding medical cannabis businesses operating in accordance with the Illinois Compassionate Use of Medical Cannabis Program Act, 430 ILCS 130/1 et seq., including specifically whether to include state-authorized medical cannabis dispensing organizations and medical cannabis cultivation centers as permitted or special uses in non-residential zoning districts in the Village, minimum distance limitations from sensitive uses, and other reasonable zoning regulations relating to the location, time, place, and manner, of such medical cannabis business establishments.

A MOTION was made to open the public hearing to consider Petition No. 19-12.3.

MOVED: Vice Chair Ellison
SECONDED: Commissioner Nichols
AYES: Commissioners Hahn, Nichols, DeBaltz, Darci Chandler, Robert Chandler, Vice Chair Ellison, and Chairman Kibort
NAYS: None
ABSTAIN: None
MOTION CARRIED 7:0:0

Chairman Kibort stated that a public hearing is being conducted and all audience members that would like to speak tonight must be sworn in. Chairman Kibort asked anyone wishing to speak to stand and be sworn in. There were no audience members wishing to make statements. The following individuals were sworn in:

Charles Nordman, Director of Development Services, Village of Huntley
Special Counsel Betsy Gates-Alford, Fillipini Law Firm

After the swearing in, Chairman Kibort announced the Village's Special Counsel and staff would be giving a presentation and he introduced Betsy Gates-Alford and Director Nordman.

Regulation of Medical Cannabis Cultivation Centers and Dispensaries

Special Counsel Gates-Alford gave a brief slide show presentation. Counsel began by reviewing the Compassionate Use of Medical Cannabis Program Act, 410 ILCS 130, (the "Act"). The Act was originally enacted by the Illinois General Assembly effective January 1, 2014. In June 2019, the General Assembly passed various amendments to the Act in connection with the legalization of adult-use cannabis pursuant to the Cannabis Regulation and Tax Act, 401 ILCS 705/1-1, et. seq. The Act sets forth an extensive statewide regulatory scheme for production, distribution, and use of medical cannabis and provides for the operation of two types of medical cannabis businesses: medical cannabis dispensaries and medical cannabis cultivation centers.

Special Counsel Gates-Alford stated that State law governs the total number of medical cannabis dispensaries and cultivation centers that may operate throughout Illinois. Up to 60 medical cannabis dispensaries may be registered in Illinois, and those registrations are further allocated among several "Dispensing Organization Districts." 410 ILCS 130/115. Kane County is designated as a Dispensing Organization District and allocated two registrations, and there are two medical cannabis dispensaries currently registered in Kane County. McHenry County is also designated as a Dispensing Organization District and is allocated one registration. Special Counsel Gates-Alford stated there is not currently a registered medical cannabis dispensary in McHenry County. The Act also authorizes the registration of one cultivation center in each of Illinois' twenty-two State Police Districts. Huntley is located in District 2, which consists of Lake, Kane, McHenry, DuPage, and DeKalb Counties, and there is currently one medical cannabis cultivation center registered in District 2.

The Act establishes some basic regulations for the location of cultivation centers. Specifically, a cultivation center must be located more than 2,500 feet from pre-existing schools, day care facilities, and areas zoned for residential use. 410 ILCS 130/105(c). Although the Act originally included buffer requirements for medical cannabis dispensaries as well, those requirements were eliminated by recent amendments to the Act and will not apply to medical dispensaries registered on or after July 1, 2019. 410 ILCS 130/130(d).

Special Counsel Gates-Alford continued her review of the Act. The Act also authorizes municipalities to enact “reasonable” local land use regulations that do not “unreasonably prohibit the cultivation, dispensing, and use of medical cannabis” in accordance with the Act. 410 ILCS 130/140. Accordingly, local zoning regulations can limit the location of medical cannabis businesses, including by establishing reasonable buffer limitations for medical dispensaries, provided that the buffers or other limitations are not so restrictive as to effectively prohibit medical cannabis businesses from locating within the community.

Special Counsel Gates-Alford stated that except for land use regulations authorized by the Act, local regulation over medical cannabis facilities is generally prohibited. She stated, much like the Cannabis Regulation and Tax Act’s regulatory structure of adult-use cannabis businesses, the Act delegates most regulatory and enforcement functions to State agencies. The Department of Professional and Financial Regulation (“DPFR”) exclusively licenses and oversees medical cannabis dispensaries, and the Department of Agriculture (“DOA”) exclusively licenses and oversees medical cannabis cultivation centers. Both DPFR and DOA have adopted administrative rules that extensively regulate topics such as registration and licensing of medical cannabis facilities and their owners and staff; security systems and procedures; production, storage, transportation, and distribution of medical cannabis; facility hours and access; electronic surveillance and alarm systems; recordkeeping; inventory control; sanitation; inspections and investigations; and disciplinary procedures. But the regulations do not comprehensively cover many subjects that fall within traditional municipal zoning authority, such as minimum lot size, setbacks, parking, screening, landscaping, signage, and separation from/ proximity to other uses.

Special Counsel Gates-Alford said that although local authority to establish land use regulations for medical cannabis businesses is similar in many ways to local authority over adult-use cannabis businesses (which was reviewed during the Public Hearing held in front of the Plan Commission dated November 12, 2019) there are some key differences, including the following:

- No prohibition option for medical cannabis. Unlike with adult-use cannabis businesses, the Village does not have the option to simply prohibit medical cannabis cultivation centers or dispensaries. Under the Act, a local government “may not unreasonably prohibit the cultivation, dispensing, and use of medical cannabis” as authorized by state law. 410 ILCS 130/140. The Village also cannot make zoning regulations that are unreasonably restrictive such that they would effectively prohibit medical cannabis businesses.
- No cap on the number of businesses. The Act does not authorize a municipality to impose a cap on the number of medical cannabis dispensaries or cultivation centers within their jurisdiction.
- Buffer requirements. As discussed above, the Act specifies buffer requirements for medical cannabis cultivation centers, which will preempt any conflicting local regulations. *See* 410 ILCS 130/140. But the Act does not dictate any particular buffer requirements for dispensaries registered with the State on or after July 1, 2019. Accordingly, buffers between new dispensaries and other, sensitive uses can be established as part of the Village’s reasonable zoning regulations.
- On-Premises Consumption. Unlike the Cannabis Regulation and Tax Act, the Act does not address on-premises consumption of cannabis within a medical dispensary. Since the Act is silent on this subject, a

local prohibition of on-premises consumption would not conflict with the Act and could be included in the Village's reasonable zoning regulations.

B. Proposed Zoning Code Amendments.

Special Counsel Gates-Alford reviewed the key changes in the draft ordinance, which will be considered and discussed by the Plan Commission this evening:

- Zoning Districts: The draft ordinance proposes that medical cannabis dispensaries would be appropriately classified as a special use in the C-2 Regional Retail District, and that medical cannabis cultivation centers would be appropriately classified as a special use in the M Manufacturing District. The Plan Commission previously recommended that adult-use dispensaries should be classified as special uses in the C-2 District.
- Buffers: The draft ordinance incorporates the buffer requirements prescribed by State law for medical cultivation centers. It proposes that medical dispensaries be subject to the same buffer requirements that the Plan Commission recommended for adult-use dispensaries.
- Performance Standards: The draft ordinance includes suggestions for performance standards for medical dispensaries and cultivation centers that do not conflict with the Act and applicable State regulations. With respect to medical dispensaries, the proposed standards parallel those that the Plan Commission recommended for adult-use dispensaries. If medical cannabis businesses are classified as special uses, then additional, reasonable site-specific conditions could be imposed as part of granting the special use permit. Note that, as discussed, the Act and State regulations establish significant requirements for the physical facilities and operations of medical cannabis businesses, which preempt conflicting or concurrent local regulations, so those subjects need not be addressed in the Zoning Code.
- On-Premises Consumption: It is proposed that the Plan Commission consider prohibiting on-premise consumption at medical dispensaries. The Plan Commission previously recommended that on-premises consumption be prohibited in adult-use dispensaries.

This concluded Special Counsel Gates-Alford's presentation, and she stated Director Nordman would be adding a few comments.

Director Nordman conducted a short recap of the proposed areas where a medical marijuana dispensary could possibly locate in the Village.

Director Nordman stated in order to maintain consistency with the adult-use cannabis dispensary regulations reviewed by the Plan Commission on November 11, 2019, a medical cannabis dispensary is also proposed as a special use in the "C-2" Regional Retail zoning district. The additional standards for medical cannabis dispensaries are also the same terms as the Plan Commission reviewed for adult-use cannabis dispensaries, except that the numerical limit of one dispensary cannot not apply. Director Nordman highlighted the areas on the zoning map where a medical dispensary could be located, and discussed the buffer areas. Map 1 displayed the proposed 1,000-foot buffer from Daycare centers, and a 250-foot buffer from Residential zoned parcels. Map 2 displayed the 1,000-foot buffer from Schools.

Director Nordman stated the Compassionate Use of Medical Cannabis Program Act does not allow a municipality from prohibiting a medical cannabis cultivation center; thus, a medical cannabis cultivation center has been proposed as a special use in the "M" Manufacturing zoning district. The Act prohibits a medical cultivation center from locating within 2,500 feet (0.47 miles) of pre-existing schools, daycare facilities, and areas zoned for residential use, which significantly limits possible locations in the Village. The only "M" Manufacturing zoned

property that meets the 2,500 feet buffer requirement is located south of Interstate 90, west of Route 47. Director Nordman highlighted this area on the zoning map.

Director Nordman then referred to the formal language of the text amendment included in the Commissioner's packets, and explained this is what the Commissioners are being asked to review and offer their recommendation the Village Board.

PROPOSED ZONING ORDINANCE AMENDMENTS

Section 156.011, entitled "Definitions" of Article II, entitled "Interpretations and Definitions," of Chapter 156, entitled "Zoning Code," of Title XV, entitled "Land Usage" of the Huntley Code is proposed to be amended in part to add the following new definitions:

"Medical Cannabis Cultivation Center" means a facility operated by an organization or business that is registered by the Illinois Department of Agriculture to perform necessary activities to provide registered medical cannabis dispensing organizations with usable medical cannabis.

"Medical Cannabis Dispensary" means a facility operated by an organization or business that is registered by the Illinois Department of Financial and Professional Regulation to acquire medical cannabis from a registered medical cannabis cultivation center for the purpose of dispensing cannabis, paraphernalia, or related supplies and educational materials to registered qualifying patients.

SECTION III. Section 156.061, entitled "(C-2) Regional Retail District" of Article VI, entitled "Planned Development District," of Chapter 156, entitled "Zoning Code," of Title XV, entitled "Land Usage" of the Huntley Code is proposed to be amended in part as follows:

§ 156.061 (C-2) REGIONAL RETAIL DISTRICT

* * *

(B) *Uses.*

* * *

- (2) *Special Uses.* Upon recommendation by the Plan Commission after public hearing on petition pertaining thereto, in accordance with the requirements set forth for such hearing in Article VII of this Ordinance, the Village may, by Special Use Permit, allow the following uses in the C-2 District:

* * *

RETAIL SALES – Furniture sales (used), Outdoor sales & service, Secondhand store, adult-use cannabis dispensary, **Medical cannabis dispensary.**

* * *

SECTION IV. Section 156.045, entitled "(M) Manufacturing District" of Article V, entitled "Business and Non-Residential Districts," of Chapter 156, entitled "Zoning Code," of Title XV, entitled "Land Usage" of the Huntley Code is proposed to be amended in part as follows:

§ 156.045 (M) MANUFACTURING DISTRICT

* * *

(B) *Uses.*

* * *

- (2) *Special Uses.* Upon recommendation by the Plan Commission after public hearing on petition pertaining thereto, in accordance with the requirements set forth for such hearing in Article VII of this Ordinance, **the Village may, by Special Use Permit, allow the following uses in the M District:**

AGRICULTURAL BUSINESS - Kennel/boarding, Poultry hatchery, Veterinary Hospital, Wind Energy Systems (large or small), **Medical cannabis cultivation center.**

SECTION V. Section 156.068, entitled “Special Use Permits” of Article VII, entitled “Special Use Permits,” of Chapter 156, entitled “Zoning Code,” of Title XV, entitled “Land Usage” of the Huntley Code is proposed to be amended in part as follows:

- (F) *Special Standards for Specified Special Uses.* Where the district regulations authorizing any special use permit in a particular district impose special standards to be met by such use in such district, a permit for such use in such district shall not be recommended or granted unless the applicant shall establish compliance with such special standards.

* * *

(10) Medical Cannabis Cultivation Centers.

a. Location Restrictions

- (i) **No medical cannabis cultivation center shall be established, maintained or operated on any lot that has a property line within 2,500 feet of the property line of a pre-existing public or private pre-school or elementary or secondary school or day care center, day care home, group day care home, part day child care facility, or an area zoned for residential use.**
- (ii) **Medical cannabis cultivation centers shall not be established on multiple-use or multiple-tenant property or on a property that shares parking with other users.**

b. Manufacture and Production Standards

- (i) **Unless otherwise stated herein or provided by state law, the medical cannabis cultivation center shall conform to all Village rules, regulations and ordinances.**
- (ii) **All medical cannabis cultivation centers shall comply with the Compassionate Use of Medical Cannabis Program Act, 410 ILCS 130/1 et seq., (“Medical Cannabis Act”) and all rules and regulations adopted in accordance therewith.**
- (iii) **Parking areas shall be well lit and monitored by video surveillance equipment in accordance with the Medical Cannabis Act and State regulations.**

c. Setbacks/Lot Area/Bulk Regulations. A medical cannabis cultivation center shall conform to the setback, lot area, and bulk regulations applicable to the zoning district in which the medical cannabis cultivation center is located.

d. Signage

- (i) Other than signage expressly required by State law, all signage for a medical cannabis cultivation center shall be limited to one flat wall sign not to exceed ten square feet in area, and one identifying sign, which can only include the center's address, not to exceed two square feet in area; such signs shall not be directly illuminated.
- (ii) Electronic changeable copy signs and temporary signs are not permitted in connection with a medical cannabis cultivation center.

e. Age and Access Limitations. Cultivation centers shall not employ anyone under the age of twenty-one (21). Access shall be limited exclusively to medical cannabis cultivation center staff and local and state officials and those specifically authorized under the Medical Cannabis Act and State regulations.

f. Security and Video Surveillance

- (i) The medical cannabis cultivation center shall be an enclosed locked facility and shall provide and maintain adequate security on the premises, including lighting, video surveillance, and alarms that comply with the Medical Cannabis Act and State regulations. The facility shall be enclosed by a high security fence. The fence must be adequately secure to prevent unauthorized entry and include gates connected into an access control system.
- (ii) The medical cannabis cultivation center parking area, cultivation, production, warehousing areas, and shipping bays and entrance shall be monitored by video surveillance equipment that complies with the Medical Cannabis Act and State regulations. The operator shall promptly make such records available to the Huntley Police Department upon request.
- (iii) Loading of all medical cannabis products shall occur within secure enclosed shipping bays and shall not be visible from the exterior of the building.
- (iv) A medical cannabis cultivation center is subject to inspection by the Huntley Police Department and/or Huntley Development Services at any time during regular business hours.

g. Noxious Odors. All medical cannabis cultivation centers shall operate in a manner that prevents odor impacts on neighboring premises or properties, and, if necessary, the facility shall be ventilated with a system for odor control.

h. Conduct on Site

- (i) Retail sales of medical cannabis or medical cannabis infused products are strictly prohibited at medical cannabis cultivation centers.
- (ii) It shall be unlawful for a medical cannabis cultivation center to cultivate, manufacture, process, package, or sell any product other than useable cannabis and cannabis-infused products intended for human consumption in accordance with the Medical Cannabis Act.

- i. Interpretation. The provisions of this Subsection 156.068(F)(10) are intended to be interpreted in a manner consistent with the provisions and limitations of the Medical Cannabis Act and State regulations promulgated thereunder.

(11) Medical Cannabis Dispensaries

a. Minimum required buffer from protected uses:

- i. A medical cannabis dispensary may not be located within 1,000 feet of the property line of a pre-existing public or private nursery school, preschool, primary or secondary school, or day care center. Learning centers and vocational/trade centers shall not be classified as a public or private school for purposes of this Section.
- (ii) A medical cannabis dispensary may not be located within 1,000 feet of the property line of an existing religious establishment, park district property, or library.
- (iii) A medical cannabis dispensary may not be located within 250 feet of residentially zoned property except when separated by a State highway.
- (iv) For the purposes of this section, distances shall be measured in a straight line, without regard to intervening structures or objects, from the nearest point on the property line of the lot on which an applicable medical cannabis dispensary is located to the nearest point on a property line of any protected use.
- (v) Summary of Buffer Requirements:

<u>Use</u>	<u>Required Buffer</u>
<u>Schools</u>	<u>1,000 feet</u>
<u>Daycare</u>	<u>1,000 feet</u>
<u>Religious Establishment</u>	<u>1,000 feet</u>
<u>Residentially zoned property*</u>	<u>250 feet</u>
<u>Park District Property</u>	<u>1,000 feet</u>
<u>Library</u>	<u>1,000 feet</u>

*Except when separated by a State highway.

- b. A medical cannabis dispensary may not conduct any sales or distribution of cannabis other than as authorized by the Medical Cannabis Act; provided, however, that if the medical cannabis dispensary is also a licensed adult-use Cannabis Dispensary, then it may conduct sales or distribution of cannabis in accordance with the Cannabis Regulation and Tax Act, 410 ILCS 705/1 et seq. and the regulations of this Chapter that apply to adult-use Cannabis Dispensaries.
- c. Exterior Display: A medical cannabis dispensary shall be maintained or operated in a manner that the public viewing of cannabis, cannabis products, cannabis paraphernalia or similar products from any sidewalk, public or private right-of-way or from outside of the cannabis dispensing organization is not allowed.

- d. Hours of Operations: Hours of operation are limited to between 6:00am and 10:00pm.
- e. Environmental: Emission of dust, fumes, vapors, or odors in a manner that impacts neighboring premises or properties or any public property or right-of-way shall be prohibited.
- f. Signage: Electronic changeable copy signs are not permitted for a medical cannabis dispensary. No cannabis leaf or bud image may be used in promotional signage for a medical cannabis dispensary.
- g. State Requirements: The medical cannabis dispensary must comply with all applicable provisions of the Medical Cannabis Act as may be revised or amended from time to time.
- h. All hazardous waste and cannabis waste shall be disposed of in accordance with the provisions of the statutes of the State of Illinois and ordinances of the Village of Huntley.
- i. On-Premises Consumption: It shall be prohibited to consume cannabis products in a medical cannabis dispensary or anywhere on the site occupied by a medical cannabis dispensary.
- j. Other Cannabis Businesses Prohibited. Adult-use cannabis craft growers, cultivation centers, infusers, processors, and transporter organizations shall not be permitted to be co-located with a medical cannabis dispensary.
- k. Interpretation. The provisions of this Subsection 156.068(F)(11) are intended to be interpreted in a manner consistent with the provisions and limitations of the Medical Cannabis Act and State regulations promulgated thereunder.

Director Nordman concluded his presentation.

Chairman Kibort asked for public comments at this time. There were none.

A MOTION was made to close the public hearing for Petition No. 19-12.3.

MOVED:	Commissioner Robert Chandler
SECONDED:	Commissioner DeBaltz
AYES:	Commissioners Hahn, Nichols, DeBaltz, Darci Chandler, Robert Chandler, Vice Chair Ellison, and Chairman Kibort
NAYS:	None
ABSTAIN:	None
MOTION CARRIED	7:0:0

Chairman Kibort asked for comments from the Commissioners.

Commissioner Nichols asked Special Counsel if there was a medical incident (example given was a seizure) and a person was in need of cannabis, whether a person could be prosecuted for utilizing the drug on the premises. Special Counsel responded that would be an enforcement issue for something that is happening in an emergency

situation. She stated the reason for the zoning language is to determine whether (or not) a lounge for consumption (on premises) would be allowed. As the staff report indicates, a lounge is not intended to be an allowed use for any dispensary in Huntley.

All Commissioners were in favor of the zoning amendment as written and had no further comments.

Commissioner Kibort asked for a motion.

A MOTION was made to approve Petition No. 19-12.3, Village of Huntley, as petitioner, Consideration of potential text amendments to the Village of Huntley Zoning Ordinance regarding medical cannabis businesses operating in accordance with the Illinois Compassionate Use of Medical Cannabis Program Act, 430 ILCS 130/1 et seq., including specifically whether to include state-authorized medical cannabis dispensing organizations and medical cannabis cultivation centers as permitted or special uses in non-residential zoning districts in the Village, minimum distance limitations from sensitive uses, and other reasonable zoning regulations relating to the location, time, place, and manner, of such medical cannabis business establishments:

MOVED: Commissioner Robert Chandler

SECONDED: Commissioner DeBaltz

AYES: Commissioners Hahn, Nichols, DeBaltz, Darci Chandler, Robert Chandler, Vice Chair Ellison, and Chairman Kibort

NAYS: None

ABSTAIN: None

MOTION CARRIED 7:0:0

**AN ORDINANCE AMENDING CHAPTER 156 OF THE
HUNTLEY VILLAGE CODE REGARDING ZONING
REGULATIONS FOR MEDICAL CANNABIS FACILITIES**

Ordinance (O)2020-01. __

WHEREAS, the Village of Huntley is a home rule unit of local government under the Illinois Constitution, 1970, Article VII, Section 6; and

WHEREAS, Title XV, Chapter 156 of the Huntley Code ("**Zoning Code**") regulates the use and development of land within the Village and provides for the administration and enforcement of such regulations; and

WHEREAS, from time to time it is appropriate to review, update and modify the Zoning Code to assure that it appropriately addresses new issues that may arise; and

WHEREAS, the Compassionate Use of Medical Cannabis Program Act, 410 ILCS 130 (the "**Act**"), sets forth a statewide regulatory scheme for a medical cannabis program, including regulations for the establishment and operation of medical cannabis dispensaries and cultivation centers; and

WHEREAS, Section 140 of the Act, 410 ILCS 130/140, authorizes all municipalities to enact reasonable local zoning and land use ordinances regulating state-registered medical cannabis dispensaries and cultivation centers, provided that such local regulations do not unreasonably prohibit the cultivation, dispensing, and use of Medical Cannabis in accordance with the Act; and

WHEREAS, the President and Board of Trustees have determined that, pursuant to the authority granted by Section 140 of the Act, the Zoning Code should be amended to establish reasonable zoning regulations for the establishment and maintenance of medical cannabis dispensary and cultivation center uses within certain non-residential areas in the Village; and

WHEREAS, pursuant to notice duly published, the Huntley Plan Commission (the "**PC**") conducted a public hearing on December 9, 2019 concerning the Proposed Amendments; and

WHEREAS, at the conclusion of the public hearing, the PC made findings and recommended the President and Board of Trustees adopt the Proposed Amendments; and

WHEREAS, the President and Board of Trustees have determined it is in the best interests of the Village and its residents to adopt the Proposed Amendments as set forth in this Ordinance;

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF HUNTLEY as follows:

SECTION I. The foregoing recitals are incorporated into and made part of this Ordinance by reference.

SECTION II. Section 156.011, entitled "Definitions" of Article II, entitled "Interpretations and Definitions," of Chapter 156, entitled "Zoning Code," of Title XV, entitled "Land Usage" of the Huntley Code is hereby amended in part to add the following new definitions:

"Medical Cannabis Cultivation Center" means a facility operated by an organization or business that is registered by the Illinois Department of Agriculture to perform necessary activities to provide registered medical cannabis dispensing organizations with usable medical cannabis.

“Medical Cannabis Dispensary” means a facility operated by an organization or business that is registered by the Illinois Department of Financial and Professional Regulation to acquire medical cannabis from a registered medical cannabis cultivation center for the purpose of dispensing cannabis, paraphernalia, or related supplies and educational materials to registered qualifying patients.

SECTION III. Section 156.061, entitled “(C-2) Regional Retail District” of Article VI, entitled “Planned Development District,” of Chapter 156, entitled “Zoning Code,” of Title XV, entitled “Land Usage” of the Huntley Code is hereby amended in part as follows:

§ 156.061 (C-2) REGIONAL RETAIL DISTRICT

- * * *
- (B) *Uses.*
- * * *
- (2) *Special Uses.* Upon recommendation by the Plan Commission after public hearing on petition pertaining thereto, in accordance with the requirements set forth for such hearing in Article VII of this Ordinance, the Village may, by Special Use Permit, allow the following uses in the C-2 District:
- * * *
- RETAIL SALES – Furniture sales (used), Outdoor sales & service, Secondhand store, **Medical Cannabis dispensary.**

SECTION IV. Section 156.045, entitled “(M) Manufacturing District” of Article V, entitled “Business and Non-Residential Districts,” of Chapter 156, entitled “Zoning Code,” of Title XV, entitled “Land Usage” of the Huntley Code is hereby amended in part as follows:

§ 156.045 (M) MANUFACTURING DISTRICT

- * * *
- (B) *Uses.*
- * * *
- (2) *Special Uses.* Upon recommendation by the Plan Commission after public hearing on petition pertaining thereto, in accordance with the requirements set forth for such hearing in Article VII of this Ordinance, **the Village may, by Special Use Permit, allow the following uses in the M District:**
- AGRICULTURAL BUSINESS - Kennel/boarding, Poultry hatchery, Veterinary Hospital, Wind Energy Systems (large or small), **Medical Cannabis cultivation center.**

SECTION V. Section 156.068, entitled “Special Use Permits” of Article VII, entitled “Special Use Permits,” of Chapter 156, entitled “Zoning Code,” of Title XV, entitled “Land Usage” of the Huntley Code is hereby amended in part as follows:

- (F) *Special Standards for Specified Special Uses.* Where the district regulations authorizing any special use permit in a particular district impose special standards to be met by such use in such district, a permit for such use in such district shall not be recommended or granted unless the applicant shall establish compliance with such special standards.

* * *

(10) Medical Cannabis Cultivation Centers.

a. Location Restrictions

- (i) No Medical Cannabis cultivation center shall be established, maintained or operated on any lot that has a property line within 2,500 feet of the property line of a pre-existing public or private pre-school or elementary or secondary school or day care center, day care home, group day care home, part day child care facility, or an area zoned for residential use.
- (ii) Medical Cannabis cultivation centers shall not be established on multiple-use or multiple-tenant property or on a property that shares parking with other users.

b. Manufacture and Production Standards

- (i) Unless otherwise stated herein or provided by state law, the Medical Cannabis cultivation center shall conform to all Village rules, regulations and ordinances.
- (ii) All Medical Cannabis cultivation centers shall comply with the Compassionate Use of Medical Cannabis Program Act, 410 ILCS 130/1 et seq., (“Medical Cannabis Act”) and all rules and regulations adopted in accordance therewith.
- (iii) Parking areas shall be well lit and monitored by video surveillance equipment in accordance with the Medical Cannabis Act and State regulations.

c. Setbacks/Lot Area/Bulk Regulations. A Medical Cannabis cultivation center shall conform to the setback, lot area, and bulk regulations applicable to the zoning district in which the medical cannabis cultivation center is located.

d. Signage

- (i) Other than signage expressly required by State law, all signage for a medical cannabis cultivation center shall be limited to one flat wall sign not to exceed ten square feet in area, and one identifying sign, which can only include the center’s address, not to exceed two square feet in area; such signs shall not be directly illuminated.
- (ii) Electronic changeable copy signs and temporary signs are not permitted in connection with a Medical Cannabis cultivation center.

e. Age and Access Limitations. Cultivation centers shall not employ anyone under the age of twenty-one (21). Access shall be limited exclusively to medical cannabis cultivation center staff and local and state officials and those specifically authorized under the Medical Cannabis Act and State regulations.

f. Security and Video Surveillance

- (i) The Medical Cannabis cultivation center shall be an enclosed locked facility and shall provide and maintain adequate security on the premises, including lighting, video surveillance, and alarms that comply with the Medical Cannabis Act and State regulations. The facility shall be enclosed by a high security fence. The fence must be adequately secure to prevent unauthorized entry and include gates connected into an access control system.
 - (ii) The Medical Cannabis cultivation center parking area, cultivation, production, warehousing areas, and shipping bays and entrance shall be monitored by video surveillance equipment that complies with the Medical Cannabis Act and State regulations. The operator shall promptly make such records available to the Huntley Police Department upon request.
 - (iii) Loading of all Medical Cannabis products shall occur within secure enclosed shipping bays and shall not be visible from the exterior of the building.
 - (iv) A Medical Cannabis cultivation center is subject to inspection by the Huntley Police Department and/or Huntley Development Services at any time during regular business hours.
- g. Noxious Odors. All Medical Cannabis cultivation centers shall operate in a manner that prevents odor impacts on neighboring premises or properties, and, if necessary, the facility shall be ventilated with a system for odor control.
- h. Conduct on Site
 - (i) Retail sales of Medical Cannabis or medical cannabis infused products are strictly prohibited at medical cannabis cultivation centers.
 - (ii) It shall be unlawful for a medical cannabis cultivation center to cultivate, manufacture, process, package, or sell any product other than useable cannabis and cannabis-infused products intended for human consumption in accordance with the Medical Cannabis Act.
- i. Interpretation. The provisions of this Subsection 156.068(F)(10) are intended to be interpreted in a manner consistent with the provisions and limitations of the Medical Cannabis Act and State regulations promulgated thereunder.

(11) Medical Cannabis Dispensaries

- a. Minimum required buffer from protected uses:
 - (i) A Medical Cannabis dispensary may not be located within 1,000 feet of the property line of a pre-existing public or private nursery school, preschool, primary or secondary school, or day care center. Learning centers and vocational/trade centers shall not be classified as a public or private school for purposes of this Section.
 - (ii) A Medical Cannabis dispensary may not be located within 1,000 feet of the property line of an existing religious establishment, park district property, or library.
 - (iii) A Medical Cannabis dispensary may not be located within 250 feet of residentially zoned property except when separated by a State highway.

(iv) For the purposes of this section, distances shall be measured in a straight line, without regard to intervening structures or objects, from the nearest point on the property line of the lot on which an applicable medical cannabis dispensary is located to the nearest point on a property line of any protected use.

(v) Summary of Buffer Requirements:

<u>Use</u>	<u>Required Buffer</u>
<u>Schools</u>	<u>1,000 feet</u>
<u>Daycare</u>	<u>1,000 feet</u>
<u>Religious Establishment</u>	<u>1,000 feet</u>
<u>Residentially zoned property*</u>	<u>250 feet</u>
<u>Park District Property</u>	<u>1,000 feet</u>
<u>Library</u>	<u>1,000 feet</u>

*Except when separated by a State highway.

- b. A Medical Cannabis dispensary may not conduct any sales or distribution of cannabis other than as authorized by the Medical Cannabis Act; provided, however, that if the medical cannabis dispensary is also a licensed adult-use Cannabis Dispensary, then it may conduct sales or distribution of cannabis in accordance with the Cannabis Regulation and Tax Act, 410 ILCS 705/1 et seq. and the regulations of this Chapter that apply to adult-use Cannabis Dispensaries.
- c. Exterior Display: A Medical Cannabis dispensary shall be maintained or operated in a manner that the public viewing of cannabis, cannabis products, cannabis paraphernalia or similar products from any sidewalk, public or private right-of-way or from outside of the cannabis dispensing organization is not allowed.
- d. Hours of Operations: Hours of operation are limited to between 6:00am and 10:00pm.
- e. Environmental: Emission of dust, fumes, vapors, or odors in a manner that impacts neighboring premises or properties or any public property or right-of-way shall be prohibited.
- f. Signage: Electronic changeable copy signs are not permitted for a medical cannabis dispensary. No cannabis leaf or bud image may be used in promotional signage for a medical cannabis dispensary.
- g. State Requirements: The Medical Cannabis dispensary must comply with all applicable provisions of the Medical Cannabis Act as may be revised or amended from time to time.

- h. All hazardous waste and cannabis waste shall be disposed of in accordance with the provisions of the statutes of the State of Illinois and ordinances of the Village of Huntley.
- i. On-Premises Consumption: It shall be prohibited to consume cannabis products in a Medical Cannabis dispensary or anywhere on the site occupied by a medical cannabis dispensary.
- j. Other Cannabis Businesses Prohibited. Adult-use cannabis craft growers, cultivation centers, infusers, processors, and transporter organizations shall not be permitted to be co-located with a Medical Cannabis dispensary.
- k. Interpretation. The provisions of this Subsection 156.068(F)(11) are intended to be interpreted in a manner consistent with the provisions and limitations of the Medical Cannabis Act and State regulations promulgated thereunder.

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

SECTION VII: All Ordinances and parts of ordinances in conflict herewith are hereby repealed.

	<u>Aye</u>	<u>Nay</u>	<u>Absent</u>	<u>Abstain</u>
Trustee Goldman	_____	_____	_____	_____
Trustee Hoeft	_____	_____	_____	_____
Trustee Kanakaris	_____	_____	_____	_____
Trustee Leopold	_____	_____	_____	_____
Trustee Piwko	_____	_____	_____	_____
Trustee Westberg	_____	_____	_____	_____

PASSED and APPROVED this 23rd day of January, 2020.

APPROVED:

ATTEST :

Village President

Village Clerk

Agenda Item: **Consideration – Ordinance Amending Chapter 156 of the Huntley Code Regarding Zoning Regulations For Adult-Use Cannabis Business Establishments Operating in Accordance with the Illinois Cannabis Regulation and Tax Act, 410 ILCS 705/1-1 et seq.**

Petitioner: **Village of Huntley**

Department: **Development Services Department - Planning and Zoning Division**

Introduction

The Cannabis Regulation and Tax Act (Public Act 101-0027) 410 ILCS 705/1 *et seq.* signed into law in 2019 permits (subject to various limitations and restrictions) the production, sale, possession, and use of recreational Adult-Use cannabis and cannabis-containing products under Illinois law beginning on January 1, 2020. The production, sale, and transportation of Adult-Use Cannabis will be limited to State-licensed cannabis business establishments (“Cannabis Businesses”) operating in accordance with the Act. Adults 21 years of age and older will be permitted to purchase, possess, and use Adult-Use Cannabis in limited quantities for personal use.

Cannabis Businesses are defined by the State as follows:

- **Dispensing organizations (or dispensaries)**, where Adult-Use Cannabis is sold to consumers at retail. Dispensaries may also sell cannabis paraphernalia and supplies and sell cannabis seeds to registered medical cannabis patients for home cultivation. Dispensaries may not produce or manufacture cannabis or cannabis-infused products, nor can they purchase cannabis or cannabis products from out-of-state sources.
- **Cultivation centers**, which are fully enclosed growing facilities with up to 210,000 square feet of canopy space for plants in the flowering state. Cultivation centers may also process cannabis and produce cannabis concentrates and/or cannabis-infused products.
- **Craft growers**, which are fully enclosed growing facilities with up to 5,000 square feet of canopy space for plants in the flowering state. Craft growers may also process cannabis and produce cannabis concentrates and/or cannabis-infused products.
- **Infusers and processing organizations**, which are facilities where constituent chemicals or compounds are extracted from plants to produce cannabis concentrate and/or where cannabis-infused products are produced.
- **Transporting organizations (or transporters)**, which are businesses that transport cannabis in motor vehicles between other licensed Cannabis Businesses. Transporters may, but are not required to, have a fixed, physical business location.

The Cannabis Regulation and Tax Act (the “Act”) authorizes municipalities to prohibit Cannabis Businesses within their boundaries and, if Cannabis Businesses are allowed, authorizes municipalities to exercise zoning authority and certain other regulatory powers.

The Village’s Special Counsel has prepared a memorandum, dated November 4, 2019, providing a further explanation of the Act and the issues for review. Special Counsel will be in attendance at the Village Board meeting to answer questions on the subject.

Staff Analysis

On October 10, 2019, the Village Board approved Resolution (R)2019-10.61 by a vote of 4-3 directing the Plan Commission to hold a public hearing on the questions of whether:

- (i) the Zoning Code should be amended to allow one, Adult-Use Cannabis Business dispensary, without on-site consumption, as a permitted or special use in the Village's various zoning districts; and
- (ii) the Zoning Code should be amended to establish other Cannabis Business Regulations that may be necessary, important, or beneficial to the Village and its residents consistent with the Act.

The resolution directed the Plan Commission to make a recommendation to the Village Board regarding the above subjects, along with any other conditions that should be attached to the zoning of Adult-Use Cannabis Businesses.

The resolution was a result of discussion and direction of the Village Board to provide the Plan Commission with the following direction for amending the Zoning Code:

- Allow Adult-Use Cannabis Dispensaries only.
- Prohibit Cultivation Centers, Craft Growers, Infusers and Processing organizations, and Transportation organizations/transporters.
- Prohibit the on-site consumption of cannabis.

Additional considerations discussed were to allow only one Adult-Use cannabis dispensary within the Village and to follow the zoning regulations applicable to Tobacco and Vape Shops. Tobacco and Vape Shops are allowed only in the "C-2" Regional Retail zoning district and they must be no less than 1,000 feet from a building used as a school, childcare facility, or for the education or recreation of children under 18 years of age.

The proposed amendments were prepared based on the direction provided by the Village Board.

Proposed Zoning Code Amendments

The proposed Zoning Code amendments would allow a maximum of one Adult-Use cannabis dispensary as a special use in the "C-2" Regional Retail Zoning District. All other cannabis businesses would be prohibited (craft growers, cultivation centers, infusers, processors, and transporter organizations). The proposed amendments also prohibit the on-premise of consumption of cannabis products at an Adult-Use cannabis dispensary.

Furthermore, the proposed amendments prohibit an Adult-Use cannabis dispensary from locating within 1,000 feet of the property line of a pre-existing public or private nursery school, preschool, primary or secondary school, daycare center, religious establishment, park district property, or library. Nor could an Adult-Use cannabis dispensary be located within 250 feet of residentially zoned property except when separated by a State highway.

The proposed amendments also provide signage restrictions and prohibit cannabis products or paraphernalia displays from being visible from outside of the cannabis dispensing organization.

The following is the proposed Zoning Code amendment in its entirety:

Section 156.011, entitled “Definitions” of Article II, entitled “Interpretations and Definitions,” of Chapter 156, entitled “Zoning Code,” of Title XV, entitled “Land Usage” of the Huntley Code is proposed to be amended in part to add the following new definitions:

CANNABIS BUSINESS ESTABLISHMENT: An Adult-Use cannabis craft grower, cultivation center, dispensary, infuser, processing, or transporter organization operating pursuant to the Cannabis Regulation and Tax Act, 410 ILCS 705/1 et seq., as it may be amended from time-to-time.

CANNABIS CRAFT GROWER: A facility operated by an organization or business that is licensed by the Illinois Department of Agriculture as a “craft grower” to cultivate, dry, cure and package cannabis and perform other necessary activities to make cannabis available for sale at a dispensing organization or use at a processing organization, per the Cannabis Regulation and Tax Act, (410 ILCS 705/1 et seq), as it may be amended from time-to-time, and regulations promulgated thereunder.

CANNABIS CULTIVATION CENTER: A facility operated by an organization or business that is licensed by the Illinois Department of Agriculture as a “cultivation center” to cultivate, process, transport and perform necessary activities to provide cannabis and cannabis-infused products to licensed cannabis business establishments, per the Cannabis Regulation and Tax Act, (410 ILCS 705/1 et seq), as it may be amended from time-to-time, and regulations promulgated thereunder.

CANNABIS DISPENSARY: A facility operated by an organization or business that is licensed by the Illinois Department of Financial and Professional Regulation as a “dispensing organization” to acquire adult-use cannabis from licensed cannabis business establishments for the purpose of selling or dispensing cannabis, cannabis-infused products, cannabis seeds, paraphernalia or related supplies to qualified purchasers per the Cannabis Regulation and Tax Act, (410 ILCS 705/1 et seq), as it may be amended from time-to-time, and regulations promulgated thereunder.

CANNABIS INFUSER: A facility operated by an organization or business that is licensed by the Illinois Department of Agriculture as an “infusing organization” or “infuser” to directly incorporate cannabis or cannabis concentrate into a product formulation to produce a cannabis-infused product, per the Cannabis Regulation and Tax Act, (410 ILCS 705/1 et seq), as it may be amended from time-to-time, and regulations promulgated thereunder.

CANNABIS PROCESSOR: A facility operated by an organization or business that is licensed by the Illinois Department of Agriculture as a “processing organization” or “processor” to either extract constituent chemicals or compounds to produce cannabis concentrate or incorporate cannabis or cannabis concentrate into a product formulation to produce a cannabis product, per the Cannabis Regulation and Tax Act, (410 ILCS 705/1 et seq), as it may be amended from time-to-time, and regulations promulgated thereunder.

CANNABIS TRANSPORTER: An organization or business that is licensed by the Illinois Department of Agriculture as a “transporting organization” or “transporter” to transport cannabis on behalf of a cannabis business establishment or a community college licensed under the Community College Cannabis Vocational Training Pilot Program, per the

Cannabis Regulation and Tax Act, (410 ILCS 705/1 et seq), as it may be amended from time-to-time, and regulations promulgated thereunder.

CANNABIS-INFUSED PRODUCT: Food, oils, ointments, or other products containing usable cannabis that are not smoked.

Section 156.061, entitled “(C-2) Regional Retail District” of Article VI, entitled “Planned Development District,” of Chapter 156, entitled “Zoning Code,” of Title XV, entitled “Land Usage” of the Huntley Code is proposed to be amended in part as follows:

§ 156.061 (C-2) REGIONAL RETAIL DISTRICT

* * *

(B) *Uses.*

* * *

- (2) *Special Uses.* Upon recommendation by the Plan Commission after public hearing on petition pertaining thereto, in accordance with the requirements set forth for such hearing in Article VII of this Ordinance, the Village may, by Special Use Permit, allow the following uses in the C-2 District:

* * *

RETAIL SALES – Furniture sales (used), Outdoor sales & service, Secondhand store, **Adult-Use cannabis dispensary.**

* * *

Section 156.068, entitled “Special Use Permits” of Article VII, entitled “Special Use Permits,” of Chapter 156, entitled “Zoning Code,” of Title XV, entitled “Land Usage” of the Huntley Code is proposed to be amended in part as follows:

- (F) *Special Standards for Specified Special Uses.* Where the district regulations authorizing any special use permit in a particular district impose special standards to be met by such use in such district, a permit for such use in such district shall not be recommended or granted unless the applicant shall establish compliance with such special standards.

* * *

(9) Adult-Use Cannabis Dispensaries.

- a. **Maximum Number of Cannabis Dispensaries: Not more than one adult-use cannabis dispensary (a “Cannabis Dispensary”) shall be permitted to operate within the Village of Huntley at any given time.**

- b. **Minimum required buffer from protected uses:**

- (i) **A Cannabis Dispensary may not be located within 1,000 feet of the property line of a pre-existing public or private nursery school, preschool, primary or secondary school, or day care center. Learning**

centers and vocational/trade centers shall not be classified as a public or private school for purposes of this Section.

- (ii) A Cannabis Dispensary may not be located within 1,000 feet of the property line of an existing religious establishment, park district property, or library.
- (iii) A Cannabis Dispensary may not be located within 250 feet of residentially zoned property except when separated by a State highway.
- (iv) For the purposes of this section, distances shall be measured in a straight line, without regard to intervening structures or objects, from the nearest point on the property line of the lot on which an applicable Cannabis Dispensary is located to the nearest point on a property line of any protected use.
- (v) Summary of Buffer Requirements:

<u>Use</u>	<u>Required Buffer</u>
<u>Schools</u>	<u>1,000 feet</u>
<u>Daycare</u>	<u>1,000 feet</u>
<u>Religious Establishment</u>	<u>1,000 feet</u>
<u>Residentially zoned property*</u>	<u>250 feet</u>
<u>Park District Property</u>	<u>1,000 feet</u>
<u>Library</u>	<u>1,000 feet</u>

*Except when separated by a State highway.

- c. A Cannabis Dispensary may not conduct any sales or distribution of cannabis other than as authorized by the Act.
- d. Exterior Display: A Cannabis Dispensary shall be maintained or operated in a manner that the public viewing of cannabis, cannabis products, cannabis paraphernalia or similar products from any sidewalk, public or private right-of-way or from outside of the cannabis dispensing organization is not allowed.
- e. Hours of Operations: Hours of operation are limited to between 6:00am and 10:00pm.
- f. Environmental: Emission of dust, fumes, vapors, or odors in a manner that impacts neighboring premises or properties or any public property or right-of-way shall be prohibited.

- g. Signage: Electronic changeable copy signs are not permitted for a Cannabis Dispensary. No cannabis leaf or bud image may be used in promotional signage for the Dispensary.**
- h. State Requirements: The Cannabis Dispensary must comply with all applicable provisions of the Cannabis Regulation and Tax Act, 410 ILCS 705/1 et seq., as may be revised or amended from time to time.**
- i. All hazardous waste and cannabis waste shall be disposed of in accordance with the provisions of the statutes of the State of Illinois and ordinances of the Village of Huntley.**
- j. On-Premises Consumption: It shall be prohibited to consume cannabis products in a Cannabis Dispensary or anywhere on the site occupied by a dispensary.**
- k. Other Adult-Use Cannabis Businesses Prohibited. Adult-use cannabis craft growers, cultivation centers, infusers, processors, and transporter organizations shall not be permitted to be co-located with a Cannabis Dispensary. Any cannabis business establishment other than a Cannabis Dispensary operating pursuant to a special use permit and in accordance with this Code shall be prohibited in all zoning districts.**

* * *

Plan Commission Recommendation

On November 12, 2019, the Plan Commission conducted a public hearing to consider cannabis business regulations. The public hearing was attended by approximately 26 residents of which five provided testimony. Of the testimony provided, four spoke in opposition to allowing the sale of Adult-Use cannabis within the Village and one spoke in support of allowing it. Following the consideration of public testimony and extensive discussion, the Plan Commission recommended unanimously by a vote of 7-0 to approve the proposed amendments as drafted.

The November 12, 2019, Plan Commission meeting minutes are provided as an exhibit to this report.

Financial Impact

A Cannabis Retailers' Occupation Tax, at a maximum rate of 3%, may be collected by the Village on the sales at Cannabis Dispensaries.

Action Requested

The Village Board is requested to consider the Plan Commission's recommendation for the proposed Text Amendments to the Village of Huntley Zoning Code regarding Adult-Use cannabis business establishments and act on a motion to consider the amendments as drafted, or as discussed and modified.

Exhibits

1. Memorandum from Betsy Gates-Alford to Members of the Plan Commission, dated 11/4/19
2. Maps 1 and 2 - Buffers from Sensitive Uses, dated 11/5/19
3. Excerpt from 11/12/19 Plan Commission Meeting Minutes
4. Draft Ordinance



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Memorandum

Date: November 4, 2019

To: Chairman Kibort and Members of the Plan Commission

From: Betsy Gates-Alford

Re: Zoning Regulations Under the Cannabis Regulation and Tax Act

I. Issues for Plan Commission Review

The Cannabis Regulation and Tax Act, 410 ILCS 705/1 *et seq.* (the “**Act**”) was recently signed into law. On October 10, 2019, the Village Board adopted a Resolution stating that it wished to further study whether to: (i) allow State-licensed adult-use (recreational) cannabis dispensaries (“**Cannabis Dispensaries**”) in Huntley subject to appropriate zoning regulations; and (ii) prohibit all other types of adult-use cannabis businesses within the Village. (See Section III.A of this memorandum regarding the categories of cannabis businesses allowed under State law.)

The Village Board’s Resolution referred this matter to the Plan Commission, specifically asking the Plan Commission to evaluate and recommend zoning classifications for Cannabis Dispensaries, including whether Cannabis Dispensaries should be considered “permitted” or “special” uses under the Zoning Code in the Village’s various zoning districts, and evaluate and recommend other zoning regulations for Cannabis Dispensaries as may be necessary, important, or beneficial to the Village and its residents.

In accordance with the Village Board’s referral Resolution and the Act, the following is a summary of the issues presented for Plan Commission review and recommendation:

- 1. Whether to Recommend Prohibition of Cannabis Dispensaries.** As a threshold matter, the Plan Commission may wish to recommend to the Village Board that Cannabis Dispensaries be prohibited within the Village. However, even if the Plan Commission wishes to recommend prohibition of Cannabis Dispensaries, consistent with the Village Board’s referral Resolution the Plan Commission should still consider and recommend zoning regulations that would be appropriate if Cannabis Dispensaries are ultimately allowed.
- 2. Zoning Districts and Use Classifications.** Next, the Plan Commission should consider:

- a. What zoning districts within the Village would be appropriate for Cannabis Dispensaries; and
- b. Whether a Cannabis Dispensary should be a special or permitted use in those districts; and

As a starting point for discussion, a draft ordinance has been prepared that proposes the Plan Commission consider whether Cannabis Dispensaries would be appropriately classified as a special use in the C-2 Regional Retail District.

- 3. Buffers from Sensitive Uses.** The Act allows the Village to establish minimum buffers between Cannabis Dispensaries and any other uses that the Village deems to be sensitive. The Plan Commission may wish to consider whether to recommend buffers from certain sensitive uses, such as the following:

- a. Public and private pre-schools, primary and secondary schools, colleges, and universities;
- b. Day care facilities;
- c. Religious establishments;
- d. Park district property;
- e. Libraries;
- f. Residential properties.

A draft ordinance, which includes proposed buffer requirements, is provided with this memorandum.

- 4. Performance Standards.** The Act allows the Village to require cannabis businesses to comply with reasonable time, place, and manner regulations that do not conflict with the Act as a condition of zoning compliance. The draft ordinance provided with this memorandum includes suggestions for performance standards for Cannabis Dispensaries that the Plan Commission may wish to consider. If Cannabis Dispensaries are classified as special uses, then additional site-specific conditions could be imposed as part of granting the special use permit. Note that, as discussed further below, the Act establishes significant regulations governing the physical facilities and operations of Cannabis Dispensaries, which preempt conflicting or concurrent local regulations, so those subjects need not be addressed in the Zoning Code.
- 5. Number of Cannabis Dispensaries.** The Act also allows the Village to regulate the number of cannabis businesses that may be established within the Village. It is proposed that the Plan Commission consider allowing a maximum of one Cannabis Dispensary to operate within the Village at any given time. Such limitation is included in the draft ordinance provided with this memorandum.
- 6. On-Premises Cannabis Consumption.** The Village may regulate or prohibit on-premises consumption of cannabis within Cannabis Dispensaries in the Village. It is proposed that the Plan Commission consider prohibiting on-premise consumption at Cannabis Dispensaries, which prohibition is included in the draft ordinance provided with this

memorandum. If the Plan Commission recommends that on-premises consumption be allowed, it may also wish to consider recommending appropriate restrictions or limitations.

II. Background Information Regarding the Act.

The Act permits (subject to various limitations and restrictions) the production, sale, possession, and use of recreational adult-use cannabis and cannabis-containing products¹ under Illinois law beginning on January 1, 2020. Production, sale, and transportation of Adult-Use Cannabis will be limited to State-licensed Cannabis Businesses operating in accordance with the Act. Adults 21 years of age and older will be permitted to purchase, possess, and use Adult-Use Cannabis in limited quantities for personal use.

Medical cannabis products will continue to be made available to qualified, registered patients and caregivers in accordance with the Compassionate Use of Medical Cannabis Pilot Program Act, 410 ILCS 130/1 *et seq.*, (the “**Medical Cannabis Act**”). Registered medical cannabis patients may also grow up to five cannabis plants in an enclosed, locked space within their residence beginning on January 1, 2020. Act § 10-5(b). Existing licensed medical cannabis cultivation centers and dispensaries will be eligible to receive the first round of State licenses for Adult-Use Cannabis production and sales. However, they will be required to keep separate inventories of medical cannabis products. Act § 55-85. The Act does not otherwise significantly affect medical cannabis business operations or patient and caregiver rights and privileges under the Medical Cannabis Act, nor does it restrict medical cannabis patients from purchasing Adult-Use Cannabis in accordance with the Act.² *Id.* at §§ 55-10, 55-85.

Although the Act generally preempts local authority to license and regulate Cannabis Businesses (Act §§ 55-90, 55-25(4)), it does allow municipalities to adopt ordinances prohibiting Cannabis Businesses (but not cannabis use) within their jurisdiction. Act § 55-25(5). If municipalities allow Cannabis Businesses, however, they may: (a) only regulate them through the exercise of zoning authority and reasonable time, place, and manner regulations that are not stricter than, or in conflict with, the Act; and (b) impose a Cannabis Retailers’ Occupation Tax at a maximum rate of 3% on sales at Cannabis Dispensaries. Act § 55-25.

This memorandum provides a brief overview of the State regulatory structure and license implementation for Adult-Use Cannabis and Cannabis Businesses and then discusses the Village’s authority to enact zoning ordinances and related time, place, and manner regulations regarding Cannabis Businesses.

¹ These include cannabis concentrates produced by extracting cannabinoids from the cannabis plant as well as foods, beverages, oils, ointments, tinctures, topical formulations, and other products containing cannabis that are not intended to be smoked. Act § 1-10.

² In the event of a conflict between the Act and the Medical Cannabis Act, the Medical Cannabis Act will prevail. Act § 55-85(a).

III. Key Aspects of the State Regulatory Structure and License Implementation

A. Cannabis Business Licensing and Oversight Responsibility

Adult-Use cannabis businesses (“***Cannabis Businesses***”) will be exclusively licensed by the State in the following categories:

- Dispensing organizations (or dispensaries), where Adult-Use Cannabis is sold to consumers at retail. Dispensaries may also sell cannabis paraphernalia and supplies and sell cannabis seeds to registered medical cannabis patients for home cultivation. Dispensaries may not produce or manufacture cannabis or cannabis-infused products, nor can they purchase cannabis or cannabis products from out-of-state sources. See Act, Article 15.
- Cultivation centers, which are fully enclosed growing facilities with up to 210,000 square feet of canopy space for plants in the flowering state. Cultivation centers may also process cannabis and produce cannabis concentrates and/or cannabis-infused products. See Act, Article 20.
- Craft growers, which are fully enclosed growing facilities with up to 5,000 square feet of canopy space for plants in the flowering state. Craft growers may also process cannabis and produce cannabis concentrates and/or cannabis-infused products. See Act, Article 30.
- Infusers and processing organizations, which are facilities where constituent chemicals or compounds are extracted from plants to produce cannabis concentrate and/or where cannabis-infused products are produced. See Act, Article 35.
- Transporting organizations (or transporters), which are businesses that transport cannabis in motor vehicles between other licensed Cannabis Businesses. See Act, Article 40. Transporters may, but are not required to, have a fixed, physical business location.

The Illinois Department of Financial and Professional Regulation (“***DFPR***”) is responsible for licensing and overseeing the operations of Cannabis Dispensaries. The Illinois Department of Agriculture (“***IDOA***”) is responsible for licensing and overseeing the operations of all other categories of Cannabis Businesses.

In addition to Cannabis Businesses, the Act directs IDOA to establish and administer a Community College Cannabis Vocational Pilot Program in coordination with the Illinois Community College Board. Act, Article 25. Licensees under the Community College Cannabis Vocational Pilot Program do not fall within the scope of the definition of a “Cannabis Business Establishment” under the Act, see Act §1-10, and therefore are not within the scope of the Village’s zoning and regulatory powers. See *id.* §55-25.

B. Advertising and Signage Regulations

The Act regulates advertising of cannabis products. Ads cannot be placed: (i) within 1,000 feet of a school, playground, recreational center or facility, child care center, public park, public library, or game arcade that is not restricted to patrons 21 and over; (ii) in a public transit vehicle or shelter; or (iii) on publicly-owned or publicly-operated property. Additionally, ads cannot include false or misleading information, medical or therapeutic claims, depictions of underage consumption or images designed to appeal to children, depictions of actual cannabis consumption or overconsumption, or depictions of a cannabis leaf or bud (subject to exceptions for educational messages). Nothing in the Act grants Adult-Use Cannabis advertising, or signage for Cannabis Businesses, any privileged status *vis-à-vis* local signage regulations.

C. Implementation Overview

The Act went into effect on June 25, 2019, but Adult-Use Cannabis sales will not begin in Illinois until January 1, 2020. Act §§ 10-5, 15-15(g). Currently, DFPR is accepting applications from existing medical cannabis dispensary licensees for “Early Approval Adult Use Dispensing Organization Licenses.” Applications to co-locate an Adult Use Cannabis dispensary with an existing medical cannabis dispensary will be reviewed and approved by DFPR within 14 days if all requirements of the Act are met. Act § 15-15. However, the dispensary will not be permitted to begin selling Adult-Use Cannabis to the public until January 1, 2020.

Existing medical dispensaries may also seek a license to open a new Adult Use Cannabis dispensary at a secondary location. The application for a secondary location must include evidence of zoning compliance or the status of a request for local zoning approval. Act § 15-20(c)(6). DFPR states that it will not review an application for a secondary location unless it includes a “Notice of Proper Zoning” form or similar document issued by the local zoning authority. See DFPR “FAQs – Secondary Site Applications” and “Program Information.”³

Similarly, existing medical cannabis cultivation centers may apply to IDOA until December 22, 2019 for an “Early Approval Adult Use Cultivation Center License.” Act § 20-10. IDOA will issue the Early Approval license within 14 days after a complete application is submitted if all requirements of the Act are met, and the licenses will allow a cultivation center to begin growing and producing Adult-Use Cannabis as soon as the license is issued. *Id.* However, the cultivation center cannot start selling Adult-Use Cannabis to retail dispensary licensees until December 1, 2019 and, as noted above, sales from the dispensary to the public cannot begin until January 1, 2020. Act § 20-10(h), 15-15(g).

On May 1, 2020, the Act authorizes DFPR to begin issuing additional Adult-Use Cannabis dispensary licenses to new applicants. Act § 15-25(a)-(c). For such applicants, DFPR will first issue 180-day conditional licenses, and the final license cannot be issued (nor can business operations commence) until DFPR verifies that the dispensary’s proposed physical location complies with local zoning laws and the Act. Act § 15-25(e), (f).

³ Available at: <https://www.idfpr.com/profs/adultusecan.asp>

The Act also authorizes IDOA to begin issuing licenses to Adult-Use Cannabis craft grower, infuser, and transporter businesses by July 1, 2020. §§ 30-5, 35-5, 40-5.

During 2021 and 2022, the Act provides for the number of available Cannabis Business licenses to be gradually increased by DFPR and IDOA.

IV. Local Zoning and Regulatory Authority over Cannabis Businesses.

The Act generally preempts local authority, including home rule power, to regulate or license the activities and businesses described in the Act, including authority to regulate concurrently with the State in a manner that is more restrictive than the Act. Act §§ 55-25(4), 55-90. However, the Act expressly authorizes municipalities to prohibit Cannabis Businesses within their boundaries and, if Cannabis Businesses are allowed, authorizes municipalities to exercise zoning authority and certain other limited regulatory powers, as discussed further below.

If the Village decides to allow Cannabis Businesses within its jurisdiction, it may exercise zoning authority and, through the zoning process or otherwise, impose reasonable time, place, and manner regulations that are not stricter than, or in conflict with, the Act. Specifically, the Village may:

- (i) enact reasonable zoning regulations for Cannabis Businesses;
- (ii) establish minimum distance limitations between Cannabis Businesses and sensitive uses;
- (iii) regulate on-premises consumption of Adult Use Cannabis at or in a cannabis business establishment; and
- (iv) enact reasonable regulations, including through special use or conditional use permits, governing the time, place, manner, and number of cannabis business establishment operations, provided that such regulations do not conflict with or unreasonably restrict business operations authorized by the Act.

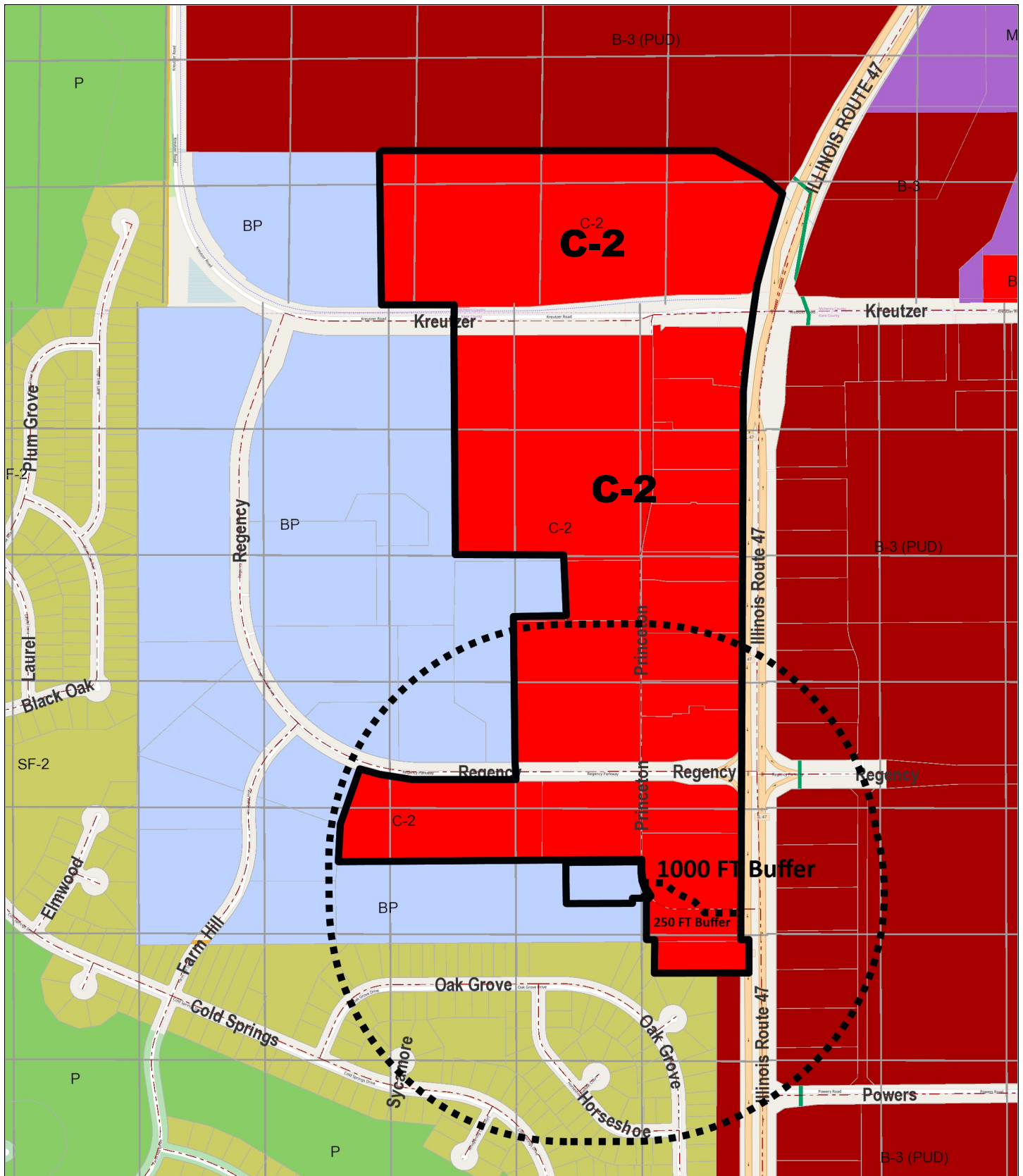
Although the Village is authorized to establish reasonable time, place, and manner regulations relating to Cannabis Business operations, the Act restricts the Village's authority to regulate these matters concurrently with, or more strictly than, the Act. See Act §§ 55-25(4), 55-90. The Act addresses a number of matters regarding Cannabis Business operations and facilities—especially with respect to Dispensaries—that are typically within the Village's local control, including the following:

1. **Building and Life Safety Codes:** Cannabis Businesses must comply with local building and fire regulations. Act §§ 15-70(g), 55-25.
2. **Hours of Operation:** A dispensary may operate between 6:00 a.m. and 10:00 p.m. Act § 15-70(i).
3. **Exterior Lighting and Security:** Cannabis Businesses must have exterior surveillance, alarm systems, and other security measures in accordance with a State-approved plan. For dispensaries, the Act specifically requires that all interior and exterior lighting must be in good working order with wattage sufficient for security cameras. A dispensary must operate a video surveillance system, among other security measures, and the premises must be sufficiently lit to facilitate surveillance. Video surveillance of

outside areas, including the storefront and parking lot “shall be appropriate for the normal lighting conditions of the area under surveillance.” Act §§ 15-70(k), 15-100(c)(13), 15-100(i)(3).

4. Landscaping and Yards: Trees, bushes, and foliage outside of a dispensary must not allow for a person to conceal themselves from sight. Act § 15-100(c)(14).
5. Shared Premises: If allowed by local zoning, a dispensary may share premises with a craft grower, infuser, or both, provided that their products and currency are stored separately in access-restricted areas. Act § 15-100(e).
6. Drive-Throughs: A dispensary may not operate a drive-through window. Act § 15-70(n)(7).
7. Vending Machines: A dispensary may not sell Adult-Use Cannabis in a vending machine. Act § 15-70(n)(8).
8. Liquor: A dispensary cannot sell alcoholic beverages. Act § 15-70(d).
9. Separation: A new dispensary may not be located within 1,500 feet of another dispensary. Act § 15-70(n)(15). A new craft grower may not be located within 1,500 feet of another cultivation center or craft grower. Act § 30-30(o).

Please contact us with any questions.



Map 1 - Buffers from Sensitive Uses

1,000 feet buffer from Daycare

250 feet buffer from Residential

DISCLAIMER: The Village of Huntley Does not guarantee the accuracy of the material contained here in and is not responsible for any misuse or misrepresentation of this information or its derivatives.



SCALE: 1" = 600'

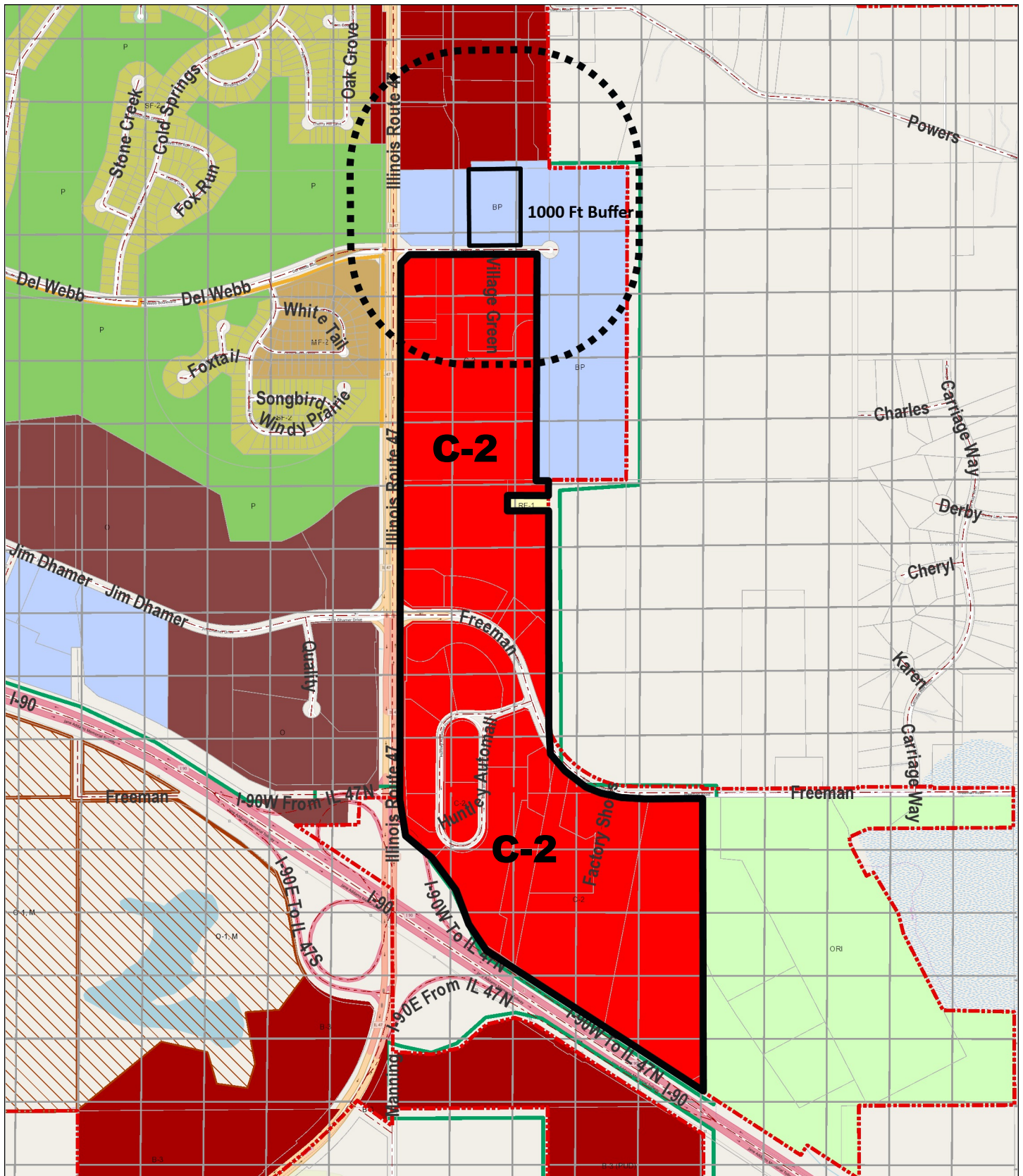
VILLAGE OF HUNTLEY

10987 Main Street

Huntley, IL 60142

(847)669-9600

Print Date: 11/5/2019



Map 2 - Buffers from Sensitive Uses

1,000 feet buffer from School

DISCLAIMER: The Village of Huntley Does not guarantee the accuracy of the material contained here in and is not responsible for any misuse or misrepresentation of this information or its derivatives.



SCALE: 1" = 1,200'

VILLAGE OF HUNTLEY

10987 Main Street

Huntley, IL 60142

(847)669-9600

Print Date: 11/5/2019

EXCERPT FROM 11/12/19 PLAN COMMISSION MEETING MINUTES

- A. Petition No. 19-11.1, Village of Huntley, as petitioner, Request is for consideration of potential text amendments to the Village of Huntley Zoning Ordinance regarding adult-use cannabis business establishments operating in accordance with the Illinois Cannabis Regulation and Tax Act, 410 ILCS 705/1-1 *et seq.*

A MOTION was made to open the public hearing to consider Petition No. 19-11.1.

MOVED: Vice Chair Ellison
SECONDED: Commissioner Robert Chandler
AYES: Commissioners Hahn, Nichols, DeBaltz, Robert Chandler, Darci Chandler, Vice Chair Ellison, and Chairman Kibort.
NAYS: None
ABSTAIN: None
MOTION CARRIED 7:0:0

Chairman Kibort stated that a public hearing is being conducted and all audience members that would like to speak tonight, must sign in. He also stated they would be sworn in, under oath as this proceeding is legal testimony. Chairman Kibort then asked anyone wishing to speak to stand up and be sworn in. The following individuals were sworn in:

Charles Nordman, Director of Development Services, Village of Huntley
Betsy Gates-Alford, Special Counsel, Filippini Law Firm
Dolores Mundt, 13280 Cold Springs Drive, Huntley
Jennifer Galloway, 12820 Timber Creek Drive, Huntley
Liz Stuyvesant, 13362 Arboretum Lane, Huntley
Alice Costabile, 12887 Norfolk, Huntley
Geri Levine, 13701 12856 Timber Creek Drive, Huntley

After the swearing in, Chairman Kibort announced the Village's Special Counsel and staff would be giving a presentation and he introduced Betsy Gates-Alford and Director Nordman.

Cannabis Regulation and Tax Act

Special Counsel Gates-Alford gave a brief slide show presentation. Counsel began by reviewing the State of Illinois Cannabis Regulations and the Tax Act. The Cannabis Regulation and Tax Act was signed into law in June 2019. The Act permits (subject to various limitations and restrictions) the production, sale, possession, and use of recreational adult-use cannabis and cannabis-containing products (cannabis concentrates produced by extracting cannabinoids from the cannabis plant as well as foods, beverages, oils, ointments, tinctures, topical formulations, and other products containing cannabis that are not intended to be smoked) under Illinois law beginning on January 1, 2020.

Special Counsel stated the Act preempts home rule authority, except for limited powers that are expressly reserved to local governments. Local governments cannot regulate personal use and possession of recreational cannabis in a manner that is more restrictive than State law. Municipalities can enact a tax on the retail sale of adult-use (non-medical) cannabis and cannabis-containing products. The maximum rate of the tax is 3%.

Cannabis Businesses

Special Counsel Gates-Alford continued her review with information on Cannabis Businesses, and stated the businesses will be exclusively licensed by the State in the following categories:

- Dispensing organizations (or dispensaries), where Adult-Use Cannabis is sold to consumers at retail.
- Cultivation centers, which are fully enclosed growing facilities with up to 210,000 square feet of canopy space for plants in the flowering state.
- Craft growers, which are fully enclosed growing facilities with up to 5,000 square feet of canopy space for plants in the flowering state.
- Infusers and processing organizations.
- Transporting organizations (or transporters), which are businesses that transport cannabis in motor vehicles between other licensed Cannabis Businesses.

Local Regulation and Zoning of Cannabis Businesses

Special Counsel continued with information on local regulation and zoning. The Act allows municipalities to adopt ordinances prohibiting cannabis businesses. If the Village decides to allow them, it may exercise zoning authority to regulate cannabis businesses in a manner that is not stricter than, or in conflict with, State law. Specifically, the Village may:

- Enact reasonable zoning regulations for cannabis businesses;
- Establish minimum distance requirements between cannabis businesses and sensitive uses;
- Regulate on-premises consumption of cannabis in a cannabis business establishment;
- Enact reasonable regulations, including through special use permits, governing the time, place, manner, and number of cannabis businesses, provided that such regulations do not conflict with or unreasonably restrict business operations authorized by the Act.

Issues for Plan Commission Review and Recommendation

Special Counsel Gates-Alford began her review of the issues the Plan Commission should consider.

ISSUE #1: Whether to Recommend Prohibition of Cannabis Dispensaries.

- The Plan Commission may consider whether adult-use cannabis dispensaries should be allowed or prohibited within the Village.
- Even if the Plan Commission recommends prohibition of dispensaries, it should still consider and make recommendations on the remaining issues.

ISSUE #2: Zoning Districts and Use Classifications.

- What zoning districts within the Village would be appropriate for dispensaries
 - Proposed for Plan Commission discussion: C-2 Regional Retail District
- Whether dispensaries should be classified as a permitted or special use

- Proposed for Plan Commission discussion: Special use

ISSUE #3: Buffers from Sensitive Uses.

Special Counsel stated the Village can establish minimum distance requirements between dispensaries and uses that the Village considers sensitive. The Plan Commission should consider:

- What uses should be protected by buffers
- What buffer distances are appropriate
 - Proposed for plan commission discussion:
 - 1,000-foot buffer from schools, day care facilities, religious establishments, Park District properties, libraries
 - 250-foot buffer from residentially-zoned properties

ISSUE #4: Performance Standards.

Special Counsel stated the Village can establish reasonable time, place, and manner regulations for dispensaries. However, these regulations cannot conflict with State law.

- Proposed for Plan Commission discussion:
 - No display of cannabis products visible from outside the dispensary
 - No emission of dust, fumes, vapors, or odors that impact neighboring properties or public ways
 - No electronic changeable signs
 - Must operate in accordance with State law and regulations

ISSUE #5: Number of Cannabis Dispensaries.

Special Counsel stated the Village can regulate the number of dispensaries within its jurisdiction.

- Proposed for Plan Commission discussion: Maximum of one (1) cannabis dispensary

ISSUE #6: On-Premises Cannabis Consumption.

Special Counsel stated the Village can prohibit or regulate on-premises consumption of cannabis within dispensaries (e.g. smoking lounges).

- Proposed for Plan Commission discussion: Prohibition of on-premises consumption

Special Counsel Gates-Alford concluded her presentation and stated Director Nordman would also be presenting information to the Plan Commission.

Staff Review of the Village Board Referral

Director Nordman thanked Special Counsel and began his presentation with a review of the Village Board's previous discussions and their decision to bring the petition to the Plan Commission for consideration and review:

- On October 10, 2019, the Village Board approved Resolution (R)2019-10.61 by a vote of 4-3 directing the Plan Commission to hold a public hearing on the questions of whether:

- the Zoning Ordinance should be amended to include a Cannabis Business dispensary, without on-site consumption, as a permitted or special use in the Village's various zoning districts; and
- the Zoning Ordinance should be amended to establish other Cannabis Business Regulations that may be necessary, important, or beneficial to the Village and its residents consistent with the Act.

Director Nordman stated the Village Board adopted a resolution directing the Plan Commission to make a recommendation to the Village Board regarding the above subjects, along with any other conditions that should be attached to the zoning of Cannabis Businesses.

The resolution was a result of discussion that determined it was the consensus of the Village Board to provide the Plan Commission with the following direction for amending the Zoning Ordinance:

- Allow Cannabis Dispensaries only.
- Prohibit Cultivation Centers, Craft Growers, Infusers and Processing organizations, and Transportation organizations/transporters.
- Prohibit the on-site consumption of cannabis.

Director Nordman stated additional considerations discussed were to allow only one (1) cannabis dispensary within the Village and to follow the zoning regulations that are applicable to Tobacco and Vape Shops.

Tobacco and Vape Shops are allowed only in the "C-2" Regional Retail zoning district and they must be no less than 1,000 feet from a building used as a school, childcare facility, or for the education or recreation of children under 18 years of age. Director Nordman reviewed a slide with the 2019 zoning map of the Village and showed the commissioners and audience the locations for C-2 zoning.

Director Nordman continued his presentation with slides showing buffer areas for Sensitive Uses. The first slide displayed the C-2 zoning in Regency Square commercial development and he indicated areas which would require a 1,000-foot buffer from a child care center, and also a 250-foot buffer from residential property. He then proceeded to review the C-2 zoning in the Village Green commercial development and indicated a 1,000-foot buffer would be required due to a school located in Gateway Commons. Director Nordman stated the "acceptable" areas remaining for a Cannabis Dispensary would be the northern half of Regency Square, and the southern two-thirds of Village Green.

Director Nordman stated the proposed amendments for Plan Commission consideration have been prepared based on the direction provided by the Village Board, as follows:

PROPOSED ZONING ORDINANCE AMENDMENTS

Section 156.011, entitled "Definitions" of Article II, entitled "Interpretations and Definitions," of Chapter 156, entitled "Zoning Code," of Title XV, entitled "Land Usage" of the Huntley Code is proposed to be amended in part to add the following new definitions:

CANNABIS BUSINESS ESTABLISHMENT: An adult-use cannabis craft grower, cultivation center, dispensary, infuser, processing, or transporter organization operating pursuant to the Cannabis Regulation and Tax Act, 410 ILCS 705/1 et seq., as it may be amended from time-to-time.

CANNABIS CRAFT GROWER: A facility operated by an organization or business that is licensed by the Illinois Department of Agriculture as a "craft grower" to cultivate, dry, cure and package cannabis and perform other necessary activities to make cannabis available for sale at a dispensing organization or use at a processing

organization, per the Cannabis Regulation and Tax Act, (410 ILCS 705/1 et seq), as it may be amended from time-to-time, and regulations promulgated thereunder.

CANNABIS CULTIVATION CENTER: A facility operated by an organization or business that is licensed by the Illinois Department of Agriculture as a “cultivation center” to cultivate, process, transport and perform necessary activities to provide cannabis and cannabis-infused products to licensed cannabis business establishments, per the Cannabis Regulation and Tax Act, (410 ILCS 705/1 et seq), as it may be amended from time-to-time, and regulations promulgated thereunder.

CANNABIS DISPENSARY: A facility operated by an organization or business that is licensed by the Illinois Department of Financial and Professional Regulation as a “dispensing organization” to acquire adult-use cannabis from licensed cannabis business establishments for the purpose of selling or dispensing cannabis, cannabis-infused products, cannabis seeds, paraphernalia or related supplies to qualified purchasers per the Cannabis Regulation and Tax Act, (410 ILCS 705/1 et seq), as it may be amended from time-to-time, and regulations promulgated thereunder.

CANNABIS INFUSER: A facility operated by an organization or business that is licensed by the Illinois Department of Agriculture as an “infusing organization” or “infuser” to directly incorporate cannabis or cannabis concentrate into a product formulation to produce a cannabis-infused product, per the Cannabis Regulation and Tax Act, (410 ILCS 705/1 et seq), as it may be amended from time-to-time, and regulations promulgated thereunder.

CANNABIS PROCESSOR: A facility operated by an organization or business that is licensed by the Illinois Department of Agriculture as a “processing organization” or “processor” to either extract constituent chemicals or compounds to produce cannabis concentrate or incorporate cannabis or cannabis concentrate into a product formulation to produce a cannabis product, per the Cannabis Regulation and Tax Act, (410 ILCS 705/1 et seq), as it may be amended from time-to-time, and regulations promulgated thereunder.

CANNABIS TRANSPORTER: An organization or business that is licensed by the Illinois Department of Agriculture as a “transporting organization” or “transporter” to transport cannabis on behalf of a cannabis business establishment or a community college licensed under the Community College Cannabis Vocational Training Pilot Program, per the Cannabis Regulation and Tax Act, (410 ILCS 705/1 et seq), as it may be amended from time-to-time, and regulations promulgated thereunder.

CANNABIS-INFUSED PRODUCT: Food, oils, ointments, or other products containing usable cannabis that are not smoked.

Section 156.061, entitled “(C-2) Regional Retail District” of Article VI, entitled “Planned Development District,” of Chapter 156, entitled “Zoning Code,” of Title XV, entitled “Land Usage” of the Huntley Code is proposed to be amended in part as follows:

§ 156.061 (C-2) REGIONAL RETAIL DISTRICT

* * *

(B) *Uses.*

* * *

- (2) *Special Uses.* Upon recommendation by the Plan Commission after public hearing on petition pertaining thereto, in accordance with the requirements set forth for such hearing in Article VII of this Ordinance, the Village may, by Special Use Permit, allow the following uses in the C-2 District:

* * *

RETAIL SALES – Furniture sales (used), Outdoor sales & service, Secondhand store, **adult-use cannabis dispensary.**

* * *

Section 156.068, entitled “Special Use Permits” of Article VII, entitled “Special Use Permits,” of Chapter 156, entitled “Zoning Code,” of Title XV, entitled “Land Usage” of the Huntley Code is proposed to be amended in part as follows:

- (F) *Special Standards for Specified Special Uses.* Where the district regulations authorizing any special use permit in a particular district impose special standards to be met by such use in such district, a permit for such use in such district shall not be recommended or granted unless the applicant shall establish compliance with such special standards.

* * *

(9) Adult-Use Cannabis Dispensaries.

a. **Maximum Number of Cannabis Dispensaries: Not more than one adult-use cannabis dispensary (a “Cannabis Dispensary”) shall be permitted to operate within the Village of Huntley at any given time.**

b. **Minimum required buffer from protected uses:**

(i) **A Cannabis Dispensary may not be located within 1,000 feet of the property line of a pre-existing public or private nursery school, preschool, primary or secondary school, or day care center. Learning centers and vocational/trade centers shall not be classified as a public or private school for purposes of this Section.**

(ii) **A Cannabis Dispensary may not be located within 1,000 feet of the property line of an existing religious establishment, park district property, or library.**

(iii) **A Cannabis Dispensary may not be located within 250 feet of residentially zoned property except when separated by a State highway.**

(iv) For the purposes of this section, distances shall be measured in a straight line, without regard to intervening structures or objects, from the nearest point on the property of the lot on which an applicable Cannabis Dispensary is located to the nearest point on a property line of any protected use. For occupancy purposes, if a portion of the buffer touches the property, it does not exclude the entire property. If a portion of the building is in the buffer, the entire building would be considered in the buffer and not eligible.

(v) Summary of Buffer Requirements:

<u>Use</u>	<u>Required Buffer</u>
<u>Schools</u>	<u>1,000 feet</u>
<u>Daycare</u>	<u>1,000 feet</u>
<u>Religious Establishment</u>	<u>1,000 feet</u>
<u>Residentially zoned property*</u>	<u>250 feet</u>
<u>Park District Property</u>	<u>1,000 feet</u>
<u>Library</u>	<u>1,000 feet</u>

*Except when separated by a State highway.

- c. A Cannabis Dispensary may not conduct any sales or distribution of cannabis other than as authorized by the Act.
- d. Exterior Display: A Cannabis Dispensary shall be maintained or operated in a manner that the public viewing of cannabis, cannabis products, cannabis paraphernalia or similar products from any sidewalk, public or private right-of-way or from outside of the cannabis dispensing organization is not allowed.
- e. Hours of Operations: Hours of operation are limited to between 6:00am and 10:00pm.
- f. Environmental: Emission of dust, fumes, vapors, or odors in a manner that impacts neighboring premises or properties or any public property or right-of-way shall be prohibited.
- g. Signage: Electronic changeable copy signs are not permitted for a Cannabis Dispensary. No cannabis leaf or bud image may be used in promotional signage for the Dispensary.

- h. State Requirements: The Cannabis Dispensary must comply with all applicable provisions of the Cannabis Regulation and Tax Act, 410 ILCS 705/1 et seq., as may be revised or amended from time to time.**
- i. All hazardous waste and cannabis waste shall be disposed of in accordance with the provisions of the statutes of the State of Illinois and ordinances of the Village of Huntley.**
- j. On-Premises Consumption: It shall be prohibited to consume cannabis products in a Cannabis Dispensary or anywhere on the site occupied by a dispensary.**
- k. Other Adult-Use Cannabis Businesses Prohibited. Adult-use cannabis craft growers, cultivation centers, infusers, processors, and transporter organizations shall not be permitted to be co-located with a Cannabis Dispensary. Any cannabis business establishment other than a Cannabis Dispensary operating pursuant to a special use permit and in accordance with this Code shall be prohibited in all zoning districts.**

Director Nordman concluded his PowerPoint presentation and mentioned to Chairman Kibort that this was the appropriate time to hear comments from the Public.

Chairman Kibort stated he would call up those that signed up to speak.

Dolores Mundt of 13280 Cold Springs Drive was called up to the podium. Ms. Mundt stated her objections to the petition, and she hoped the Commission would be brave by saying “no” to this. She has two daughters in Colorado and they say it hasn’t worked well there. The Police are having a tough time with it in Colorado, and the money that was to be used for good is not being tracked well. She stated she does not want cannabis to be sold here, and she feels people should vote their conscience. That is why she is here today. Thank you.

Chairman Kibort then called upon Jennifer Galloway of 12820 Timber Creek Drive. Ms. Galloway stated she thought the hearing was about the public use of marijuana, and that she did not feel it should be used in public. She was against the recreational use. Ms. Galloway also objected to people under the influence of marijuana while driving.

Special Counsel Gates-Alford asked to interject, and to clarify the legal uses of cannabis. She stated it was not to be used in public places or in vehicles, and read portions of the Act. There is also no cannabis smoking allowed in any place where cigarette smoking is not allowed now.

Chairman Kibort thanked Special Counsel, and called upon the next resident, Ms. Liz Stuyvesant of 13362 Arboretum Lane. Ms. Stuyvesant stated she does not think cannabis is harmless, just like she doesn’t think alcohol is harmless. Her brother used cannabis, and then used alcohol and he died. Ms. Stuyvesant is not happy with the state of Illinois passing the law. She also commented on a trip to Colorado where she had the occasion to speak with a police officer about the legalization of marijuana. She stated the officer replied there is a large increase in the drug cartel, and the cartel are now growing the drug in Colorado. Ms. Stuyvesant also said she went to a dispensary in Colorado, and said the drug is much stronger than when she was young. She concluded by stating she was ok with medical dispensaries, but is against allowing dispensaries for recreational uses.

Chairman Kibort called upon Alice Costable of 12887 Norfolk Drive. Ms. Costable has lived in Huntley 5 years and believes the 3% sales tax is not enough of a benefit. She believes the health of the young people is much more important. Ms. Costable stated the community could gain tax dollars another way, and mentioned getting more businesses. She also mentioned her grandson who is now vaping, and how he can get it anywhere, and used this analogy with what will happen with cannabis. She thanked the commissioners.

Chairman Kibort announced the next resident, Ms. Geri Levine, 12856 Timber Creek Drive. Ms. Levine stated she is a registered nurse, and she takes a different view on cannabis. She mentioned the September 2017 cover story of AARP magazine and recited many of the benefits of cannabis mentioned in the article. She is in favor of one dispensary being allowed in Huntley. Ms. Levine discussed the parameters for qualifying for medical use cannabis in Illinois, and that it is very difficult to qualify. The recreational marijuana could be helping many people with medical issues who do not qualify. She then went on to discuss young adults and them getting ahold of marijuana. Just like alcohol, it is illegal for those underage. Will young people find a way to get it? Yes, that is likely, but Ms. Levine stated they could get it now, on the streets. She discussed the likelihood of other drugs or chemicals being added to street drugs, and how much worse it could be. Ms. Levine discussed other nearby communities which are allowing it, and the lost revenue for Huntley. Also, the 63,000 additional jobs for the State of Illinois. Ms. Levine concluded by stating education is key, and she mentioned the difference between edibles and smoking, and length of time it takes to feel an effect. Educating the public is most important. She thanked the commissioners.

Chairman Kibort stated this ended the list of residents who signed up to speak at the Public Hearing, and this would begin the portion of the hearing where commissioners can ask questions of staff and counsel, and to begin discussing their thoughts on the petition.

Chairman Kibort asked for a comparison of sales tax for the Village. Director Nordman stated the current sales tax benefit (for Village) is 1% for retail, and cannabis could be taxed up to 3%.

Vice Chair Ellison asked Chief Porter to speak on the police departments view on cannabis and what they have learned from Colorado. Chief Porter stated driving is the biggest issue. Another issue is the cartels. In Colorado, the cartel was buying homes and filling them with marijuana. Crime around the dispensaries is a big concern due to them being a cash business. Vice Chair Ellison also asked about how to determine DUI for cannabis. Chief Porter said many states are looking at different technologies, and this is still being studied.

Commissioner Hahn inquired about transporting the drug to the dispensaries and what sort of licensing is done for this. Special Counsel responded by stating that all drivers involved in transporting cannabis must be trained and licensed, and the vehicles are tracked and chain of custody is documented every step of the way.

Commissioner Hahn also asked about growing at a personal home, and Chief Porter answered that is only allowed for medical users.

Vice Chair Ellison asked about guns being required by transporters and Special Counsel responded no, it is not a requirement.

Chairman Kibort asked about prohibiting use and drug testing requirements in private businesses. Special Counsel Gates-Alford stated businesses are not allowed to discriminate or regulate an employee's use of cannabis during off hours. They can regulate use during working hours and on-call hours. Federal employees do have additional restrictions though.

Commissioner Darci Chandler stated she was in favor of permitting one dispensary in the C-2 zoning district, and for providing buffers to sensitive businesses as stated in the draft ordinance. She also agrees cannabis should not be used on premises in dispensaries.

Commissioner Hahn stated he was originally opposed to the use of cannabis, except for medical reasons. However, since Illinois has approved it he would consider zoning regulations for recreational dispensaries. He stated he thought the text amendment was written very well and would vote to adopt them as they are currently written. He then inquired if a location of a dispensary is chosen and ultimately approved, whether that would restrict a school or daycare from locating within the buffer area. Special Counsel stated it would not impact a future location of a school or daycare, and said this amendment is written to determine the allowed location of cannabis dispensaries only. If a school or daycare comes after the dispensary, they could locate anywhere they have approved zoning.

Vice Chair Ellison commented on medical marijuana laws and how many persons who have serious illnesses are not covered by the law, and therefore cannot use a medical dispensary to buy cannabis. She mentioned the case of a friend with a child who suffered from daily seizures and had to move to another state to get the cannabis for their child. Her friend's child is doing so much better now with the drug. Vice Chair Ellison stated she believes many more people could benefit from using the drug, and she is in favor of allowing recreational dispensaries as a Special Use, and for the limit of one dispensary in Huntley.

Chairman Kibort stated he is hearing a lot of comments of the failures of the medical marijuana law, and he wished the government would have done better with that regulation.

Vice Chair Ellison asked for comments of Chief Porter on his feelings of the new cannabis laws, and on how it will impact our community. Chief Porter responded he believes driving under the influence will be the biggest issue. It's a new law, and many people will be trying it, and they may not know their limits, or understand the effects. Vice Chair Ellison inquired about overdoses in Colorado. Chief Porter responded, Colorado had a dramatic increase in overdoses at first, and it did curtail a bit after it was legal for some time. The overdoses were especially due to the fact that edibles take longer to take effect, and people unknowingly took too many. Commissioner Hahn commented to Chief Porter that he assumes the increase in overdoses would occur whether or not Huntley approves the dispensary zoning. Chief Porter agreed it would, as it would be legal to use cannabis throughout all of Illinois.

Chairman Kibort gave his comments on the proposed zoning regulations and cannabis. He stated that if Huntley is going to have a recreational dispensary, he was in favor of approving the draft regulations as they are written in the staff report.

Commissioner Lori Nichols stated she is in favor of the draft regulations and sees a benefit to having a dispensary here in Huntley. She goes to the American Legion and knows many people who would benefit from using it. Commissioner Nichols also stated she went through all the red tape to try and get her mother approved and was ultimately denied. She agrees with all the restrictions outlined in the reports, and sees the tax benefit of having it in our community instead of giving our tax dollars to another community.

Commissioner Terra DeBaltz stated she agrees with Commissioner Hahn and the other commissioners and is fine with the text amendment as it is proposed.

Commissioner Robert Chandler stated he agreed with Commissioner Hahn as well, "It's here". There is not a big enough benefit to restrict a dispensary in Huntley, when the buyers can go directly next door and purchase it. Then you'll begin to see dispensaries right on our borders, and the other towns will get our tax dollars. Commissioner Robert Chandler does have concerns with driving under the influence, but that will occur with or without a dispensary. He stated he is in favor of the text amendment as it is written, allowing one dispensary in the C-2 zoning (outside of buffer zones) with a Special Use permit, and he is opposed to the use of cannabis inside of dispensaries.

Discussion regarding the difficulty of being approved for medical cannabis. Chairman Kibort said he thought legislators could have done a better job with the medical marijuana laws, as he agrees there is a medical benefit and some people in need are not qualifying. He then asked for a motion to close the public hearing.

A MOTION was made to close the public hearing to consider Petition No. 19-11.1.

MOVED: Commissioner Darci Chandler
SECONDED: Commissioner Nichols
AYES: Commissioners Hahn, Nichols, DeBaltz, Robert Chandler, Darci Chandler, Vice Chair Ellison, and Chairman Kibort.
NAYS: None
ABSTAIN: None
MOTION CARRIED 7:0:0

A MOTION was made to approve Petition No. 19-11.1, Village of Huntley, petitioner, for consideration of potential text amendments, as drafted, to the Village of Huntley Zoning Ordinance regarding adult-use cannabis business establishments operating in accordance with the Illinois Cannabis Regulation and Tax Act, 410 ILCS 705/1-1 et seq.

MOVED: Vice Chair Ellison
SECONDED: Commissioner Darci Chandler
AYES: Commissioners Hahn, Nichols, DeBaltz, Robert Chandler, Darci Chandler, Vice Chair Ellison, and Chairman Kibort.
NAYS: None
ABSTAIN: None
MOTION CARRIED 7:0:0

**AN ORDINANCE AMENDING CHAPTER 156 OF THE
HUNTLEY VILLAGE CODE REGARDING ZONING REGULATIONS
FOR ADULT-USE CANNABIS BUSINESS ESTABLISHMENTS**

Ordinance (O)2020-01. __

WHEREAS, the Village of Huntley is a home rule unit of local government under the Illinois Constitution, 1970, Article VII, Section 6; and

WHEREAS, Title XV, Chapter 156 of the Huntley Code ("**Zoning Code**") regulates the use and development of land within the Village and provides for the administration and enforcement of such regulations; and

WHEREAS, from time to time it is appropriate to review, update and modify the Zoning Code to assure that it appropriately addresses new issues that may arise; and

WHEREAS, the Cannabis Regulation and Tax Act (the "**Act**"), 410 ILCS 705/1-1 *et seq.*, was recently approved by the General Assembly and signed into law on June 25, 2019; and

WHEREAS, the Act authorizes the establishment of dispensary, cultivation center, craft grower, processor/ infuser, and transporter businesses ("**Cannabis Businesses**") throughout Illinois for the purpose of producing, processing, distributing, and selling at retail adult-use cannabis in accordance with the Act ("**Adult-Use Cannabis**") for purchase and personal recreational use by Illinois residents and non-residents 21 years of age and older beginning January 1, 2020; and

WHEREAS, the Village Board desires to amend the Zoning Code to allow for the potential establishment of an Adult-Use Cannabis dispensary within the Village, to establish zoning regulations for Adult-Use Cannabis dispensaries, and to prohibit all other types of Cannabis Businesses within the Village (the "**Proposed Amendments**"); and

WHEREAS, pursuant to notice duly published, the Huntley Plan Commission (the "**PC**") conducted a public hearing on November 12, 2019 concerning the Proposed Amendments; and

WHEREAS, at the conclusion of the public hearing, the PC made findings and recommended that the Board of Trustees adopt the Proposed Amendments; and

WHEREAS, having considered the findings and recommendations of the PC, the Village Board has found and determined that the adoption of the Proposed Amendments, as set forth in this Ordinance, is in the best interests of the Village and its residents;

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF HUNTLEY as follows:

SECTION I: The foregoing recitals are incorporated into this Ordinance as if fully set forth in this section.

SECTION II: Section 156.011, entitled "Definitions" of Article II, entitled "Interpretations and Definitions," of Chapter 156, entitled "Zoning Code," of Title XV, entitled "Land Usage" of the Huntley Code is hereby amended in part to add the following new definitions:

CANNABIS BUSINESS ESTABLISHMENT: An Adult-Use cannabis craft grower, cultivation center, dispensary, infuser, processing, or transporter organization operating pursuant to the Cannabis Regulation and Tax Act, 410 ILCS 705/1 et seq., as it may be amended from time-to-time.

CANNABIS CRAFT GROWER: A facility operated by an organization or business that is licensed by the Illinois Department of Agriculture as a “craft grower” to cultivate, dry, cure and package cannabis and perform other necessary activities to make cannabis available for sale at a dispensing organization or use at a processing organization, per the Cannabis Regulation and Tax Act, (410 ILCS 705/1 et seq), as it may be amended from time-to-time, and regulations promulgated thereunder.

CANNABIS CULTIVATION CENTER: A facility operated by an organization or business that is licensed by the Illinois Department of Agriculture as a “cultivation center” to cultivate, process, transport and perform necessary activities to provide cannabis and cannabis-infused products to licensed cannabis business establishments, per the Cannabis Regulation and Tax Act, (410 ILCS 705/1 et seq), as it may be amended from time-to-time, and regulations promulgated thereunder.

CANNABIS DISPENSARY: A facility operated by an organization or business that is licensed by the Illinois Department of Financial and Professional Regulation as a “dispensing organization” to acquire adult-use cannabis from licensed cannabis business establishments for the purpose of selling or dispensing cannabis, cannabis-infused products, cannabis seeds, paraphernalia or related supplies to qualified purchasers per the Cannabis Regulation and Tax Act, (410 ILCS 705/1 et seq), as it may be amended from time-to-time, and regulations promulgated thereunder.

CANNABIS INFUSER: A facility operated by an organization or business that is licensed by the Illinois Department of Agriculture as an “infusing organization” or “infuser” to directly incorporate cannabis or cannabis concentrate into a product formulation to produce a cannabis-infused product, per the Cannabis Regulation and Tax Act, (410 ILCS 705/1 et seq), as it may be amended from time-to-time, and regulations promulgated thereunder.

CANNABIS PROCESSOR: A facility operated by an organization or business that is licensed by the Illinois Department of Agriculture as a “processing organization” or “processor” to either extract constituent chemicals or compounds to produce cannabis concentrate or incorporate cannabis or cannabis concentrate into a product formulation to produce a cannabis product, per the Cannabis Regulation and Tax Act, (410 ILCS 705/1 et seq), as it may be amended from time-to-time, and regulations promulgated thereunder.

CANNABIS TRANSPORTER: An organization or business that is licensed by the Illinois Department of Agriculture as a “transporting organization” or “transporter” to transport cannabis on behalf of a cannabis business establishment or a community college licensed under the Community College Cannabis Vocational Training Pilot Program, per the Cannabis Regulation and Tax Act, (410 ILCS 705/1 et seq), as it may be amended from time-to-time, and regulations promulgated thereunder.

CANNABIS-INFUSED PRODUCT: Food, oils, ointments, or other products containing usable cannabis that are not smoked.

SECTION III: Section 156.061, entitled “(C-2) Regional Retail District” of Article VI, entitled “Planned Development District,” of Chapter 156, entitled “Zoning Code,” of Title XV, entitled “Land Usage” of the Huntley Code is hereby amended in part as follows:

§ 156.061 (C-2) REGIONAL RETAIL DISTRICT

* * *

(B) Uses.

* * *

- (2) *Special Uses.* Upon recommendation by the Plan Commission after public hearing on petition pertaining thereto, in accordance with the requirements set forth for such hearing in Article VII of this Ordinance, the Village may, by Special Use Permit, allow the following uses in the C-2 District:

* * *

RETAIL SALES – Furniture sales (used), Outdoor sales & service, Secondhand store, **Adult-Use cannabis dispensary.**

* * *

SECTION IV: Section 156.068, entitled “Special Use Permits” of Article VII, entitled “Special Use Permits,” of Chapter 156, entitled “Zoning Code,” of Title XV, entitled “Land Usage” of the Huntley Code is hereby amended in part as follows:

- (F) *Special Standards for Specified Special Uses.* Where the district regulations authorizing any special use permit in a particular district impose special standards to be met by such use in such district, a permit for such use in such district shall not be recommended or granted unless the applicant shall establish compliance with such special standards.

* * *

(9) Adult-Use Cannabis Dispensaries.

- a. **Maximum Number of Cannabis Dispensaries: Not more than one Adult-Use cannabis dispensary (a “Cannabis Dispensary”) shall be permitted to operate within the Village of Huntley at any given time.**
- b. **Minimum required buffer from protected uses:**
- (i) **A Cannabis Dispensary may not be located within 1,000 feet of the property line of a pre-existing public or private nursery school, preschool, primary or secondary school, or day care center. Learning centers and vocational/trade centers shall not be classified as a public or private school for purposes of this Section.**

- (ii) A Cannabis Dispensary may not be located within 1,000 feet of the property line of an existing religious establishment, park district property, or library.
- (iii) A Cannabis Dispensary may not be located within 250 feet of residentially zoned property except when separated by a State highway.
- (iv) For the purposes of this section, distances shall be measured in a straight line, without regard to intervening structures or objects, from the nearest point on the property line of the lot on which an applicable Cannabis Dispensary is located to the nearest point on a property line of any protected use.
- (v) Summary of Buffer Requirements:

<u>Use</u>	<u>Required Buffer</u>
<u>Schools</u>	<u>1,000 feet</u>
<u>Daycare</u>	<u>1,000 feet</u>
<u>Religious Establishment</u>	<u>1,000 feet</u>
<u>Residentially zoned property*</u>	<u>250 feet</u>
<u>Park District Property</u>	<u>1,000 feet</u>
<u>Library</u>	<u>1,000 feet</u>

*Except when separated by a State highway.

- c. A Cannabis Dispensary may not conduct any sales or distribution of cannabis other than as authorized by the Act.
- d. Exterior Display: A Cannabis Dispensary shall be maintained or operated in a manner that the public viewing of cannabis, cannabis products, cannabis paraphernalia or similar products from any sidewalk, public or private right-of-way or from outside of the cannabis dispensing organization is not allowed.
- e. Hours of Operations: Hours of operation are limited to between 6:00am and 10:00pm.
- f. Environmental: Emission of dust, fumes, vapors, or odors in a manner that impacts neighboring premises or properties or any public property or right-of-way shall be prohibited.
- g. Signage: Electronic changeable copy signs are not permitted for a Cannabis Dispensary. No cannabis leaf or bud image may be used in promotional signage for the Dispensary.
- h. State Requirements: The Cannabis Dispensary must comply with all applicable provisions of the Cannabis Regulation and Tax Act, 410 ILCS 705/1 et seq., as may be revised or amended from time to time.

- i. All hazardous waste and cannabis waste shall be disposed of in accordance with the provisions of the statutes of the State of Illinois and ordinances of the Village of Huntley.
- j. On-Premises Consumption: It shall be prohibited to consume cannabis products in a Cannabis Dispensary or anywhere on the site occupied by a dispensary.
- k. Other Adult-Use Cannabis Businesses Prohibited. Adult-use cannabis craft growers, cultivation centers, infusers, processors, and transporter organizations shall not be permitted to be co-located with a Cannabis Dispensary. Any cannabis business establishment other than a Cannabis Dispensary operating pursuant to a special use permit and in accordance with this Code shall be prohibited in all zoning districts.

* * *

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

SECTION VI: All Ordinances and parts of ordinances in conflict herewith are hereby repealed.

	<u>Aye</u>	<u>Nay</u>	<u>Absent</u>	<u>Abstain</u>
Trustee Goldman	_____	_____	_____	_____
Trustee Hoeft	_____	_____	_____	_____
Trustee Kanakaris	_____	_____	_____	_____
Trustee Leopold	_____	_____	_____	_____
Trustee Piwko	_____	_____	_____	_____
Trustee Westberg	_____	_____	_____	_____

PASSED and APPROVED this 23rd day of January, 2020.

APPROVED:

ATTEST :

Village President

Village Clerk

Agenda Item: **Consideration – Ordinance Approving an Amendment to Title XI of the Huntley Village Code to Prohibit Adult-Use Cannabis Businesses within the Village of Huntley**

Petitioner: **Village of Huntley**

Department: **Development Services Department - Planning and Zoning Division**

Introduction

The Cannabis Regulation and Tax Act (the “Act”) authorizes municipalities to prohibit Cannabis Businesses within their boundaries. The proposed ordinance to prohibit Cannabis Businesses within the Village has been prepared should the Village Board not adopt the text amendments to the Village’s Zoning Code regarding Adult-Use cannabis business establishments.

The adoption of an ordinance prohibiting cannabis business establishments protects the Village from a petitioner arguing that such a use falls within more general categories that are allowable under the Village’s existing zoning regulations. For example, a craft grower or cultivation center might assert that it is an allowable agricultural use, like a commercial nursery or greenhouse; a dispensary might assert that it is an allowable retail use, similar to a drug store, liquor store, or tobacco store.

Financial Impact

None.

Legal Analysis

The Village’s Special Counsel has drafted the proposed ordinance for consideration by the Village Board.

Action Requested

A motion of the Village Board for an Ordinance Approving an Amendment to Title XI of the Huntley Village Code to Prohibit Adult-Use Cannabis Businesses within the Village of Huntley.

Exhibits

1. Draft Ordinance

**AN ORDINANCE AMENDING TITLE XI OF
THE HUNTLEY VILLAGE CODE TO PROHIBIT
ADULT-USE CANNABIS BUSINESSES WITHIN THE VILLAGE OF HUNTLEY**

ORDINANCE NO. (O)2020-01. __

WHEREAS, the Village of Huntley (the “**Village**”) is an Illinois home rule municipality established and existing in accordance with the Constitution of the State of Illinois of 1970; and

WHEREAS, the Cannabis Regulation and Tax Act, 410 ILCS 705/1-1 *et seq.*, (the “**Act**”) was recently approved by the General Assembly and signed into law on June 25, 2019; and

WHEREAS, the Act authorizes the establishment of dispensary, cultivation center, craft grower, processor/ infuser, and transporter businesses (“**Cannabis Businesses**”) throughout Illinois for the purpose of producing, processing, distributing, and selling at retail Adult-Use cannabis in accordance with the Act (“**Adult-Use Cannabis**”) for purchase and personal recreational use by Illinois residents and non-residents 21 years of age and older beginning January 1, 2020; and

WHEREAS, under the Act, the Village has authority to enact ordinances that prohibit Cannabis Businesses within the Village or significantly limit the locations where Cannabis Businesses may be established; and

WHEREAS, the Village has a long tradition of utilizing its zoning and planning authority to ensure that compatible uses are maintained in its various neighborhoods; and

WHEREAS, the President and Village Board have determined that Cannabis Businesses will be incompatible with the purposes and uses allowed within the Village’s various neighborhoods, and the presence of Cannabis Businesses within the Village will therefore be detrimental to the Village and its residents; and

WHEREAS, Title XI of the Huntley Village Code (“**Village Code**”) regulates various businesses and business activities within the Village; and

WHEREAS, the President and Village Board have determined that it is in the best interests of the Village and its residents to amend Title XI of the Village Code to prohibit Cannabis Businesses within the corporate limits of the Village.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF HUNTLEY, COUNTIES OF KANE AND McHENRY, STATE OF ILLINOIS, as follows:

SECTION I: Recitals. The foregoing recitals are incorporated in, and made a part of, this Ordinance by this reference as findings of the Village Board of the Village.

SECTION II: Amendment to Title XI of the Village Code; Prohibition of Cannabis Businesses. Title XI, titled “Business Regulations” of the Village Code is hereby amended to add a new Chapter 121, which shall hereafter be and read as follows:

Chapter 121: Adult-Use Cannabis.

§ 121.01. ADULT-USE CANNABIS BUSINESSES PROHIBITED.

Adult-Use cannabis businesses (including dispensing organizations, cultivation centers, craft growers, processing organizations, infuser organizations, and transporting organizations, all as defined by the Cannabis Regulation and Tax Act, 410 ILCS 705/1-1 et seq.) operating pursuant to said Cannabis Regulation and Tax Act, as may be amended from time to time, are hereby prohibited from locating or operating within the corporate limits of the Village of Huntley. This section shall not be construed to prohibit the operation of any facility licensed to operate pursuant to the Compassionate Use of Medical Cannabis Program Act, 410 ILCS 130/1 et seq., as may be amended from time to time, that does not also hold a license to operate pursuant to the Cannabis Regulation and Tax Act.

SECTION III: Effective Date. This Ordinance shall be in full force and effect upon its passage, approval, and publication in the manner provided by law.

	<u>Aye</u>	<u>Nay</u>	<u>Absent</u>	<u>Abstain</u>
Trustee Goldman	_____	_____	_____	_____
Trustee Hoeft	_____	_____	_____	_____
Trustee Kanakaris	_____	_____	_____	_____
Trustee Leopold	_____	_____	_____	_____
Trustee Piwko	_____	_____	_____	_____
Trustee Westberg	_____	_____	_____	_____

PASSED and APPROVED this 23rd day of January, 2020.

APPROVED:

ATTEST :

Village President

Village Clerk

Agenda Item: **Consideration – Ordinance Amending Sections 120.17 and 130.25 of the Huntley Village Code Regarding Cannabis Paraphernalia**

Department: **Police Department**

Introduction

The Cannabis Regulation and Tax Act, 410 ILCS 705/1-1 et seq., (the “Act”) was approved by the General Assembly and signed into law on June 25, 2019. As of January 1, 2020, the Act permits personal possession and use of cannabis, cannabis-containing products, and cannabis paraphernalia by individuals 21 years of age and older in accordance with the requirements of the Act. Recently, the General Assembly approved a “trailer bill” (Public Act 101-593) that took effect on December 4, 2019 and makes various changes and clarifications to the Act and related statutes. Changes in the recent trailer bill include: (i) amending the Drug Paraphernalia Control Act to eliminate criminal penalties for possession of cannabis paraphernalia; (ii) amending the Cannabis Regulation and Tax Act to provide that it shall not be a criminal or civil offense for a person 21 years of age or older to possess or use cannabis paraphernalia after January 1, 2020; and (iii) amending the Compassionate Use of Medical Cannabis Program Act to eliminate restrictions on possession and use of cannabis paraphernalia by patients and to allow registered medical cannabis patients age 18 and over to smoke or vape cannabis.

Staff Analysis

In light of the changes in the trailer bill, an amendment is proposed to Section 130.25 of the Village Code to add language prohibiting underage possession of cannabis paraphernalia. Underage possession would include possession of paraphernalia by anyone under age 21, other than a registered medical cannabis patient. For a registered patient, smoking- or vaping-related paraphernalia could be prohibited for anyone under age 18. The trailer bill also includes a definition of “cannabis paraphernalia” that would be incorporated into the Village Code.

Section 120.17 of the Village Code should also be amended, as it makes it unlawful for “any person” to sell the following items of smoking-related paraphernalia:

- a. Water pipes;
- b. Bongs or water bongs;
- c. Electric pipes;
- d. Carburetion tubes and devices;
- e. Carburetor pipes;
- f. Chillums; and
- g. Ice pipes or chillers;

State law now provides for the sale of cannabis paraphernalia, as defined in §130.25 of the Code, by a licensed cannabis dispensary or medical cannabis dispensary or a qualified employee thereof. The amendment to Section 120.17 of the Village Code clarifies that it does not prohibit the sale of cannabis paraphernalia at State-licensed cannabis dispensaries.

Financial Impact

None.

Legal Analysis

The draft ordinance was prepared by the Village Attorney.

Action Requested

A motion of the Village Board Approving an Ordinance Amending Sections 120.17 and 130.25 of the Huntley Village Code Regarding Cannabis Paraphernalia

Exhibits

1. Draft Ordinance

**AN ORDINANCE AMENDING SECTIONS 120.17 AND 130.25 OF THE
HUNTLEY VILLAGE CODE REGARDING CANNABIS PARAPHERNALIA**

Ordinance (O)2020-01.____

WHEREAS, the Village of Huntley (the “**Village**”) is an Illinois home rule municipality established and existing in accordance with the Constitution of the State of Illinois of 1970; and

WHEREAS, the Cannabis Regulation and Tax Act, 410 ILCS 705/1-1 *et seq.*, (the “**Act**”) was recently approved by the General Assembly and signed into law on June 25, 2019; and

WHEREAS, as of January 1, 2020, the Act permits personal possession and use of cannabis, cannabis-containing products, and cannabis paraphernalia by individuals 21 years of age and older in accordance with the requirements of the Act; and

WHEREAS, the Act also permits the sale of cannabis paraphernalia by State-licensed cannabis dispensaries and qualified employees of such dispensaries;

WHEREAS, pursuant to its home rule powers and other applicable law, the Village has authority to regulate possession and use of cannabis paraphernalia by individuals under 21 years of age and sale of cannabis paraphernalia by persons other than State-licensed cannabis dispensaries and their qualified employees; and

WHEREAS, Section 130.25 of the Huntley Village Code (“**Village Code**”) adopts and incorporates certain provisions of the Drug Paraphernalia Control Act, 720 ILCS 600/ 1 *et seq.*, and thereby prohibits possession of illegal drug paraphernalia within the Village; and

WHEREAS, Section 120.17 of the Village Code prohibits the sale of certain items of drug- and smoking-related paraphernalia within the Village; and

WHEREAS, in light of the Act and other recent changes to State law, the President and Village Board have determined that it is in the best interests of the Village and its residents to: (i) amend Section 130.25 of the Village Code to prohibit underage possession of cannabis paraphernalia, except for possession by registered qualifying medical cannabis patients in accordance with the Compassionate Use of Medical Cannabis Program Act, and (ii) amend Section 120.17 of the Village Code to clarify that it does not prohibit the sale of cannabis paraphernalia at State-licensed cannabis dispensaries, all as set forth in this Ordinance;

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF HUNTLEY, COUNTIES OF KANE AND McHENRY, STATE OF ILLINOIS, as follows:

SECTION I: The foregoing recitals are incorporated in, and made a part of, this Ordinance by this reference as findings of the Village Board of the Village.

SECTION II: Section 130.25 of Chapter 130, titled “General Offenses,” of Title XIII, titled “General Offenses,” of the Village Code is hereby amended in part and shall hereafter be and read as follows:

§ 130.25 POSSESSION OF DRUG PARAPHERNALIA; UNDERAGE POSSESSION OF CANNABIS PARAPHERNALIA.

A. Drug Paraphernalia. ILCS Ch. 720, Section 600/3.5 are adopted and incorporated in full as if fully set forth herein.

B. Underage Possession of Cannabis Paraphernalia. Except as provided in the Compassionate Use of Medical Cannabis Program Act with respect to registered qualifying patients, it is unlawful for a person under the age of 21 to knowingly possess an item of cannabis paraphernalia with the intent to use such item in ingesting, inhaling, or otherwise introducing cannabis into the human body, or in producing or preparing cannabis for such use.

For purposes of this section “cannabis paraphernalia” means: equipment, products, or materials intended to be used for planting, propagating, cultivating, growing, harvesting, manufacturing, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, ingesting, or otherwise introducing cannabis into the human body.

C. Penalty, see § 130.99

SECTION III: Section 120.17, titled “Sales of Certain Smoking Paraphernalia Prohibited,” of Chapter 120, titled “Tobacco,” of Title XI, titled “Business Regulations,” of the Village Code is hereby amended in part and shall hereafter be and read as follows:

§ 120.17 SALES OF CERTAIN SMOKING PARAPHERNALIA PROHIBITED.

It shall be unlawful for any person to sell or offer for sale within the Village the following items of smoking-related paraphernalia:

- a. Water pipes;
- b. Bongs or water bongs;
- c. Electric pipes;
- d. Carburetion tubes and devices;
- e. Carburetor pipes;
- f. Chillums; and
- g. Ice pipes or chillers;

provided, however, that this section shall not be interpreted as prohibiting: **(i) the sale of e-cigarettes, personal vaporizers, electronic nicotine delivery systems, or similar devices that are designed specifically to aerosolize or atomize liquid solutions that simulate the smoking of tobacco; or (ii) the sale of cannabis paraphernalia, as defined in §130.25 of this Code, by a licensed cannabis dispensary or medical cannabis dispensary or a qualified employee thereof.**

SECTION IV: This Ordinance shall be in full force and effect upon its passage, approval, and publication in pamphlet form in the manner provided by law.

	<u>Aye</u>	<u>Nay</u>	<u>Absent</u>	<u>Abstain</u>
Trustee Goldman	_____	_____	_____	_____
Trustee Hoeft	_____	_____	_____	_____
Trustee Kanakaris	_____	_____	_____	_____
Trustee Leopold	_____	_____	_____	_____
Trustee Piwko	_____	_____	_____	_____
Trustee Westberg	_____	_____	_____	_____

PASSED and APPROVED this 23rd day of January, 2020.

APPROVED:

Village President

ATTEST :

Village Clerk

Agenda Item: **Consideration - Resolution Approving the Year 2 and Year 3 Bid Extension to AB Sanchez, Inc. for the Entryway Area and Ornamental Bed Beautification Services**

Department: **Public Works and Engineering – Streets and Underground Division**

Introduction

The Village of Huntley maintains the grounds at the entryway sign locations, downtown, Wing Pointe entryway at Haligus and Huntley Dundee Roads, Southwind entryway at Reed Road and Cambridge Drive, all four corners at the intersection of Main Street and IL Route 47 and the planting beds at Municipal Complex. These areas can be characterized as small tracts generally with mulch and flower beds with seasonal decorating that require hand work and frequent attention. To accomplish all the necessary work to the standard and consistency the Village has come to expect, the Village has contracted this work out over the last several years.

On Thursday, February 14, 2019 the Village received bids from three (3) contractors for the Entryway Area and Ornamental Bed Beautification Services contract. The bid documents required a Base Bid and a Mandatory Alternate Bid for each of three consecutive years beginning in 2019. The Base Bid landscape maintenance activities consist of litter and debris pick-up, turf mowing, weed control and fertilizing in the identified areas. The Alternate Bid landscape maintenance activities consist of aeration in the downtown square.

Staff Analysis

On Thursday, March 14, 2019, the Village Board approved the Year 1 Bid award for the Entryway Area and Ornamental Bed Beautification Services to AB Sanchez, Inc. in the total Bid amount of \$45,030.00. Based on acceptable performance for the Year 1 services, all is in order for consideration to approve the Year 2 and Year 3 Bid extension to AB Sanchez, Inc.

The contract may be cancelled by the Village in whole or in part by written notice to the Contractor upon non-performance or violation of contract terms. The Village of Huntley reserves the right to terminate the service at any time during the term of the contract upon ten (10) business days written notice to the Contractor. Failure of the Contractor to deliver services within the time stipulated, unless extended in writing by the Village, shall constitute contract default.

Strategic Plan Priority

The 2016-2020 Strategic Plan identifies *Promote Sound Financial Management and Fiscal Sustainability* as a Strategic Priority, and “Enhance asset management program to sustain level of service at economical life cycle cost” as an objective.

Financial Impact

The FY20 Budget includes \$150,000 in the Facilities & Grounds Maintenance Fund, 410-00-00-6179, \$45,710 of which is earmarked for the Year 2 work identified under this contract. The FY21 Budget will be presented with funding for the Year 3 work.

Legal Analysis

None required.

Action Requested

A motion by the Village Board for a Resolution Approving the Year 2 and Year 3 Bid Extension to AB Sanchez, Inc. for the Entryway Area and Ornamental Bed Beautification Services.

Exhibits

1. Bid Tabulation
2. Draft Resolution



			AB SANCHEZ, INC			WILLIAM RUTH LANDSCAPING			BALANCED ENVIRONMENTS, INC.		
AREA (Location)	UNIT	QUANTITY	YEAR 1 AREA	YEAR 2 AREA	YEAR 3 AREA	YEAR 1 AREA	YEAR 2 AREA	YEAR 3 AREA	YEAR 1 AREA	YEAR 2 AREA	YEAR 3 AREA
BASE BID SCHEDULE: ENTRYWAY AND ORNAMENTAL BED BEAUTIFICATION SERVICES											
AREA 5:											
Route 1 (Municipal Center))	Lump Sum	1	\$2,640.00	\$2,680.00	\$2,720.00	\$2,900.00	\$3,000.00	\$3,100.00	\$9,288.00	\$9,473.00	\$9,662.00
Route 2 (Entryway Signs)	Lump Sum	1	\$7,280.00	\$7,390.00	\$7,495.00	\$1,100.00	\$1,150.00	\$1,200.00	\$3,758.00	\$3,833.00	\$3,909.00
Route 3 (Route 47 & Main)	Lump Sum	1	\$10,140.00	\$10,290.00	\$10,445.00	\$18,700.00	\$19,150.00	\$19,500.00	\$16,805.00	\$17,141.00	\$17,483.00
Route 5 (Downtown Huntley)	Lump Sum	1	\$18,520.00	\$18,800.00	\$19,080.00	\$21,800.00	\$22,400.00	\$22,848.00	\$13,955.00	\$14,234.00	\$14,518.00
Route 6 (Wingpointe)	Lump Sum	1	\$2,510.00	\$2,550.00	\$2,590.00	\$2,400.00	\$2,500.00	\$2,600.00	\$3,922.00	\$4,000.00	\$4,080.00
Route 7 (Southwind)	Lump Sum	1	\$3,550.00	\$3,605.00	\$3,660.00	\$2,700.00	\$2,800.00	\$2,900.00	\$4,610.00	\$4,702.00	\$4,796.00
BASE BID SUB TOTALS			\$44,640.00	\$45,315.00	\$45,990.00	\$49,600.00	\$51,000.00	\$52,148.00	\$52,338.00	\$53,383.00	\$54,448.00
MANDATORY ALTERNATE BID SCHEDULE: LANDSCAPE MAINTENANCE SERVICES											
AREA 5:											
Route 5 (Town Square): Aeration	Lump Sum	1	\$390.00	\$395.00	\$400.00	\$150.00	\$150.00	\$150.00	\$390.00	\$398.00	\$406.00
ALTERNATE BID SUB TOTALS			\$390.00	\$395.00	\$400.00	\$150.00	\$150.00	\$150.00	\$390.00	\$398.00	\$406.00
TOTAL BID CONTRACT			\$45,030.00	\$45,710.00	\$46,390.00	\$49,750.00	\$51,150.00	\$52,298.00	\$52,728.00	\$53,781.00	\$54,854.00

RESOLUTION APPROVING THE YEAR 2 AND YEAR 3 BID EXTENSION TO AB SANCHEZ, INC. FOR THE ENTRYWAY AREA AND ORNAMENTAL BED BEAUTIFICATION SERVICES

RESOLUTION (R) 2020-01.xx

WHEREAS, the Village of Huntley is a home rule unit of local government under the Illinois Constitution, 1970, Article VII, Section 6; and

WHEREAS, the Fiscal Year 20 Annual Budget includes funding for the Entryway Area and Ornamental Bed Beautification Services; and

WHEREAS, on February 14, 2019, sealed bids were opened and read aloud for the Entryway Area and Ornamental Bed Beautification Services; and

WHEREAS, on Thursday, March 14, 2019, the Village Board approved the Year 1 Bid award for the Entryway Area and Ornamental Bed Beautification Services to AB Sanchez, Inc. in the total bid amount of \$45,030.00; and

WHEREAS, the bid documents allows for Year 2 and Year 3 Bid extensions in the amount of \$45,710.00 and \$46,390.00, respectively upon mutual agreement of the Village and Contractor; and

WHEREAS, the Village of Huntley has determined that it is in the best interest to extend the Year 2 and Year 3 Bid award to AB Sanchez, Inc. for the Entryway Area and Ornamental Bed Beautification Services.

NOW, THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF HUNTLEY as follows:

SECTION I: The Village of Huntley approves the Year 2 and Year 3 Bid extension to AB Sanchez, Inc. for the Entryway Area and Ornamental Bed Beautification Services.

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

SECTION III: All Resolutions and parts of resolutions in conflict herewith are hereby repealed.

	<u>Aye</u>	<u>Nay</u>	<u>Absent</u>	<u>Abstain</u>
Trustee Goldman	_____	_____	_____	_____
Trustee Hoeft	_____	_____	_____	_____
Trustee Kanakaris	_____	_____	_____	_____
Trustee Leopold	_____	_____	_____	_____
Trustee Piwko	_____	_____	_____	_____
Trustee Westberg	_____	_____	_____	_____

PASSED and APPROVED this 23rd day of January, 2020.

APPROVED:

Village President

ATTEST:

Village Clerk

Agenda Item: **Consideration - Resolution Approving the Year 2 and Year 3 Bid Extension to C.T. Veach, Inc. for the Landscape Maintenance Services**

Department: **Public Works and Engineering – Streets and Underground Division**

Introduction

The Village of Huntley is responsible for maintaining the grounds on all Village-owned property, certain areas within Special Service Area No. 5 (Southwind), as well as certain tracts of Village rights-of-way (ROW). The Village has also been maintaining the IL Route 47 medians the last several years. The combined Village maintained areas total approximately 106 acres over 198 separately defined tracts. To accomplish all of the necessary work, the Village utilizes contractors to share in the workload. For the 2020 season, the Village has targeted 46 acres consisting of 93 separate tracts for contract work. Public Works crews would still be responsible for over half of the maintained responsibility. Tracts targeted for contract generally consist of the more precarious areas such as highly travelled ROW and areas with steeper slopes adjacent to detention basins. The Municipal Complex has also been identified for contract.

On Thursday, January 24, 2019 the Village received bids from six (6) contractors for the contract Landscape Maintenance Services. The bid documents required a Base Bid and a Mandatory Alternate Bid for each of three consecutive years beginning in 2019. The Base Bid landscape maintenance activities consist of litter and debris pick-up, turf and roadside mowing, weed control and fertilizing in the identified areas. The Alternate Bid landscape maintenance activities consist of mulching and pruning for the same areas, aeration at the Municipal Center along with weed control and fertilizer for the remainder of the Village maintained areas. Weed and fertilizer spraying for Village staff would be limited to spot spraying as necessary to address nuisance areas.

Staff Analysis

On Thursday, February 28, 2019, the Village Board approved the Year 1 Bid award for the Landscape Maintenance Services to C.T. Veach, Inc. in the total bid amount of \$83,615.00. Based on acceptable performance for the Year 1 services, all is in order for consideration to approve the Year 2 and Year 3 Bid extension to C.T. Veach, Inc.

The contract may be cancelled by the Village in whole or in part by written notice to the Contractor upon non-performance or violation of contract terms. The Village of Huntley reserves the right to terminate the service at any time during the term of the contract upon ten (10) business days written notice to the Contractor. Failure of the Contractor to deliver services within the time stipulated, unless extended in writing by the Village, shall constitute contract default.

Strategic Plan Priority

The 2016-2020 Strategic Plan identifies *Promote Sound Financial Management and Fiscal Sustainability* as a Strategic Priority, and “Enhance asset management program to sustain level of service at economical life cycle cost” as an objective.

Financial Impact

The FY20 Budget includes \$150,000 in the Facilities & Grounds Maintenance Fund, 410-00-00-6179, \$86,181 of which is earmarked for the Year 2 work identified under this contract. The FY21 Budget will be presented with funding for the Year 3 work.

Legal Analysis

None required.

Action Requested

A motion by the Village Board for a Resolution Approving the Year 2 and Year 3 Bid Extension to C.T. Veach, Inc. for the Landscape Maintenance Services.

Exhibits

1. Bid Tabulation
2. Draft Resolution

			AMERICANA LANDSCAPE GROUP, INC.			CT VEACH			APEX LANDSCAPING			AB SANCHEZ, INC			SEBERT LANDSCAPING			BALANCED ENVIRONMENTS, INC.		
			YEAR 1 AREA	YEAR 2 AREA	YEAR 3 AREA	YEAR 1 AREA	YEAR 2 AREA	YEAR 3 AREA	YEAR 1 AREA	YEAR 2 AREA	YEAR 3 AREA	YEAR 1 AREA	YEAR 2 AREA	YEAR 3 AREA	YEAR 1 AREA	YEAR 2 AREA	YEAR 3 AREA	YEAR 1 AREA	YEAR 2 AREA	YEAR 3 AREA
AREA (Location)	UNIT	QUANTITY																		
AREA 1:																				
Route 1 (Route 47 Medians)	Lump Sum	1	\$5,920.00	\$5,920.00	\$5,920.00	\$7,620.00	\$8,000.00	\$8,000.00	\$10,810.00	\$11,135.00	\$11,135.00	\$12,060.00	\$12,060.00	\$12,360.00	\$15,210.00	\$15,666.00	\$15,666.00	\$19,848.00	\$20,244.00	\$20,648.00
Route 4 (Route 47: Mill Street & South)	Lump Sum	1	\$312.00	\$312.00	\$312.00	\$460.00	\$480.00	\$505.00	\$680.00	\$700.00	\$700.00	\$880.00	\$880.00	\$905.00	\$1,304.00	\$1,343.00	\$1,343.00	\$517.00	\$527.00	\$537.00
Route 5 (Route 47 & Dean Street)	Lump Sum	1	\$504.00	\$504.00	\$504.00	\$890.00	\$930.00	\$980.00	\$1,360.00	\$1,400.00	\$1,400.00	\$910.00	\$910.00	\$935.00	\$1,881.00	\$1,937.00	\$1,937.00	\$1,034.00	\$1,054.00	\$1,075.00
Route 6 (Route 47 MUP)	Lump Sum	1	\$1,170.00	\$1,170.00	\$1,170.00	\$1,790.00	\$1,880.00	\$1,970.00	\$5,360.00	\$5,520.00	\$5,520.00	\$1,380.00	\$1,380.00	\$1,420.00	\$2,761.00	\$2,843.00	\$2,843.00	\$2,685.00	\$2,738.00	\$2,793.00
BASE BID SUB TOTALS			\$7,906.00	\$7,906.00	\$7,906.00	\$10,760.00	\$11,290.00	\$11,455.00	\$18,210.00	\$18,755.00	\$18,755.00	\$15,230.00	\$15,230.00	\$15,620.00	\$21,156.00	\$21,789.00	\$21,789.00	\$24,084.00	\$24,563.00	\$25,053.00
AREA 2:																				
Route 4 (Southwind)	Lump Sum	1	\$7,240.00	\$7,240.00	\$7,240.00	\$9,960.00	\$10,450.00	\$10,450.00	\$5,680.00	\$5,850.00	\$5,850.00	\$13,480.00	\$13,480.00	\$13,820.00	\$15,742.00	\$16,214.00	\$16,214.00	\$22,019.00	\$22,459.00	\$22,911.00
Route 6 (Reed Road East)	Lump Sum	1	\$1,710.00	\$1,710.00	\$1,710.00	\$5,670.00	\$5,950.00	\$5,950.00	\$4,865.00	\$5,010.00	\$5,010.00	\$5,800.00	\$5,800.00	\$5,945.00	\$11,026.00	\$11,350.00	\$11,350.00	\$6,494.00	\$6,622.00	\$6,754.00
BASE BID SUB TOTALS			\$8,950.00	\$8,950.00	\$8,950.00	\$15,630.00	\$16,400.00	\$16,400.00	\$10,545.00	\$10,860.00	\$10,860.00	\$19,280.00	\$19,280.00	\$19,765.00	\$26,768.00	\$27,564.00	\$27,564.00	\$28,513.00	\$29,081.00	\$29,665.00
AREA 3:																				
Route 10 (Municipal Complex)	Lump Sum	1	\$5,650.00	\$5,650.00	\$5,650.00	\$8,880.00	\$9,000.00	\$9,000.00	\$13,075.00	\$13,465.00	\$13,465.00	\$12,370.00	\$12,370.00	\$12,680.00	\$12,310.00	\$12,679.00	\$12,679.00	\$18,392.00	\$18,765.00	\$19,139.00
Route 20 (Dundee Road & Haligus Road)	Lump Sum	1	\$408.00	\$408.00	\$408.00	\$550.00	\$575.00	\$600.00	\$350.00	\$360.00	\$360.00	\$880.00	\$880.00	\$910.00	\$2,180.00	\$2,245.00	\$2,245.00	\$618.00	\$630.00	\$642.00
Route 21 (Dundee Road)	Lump Sum	1	\$3,390.00	\$3,390.00	\$3,390.00	\$5,660.00	\$5,943.00	\$6,240.00	\$7,180.00	\$7,395.00	\$7,395.00	\$4,580.00	\$4,580.00	\$4,700.00	\$6,444.00	\$6,637.00	\$6,637.00	\$8,277.00	\$8,442.00	\$8,610.00
Route 22 (Wing Pointe Pond North)	Lump Sum	1	\$1,180.00	\$1,180.00	\$1,180.00	\$2,170.00	\$2,280.00	\$2,390.00	\$3,030.00	\$3,120.00	\$3,120.00	\$2,040.00	\$2,040.00	\$2,100.00	\$4,183.00	\$4,308.00	\$4,308.00	\$3,352.00	\$3,419.00	\$3,487.00
Route 23 (Wing Pointe Pond South)	Lump Sum	1	\$1,230.00	\$1,230.00	\$1,230.00	\$2,070.00	\$2,175.00	\$2,280.00	\$2,930.00	\$3,015.00	\$3,015.00	\$1,550.00	\$1,550.00	\$1,590.00	\$3,970.00	\$4,089.00	\$4,089.00	\$3,244.00	\$3,309.00	\$3,375.00
Route 26 (Kreutzer Road East 1)	Lump Sum	1	\$1,514.00	\$1,514.00	\$1,514.00	\$1,680.00	\$1,760.00	\$1,850.00	\$3,000.00	\$3,090.00	\$3,090.00	\$2,310.00	\$2,310.00	\$2,370.00	\$4,001.00	\$4,121.00	\$4,121.00	\$4,561.00	\$4,654.00	\$4,747.00
Route 27 (Kreutzer Road East 2)	Lump Sum	1	\$620.00	\$620.00	\$620.00	\$340.00	\$360.00	\$375.00	\$710.00	\$730.00	\$730.00	\$2,280.00	\$2,280.00	\$2,340.00	\$1,800.00	\$1,854.00	\$1,854.00	\$1,050.00	\$1,070.00	\$1,091.00
Route 28 (Kreutzer Road East 3)	Lump Sum	1	\$930.00	\$930.00	\$930.00	\$815.00	\$855.00	\$900.00	\$1,080.00	\$1,115.00	\$1,115.00	\$965.00	\$965.00	\$990.00	\$2,353.00	\$2,424.00	\$2,424.00	\$1,462.00	\$1,491.00	\$1,520.00
Route 29 (Kreutzer Road West)	Lump Sum	1	\$2,070.00	\$2,070.00	\$2,070.00	\$2,810.00	\$2,950.00	\$3,100.00	\$4,065.00	\$4,185.00	\$4,185.00	\$3,380.00	\$3,380.00	\$3,470.00	\$3,886.00	\$4,002.00	\$4,002.00	\$5,396.00	\$5,503.00	\$5,611.00
BASE BID SUB TOTALS			\$16,992.00	\$16,992.00	\$16,992.00	\$24,975.00	\$25,898.00	\$26,735.00	\$35,420.00	\$36,475.00	\$36,475.00	\$30,355.00	\$30,355.00	\$31,150.00	\$41,127.00	\$42,359.00	\$42,359.00	\$46,352.00	\$47,283.00	\$48,222.00
AREA 4:																				
Route 3 (Freeman Road ROW)	Lump Sum	1	\$2,190.00	\$2,190.00	\$2,190.00	\$2,075.00	\$2,178.00	\$2,290.00	\$4,340.00	\$4,470.00	\$4,470.00	\$4,375.00	\$4,375.00	\$4,490.00	\$5,004.00	\$5,154.00	\$5,154.00	\$5,170.00	\$5,271.00	\$5,375.00
Route 4 (Freeman Road Medians)	Lump Sum	1	\$408.00	\$408.00	\$408.00	\$825.00	\$860.00	\$910.00	\$1,200.00	\$1,240.00	\$1,240.00	\$900.00	\$900.00	\$930.00	\$2,204.00	\$2,270.00	\$2,270.00	\$1,730.00	\$1,764.00	\$1,799.00
Route 5 (Jim Dhamer ROW)	Lump Sum	1	\$1,710.00	\$1,710.00	\$1,710.00	\$1,980.00	\$2,080.00	\$2,180.00	\$4,400.00	\$4,530.00	\$4,530.00	\$3,250.00	\$3,250.00	\$3,330.00	\$3,655.00	\$3,765.00	\$3,765.00	\$4,046.00	\$4,127.00	\$4,209.00
Route 6 (Jim Dhamer Medians)	Lump Sum	1	\$648.00	\$648.00	\$648.00	\$1,740.00	\$1,825.00	\$1,920.00	\$1,720.00	\$1,770.00	\$1,770.00	\$1,130.00	\$1,130.00	\$1,160.00	\$2,170.00	\$2,235.00	\$2,235.00	\$2,390.00	\$2,438.00	\$2,486.00
Route 8 (Hennig Road)	Lump Sum	1	\$540.00	\$540.00	\$540.00	\$480.00	\$500.00	\$525.00	\$910.00	\$940.00	\$940.00	\$2,870.00	\$2,870.00	\$2,940.00	\$1,425.00	\$1,468.00	\$1,468.00	\$1,534.00	\$1,563.00	\$1,593.00
BASE BID SUB TOTALS			\$5,496.00	\$5,496.00	\$5,496.00	\$7,100.00	\$7,443.00	\$7,825.00	\$12,570.00	\$12,950.00	\$12,950.00	\$12,525.00	\$12,525.00	\$12,850.00	\$14,458.00	\$14,892.00	\$14,892.00	\$14,870.00	\$15,163.00	\$15,462.00
BASE BID TOTALS			\$39,344.00	\$39,344.00	\$39,344.00	\$58,465.00	\$61,031.00	\$62,415.00	\$76,745.00	\$79,040.00	\$79,040.00	\$77,390.00	\$77,390.00	\$79,385.00	\$103,509.00	\$106,604.00	\$106,604.00	\$113,819.00	\$116,090.00	\$118,402.00

			AMERICANA LANDSCAPE GROUP, INC.			CT VEACH			APEX LANDSCAPING			AB SANCHEZ, INC			SEBERT LANDSCAPING			BALANCED ENVIRONMENTS, INC.		
			YEAR 1 AREA	YEAR 2 AREA	YEAR 3 AREA	YEAR 1 AREA	YEAR 2 AREA	YEAR 3 AREA	YEAR 1 AREA	YEAR 2 AREA	YEAR 3 AREA	YEAR 1 AREA	YEAR 2 AREA	YEAR 3 AREA	YEAR 1 AREA	YEAR 2 AREA	YEAR 3 AREA	YEAR 1 AREA	YEAR 2 AREA	YEAR 3 AREA
AREA (Location)	UNIT	QUANTITY																		
MANDATORY ALTERNATE BID SCHEDULE: LANDSCAPE MAINTENANCE SERVICES																				
AREA 2:																				
Route 4 (Southwind): Mulching Beds & Tree Rings	Lump Sum	1	\$1,100.00	\$1,100.00	\$1,100.00	\$1,000.00	\$1,000.00	\$1,000.00	\$440.00	\$455.00	\$455.00	\$1,820.00	\$1,820.00	\$1,870.00	\$696.00	\$717.00	\$717.00	\$1,905.00	\$1,943.00	\$1,981.00
Route 4 (Southwind): Pruning	Lump Sum	1	\$320.00	\$320.00	\$320.00	\$300.00	\$300.00	\$300.00	\$495.00	\$510.00	\$510.00	\$690.00	\$690.00	\$710.00	\$125.00	\$130.00	\$130.00	\$240.00	\$245.00	\$249.00
Route 6 (Reed Road East): Mulching Beds & Tree Rings	Lump Sum	1	\$1,500.00	\$1,500.00	\$1,500.00	\$2,000.00	\$2,000.00	\$2,000.00	\$595.00	\$615.00	\$615.00	\$1,680.00	\$1,680.00	\$1,730.00	\$6,380.00	\$6,575.00	\$6,575.00	\$2,523.00	\$2,573.00	\$2,623.00
Route 6 (Reed Road East): Pruning	Lump Sum	1	\$420.00	\$420.00	\$420.00	\$350.00	\$350.00	\$350.00	\$595.00	\$615.00	\$615.00	\$1,320.00	\$1,320.00	\$1,390.00	\$456.00	\$470.00	\$470.00	\$618.00	\$630.00	\$642.00
ALTERNATE BID SUB TOTALS			\$3,340.00	\$3,340.00	\$3,340.00	\$3,650.00	\$3,650.00	\$3,650.00	\$2,125.00	\$2,195.00	\$2,195.00	\$5,510.00	\$5,510.00	\$5,700.00	\$7,657.00	\$7,892.00	\$7,892.00	\$5,286.00	\$5,391.00	\$5,495.00
AREA 3:																				
Route 10 (Municipal Complex): Mulching Beds & Tree Rings	Lump Sum	1	\$2,750.00	\$2,750.00	\$2,750.00	\$2,200.00	\$2,200.00	\$2,200.00	\$1,350.00	\$1,390.00	\$1,390.00	\$1,385.00	\$1,385.00	\$1,420.00	\$8,120.00	\$8,363.00	\$8,363.00	\$4,326.00	\$4,412.00	\$4,499.00
Route 10 (Municipal Complex): Aeration	Lump Sum	1	\$1,100.00	\$1,100.00	\$1,100.00	\$500.00	\$500.00	\$500.00	\$1,850.00	\$1,900.00	\$1,900.00	\$720.00	\$720.00	\$740.00	\$850.00	\$875.00	\$875.00	\$1,004.00	\$1,023.00	\$1,043.00
Route 22 (Wing Pointe Pond North): Mulching Beds & Tree Rings	Lump Sum	1	\$1,500.00	\$1,500.00	\$1,500.00	\$280.00	\$280.00	\$280.00	\$165.00	\$170.00	\$170.00	\$340.00	\$340.00	\$360.00	\$580.00	\$600.00	\$600.00	\$463.00	\$472.00	\$481.00
Route 22 (Wing Pointe Pond North): Pruning	Lump Sum	1	\$920.00	\$920.00	\$920.00	\$150.00	\$150.00	\$150.00	\$195.00	\$200.00	\$200.00	\$180.00	\$180.00	\$190.00	\$215.00	\$245.00	\$245.00	\$139.00	\$142.00	\$145.00
Route 23 (Wing Pointe Pond South): Mulching Beds & Tree Rings	Lump Sum	1	\$1,500.00	\$1,500.00	\$1,500.00	\$250.00	\$250.00	\$250.00	\$165.00	\$170.00	\$170.00	\$290.00	\$290.00	\$310.00	\$580.00	\$600.00	\$600.00	\$463.00	\$472.00	\$481.00
Route 23 (Wing Pointe Pond South): Pruning	Lump Sum	1	\$920.00	\$920.00	\$920.00	\$120.00	\$120.00	\$120.00	\$165.00	\$200.00	\$200.00	\$180.00	\$180.00	\$190.00	\$215.00	\$245.00	\$245.00	\$159.00	\$162.00	\$165.00
ALTERNATE BID SUB TOTALS			\$8,690.00	\$8,690.00	\$8,690.00	\$3,500.00	\$3,500.00	\$3,500.00	\$3,890.00	\$4,030.00	\$4,030.00	\$3,095.00	\$3,095.00	\$3,210.00	\$10,560.00	\$10,928.00	\$10,928.00	\$6,554.00	\$6,683.00	\$6,814.00
ALL AREAS (APPENDIX B):																				
Fertilizer/Pre-Emergent	Lump Sum	1	\$4,480.00	\$4,480.00	\$4,480.00	\$4,500.00	\$4,500.00	\$4,500.00	\$6,660.00	\$6,860.00	\$6,860.00	\$12,850.00	\$12,850.00	\$13,500.00	\$7,957.00	\$8,195.00	\$8,195.00	\$16,681.00	\$17,014.00	\$17,349.00
Fertilizer/Broadleaf	Lump Sum	1	\$4,210.00	\$4,210.00	\$4,210.00	\$13,500.00	\$13,500.00	\$13,500.00	\$18,426.00	\$18,980.00	\$18,980.00	\$38,750.00	\$38,750.00	\$40,690.00	\$29,774.00	\$31,262.00	\$31,262.00	\$12,024.00	\$12,264.00	\$12,505.00
ALTERNATE BID SUB TOTALS			\$8,690.00	\$8,690.00	\$8,690.00	\$18,000.00	\$18,000.00	\$18,000.00	\$25,086.00	\$25,840.00	\$25,840.00	\$51,600.00	\$51,600.00	\$54,190.00	\$37,731.00	\$39,457.00	\$39,457.00	\$28,705.00	\$29,278.00	\$29,854.00
ALTERNATE BID TOTALS			\$20,720.00	\$20,720.00	\$20,720.00	\$25,150.00	\$25,150.00	\$25,150.00	\$31,101.00	\$32,065.00	\$32,065.00	\$60,205.00	\$60,205.00	\$63,100.00	\$55,948.00	\$58,277.00	\$58,277.00	\$40,545.00	\$41,352.00	\$42,163.00
TOTAL BID CONTRACT			\$60,064.00	\$60,064.00	\$60,064.00	\$83,615.00	\$86,181.00	\$87,565.00	\$107,846.00	\$111,105.00	\$111,105.00	\$137,595.00	\$137,595.00	\$142,485.00	\$159,457.00	\$164,881.00	\$164,881.00	\$154,364.00	\$157,442.00	\$160,565.00

Corrected bid total based on unit prices

**RESOLUTION APPROVING THE YEAR 2 AND YEAR 3 BID EXTENSION
TO C.T. VEACH, INC. FOR THE LANDSCAPE MAINTENANCE SERVICES**

RESOLUTION (R) 2020-01.xx

WHEREAS, the Village of Huntley is a home rule unit of local government under the Illinois Constitution, 1970, Article VII, Section 6; and

WHEREAS, the Fiscal Year 20 Annual Budget includes funding for the Landscape Maintenance Services; and

WHEREAS, on January 24, 2019, sealed bids were opened and read aloud for the Landscape Maintenance Services; and

WHEREAS, on Thursday, February 28, 2019, the Village Board approved the Year 1 Bid award for the Landscape Maintenance Services to C.T. Veach, Inc., Huntley, IL at a total bid of \$83,615.00; and

WHEREAS, the bid documents allows for Year 2 and Year 3 Bid extensions in the amount of \$86,181.00 and \$87,565.00, respectively upon mutual agreement of the Village and Contractor; and

WHEREAS, the Village of Huntley has determined that it is in the best interest to extend the Year 2 and Year 3 Bid award to C.T. Veach, Inc. for the Landscape Maintenance Services.

NOW, THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF HUNTLEY as follows:

SECTION I: The Village of Huntley approves the Year 2 and Year 3 Bid extension to C.T. Veach, Inc. for the Landscape Maintenance Services.

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

SECTION III: All Resolutions and parts of resolutions in conflict herewith are hereby repealed.

	<u>Aye</u>	<u>Nay</u>	<u>Absent</u>	<u>Abstain</u>
Trustee Goldman	_____	_____	_____	_____
Trustee Hoeft	_____	_____	_____	_____
Trustee Kanakaris	_____	_____	_____	_____
Trustee Leopold	_____	_____	_____	_____
Trustee Piwko	_____	_____	_____	_____
Trustee Westberg	_____	_____	_____	_____

PASSED and APPROVED this 23rd day of January, 2020.

APPROVED:

Village President

ATTEST:

Village Clerk

Agenda Item: **Consideration – Resolution Approving the Purchase of a 2021 International Single Axle Dump Truck Cab and Chassis from Rush Truck Centers through the State of Illinois Department of Central Management Services (CMS) Joint Purchasing Procurement Program in the Amount of \$77,470.00**

Department: **Public Works and Engineering Department – Streets, Underground, and Fleet Division**

Introduction

The FY20 budget includes funding for the purchase of a new 5-yard dump truck equipped with dump body, hydraulics, controls, plow, spreader, chemical tank, chipper cap, GPS, 2-way radio, lights, cameras, and lettering. This vehicle will replace Vehicle 1690, a 2000 5-Yard Dump Truck that is 20 years old and has reached the end of its useful life. Staff will prepare a surplus declaration for Vehicle 1690 for Village Board consideration upon delivery of the new vehicle at which time it will be sold at auction.

Staff Analysis

Staff has received a proposal in the amount of \$77,470.00 for the purchase of a 2021 International single axle dump truck cab and chassis from Rush Truck Centers through the State of Illinois Department of Central Management Services (CMS) Joint Purchasing Procurement Program. The remaining set-up of the truck including the dump body, hydraulics, controls, plow, spreader, chemical tank, chipper cap, GPS, 2-way radio, lights, cameras, and lettering will be completed through other vendors. This is a multi-purpose vehicle that is used year round by Public Works for snowplowing, road repairs, and underground work.

Financial Impact

The FY20 Budget includes \$191,100 for the vehicle (\$185,000 in the Equipment Replacement Fund, 480-60-00-8131 for the truck and \$6,100 in the Capital Projects and Improvements Fund for the chipper cap). The cost to purchase the truck cab and chassis is \$77,470.00. The cost to purchase the dump body, hydraulics, controls, plow, spreader, chemical tank, chipper cap and GPS is \$96,911.00 and will be presented for Village Board approval under a separate resolution. An estimated additional \$1,850 will be requested through separate purchase orders for miscellaneous accessories such as lettering, radio, floor mats and sideboard.

Action Requested

A motion of the Village Board for a Resolution Approving the Purchase of a 2021 International Single Axle Dump Truck Cab and Chassis from Rush Truck Centers through the State of Illinois Department of Central Management Services (CMS) Joint Purchasing Procurement Program in the amount of \$77,470.00.

Exhibits

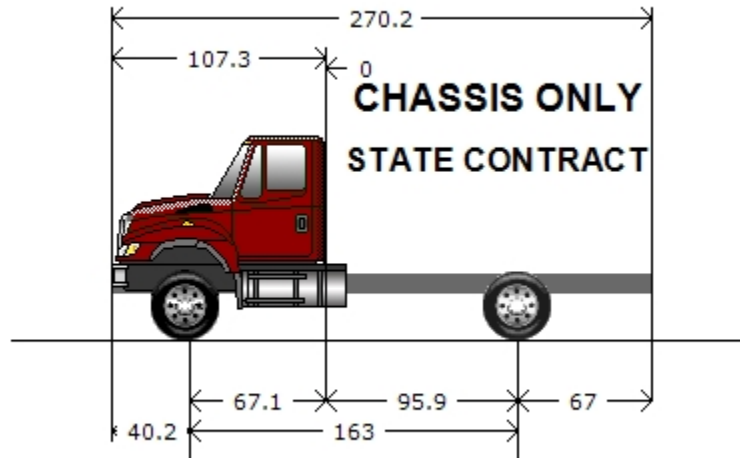
1. New Truck Proposal for Single Axle Dump Truck from Rush Truck Centers through State of Illinois Contract # 19416CMS BOSS4-B-2573
2. Draft Resolution

Prepared For:

Village of Huntley
 DAN RUGGLES
 P. O. Box 1018
 Huntley, IL 60142-
 (847)669 - 3450
 Reference ID: STATE CONTRACT

Presented By:

RUSH TRK CTR OF N IL
 David R Mueller
 4655 S CENTRAL AVE.
 CHICAGO IL 606381547
 708-496-7500



Model Profile
2021 HV607 SBA (HV607)

AXLE CONFIG:	4X2
MISSION:	Requested GVWR: 35000. Calc. GVWR: 41000
DIMENSION:	Wheelbase: 163.00, CA: 95.90, Axle to Frame: 67.00
ENGINE, DIESEL:	{Cummins L9 330} EPA 2017, 330HP @ 2000 RPM, 1000 lb-ft Torque @ 1400 RPM , 2200 RPM Governed Speed, 330 Peak HP (Max)
TRANSMISSION, AUTOMATIC:	{Allison 3000 RDS} 5th Generation Controls, Close Ratio, 6-Speed with Double Overdrive, with PTO Provision, Less Retarder, Includes Oil Level Sensor, with 80,000-lb GVW and GCW Max, On/Off Highway
CLUTCH:	Omit Item (Clutch & Control)
AXLE, FRONT NON-DRIVING:	{Meritor MFS-18-133A} Wide Track, I-Beam Type, 18,000-lb Capacity
AXLE, REAR, SINGLE:	{Meritor RS-23-160} Single Reduction, 23,000-lb Capacity, Driver Controlled Locking Differential, 200 Wheel Ends Gear Ratio: 6.43
CAB:	Conventional, Day Cab
TIRE, FRONT:	(2) 315/80R22.5 Load Range L HSC 3 (CONTINENTAL), 481 rev/mile, 68 MPH, All-Position
TIRE, REAR:	(4) 11R22.5 Load Range G HDR2 (CONTINENTAL), 491 rev/mile, 75 MPH, Drive
SUSPENSION, REAR, SINGLE:	31,000-lb Capacity, Vari-Rate Springs, with 4500-lb Capacity Auxiliary Multileaf Springs
PAINT:	Cab schematic 100WL Location 1: 2303, Red (Std) Chassis schematic N/A

Description

Base Chassis, Model HV607 SBA with 163.00 Wheelbase, 95.90 CA, and 67.00 Axle to Frame.

TOW HOOK, FRONT (2) Frame Mounted

AXLE CONFIGURATION {Navistar} 4x2

Notes

: Pricing may change if axle configuration is changed.

FRAME RAILS Heat Treated Alloy Steel (120,000 PSI Yield); 10.866" x 3.622" x 0.437" (276.0mm x 92.0mm x 11.1mm); 456.0" (11582mm) Maximum OAL

BUMPER, FRONT Swept Back, Steel, Heavy Duty

FRAME EXTENSION, FRONT Integral; 20" In Front of Grille

WHEELBASE RANGE 138" (350cm) Through and Including 187" (475cm)

AXLE, FRONT NON-DRIVING {Meritor MFS-18-133A} Wide Track, I-Beam Type, 18,000-lb Capacity

SHOCK ABSORBERS, FRONT

SPRINGS, FRONT AUXILIARY Rubber

SUSPENSION, FRONT, SPRING Multileaf, Shackle Type, 18,000-lb Capacity, Less Shock Absorbers

BRAKE SYSTEM, AIR Dual System for Straight Truck Applications

Includes

: BRAKE LINES Color and Size Coded Nylon

: DRAIN VALVE Twist-Type

: GAUGE, AIR PRESSURE (2) Air 1 and Air 2 Gauges; Located in Instrument Cluster

: PARKING BRAKE CONTROL Yellow Knob, Located on Instrument Panel

: QUICK RELEASE VALVE On Rear Axle for Spring Brake Release: 1 for 4x2, 2 for 6x4

: SLACK ADJUSTERS, FRONT Automatic (with Air Cam Brakes)

: SLACK ADJUSTERS, REAR Automatic (with Air Cam Brakes)

: SPRING BRAKE MODULATOR VALVE R-7 for 4x2, SR-7 with relay valve for 6x4/8x6

BRAKES, FRONT, AIR CAM 16.5" x 6", Includes 24 SqIn Long Stroke Brake Chambers

DRAIN VALVE {Bendix DV-2} Automatic, with Heater, for Air Tank

AIR BRAKE ABS {Bendix AntiLock Brake System} Full Vehicle Wheel Control System (4-Channel)

AIR DRYER {Bendix AD-IP} with Heater

BRAKE CHAMBERS, REAR AXLE {Bendix EverSure} 30/30 Spring Brake

BRAKE CHAMBERS, FRONT AXLE {Bendix} 24 SqIn

BRAKES, REAR, AIR CAM S-Cam; 16.5" x 7.0"; Includes 30/30 Sq.In. Long Stroke Brake Chamber and Spring Actuated Parking Brake

AIR COMPRESSOR {Cummins} 18.7 CFM

AIR TANK Painted Aluminum, with Straight Thread O-Ring Ports

AIR DRYER LOCATION Mounted Inside Left Rail, Back of Cab

AIR TANK LOCATION (2) Mounted Under Battery Box, Outside Right Rail, Back of Cab, Perpendicular to Rail

DUST SHIELDS, FRONT BRAKE for Air Brakes

DUST SHIELDS, REAR BRAKE for Air Brakes

STEERING COLUMN Tilting and Telescoping

STEERING WHEEL 4-Spoke; 18" Dia., Black

Description

STEERING GEAR (2) {Sheppard M100/M80} Dual Power

DRIVELINE SYSTEM {Dana Spicer} SPL140, for 4x2/6x2

AFTERTREATMENT COVER Steel, Black

EXHAUST SYSTEM Single, Horizontal Aftertreatment Device, Frame Mounted Right Side Under Cab, for Single Vertical Tail Pipe, Frame Mounted Right Side Back of Cab

TAIL PIPE (1) Turnback Type

EXHAUST HEIGHT 10'

MUFFLER/TAIL PIPE GUARD (1) Aluminum

ELECTRICAL SYSTEM 12-Volt, Standard Equipment

Includes

: DATA LINK CONNECTOR For Vehicle Programming and Diagnostics In Cab

: HAZARD SWITCH Push On/Push Off, Located on Instrument Panel to Right of Steering Wheel

: HEADLIGHT DIMMER SWITCH Integral with Turn Signal Lever

: PARKING LIGHT Integral with Front Turn Signal and Rear Tail Light

: STARTER SWITCH Electric, Key Operated

: STOP, TURN, TAIL & B/U LIGHTS Dual, Rear, Combination with Reflector

: TURN SIGNAL SWITCH Self-Cancelling for Trucks, Manual Cancelling for Tractors, with Lane Change Feature

: WINDSHIELD WIPER SWITCH 2-Speed with Wash and Intermittent Feature (5 Pre-Set Delays), Integral with Turn Signal Lever

: WINDSHIELD WIPERS Single Motor, Electric, Cowl Mounted

: WIRING, CHASSIS Color Coded and Continuously Numbered

CIGAR LIGHTER Includes Ash Cup

ALTERNATOR {Leece-Neville AVI160P2012} Brush Type; 12 Volt 190 Amp. Capacity, Pad Mount, with Remote Sense

BODY BUILDER WIRING Back of Day Cab at Left Frame or Under Sleeper, Extended or Crew Cab at Left Frame; Includes Sealed Connectors for Tail/Amber Turn/Marker/ Backup/Accessory Power/Ground and Sealed Connector for Stop/Turn

ELECTRIC TRAILER BRAKE/LIGHTS Accommodation Package to Rear of Frame; for Separate Trailer Stop, Tail, Turn, Marker Light Circuits; Includes Electric Trailer Brake accommodation package with Cab Connections for Mounting Customer Installed Electric Brake Unit, Less Trailer Socket

BATTERY SYSTEM {Fleetrite} Maintenance-Free, (3) 12-Volt 1980CCA Total, Top Threaded Stud

RADIO AM/FM/WB/Clock/Bluetooth/USB Input/Auxiliary Input, MP3, Apple Device Play & Control

SPEAKERS (2) 6.5" Dual Cone Mounted in Doors

AUXILIARY HARNESS 5.0' for Auxiliary Front Head Lights and Turn Signals for Front Plow Applications

HORN, ELECTRIC Disc Style

BATTERY BOX Steel, with Plastic Cover, 18" Wide, 2-4 Battery Capacity, Mounted Right Side Back of Cab

JUMP START STUD Remote Mounted

WINDSHIELD WIPER SPD CONTROL Force Wipers to Slowest Intermittent Speed When Park Brake Set and Wipers Left on for a Predetermined Time

CLEARANCE/MARKER LIGHTS (5) {Truck Lite} Amber LED Lights, Flush Mounted on Cab or Sunshade

TEST EXTERIOR LIGHTS Pre-Trip Inspection will Cycle all Exterior Lamps Except Back-up Lights

HEADLIGHTS ON W/WIPERS Headlights Will Automatically Turn on if Windshield Wipers are turned on

STARTING MOTOR {Delco Remy 38MT Type 300} 12 Volt, Less Thermal Over-Crank Protection

INDICATOR, LOW COOLANT LEVEL with Audible Alarm

Description

ALARM, PARKING BRAKE Electric Horn Sounds in Repetitive Manner When Vehicle Park Brake is "NOT" Set, with Ignition "OFF" and any Door Opened

CIRCUIT BREAKERS Manual-Reset (Main Panel) SAE Type III with Trip Indicators, Replaces All Fuses

TURN SIGNALS, FRONT Includes LED Side Turn Lights Mounted on Fender

HORN, AIR Black, Single Trumpet, with Lanyard Pull Cord

POWER SOURCE, ADDITIONAL Auxiliary Power Outlet (APO) & USB Port, Located in the Instrument Panel

FENDER EXTENSIONS Rubber

LOGOS EXTERIOR Model Badges

LOGOS EXTERIOR, ENGINE Badges

INSULATION, UNDER HOOD for Sound Abatement

GRILLE Stationary, Chrome

INSULATION, SPLASH PANELS for Sound Abatement

FRONT END Tilting, Fiberglass, with Three Piece Construction, for WorkStar/HV

PAINT SCHEMATIC, PT-1 Single Color, Design 100

Includes

: PAINT SCHEMATIC ID LETTERS "WL"

PAINT TYPE Base Coat/Clear Coat, 1-2 Tone

PROMOTIONAL PACKAGE Government Silver Package

CLUTCH Omit Item (Clutch & Control)

ANTI-FREEZE Red, Extended Life Coolant; To -40 Degrees F/ -40 Degrees C, Freeze Protection

ENGINE, DIESEL {Cummins L9 330} EPA 2017, 330HP @ 2000 RPM, 1000 lb-ft Torque @ 1400 RPM, 2200 RPM Governed Speed, 330 Peak HP (Max)

FAN DRIVE {Horton Drivemaster} Direct Drive Type, Two Speed with Residual Torque Device for Disengaged Fan Speed

Includes

: FAN Nylon

RADIATOR Cross Flow, Series System; 1228 SqIn Aluminum Radiator Core and 1167 SqIn Charge Air Cooler

Includes

: DEAERATION SYSTEM with Surge Tank

: HOSE CLAMPS, RADIATOR HOSES Gates Shrink Band Type; Thermoplastic Coolant Hose Clamps

: RADIATOR HOSES Premium, Rubber

AIR CLEANER Dual Element, with Integral Snow Valve and In-Cab Control

FEDERAL EMISSIONS {Cummins L9} EPA, OBD and GHG Certified for Calendar Year 2020

THROTTLE, HAND CONTROL Engine Speed Control; Electronic, Stationary, Variable Speed; Mounted on Steering Wheel

FAN OVERRIDE Manual; with Electric Switch on Instrument Panel, (Fan On with Switch On)

BLOCK HEATER, ENGINE {Phillips} 120V/1000W, with "Y" Cord for Dealer Installed 120V/300W Oil Pan Heater

Includes

: BLOCK HEATER SOCKET Receptacle Type; Mounted below Drivers Door

EMISSION COMPLIANCE Federal, Does Not Comply with California Clean Air Idle Regulations

Description

ENGINE CONTROL, REMOTE MOUNTED Provision for; Includes Wiring for Body Builder Installation of PTO Controls; with Ignition Switch Control for Cummins ISB/B6.7 or ISL/L9 Engines

TRANSMISSION, AUTOMATIC {Allison 3000 RDS} 5th Generation Controls, Close Ratio, 6-Speed with Double Overdrive, with PTO Provision, Less Retarder, Includes Oil Level Sensor, with 80,000-lb GVW and GCW Max, On/Off Highway

OIL COOLER, AUTO TRANSMISSION {Modine} Water to Oil Type

TRANSMISSION SHIFT CONTROL for Column Mounted Stalk Shifter

TRANSMISSION DIPSTICK Relocated to Right Side of Transmission

TRANSMISSION OIL Synthetic; 29 thru 42 Pints

ALLISON SPARE INPUT/OUTPUT for Rugged Duty Series (RDS); General Purpose Trucks, Construction

TRANSMISSION TCM LOCATION Located Inside Cab

SHIFT CONTROL PARAMETERS Allison 3000 or 4000 Series Transmissions, 5th Generation Controls, Performance Programming

PTO LOCATION Customer Intends to Install PTO at Left Side of Transmission

AXLE, REAR, SINGLE {Meritor RS-23-160} Single Reduction, 23,000-lb Capacity, Driver Controlled Locking Differential, 200 Wheel Ends . Gear Ratio: 6.43

SUSPENSION, REAR, SINGLE 31,000-lb Capacity, Vari-Rate Springs, with 4500-lb Capacity Auxiliary Multileaf Springs

FUEL TANK STRAPS Bright Finish Stainless Steel

DEF TANK 9.5 US Gal (36L) Capacity, Frame Mounted Outside Left Rail, Under Cab

FUEL/WATER SEPARATOR {Racor 400 Series,} 12 VDC Electric Heater, Includes Pre-Heater, with Primer Pump, Includes Water-in-Fuel Sensor

LOCATION FUEL/WATER SEPARATOR Mounted Outside Left Rail, 24" Back of Cab

FUEL TANK Top Draw, Non-Polished Aluminum, 26" Dia, 70 US Gal (265L), Mounted Left Side, Under Cab

CAB Conventional, Day Cab

AIR CONDITIONER with Integral Heater and Defroster

GAUGE CLUSTER Base Level; English with English Speedometer and Tachometer, for Air Brake Chassis, Includes Engine Coolant Temperature, Primary and Secondary Air Pressure, Fuel and DEF Gauges, Oil Pressure Gauge, Includes 3 Inch Monochromatic Text Display

GRAB HANDLE, CAB INTERIOR (2) Safety Yellow

GAUGE, OIL TEMP, AUTO TRANS for Allison Transmission

GAUGE, AIR CLEANER RESTRICTION {Filter-Minder} with Black Bezel, Mounted in Instrument Panel

IP CLUSTER DISPLAY On Board Diagnostics Display of Fault Codes in Gauge Cluster

SEAT, DRIVER {National 2000} Air Suspension, High Back with Integral Headrest, Vinyl, Isolator, 1 Chamber Lumbar, with 2 Position Front Cushion Adjust, -3 to +14 Degree Angle Back Adjust

GRAB HANDLE, EXTERIOR Chrome, Towel Bar Type, with Anti-Slip Rubber Inserts, for Cab Entry Mounted Left Side at B-Pillar

MIRROR, CONVEX, HOOD MOUNTED {Lang Mekra} (2) Right and Left Sides, Black, Heated, 7.5" Sq.

SEAT, PASSENGER {National} Non Suspension, High Back, Fixed Back, Integral Headrest, Vinyl

MIRRORS (2) C-Loop, Heated, Black Heads and Arms, 7.5" x 14" Flat Glass, Includes 7.5" x 7" Convex Mirrors, for 102" Load Width

Notes

: Mirror Dimensions are Rounded to the Nearest 0.5"

Description

SEAT BELT All Orange; 1 to 3

CAB INTERIOR TRIM Classic, for Day Cab

Includes

: CONSOLE, OVERHEAD Molded Plastic with Dual Storage Pockets, Retainer Nets and CB Radio Pocket; Located Above Driver and Passenger

: DOME LIGHT, CAB Door Activated and Push On-Off at Light Lens, Timed Theater Dimming, Integral to Overhead Console, Center Mounted

: SUN VISOR (2) Padded Vinyl; 2 Moveable (Front-to-Side) Primary Visors, Driver Side with Toll Ticket Strap

WINDSHIELD Heated, Single Piece

ARM REST, RIGHT, DRIVER SEAT

FRESH AIR FILTER Attached to Air Intake Cover on Cowl Tray in Front of Windshield Under Hood

CAB REAR SUSPENSION Air Bag Type

WINDOW, MANUAL (2) and Manual Door Locks, Left and Right Doors

INSTRUMENT PANEL Flat Panel

WINDSHIELD WIPER BLADES Snow Type

COWL TRAY LID

ACCESS, CAB Steel, Driver & Passenger Sides, Two Steps per Door, for use with Day Cab and Extended Cab

WHEELS, FRONT {Accuride 29039} DISC; 22.5x9.00 Rims, Powder Coat Steel, 5-Hand Hole, 10-Stud, 285.75mm BC, Hub-Piloted, Flanged Nut, with Steel Hubs, Non-Standard Offset, with .5" Thick Disc

WHEELS, REAR {Accuride 29169} DUAL DISC; 22.5x8.25 Rims, Powder Coat Steel, 5-Hand Hole, 10-Stud, 285.75mm BC, Hub-Piloted, Flanged Nut, with .472" Thick Increased Capacity Disc and Steel Hubs

PAINT IDENTITY, FRONT WHEELS Disc Front Wheels; with Vendor Applied Gray Powder Coat Paint

PAINT IDENTITY, REAR WHEELS Disc Rear Wheels; with Vendor Applied Gray Powder Coat Paint

WHEEL GUARDS, REAR {Accuride} for Metric Hub Piloted Wheels with Flanged Mounting Nuts, Mounted Between Hub & Wheel and Between Dual Wheels

(4) TIRE, REAR 11R22.5 Load Range G HDR2 (CONTINENTAL), 491 rev/mile, 75 MPH, Drive

(2) TIRE, FRONT 315/80R22.5 Load Range L HSC 3 (CONTINENTAL), 481 rev/mile, 68 MPH, All-Position

NEUTRAL AT STOP don't want/ require Auto Neutral

Cab schematic 100WL

Location 1: 2303, Red (Std)

Chassis schematic N/A

Services Section:

WARRANTY Standard for HV507, HV50B, HV607 Models, Effective with Vehicles Built July 1, 2017 or Later, CTS-2025A

MUNICIPAL LICENSE PLATES & NEW TITLE FEE

Description

(US DOLLAR)

Price

Net Sales Price:

\$77,470.00

.
.
.
ABOVE FIGURE IS FOR CHASSIS ONLY (Does NOT include body or mounted equipment)

ABOVE FIGURE WAS CALCULATED USING STATE CONTRACT # 19416CMS BOSS4-B-2573

ABOVE FIGURES DO NOT INCLUDE ANY FUTURE/POTENTIAL INCREASES FOR THE FOLLOWING:
EMISSION SURCHARGES, FREIGHT / DESTINATION FEES and RAW MATERIAL SURCHARGES

Approved by Seller:

Accepted by Purchaser:

SALES REPRESENTATIVE 12-13-2019

VILLAGE OF HUNTLEY

Official Title and Date

Firm or Business Name



Authorized Signature

Authorized Signature and Date

This proposal is not binding upon the seller without
Seller's Authorized Signature

Official Title and Date

The TOPS FET calculation is an estimate for reference purposes only. The seller or retailer is responsible for calculating and reporting/paying appropriate FET to the IRS.

The limited warranties applicable to the vehicles described herein are Navistar, Inc.'s standard printed warranties which are incorporated herein by reference and to which you have been provided a copy and hereby agree to their terms and conditions.

**RESOLUTION APPROVING THE PURCHASE OF A 2021 INTERNATIONAL SINGLE AXLE DUMP
TRUCK CAB & CHASSIS FROM RUSH TRUCK CENTERS THROUGH THE
STATE OF ILLINOIS DEPARTMENT OF CENTRAL MANAGEMENT SERVICES (CMS)
JOINT PURCHASING PROCUREMENT PROGRAM IN THE AMOUNT OF \$77,470.00**

Resolution (R)2020-01.xx

WHEREAS, the Village of Huntley is a home rule unit of local government under the Illinois Constitution, 1970, Article VII, Section 6; and

WHEREAS, the FY20 Budget includes \$185,000 for the purchase of a new 5-yard dump truck equipped with dump body, hydraulics, controls, plow, spreader, chemical tank, GPS, 2-way radio, lights, cameras and lettering; and

WHEREAS, the Village received a proposal for a 2021 International single axle dump truck cab and chassis from Rush Truck Centers through the State of Illinois Department of Central Management Services (CMS) Joint Purchasing Procurement Program in the amount of \$77,470.00; and

WHEREAS, the new dump truck is a multi-purpose vehicle that is used year round by Public Works for snowplowing, road repairs, and underground work; and

WHEREAS, the Village of Huntley has reviewed the proposal submitted and determined that it is in the best interest to authorize the purchase of a 2021 International single axle dump truck cab and chassis from Rush Truck Centers through the State of Illinois CMS Joint Purchasing Procurement Program in the amount of \$77,470.00.

NOW, THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF HUNTLEY as follows:

SECTION I: The Village Board hereby approves the purchase of a 2021 International single axle dump truck cab and chassis from Rush Truck Centers through the State of Illinois CMS Joint Purchasing Procurement Program in the amount of \$77,470.00.

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

SECTION III: All Resolutions and parts of resolutions in conflict herewith are hereby repealed.

	<u>Aye</u>	<u>Nay</u>	<u>Absent</u>	<u>Abstain</u>
Trustee Goldman	_____	_____	_____	_____
Trustee Hoeft	_____	_____	_____	_____
Trustee Kanakaris	_____	_____	_____	_____
Trustee Leopold	_____	_____	_____	_____
Trustee Piwko	_____	_____	_____	_____
Trustee Westberg	_____	_____	_____	_____

PASSED and APPROVED this 23rd day of January, 2020.

APPROVED:

Village President

ATTEST :

Village Clerk

Agenda Item: **Consideration – Resolution Approving the Purchase of a Dump Body and Equipment Package for a 2021 International 5-Yard Single Axle Dump Truck from Bonnell Industries, Inc. through the Sourcewell Cooperative Purchasing Program in the amount of \$96,911.00**

Department: **Public Works and Engineering Department – Streets, Underground, and Fleet Division**

Introduction

The FY20 budget includes funding for the purchase of a new 5-yard dump truck equipped with dump body, hydraulics, controls, plow, spreader, chemical tank, chipper cap, GPS, 2-way radio, lights, cameras, and lettering. This vehicle will be replacing vehicle 1690, a 2000 5-Yard Dump Truck that is 20 years old and has reached the end of its useful life. Staff will prepare a surplus declaration for Vehicle 1690 for Village Board consideration upon delivery of the new vehicle at which time it will be sold at auction.

Staff Analysis

Staff has received a proposal in the amount of \$96,911.00 for the purchase and installation of a truck package including the dump body, hydraulics, controls, plow, spreader, chemical tank, chipper cap, GPS, cameras and lights for a 2021 International single axle dump truck from Bonnell Industries, Inc. through the Sourcewell Purchasing Program. The single axle dump truck cab and chassis is provided by another vendor. It is proposed that the Village purchase the truck package equipment to outfit the chassis from Bonnell Industries, Inc., which the Village has been doing for more than 20 years, to maintain consistency with the heavy duty vehicles in the fleet. This is a multi-purpose vehicle that is used year round by Public Works for snowplowing, road repairs, and underground work.

Financial Impact

The FY20 Budget includes \$191,100 for the vehicle (\$185,000 in the Equipment Replacement Fund, 480-60-00-8131 for the truck and \$6,100 in the Capital Projects and Improvements Fund for the chipper cap). The cost to purchase the dump body, hydraulics, controls, plow, spreader, chemical tank, chipper cap, GPS, cameras, and lights is \$96,911.00. The cost to purchase the truck cab and chassis is \$77,470.00 and will be presented for Village Board approval under a separate resolution. An estimated additional \$1,850.00 will be requested through separate purchase orders for miscellaneous accessories such as lettering, radio, floor mats and sideboard bringing the total purchase price to \$176,231.

Action Requested

A motion by the Village Board for a Resolution Approving the Purchase of a Dump Body and Equipment Package for a 2021 International 5-Yard Single Axle Dump Truck from Bonnell Industries, Inc. through the Sourcewell Cooperative Purchasing Program in the amount of \$96,911.00.

Exhibits

1. Proposal from Bonnell Industries, Inc. through the Sourcewell Cooperative Purchasing Program Contract #080818-BNL
2. Draft Resolution



BONNELL
INDUSTRIES INC
TRUCK & ROAD EQUIPMENT

1385 Franklin Grove Rd
Dixon, IL 61021
815-284-3819 * 815-284-8815 Fax
800-851-9664
www.bonnell.com * info@bonnell.com

Quote

Quote Number: 0135491
Quote Date: 1/13/2020
Sourcewell ID: 81545



Bill To: 0005462
VILLAGE OF HUNTLEY
10987 MAIN ST
HUNTLEY, IL 60142

Ship To:
VILLAGE OF HUNTLEY
11000 BAKLEY ST
HUNTLEY, IL 60142

Phone: (847) 515-5222 Fax: (847) 669-5034

Phone:
Fax:

Confirm To: DAN RUGGLES

Comment:

Customer P.O.	Ship VIA	F.O.B.	Terms	Quote Expiration
	SALESMAN		Net 30 Days	9/19/2019

Ordered	Unit	Item Number	Each Price	Extended Price
1.00	EACH	*125948 SNOW FIGHTER PACKAGE COMPLETE SNOW FIGHTER "ULTIMATE" TRUCK PACKAGE	100,615.00	100,615.00

1.00	EACH	TRUCK PACKAGE APPLICATION: NEW SINGLE AXLE CAB AND CHASSIS WITH 96" CAB TO AXLE MEASUREMENT, FRONT FRAME EXTENSIONS, AUTOMATIC TRANSMISSION WITH PTO PROVISIONS, FACTORY PLOW LIGHT PLUG, FACTORY GROUND SPEED CONNECTION POINT. QUOTE IS FOR AN ALLISON 3000RDS TRANSMISSION.
------	------	--

THIS PACKAGE TO INCLUDE:

- 1- DURACCLASS 10' SL-316 201-2B STAINLESS STEEL DUMP BODY
- 1- SEE DUMP BODY SPECS BELOW

CENTRAL HYDRAULIC SYSTEM:

- 1- OMFB HOT SHIFT PTO
- 1- FORCE TXV92 "LOAD SENSE" HYDRAULIC PUMP
- 1- ADD A FOLD HYDRAULIC VALVE TO OPERATE HOIST, PLOW, PREWET, AUGER, SPINNER
- 1- FORCE AMERICA 6100 ULTRA GEN 5 CONTROLLER
- 1- FORCE VT-35 STAINLESS STEEL HYDRAULIC TANK/ENCLOSURE
- 1- HP17125VG30 HIGH PRESSURE FILTER
- 1- FORCE C11916 PRESSURE RELEASE CUSHION VALVE
- 1- BRASS QUICK COUPLERS
- 1- ALL REQUIRED PLUMBING

BONNELL CUSTOM CONSOLE:

- 1- BONNELL CONSOLE FOR 6100 ULTRA CONTROLLER
- 1- FORCE AMERICA 6100-ULTRA GEN 5 CONTROLLER
- 1- BONNELL VCMS-SS184 DIGITAL SWITCHES WITH WARNING LIGHTS
- 1- FORCE "ARC" ROAD TEMP MONITORING SYSTEM
- 1- PRECISE GPS
- 1- BRAKE CONTROLLER

ELECTRICAL SYSTEM:

- 1- BONNELL IGNITION ACTIVATED BATTERY DISCONNECT RELAY SYSTEM
- 1- MINI FUSE CIRCUIT PROTECTION PANEL
- 1- ONE REE-83504 BRAKE CONTROLLER



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	SALESMAN		Net 30 Days	9/19/2019

Ordered	Unit	Item Number	Each Price	Extended Price
		1- BONNELL WIRE HARNESSES TO INCLUDE		
		WHELEN LIGHT BAR:		
		1- 72" JUSTICE LED LIGHT BAR		
		1- FOUR CORNER AMBER FLASHERS		
		1- TWO PAIR AMBER FRONT FACING FLASHERS		
		1- ONE PAIR LED SCENE LIGHTS		
		1- WIRED TO HIGH LOW SWITCH WITH REAR TRIPLE IDOT FLASHER ASSEMBLIES		
		LIGHTING SYSTEM:		
		1- ONE PAIR OF ABL-3830-0080 LED PLOW LIGHTS ON STAINLESS HOOD BRACKETS		
		1- ONE WHE-M6C AND ONE WHE-M6AC FLASHER ON CAB SHIELD FACING REAR		
		1- ONE PAIR WHE-60BTT STT LIGHTS ON CAB SHIELD FACING REAR		
		1- ONE WHE-70BTT STT LIGHT IN EACH REAR POST		
		1- ONE WHE-70C00WCR LED BACK UP LIGHT IN EACH REAR POST		
		1- ONE IDOT 500 SERIES TRIPLE FLASHER ASSEMBLY MOUNTED ON OUTSIDE OF EACH REAR POST		
		1- ONE PM-M192R MARKER LIGHT ON SIDE OF EACH REAR POST		
		1- ONE M20343R ICC THREE LIGHT BAR ON REAR HINGE		
		1- ONE NAP-12250304 LICENSE PLATE LIGHT ON REAR HITCH		
		1- ONE VEL-697112 BACK UP ALARM		
		1- ONE RV STYLE TRAILER PLUG		
		1- ONE ABL-2000-0018 LED SPINNER LIGHT		
		1- ONE ABL-2000-0018 LED BACK UP LIGHT		
		CAMERA SYSTEM		
		1- "FEDERAL" THREE CAMERAS USING THE "FPRCE" 6100 ULTRA MONITOR		
		1- STAINLESS SHIELD ON EACH CAMERA		
		1- ONE FOR PRODUCT VISION IN BODY		
		1- ONE BACK UP		
		1- ONE FOR SPINNER		
		REAR HITCH:		
		1- BONNELL REAR PLATE HITCH		
		1- PH30 30 TON PINTLE HOOK		
		1- ONE PAIR WHE-60BTT STT		
		1- ONE WHE-40C00WCR LED BACK UP LIGHT		



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	SALESMAN		Net 30 Days	9/19/2019

Ordered	Unit	Item Number	Each Price	Extended Price
		1- ONE RV STYLE TRAILER PLUG 1- ONE PAIR D-RINGS TOOL BOX: 1- BONNELL 18X18X24 ALUMINUM TOOL BOX 1- STAINLESS STEEL MOUNTING BRACKETS		
1.00	EACH	CAB SHIELD CAB SHIELD - CUSTOM FABRICATED FOR SPECIFIED TRUCK AND BODY. CONFIGURED AS FOLLOWS: *MATERIAL IS TO BE 201 STAINLESS STEEL. *PAN WIDTH- 18". *WIDTH- DETERMINED. *HEIGHT TO BE DETERMINED TO BOTTOM OF PAN. *DOUBLE 600 SERIES OR M6 LIGHT BRACKETS.		
1.00	EACH	DUMP BODY -APPLICATION: SINGLE AXLE- SNOW AND ICE -DUMP BODY MANUFACTURER: DURAClass-TBEI -MAIN BODY MATERIAL: 201 STAINLESS STEEL -BODY LENGTH: 10'-0" -UNDERSTRUCTURE: CROSSMEMBERLESS -HOIST TYPE: UNDER BODY HOIST -CYLINDER TYPE: DOUBLE ACTING -HEIGHT DIMENSIONS: 28" Sides-38" Front-38" Tgate -LONGSILLS: 10" I-BEAM LONGSILLS (CARBON STEEL) -FLOOR: 1/4" (AR450 ABRASION RESISTANT STEEL) -SIDES: 10 GA. (201 STAINLESS STEEL) -SIDE PROFILE: WELDED SIDE PROFILE -CORNER POST MATERIAL: 201 STAINLESS STEEL -FRONT: 10 GA.(201 STAINLESS STEEL) -TAILGATE: 3/16" (201 STAINLESS) -TAILGATE POSITION: VERTICAL TAILGATE -TAILGATE STRUCTURE: TWO HORIZONTAL BRACES -TAILGATE LATCH: ELECTRIC OVER AIR T-GATE LATCH -BODY TOP BE PAINTED SINGLE STAGE ONE COLOR -FULLY GREASABLE TAILGATE LINKAGES INCLUDING UPPER HINGE -STAINLESS STEEL TAILGATE LATCH LINKAGES - 4 RUNG FOLDING LADDER INSTALLED - RIGID REAR MUD FLAP BRACKETS INSTALLED		



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Ordered	Unit	Item Number	Each Price	Extended Price
		- RUBBER FRONT MUD SHIELDS INSTALLED - STAINLESS STEEL CHAIN HOOKS INSTALLED - 2 SQUARE 700 SERIES INSTALLED IN EACH CORNER POST - CONDUIT FOR WIRING CAB SHIELD LIGHTS AND CAMERAS - 1/4X2 FLAT BAR WALK RAIL INSTALLED - TAILGATE SPREADER HARDWARE INSTALLED - HARDWARE FOR PROPS & INTEGRAL SHIELDS INSTALLED - LIFTING LOOP INSTALLED ON TAILGATE - DIRT SHEDDING TAILGATE - VIBRATOR INSTALLED - 2X10 OAK SIDE BOARDS INSTALLED		
1.00	EACH	PLOW HITCH HITCH FOR SNOW PLOW PLOW HITCH FOR A KENWORTH T370 WITH FRAME EXT. TYPE OF MOUNT - HEAVY FRONT FRAME -SIDE PLATES TYPE OF HITCH FRAME - QX HITCH (SIDE-BY-SIDE) BASE MODEL: HFF-QX		
1.00	EACH	*H10400 1/2" Side Plates. (Included in Standard Price of Side Plate Hitch)		
1.00	EACH	*H10170 4" X 10" Double Acting Cylinder W/Nitrided Rod		
1.00	EACH	*H10190 Telescopic Lift Arm in Lieu of Rigid Lift Arm		
1.00	EACH	*H10310 Stainless Hood Mounted Light Brackets. (Side of Hood)		
1.00	EACH	*H10421 Cross Over Relief Valve Kit with Pressure Release feature. (Installed or uninstalled)		



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	SALESMAN		Net 30 Days	9/19/2019
Ordered	Unit	Item Number	Each Price	Extended Price
1.00	EACH	*H10435		
		Steel Channel Bumpers		
1.00	EACH	*PLOW		
		11ST42MX1Q PRICE COMPLETE WITH OPTIONS 11' LONG STRAIGHT STEEL SNOW PLOW HEIGHT IS 42" FULL EXTENSION SPRING (MX) TUBULAR REVERSING ASSEMBLY PAINTED SCHOOL BUS YELLOW POLYURETHANE		
1.00	EACH	*P10130		
		Level Raise Lift System with Lift Chains for High Country Plows (MX1 & MC1)		
1.00	EACH	*P10210		
		Quick attach loop (plow section installed)		
1.00	EACH	*P10300		
		Standard duty mushroom shoes (Set of 2 installed)		
1.00	EACH	*P10410		
		Cove cut on on curb side end of moldboard		
1.00	EACH	*P10425		
		3/8" x 12" Rubber flap kit installed		
1.00	EACH	*P10470		



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	SALESMAN		Net 30 Days	9/19/2019

Ordered	Unit	Item Number	Each Price	Extended Price
		36" Blaze orange markers		
1.00	EACH	VBL-AUX-36 POLAR FLEX ANGLE IRON, 36"		
2.00	EACH	VBL-AUX-48 POLAR FLEX ANGLE IRON, 48"		
11.00	EACH	VBL-XFE-12-S POLARFLEX, RUBBER CASING (EPDM), FOR WEAR SEGMENT, ONE REQUIRED PER FOOT		
11.00	EACH	VBL-XWS-12F POLARFLEX, CARBIDE CUTTING EDGE, FLAT BOTTOM, ONE REQUIRED PER FOOT		
22.00	EACH	VBL-XFE-58-B POLARFLEX, RUBBER BUSHING (EPDM), FOR STEEL SPACER, TWO REQUIRED PER FOOT		
22.00	EACH	VBL-XSB-58 POLARFLEX, STEEL SPACER, TWO REQUIRED PER FOOT		
22.00	EACH	BON-CB8350 CARRIAGE BOLT, 5/8"-11TPI X3-1/2" GRADE 8		
22.00	EACH	BON-000307F 5/8"-11TPI HEX NUT FLANGED GRADE 8 LOCK		
1.00	EACH	BON-003128L CURB SHOE - LH 1" X 8" HEAVY DUTY WRAP AROUND UNIVERSAL 11/16" SQUARE HOLES 1-1/2" TOP GUAGE		
1.00	EACH	BON-003128R CURB SHOE - RH 1" X 8" HEAVY DUTY WRAP AROUND UNIVERSAL 11/16" SQUARE HOLES 1-1/2" TOP GUAGE		
1.00	EACH	PREWET SYSTEM BONNELL CONFIGURED PREWET SYSTEM TYPE: BEHIND THE CAB SYSTEM HYDRAULIC LIQUID PUMP CLOSED LOOP SYSTEM SEE BELOW FOR DETAILS		



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	SALESMAN		Net 30 Days	9/19/2019

Ordered	Unit	Item Number	Each Price	Extended Price
1.00	EACH	*BC-240P-2-200		
		Behind the Cab Prewet System with two 120 Gallon Poly Tanks, Stainless Steel Tank Brackets, and 2" Plumbing.		
1.00	EACH	*L10120		
		Hydraulic Prewet Pump in a Stainless Enclosure to Operate a Closed Loop System. Includes an IP68 Wire Connection for Feedback Signal.		
1.00	EACH	*L10315		
		2" Male Quick Fill Kit Installed.		
1.00	EACH	UT SPREADER		
		MODEL U696-DD-S2-24L-1 UNDER TAILGATE SPREADER * 6" AUGER DIAMETER, 4" PITCH * DIRECT DRIVE WITH A 22.8 CUBIC INCH MOTOR * FABRICATED OF 201 STAINLESS STEEL MATERIAL * SPREADER SHALL HAVE ONE DROP PORT * DROP PORT(S) IS 24" OFFSET FROM LEFT SIDE * AUGER SHALL HAVE REVERSE FLIGHTING * ONE SPINNER ASSEMBLY * SPINNER(S) ARE POWERED BY 2.8 CUBIC INCH MOTOR(S) * 18" POLYURETHANE SPINNER DISC * INCLUDES MOUNTING HARDWARE * INCLUDES A 72" SPRAY BAR KIT INSTALLED		
1.00	EACH	TCC10		
		TITAN CHIPPER CAP 10 FT: STANDARD FEATURES INCLUDE: SLOPED SIDES AND FRONT PROVIDE STYLED LOOK THAT DOES NOT ALLOW MATERIAL TO BUILD UP IN FLAT AREAS. CUSTOM FIT TO YOUR DUMP BODY (WE MUST HAVE THE TRUCK OR ACCURATE MEASUREMENTS TO OBTAIN THE CUSTOM FIT). THE CAP WILL BOLT IN PLACE USING BOARD POCKETS. CONSTRUCTED OUT OF 10-GAUGE CARBON STEEL (SIDES AND FRONT). WITH ANGLED PLASMA CUT VENTS. TOP LIFTING EYES FOR EASY INSTALLATION WITH AN OVERHEAD CRANE. TUBULAR FRAME AROUND THE REAR OPENING.		



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Ordered	Unit	Item Number	Each Price	Extended Price
		THIS PRICE DOES INCLUDES INSTALLATION ON BODY.		
		PAINTED TO MATCH-RED		
1.00	EACH	/SOURCEWELL SOURCE GOODS ADJ ALL ITEMS LISTED BELOW ARE OPEN PURCHASE REQUESTS (SOURCED GOODS) BY CUSTOMER TO REPLACE ITEMS IN #125948 SNOW FIGHTER "ULTIMATE" TRUCK PACKAGE 1- DURACCLASS 10' SL-316 201-2B STAINLESS STEEL DUMP BODY ILO BONNELL MTR10-S2 STAINLESS STEEL COMMANDER MULTI PURPOSE DUMP BODY 2-"FORCE" VT35 STAINLESS STEEL HYDRAULIC TANK / ENCLOSURE ILO BONNELL STAINLESS STEEL HYDUALIC TANK / ENCLOSURE 3 -ADD THE FOLLOWING - REE-83504 ELECTRIC BRAKE CONTROLLER - "FORCE" ARC ROAD TEMPERATURE MONITORING SYSTEM - "PRECISE" GPS SYSTEM 4- WHELEN ILDOT11M LED LIGHT BAR SYSTEM ILO BONNELL CAB SHIELD WARNING LIGHT SYSTEM 5- ADD A "FEDERAL" THREE CAMERA SYSTEM 6- PH30 PINTLE ILO PH20 PINTLE 7- ADD A BONNELL 18X18X24 ALUMINUM TOOL BOX WITH STAINLESS STEEL MOUNTING BRACKETS 8- FRONT RUBBER FLAPS WITH "T" BRACES ILO FULL COVER FENDERS 9- SNOW PLOW CHANGES AS FOLLOWS - STD MOLDBOARD ILO STAINLESS STEEL MOLDBOARD - STD BOTTOM ANGLE ILO 3/4" BOTTOM ANGLE - STD MUSHROOM SHOES ILO NO RUNNING GEAR - POLAR FLEX CUTTING EDGE ILO STD CUTTING EDGE 10- BEHIND THE CAB PREWET SYSTEM ILO COMMANDER SIDE OF DUMP BODY PREWET SYSTEM 11- ADD BONNELL "TITAN" 10 CHIPPER CAP	(3,704.00)	-3,704.00



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Ordered	Unit	Item Number	Each Price	Extended Price
---------	------	-------------	------------	----------------

15% RESTOCKING FEE ON RETURNED ITEMS
NO RETURN ON SPECIAL ORDER ITEMS OR ELECTRICAL ITEMS

SUBMITTED BY: _____

0008 Matt Hazelwood

TG

NOTE: ALL TAXES WILL BE EXTRA IF APPLICABLE.
NOTE: PRICES ARE IN EFFECT FOR 30 DAYS ONLY. IF A PRICE
INCREASE OCCURS - IT WILL BE ADDED.

NOTE: BIDS MAY REQUIRE A 20% DEPOSIT UPON PURCHASE
NOTE: INSTALL DATE IS BASED ON CHASSIS ARRIVAL DATE.

ACCEPTED BY: _____

**BILL TO: _____

PO Number: _____

DATE ACCEPTED: _____

CHASSIS ARRIVAL DATE: _____

Net Order:	96,911.00
Less Discount:	0.00
Freight:	0.00
Sales Tax:	0.00
Quote Total:	96,911.00

VIN# _____

MAKE: _____

MODEL: _____

W.B. _____ C.A.: _____

TRANS MODEL: _____

ENGINE: _____

PAINT CODE: _____

**CHANGES MAY CAUSE DELAYS AND FEES.

RESOLUTION APPROVING THE PURCHASE OF A DUMP BODY AND EQUIPMENT PACKAGE FOR A 2021 INTERNATIONAL SINGLE AXLE DUMP TRUCK FROM BONNELL INDUSTRIES, INC. THROUGH THE SOURCEWELL COOPERATIVE PURCHASING PROGRAM IN THE AMOUNT OF \$96,911.00

Resolution (R)2020-01.xx

WHEREAS, the Village of Huntley is a home rule unit of local government under the Illinois Constitution, 1970, Article VII, Section 6; and

WHEREAS, the FY20 Budget includes \$191,100 for the purchase of a new 5-yard dump truck equipped with dump body, hydraulics, controls, plow, spreader, chemical tank, chipper cap, GPS, 2-way radio, lights, cameras, and lettering; and

WHEREAS, the Village received a proposal for a truck package including the dump body, hydraulics, controls, plow, spreader, chemical tank, chipper cap, GPS, lights and cameras for a 2021 International single axle dump truck from Bonnell Industries, Inc. through the Sourcewell Cooperative Purchasing Program Contract #080818-BNL in the amount of \$96,911.00; and

WHEREAS, Bonnell Industries, Inc. has been outfitting the Village heavy duty vehicles for more than 20 years to maintain consistency in the fleet; and

WHEREAS, the new dump truck is a multi-purpose vehicle that is used year round by Public Works for snowplowing, road repairs, and underground work; and

WHEREAS, the Village of Huntley has reviewed the proposal submitted and determined that it is in the best interest to authorize the purchase of a truck package including the dump body, hydraulics, controls, plow, spreader, chemical tank, chipper cap, GPS, lights, and cameras for a 2021 International single axle dump truck from Bonnell Industries, Inc. through the Sourcewell Cooperative Purchasing Program Contract #080818-BNL in the amount of \$96,911.00.

NOW, THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF HUNTLEY as follows:

SECTION I: The Village Board hereby approves the purchase of a truck package including the dump body, hydraulics, controls, plow, spreader, chemical tank, chipper cap, GPS, lights, and cameras for a 2021 International single axle dump truck from Bonnell Industries, Inc. through the Sourcewell Cooperative Purchasing Program Contract #080818-BNL in the amount of \$96,911.00.

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

SECTION III: All Resolutions and parts of resolutions in conflict herewith are hereby repealed.

	<u>Aye</u>	<u>Nay</u>	<u>Absent</u>	<u>Abstain</u>
Trustee Goldman	_____	_____	_____	_____
Trustee Hoeft	_____	_____	_____	_____
Trustee Kanakaris	_____	_____	_____	_____
Trustee Leopold	_____	_____	_____	_____
Trustee Piwko	_____	_____	_____	_____
Trustee Westberg	_____	_____	_____	_____

PASSED and APPROVED this 23rd day of January, 2020.

APPROVED:

Village President

ATTEST :

Village Clerk

Agenda Item:

Consideration – Resolutions:

- i. **Authorizing the Local Public Agency Agreement for Federal Participation and Appropriating \$44,000.00 for the Reed Road Multi-Use Path Project**
- ii. **Approving a Construction Engineering Services Agreement for Federal Participation for the Reed Road Multi-Use Path – Christopher B. Burke Engineering, Ltd in an Amount not to Exceed \$19,993.70**

Department:

Public Works and Engineering Department – Administration and Engineering Division

Introduction

For engineering agreements \$25,000 or greater which include federal funds, Local Planning Agencies (LPAs), such as the Village of Huntley, are required to use Quality Based Selection (QBS) which is fully compliant with Federal requirements of 23 CFR 172 and the Brooks Act. As sub-grantees, LPAs must use competitive negotiation supported by qualification based selection procedures. This is the primary method of procurement for engineering and design related services using federal funding. Local preference or existing firm relationships can no longer be used as criteria to award engineering services for federally funded projects over the threshold amount.

Staff Analysis

On November 16, 2017, the Village Board authorized submittal of an Illinois Transportation Enhancement Program (ITEP) grant application for the Reed Road Multi-Use Path (MUP) between Vine Street and IL Route 47. Subsequently, the Village was awarded an ITEP grant in the amount of \$192,000.00, representing 80% of the costs for Phase II and Phase III engineering and construction of the MUP. The remaining 20% of the project costs are to be matched by the Village. The Phase I Engineering was funded entirely by the Village and has already been completed. A breakdown of the project costs is summarized in the following table:

	Federal Amount	Village Amount	Total Amount
Phase I Engineering	0.00	\$15,000	\$15,000
Phase II Design Engineering	\$16,000	\$4,000	\$20,000
Phase III Construction Engineering	\$15,994.96	\$3,998.74	\$19,993.70
Construction	\$160,000	\$40,000	\$200,000
Total Project Costs	\$191,994.96	\$62,998.74	\$254,993.70

On July 26, 2018, the Village Board adopted a QBS Policy and Procedures for selecting an engineering consultant. Following the QBS process, the selection team identified Christopher B. Burke Engineering, LTD as the highest ranked consultant. The other two consultants that submitted a Statement of Qualifications included Fehr-Graham and Burns & McDonnell.

The Village has submitted pre-final Phase II plans to IDOT and is targeting an April 2020 IDOT Bid Letting.

Strategic Plan Priority

The 2016-2020 Strategic Plan identifies *Preserve and Enhance Quality of Life for Village Residents* as a strategic priority and “Identify additional locations and funding sources for multi-use paths” as an objective.

Financial Impact

The FY2020 Budget includes funding for the Reed Road Multi-Use Path construction and construction engineering services in the amount of \$60,000 in the Capital Projects and Improvement Fund, 400-00-00-8000. \$15,994.96 (80%) will be reimbursed by ITEP for Phase III construction engineering.

Legal Analysis

None Required.

Action Requested

A motion of the Village Board:

- i. Authorizing the Local Public Agency Agreement for Federal Participation and Appropriating \$44,000.00 for the Reed Road Multi-Use Path Project;
- ii. Approving a Preliminary Engineering Services Agreement for Federal Participation for the Reed Road Multi-Use Path - Christopher B. Burke Engineering, Ltd in an Amount Not To Exceed \$19,993.70

Exhibits

1. BLR 05310 – Local Public Agency Agreement for Federal Participation
2. BLR 05611 – Construction Engineering Services Agreement for Federal Participation
3. Location Exhibit
4. Draft Resolutions



Local Public Agency Agreement for Federal Participation



LOCAL PUBLIC AGENCY

Local Public Agency	County	Section Number	
Village of Huntley	McHenry	17-00045-00-BT	
Fund Type	ITEP, SRTS, HSIP Number(s)	MPO Name	MPO TIP Number
STE	142028	CMAP	11-18-0017

☒ Construction on State Letting ☐ Construction Local Letting ☐ Day Labor ☐ Local Administered Engineering ☐ Right-of-Way

Construction

Job Number	Project Number	Job Number	Project Number	Job Number	Project Number
C-91-257-19	008E(135)				

Engineering

Right of Way

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

LOCATION

Local Street/Road Name	Key Route	Length	Stationing From	To
Reed Road	MUN 0606	0.27 mi	0.71	0.98

Location Termini

Vine Street (west) to IL Rt. 47 (east)
--

Current Jurisdiction	Existing Structure Number(s)	Add Location
LPA	N/A	Remove

PROJECT DESCRIPTION

New multi-use path along Reed Road from IL 47 to Vine Street, approximately 1,300 feet. Project connects two existing multi-use paths east of IL 47 and west of Vine Street.

LOCAL PUBLIC AGENCY APPROPRIATION - REQUIRED FOR STATE LET CONTRACTS

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

METHOD OF FINANCING - (State-Let Contract Work Only)

Check One

☐ METHOD A - Lump Sum (80% of LPA Obligation _____)

Lump Sum Payment - Upon award of the contract for this improvement, the LPA will pay the STATE within thirty (30) calendar days of billing, in lump sum, an amount equal to 80% of the LPA's estimated obligation incurred under this agreement. The LPA will pay to the STATE the remainder of the LPA's obligation (including any nonparticipating costs) in a lump sum within thirty (30) calendar days of billing in a lump sum, upon completion of the project based on final costs.

☐ METHOD B - _____ Monthly Payments of _____ due by the _____ of each successive month.

Monthly Payments - Upon award of the contract for this improvement, the LPA will pay to the STATE a specified amount each month for an estimated period of months, or until 80% of the LPA's estimated obligation under the provisions of the agreement has been paid. The LPA will pay to the STATE the remainder of the LPA's obligation (including any nonparticipating costs) in a lump sum, upon completion of the project based upon final costs.

☒ METHOD C - LPA's Share \$40,000.00 divided by estimated total cost multiplied by actual progress payment.

Progress Payments - Upon receipt of the contractor's first and subsequent progressive bills for this improvement, the LPA will pay to the STATE within thirty (30) calendar days of receipt, an amount equal to the LPA's share of the construction cost divided by the estimated total cost multiplied by the actual payment (appropriately adjust for nonparticipating costs) made to the contractor until the entire obligation incurred under this agreement has been paid.

Failure to remit the payment(s) in a timely manner as required under Methods A, B, or C shall allow the **STATE** to internally offset, reduce, or deduct the arrearage from any payment or reimbursement due or about to become due and payable from the **STATE** to the **LPA** on this or any other contract. The **STATE** at its sole option, upon notice to the **LPA**, may place the debit into the Illinois Comptroller's Offset System (15 ILCS 405/10.05) or take such other and further action as may be required to recover the debt.

THE LPA AGREES:

1. To acquire in its name, or in the name of the **STATE** if on the **STATE** highway system, all right-of-way necessary for this project in accordance with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, and established State policies and procedures. Prior to advertising for bids, the **LPA** shall certify to the **STATE** that all requirements of Titles II and III of said Uniform Act have been satisfied. The disposition of encroachments, if any, will be cooperatively determined by representatives of the **LPA**, the **STATE**, and the **FHWA** if required.
2. To provide for all utility adjustments and to regulate the use of the right-of-way of this improvement by utilities, public and private, in accordance with the current Utility Accommodation Policy for Local Public Agency Highway and Street Systems.
3. To provide for surveys and the preparation of plans for the proposed improvement and engineering supervision during construction of the proposed improvement.
4. To retain jurisdiction of the completed improvement unless specified otherwise by addendum (addendum should be accompanied by a location map). If the improvement location is currently under road district jurisdiction, a jurisdictional addendum is required.
5. To maintain or cause to be maintained the completed improvement (or that portion within its jurisdiction as established by addendum referred to in item 4 above) in a manner satisfactory to the **STATE** and the **FHWA**.
6. To comply with all applicable Executive Orders and Federal Highway Acts pursuant to the Equal Employment Opportunity and Nondiscrimination Regulations required by the U.S. Department of Transportation.
7. To maintain for a minimum of 3 years after final project close out by the **STATE**, adequate books, records and supporting documents to verify the amounts, recipients and uses of all disbursements of funds passing in conjunction with the contract. The contract and all books, records, and supporting documents related to the contract shall be available for review and audit by the Auditor General and the **STATE**. The **LPA** agrees to cooperate fully with any audit conducted by the Auditor General, the **STATE**, and to provide full access to all relevant materials. Failure to maintain the books, records, and supporting documents required by this section shall establish presumption in favor of the **STATE** for recovery of any funds paid by the **STATE** under the contract for which adequate books, records and supporting documentation are not available to support their purported disbursement.
8. To provide if required, for the improvement of any railroad-highway grade crossing and rail crossing protection within the limits of the proposed improvement.
9. To comply with Federal requirements or possibly lose (partial or total) Federal participation as determined by the **FHWA**.
10. (Local Contracts or Day Labor) To provide or cause to be provided all of the initial funding, equipment, labor, material and services necessary to complete the project.
11. (Preliminary Engineering) In the event that right-of-way acquisition for, or construction of, the project for which this preliminary engineering is undertaken with Federal participation is not started by the close of the tenth fiscal year following **FHWA** authorization, the **LPA** will repay the **STATE** any Federal funds received under the terms of this agreement.
12. (Right-of-Way Acquisition) In the event construction has not commenced by the close of the twentieth fiscal year following **FHWA** authorization using right-of-way acquired this agreement, the **LPA** will repay the **STATE** any Federal Funds received under the terms of this agreement.
13. (Railroad Related Work) The **LPA** is responsible for the payment of the railroad related expenses in accordance with the **LPA**/railroad agreement prior to requesting reimbursement from the **STATE**. Requests for reimbursement should be sent to the appropriate IDOT District Bureau of Local Roads and Streets Office. Engineer's Payment Estimates shall be in accordance with the Division of Cost.
14. Certifies to the best of its knowledge and belief that its officials:
 - a. are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from covered transactions by any Federal department or agency;
 - b. have not within a three-year period preceding this agreement been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements receiving stolen property;
 - c. are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, Local) with commission of any of the offenses enumerated in item (b) of this certification; and
 - d. have not within a three-year period preceding the agreement had one or more public transactions (Federal, State, Local) terminated for cause or default.
15. To include the certifications, listed in item 14 above, and all other certifications required by State statutes, in every contract, including procurement of materials and leases of equipment.
16. (**STATE** Contracts). That execution of this agreement constitutes the **LPA's** concurrence in the award of the construction contract to the responsible low bidder as determined by the **STATE**.
17. That for agreements exceeding \$100,000 in federal funds, execution of this agreement constitutes the **LPA's** certification that:
 - a. No federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a member of congress, an officer or employee of congress, or any employee of a member of congress in connection with the awarding of any federal contract, the making of any cooperative agreement, and the extension, continuation, renewal, amendment or modification of any Federal contract, grant, loan or cooperative agreement.

- b. If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a member of congress, an officer or employee of congress or an employee of a member of congress in connection with this federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit standard form - LLL, "Disclosure Form to Report Lobbying", in accordance with its instructions.
 - c. The **LPA** shall require that the language of this certification be included in the award documents for all subawards (including subcontracts, subgrants and contracts under grants, loans and cooperative agreements), and that all subrecipients shall certify and disclose accordingly.
18. To regulate parking and traffic in accordance with the approved project report.
 19. To regulate encroachments on public rights-of-way in accordance with current Illinois Compiled Statutes.
 20. To regulate the discharge of sanitary sewage into any storm water drainage system constructed with this improvement in accordance with the current Illinois Compiled Statutes.
 21. To comply with the federal Financial Integrity Review and Evaluation (FIRE) program, which requires States and subrecipients to justify continued federal funding on inactive projects. 23 CFR 630.106(a)(5) defines an inactive project as a project in which no expenditures have been charged against federal funds for the past twelve (12) months.
 22. (Reimbursement Requests) For reimbursement requests the **LPA** will submit supporting documentation with each invoice. Supporting documentation is defined as verification of payment, certified time sheets or summaries, vendor invoices, vendor receipts, cost plus fix fee invoice, progress report, personnel and direct cost summaries, and other documentation supporting the requested reimbursement amount (Form BLR 05621 should be used for consultant invoicing purposes). **LPA** invoice requests to the **STATE** will be submitted with sequential invoice numbers by project.
 23. (Final Invoice) The **LPA** will submit to the **STATE** a complete and detailed final invoice with applicable supporting documentation of all incurred costs, less previous payments, no later than twelve (12) months from the date of completion of work or from the date of the previous invoice, which ever occurs first. If a final invoice is not received within this time frame, the most recent invoice may be considered the final invoice and the obligation of the funds closed. Form BLR 05613 (Engineering Payment Record) is required to be submitted with the final invoice on the engineering projects.
 24. (Project Closeout) The **LPA** shall provide the final report to the appropriate **STATE** district office within twelve (12) months of the physical completion date of the project so that the report may be audited and approved for payment. If the deadline cannot be met, a written explanation must be provided to the district prior to the end of the twelve (12) months documenting the reason and the new anticipated date of completion. If the extended deadline is not met, this process must be repeated until the project is closed. Failure to follow this process may result in the immediate close-out of the project and loss of further funding.
 25. (Project End Date) For Preliminary Engineering projects the end date is ten (10) years from the execution date of the agreement. For Right-of-Way projects the end date is fifteen (15) years from the execution date of the agreement. For Construction projects the end date is five (5) years for projects under \$1,000,000 or seven (7) years for projects over \$1,000,000 from the execution date of the agreement. Requests for time extensions and joint agreement amendments must be received and approved prior to expiration of the project end date. Failure to extend the end date may result in the immediate close-out of the project and loss of further funding.
 26. (Single Audit Requirements) That if the **LPA** expends \$750,000 or more a year in federal financial assistance they shall have an audit made in accordance with 2 CFR 200. **LPA's** expending less than \$750,000 a year shall be exempt from compliance. A copy of the audit report must be submitted to the **STATE** (Office of Internal Audit, Room 201, 2300 South Dirksen Parkway, Springfield, Illinois, 62764) within 30 days after the completion of the audit, but no later than one year after the end of the **LPA's** fiscal year. The CFDA number for all highway planning and construction activities is 20.205.
 27. That the **LPA** is required to register with the System for Award Management or SAM, which is a web-enabled government-wide application that collects, validates, stores, and disseminates business information about the federal government's trading partners in support of the contract award and the electronic payment processes. To register or renew, please use the following website: <https://www.sam.gov/SAM/>
 28. (Required Uniform Reporting) To comply with the Grant Accountability and Transparency Act (30 ILCS 708) that requires a uniform reporting of expenditures. Uniform reports of expenditures shall be reported no less than quarterly using IDOT's BoBS 2832 form available on IDOT's web page under the "Resources" tab. Additional reporting frequency may be required based upon specific conditions, as listed in the accepted Notice of State Award (NOSA). Specific conditions are based upon the award recipient/grantee's responses to the Fiscal and Administrative Risk Assessment (ICQ) and the Programmatic Risk Assessment (PRA).

NOTE: Under the terms of the Grant Funds Recovery Act (30 ILCS 705/4.1), "Grantor agencies may withhold or suspend the distribution of grant funds for failure to file requirement reports" if the report is more than 30 calendar days delinquent, without any approved written explanation by the grantee, the entity will be placed on the Illinois Stop Payment List. (Refer to the Grantee Compliance Enforcement System for detail about the Illinois Stop Payment List: <https://www.illinois.gov/sites/GATA/Pages/ResourceLibrary.aspx>)

THE STATE AGREES:

1. To provide such guidance, assistance, and supervision to monitor and perform audits to the extent necessary to assure validity of the **LPA's** certification of compliance with Title II and III Requirements.
2. (State Contracts) To receive bids for construction of the proposed improvement when the plans have been approved by the **STATE** (and **FHWA**, if required) and to award a contract for construction of the proposed improvement after receipt of a satisfactory bid.
3. (Day Labor) To authorize the **LPA** to proceed with the construction of the improvement when agreed unit prices are approved, and to reimburse the **LPA** for that portion of the cost payable from Federal and/or State funds based on the agreed unit prices and engineer's pay estimates in accordance with the division of cost page.

4. (Local Contracts) For agreements with federal and/or state funds in engineering, right-of-way, utility work and/or construction work:
 - a. To reimburse the **LPA** for federal and/or state share on the basis of periodic billings, provided said billings contain sufficient cost information and show evidence of payments by the **LPA**;
 - b. To provide independent assurance sampling and furnish off-site material inspection and testing at sources normally visited by **STATE** inspectors for steel, cement, aggregate, structural steel, and other materials customarily tested by the **STATE**.

IT IS MUTUALLY AGREED:

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

ADDENDA

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

☒	1.	Location Map
☒	2.	Division of Cost
☒	3.	LPA Funding Authorization Resolution
☒	4.	GATA Reporting
Add Row		

The **LPA** further agrees as a condition of payment, that it accepts and will comply with the applicable provisions set forth in this agreement and all Addenda indicated above.

APPROVED

Local Public Agency

Name of Official (Print or Type Name)

Charles H. Sass

Title of Official

Mayor

Signature

Date

The above signature certifies the agency's Tin number is

366005934 conducting business as a Governmental Entity.

Duns Number 032716680

APPROVED

State of Illinois
Department of Transportation

Omer Osman P.E., Acting Secretary

Date

By:

Director of Planning & Programming

Date

Director of Planning & Programming

Date

Philip C. Kaufmann, Chief Counsel

Date

Chief Fiscal Officer (CFO)

Date

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

ADDENDA NUMBER 2

Local Public Agency Village of Huntley	County McHenry	Section Number 17-00045-00-BT
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Construction		Engineering		Right of Way	
Job Number	Project Number	Job Number	Project Number	Job Number	Project Number
C-91-257-19	008E(135)				

DIVISION OF COST

		Federal Funds		State Funds			Local Public Agency				
Type of Work		Fund Type	Amount	%	Fund Type	Amount	%	Fund Type	Amount	%	Totals
-	Participating Construction	ITEP	\$160,000.00	*					\$40,000.00	BAL	\$200,000.00
-	Construction Engineering	ITEP	\$16,000.00	*					\$4,000.00	BAL	\$20,000.00
-											
-											
-											
-											
-											
-											
-											
-											
-											
-											
Total			\$176,000.00		Total			Total	\$44,000.00		\$220,000.00
Add											

If funding is not a percentage of the total place an asterisk (*) in the space provided for the percentage and explain below:

*Maximum FHWA (ITEP) participation 80% not to exceed \$176,000

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

**RESOLUTION AUTHORIZING THE LOCAL PUBLIC AGENCY AGREEMENT
FOR FEDERAL PARTICIPATION AND APPROPRIATING \$44,000.00
FOR THE REED ROAD MULTI-USE PATH PROJECT**

Resolution (R)2020-10. __

Illinois Department of Transportation

WHEREAS, the Village of Huntley is a home rule unit of local government under the Illinois Constitution, 1970, Article VII, Section 6; and

WHEREAS, the Village of Huntley has received a Local Public Agency Agreement for Federal Participation from the Illinois Department of Transportation for the construction of the Reed Road Multi-Use Path Project; and

WHEREAS, the Village of Huntley received \$176,000 in Illinois Transportation Enhancement Program (STE) federal funding through the McHenry County Council of Mayors for the construction engineering and construction of said Reed Road Multi-Use Path project; and

WHEREAS, the Village of Huntley's funding for the project's construction engineering and construction in the amount of \$44,000; and

WHEREAS, the Village of Huntley has reviewed the Agreement and has determined that it is in the best interest to enter into a Local Public Agency Agreement for Federal Participation with the Illinois Department of Transportation

NOW, THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF HUNTLEY as follows:

SECTION I: The Village of Huntley approves the Local Public Agency Agreement for Federal Participation from the Illinois Department of Transportation for the construction of the Reed Road Multi-Use Path Project in the form attached hereto and copy of which is incorporated herein.

SECTION II: The Village President is authorized to execute said Local Public Agency Agreement with the Illinois Department of Transportation in an amount of \$44,000 or as much of such sum as may be needed to match federal funds in the completion of the aforementioned project.

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

SECTION IV: All resolutions and parts of resolutions in conflict herewith are hereby repealed.

	<u>Aye</u>	<u>Nay</u>	<u>Absent</u>	<u>Abstain</u>
Trustee Goldman	_____	_____	_____	_____
Trustee Hoeft	_____	_____	_____	_____
Trustee Kanakaris	_____	_____	_____	_____
Trustee Leopold	_____	_____	_____	_____
Trustee Piwko	_____	_____	_____	_____
Trustee Westberg	_____	_____	_____	_____

PASSED and APPROVED this 23rd day of January 2020.

APPROVED:

ATTEST:

Village President

Village Clerk

Addendum No. 4

Grant Accountability and Transparency Act (GATA)

Required Uniform Reporting

The Grant Accountability and Transparency Act (30 ILCS 708), requires a uniform reporting of expenditures. Uniform reports of expenditures shall be reported no less than quarterly using IDOT's BoBS 2832 form available on IDOT's web page under the "Resources" tab.

Additional reporting frequency may be required based upon specific conditions, as listed in the accepted Notice of State Award (NOSA). Specific conditions are based upon the award recipient/grantee's responses to the Fiscal and Administrative Risk Assessment (ICQ) and the Programmatic Risk Assessment (PRA).

PLEASE NOTE: Under the terms of the Grant Funds Recovery Act (30 ILCS 705/4.1), "*Grantor agencies may withhold or suspend the distribution of grant funds for failure to file requirement reports*" if the report is more than 30 calendar days delinquent, without any approved written explanation by the grantee, the entity will be placed on the Illinois Stop Payment List. (Refer to the Grantee Compliance Enforcement System for detail about the Illinois Stop Payment List: <https://www.illinois.gov/sites/GATA/Pages/ResourceLibrary.aspx>)

Local Public Agency Village of Huntley	LOCAL AGENCY	 Illinois Department of Transportation Construction Engineering Services Agreement For Federal Participation	CONSULTANT	Consultant Christopher B. Burke Engineering Ltd.
County McHenry				Address 9575 West Higgins, Suite 600
Section 17-00045-00-BT				City Rosemont
Project No. 008E(135)				State IL
Job No. C-91-257-19				Zip Code 60018
Contact Name/Phone/E-mail Address Tim Farrell, PE / 847-515-5285 TFarrell@huntley.il.us				Contact Name/Phone/E-mail Address Mike Kerr / 847-823-0500 mkerr@cbbel.com

THIS AGREEMENT is made and entered into this _____ day of _____, 2020 between the above Local Public Agency (LPA) and Consultant (ENGINEER) and covers certain professional engineering services in connection with the PROJECT described herein. Federal-aid funds allotted to the LPA by the state of Illinois under the general supervision of the Illinois Department of Transportation (STATE) will be used entirely or in part to finance engineering services as described under AGREEMENT PROVISIONS.

WHEREVER IN THIS AGREEMENT or attached exhibits the following terms are used, they shall be interpreted to mean:

Regional Engineer	Deputy Director Division of Highways, Regional Engineer, Department of Transportation
Resident Construction Supervisor	Authorized representative of the LPA in immediate charge of the engineering details of the PROJECT
In Responsible Charge	A full time LPA employee authorized to administer inherently governmental PROJECT activities
Contractor	Company or Companies to which the construction contract was awarded

Project Description

Name Reed Road Multi-Use Path Route MUN 0606 Length 0.27 mi Structure No. N/A

Termini Vine Street (west) to IL RT 47 (east)

Description: An 8-ft wide HMA MUP 5-ft behind the face of curb on the north side of Reed Rd with a 350-ft segmental block retaining wall and railing.

Agreement Provisions

I. THE ENGINEER AGREES,

1. To perform or be responsible for the performance of the engineering services for the LPA, in connection with the PROJECT hereinbefore described and checked below:
 - ☐ a. Proportion concrete according to applicable STATE Bureau of Materials and Physical Research (BMPR) Quality Control/Quality Assurance (QC/QA) training documents or contract requirements and obtain samples and perform testing as noted below.
 - ☐ b. Proportion hot mix asphalt according to applicable STATE BMPR QC/QA training documents and obtain samples and perform testing as noted below.
 - ☐ c. For soils, to obtain samples and perform testing as noted below.
 - ☐ d. For aggregates, to obtain samples and perform testing as noted below.

NOTE: For 1a. through 1d. the ENGINEER is to obtain samples for testing according to the STATE BMPR "Project Procedures Guide", or as indicated in the specifications, or as attached herein by the LPA; test according to the STATE BMPR "Manual of Test Procedures for Materials", submit STATE BMPR inspection reports; and verify compliance with contract specifications.

- ☐ e. Inspection of all materials when inspection is not provided at the sources by the STATE BMPR, and submit inspection reports to the LPA and the STATE in accordance with the STATE BMPR "Project Procedures Guide" and the policies of the STATE.
 - ☒ f. For Quality Assurance services, provide personnel who have completed the appropriate STATE BMPR QC/QA trained technician classes.
 - ☒ g. Inspect, document and inform the LPA employee In Responsible Charge of the adequacy of the establishment and maintenance of the traffic control.
 - ☐ h. Geometric control including all construction staking and construction layouts.
 - ☒ i. Quality control of the construction work in progress and the enforcement of the contract provisions in accordance with the STATE Construction Manual.
 - ☒ j. Measurement and computation of pay items.
 - ☒ k. Maintain a daily record of the contractor's activities throughout construction including sufficient information to permit verification of the nature and cost of changes in plans and authorized extra work.
 - ☒ l. Preparation and submission to the LPA by the required form and number of copies, all partial and final payment estimates, change orders, records, documentation and reports required by the LPA and the STATE.
 - ☐ m. Revision of contract drawings to reflect as built conditions.
 - ☐ n. Act as resident construction supervisor and coordinate with the LPA employee In Responsible Charge.
2. Engineering services shall include all equipment, instruments, supplies, transportation and personnel required to perform the duties of the ENGINEER in connection with the AGREEMENT.
3. To furnish the services as required herein within twenty-four hours of notification by the LPA employee In Responsible Charge.
4. To attend meetings and visit the site of the work at any reasonable time when requested to do so by representatives of the LPA or STATE.
5. That none of the services to be furnished by the ENGINEER shall be sublet, assigned or transferred to any other party or parties without the written consent of the LPA. The consent to sublet, assign or otherwise transfer any portion of the services to be furnished by the ENGINEER shall not be construed to relieve the ENGINEER of any responsibility for the fulfillment of this AGREEMENT.
6. The ENGINEER shall submit invoices, based on the ENGINEER's progress reports, to the LPA employee In Responsible Charge, no more than once a month for partial payment on account for the ENGINEER's work completed to date. Such invoices shall represent the value, to the LPA of the partially completed work, based on the sum of the actual costs incurred, plus a percentage (equal to the percentage of the construction engineering completed) of the fixed fee for the fully completed work.
7. That the ENGINEER is qualified technically and is entirely conversant with the design standards and policies applicable to improvement of the SECTION; and that the ENGINEER has sufficient properly trained, organized and experienced personnel to perform the services enumerated herein.
8. That the ENGINEER shall be responsible for the accuracy of the ENGINEER's work and correction of any errors, omissions or ambiguities due to the ENGINEER'S negligence which may occur either during prosecution or after acceptance by the LPA. Should any damage to persons or property result from the ENGINEER's error, omission or negligent act, the ENGINEER shall indemnify the LPA, the STATE and their employees from all accrued claims or liability and assume all restitution and repair costs arising from such negligence. The ENGINEER shall give immediate attention to any remedial changes so there will be minimal delay to the contractor and prepare such data as necessary to effectuate corrections, in consultation with and without further compensation from the LPA.
9. That the ENGINEER will comply with applicable federal statutes, state of Illinois statutes, and local laws or ordinances of the LPA.
10. The undersigned certifies neither the ENGINEER nor I have:
- a) employed or retained for commission, percentage, brokerage, contingent fee or other considerations, any firm or person (other than a bona fide employee working solely for me or the above ENGINEER) to solicit or secure this AGREEMENT;
 - b) agreed, as an express or implied condition for obtaining this AGREEMENT, to employ or retain the services of any firm or person in connection with carrying out the AGREEMENT or

- c) paid, or agreed to pay any firm, organization or person (other than a bona fide employee working solely for me or the above ENGINEER) any fee, contribution, donation or consideration of any kind for, or in connection with, procuring or carrying out the AGREEMENT.
 - d) are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from covered transactions by any Federal department or agency;
 - e) have not within a three-year period preceding the AGREEMENT been convicted of or had a civil judgment rendered against them for commission of fraud or criminal offense in connection with obtaining, attempting to obtain or performing a public (Federal, State or local) transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements or receiving stolen property;
 - f) are not presently indicted for or otherwise criminally or civilly charged by a government entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (e) of this certification; and
 - g) have not within a three-year period preceding this AGREEMENT had one or more public transactions (Federal, State or local) terminated for cause or default.
11. To pay its subconsultants for satisfactory performance no later than 30 days from receipt of each payment from the LPA.
 12. To submit all invoices to the LPA within one year of the completion of the work called for in this AGREEMENT or any subsequent Amendment or Supplement.
 13. To submit BLR 05613, Engineering Payment Report, to the STATE upon completion of the work called for in the AGREEMENT.
 14. To be prequalified with the STATE in Construction Inspection when the ENGINEER or the ENGINEER's assigned staff is named as resident construction supervisor. The onsite resident construction supervisor shall have a valid Documentation of Contract Quantities certification.
 15. Will provide, as required, project inspectors that have a valid Documentation of Contract Quantities certification.

II. THE LPA AGREES,

1. To furnish a full time LPA employee to be In Responsible Charge authorized to administer inherently governmental PROJECT activities.
2. To furnish the necessary plans and specifications.
3. To notify the ENGINEER at least 24 hours in advance of the need for personnel or services.
4. To pay the ENGINEER as compensation for all services rendered in accordance with this AGREEMENT, on the basis of the following compensation formulas:

Cost Plus Fixed Fee
Formulas

- ☐ $FF = 14.5\%[DL + R(DL) + OH(DL) + IHDC]$, or
☒ $FF = 14.5\%[(2.3 + R)DL + IHDC]$

Where: DL = Direct Labor
 IHDC = In House Direct Costs
 OH = Consultant Firm's Actual Overhead Factor
 R = Complexity Factor
 FF=Fixed Fee
 SBO = Services by Others

Total Compensation = $DL + IHDC + OH + FF + SBO$

Specific Rate ☐ (Pay per element)

Lump Sum ☐ _____

5. To pay the ENGINEER using one of the following methods as required by 49 CFR part 26 and 605 ILCS 5/5-409:

☐ With Retainage

- a) **For the first 50% of completed work**, and upon receipt of monthly invoices from the ENGINEER and the approval thereof by the LPA, monthly payments for the work performed shall be due and payable to the ENGINEER, such payments to be equal to 90% of the value of the partially completed work minus all previous partial payments made to the ENGINEER.
- b) **After 50% of the work is completed**, and upon receipt of monthly invoices from the ENGINEER and the approval thereof by the LPA, monthly payments covering work performed shall be due and payable to the ENGINEER, such payments to be equal to 95% of the value of the partially completed work minus all previous partial payments made to the ENGINEER.
- c) **Final Payment** – Upon approval of the work by the LPA but not later than 60 days after the work is completed and reports have been made and accepted by the LPA and the STATE, a sum of money equal to the basic fee as determined in this AGREEMENT less the total of the amounts of partial payments previously paid to the ENGINEER shall be due and payable to the ENGINEER.

☒ Without Retainage

- a) **For progressive payments** – Upon receipt of monthly invoices from the ENGINEER and the approval thereof by the LPA, monthly payments for the work performed shall be due and payable to the ENGINEER, such payments to be equal to the value of the partially completed work minus all previous partial payments made to the ENGINEER.
 - b) **Final Payment** – Upon approval of the work by the LPA but not later than 60 days after the work is completed and reports have been made and accepted by the LPA and STATE, a sum of money equal to the basic fee as determined in this AGREEMENT less the total of the amounts of partial payments previously paid to the ENGINEER shall be due and payable to the ENGINEER.
6. The recipient shall not discriminate on the basis on the basis of race, color, national origin or sex in the award and performance of any DOT-assisted contract or in the administration of its DBE program or the requirements of 49 CFR part 26. The recipient shall take all necessary and reasonable steps under 49 CFR part 26 to ensure nondiscrimination in the award and administration of DOT-assisted contracts. The recipient's DBE program, as required by 49 CFR part 26 and as approved by DOT, is incorporated by reference in this agreement. Implementation of this program is a legal obligation and failure to carry out its terms shall be treated as violation of this agreement. Upon notification to the recipient of its failure to carry out its approved program, the Department may impose sanctions as provided for under part 26 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. 1001 and/or the Program Fraud Civil Remedies Act of 1986 (31 U.S.C. 3801 et seq.).
7. To submit approved form BC 775 (Exhibit C) and BC 776 (Exhibit D) with this AGREEMENT.
8. To certify by execution of this AGREEMENT that the selection of the ENGINEER was performed in accordance with the Local Government Professional Services Selection Act 50 ILCS 510, the Brooks Act 40 USC 11, and Procurement, Management, and Administration of Engineering and Design related Services (23 CFR part 172). Exhibit C is required to be completed with this agreement.

III. It is Mutually Agreed,

1. That the ENGINEER and the ENGINEER's subcontractors will maintain all books, documents, papers, accounting records and other evidence pertaining to cost incurred and to make such materials available at their respective offices at all reasonable times during the AGREEMENT period and for three years from the date of final payment under this AGREEMENT, for inspection by the STATE, Federal Highway Administration or any authorized representatives of the federal government and copies thereof shall be furnished if requested.
2. That all services are to be furnished as required by construction progress and as determined by the LPA employee In Responsible Charge. The ENGINEER shall complete all services specified herein within a time considered reasonable to the LPA, after the CONTRACTOR has completed the construction contract.
3. That all field notes, test records and reports shall be turned over to and become the property of the LPA and that during the performance of the engineering services herein provided for, the ENGINEER shall be responsible for any loss or damage to the documents herein enumerated while they are in the ENGINEER's possession and any such loss or damage shall be restored at the ENGINEER's expense.
4. That this AGREEMENT may be terminated by the LPA upon written notice to the ENGINEER, at the ENGINEER's last known address, with the understanding that should the AGREEMENT be terminated by the LPA, the ENGINEER shall be paid for any services completed and any services partially completed. The percentage of the total services which have been rendered by the ENGINEER shall be mutually agreed by the parties hereto. The fixed fee stipulated in numbered paragraph 4d of Section II shall be multiplied by this percentage and added to the ENGINEER's actual costs to obtain the earned value of work performed. All field notes, test records and reports completed or partially completed at the time of termination shall become the property of, and be delivered to, the LPA.
5. That any differences between the ENGINEER and the LPA concerning the interpretation of the provisions of this AGREEMENT shall be referred to a committee of disinterested parties consisting of one member appointed by the ENGINEER, one member appointed by the LPA, and a third member appointed by the two other members for disposition and that the committee's decision shall be final.

6. That in the event the engineering and inspection services to be furnished and performed by the LPA (including personnel furnished by the ENGINEER) shall, in the opinion of the STATE be incompetent or inadequate, the STATE shall have the right to supplement the engineering and inspection force or to replace the engineers or inspectors employed on such work at the expense of the LPA.
7. That the ENGINEER has not been retained or compensated to provide design and construction review services relating to the contractor's safety precautions, except as provided in numbered paragraph 1f of Section I.
8. This certification is required by the Drug Free Workplace Act (30ILCS 580). The Drug Free Workplace Act requires that no grantee or contractor shall receive a grant or be considered for the purpose of being awarded a contract for the procurement of any property or service from the State unless that grantee or contractor will provide a drug free workplace. False certification or violation of the certification may result in sanctions including, but not limited to, suspension of contract or grant payments, termination of a contract or grant and debarment of contracting or grant opportunities with the State for at least one (1) year but no more than five (5) years.

For the purpose of this certification, "grantee" or "contractor" means a corporation, partnership or other entity with twenty-five (25) or more employees at the time of issuing the grant, or a department, division or other unit thereof, directly responsible for the specific performance under a contract or grant of \$5,000 or more from the State, as defined in the Act.

The contractor/grantee certifies and agrees that it will provide a drug free workplace by:

(a) Publishing a statement:

- (1) Notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance, including cannabis, is prohibited in the grantee's or contractor's workplace.
- (2) Specifying the actions that will be taken against employees for violations of such prohibition.
- (3) Notifying the employee that, as a condition of employment on such contract or grant, the employee will:
 - (A) abide by the terms of the statement; and
 - (B) notify the employer of any criminal drug statute conviction for a violation occurring in the workplace no later than five (5) days after such conviction.

(b) Establishing a drug free awareness program to inform employees about:

- (1) the dangers of drug abuse in the workplace;
 - (2) the grantee's or contractor's policy of maintaining a drug free workplace;
 - (3) any available drug counseling, rehabilitation and employee assistance program; and
 - (4) the penalties that may be imposed upon an employee for drug violations.
- (c) Providing a copy of the statement required by subparagraph (a) to each employee engaged in the performance of the contract or grant and to post the statement in a prominent place in the workplace.
 - (d) Notifying the contracting or granting agency within ten (10) days after receiving notice under part (B) of paragraph (3) of subsection (a) above from an employee or otherwise receiving actual notice of such conviction.
 - (e) Imposing a sanction on, or requiring the satisfactory participation in a drug abuse assistance or rehabilitation program by, any employee who is convicted, as required by section S of the Drug Free Workplace Act.
 - (f) Assisting employees in selecting a course of action in the event drug counseling, treatment and rehabilitation is required and indicating that a trained referral team is in place.
 - (g) Making a good faith effort to continue to maintain a drug free workplace through implementation of the Drug Free Workplace Act.

9. The ENGINEER or subconsultant shall not discriminate on the basis of race, color, national origin or sex in the performance of this AGREEMENT. The ENGINEER shall carry out applicable requirements of 49 CFR part 26 in the administration of DOT-assisted contracts. Failure by the ENGINEER to carry out these requirements is a material breach of this AGREEMENT, which may result in the termination this AGREEMENT or such other remedy as the LPA deems appropriate.
10. When the ENGINEER is requested to complete work outside the scope of the original AGREEMENT, a supplemental AGREEMENT will be required. Supplements will also be required for the addition or removal of subconsultants, direct costs, the use of previously unspecified staff, and other material changes to the original AGREEMENT.

Agreement Summary

Prime Consultant:	TIN Number	Agreement Amount
Christopher B. Burke Engineering Ltd.	36-3468939	\$16,037.07
Sub-Consultants:	TIN Number	Agreement Amount
Rubino Engineering	80-0450719	\$3,956.00
Sub-Consultant Total:		\$3,956.00
Prime Consultant Total:		\$16,037.07
Total for all Work:		\$19,993.07

Executed by the LPA:

Village of Huntley

(Municipality/Township/County)

ATTEST:

By: _____

By: _____

Village _____ Clerk

Title: _____

(SEAL)

Executed by the ENGINEER:

Christopher B. Burke Engineering Ltd.

ATTEST:

By: _____

By: _____

Title: Notary Public _____

Title: Executive Vice President _____

AVERAGE HOURLY PROJECT RATES

FIRM Christopher B. Burke Engineering, Ltd.
Local Agency Village of Huntley
Section 17-00045-00-BT
Project 008(135)
Job No: C-91-257-19

DATE 01/06/20

SHEET 1 OF 5

PAYROLL CLASSIFICATION	AVG HOURLY RATES	TOTAL PROJECT RATES			Coordination and Commu			Construction Engineerin			Project Close Out			Material Testing					
		Hours	% Part.	Wgt'd Avg	Hours	% Part.	Wgt'd Avg	Hours	% Part.	Wgt'd Avg	Hours	% Part.	Wgt'd Avg	Hours	% Part.	Wgt'd Avg	Hours	% Part.	Wgt'd Avg
PRINCIPAL	60.00	0																	
ENGINEER VI	70.00	0																	
ENGINEER V	65.52	0																	
ENGINEER IV	53.82	21	8.02%	4.31	4	33.33%	17.94	13	6.31%	3.40	4	9.09%	4.89						
ENGINEER III	46.70	0																	
ENGINEER I/II	33.08	0																	
SURVEY V	60.00	0																	
SURVEY IV	60.00	0																	
SURVEY III	57.75	0																	
SURVEY II	43.30	0																	
SURVEY I	34.50	0																	
ENGINEERING TECHNICIAN V	60.00	0																	
ENGINEERING TECHNICIAN IV	48.25	0																	
ENGINEERING TECHNICIAN III	51.44	0																	
ENGINEERING TECHNICIAN I/II	20.67	241	91.98%	19.01	8	66.67%	13.78	193	93.69%	19.37	40	90.91%	18.79						
CAD MANAGER	59.92	0																	
ASST. CAD MANAGER	51.33	0																	
CAD II	46.92	0																	
GIS SPECIALIST III	49.00	0																	
GIS SPECIALIST I/II	32.00	0																	
LANDSCAPE ARCHITECT	55.50	0																	
ENVIRONMENTAL RESOURCE SPE	60.00	0																	
ENVIRONMENTAL RESOURCE SPE	53.13	0																	
ENVIRONMENTAL RESOURCE SPE	40.67	0																	
ENVIRONMENTAL RESOURCE SPE	31.13	0																	
ENVIRONMENTAL RESOURCE TEC	38.50	0																	
ADMINISTRATIVE	36.28	0																	
ENGINEERING INTERN	16.00	0																	
TOTALS		262	100%	\$23.33	12	100.00%	\$31.72	206	100%	\$22.76	44	100%	\$23.68	0	0%	\$0.00	0	0%	\$0.00

PAYROLL RATES

FIRM NAME
PRIME/SUPPLEMENT

Christopher B. Burke Engineering, L DATE

01/06/20

ESCALATION FACTOR

0.00%

CLASSIFICATION	CURRENT RATE	CALCULATED RATE
PRINCIPAL	\$60.00	\$60.00
ENGINEER VI	\$70.00	\$70.00
ENGINEER V	\$65.52	\$65.52
ENGINEER IV	\$53.82	\$53.82
ENGINEER III	\$46.70	\$46.70
ENGINEER I/II	\$33.08	\$33.08
SURVEY V	\$60.00	\$60.00
SURVEY IV	\$60.00	\$60.00
SURVEY III	\$57.75	\$57.75
SURVEY II	\$43.30	\$43.30
SURVEY I	\$34.50	\$34.50
ENGINEERING TECHNICIAN V	\$60.00	\$60.00
ENGINEERING TECHNICIAN IV	\$48.25	\$48.25
ENGINEERING TECHNICIAN III	\$51.44	\$51.44
ENGINEERING TECHNICIAN I/II	\$20.67	\$20.67
CAD MANAGER	\$59.92	\$59.92
ASST. CAD MANAGER	\$51.33	\$51.33
CAD II	\$46.92	\$46.92
GIS SPECIALIST III	\$49.00	\$49.00
GIS SPECIALIST I/II	\$32.00	\$32.00
LANDSCAPE ARCHITECT	\$55.50	\$55.50
ENVIRONMENTAL RESOURCE SPECIALIST V	\$60.00	\$60.00
ENVIRONMENTAL RESOURCE SPECIALIST IV	\$53.13	\$53.13
ENVIRONMENTAL RESOURCE SPECIALIST III	\$40.67	\$40.67
ENVIRONMENTAL RESOURCE SPECIALIST I/II	\$31.13	\$31.13
ENVIRONMENTAL RESOURCE TECHNICIAN	\$38.50	\$38.50
ADMINISTRATIVE	\$36.28	\$36.28
ENGINEERING INTERN	\$16.00	\$16.00



BLR 05611 (Rev. 11/09/17)

Exhibit C

Federal Qualification Based Selection (QBS) Checklist

Local Public Agency Village of Huntley
Section Number 17-00045-00-BT
Project Number 008E(135)
Job Number C-91-257-19

The LPA must complete Exhibit C, if federal funds are used for this engineering agreement and the value will exceed \$25,000. The LPA must follow federal small purchase procedures, if federal funds are used and the engineering agreement has a value less than \$25,000.

☐ Form Not Applicable (engineering services less than \$25,000)

1.	Do the written QBS policies and procedures discuss the initial administration (procurement, management, and administration) concerning engineering and design related consultant services? ☒ Yes ☐ No	
2.	Do the written QBS policies and procedures follow the requirements as outlined in Section 5-5 and specifically Section 5-5.06(e) of the <i>BLRS Manual</i> ? ☒ Yes ☐ No If no, IDOT's approval date: _____	
3.	Was the scope of services for this project clearly defined? ☒ Yes ☐ No	
4.	Was public notice given for this project? ☒ Yes ☐ No Due date of submittal: <u>08/21/2018</u> Method(s) used for advertisement and dates of advertisement: <u>Village Website (beginning on 8/2/18), Northwest Herald (on 8/4/18 & 8/5/18)</u>	
5.	Do the written QBS policies and procedures cover conflicts of interest? ☒ Yes ☐ No	
6.	Do the written QBS policies and procedures use covered methods of verification for suspension and debarment? ☒ Yes ☐ No	
7.	Do the written QBS policies and procedures discuss the method of evaluation? ☒ Yes ☐ No	
	Criteria for this project	Weighting
	<u>Project Understanding</u>	<u>30 %</u>
	<u>Similar Project Experience</u>	<u>20 %</u>
	<u>Project Team</u>	<u>15 %</u>
	<u>Project Development Approach</u>	<u>15 %</u>
	Criteria for this project	Weighting
	<u>IDOT Prequalification</u>	<u>10%</u>
	<u>Overall Completeness of Submittal</u>	<u>10%</u>
		<u> </u> %
		<u> </u> %
8.	Do the written QBS policies and procedures discuss the method of selection? ☒ Yes ☐ No Selection committee (titles) for this project: <u>Director of Public Works & Engineering, Assistant to the Director of Public Works & Engineering, Assistant Village Manager</u> Top three consultants selected for this project in order: 1) <u>Christopher B. Burke Engineering Ltd.</u> 2) <u>Burns & McDonnell</u> 3) <u>Fehr Graham Engineering & Environmental</u> If less than 3 responses were received, IDOT's approval date: _____	
9.	Was an estimated cost of engineering for this project developed in-house prior to contract negotiation? ☒ Yes ☐ No	
10.	Were negotiations for this project performed in accordance with federal requirements? ☒ Yes ☐ No	
11.	Were acceptable costs for this project verified? ☒ Yes ☐ No ☐ LPA will rely on IDOT review and approval of costs.	
12.	Do the written QBS policies and procedures cover review and approving for payment, before forwarding the request for reimbursement to IDOT for further review and approval? ☒ Yes ☐ No	
13.	Do the written QBS policies and procedures cover ongoing and finalizing administration of the project (monitoring, evaluation, closing-out a contract, record retention, responsibility, remedies to violations or breaches to a contract, and resolution of disputes)? ☒ Yes ☐ No	

SCOPE OF SERVICES CBBEL

PRECONSTRUCTION SERVICES. Preconstruction services are an important phase of the Phase III engineering effort and will include:

- Attend a preconstruction conference with the contractor, Village, IDOT, and other parties.
- Attend any public information meetings with the contractor, Village, and other parties.
- Obtain from the contractor a list of proposed suppliers and subcontractors. Make recommendations to the Village regarding the suitability of the subcontractors for the proposed work.
- Review the construction schedule submitted by the contractor for compliance with the contract.

CONSTRUCTION OBSERVATION. CBBEL will observe the progress and quality of the executed work on a day-to-day basis. Construction observation services will include:

- Provide on-site observations of the work in progress and field checks of materials and equipment through a Resident Engineer and Inspectors (as necessary), who shall serve as the Village liaison with the contractor working principally through the contractor's field superintendent.
- Perform regular Traffic Control Inspections
- Determine if the project has been completed in accordance with the contract documents and if the contractor has fulfilled all obligations.
- Except upon written instruction of the Village, the Resident Engineer or Inspector shall not authorize any deviation from the Contract Documents.
- Alert the Contractor's field superintendent when materials or equipment are being installed before approval of shop drawings or samples, where such are required, and advise the Village when it is necessary to disapprove work as failing to conform to the Contract Documents.
- The Resident Engineer provided by CBBEL will be familiar with the frequency of QA testing as required by the Village or IDOT and outlined in their Project Procedures Guide. The Resident Engineer will coordinate the QA material testing and review all required reports submitted by both the contractor's QC sub-contractor and Village's QA consultant for compliance with the project specifications.
- Keep an inspector's daily report book in the as outlined in IDOT's Construction Manual. Use ICORS to document the diary and daily quantities for any projects including IDOT or Federal Funding.
- Prepare pay estimates and change orders. Review applications for payment with the Contractor for compliance with established submission procedure and forward them with recommendations to the Village. Use ICORS to process pay estimates and change orders for any projects including IDOT or Federal Funding.
- Obtain and document all material inspection received from the Contractor as outlined in the Project Procedures Guide of IDOT's Construction Manual. Use MISTIC to document any materials for any projects including IDOT or Federal Funding.
- Shop Drawings and Contractor Submittals:
 - Record data received, maintain a file of drawings and submissions, and check construction for compliance with them.
 - Review Contractor's submittals for compliance with contract documents. Notify the Village of any deviations or substitutions.

PROJECT CLOSEOUT. CBBEL will ensure the construction project is closed out in accordance with all applicable IDOT and Village policies and procedures, including:

- Review and verify the accuracy of the contractor's record drawings. During construction, the CBBEL Resident Engineer will keep diligent records of changes to verify contractor accuracy.
- Prior to final inspection, submit to the Contractor a list of observed items requiring correction and verify that each correction has been made.
- Conduct final inspection with the Village and prepare a final list of items to be corrected.
- Verify that all items on the final list have been corrected and make recommendations to the Village concerning acceptance.

SCOPE OF SERVICES RUBINO ENGINEERING

MATERIAL TESTING AND INSPECTION. Quality Assurance material testing in accordance with IDOT's Project Procedures Guide, Article 1030.05: QC/QA for HMA, and IDOT Check Sheet #31: QC/QA for Concrete Mixtures.

December 10, 2019

To: Greg Sanders, PE
Christopher B. Burke Engineering, Ltd.
9575 W. Higgins Road, Suite 600
Rosemont, IL 60018
P: 847-823-0500
C: 847-417-0059

Re: **Quality Assurance Testing Services**
Reed Road Multiuse Path
Huntley, IL

Proposal No. Q19.490

Via email: gsanders@cbbel.com

Dear Mr. Sanders,

Rubino Engineering, Inc. is pleased to submit the following proposal to provide QA construction materials testing and inspection services for the above referenced project.

PROJECT UNDERSTANDING

Rubino Engineering, Inc. received material quantities from you via email on December 9, 2019 and the following outlines our understanding of the requested scope of services:

Project Name and Description



General Scope of Services

BITUMINOUS PAVING AND EXTERIOR CONCRETE

- QA Field testing of uncured concrete – Slump, air, temperature, and casting of cylinders
- QA Laboratory testing of cured concrete – Strength
- QA Field testing of hot mix asphalt (HMA) – Density by the nuclear method
- QA Laboratory testing of HMA – Bulk SG, Max SG, and Loss on Ignition

Extras

- Re-inspection for failed tests
- Work areas not ready for inspection at the time scheduled
- Delays by the contractor
- Cancellations
- Overtime
- Any services not described and listed above

Rubino Engineering, Inc. proposes to provide experienced, technical personnel to perform the requested testing in general accordance with the client-provided project specifications. If any of the above information is incorrect, please notify us or change it on the signed copy of the proposal.

Based on your email on December 9, 2019, the following summarizes our estimate for testing and is subject to change based on final scheduling:

Material	Estimated Number of trips	Half / Full Day *
BITUMINOUS PAVING	2	Half (4 hours)
CONCRETE	2	Half (4 hours)

*Portal to Portal

FEES

The work will be accomplished on a unit price basis in accordance with the Rubino Engineering, Inc. Schedule of Services and Fees, and will be performed pursuant to the attached General Conditions. Copies of our Schedule of Services and Fees and General Conditions are enclosed herewith and incorporated into this proposal.

Rubino Engineering, Inc.'s fees will be determined by the actual amount of technical time expended for this project and the amount of laboratory testing performed by the client's request.

The fees charged under this agreement are subject to change 6 months from the date of the proposal.

Rubino Engineering, Inc. will proceed with the planned work only after receiving a signed copy of this proposal. Please complete the attached Project Data Sheet before returning the proposal to enable your file to be properly established.

Item Description												Ignition Oven Test / Reflux Extraction + Sieve Analysis	\$126.00
												Bulk Specific Gravity	\$95.00
												Maximum Theoretical Specific Gravity	\$110.00
												Sample Pickup	\$250.00
												Cylinders (each)	\$17.00
												Nuclear Density Gauge (day)	\$40.00
												Project Manager (hr)	\$125.00
		Unit									Vehicle (day)	\$65.00	
											Material Tester 2 (hr)	\$102.00	
											Material Tester 1 (hr)	\$98.00	
	Quantity												
Reed Road Multiuse Path - Huntley													
HMA Binder Course IL 19.0, N50	165	TON	4		1	0.5	1		1	1	1	1	
HMA Surface Course, Mix "D", N50	93	TON	4		1	0.5	1		1	1	1	1	
PCC Sidewalk, 8"	822	SF	4		1	0.5		4	1				
Comb. Conc. C&G, Type B.6-12, SPL	10	FT	4		1	0.5		4	1				
			16	0	4	2	2	8	4	2	2	2	
			\$1,568.00	\$0.00	\$260.00	\$250.00	\$80.00	\$136.00	\$1,000.00	\$220.00	\$190.00	\$252.00	
GRAND TOTAL = \$3,956.00													

PROJECT SCHEDULING

Please book testing services prior to 4pm the day before testing is needed via our website:

<https://rubinoeng.com/schedule-field-testing>

The office and field project manager will be notified, and you will receive a confirmation email and possibly a follow up phone call or email for additional project information.

Changes to the schedule or cancellations: scheduling@rubinoeng.com

Please call the office with any questions or changes to the schedule 8am to 4pm. After hours calls can go to Tim Dunne's cell phone at 847-343-0749.

CLOSING

Rubino appreciates the opportunity to offer our services for this project and we look forward to working with your company. Please contact me with questions pertaining to this proposal or requests for additional services.

Respectfully submitted,

RUBINO ENGINEERING, INC.



Michelle A. Lipinski, PE
President

michelle.lipinski@rubinoeng.com

RUBINO ENGINEERING, INC. IS:
AN AASHTO-ACCREDITED LABORATORY
IDOT PREQUALIFIED
IDOT DBE-CERTIFIED (100% WOMAN-OWNED)

AUTHORIZATION AND PROPOSAL ACCEPTANCE

If this proposal is acceptable to you, Rubino Engineering, Inc. will perform the work in accordance with the attached General Conditions that are incorporated into and made a part of this proposal. Please sign below as notice to proceed and return one copy of this proposal intact to our office. We will proceed with the work upon receipt of signed authorization.

AGREED TO, THIS _____	DAY OF _____	, 20__.
BY (please print): _____		
TITLE: _____		
COMPANY: _____		
SIGNATURE: _____		

PROJECT INFORMATION:

1. Project Name: _____
2. Project Location: _____
3. Your Job No: _____ Purchase Order No.: _____
4. Project Manager: _____ Telephone No.: _____
5. Site Contact: _____ Telephone No.: _____
6. Number and Distribution of Reports:
() Copies To: _____ () Copies To: _____
Attn: _____ Attn: _____
Email: _____ Email: _____

() Copies To: _____ () Copies To: _____
Attn: _____ Attn: _____
Email: _____ Email: _____
7. Invoicing Address: _____

Attn: _____
Email: _____
8. Other Pertinent Information Or Previous Subsurface Information Available:

Rubino Engineering, Inc.
Schedule of Construction Materials Testing Services & Fees through March 1, 2020 (Illinois Prevailing Wage)

LABORATORY TESTING SERVICES

Compression testing of concrete, mortar and grout specimens by ASTM procedures	Per Cylinder	\$ 17.00
Pick-up of test cylinders and transportation to lab (min. 2), or cancellation hours (min. 4) (Does not include vehicle charge)	Per hour	\$ 92.00
Asphalt		
Maximum Theoretical Specific Gravity	Each	\$ 110.00
Bulk Specific Gravity	Each	\$ 95.00
Ignition Oven Test / Reflux Extraction + Sieve Analysis	Each	\$ 126.00
Core Densities	Each	\$ 45.00
Sieve Analysis (Washed)	Each	\$ 90.00
Sample preparation for the above tests	Each	\$ 40.00

MATERIAL TESTER - 1 - Hand coring and drilling for testing of materials; field inspection of uncured concrete and asphalt.

Per Hour	\$ 98.00
Per Hour Overtime (before 8am, after 5pm and Saturdays)	\$ 147.00
Per Hour Overtime Sundays and Holidays	\$ 196.00

EQUIPMENT CHARGES

Vehicle Charge - Round Trip	Per Day	\$ 65.00
Nuclear Density Gauge	Per Day	\$ 40.00

ENGINEERING SERVICES

Principal Engineer	Per Hour	\$ 185.00
Project Engineer/Manager	Per Hour	\$ 125.00
Administrative Assistant	Per Hour	\$ 65.00
Report Review	Each	\$ 50.00

REMARKS

- 1) All fees and services are provided in accordance with the attached Rubino Engineering, Inc. General Conditions.
- 2) Unit prices/rates are in effect for 6 months from the date of this proposal and are subject to change without notice thereafter if not noted above.
- 3) Overtime rates are applicable for services performed in excess of 8 hours per day Monday through Friday, before 7:00 AM or after 3:00 PM, and for all hours worked on Saturdays, Sundays and holidays. The overtime rate is 1.5 times the applicable hourly rate. Sundays and holidays are double time.
- 4) All rates are billed on a portal-to-portal basis.
- 5) Standby time due to delays beyond our control will be charged at the applicable hourly rate.
- 6) Transportation and per diem are charged at the applicable rates per trip.
- 7) Rates involving mileage (including transportation, mobilization, vehicle and trip charges) are subject to change based upon increases in the national average gasoline price.
- 8) A minimum charge of 4 hours applies to field testing and observation services.
- 9) Scheduling or cancellation of field testing and observation services is required no less than the working day prior to the date the services are to be performed. Services cancelled without advance and/or inadequate notice will be assessed a minimum 4-hour charge.
- 10) For all Rubino Engineering, Inc. services, a project management/engineering review charge will be billed for all reports issued for the scheduling/supervision of personnel and the evaluation/review of data and reports.
- 11) The minimum billing increment for time is a half hour.
- 12) A project set-up charge of a minimum of two hours applies to all projects.
- 13) Professional Services rates are exclusive of expert deposition or testimony time.
- 14) This proposal is based on Rubino Engineering, Inc. being scheduled on an on-call basis and letters of certification will not be provided unless Rubino Engineering, Inc. is notified in advance and Rubino Engineering, Inc. is scheduled for full time inspection and testing of the area or item to be certified.
- 15) If special inspections are required by the city where the construction is to take place, it must be brought to the attention of Rubino Engineering, Inc. prior to the start of construction as additional charges will apply.
- 16) Prevailing wage fees are subject to change based on the Illinois Department of Labor.
- 17) Services and fees not listed on this schedule may be quoted on request.

Client#: 1171577

RUBINENG

ACORD CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
 9/10/2019

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer any rights to the certificate holder in lieu of such endorsement(s).

PRODUCER USI Ins Svcs LLC Euclid-Prof 2021 Spring Road, Suite 100 Oak Brook, IL 60523 312 442-7200		CONTACT NAME: Laurie Cloninger PHONE (A/C, No, Ext): 630 625-5219 FAX (A/C, No): 610 537-4939 E-MAIL ADDRESS: laurie.cloninger@usi.com															
INSURED Rubino Engineering, Inc. 425-435 Shepard Dr Ste H Elgin, IL 60123		INSURER(S) AFFORDING COVERAGE <table border="1"> <tr> <th>INSURER</th> <th>NAIC #</th> </tr> <tr> <td>INSURER A: RLI Insurance Company</td> <td>13056</td> </tr> <tr> <td>INSURER B: Berday Insurance Company</td> <td>32603</td> </tr> <tr> <td>INSURER C:</td> <td></td> </tr> <tr> <td>INSURER D:</td> <td></td> </tr> <tr> <td>INSURER E:</td> <td></td> </tr> <tr> <td>INSURER F:</td> <td></td> </tr> </table>		INSURER	NAIC #	INSURER A: RLI Insurance Company	13056	INSURER B: Berday Insurance Company	32603	INSURER C:		INSURER D:		INSURER E:		INSURER F:	
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INSURER D:																	
INSURER E:																	
INSURER F:																	

COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

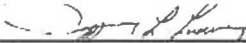
INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS MADE ☒ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☐ POLICY ☒ PRO-JECT ☐ LOC ☐ OTHER:		PSB0003777	09/01/2019	09/01/2020	EACH OCCURRENCE \$1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$1,000,000 MED EXP (Any one person) \$10,000 PERSONAL & ADV INJURY \$1,000,000 GENERAL AGGREGATE \$2,000,000 PRODUCTS - COMP/OP AGG \$2,000,000 \$
A	☒ AUTOMOBILE LIABILITY ☒ ANY AUTO OWNED AUTOS ONLY ☒ HIRED AUTOS ONLY ☐ SCHEDULED AUTOS NON OWNED AUTOS ONLY		PSA0001881	09/01/2019	09/01/2020	COMBINED SINGLE LIMIT (Ea accident) \$1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
A	☒ UMBRELLA LIAB ☒ OCCUR ☒ EXCESS LIAB ☐ CLAIMS MADE ☐ OED ☐ RETENTION \$		PSE0002142	09/01/2019	09/01/2020	EACH OCCURRENCE \$5,000,000 AGGREGATE \$5,000,000 \$
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE/OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N ☒ N/A	PSW0002789	09/01/2019	09/01/2020	☒ PER STATUTE ☐ OTHER E.L. EACH ACCIDENT \$1,000,000 E.L. DISEASE - EA EMPLOYEE \$1,000,000 E.L. DISEASE - POLICY LIMIT \$1,000,000
A	Professional Liability		AEC903377800	09/01/2019	09/01/2020	\$2,000,000 each claim / \$4,000,000 annual aggr.

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Professional Liability is written on a 'claims made' policy form.

Some or all officers are excluded from Workers Compensation coverage.

THIS CERTIFICATE OF INSURANCE IS INTENDED AS A SPECIMEN COPY ONLY.

CERTIFICATE HOLDER Rubino Engineering, Inc.	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE 
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ACORD 25 (2016/03) 1 of 1 The ACORD name and logo are registered marks of ACORD
 #S26541701/M26539043

LXCAA

GENERAL CONDITIONS

1. PARTIES AND SCOPE OF SERVICES: Rubino Engineering, Inc. shall include said company or its particular division, subsidiary or affiliate performing the services. "Services" means the specific geotechnical, analytical, testing or other service to be performed by Rubino Engineering, Inc. as set forth in Rubino Engineering, Inc.'s proposal, Client's acceptance thereof and these General Conditions. Additional services ordered by Client shall also be subject to these General Conditions. "Client" refers to the person or business entity ordering the services to be done by Rubino Engineering, Inc. If Client is ordering the services on behalf of another, Client represents and warrants that it is the duly authorized agent of said party for the purpose of ordering and directing said services. Unless otherwise stated in writing, Client assumes sole responsibility for determining whether the quantity and the nature of the services ordered by the client is adequate and sufficient for Client's intended purpose. Client shall communicate these General Conditions to each and every third party to whom Client transmits any part of Rubino Engineering, Inc.'s services. Rubino Engineering, Inc. shall have no duty or obligation to any third party greater than that set forth in Rubino Engineering, Inc.'s proposal, Client's acceptance thereof and these General Conditions. The ordering of services from Rubino Engineering, Inc., or the reliance on any of Rubino Engineering, Inc.'s work, shall constitute acceptance of the terms of Rubino Engineering, Inc.'s proposal and these General Conditions, regardless of the terms of any subsequently issued document.

2. TESTS AND INSPECTIONS: Client shall cause all tests and inspection of the site, materials and work performed by Rubino Engineering, Inc. or others to be timely and properly performed in accordance with the plans, specifications and contract documents and Rubino Engineering, Inc.'s recommendations. No claims for loss, damage or injury shall be brought against Rubino Engineering, Inc. by Client or any third party unless all tests and inspections have been so performed and unless Rubino Engineering, Inc.'s recommendations have been followed. Client agrees to indemnify, defend and hold Rubino Engineering, Inc., its officers, employees and agents harmless from any and all claims, suits, losses, costs and expenses, including, but not limited to, court costs and reasonable attorney's fees in the event that all such tests and inspections are not so performed or Rubino Engineering, Inc.'s recommendations are not so followed except to the extent that such failure is the result of the negligence, willful or wanton act of omission of Rubino Engineering, Inc., its officers, agents or employees, subject to the limitation contained in paragraph 9.

3. SCHEDULING OF SERVICES: The services set forth in Rubino Engineering, Inc.'s proposal and Client's acceptance will be accomplished in a timely, workmanlike and professional manner by RUBINO ENGINEERING, INC. personnel at the prices quoted. If Rubino Engineering, Inc. is required to delay commencement of the services or if, upon embarking upon its services, Rubino Engineering, Inc. is required to stop or interrupt the progress of its services as a result of changes in the scope of the services requested by Client, to fulfill the requirements of third parties, interruptions in the progress of construction, or other causes beyond the direct reasonable control of Rubino Engineering, Inc., additional charges will be applicable and payable by Client.

4. ACCESS TO SITE: Client will arrange and provide such access to the site as is necessary for Rubino Engineering, Inc. to perform the services. Rubino Engineering, Inc. shall take reasonable measures and precautions to minimize damage to the site and any improvements located thereon as the result of its services or the use of its equipment; however, Rubino Engineering, Inc. has not included in its fee the cost of restoration of damage which may occur. If Client desires or requires Rubino Engineering, Inc. to restore the site to its former condition, upon written request Rubino Engineering, Inc. will perform such additional services as is necessary to do so and Client agrees to pay Rubino Engineering, Inc. for the cost.

5. CLIENT'S DUTY TO NOTIFY ENGINEER: Client represents and warrants that it has advised Rubino Engineering, Inc. of any known or suspected hazardous materials, utility lines and pollutants at any site at which Rubino Engineering, Inc. is to perform services hereunder, and unless Rubino Engineering, Inc. has assumed in writing the responsibility of locating subsurface objects, structures, lines or conduits. Rubino Engineering, Inc. may use such information in performing its services and is entitled to rely upon the accuracy and completeness thereof. Client agrees to defend, indemnify and save Rubino Engineering, Inc. harmless from all claims, suits, losses costs and expenses, including reasonable attorney's fees as a result of personal injury, death or property damage occurring with respect to Rubino Engineering, Inc.'s performance of its work and resulting to or caused by contact with subsurface of latent objects, structures, lines or conduits where the actual or potential presence and location thereof were not revealed to Rubino Engineering, Inc. by Client and/or by any of Client's subcontractors or sub consultants.

6. RESPONSIBILITY: Rubino Engineering, Inc.'s services shall not include determining, supervising or implementing the means, methods, techniques, sequences or procedures of construction. Rubino Engineering, Inc. shall not be responsible for evaluating, reporting or affecting job conditions concerning health, safety or welfare. Rubino Engineering, Inc.'s services or failure to perform same shall not in any way excuse any contractor, subcontractor or supplier from performance of its work in accordance with the contract documents. Rubino Engineering, Inc. has no right or duty to stop the contractor's work.

7. SAMPLE DISPOSAL: Unless otherwise agreed in writing, test specimens or samples will be disposed immediately upon completion of the test. All drilling samples or specimens will be disposed sixty (60) days after submission of Rubino Engineering, Inc.'s report.

8. PAYMENT: Client shall be invoiced once each month for services performed during the preceding period. Client agrees to pay each invoice within thirty (30) days of its receipt. Client further agrees to pay interest on all amounts invoiced and not paid or objected to for valid cause in writing with said thirty (30) day period at the rate of eighteen (18) percent per annum (or the maximum interest rate permitted under applicable law), until paid. Client agrees to pay Rubino Engineering, Inc.'s cost of collection of all amounts due and unpaid after sixty (60) days, including court costs and reasonable attorney's fees. Rubino Engineering, Inc. shall not be bound by any provision or agreement requiring or providing for arbitration or disputes or controversies arising out of this agreement, any provision wherein Rubino Engineering, Inc. waives any rights to a mechanics' lien, or any provision conditioning Rubino Engineering, Inc.'s right to receive payment for its services upon payment to Client by any third party. These General Conditions are notice, where required, that Rubino Engineering, Inc. shall file a lien whenever necessary to collect past due amounts. Release of such lien shall be given only when payment in full has been received for services duly rendered. Failure to make payment within thirty (30) days of invoice shall constitute a release of Rubino Engineering, Inc. from any and all claims which Client may have, whether in tort, contract or otherwise and whether known or unknown at the time.

9. STANDARD OF CARE: RUBINO ENGINEERING, INC.'S SERVICES WILL BE PERFORMED, ITS FINDINGS OBTAINED AND ITS REPORTS PREPARED IN ACCORDANCE WITH ITS PROPOSAL, CLIENT'S ACCEPTANCE THEREOF, THESE GENERAL CONDITIONS AND WITH GENERALLY ACCEPTED PRINCIPLES AND PRACTICES. IN PERFORMING ITS PROFESSIONAL SERVICES, RUBINO ENGINEERING, INC. WILL USE THAT DEGREE OF CARE AND SKILL ORDINARILY EXERCISED UNDER SIMILAR CIRCUMSTANCES BY MEMBERS OF ITS PROFESSION. RUBINO ENGINEERING, INC. MAKES NO WARRANTIES, EITHER EXPRESS OR IMPLIED, IN CONNECTION WITH ITS SERVICES PROVIDED AS SET FORTH IN ITS PROPOSAL, CLIENT'S ACCEPTANCE THEREOF, AND THESE GENERAL CONDITIONS. STATEMENTS MADE IN RUBINO ENGINEERING, INC. REPORTS ARE OPINIONS BASED UPON ENGINEERING JUDGMENT AND ARE NOT TO BE CONSTRUED AS REPRESENTATIONS OF FACT.

SHOULD RUBINO ENGINEERING, INC. OR ANY OF ITS PROFESSIONAL EMPLOYEES BE FOUND TO HAVE BEEN NEGLIGENT IN THE PERFORMANCE OF ITS WORK, OR TO HAVE MADE AND BREACHED ANY EXPRESSED OR IMPLIED WARRANTY, REPRESENTATION OR CONTRACT, CLIENT, ALL PARTIES CLAIMING THROUGH CLIENT AND ALL PARTIES CLAIMING TO HAVE IN ANY WAY RELIED UPON RUBINO ENGINEERING, INC.'S WORK, AGREE THAT THE MAXIMUM AGGREGATE AMOUNT OF THE LIABILITY OF RUBINO ENGINEERING, INC., ITS OFFICERS, EMPLOYEES AND AGENTS SHALL BE LIMITED TO \$10,000.00 OR THE TOTAL AMOUNT OF THE FEE PAID TO RUBINO ENGINEERING, INC. FOR ITS WORK PERFORMED WITH RESPECT TO THE PROJECT, WHICHEVER AMOUNT IS GREATER.

NO ACTION OR CLAIM, WHETHER IN TORT, CONTRACT OR OTHERWISE, MAY BE BROUGHT AGAINST RUBINO ENGINEERING, INC., ARISING FROM OR RELATED TO RUBINO ENGINEERING, INC.'S WORK, MORE THAN TWO (2) YEARS AFTER THE CESSATION OF RUBINO ENGINEERING, INC.'S WORK HEREUNDER.

10. INDEMNITY: To the fullest extent permitted by law, Client and Rubino Engineering, Inc. each agree to indemnify the other party and the other party's officers, directors, partners, employees, and representatives, from and against losses, damages, and judgments arising from claims by third parties, including reasonable attorneys' fees and expenses recoverable under applicable law, but only to the extent they are found to be caused by a negligent act, error, or omission of the indemnifying party or any of the indemnifying party's officers, directors, members, partners, agents, employees, subcontractors, or subconsultants in the performance of services under this Agreement. If claims, losses, damages, and judgments are found to be caused by the joint or concurrent negligence of Client and Rubino Engineering, Inc., they shall be borne by each party in proportion to its negligence.

11. TERMINATION: This Agreement may be terminated by either party upon seven (7) days' prior written notice. In the event of termination, Rubino Engineering, Inc. shall be compensated by Client for all services performed up to and including the termination date, including reimbursable expenses and for the completion of such services and records as are necessary to place Rubino Engineering, Inc.'s files in order and/or protect its professional reputation. Failure of Client to make payments when due shall be cause for suspension of services or, ultimately, termination, unless and until Rubino Engineering, Inc. has been paid in full all amounts due for services, expenses and other related charges.

12. DISPUTE RESOLUTION: In the event of a dispute arising out of or relating to this Agreement or the services to be rendered hereunder, the Client and Rubino Engineering, Inc. agree to attempt to resolve such disputes in the following manner: 1) The parties agree to attempt to resolve any and all unsettled claims, counterclaims, disputes and other matters in question through direct negotiations between the appropriate representatives of each party. 2) If such negotiations are not fully successful, the parties agree to submit any and all remaining unsettled claims, counterclaims, disputes and other matters in question to mediation in accordance with the Construction Industry Mediation Rules of the American Arbitration Association, effective as of the date of this Agreement.

13. WITNESS FEES: Rubino Engineering, Inc.'s employees shall not be retained as expert witnesses except by separate written agreement. Client agrees to pay Rubino Engineering, Inc.'s legal expenses, administrative costs and fees pursuant to Rubino Engineering, Inc.'s then current fee schedule for Rubino Engineering, Inc. to respond to any subpoena.

14. NO HIRE: Client agrees not to hire Rubino Engineering, Inc.'s employees except through Rubino Engineering, Inc. In the event Client hires a Rubino Engineering, Inc. employee, Client shall pay Rubino Engineering, Inc. an amount equal to one-half of the employee's annualized salary, with Rubino Engineering, Inc. waiving other remedies it may have.

15. HAZARDOUS MATERIALS: Nothing contained within this agreement shall be construed or interpreted as requiring Rubino Engineering, Inc. to assume the status of an owner, operator, generator, storer, transporter, treater or disposal facility as those terms appear within RCRA, CERCLA, or within any Federal or State statute or regulation governing the generation, transportation, treatment, storage and disposal of pollutants. Client assumes full responsibility for compliance with the provisions of RCRA, CERCLA, and any other Federal or State statute or regulation governing the handling, treatment, storage and disposal of pollutants.

16. PROVISIONS SEVERABLE: The parties have entered into this agreement in good faith and it is the specific intent of the parties that the terms of the General Conditions be enforced as written. In the event any of the provisions of these General Conditions should be found to be unenforceable, it shall be stricken and the remaining provisions shall be enforceable.

17. ENTIRE AGREEMENT: This agreement constitutes the entire understanding of the parties, and there are no representations, warranties or undertakings made other than as set forth herein. This agreement may be amended, modified or terminated only in writing, signed by each of the parties hereto.

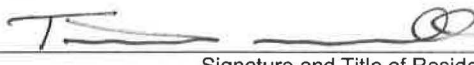


**Local Public Agency
Construction Inspector**

Anthony Quigley
Regional Engineer
Department of Transportation
201 West Center Court
Schaumburg, Illinois 60196

County	McHenry
Municipality	Village of Huntley
Section	17-00045-00-BT
Route	MUN 606
Contract No.	
Job No.	C-91-257-19
Project	008(135)

I consider the following individual to be qualified as a local public agency construction inspector. In addition, I certify that adequate instruction has been given this individual concerning the requirements of the contract, specifications and construction manual which pertain to the work which he/she will inspect. This individual has been instructed on the proper procedures for any necessary tests. Furthermore, if a consultant, this individual has a valid Documentation of Contract Quantities certification.

Approved	<u>1-7-2020</u>	<u></u>	Director of Public Works & Engineering
	Date		Signature and Title of Resident Construction Supervisor

Greg Sanders, PE
Applicants Name (Type or Print)

The following describes the educational background, experience and other qualifications of the named applicant to serve as an inspector on this project.

For Consultants Employees: Documentation of Contract Quantities certificate number is 16-12236.
See attached resume

If the Resident from BC-775 is a consultant, the local public agency employee in responsible charge must also approve this individual.

Approved	<u></u>	<u></u>
	Date	Signature and Title of In Responsible Charge from BC-775

Instructions for Preparation of Form BC 776



**Illinois Department
of Transportation**

**Local Public Agency Resident
Construction Supervisor/ In
Responsible Charge**

Anthony Quigley
Regional Engineer
Department of Transportation
201 West Center Court
Schaumburg, Illinois 60196

County	McHenry
Municipality	Village of Huntley
Section	17-00045-00-BT
Route	MUN 606
Contract No.	
Job No.	C-91-257-19
Project	008(135)

- ☒ I recommend the following individual as a local public agency employee qualified to be resident construction supervisor and to be in responsible charge of this construction project.
- ☐ I certify that I am in responsible charge as defined by the department of this construction project. Since the local public agency does not have a local public agency employee qualified to be the resident construction supervisor, I am recommending a consulting engineer to serve as resident construction supervisor.

1-7-2020
Date

David J. Johnson em
Signature and Title (for the Local Public Agency) Village Manager

Timothy Farrell, PE
Applicants Name (Type or Print)

The following describes my educational background, experience and other qualifications to be resident construction supervisor of this construction project for the Local Public Agency.

For Consultants: I certify that my firm is prequalified in Construction Inspection and my Documentation of Contract Quantities certificate number is _____.

Mr. Farrell has 25 years of experience in civil engineering with progressive experience in management and team leadership activity on award winning municipal, water and wastewater engineering projects. Diverse range of experience includes feasibility studies, master planning, facilities planning, water resources engineering, rate studies, demand side management energy studies, plan review and engineering full range of municipal projects requiring design, permitting, cost estimating, bidding, and construction engineering services.

1-7-2020
Date

Timothy Farrell
Signature of Applicant

Director of Public Works and Engineering
Job Title of Applicant

Based on the above information and my knowledge of the applicant's experience and training, it is my opinion that the applicant is qualified to serve as the resident construction supervisor on this construction project.

Approved

Date

Regional Engineer

cc: Engineer of Local Roads and Streets, Central Bureau of Local Roads and Streets
Engineer of Construction, Central Bureau of Construction
Resident Construction Supervisor
Local Public Agency



YEARS EXPERIENCE: 20
YEARS WITH CBBEL: 20

EDUCATION

Bachelor of Science, 2000
Civil Engineering
Purdue University

PROFESSIONAL REGISTRATION

Professional Engineer, IL,
062.058033, 2004

CERTIFICATIONS

Documentation of Contract
Quantities, IDOT, 16-12236

ICORS Training Seminar, IDOT

Material Management of
Job Sites, IDOT

Certified Public Infrastructure
Inspector (CPII), APWA

Kane County
Engineer Review Specialist

PROFESSIONAL DEVELOPMENT

3 Day Aggregate for Mixtures

Level I Portland
Cement Concrete

Level II Portland
Cement Concrete

Level I Bituminous Concrete

Level II Bituminous Concrete

Bituminous Concrete
Density Tester

S-33 Soils Field Testing
and Inspection

Greg Sanders, PE

Senior Project Manager

Professional Engineer experienced in construction engineering. Performs resident engineering duties including on-site construction observation, documentation of quantities, coordinates and/or verifies materials testing and inspection, review of contractor pay requests. Executes project manager responsibilities including detailed plan reviews and preparation of all bid documents for various public utility and roadway construction related projects. Responsibilities include resident engineering, construction observation, documentation and civil engineering design.

CIVIL

2008-2018 Annual MFT Street Program, Huntley: Performed preparation of plans, specifications and estimates in MFT format reviewed and approved by IDOT Bureau of Local Roads. Projects consisted of resurfacing, reconstruction, or partial reconstruction of residential roadways. Water main, sanitary sewer, concrete sidewalk and driveway repairs were also included.

2016-2018 Water Main Replacement Program, Huntley: Performed preparation of plans, specifications and estimates in the Village's format for the installation of new water main or the replacement of 5,500' of Village water mains primarily within Bernat Industrial Park ranging in size between 8" and 12" in diameter. Reconnection of the new water main to the Village's existing public water supply system, individual building service line reconnections, new fire hydrant installation, HMA pavement patching, concrete curb, driveway and landscaping repairs were also included.

2008 and 2011 Pavement Evaluation, Huntley: Performed field inspections to develop a Village wide street maintenance improvement program. As part of this program, a pavement evaluation rating system was developed to determine the condition of each street segment. Program provided the Village with existing pavement condition, age, and defined various pavement maintenance strategies and costs associated with each segment summarizing anticipated costs to maintain the Village's street system and extend pavement life. The pavement evaluation process was made up of 3 distinctive features: visual inspection, performance, pavement type and history. Upon completion of this evaluation process the PCI ratings were entered into pavement database. For budgeting, planning and discussion purposes, a typical 20 year pavement maintenance program was developed.

Village of Huntley: Serves as the Village's representative managing the engineering design review and construction observation of residential, industrial and commercial developments within the Village. Responsible for coordination with Village and internal staff through the development engineering review process from conceptual design through final engineering design approval. Responsible for coordination with Village staff, observation and documentation of each development's related public infrastructure improvements including but not limited to NPDES SESC coordination and inspection, on and off-site public utilities, new and existing public ROW improvements and public street lighting systems. Also responsible for the generation and inspection of punch lists used by the Village during the acceptance of public improvements for maintenance turn over to the Village.

CONSTRUCTION

IL Route 47 Multi-Use Path, Huntley: Resident Engineer. Performed resident engineering duties including on-site construction observation, documentation of quantities, coordinated and verified materials testing and inspection, generation of contractor pay requests and project authorizations. Communicated with local businesses throughout the duration of project. The project consisted of the construction of a multi-use path along the east side of IL Route 47 from Oak Creek Pkwy to Kreutzer Rd. The path was extended east on Oak Creek Pkwy, west on Regency Square Pkwy and west on Del Webb Blvd to serve surrounding residential and commercial development as well as the Del Webb Sun City retirement community. Project consisted of the construction of a hot-mix asphalt multi-use path over an aggregate base, combination concrete curb and gutter removal and replacement, construction of a precast modular retaining wall and railing, drainage structure adjustments, new drainage structures and storm sewer, temporary traffic signals at Huntley Crossings, and modification of existing traffic signals for the addition of audible accessible pedestrian signals at four existing IL Rt. 47 intersections.

1st Street Municipal Parking Lot Improvements, Huntley: Resident Engineer. Performed resident engineering duties including on-site construction observation, documentation of quantities, generation of contractor pay requests and project authorizations for the construction of a new parking lot immediately adjacent to a new commercial property in the Village's downtown. Communicated with the commercial building contractor and local businesses throughout the duration of project. Project included construction of a new municipal parking lot including storm sewer installation, curb and gutter/sidewalk/driveway replacement, HMA binder and surface courses, pavement markings, LED parking lot lighting, walkway brick pavers, trash receptacle installations, tree and landscape installation surrounding the parking lot and new commercial building.

Highland Avenue, Algonquin: Resident Engineer. Performed resident engineering duties including on-site construction observation, documentation of quantities, coordinated and verified materials testing and inspection, generation of contractor pay requests and project authorizations. Communicated with Village staff and homeowners throughout the duration of project. The project featured a new full-depth asphalt pavement bounded by concrete curb and gutter, with a new storm sewer system draining to 5 detention basins constructed along the north side of the reconstructed roadway. A new bike path was constructed on a meandering alignment north of the basins to extend an existing bike path which formerly terminated at an adjacent Village park. The improvements were constructed to minimize tree impacts as much as possible and incorporated Best Management Practices in the detention basin plantings.

Copper Oaks Roadway Resurfacing & Drainage Improvements, Algonquin: Resident Engineer. Performed resident engineering duties including on-site construction observation, documentation of quantities, coordinated and verified materials testing and inspection, verification of contractor pay requests and project authorizations. Communicated with Village staff throughout the duration of project. The project included full depth pavement removal, full depth base reclamation with cement, replacement of the pavement with a thicker section. Curb and gutter patching, PCC driveway repairs, PCC sidewalk replacement, storm sewer spot repairs. The project also included the removal of an existing 30" storm sewer system and replacing it with 43"x 68" and 24"x 68" elliptical pipe, along with 48" and 42" RCP. The project also included the installation of a new 6' wide concrete walk tying the existing Village park's HMA path to the existing sidewalk at Thornapple Lane. Drainage improvements were also done in the Village's park parking lot.

Surrey Lane Drainage Improvements, Algonquin: Resident Engineer. Performed resident engineering duties including on-site construction observation, documentation of quantities, coordinated and verified materials testing and inspection, verification of contractor pay requests and project authorizations. Communicated with Village staff and homeowners throughout the duration of project. This project consisted of the re-routing and restoration of Surrey Lane Ditch, the channel stabilization of several other natural channels, a woodland restoration, the excavation of a detention basin to restore the original storm water volume, storm sewer installation and roadway rehabilitation.

2016-2018 Water Main Replacement Program, Huntley: Performed resident engineering duties including on-site construction observation, documentation of quantities, coordinated and verified materials testing and inspection, generation of contractor pay requests and project authorizations. Communicated with local businesses throughout the duration of project. The projects featured the installation of new water main or the replacement of 5,500' of the Village's water mains primarily within the Bernat Industrial Park ranging in size between 8" and 12" in diameter. Reconnection of the new water main to the Village's existing public water supply system, individual building service line reconnections, new fire hydrant installation, HMA pavement patching, concrete curb, driveway repairs and restoration were included.

Reed Road Widening and Resurfacing, Huntley: Provided construction observation services. The existing 2-lane rural roadway was increased to a 3-lane urban section including the installation of curb and gutter with storm sewer improvements. Roadway included the placement of new binder and surface courses, thermoplastic pavement markings and signage.

Huntley Dundee Road Resurfacing, Huntley: Provided construction observation services for the resurfacing of 1.7 miles of Huntley Dundee Rd. The existing roadway was resurfaced with a polymerized level binder and surface course. Project included the placement of new thermoplastic pavement markings and recessed reflective pavement markers.

Kreutzer Road Resurfacing, Huntley: Provided construction observation services for the resurfacing of 1.0 miles of Kreutzer Rd. The existing roadway was resurfaced with binder and surface courses. Project included the placement of new thermoplastic pavement markings and recessed reflective pavement markers.

Downtown Streetscape, Huntley: Resident Engineer. Performed resident engineering duties including on-site construction observation, documentation of quantities, coordinated and verified materials testing and inspection, generation of contractor pay requests and project authorizations for 5 separate construction contracts related to the overall project scope. Communicated with local businesses, churches and homeowners throughout the duration of project. Project included construction of a new municipal parking lot, installation and replacement of water mains, CIPP sanitary sewer lining, cementitious manhole lining, lowering of private utility and individual service lines from overhead to underground, storm sewer installation, ally construction, existing concrete base course patching, surface course removal, curb and gutter/sidewalk/driveway replacement, HMA leveling binder and surface courses, wayfinding and regulatory signage, pavement marking, LED street and parking lot lighting, parkway and crosswalk concrete pavers, raised planter boxes, ornamental fencing, bench and trash receptacle installations, tree installation and landscaping along Main, Church, Woodstock, 1st and Coral Streets.

Kreutzer Road Construction, Huntley: Resident Engineer. Performed resident engineering duties including on-site construction observation, documentation of quantities, coordinated and verified materials testing and inspection, generation of contractor pay requests and project authorizations. Communicated with local businesses, school districts and homeowners throughout the project. Project consisted of construction of a new segment of Kreutzer roadway including full depth HMA pavement, 10" jointed PCC pavement, pavement markings, concrete curb and gutter, shared-use path, 42' single span precast prestressed concrete I-beam bridge across the South Branch of the Kishwaukee River, segmental block retaining wall, soldier pile retaining wall, compensatory and detention stormwater basins as well as the modification of traffic signals at the intersection of IL Route 47 and Kreutzer Rd, erosion control and landscaping.

McHenry Avenue Resurfacing, Crystal Lake: Resident Engineer. Performed resident engineering duties including on-site construction observation, documentation of quantities, coordinated and verified materials testing and inspection, generation of contractor pay requests and project authorizations. Communicated with local businesses, school districts and homeowners throughout the project. Project consisted of resurfacing, storm sewer removal and replacement, shared-use path construction, existing surface course removal, pavement patching, intermittent curb and gutter replacement, driveway replacement, HMA leveling binder and surface courses, pavement marking, precast modular gravity retaining wall, erosion control and landscaping on FAU Route 120 (McHenry Ave) from James R. Rakow Rd to US Route 14.

North Shore Drainage Improvement Project Areas 1B&1D, Crystal Lake: Provided construction observations services for construction of storm water conveyance system, water main, grind and overlay of existing pavement and placement of binder and surface courses. The storm water conveyance improvements included installation of triple

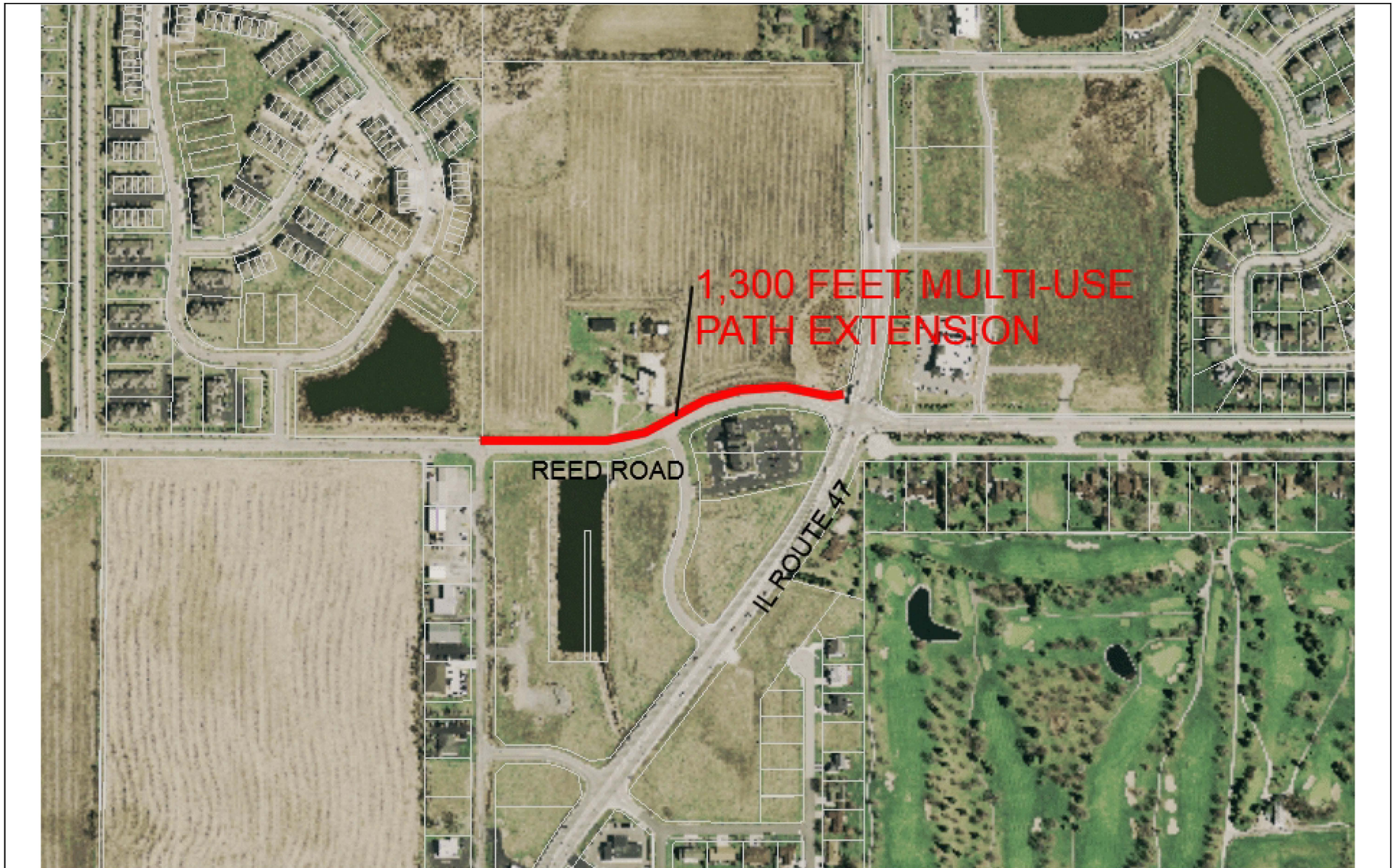
6x1 and triple 5x1 box culverts, storm sewer and structures. Water main work consisted of realignment and upgrade of two separate sections of existing main positioned across proposed box culverts including installation of new valve vaults and hydrants. Roadway improvements included reconstruction of a portion of North Shore Dr to raise the roadway above the base flood elevation and act as a weir to direct storm water towards the newly constructed box culverts.

Pingree Road Segment 2 Reconstruction, Crystal Lake: Provided construction observation services. The existing 3-lane urban roadway was increased to a 5-lane urban section including the installation of curb and gutter with storm sewer improvements. Roadway included the placement of new aggregate base, binder and surface courses, thermoplastic pavement markings and signage. Included was the installation of a new cast in place retaining wall, sidewalk, and installation of a new signalized intersection at Pingree Rd and Congress Pkwy.

Pingree Road Segment 3 Reconstruction, Crystal Lake: Provided construction observation services. The existing 2-lane rural roadway was increased to a 3-lane urban section including the installation of curb and gutter with storm sewer improvements. Roadway included the placement of new aggregate base, binder and surface courses, thermoplastic pavement markings and signage. Included was the installation of a new multi-use path, sidewalk, pedestrian crossing with solar powered rapid flash beacons and a dry well as a stormwater best management practice.

MFT RECONSTRUCTION

2008 - 2018 Village of Huntley (Residential Street Reconstruction/Resurfacing)



Village of Huntley GIS
Reed Road Multi-Use Path

DISCLAIMER: The Village of Huntley Does not guarantee the accuracy of the material contained here in and is not responsible for any misuse or misrepresentation of this information or its derivatives.



SCALE: 1" = 500 '



VILLAGE OF HUNTLEY
10987 Main Street
Huntley, IL 60142
(847)669-9600

Print Date: 5/5/2016

**RESOLUTION AUTHORIZING THE CONSTRUCTION ENGINEERING SERVICES AGREEMENT
FOR FEDERAL PARTICIPATION
FOR THE REED ROAD MULTI-USE PATH PROJECT**

Resolution (R)2020-01.____

Christopher B. Burke Engineering, Ltd.

WHEREAS, the Village of Huntley is a home rule unit of local government under the Illinois Constitution, 1970, Article VII, Section 6; and

WHEREAS, the Village of Huntley, in accordance with the approved QBS Policy and Procedures, has selected Christopher B. Burke Engineering, Ltd. to provide engineering services for the Reed Road Multi-Use Path Project; and

WHEREAS, the Village of Huntley has received a Construction Engineering Services Agreement for Federal Participation from Christopher B. Burke Engineering, Ltd. for the Reed Road Multi-Use Path Project; and

WHEREAS, the Village of Huntley has reviewed the Agreement and has determined that it is in the best interest to enter into a Local Public Agency Agreement for Federal Participation with Christopher B. Burke Engineering, Ltd.

NOW, THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF HUNTLEY as follows:

SECTION I: The Village of Huntley approves the Construction Engineering Services Agreement for Federal Participation from Christopher B. Burke Engineering, Ltd. for the Reed Road Multi-Use Path Project in the form attached hereto and copy of which is incorporated herein.

SECTION II: The Village President is authorized to execute said Construction Engineering Services Agreement with Christopher B. Burke Engineering Ltd. in an amount not to exceed \$19,993.70, of which \$15,994.96 (80%) will be reimbursed.

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

SECTION IV: All resolutions and parts of resolutions in conflict herewith are hereby repealed.

	<u>Aye</u>	<u>Nay</u>	<u>Absent</u>	<u>Abstain</u>
Trustee Goldman	_____	_____	_____	_____
Trustee Hoeft	_____	_____	_____	_____
Trustee Kanakaris	_____	_____	_____	_____
Trustee Leopold	_____	_____	_____	_____
Trustee Piwko	_____	_____	_____	_____
Trustee Westberg	_____	_____	_____	_____

PASSED and APPROVED this 23rd day of January, 2020.

APPROVED:

ATTEST:

Village President

Village Clerk

**RESOLUTION AUTHORIZING THE LOCAL PUBLIC AGENCY AGREEMENT
FOR FEDERAL PARTICIPATION AND APPROPRIATING \$44,000.00
FOR THE REED ROAD MULTI-USE PATH PROJECT**

Resolution (R)2020-01.____

Illinois Department of Transportation

WHEREAS, the Village of Huntley is a home rule unit of local government under the Illinois Constitution, 1970, Article VII, Section 6; and

WHEREAS, the Village of Huntley has received a Local Public Agency Agreement for Federal Participation from the Illinois Department of Transportation for the construction of the Reed Road Multi-Use Path Project; and

WHEREAS, the Village of Huntley received \$176,000 in Illinois Transportation Enhancement Program (STE) federal funding through the McHenry County Council of Mayors for the construction engineering and construction of said Reed Road Multi-Use Path project; and

WHEREAS, the Village of Huntley's funding for the project's construction engineering and construction in the amount of \$44,000; and

WHEREAS, the Village of Huntley has reviewed the Agreement and has determined that it is in the best interest to enter into a Local Public Agency Agreement for Federal Participation with the Illinois Department of Transportation.

NOW, THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF HUNTLEY as follows:

SECTION I: The Village of Huntley approves the Local Public Agency Agreement for Federal Participation from the Illinois Department of Transportation for the construction of the Reed Road Multi-Use Path Project in the form attached hereto and copy of which is incorporated herein.

SECTION II: The Village President is authorized to execute said Local Public Agency Agreement with the Illinois Department of Transportation in an amount of \$44,000 or as much of such sum as may be needed to match federal funds in the completion of the aforementioned project.

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

SECTION IV: All resolutions and parts of resolutions in conflict herewith are hereby repealed.

	<u>Aye</u>	<u>Nay</u>	<u>Absent</u>	<u>Abstain</u>
Trustee Goldman	_____	_____	_____	_____
Trustee Hoeft	_____	_____	_____	_____
Trustee Kanakaris	_____	_____	_____	_____
Trustee Leopold	_____	_____	_____	_____
Trustee Piwko	_____	_____	_____	_____
Trustee Westberg	_____	_____	_____	_____

PASSED and APPROVED this 23rd day of January 2020.

APPROVED:

ATTEST:

Village President

Village Clerk

Agenda Item: **Consideration – Resolution Authorizing a Professional Services Agreement with Engineering Enterprises, Inc. for the Preliminary Nutrient Assessment Reduction Plan (NARP) Workplan Development in the Amount of \$35,449**

Department: **Public Works and Engineering Department – Utilities Division**

Introduction

The Nutrient Assessment Reduction Plan (NARP) is a requirement to be incorporated in many Illinois National Pollutant Discharge Elimination System (NPDES) permits for major publicly owned treatment works (POTWs) that discharge into a receiving waterbody which is impaired or at risk of eutrophication (excessive richness of nutrients in a lake or other body of water, frequently due to runoff from the land, which causes a dense growth of plant life and death of animal life from lack of oxygen). The West Wastewater Treatment Facility NPDES Permit Renewal, issued for Public Notice on September 28, 2019 contains the NARP requirement.

The purpose of the NARP is to identify phosphorus input reductions and other measures needed to help ensure that dissolved oxygen and offensive aquatic algae and aquatic plant criteria are met throughout a watershed. A provision of the NARP is to form a watershed group to evaluate the watershed on a holistic basis. The Fox River Study Group (FRSG) was formed several years ago under similar prerequisites. The FRSG has completed the Fox River Implementation Plan (FRIP) to serve as their NARP and now the EPA is moving on to more watersheds.

Staff Analysis

The Village of Huntley is required to develop a NARP by December 31, 2024, in accordance with Special Condition (SC) 23 of the Village's NPDES Permit (No. IL0070688) for its West Wastewater Treatment Facility. This is a significant effort and will require the Village to evaluate the management objectives for the NARP, assess data gaps that need to be filled, collect data to fill the gaps, develop tools (such as models) to assist with evaluating targets and management scenarios, and apply the tools to reach consensus on specific projects to be included in the NARP. The preliminary NARP workplan is the first step in this process, and will identify the scope, schedule, and budget for subsequent work that is required to produce the NARP over the next five years.

Related to the NARP, the permit also contains (SC 22), which will require a Total Phosphorus (TP) discharge limit of 0.5 mg/l by January 1, 2030. This SC is also being applied to many NPDES permits throughout the State. Currently, both the East and West Wastewater Treatment Facilities can meet a 0.5 mg/l TP discharge limit even though the current permit contains a 1.0 mg/l discharge limit. However, the Village needs to evaluate if the facilities can meet the 0.5 mg/l on a consistent basis. Village staff will evaluate TP removal capabilities over the next few years and assess if 0.5 mg/l is consistently feasible with current processes.

(SC) 23 addresses the consequence of the Village if a NARP is not prepared and submitted. Essentially, the Village would be subject to a TP discharge limit of whatever the EPA deems appropriate which may very well be below 0.5 mg/l identified in (SC 22) and at a much sooner timeframe. This would require a multi-million dollar investment at each facility to implement process equipment to achieve.

Strategic Plan Priority

The 2016-2020 Strategic Plan identifies “*Preserve and Enhance Quality of Life for Village Residents*” as a Strategic Priority, and “Protect Natural Resources” as a Goal.

Financial Impact

The FY20 Budget includes funding in the Wastewater Capital Improvement and Equipment Fund, 525-00-00-6120 for the Preliminary NARP Workplan Development.

Legal Analysis

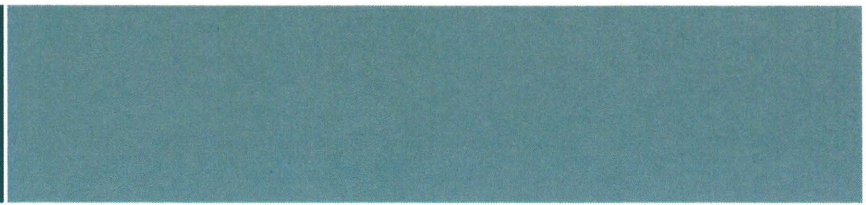
None required.

Action Requested

A motion of the Village Board for a Resolution Authorizing a Professional Services Agreement with Engineering Enterprises, Inc. in an Amount of \$35,449 for the Preliminary Nutrient Assessment Reduction Plan (NARP) Workplan Development.

Exhibits

1. Engineering Enterprises, Inc. Proposal
2. Kishwaukee River Watershed Exhibit
3. Draft Resolution



December 26, 2019

Mr. Timothy P. Farrell, P.E.
Director of Public Works and Engineering
Village of Huntley
10987 Main Street
Huntley, IL 60142

**Re: Preliminary Nutrient Assessment Reduction Plan (NARP) Workplan Development
Village of Huntley, McHenry & Kane Cos., Illinois**

Dear Tim:

Enclosed for your review and consideration are two (2) copies of our proposed agreement for engineering services for the Preliminary Nutrient Assessment Reduction Plan (NARP) Workplan Development. We are excited to work with you, other Village Staff and the Village's elected officials on this project.

The attached agreement includes a detailed scope of services, estimate of level of effort and associated cost and schedule for the project. We are proposing to provide our professional design engineering services for a fixed fee amount of \$35,449.

Our proposed schedule is to initiate design of the improvements in early 2020 and complete the Preliminary Workplan Report by August 31, 2020.

If you have any questions or require any additional information, please do not hesitate to contact us.

Respectfully submitted,

ENGINEERING ENTERPRISES, INC.

A handwritten signature in blue ink, reading 'Stephen T. Dennison'.

Stephen T. Dennison, P.E.
Senior Project Manager / Principal

STD/std

Enclosure

pc: JWF, DMT – EEI (Via E-mail)

**AGREEMENT FOR CONSULTING ENGINEERING SERVICES
FOR THE
Preliminary Nutrient Assessment Reduction Plan (NARP) Workplan Development**

This Agreement, made this _____ day of _____, 2020 by and between the Village of Huntley, Kane and McHenry Counties, Illinois, a municipal corporation of the State of Illinois (hereinafter referred to as the "VILLAGE") and Engineering Enterprises, Inc. of 52 Wheeler Road, Sugar Grove, Illinois, 60554 (hereinafter referred to as the "ENGINEER").

In consideration of the mutual covenants and agreements contained in this Agreement, the VILLAGE and the ENGINEER agree, covenant and bind themselves as follows:

1. Services: ENGINEER agrees to perform for the VILLAGE the scope of services described in Attachment A.
2. Direction: The ENGINEER, or his written designee, shall act as the VILLAGE'S representative with respect to the Services to be provided by the ENGINEER under this Agreement and shall transmit instructions and receive information with respect to the Consulting Engineering Services.
3. Compensation: The work items, estimated staff time, and projected fees for each work item are summarized within Attachment B. Based on this computation, the VILLAGE agrees to pay the ENGINEER for providing the Services set forth herein a fixed fee amount of \$35,449.
4. Term: The term of this Agreement shall be active through December 31, 2020, unless otherwise extended through written confirmation by both parties. A detailed schedule for the project is provided as Attachment C.
5. Payment: Engineer shall invoice the VILLAGE on a monthly basis for Services performed and any costs and expenses incurred during the previous thirty (30) day period. The VILLAGE shall pay the ENGINEER within thirty (30) days of receipt of said invoice.
6. Termination: This Agreement may be terminated upon fourteen (14) days written notice of either party. In the event of termination, the ENGINEER shall prepare a final invoice and be due compensation calculated as described in paragraph 3 for all costs incurred through the date of termination.
7. Documents: All related writings, notes, documents, information, files, etc., created, compiled, prepared and/or obtained by the ENGINEER on behalf of the VILLAGE for the Services provided herein shall be used solely for the intended project.

8. Notices: All notices given pursuant to this Agreement shall be sent Certified Mail, postage prepaid, to the parties at the following addresses:

The VILLAGE:

Village of Huntley
10987 Main Street
Huntley, IL 60142
Attn: Timothy P. Farrell, P.E.
Director of Public Works and Engineering

The ENGINEER:

Engineering Enterprises, Inc.
52 Wheeler Road
Sugar Grove, IL 60554
Attn: Stephen T. Dennison, P.E.
Senior Project Manager

9. Waiver: The failure of either party hereto, at any time, to insist upon performance or observation of any term, covenant, agreement or condition contained herein shall not in any manner be constructed as a waiver of any right to enforce any term, covenant, agreement or condition hereto contained.
10. Amendment: No purported oral amendment, change or alteration hereto shall be allowed. Any amendment hereto shall be in writing by the governing body of the VILLAGE and signed by the ENGINEER.
11. Succession: This Agreement shall ensure to the benefit of the parties hereto, their heirs, successors and assigns.

IN WITNESS WHEREOF, we have hereunto signed our names the day and year first above written.

VILLAGE OF HUNTLEY

ENGINEERING ENTERPRISES, INC.:

Director of Public Works and Engineering



Senior Project Manager

ATTEST:

ATTEST:

Title: _____



Vice President

ATTACHMENT A – SCOPE OF SERVICES
PRELIMINARY NUTRIENT ASSESSMENT REDUCTION PLAN (NARP) WORKPLAN
DEVELOPMENT

Village of Huntley, McHenry and Kane Cos., IL

The NARP is a requirement in Special Conditions to be incorporated in many Illinois National Pollutant Discharge Elimination System (NPDES) permits for major publicly owned treatment works (POTWs) that discharge into a receiving water body which is impaired or at risk of eutrophication. In addition, there are conditions in the Municipal Separate Storm Sewer System (MS4) general permit that require permittees to provide a schedule for meeting wasteload allocations in total maximum daily loads (TMDLs) or watershed management plans.

The purpose of the NARP is to identify phosphorus input reductions and other measures needed to help ensure that dissolved oxygen and offensive aquatic algae and aquatic plant criteria are met throughout a watershed. The NARP will therefore substitute for a TMDL to meet these numeric and narrative criteria. The NARP differs from a TMDL by allowing groups to evaluate the appropriate water quality targets, adjust them if this is shown to be appropriate and necessary, and to implement the NARP through adaptive management. Illinois EPA's expectations for the NARP, however, have not been articulated.

The Village of Huntley intends to develop a NARP by December 31, 2024, in accordance with Special Condition 23 of the Village's NPDES Permit (No. IL0070688) for its West WWTP. This is a significant effort and will require that the Village evaluate the management objectives for the NARP, assess data gaps that need to be filled, collect data to fill the gaps, develop tools (such as models) to assist with evaluating targets and management scenarios, and apply the tools to reach consensus on specific projects to be included in the NARP. The preliminary NARP workplan is the first step in this process, and will identify the scope, schedule, and budget for subsequent work that is required to produce the NARP over the next five years.

Scope of Work

The team will work with the Village to develop a preliminary NARP workplan by August 31, 2020. This will be accomplished through the following tasks:

- (1) Project Management & Preliminary NARP Objectives
- (2) Review Background Information
- (3) Identify Missing Components & Refine Objectives
- (4) Develop Preliminary NARP Workplan

Task 1. Project Management & Preliminary NARP Objectives

This task will include a kick-off meeting and a workplan review meeting with Huntley. Results of Tasks 2 through 4 will be used to inform the workplan review meeting. This task will also include routine project management, invoices and interim progress calls. Finally, Task 1 includes finalizing the preliminary workplan.

The kick-off meeting will be used for information transfer, establishing communication logistics, defining Village's interests and concerns, and discussing a NARP outline. The outcome of the kick-off meeting will be the preliminary NARP objectives and a preliminary outline of the NARP.

Beginning with the “end in mind” will help focus the review of background information. Results of Tasks 2 through 4 will be used to inform the workplan review meeting (2nd meeting with the Village). Around this time, a conference call with the IEPA will be coordinated to obtain general regulatory feedback of the proposed NARP workplan. The discussion at these meetings will be used to help finalize the NARP workplan for submittal to Illinois EPA.

Task 2. Review Background Information

The objectives of Task 2 are to assess the available information which relates to monitoring and modeling and to produce a revised NARP outline. This includes an assessment of information needed to develop a watershed model and instream model of the South Branch and Huntley Branch of the Kishwaukee River. Information will include available land use, flow, instream water quality, information/data on pollutant sources (point and nonpoint) and completed projects to control those sources. The project team will review the data for the period of last five years to be reflective of existing conditions of the watershed and stream.

The project team will initiate review of information related to the Village’s water quality monitoring and water quality data available from Illinois EPA. The project team will also obtain publicly available data, such as existing models, that can provide information for development of the watershed model and instream water quality model that will be needed to complete the NARP. The project team will compile all the data in a database and summarize it in table format.

Task 3. Identify Missing Components & Refine Objectives

Task 3 will be used to refine the NARP objectives and create an outline of the preliminary workplan to inform the development of Task 4. Two known missing components are a watershed model (for calculating flows and pollutant loads to the South Branch of Branch of the Kishwaukee River during critical periods) and an instream water quality model. Key datasets needed to develop the models may also be missing. The project team will evaluate potential watershed and hydraulic/water quality models that could support development of the NARP. A table will be prepared showing the potential modeling platforms, their data needs, and available and missing data. This table will be reviewed with the Village during the progress meeting under Task 1.

There are different levels of model complexity (and hence required resources) that may achieve Village’s objectives for the NARP. The project team will recommend two potential modeling platforms of different levels of complexity and identify the likely data gaps, including an estimate of the effort needed to fill those data gaps, and the value that each modeling approach may bring to meeting project objectives. The recommendation will be made based on the project team’s recent experience with development of NARPs in Illinois. This will help the Village decide on the appropriate model platform and therefore the monitoring and modeling budgets needed in the workplan.

Task 4. Develop Preliminary NARP Workplan

This task will be used to reach consensus on the elements of a preliminary NARP workplan once the Village has selected a modeling platform. The project team will work with the Village to review various options and will then establish a draft scope, schedule, and cost estimate. Options for monitoring or making assumptions and the subsequent cost impacts will be identified. For example, sediment nutrient fluxes may be assigned using best professional judgment or there may be some stand-alone monitoring projects that should be proposed as

NARP projects. It may also be possible for the Village to restructure existing sampling programs (delay some planned sampling in exchange for new sampling) to inform the NARP and still provide the information needed for long-term management of the watershed. This information will be circulated as a draft preliminary workplan. Geosyntec will meet with Huntley and incorporate the Village's comments to produce a final draft preliminary workplan. The preliminary workplan will be finalized under Task 1. The workplan will be submitted to the Village in Memorandum format.

ENGINEERING ENTERPRISES, INC.
CONSULTING ENGINEERS

DATE:	12/26/2019
ENTERED BY:	STD

ATTACHMENT B

ESTIMATED LEVEL OF EFFORT AND ASSOCIATED COST
Preliminary Nutrient Assessment Reduction Plan (NARP) Workplan Development
Village of Huntley, Kane and McHenry Cos, Illinois

WORK ITEM NO.	WORK ITEM	ENTITY:	EEI					SUBCONSULTANT	TOTAL COST PER ITEM
		PROJECT ROLE:	PRINCIPAL IN CHARGE	SENIOR PROJECT MANAGER	PROJECT ENGINEER	ADMIN.	WORK ITEM HOUR SUMM.	GEOSYNTEC	
		HOURLY RATE:	\$203	\$197	\$141	\$70			
		RESOURCE:	JWF	STD	AM	DRM			

PRELIMINARY NARP WORKPLAN DEVELOPMENT

1.1	Project Management	2	4			6	\$ 3,016.00	\$ 4,210
1.2	Meetings with Village (2)	8	8			16	\$ 5,747.00	\$ 8,947
1.3	Conference Call with IEPA (1)	1	2			3	\$ 675.00	\$ 1,272
1.4	Finalize Workplan	1	4			5	\$ 3,422.00	\$ 4,413
2.0	Review Background Information & Establish Preliminary NARP Objectives	1	4			5	\$ 7,121.00	\$ 8,112
3.0	Identify Data Gaps & Recommend Platforms	1	4			5	\$ 2,085.00	\$ 3,076
4.0	Prepare Draft NARP Workplan	2	4			6	\$ 4,125.00	\$ 5,319
PROJECT TOTAL:		16	30	0	0	46	\$ 26,191.00	\$ 35,349

DIRECT EXPENSES		
Printing =	\$	100
Supplies & Misc. =	\$	-
DIRECT EXPENSES =	\$	100

LABOR EXPENSES	
Engineering Expenses (EEI) =	\$ 9,158
Subconsultant Expenses (Geosyntec) =	\$ 26,191
TOTAL LABOR EXPENSES =	\$ 35,349

TOTAL COSTS =	\$ 35,449
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G:\Public\Huntley\2019\HU1903 Nutrient Assessment Reduction Plan (NARP)\Project Administration\Attachment B Level of Effort.xlsx\Fees-Detailed 2019-12-26

ATTACHMENT C: PROJECT SCHEDULE

12/26/2019

Preliminary Nutrient Assessment Reduction Plan (NARP) Workplan Development Village of Huntley, IL

WORK ITEM NO.	WORK ITEM	Year: Month: Week Starting:	2020																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																			
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Standard Schedule of Charges

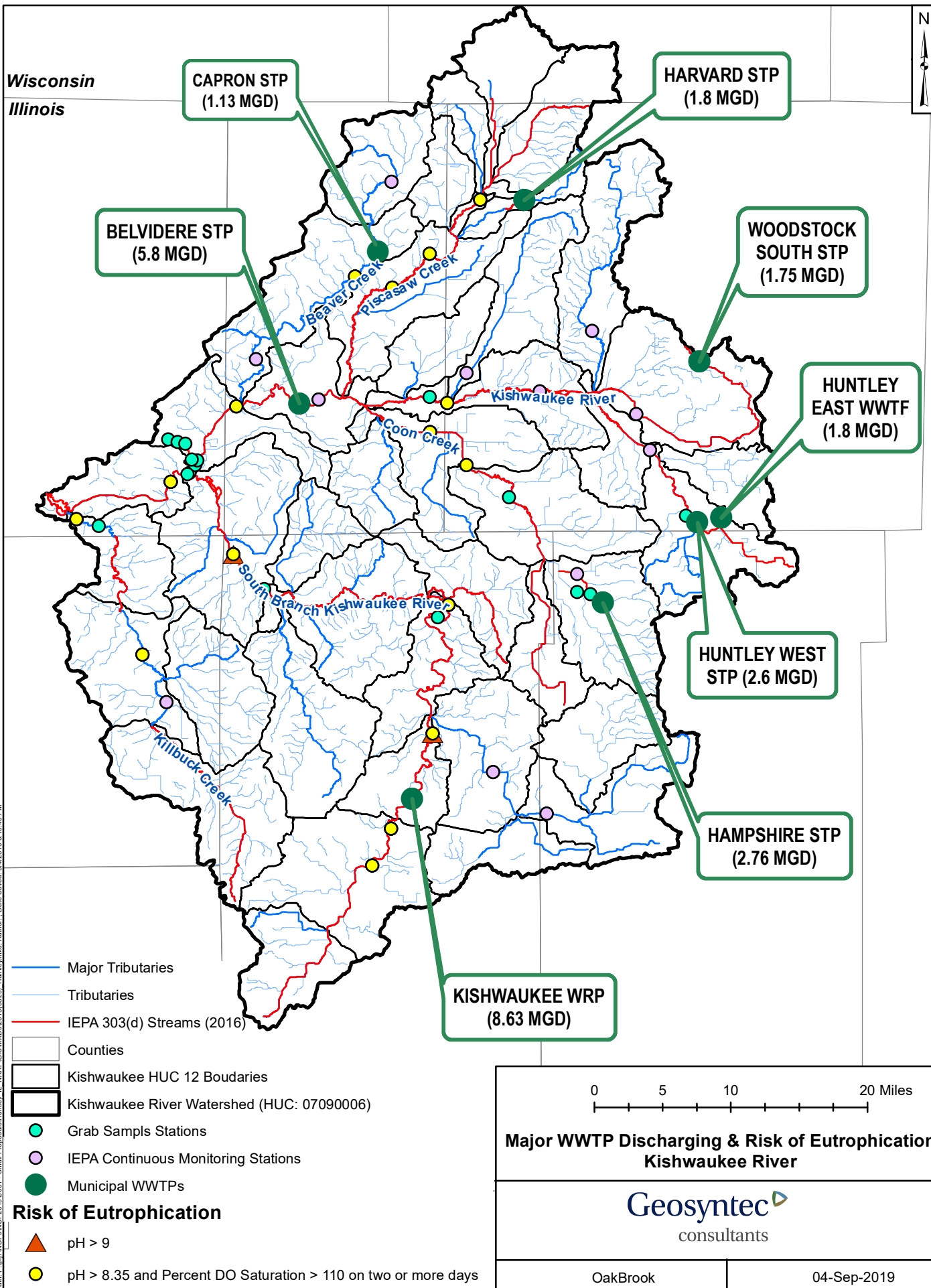
January 1, 2019

EMPLOYEE DESIGNATION	CLASSIFICATION	HOURLY RATE
Senior Principal	E-4	\$208.00
Principal	E-3	\$203.00
Senior Project Manager	E-2	\$197.00
Project Manager	E-1	\$178.00
Senior Project Engineer/Planner/Surveyor II	P-6	\$165.00
Senior Project Engineer/Planner/Surveyor I	P-5	\$153.00
Project Engineer/Planner/Surveyor	P-4	\$141.00
Senior Engineer/Planner/Surveyor	P-3	\$129.00
Engineer/Planner/Surveyor	P-2	\$117.00
Associate Engineer/Planner/Surveyor	P-1	\$106.00
Senior Project Technician II	T-6	\$153.00
Senior Project Technician I	T-5	\$141.00
Project Technician	T-4	\$129.00
Senior Technician	T-3	\$117.00
Technician	T-2	\$106.00
Associate Technician	T-1	\$ 93.00
Engineering/Land Surveying Intern	I-1	\$ 84.00
GIS Technician	G-1	\$ 75.00
Administrative Assistant	A-3	\$ 70.00

CREW RATES, VEHICLES AND REPROGRAPHICS

1 Man Field Crew with Standard Survey Equipment	\$168.00
2 Man Field Crew with Standard Survey Equipment	\$262.00
1 Man Field Crew with RTS or GPS *	\$208.00
2 Man Field Crew with RTS or GPS *	\$302.00
Vehicle for Construction Observation	\$15.00
In-House Scanning and Reproduction	\$0.25/Sq. Ft. (Black & White) \$1.00/Sq. Ft. (Color)
Reimbursable Direct Costs & Services by Others	Cost + 10%

*RTS = Robotic Total Station / GPS = Global Positioning System



**RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT
WITH ENGINEERING ENTERPRISES, INC. FOR THE
PRELIMINARY NUTRIENT ASSESSMENT REDUCTION PLAN (NARP)
WORKPLAN DEVELOPMENT**

Resolution (R)2020-01. __

WHEREAS, the Village of Huntley is a home rule unit of local government under the Illinois Constitution, 1970, Article VII, Section 6; and

WHEREAS, the Village intends to develop a Preliminary Nutrient Assessment Reduction Plan (NARP) by December 31, 2024, in accordance with the NPDES Permit (No. IL0070688) for the West Wastewater Treatment Facility; and

WHEREAS, the Village has received a Professional Services Agreement proposal from Engineering Enterprises, Inc. for the Preliminary NARP Workplan Development; and

WHEREAS, the approved FY20 Budget includes funding for the Preliminary NARP Workplan Development; and

WHEREAS, the Village of Huntley has reviewed the Proposal submitted and determined that it is in the best interest to authorize a Professional Services Agreement with Engineering Enterprises, Inc. in the amount of \$35,449 for the Preliminary NARP Workplan Development.

NOW, THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF HUNTLEY as follows:

SECTION I: The Village of Huntley hereby authorizes the Village Manager or his designee to enter into a Professional Services Agreement with Engineering Enterprises, Inc. in the amount of \$35,499 for the Preliminary NARP Workplan Development.

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

SECTION III: All Resolutions and parts of resolutions in conflict herewith are hereby repealed.

	<u>Aye</u>	<u>Nay</u>	<u>Absent</u>	<u>Abstain</u>
Trustee Goldman	_____	_____	_____	_____
Trustee Hoeft	_____	_____	_____	_____
Trustee Kanakaris	_____	_____	_____	_____
Trustee Leopold	_____	_____	_____	_____
Trustee Piwko	_____	_____	_____	_____
Trustee Westberg	_____	_____	_____	_____

PASSED and APPROVED this 23rd day of January, 2020.

APPROVED:

ATTEST :

Village President

Village Clerk