

## Public Infrastructure Application Submission Checklist

All applications will be screened for completeness. Applicants must complete and submit this checklist with the application. **All pages of the application must be sequentially numbered.** Use the right-hand column, labeled "Page Number" to indicate the page for each item.

- Original grant application (*indicate the "original" on the cover*)  
 Two complete copies of the grant application

<u>File #</u>	<u>PROJECT INFORMATION</u>	<u>PAGE NUMBER</u>
1	<input checked="" type="checkbox"/> Completed Submission Checklist (This Page)	1
2	<input checked="" type="checkbox"/> Letter of Transmittal from Chief Elected Official	2
3	<input checked="" type="checkbox"/> State of Illinois-DCEO Uniform Grant Application	3
4	<input checked="" type="checkbox"/> Project Information	7
5	<input checked="" type="checkbox"/> GATA Capital Budget	9
6	<input checked="" type="checkbox"/> Engineer's Cost Estimate	29
7	<input checked="" type="checkbox"/> Project Location Map	31
8	<input checked="" type="checkbox"/> FEMA Issued Floodplain Map	34
9	<input checked="" type="checkbox"/> Project Summary	36
10	<input checked="" type="checkbox"/> Minority Benefit/Affirmative Housing Statement	39
11	<input checked="" type="checkbox"/> Job Creation Documentation	40
12	<input checked="" type="checkbox"/> Project Readiness Summary	41
<u>DOCUMENTATION, CERTIFICATIONS, RESOLUTIONS</u>		
1	<input checked="" type="checkbox"/> Signed Letters of Support	42
2	<input type="checkbox"/> Council Commitment of Funds (if applicable)	_____
3	<input type="checkbox"/> Resident Participation/Public Hearings (if applicable)	_____
4	<input type="checkbox"/> 7-day notice	_____
5	<input type="checkbox"/> Newspaper clipping & Publisher's certification	_____
6	<input type="checkbox"/> Certified minutes	_____
7	<input type="checkbox"/> Attendance sheet(s)	_____
8	<input checked="" type="checkbox"/> Local Government Certifications	48
9	<input checked="" type="checkbox"/> Mandatory Disclosures	49
10	<input checked="" type="checkbox"/> Conflict of Interest Disclosure	50
11	<input type="checkbox"/> Intergovernmental Cooperation Agreement, if applicable	_____
<u>ATTACHMENTS</u>		
1	<input checked="" type="checkbox"/> Current Infrastructure Condition Documentation	52
2	<input type="checkbox"/> Firm documentation of commitment from leveraging source(s)	_____
3	<input type="checkbox"/> Copy of Construction Permit(s)	_____
4	<input type="checkbox"/> Proof of Land Ownership (if applicable)	_____
5	<input type="checkbox"/> Control of Right of Way/Easements (if applicable)	_____
6	<input type="checkbox"/> Copy of water purchase or wastewater treatment agreement (if applicable)	_____
7	<input type="checkbox"/> Copy of Option to Purchase (if applicable)	_____
8	<input checked="" type="checkbox"/> Copy of Fair Housing Resolution	68
9	<input checked="" type="checkbox"/> W-9	107
10	<input checked="" type="checkbox"/> SAM Registration (CAGE #)	108
11	<input checked="" type="checkbox"/> IRS Certification Letter	109
12	<input checked="" type="checkbox"/> Copy of Local Government Audit	110



Office of the Mayor  
Tari Renner  
Mayor

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Letter of Transmittal

June 12, 2020

Director's Office  
Illinois Department of Commerce and Economic Opportunity  
500 East Monroe  
Springfield, Illinois 62701

Dear Director:

The City of Bloomington is submitting an application for a fast-track public infrastructure grant under the Rebuild Illinois program. The grant request is in the amount of \$750,263.58 to be used to construct an ADA Sidewalk Improvement Project, which includes 35 sidewalk projects creating pedestrian connectivity within neighborhoods and to business corridors and parks. The locations, all within "underserved" areas defined by the State, directly impact 612 homes. The sidewalk projects to be completed under this opportunity are amplified by proximity and connection to Downtown and other business corridors, the Vrooman Mansion event center, six public parks, the Constitution Trail walking-biking trail, and Illinois Wesleyan University. Work will include construction of ADA-compliant concrete pads at Connect Transit bus stops wherever construction occurs near a bus stop.

I certify that this application meets the eligibility thresholds as outlined in the Notice of Funding Opportunity and Rebuild Illinois Guidebook. In addition, I certify that the application has been approved by the unit of local government named in the application.

Very truly yours,

  
Tari Renner,  
Mayor

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109 E. Olive  
PO Box 3157  
Bloomington, Illinois 61702-3157  
trenner@cityblm.org

Phone: (309) 434-2210  
Fax: (309) 434-2802  
TTY (309) 829-5115

*"Jewel of Midwest Cities."*



## Illinois Department of Commerce & Economic Opportunity

### Uniform Application for State Grant Assistance

#### Agency Completed Section

1. Type of Submission  Pre-Application  
 Application  
 Changed / Corrected Application
2. Type of Application  New  
 Continuation (i.e. multiple year grant)  
 Revision (modification to initial application)

3. Date/Time Received By State (Completed by State Agency upon Receipt of Application)

4. Name of Awarding State Agency

Department of Commerce and Economic Opportunity

5. Catalog of State Financial Assistance (CSFA) Number

420-75-2373

6. CSFA Title

Rebuild Illinois Competitive Public Infrastructure Grant Program

Catalog of Federal Domestic Assistance (CFDA)

Not Applicable (No federal funding)

7. CFDA Number

8. CFDA Title

9. CFDA Number

10. CFDA Title

Additional CFDA Number, if required

Additional CFDA Title, if required

#### Funding Opportunity Information

11. Funding Opportunity Number

RIPI (92-1)

12. Funding Opportunity Title

Rebuild Illinois Competitive Public Infrastructure Grant Program

Competition Identification  Not Applicable

13. Competition Identification Number N/A

14. Competition Identification Title N/A

### Applicant Completed Section

#### Applicant Information

15. Legal Name (Name used for DUNS registration and grantee pre-qualification) City of Bloomington

16. Common Name (DBA) City of Bloomington

17. Employer/Taxpayer identification number (EIN, TIN) EIN 37-6001563

18. Organizational DUNS Number 060864170

19. SAM Cage Code 3utr4

20. Business Address (Address 1)  
(Address 2)  
(City), (State), (zip - 4) 109 E Olive Street  
PO Box 3157  
Bloomington, Illinois, 61702-3157

#### Applicant's Organizational Unit

21. Department Name Bloomington Public Works

22. Division Name Engineering Division

Applicant's Name and Contact Information for Person to be Contacted for **Program** Matters involving this Application.

23. First Name Jim

24. Last Name Karch

25. Suffix

26. Title Special Projects Manager

27. Organizational Affiliation

28. Telephone Number (309)434-2385

29. Fax Number (309)434-2201

30. E-mail Address jkarch@cityblm.org

Applicant's Name and Contact Information for Person to be Contacted for **Business/Administrative Office** Matters involving the Application.

31. First Name Jennifer

32. Last Name

33. Suffix

34. Title

35. Organizational Affiliation

36. Telephone Number

37. Fax Number

38. E-mail Address

### Areas Affected

39. Areas Affected by the Project (cities, counties, state-wide, add attachments e.g. maps)

40. Legislative and Congressional District of Applicant

41. Legislative and Congressional Districts or Program Project

### Applicant's Project

42. Description Title of Applicant's Project

43. Proposed Project Term

Start Date

End Date

44. Estimated Funding (Include all that apply)

Amount Requested from the State

Applicant Contribution (e.g., in kind, matching)

Local Contribution

Other Source of Contribution

Program Income

Total Amount

**Applicant Certification:**

By signing this application, I certify (1) to the statements contained in the list of certifications\* and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances\* and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil or administrative penalties. (U.S. Code, Title 18, Section 1001)

(\*) The list of certification and assurances, or an internet site where you may obtain this list is contained in the Notice of Funding Opportunity. If a NOFO was not required for the award, the state agency will specify required assurances and certifications as an addendum to the application.

I Agree

**Authorized Representative**

45. First Name

46. Last Name

47. Suffix

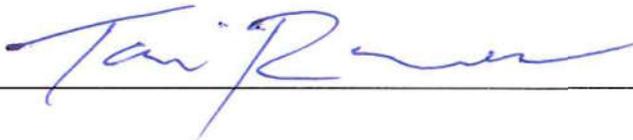
48. Title

49. Telephone Number

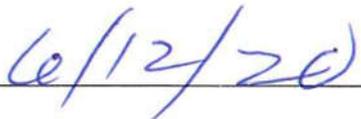
50. Fax Number

51. E-mail Address

52. Signature of Authorized Representative



53. Date Signed



## APPLICANT PROJECT INFORMATION

### REBUILD ILLINOIS PUBLIC INFRASTRUCTURE

*Type of project?* ADA Sidewalk Improvement Project

*If this project is "on behalf of" another entity, what is the entity:*

Not applicable

#### I. PROJECT LOCATION ADDRESS:

Street Address Various locations. Please see project map and accompanying descriptions of locations.  
(required)

City Bloomington State Illinois Zip Code 61701  
The project location will be utilized to verify inclusion in an opportunity zone and/or DCEO underserved area.

#### II. PROJECT BENEFIT INFORMATION

Provide the total number of persons served based upon the Census: 76,610 (2010)

**CENSUS TRACT NUMBER(s) – Use additional sheet, if necessary.**

Block Group 1, Census Tract 13.02, McLean County, Illinois	Block Group 1, Census Tract 16, McLean County, Illinois	Block Group 2, Census Tract 13.03, McLean County, Illinois	Block Group 2, Census Tract 59, McLean County, Illinois		
Block Group 1, Census Tract 13.03, McLean County, Illinois	Block Group 1, Census Tract 17, McLean County, Illinois	Block Group 2, Census Tract 15, McLean County, Illinois	Block Group 3, Census Tract 14.03, McLean County, Illinois		
Block Group 1, Census Tract 14.03, McLean County, Illinois	Block Group 1, Census Tract 59, McLean County, Illinois	Block Group 2, Census Tract 16, McLean County, Illinois	Block Group 3, Census Tract 17, McLean County, Illinois		
Block Group 1, Census Tract 14.04, McLean County, Illinois	Block Group 2, Census Tract 13.01, McLean County, Illinois	Block Group 2, Census Tract 17, McLean County, Illinois	Block Group 3, Census Tract 59, McLean County, Illinois		

Is this project located in an Enterprise Zone?  Yes  No

Is this project located in an Empowerment Area?  Yes  No

Is this project located in a Tax Increment Financing District?  Yes  No

What is the current unemployment rate of the County? 12.8% (April) (from IDES Non-Seasonally Adjusted, available at: [https://www2.illinois.gov/ides/lmi/Pages/Local\\_Area\\_Unemployment\\_Statistics.aspx](https://www2.illinois.gov/ides/lmi/Pages/Local_Area_Unemployment_Statistics.aspx))

**III. APPLICATION WRITER**

CONTACT PERSON:

TITLE:

Jennifer ToneyGrant Administrator

ADDRESS AND PHONE NUMBER:

Firm Name City of BloomingtonStreet Address 115 East Washington Street P.O. Box 3157City Bloomington State Illinois Zip Code 61702-3157  
(include + 4)E-Mail jtoney@cityblm.org

(required)

BUSINESS PHONE: ( 309 ) 261-2425 FAX PHONE: ( 309 ) 434-2201FEDERAL EMPLOYER IDENTIFICATION NUMBER: 37-6001563  
(required)**IV. PROJECT ENGINEER, if selected**

CONTACT PERSON:

TITLE:

Kevin Kothe, P.E.Director of Public Works

ADDRESS AND PHONE NUMBER:

Firm Name City of BloomingtonStreet Address 115 East Washington Street P.O. Box 3157  
(required) (Only if no street address)City Bloomington State Illinois Zip Code 61701  
(include + 4)E-Mail kkothe@cityblm.org

(required)

BUSINESS PHONE: ( 309 ) 434-2225 FAX PHONE: ( 309 ) 434-2201FEDERAL EMPLOYER IDENTIFICATION NUMBER: 37-6001563  
(required)

# State of Illinois -- Uniform Budget Template -- General Instructions

This form is used to apply to individual State of Illinois discretionary grant programs. Applicants should submit budgets based upon the total estimated costs for the project including all funding sources. Pay attention to applicable program specific instructions, if attached. The applicant organization should refer to 2 CFR 200, "Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards" cited within these instructions.

**You must consult with your Business Office prior to submitting this form for any award restrictions, limitations or requirements when filling out the narrative and Uniform Budget Template.**

## Section A – Budget Summary

### STATE OF ILLINOIS FUNDS

All applicants must complete Section A and provide a break-down by the applicable budget categories shown in lines 1-17. **Please read all instructions before completing form.**

### STATE OF ILLINOIS GRANT FUNDS

Provide a total requested State of Illinois Grant amount for each year in the Revenue portion of Section A. The amount entered in Line (a) will equal the total amount budgeted on Line 18 of Section A.

### BUDGET SUMMARY – STATE OF ILLINOIS FUNDS

All applicants must complete Section A and provide a break-down by the applicable budget categories shown in lines 1-17.

Line 18: Show the total budget request for each fiscal year for which funding is requested.

*Please use detail worksheet and narrative section for further descriptions and explanations of budgetary line items*

**Section A (continued) Indirect Cost Information:** *(This information should be completed by the applicant's Business Office)*. If the applicant is requesting reimbursement for indirect costs on line 17, the applicant's Business Office must select one of the options listed on the Indirect Cost Information page under Section-A Indirect Cost Information (1-4).

Option (1): The applicant has a Negotiated Indirect Cost Rate Agreement (NICRA) that was approved by the Federal government. A copy of this agreement must be provided to the State of Illinois' Indirect Cost Unit for review and documentation. This NICRA will be accepted by all State of Illinois Agencies up to any statutory, rule-based or programmatic restrictions or limitations. *If this option is selected by the applicant, basic information is required for completion of this section. See bottom of "Section-A Indirect Cost Information"*

**NOTE: The applicant may not have a Federally Negotiated Indirect Cost Rate Agreement. Therefore, in order for the applicant to be reimbursed for Indirect Costs from the State of Illinois, the applicant must either:**

- A) **Negotiate an Indirect Cost Rate with the State of Illinois' Indirect Cost Unit with guidance from our State Cognizant Agency on an annual basis.**
- B) **Elect to use the de minimis rate of 10% modified total direct cost (MTDC) which may be used indefinitely on State of Illinois Awards.**
- C) **Use a Restricted Rate designated by programmatic statutory policy. (See Notice of Funding Opportunity for Restricted Rate Programs)**

Option (2a): The applicant currently has a Negotiated Indirect Cost Rate Agreement with the State of Illinois that will be accepted by all State of Illinois Agencies up to any statutory, rule-based or programmatic restrictions or limitations. The applicant is required to submit a new Indirect Cost Rate Proposal to the Indirect Cost Unit within six (6) months after the close of each fiscal year (2 CFR 200 Appendix IV (C)(2)(c)). **Note:** *If this option is selected by the applicant, basic information is required for completion of this section. See bottom of "Section-A Indirect Cost Information"*

Option (2b): The applicant currently does not have a Negotiated Indirect Cost Rate Agreement with the State of Illinois. The applicant must submit its initial Indirect Cost Rate Proposal (ICRP) immediately after the applicant is advised that the State award will be made and, in no event, later than three (3) months after the effective date of the State award (2 CFR 200 Appendix IV (C)(2)(b)). The initial ICRP will be sent to the State of Illinois' Indirect Cost Unit. **Note:** *The applicant should check with the State of Illinois awarding Agency for information regarding reimbursement of indirect costs while its proposal is being negotiated*

Option (3): The applicant elects to charge the de minimis rate of 10% modified total direct cost (MTDC) which may be used indefinitely on State of Illinois awards (2 CFR 200.414 (c)(4)(f) & (200.68). **Note:** *The applicant must be eligible, see 2 CFR 200.414 (f), and submit documentation on the calculation of MTDC within your Budget Narrative under Indirect Costs. Note the applicant may only use the 10 percent de minimis rate if the applicant does not have an Approved Indirect Cost Rate Agreement. The applicant may not use the de minimis rate if it is a Local government, or if your grant is funded under a training rate or restricted rate program .*

Option (4): If you are applying for a grant under a Restricted Rate Program, indicate whether you are using a restricted indirect cost rate that is included on your approved Indirect Cost Rate Agreement, or whether you are using a restricted indirect cost rate that complies with statutory or programmatic policies. **Note:** *See Notice of State Award for Restricted Rate Programs*

## Section B - Budget Summary

### NON-STATE OF ILLINOIS FUNDS

NON-STATE OF ILLINOIS FUNDS: If the applicant is required to provide or volunteers to provide cost-sharing or matching funds or other non-State of Illinois resources to the project, the applicant must provide a revenue breakdown of all Non-State of Illinois funds in lines (b)-(d). the total of "Non-State Funds" should equal the amount budgeted on Line 18 of Section B. If a match percentage is required, the amount should be entered in this section.

#### BUDGET SUMMARY – NON STATE OF ILLINOIS FUNDS

If the applicant is required to provide or volunteers to provide cost-sharing or matching funds or other non-State of Illinois resources to the project, these costs should be shown for each applicable budget category on lines 1-17 of Section B.

Lines 1-17: For each project year, for which matching funds or other contributions are provided, show the total contribution for each applicable budget category.

Line 18: Show the total matching or other contribution for each fiscal year.

***Please see detail worksheet and narrative section for further descriptions and explanations of budgetary line items***

## Section C - Budget Worksheet & Narrative

[Attach separate sheet(s)]

Pay attention to applicable program specific instructions, if attached.

All applicants are required to submit a budget narrative along with Section A and Section B. The budget narrative is sometimes referred to as the budget justification. The narrative serves two purposes: it explains how the costs were estimated and it justifies the need for the cost. The narrative may include tables for clarification purposes. The State of Illinois recommends using the State of Illinois Uniform Budget Template worksheet and narrative guide provided.

1. Provide an itemized budget breakdown, and justification by project year, for each budget category listed in Sections A and B.
2. For non-State of Illinois funds or resources listed in Section B that are used to meet a cost-sharing or matching requirement or provided as a voluntary cost-sharing or matching commitment, you must include:
  - a. The specific costs or contributions by budget category;
  - b. The source of the costs or contributions; and
  - c. In the case of third-party in-kind contributions, a description of how the value was determined for the donated or contributed goods or services.

[Please review cost sharing and matching regulations found in 2 CFR 200.306.]

3. If applicable to this program, provide the rate and base on which fringe benefits are calculated.
4. If the applicant is requesting reimbursement for indirect costs on line 17, this information should be completed by the applicant's Business Office. Specify the estimated amount of the base to which the indirect cost rate is applied and the total indirect expense. Depending on the grant program to which the applicant is applying and/or the applicant's approved Indirect Cost Rate Agreement, some direct cost budget categories in the applicant's grant application budget may not be included in the base and multiplied by your indirect cost rate. Please indicate which costs are included and which costs are excluded from the base to which the indirect cost rate is applied.
5. Provide other explanations or comments you deem necessary.

Keep in mind the following—

Although the degree of specificity of any budget will vary depending on the nature of the project and State of Illinois agency requirements, a complete, well-thought-out budget serves to reinforce your credibility and increase the likelihood of your proposal being funded.

- A well-prepared budget should be reasonable and demonstrate that the funds being asked for will be used wisely.
- The budget should be as concrete and specific as possible in its estimates. Make every effort to be realistic, to estimate costs accurately.
- The budget format should be as clear as possible. It should begin with a budget narrative, which you should write after the entire budget has been prepared.
- Each section of the budget should be in outline form, listing line items under major headings and subheadings.
- Each of the major components should be subtotaled with a grand total at the end.

Your budget should justify all expenses and be consistent with the program narrative:

- Salaries should be comparable to those within the applicant organization.
- If new staff is being hired, additional space and equipment are considered, as necessary.
- If the budget lists an equipment purchase, it is the type allowed by the agency.
- If additional space is rented, the increase in insurance is supported.
- If an indirect cost rate applies to the proposal, the division between direct and indirect costs is not in conflict, and the aggregate budget totals refer directly to the approved formula. Indirect costs are costs that are not readily assignable to a particular project, but are necessary to the operation of the organization and the performance of the project (like the cost of operating and maintaining facilities, depreciation, and administrative salaries).

§200.308 Revision of budget and program plans

(e) The Federal/State awarding agency may, at its option, restrict the transfer of funds among direct cost categories or programs, functions and activities for Federal/State awards in which the Federal/State share of the project exceeds the Simplified Acquisition Threshold and the cumulative amount of such transfers exceeds or is expected to exceed 10 percent or \$1,000 per detail line item, whichever is greater of the total budget as last approved by the Federal/State awarding agency. The Federal/State awarding agency cannot permit a transfer that would cause any Federal/State appropriation to be used for purposes other than those consistent with the appropriation.

STATE OF ILLINOIS	UNIFORM GRANT BUDGET TEMPLATE			Commerce & Economic Opportunity <sup>13</sup>	
Organization Name:	City of Bloomington	DUNS#	60864170	NOFO #	2411-1548
CSFA Number:	420-75-2411	CSFA Description:	Rebuild Illinois Fast-Track Public Infrastructure Project	Fiscal Year:	2020
SECTION A -- STATE OF ILLINOIS FUNDS				Grant #	
Revenues				TOTAL REVENUE	
(a). State of Illinois Grant Amount Requested				\$	750,263.58
BUDGET SUMMARY STATE OF ILLINOIS FUNDS					
Budget Expenditure Categories	OMB Uniform Guidance Federal Awards Reference 2 CFR 200		TOTAL EXPENDITURES		
4. Equipment	200.439		\$	-	
6. Contractual Services (includes Activity Delivery)	200.318 & 200.92		\$	-	
7. Consultant (Professional Services)	200.459		\$	-	
8. Construction/Construction Engineering			\$	750,263.58	
14. Miscellaneous Costs			\$	-	
15. A. <u>Acquisition</u>			\$	-	
B. <u>Capital</u>			\$	-	
C. <u>Design Engineering</u>			\$	-	
D. <u>Rehabilitation Administration (Inspection)</u>			\$	-	
16. Total Direct Costs (lines 1-15)	200.413		\$	750,263.58	
18. Total Costs State Grant Funds (16 &17)			\$	750,263.58	

**SECTION - A (continued) Indirect Cost Rate Information**

If your organization is requesting reimbursement for indirect costs on line 17 of the Budget Summary, please select one of the following options.

1)  Our Organization receives direct Federal funding and currently has a Negotiated Indirect Cost Rate Agreement (NICRA) with our Federal Cognizant Agency. A copy of this agreement will be provided to the State of Illinois' Indirect Cost Unit for review and documentation before reimbursement is allowed. This NICRA will be accepted by all State of Illinois Agencies up to any statutory, rule-based or programmatic restrictions or limitations.

*NOTE: (If this option is selected, please provide basic Negotiated Indirect Cost Rate Agreement information in area designated below)*

Your Organization may not have a Federally Negotiated Indirect Cost Rate Agreement. Therefore, in order for your Organization to be reimbursed for Indirect Costs from the State of Illinois, your Organization must either:

- A. Negotiate an Indirect Cost Rate with the State of Illinois' Indirect Cost Unit with guidance from your State Cognizant Agency on an annual basis.
- B. Elect to use the de minimis rate of 10% modified total direct cost (MTDC) which may be used indefinitely on State of Illinois Awards.
- C. Use a Restricted Rate designated by programmatic or statutory policy. (See Notice of Funding Opportunity for Restricted Rate Programs)

2a)  Our Organization currently has a Negotiated Indirect Cost Rate Agreement with the State of Illinois that will be accepted by all State of Illinois Agencies up to any statutory, rule-based or programmatic restrictions or limitations. Our Organization is required to submit a new Indirect Cost Rate Proposal to the Indirect Cost Unit within six (6) months after the close of each fiscal year (2 CFR 200 Appendix IV (C)(2)(c)).

*NOTE: (If this option is selected, please provide basic Indirect Cost Rate information in area designated below)*

2b)  Our Organization currently does not have a Negotiated Indirect Cost Rate Agreement with the State of Illinois. Our Organization will submit our initial Indirect Cost Rate Proposal (ICRP) immediately after our Organization is advised that the State award will be made and, in no event, later than three (3) months after the effective date of the State award (2 CFR 200 Appendix IV (C)(2)(b)). The initial ICRP will be sent to the State of Illinois' Indirect Cost Unit.

*NOTE: (Check with your State of Illinois Agency for information regarding reimbursement of indirect costs while your proposal is being negotiated)*

3)  Our Organization has never received a Negotiated Indirect Cost Rate Agreement from either the Federal government or the State of Illinois and elects to charge the de minimis rate of 10% modified total direct cost (MTDC) which may be used indefinitely on State of Illinois awards (2 CFR 200.414 (c)(4)(f) & (200.68)).

*NOTE: (Your Organization must be eligible, see 2 CFR 200.414 (f), and submit documentation on the calculation of MTDC within your Budget Narrative under Indirect Costs)*

4)  For Restricted Rate Programs (check one) -- Our Organization is using a restricted indirect cost rate that:

\_\_\_\_\_ Is included as a "Special Indirect Cost Rate" in our NICRA (2 CFR 200Appendix IV (5) Or;

\_\_\_\_\_ Complies with other statutory policies (please specify):

The Restricted Indirect Cost Rate is \_\_\_\_\_ %

5)  No reimbursement of Indirect Cost is being requested. (Please consult your program office regarding possible match requirements)

Basic Negotiated Indirect Cost Rate Agreement information if Option (1) or (2a) is selected

Period Covered by the NICRA: From: \_\_\_\_\_ To: \_\_\_\_\_ (mm/dd/yyyy)

Approving Federal/State agency (please specify): \_\_\_\_\_

The Indirect Cost Rate is: \_\_\_\_\_ % The Distribution Base is: \_\_\_\_\_

STATE OF ILLINOIS	UNIFORM GRANT BUDGET TEMPLATE	Commerce & Economic Opportunity <sup>15</sup>
Organization Name: City of Bloomington	NOFO # 2411-1548	Fiscal Year 2020
<b>SECTION B -- NON STATE OF ILLINOIS FUNDS</b>		Grant Number:
<b>Revenues</b>		<b>TOTAL REVENUE</b>
Grantee Match Requirement _____ % ( <i>Agency to populate</i> )		
(b). -Cash		\$ -
(c). -Non-cash		\$ -
(d). Other Funding & Contributions		\$ -
<b>NON-STATE Funds Total</b>		\$ -
<b>BUDGET SUMMARY NON-STATE OF ILLINOIS FUNDS</b>		
<b>Budget Expenditure Categories</b>	<b>OMB Uniform Guidance Federal Awards Reference 2 CFR 200</b>	<b>TOTAL EXPENDITURES</b>
4. Equipment	<i>200.439</i>	\$ -
6. Contractual Services (includes Activity Delivery)	<i>200.318 &amp; 200.92</i>	\$ -
7. Consultant (Professional Services)	<i>200.459</i>	\$ -
8. Construction/Construction Engineering		\$ -
14. Miscellaneous Costs		\$ -
15. <b><u>A. Acquisition</u></b>		\$ -
<b><u>B. Capital</u></b>		\$ -
<b><u>C. Design Engineering</u></b>		\$ -
<b><u>D. Rehabilitation Administration (Inspection)</u></b>		\$ -
16. Total Direct Costs (lines 1-15)	<i>200.413</i>	\$ -
<b>18. Total Costs NON -State Grant Funds (16 &amp;17)</b>		\$ -

<b>CERTIFICATION</b>	<b>STATE OF ILLINOIS UNIFORM GRANT BUDGET TEMPLATE</b>	<b>AGENCY: Commerce &amp; Economic Opportunity</b>
Organization Name: City of Bloomington	CSFA Description: Rebuild Illinois	NOFO # 2373-1362
CSFA #: 420-75-2373	DUNS # 60864170	Fiscal Year(s): 2020

(2 CFR 200.415)

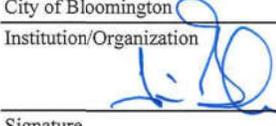
"By signing this report, I certify to the best of my knowledge and belief that the report is true, complete, and accurate and that any false, fictitious, or fraudulent information or the omission of any material fact, could result in the immediate termination of my grant award(s).

City of Bloomington  
 Institution/Organization  
 \_\_\_\_\_  
  
 Signature

Scott Rathbun  
Name of Official

Finance Director  
Title  
Chief Financial Officer (or equivalent)

6/10/20  
Date of Execution

City of Bloomington  
 Institution/Organization  
 \_\_\_\_\_  
  
 Signature

Tim Gleason  
Name of Official

City Manager  
Title  
Executive Director (or equivalent)

6/11/20  
Date of Execution

Note: The State awarding agency may change required signers based on the grantee's organizational structure. The required signers must have the authority to enter into contractual agreements on behalf of the organization.

## Section C - Budget Worksheet & Narrative

**4). Equipment** (2 CFR 200.439) -- Provide justification for the use of each item and relate them to specific program objectives. Provide both the annual (for multiyear awards) and total for equipment. Equipment is defined as an article of tangible personal property that has a useful life of more than one year and a per-unit acquisition cost which equals or exceeds the lesser of the capitalization level established by the non-Federal entity for financial statement purposes, or \$5,000. An applicant organization may classify equipment at a lower dollar value but cannot classify it higher than \$5,000. (Note: Organization's own capitalization policy for classification of equipment can be used). Applicants should analyze the cost benefits of purchasing versus leasing equipment, especially high cost items and those subject to rapid technical advances. Rented or leased equipment costs should be listed in the "Contractual" category. Explain how the equipment is necessary for the success of the project. Attach a narrative describing the procurement method to be used.

Item	Quantity	Cost	Equipment Cost
N/A			\$ -
			\$ -
<i>State Total</i>			\$ -
			\$ -
			\$ -
<i>NON-State Total</i>			\$ -
<i>Total Equipment</i>			\$ -

**Equipment Narrative (State):**

**Equipment Narrative (Non-State) i.e. "Match" or "Other Funding"**

**Section C - Budget Worksheet & Narrative**

**6. Contractual Services (includes Activity Delivery) (2 CFR 200.318) & Subawards (200.92)** -- Provide a description of the product or service to be procured by contract and an estimate of the cost. Applicants are encouraged to promote free and open competition in awarding contracts. A separate justification must be provided for sole contracts in excess of \$150,000 (See 2 CFR 200.88) . NOTE : this budget category may include **subawards**. Provide separate budgets for each subaward or contract, regardless of the dollar value and indicate the basis for the cost estimates in the narrative. Describe products or services to be obtained and indicate the applicability or necessity of each to the project.

*Please also note the differences between subaward, contract, and contractor (vendor):*

- 1) Subaward (200.92) means an award provided by a pass-through entity to a subrecipient for the subrecipient to carry out part of a Federal/State award, including a portion of the scope of work or objectives. It does not include payments to a contractor or payments to an individual that is a beneficiary of a Federal/State program.
- 2) Contract (200.22) means a legal instrument by which a non-Federal entity purchases property or services needed to carry out the project or program under a Federal award. The term as used in this part does not include a legal instrument, even if the non-Federal entity considers it a contract, when the substance of the transaction meets the definition of a Federal award or subaward.
- 3) "Vendor" or "Contractor" is generally a dealer, distributor or other seller that provides supplies, expendable materials, or data processing services in support of the project activities.

Item	Contractual Services Cost
N/A	\$ -
	\$ -
	\$ -
	\$ -
<b>State Total</b>	<b>\$ -</b>
	\$ -
	\$ -
<b>NON-State Total</b>	<b>\$ -</b>
<b>Total Contractual Services (includes Activity Delivery)</b>	<b>\$ -</b>

**Contractual Services (includes Activity Delivery) Narrative (State):**

**Contractual Services (includes Activity Delivery) Narrative (Non-State) i.e. "Match" or "Other Funding"**

**Section C - Budget Worksheet & Narrative**

7). **Consultant Services and Expenses** (2 CFR 200.459) – **Consultant Services (Fees):** For each consultant enter the name, if known, service to be provided, hourly or daily fee (8-hour day), and estimated time on the project. **Consultant Expenses:** List all expenses to be paid from the grant to the individual consultant in addition to their fees (i.e., travel, meals, lodging, etc.) Consultant– Indicate whether applicant's formal, written Procurement Policy or the Federal Acquisitions Policy is used.

Consultant Services (Fees)	Services Provided	Fee	Basis	Quantity	Consultant Services (Fee) Cost
N/A					\$ -
					\$ -
<b>State Total</b>					<b>\$ -</b>
					\$ -
					\$ -
<b>NON-State Total</b>					<b>\$ -</b>
<b>Total Consultant Services (Fees)</b>					<b>\$ -</b>

**Consultant Services Narrative (State):**

**Consultant Services Narrative (Non-State) i.e. "Match" or "Other Funding"**

Consultant Expenses - Item	Location	Cost Rate	Basis	Quantity	# of Trips	
						\$ -
						\$ -
<b>State Total</b>						<b>\$ -</b>
						\$ -
						\$ -
<b>NON-State Total</b>						<b>\$ -</b>
<b>Total Consultant Expenses</b>						<b>\$ -</b>

**Consultant Expenses Narrative (State):**

7). **Consultant Services and Expenses** (2 CFR 200.459) -- **Consultant Services (Fees):** For each consultant enter the name, if known, service to be provided, hourly or daily<sup>20</sup> fee (8-hour day), and estimated time on the project. **Consultant Expenses:** List all expenses to be paid from the grant to the individual consultant in addition to their fees (i.e., travel, meals, lodging, etc.) Consultant-- Indicate whether applicant's formal, written Procurement Policy or the Federal Acquisitions Policy is used.

--

**Consultant Expenses Narrative (Non-State)** *i.e. "Match" or "Other Funding"*

--

**Section C - Budget Worksheet & Narrative**

**8). Construction/Construction Engineering** -- Provide a description of the construction project and an estimate of the costs. As a rule, construction costs are not allowable unless with prior written approval. In some cases, minor repairs or renovations may be allowable. Consult with the program office before budgeting funds in this category. Estimated construction costs must be supported by documentation including drawings and estimates, formal bids, etc. As with all other costs, follow the specific requirements of the program, the terms and conditions of the award, and applicable regulations.

Purpose	Description of Work	Construction Cost
<i>Replace existing sidewalk for safety and connectivity</i>	<i>ADA compliant sidewalk improvements at 35 locations including ADA ramps, bus stop pads and sidewalk replacement</i>	\$ 750,263.58
		\$ -
	<b>State Total</b>	<b>\$ 750,263.58</b>
		\$ -
		\$ -
	<b>NON-State Total</b>	<b>\$ -</b>
	<b>Total Construction/Construction Engineering</b>	<b>\$ 750,263.58</b>

**Construction/Construction Engineering Narrative (State):**  
 In May 2020, the City of Bloomington generated estimates for 35 sidewalk and ADA ramp projects to be funded through a requested Fast-Track grant. The quantities for various pay items for each project were based on inspections and measurements on site. These quantities were then placed into a master spreadsheet, and estimated costs per pay item were applied to the quantities. Unit prices were based on the City's current sidewalk contract, FY21 SIDEWALK & CURB RAMP REPLACEMENT PROGRAM

**Construction/Construction Engineering Narrative (Non-State) i.e. "Match" or "Other Funding"**

## Section C - Budget Worksheet & Narrative

**14). Other or Miscellaneous Costs** --This category contains items not included in the previous categories. List items by type of material or nature of expense, break down costs by quantity and cost per unit if applicable, state the necessity of other costs for successful completion of the project and exclude unallowable costs (e.g.. Printing, Memberships & subscriptions, recruiting costs, etc.)

Description	Quantity	Basis	Cost	Length of time	Other or Miscellaneous Cost	
N/A					\$	-
					\$	-
					\$	-
					\$	-
<b>State Total</b>					\$	-
					\$	-
					\$	-
<b>NON-State Total</b>					\$	-
<b>Total Other Costs</b>					\$	-

**Other Costs Narrative (State):**

**Other Cost Narrative (Non-State) i.e. "Match" or "Other Funding"**

**Section C - Budget Worksheet & Narrative**

**15A). Acquisition:** Costs directly related to the service or activity of the program that is an integral line item for budgetary purposes.

Description	Quantity	Basis	Cost	Length of time	Acquisition Cost
<i>N/A</i>					\$ -
					\$ -
					\$ -
					\$ -
				<i>State Total</i>	\$ -
					\$ -
					\$ -
				<i>NON-State Total</i>	\$ -
				<i>Total Acquisition</i>	\$ -

**Acquisition Narrative (State):**

**Acquisition Narrative (Non-State) i.e. "Match" or "Other Funding"**

**Section C - Budget Worksheet & Narrative**

**15B). Capital:** Costs directly related to the service or activity of the program that is an integral line item for budgetary purposes.

Description	Quantity	Basis	Cost	Length of time	Capital Cost
<i>N/A</i>					\$ -
					\$ -
					\$ -
					\$ -
				<i>State Total</i>	\$ -
					\$ -
					\$ -
				<i>NON-State Total</i>	\$ -
				<i>Total Capital</i>	\$ -

**Capital Narrative (State):**

**Capital Narrative (Non-State) i.e. "Match" or "Other Funding"**

**Section C - Budget Worksheet & Narrative**

**15C). Design Engineering:** Costs directly related to the service or activity of the program that is an integral line item for budgetary purposes.

Description	Quantity	Basis	Cost	Length of time	Design Cost
<i>N/A</i>					\$ -
					\$ -
					\$ -
					\$ -
				<i>State Total</i>	\$ -
					\$ -
					\$ -
				<i>NON-State Total</i>	\$ -
				<b><i>Total <u>Design Engineering</u></i></b>	\$ -

**Design Engineering Narrative (State):**

**Design Engineering Narrative (Non-State) i.e. "Match" or "Other Funding"**

**Section C - Budget Worksheet & Narrative**

**15D). Rehabilitation Administration (Inspection):** Costs directly related to the service or activity of the program that is an integral line item for budgetary purposes.

Description	Quantity	Basis	Cost	Length of time	Rehabilitation Cost
<i>N/A</i>					\$ -
					\$ -
					\$ -
					\$ -
				<i>State Total</i>	\$ -
					\$ -
					\$ -
				<i>NON-State Total</i>	\$ -
				<b><i>Total Rehabilitation Administration (Inspection)</i></b>	\$ -

**Rehabilitation Administration (Inspection) Narrative (State):**

**Rehabilitation Administration (Inspection) Narrative (Non-State) i.e. "Match" or "Other Funding"**

## Section C - Budget Worksheet & Narrative

**Budget Narrative Summary**--When you have completed the budget worksheet, transfer the totals for each category to the spaces below to the uniform template provided (SECTION A & B). Verify the total costs and the total project costs. Indicate the amount of State requested funds and the amount of non-State funds that will support the project.

<i>Budget Category</i>	<i>State</i>	<i>NON-State</i>	<i>Total</i>
<i>4. Equipment</i>	\$ -	\$ -	\$ -
<i>6. Contractual Services (includes Activity Delivery)</i>	\$ -	\$ -	\$ -
<i>7. Consultant (Professional Services)</i>	\$ -	\$ -	\$ -
<i>8. Construction/Construction Engineering</i>	\$ 750,263.58	\$ -	\$ 750,263.58
<i>14. Other or Misc. Costs</i>	\$ -	\$ -	\$ -
<i>15A. Acquisition</i>	\$ -	\$ -	\$ -
<i>15B. Capital</i>	\$ -	\$ -	\$ -
<i>15C. Design Engineering</i>	\$ -	\$ -	\$ -
<i>15D. Rehabilitation Administration (Inspection)</i>	\$ -	\$ -	\$ -
<i>State Request</i>	\$ 750,263.58		
<i>Non-State Amount</i>		\$ -	
<b>TOTAL PROJECT COSTS</b>		<b>\$</b>	<b>750,263.58</b>

<b>Agency Approval</b>	<b>STATE OF ILLINOIS UNIFORM GRANT BUDGET TEMPLATE</b>	28 <b>AGENCY: Commerce &amp; Economic Opportunity</b>
<b>Organization Name: City of Bloomington</b>	<b>CSFA Description: Rebuild Illinois Fast-Track Public In</b>	<b>NOFO # 2411-1548</b>
<b>CSFA # 420-75-2411</b>	<b>DUNS #60864170</b>	<b>Fiscal Year: 2020</b>
Grant Number	0	

<u>Final Budget Amount Approved</u>	<u>Program Approval Signature</u>	<u>Date</u>	<u>Fiscal &amp; Administrative Approval Signature</u>	<u>Date</u>
\$ 750,263.58				

<u>Budget Revision Approved</u>	<u>Program Approval Signature</u>	<u>Date</u>	<u>Fiscal &amp; Administrative Approval Signature</u>	<u>Date</u>

§200.308 Revision of budget and program plans

(e) The Federal/State awarding agency may, at its option, restrict the transfer of funds among direct cost categories or programs, functions and activities for Federal/State awards in which the Federal/State share of the project exceeds the Simplified Acquisition Threshold and the cumulative amount of such transfers exceeds or is expected to exceed 10 percent or \$1,000 per detail line item, whichever is greater of the total budget as last approved by the Federal/State awarding agency. The Federal/State awarding agency cannot permit a transfer that would cause any Federal/State appropriation to be used for purposes other than those consistent with the appropriation.



www.cityblm.org

Public Works Department  
Engineering Division  
115 E. Washington St., PO BOX 3157  
Bloomington, IL 61702-3157  
Phone: 309-434-2225  
Fax: 309-434-2201

June 1, 2020

Rebuild Illinois Public Infrastructure Grant-Bloomington Sidewalks-Engineer's Estimate:  
**\$750,263.58**

In May 2020, the City of Bloomington generated estimates for 35 sidewalk and ADA ramp projects to be funded through a requested Fast-Track grant. The quantities for various pay items for each project were based on inspections and measurements on site. These quantities were then placed into a master spreadsheet (attached), and estimated costs per pay item were applied to the quantities. The quantity unit prices were based on the City's current sidewalk contract, FY21 SIDEWALK & CURB RAMP REPLACEMENT PROGRAM, Project #50-13-53002-21-00. This project was awarded in April through the competitive bidding process.

This process generated an engineer's estimate for Rebuild Illinois Public Infrastructure Grant projects of: **\$750,263.58**.

The combined quantities and cost estimates are shown on the next page. Quantities for individual projects are included with work orders located in the Project Readiness section.

A handwritten signature in black ink, appearing to read "Steven J. Law". The signature is fluid and cursive, with a long horizontal stroke at the end.

Steven J. Law, PE, Civil Engineer II  
City of Bloomington

**REBUILD ILLINOIS PUBLIC INFRASTRUCTURE GRANT PROJECTS  
CITY OF BLOOMINGTON**  
Prepared by Steven J. Law, PE, Civil Engineer II

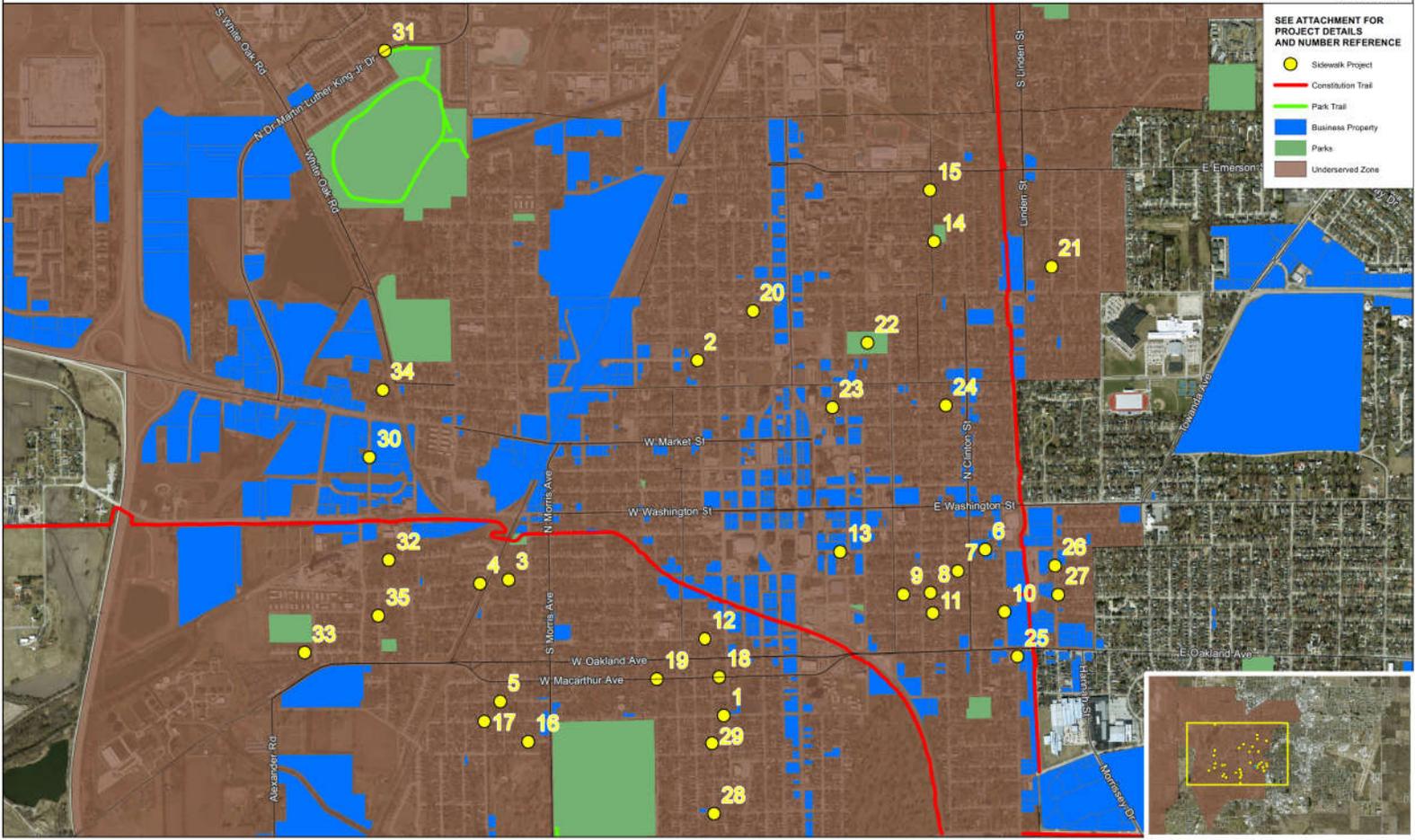


**List of Pay Items**

(For complete information covering these items, see specifications)

#	DESCRIPTION	UNITS	TOTAL QTY	UNIT PRICE	AMOUNT
1	SIDEWALK REMOVAL	SQ FT	64696	\$2.18	\$141,037.28
2	PORTLAND CEMENT CONCRETE SIDEWALK 8 INCH	SQ FT	2307	\$8.75	\$20,186.25
3	HIGH-EARLY-STRENGTH PORTLAND CEMENT CONCRETE SIDEWALK 8"	SQ FT	112	\$8.85	\$991.20
4	PORTLAND CEMENT CONCRETE SIDEWALK 6 INCH	SQ FT	10712	\$7.75	\$83,018.00
5	PORTLAND CEMENT CONCRETE SIDEWALK 4 INCH	SQ FT	46316	\$7.25	\$335,791.00
6	PORTLAND CEMENT CONCRETE RAMPS	SQ FT	4214	\$14.65	\$61,735.10
7	EARTH EXCAVATION	SQ FT	640	\$3.65	\$2,336.00
8	DETECTABLE WARNINGS, CAST IN PLACE	SQ FT	886	\$24.75	\$21,928.50
9	PARTIAL CURB REMOVAL (BY SAW CUTTING)	LF	34	\$24.00	\$816.00
10	COMBINATION CURB AND GUTTER REMOVAL, (SPOT REMOVE), SPECIAL	LF	602	\$8.00	\$4,816.00
11	COMBINATION CURB AND GUTTER, (SPOT PLACEMENT), SPECIAL	LF	779	\$43.00	\$33,497.00
12	RETAINING WALL, SPECIAL	LF	29	\$81.75	\$2,370.75
13	BARRIER YARD CURB, SPECIAL	LF	135	\$50.50	\$6,817.50
14	INLETS/MANHOLES TO BE ADJUSTED	EA	12	\$420.00	\$5,040.00
15	REMOVING INLETS	EA	6	\$450.00	\$2,700.00
16	INLETS, SPECIAL, WITH SPECIAL FRAME AND GRATE	EA	6	\$1,850.00	\$11,100.00
17	SIDEWALK REINFORCEMENT, SPECIAL	SQ FT	1880	\$1.30	\$2,444.00
18	TRAFFIC CONTROL, MAJOR STREET	EA	8	\$1,100.00	\$8,800.00
19	SAW CUTTING/GRINDING SIDEWALK, SPECIAL	IN-FT	37.375	\$32.00	\$1,196.00
20	TOPSOIL PLACEMENT AND SEEDING, SPECIAL (LARGE AREA)	SQ FT	527	\$3.05	\$1,607.35
21	TOPSOIL PLACEMENT AND SEEDING, SPECIAL (SMALL AREA)	SQ FT	20	\$5.05	\$101.00
22	MONOLITHIC CURB, SPECIAL	LF	53	\$20.00	\$1,060.00
23	PAVEMENT REMOVAL, SPECIAL	SQ FT	357	\$2.45	\$874.65
				<b>TOTAL</b>	<b>\$750,263.58</b>

# 2020 Bloomington Rebuild Illinois Grant Sidewalk Project



<b>Project No.</b>	<b>Location</b>	<b>Impact Amplification</b>
<b>1</b>	West Wood Corridor	Connects neighborhoods to U.S. 51 business corridor/Walgreens. Leads to community park (Miller Park) and Parkview Inn, Eric's Restaurant. Improves 3 bus stops.
<b>2</b>	Oak and Walnut	Connects neighborhood to Crawford's Corner Pub, A&P Tap, IL Rte. 9, Carl's Ice Cream Factory, Connect Transit bus stop.
<b>3</b>	1100 W Olive	Within 3 blocks of Constitution Trail.
<b>4</b>	Olive-Lumber ramp	Establishes ADA access between 2 neighborhoods. Within 3 blocks of Constitution Trail.
<b>5</b>	1300 W Elm	Connects to Morris corridor. 2 blocks from Parkview Inn, Eric's, Miller Park, bus stops.
<b>6</b>	800 E Grove	Within small business corridor which includes Schooners, Grove Street Bakery, other businesses. Within 3 blocks of Constitution Trail.
<b>7</b>	700 E Olive	2 blocks from Schooners, Grove Street Bakery, etc. 3 blocks from bus stops. Within 3 blocks of Constitution Trail.
<b>8</b>	604-606 E Taylor	Removes ADA barrier in neighborhood.
<b>9</b>	Robinson-Taylor-Felton 1	Connects neighborhood to Rte. 150 business corridor, Dollar General, bus stop. 3 blocks from Schooners, Grove Street Bakery. At Constitution Trail connection.
<b>10</b>	Robinson-Taylor-Felton 2	Includes front of Vrooman Mansion event center/B&B. Connects to Rte. 150 business corridor. Within 3 blocks of Constitution Trail.
<b>11</b>	500 E Jackson	Removes ADA barrier in neighborhood.
<b>12</b>	600 E Mill	2 blocks from bus stops. Within 3 blocks of Constitution Trail.
<b>13</b>	200-300 E Grove	Connects neighborhood to Downtown, mass transit hub.
<b>14</b>	1100-1200 N. Fell	Connects neighborhood to Rte 9, bus stops. Phase I of sidewalk improvements east of Illinois Wesleyan University.
<b>15</b>	1402-1406 N Fell	Connects neighborhood to Illinois Wesleyan University, bus stops. Within 3 blocks of Constitution Trail.
<b>16</b>	Folsom Street	Connects neighborhood to bus stops, Miller Park, Parkview Inn, Eric's Restaurant.

<b>Project No.</b>	<b>Location</b>	<b>Impact Amplification</b>
17	Livingston-Wood	2 blocks from bus stops, Miller Park, Parkview Inn, Eric's Restaurant.
18	505-509 W MacArthur	Removes ADA barrier in neighborhood. 2 blocks from bus stops.
19	MacArthur, Allin to Low	2 blocks from bus stops, Miller Park, Parkview Inn, Eric's Restaurant.
20	900 N Madison	1 block from bus stop. 2 blocks from Taqueria El Porton.
21	1111-1113 Eastholme	2 blocks from bus stop, Bloomington Junior High. Within 3 blocks of Constitution Trail.
22	400 E Chestnut	Improves access to Franklin Park. 1 block from bus stops.
23	200 block E Mulberry	Improves access to Downtown, Arts Center, Performing Arts Center. 2 blocks from bus stop.
24	500 block E Mulberry	Links neighborhood to Clinton business corridor, Annie's Eats, Marco's Pizza/Family Video, laundry, bus stop.
25	600-700 S Bunn	Links neighborhood to Oakland business corridor, 1 block from Dollar General. 1 block from bus stops.
26	200 McClun	Connects neighborhood to Grove Street business corridor, Green Top Groceries. Within 3 blocks of Constitution Trail.
27	500 McClun	Connects neighborhoods to Oakland business corridor, bus stop. 1 block from Dollar General.
28	Oak at Bissell	3 blocks from U.S. 51 business corridor, bus stop.
29	1003 S Oak	Removes ADA barrier in neighborhood.
30	300 Brown	Improves 2 bus stops. Improves access to Market Square strip center/Family Dollar, Pilot Travel Center, Wendy's. Within 3 blocks of Constitution Trail.
31	MLK-Cottage	Improves access to Jewel-Osco, Dollar General, White Oak Park.
32	1400 block W Grove	Within 3 blocks of Constitution Trail. 1 block from Habitat ReStore.
33	1706 Indiana	Removes ADA barrier in neighborhood. 1 block from bus stops. 2 blocks from Sunnyside Park.
34	1610 W Locust	Removes ADA barrier in neighborhood.
35	107 Weldon	Across street from Buck-Mann Park. Within 3 blocks of Constitution Trail.





## **Rebuild Illinois Public Infrastructure Project Summary**

The City of Bloomington (“City”) requests \$750,263.58 in Rebuild Illinois Public Infrastructure Grant funding to replace failing sidewalks and to construct ADA-compliant sidewalk ramps in 35 locations. The 35 projects create pedestrian connectivity within neighborhoods and to business corridors and parks. The locations, all within “underserved” areas defined by the State, directly impact 612 homes. Additionally, all locations are within the Regeneration and Preservation Areas, as defined by the City’s 2015 Comprehensive Plan. The Regeneration Areas is designated as the highest priority area for investments. The Preservation Area is designated for prioritization immediately following the Regeneration Area.

Both sidewalk and accessibility improvements are high priority areas for the City’s 2020-2024 CDBG Consolidated Plan. All sidewalk work will be compliant with both the Americans with Disabilities Act and the Bloomington Sidewalk Master Plan. Bloomington is in the fifth year of the ten-year master plan and faces a significant backlog of sidewalk requests despite a concerted effort and increased City funding levels over the past five years. Bloomington also faces financial uncertainty as a direct result of the economic slowdown that has accompanied the coronavirus pandemic. With a large portion of the City’s businesses forced to close during the Stay-At-Home order, FY2020 revenues were far less than expected and FY2021 revenues are expected to be substantially impacted.

The grant will provide sustaining jobs to Laborers, Cement Masons, and Operators employed by the successful bidder, construction suppliers, and the Teamsters who deliver supplies such as concrete.

### **Impact Amplification**

Sixty-nine percent of the residents living in the (16) census tracks/block groups affected by this project are low- and moderate-income (LMI) according to the US Department of Housing and Urban Development. Many of these residents utilize the City’s sidewalk system as a primary means of accessing businesses and essential services. The sidewalk projects outlined within this application are amplified by proximity and connection to Downtown and other business corridors, the Vrooman Mansion event center, six public parks, the Constitution Trail walking-biking trail, and Illinois Wesleyan University. Work will include construction of ADA-compliant concrete pads at Connect Transit bus stops wherever construction occurs near a bus stop. Included are upgrades to no fewer than five bus stops.

### **Minority Inclusion Plan**

The City competitively bids sidewalk contracts, which include compliance requirements with the City’s Equal Employment Opportunity (EEO) Program. Discriminatory practices in employment, promotion, demotion, transfer, recruitment, layoff, termination, pay and compensation rates, and selection for training or apprenticeships are disqualifiers for City contracts.

## **Business Infrastructure**

Consumers demand safe, convenient travel to community businesses. Sidewalks that serve all consumers, including those with disabilities, are required toward that end. Further, The City recognizes that not all citizens have automobiles. For these citizens, pedestrian accommodation is an important option, giving them direct access to businesses and to bus stops that can take them to businesses beyond walking distance. The following are examples of business benefits that would be realized from the 35 proposed sidewalk projects contained in this grant:

- Groceries and medicine - The West Wood Corridor project provides improved access to a Walgreens store with a pharmacy. Replacement of sidewalk on Dr. Martin Luther King Drive improves access to a Jewel-Osco store. McClun sidewalk construction improves access to Green Top Groceries.
- Stronger Downtown - Installation of improved ramps and replacement of midblock sidewalk in the 200 and 300 blocks of East Grove Street will increase access to Downtown for residents of neighborhoods east of the Central Business District. Seven blocks to the north, a project in the 200 block of East Mulberry Street also improves Downtown access. Downtown is a center for Bloomington nightlife, entertainment, dining, art galleries, and community businesses.
- Social Services – Bloomington is home to the majority of McLean County’s social service organizations, many of which are located in or near Downtown. Those not located in Downtown are readily accessible by public transportation. Downtown is host to Bloomington’s main transfer hub.
- Meals and treats - The following are eateries located within two blocks of a sidewalk project: Annie’s Eats, Marco’s Pizza, Schooners, Grove Street Bakery, Gene’s Ice Cream, DollFace Deserts, Eric’s Restaurant, Taqueria El Porton, Denny’s Doughnuts and Bakery, Rosie’s Pub, Parkview Inn, Epiphany Farms Restaurant, Anju Above Restaurant, Carl’s Ice Cream Factory, and Crawford’s Corner Pub.
- Trail access - Bloomington-Normal jointly operates a 45-mile hiking and biking network, the Constitution Trail, for non-motorized transportation and recreation. Thirteen projects fall within three blocks of the trail.

## **Key Details**

### Describe the project

The City of Bloomington has 35 sidewalk improvement projects awaiting funding in underserved areas of Bloomington. Despite increased investment in sidewalk improvements over the past five years, the needs continue to outpace available funding. Lost revenues due to the coronavirus pandemic will likely further exacerbate the problem in upcoming years. The proposed projects will provide improved access to businesses and essential services for low- and moderate-income residents. Construction of ADA-compliant ramps and bus stop pads will greatly improve pedestrian travel for those individuals with a disability.

### Anticipated project timeline, including a specific anticipated project start date

The City anticipates that construct will begin August 15, 2020 or sooner, depending on the date of grant award. The City intends to set a completion date of June 30, 2021.

### Present condition

In each of 35 projects, the sidewalk being replaced poses at least some level of difficulty and safety issue for all pedestrians and especially for wheelchair users and other pedestrians with disabilities. Most locations are cracked and/or heaved posing significant fall hazards while some areas have sections of sidewalk that are nonexistent. In March 2020, the City received notification that a visitor to our community tripped on a sidewalk while jogging and broke an arm. Although the City is dedicated to improving its sidewalks, grant funding is necessary to address the issues in a timely manner. Photographic documentation has been presented in the “Current Infrastructure Condition” section.

### Project Area

All projects sites are located within the corporate city limits of Bloomington. Most of the sites are located on the City’s west side with the remaining sites immediately east of the Downtown area. Of the (16) census tracts/block groups in which work is being proposed, (13) have a population that is above 51% low- and moderate-income according to US Department of Housing and Urban Development. Individual sites can be found on the attached map.

### Project Structure

Sidewalk construction will be 100 percent funded by the grant – without cost-sharing by affected residents or city government. Bloomington Public Works will provide in-house engineering services, including work inspection. The Office of Grants Administration will support the grant by through general oversight and compliance monitoring.

### Whether the project is necessary to comply with state or federal regulations

The project is needed to comply with the federal Americans with Disabilities Act.

### Justification of the local government's need for assistance in relation to its overall financial capability, including discussion of outstanding indebtedness

Bloomington Public Works, the City Administration, and the City Council began a push to upgrade sidewalks in 2015 after an in-house survey of every sidewalk parcel showed the City has 32 miles of failing sidewalk and another 35 miles of marginally acceptable sidewalk. The study also showed the sidewalk program was grossly underfunded. The fiscal year 2011-12 was funded at a typical level at \$111,774. That amount has been ratcheted up – to nearly \$1.3 million for the current fiscal year. Pre-COVID, the sidewalk projects in question were already delayed due to lack of available funding. The need for sidewalk replacement outpaces sidewalk funding, even with increased investment from the general fund. The Bloomington sidewalk program is funded almost exclusively by local sales tax and local motor fuel tax. The COVID-19 outbreak and the accompanying economic slowdown have significantly reducing these revenues. Even after full reopening of the economy, these revenue sources could be significantly less than typical. Without alternative funding sources, including grants, sidewalk work will be further delayed.

**MINORITY BENEFIT/AFFIRMATIVE HOUSING STATEMENT**

a. What is the percentage of the minority group(s) population residing in the community? 14.2%

Identify the characteristics of the population of the project area by specific ethnic group. This information may be obtained from the most recent Census Data for the "applicant community." If submitting an "on behalf of" application for a project in an unincorporated area, use Census Data for the project's County.

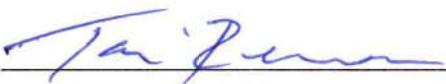
Racial Group	Total Persons	# of Hispanic / Latino Ethnicity
White	59,353	4,308
Black/African American	7,770	
Asian	5,343	
American Indian/Alaskan Native	231	
Native Hawaiian/Other Pacific Islander	28	
American Indian/Alaskan Native and White	0	
Asian and White	0	
Black/African American and White	0	
American Indian/Alaskan Native and Black/African American	1,667	
Other Individuals Reporting more than One Race	2,218	
# of Female Headed Households		

With the exception of "Female Heads of Households", the above numbers should equal the total number of persons to benefit from the project ("targeted" area). 76,610

b. What is the goal for the percentage of funded contracts to be awarded to minority contractors? 14.2 %

c. If the percentage goal in *b* is substantially less than the percentage of minorities residing in the community, please explain. \_\_\_\_\_

d. The applicant agrees to affirmatively further fair housing by posting Fair Housing Posters and by making HUD Fair Housing Complaint Forms available to the public.  
 In addition, the unit of local government  
 Already has a Fair Housing Resolution on file. (Indicate Number and Date Passed Ordinance 1996-08 )  
 If funded, will pass a Fair Housing Resolution.

Signature of Chief Elected Official:  Date 6/12/20

## JOB CREATION DOCUMENTATION

**Engineer providing cost estimate should assist with this information**

How many days of construction is anticipated? 120 – 150

Provide a list of all **personnel that will be necessary to complete construction**. Include the Job Title, the total number of people that will hold that job title, and the total number of hours that job title is anticipated to be utilized. Use additional pages as needed.

Job Title	Number in Job Title	Number of Hours Utilized
Removals		
Operator	1	160
Laborer	2	320
Truck Driver	2	320
Concrete Sidewalk, Curb & Gutter, and Curb Ramps		
Foreman	1	480
Operator/Finisher	4	1920
Laborer	2	960
Storm Sewer Structures		
Foreman	1	50
Operator	1	50
Laborer	2	100
Final Seeding and Close Out		
Foreman	1	30
Operator	1	30
Laborer	3	90
Management		
Project Manager	1	80
Office Administrator	1	80



www.cityblm.org

Public Works Department  
 Engineering Division  
 115 E. Washington St., PO BOX 3157  
 Bloomington, IL 61702-3157  
 Phone: 309-434-2225  
 Fax: 309-434-2201

June 9, 2020

**RE: Summary of project readiness**

I have reviewed work involved in 35 sidewalk and ADA ramp projects proposed for Rebuild Illinois Public Infrastructure Grant funding. Projects will be ready for construction once a contractor is selected through competitive bidding and the City issues a notice to proceed. This process can be completed and work can begin within 90 calendar days. Attached are the associated sidewalk work orders for these 35 locations.

**Required permits:** A small portion of work on West Wood Street touches on State right-of-way – at Center Street/U.S. 51. It will require an IDOT permit. Similarly, a portion of work -- Taylor at Clinton -- will require an IDOT permit because Clinton Street is part of Route 150. The turnaround time for these permits is typically less than one week from City submission to IDOT approval. It is routine in nature. It requires documentation of traffic control plans and documentation that sidewalk work complies with standards related to the Americans with Disabilities Act.

**Right of way:** The projects occur within existing City right of way (and State right of way in the cases of Clinton Street at Taylor and Center Street at Wood).

**Water/wastewater treatment agreement:** Does not apply to sidewalk/ramp projects.

**Owners/land acquisition:** No land acquisition or private property easements are required.

**Additional funding commitments:** No matching funds/additional funding commitments are proposed.

**Railroad, county highway, IDOT permissions:** Does not apply to any of the projects, except the standard IDOT permits for Center Street and Clinton Street noted above.

**Phased project:** This is not a phased project.

A handwritten signature in black ink, appearing to read "Steven J. Law".

Steven J. Law, PE, Civil Engineer II  
 Project Engineer  
 City of Bloomington



May 22, 2020

Illinois Department of Commerce & Economic Opportunity  
Office of Community Development  
ATTN: Wendy Bell, Deputy Director  
500 East Monroe  
Springfield, IL 62701

RE: Letter of Support  
Locust Colton Elimination & ADA Sidewalk Improvement - Rebuild Illinois Grant Application

Dear Deputy Director Bell:

The mission of the Economic Development Council of the Bloomington-Normal is to grow the local economy by assisting with local business expansion, recruiting new businesses to the area, and encouraging the next wave of entrepreneurs to establish their business here.

The City of Bloomington is directly assisting with this mission by applying for two Rebuild Illinois Public Infrastructure Grants from the Department of Commerce and Economic Opportunity (DCEO). The two projects are as follows:

- The Locust Colton Combined Sewer Overflow (CSO) Elimination Phase 2 project would help employ 47 jobs with local underground construction firms. The project would help modernize the sewer and water infrastructure, which is a critical foundation for a community with business development and retention. This is one of the vital aspects of the Governor's Five-Year Economic Development Plan.
- The ADA Sidewalk Improvement project provides needed safety and pedestrian mobility along major street corridors to help with businesses. The Wood Street sidewalk corridor improvement, for example, will help multiple businesses with their pedestrian connectivity. Providing connectivity to businesses also supports the Governor's Five-Year Economic Development Plan.

Please give the City all due consideration for both Rebuild Illinois Grant submissions. The EDC supports both these grant projects.

Thank you for your consideration of this letter of support for this vital project.

Sincerely,

Patrick Hoban CEO  
BNEDC

June 17, 2020

Re: Letters of Support

The City of Bloomington prepared a Fast Track Rebuild Illinois Grant Application for the ADA Sidewalk Project. Multiple support letters and a petition were obtained in relation to the fast track grant submission. No aspect of the project was changed in the preparation of submission for the Rebuild Illinois Public Infrastructure Grant. Concurrence was given through email by LifeCIL to use the same support letter and Connect Transit provided a new support letter. The petition will continue to be used since the businesses that supported the position were in support of the work being completed not the fast track grant itself.



June 11, 2020

To Whom It May Concern:

Connect Transit supports the Rebuild Illinois Public Infrastructure Grant submission by the City of Bloomington for sidewalk and ADA ramp construction.

Connect is the municipal bus provider for Bloomington-Normal, and the City of Bloomington has proven itself as a valuable partnering agency with a growing role in assisting bus users/pedestrians. Starting this year, the City has made it standard practice to construct ADA bus pads, in consultation with Connect, when sidewalk construction occurs at or near bus stops. The grant will include at least five new bus pads for riders.

Although no matching funds are involved in this grant, Bloomington is investing millions of dollars into improving walkability by replacing aging sidewalks and ramps. This investment demonstrates a knowledge that walking routes are vital to the health, safety, commerce and quality of life of the community.

Please give Bloomington's application all due consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Isaac Thorne".

Isaac Thorne  
General Manager

**BLOOMINGTON OFFICE**

2201 EASTLAND DRIVE, SUITE 1  
BLOOMINGTON, IL 61704

PHONE: 309/663-5433  
TOLL FREE: 888/543-3245  
FAX: 309/663-7024

**PONTIAC OFFICE**

601 NORTH LADD STREET  
PONTIAC, IL 61764

PHONE: 815/844-1132

June 3, 2020

Jim Karch, Special Projects Manager  
City of Bloomington  
109 E. Olive St.  
Bloomington, IL 61702-3157

Dear Jim:

As an organization dedicated to advocating for the rights and responsibilities of persons with disabilities, LIFE CIL serves as a contact point for people with disabilities, their families, and the community in locating available services and products such as ADA compliance and assistive technology. Through information and referral, we offer guidance in locating available services and products. We provide disability awareness presentations about disabilities and disability-related issues. We also provide technical assistance to organizations, local communities, service providers and businesses about how to respond to the needs of employees and customers with disabilities and make their businesses comply with Illinois Accessibility Codes and the Americans with Disabilities Act.

We are pleased in our collaboration efforts over the years with the City of Bloomington as they have consistently strived to not just meet the minimum threshold of accessibility, but to go above and beyond in order to make the City of Bloomington truly accessible to all persons with all types of disabilities. Their plan is well thought out and well needed as accessibility removes barriers for persons with disabilities as well as enhances access for the entire community.

We are thrilled that the City of Bloomington is applying for the grant to ensure accessibility for sidewalks and ramps with an emphasis on connectivity to bus stops, parks, Constitution Trail, and business corridors. We look forward to working with them further to make their plan a "best practice in accessibility" example for others.

Sincerely,

Rickielee Benecke, Executive Director

## Improved Sidewalk Project - Rebuild Illinois Fast Track Grant Petition

June 2, 2020

The City of Bloomington will be applying next week for a \$750,000 Rebuild Illinois Fast Track Grant to replace failing sidewalks and to construct ADA-compliant sidewalk ramps

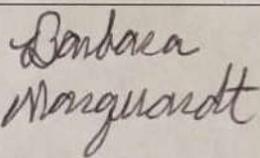
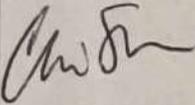
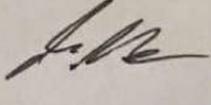
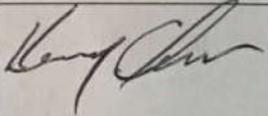
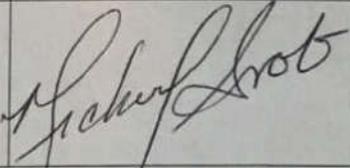
The sidewalk projects are amplified by proximity and connection to Downtown and other business corridors, the Vrooman Mansion event center, five public parks, the Constitution Trail walking-biking trail, and Illinois Wesleyan University. Work will include construction of ADA-compliant concrete pads at Connect Transit bus stops wherever construction occurs near a bus stop. Included are upgrades to no fewer than five bus stops.

The City would break ground within 90 days of receiving the grant if awarded. The grant is awarded on a rolling basis so we are acting quickly. Additional information can be found on the DCEO website at:

[https://www2.illinois.gov/dceo/CommunityServices/CommunityInfrastructure/Pages/RebuildIllinois\\_Programs.aspx](https://www2.illinois.gov/dceo/CommunityServices/CommunityInfrastructure/Pages/RebuildIllinois_Programs.aspx)

In lieu of writing individual support letters, Bloomington is looking for a quick signature if you, as an affected stakeholder, are supportive of this effort and see the benefit for your business by increasing walking traffic and connectedness in the community and safety for our residents.

Direct any questions you have to Jim Karch, Special Projects Manager with the City of Bloomington at (309) 275-9650 or [jkarch@cityblm.org](mailto:jkarch@cityblm.org).

Name (print)	Name (signature)	Organization	Contact Info (email / phone #)
Barbara Marquardt		Dennip Doughnuts + Bakery	dennipdoughnuts@gmail.com 309-827-0459
CHRIS SHUPE		GENES ICE CREAM INC.	309-829-6022 chrisshupe44@yahoo.com
Jan Moe Han		ParkView Inn	309-287-9989 notlornnai@gmail.com
KENNY CLEM		ANNIE'S EATS	509-824-0803 ANNIEEATSLLCE@GMAIL.COM
MICHAEL SLOB		SCHOONERS	309-829-6841

## Improved Sidewalk Project - Rebuild Illinois Fast Track Grant Petition

June 2, 2020

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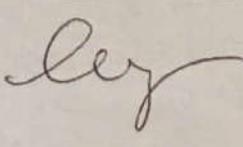
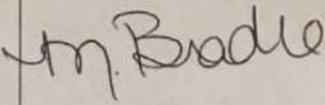
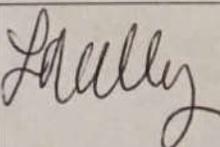
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Direct any questions you have to Jim Karch, Special Projects Manager with the City of Bloomington at (309) 275-9650 or [jkarch@cityblm.org](mailto:jkarch@cityblm.org).

Name (print)                      Name (signature)                      Organization                      Contact Info (email / phone #)

Name (print)	Name (signature)	Organization	Contact Info (email / phone #)
Margaret Finnegan-Boyes		Grove Street Bakery	info@groveStreetbakery.com 309-827-0270
Molly Bradle		Rosie's	MollyBradle@hotmail.com 309-827-7019
Wynally		Gingerbread House	<del>Wynally</del> Kate@gingerbreadhouse.com 309-309-827-8811

**LOCAL GOVERNMENT CERTIFICATIONS**

On this **12th** of June, 2020, the Mayor Tari Renner of City of Bloomington hereby certifies to the Department of Commerce and Economic Opportunity in regard to an application and award of funds through the Rebuild Illinois Grant that:

1. It confirms that no aspect of the project for assistance has or shall commence prior to the award of funds to the community and the receipt of an environmental clearance from the Department.
2. It will comply with the Interagency Wetland Policy Act of 1989 including the development of a plan to minimize adverse impacts on wetlands, or providing written evidence that the proposed project will not have an adverse impact on a wetland. It confirms that Project must also comply with Federal Wetlands Protection regulations at 24-CFR 58.5(b)(2) and Executive Order 11990, which may require preparation of an Eight-Step Wetlands Review.
3. It will comply with the Illinois Endangered Species Protection Act and the Illinois Natural Area Preservation Act by completing the consultation process with the Endangered Species Consultation Program of the Illinois Department of Natural Resources, or providing written evidence that the proposed project is exempt.
4. It will identify and document all appropriate permits necessary to the proposed project, including, but not limited to: building, construction, zoning, subdivision, IEPA and IDOT.
5. No legal actions are underway or being contemplated that would significantly impact the capacity of the (name of local government) to effectively administer the program, and to fulfill the requirements of the program.
6. It will coordinate with the County Soil and Water Conservation District regarding standards for surface and sub-surface (tile) drainage restoration and erosion control in the fulfillment of any project utilizing Rebuild Illinois funds and involving construction.
7. It is understood that the obligation of the State will cease immediately without penalty of further payment being required if in any fiscal year the Illinois General Assembly or federal funding source fails to appropriate or otherwise make available sufficient funds for this agreement.
8. It acknowledges the applicability of Illinois prevailing wage rate requirements to construction projects; a wage rate determination must be obtained prior to commencement of any construction or equipment installation; and, it shall discuss these requirements with the contractor.
10. It will comply with OMB 2 CFR 200 and applicable areas of Illinois' Grant Accountability and Transparency Act (GATA).
11. The area, in whole or in part, in which project activities will take place, IS or **IS NOT** (*circle one*) located in a floodplain.

34 - 35

A FEMA Floodplain map is included in the application (as required) and is located on Page 34 - 35

If yes, does it participate in the National Flood Insurance Program? Yes \_\_\_ No \_\_\_

If no, provide an explanation as to why it does not participate: \_\_\_\_\_



Signature of Chief Elected Official



Date

### MANDATORY DISCLOSURES

Award applicants and recipients of awards from the State of Illinois (collectively referred to herein as "Grantee") must disclose, in a timely manner and in writing to the State awarding agency, all violations of State or federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the award. See 30 ILCS 708/40; 44 Ill. Admin Code § 7000.40(b)(4); 2 CFR § 200.113. Failure to make the required disclosures may result in remedial action.

Please describe all violations of State or federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the awarding of a grant to your organization:

Grantee has a continuing duty to disclose to the Department of Commerce and Economic Opportunity (the "Department") all violations of criminal law involving fraud, bribery or gratuity violations potentially affecting this grant award.

By signing this document, below, as the duly authorized representative of the Grantee, I hereby certify that:

- All of the statements in this Mandatory Disclosure form are true, complete and accurate to the best of my knowledge. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil or administrative penalties. (U.S. Code, Title 18, Section 1001).
- There is no action, suit or proceeding at law or in equity pending, nor to the best of Grantee's knowledge, threatened, against or affecting the Grantee, before any court or before any governmental or administrative agency, which will have a material adverse effect on the performance required by the grant award.
- Grantee is not currently operating under or subject to any cease and desist order, or subject to any informal or formal regulatory action, and, to the best of the Grantee's knowledge, it is not currently the subject of any investigation by any state or federal regulatory, law enforcement or legal authority.
- If Grantee becomes the subject of an action, suit or proceeding at law or in equity that would have a material adverse effect on the performance required by an award, or an investigation by any state or federal regulatory, law enforcement or legal authority, Grantee shall promptly notify the Department in writing.

Grantee Organization: **City of Bloomington**

By: 

Signature of Authorized Representative

Printed Name: **Tari Renner**

Printed Title: **Mayor**

Date: 

### CONFLICT OF INTEREST DISCLOSURE

Award applicants and recipients of awards from the State of Illinois (collectively referred to herein as “Grantee”) must disclose in writing to the awarding State agency any actual or potential conflict of interest that could affect the State award for which the Grantee has applied or has received. See 30 ILCS 708/35; 44 Ill. Admin Code § 7000.40(b)(3); 2 CFR § 200.112. A conflict of interest exists if an organization’s officers, directors, agents, employees and/or their spouses or immediate family members use their position(s) for a purpose that is, or gives the appearance of, being motivated by a desire for a personal gain, financial or nonfinancial, whether direct or indirect, for themselves or others, particularly those with whom they have a family business or other close associations. In addition, the following conflict of interest standards apply to governmental and non-governmental entities.

- a. **Governmental Entity.** If the Grantee is a governmental entity, no officer or employee of the Grantee, member of its governing body or any other public official of the locality in which the award objectives will be carried out shall participate in any decision relating to a State award which affects his/her personal interest or the interest of any corporation, partnership or association in which he/she is directly or indirectly interested, or which affects the personal interest of a spouse or immediate family member, or has any financial interest, direct or indirect, in the work to be performed under the State award.
- b. **Non-governmental Entity.** If the Grantee is a non-governmental entity, no officer or employee of the Grantee shall participate in any decision relating to a State award which affects his/her personal interest or the interest of any corporation, partnership or association in which he/she is directly or indirectly interested, or which affects the personal interest of a spouse or immediate family member, or has any financial interest, direct or indirect, in the work to be performed under the State award.

The Grantee shall also establish safeguards, evidenced by policies, rules and/or bylaws, to prohibit employees or officers of Grantee from engaging in actions, which create or which appear to create a conflict of interest as described herein.

**The Grantee has a continuing duty to immediately notify the Department of Commerce and Economic Opportunity (the “Department”) in writing of any actual or potential conflict of interest, as well as any actions that create or which appear to create a conflict of interest.**

*Please describe all current potential conflict(s) of interest, as well as, any actions that create or which appear to create a conflict of interest related to the State award for which your organization has applied.*

If the Grantee provided information above regarding a current potential conflict of interest or any actions that create or appear to create a conflict of interest, the Grantee must immediately provide documentation to the applicable Department grant manager to support that the potential conflict of interest was appropriately handled by the Grantee’s organization. If at any later time, the Grantee becomes aware of any actual or potential conflict of interest, the Grantee must notify the Department’s grant manager immediately, and

provide the same type of supporting documentation that describes how the conflict situation was or is being resolved.

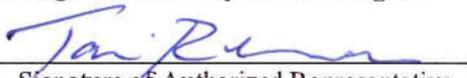
Supporting documentation should include, but is not limited to, the following: the organization's bylaws; a list of board members; board meeting minutes; procedures to safeguard against the appearance of personal gain by the organization's officers, directors, agents, and family members; procedures detailing the proper internal controls in place; timesheets documenting time spent on the award; and bid documents supporting the selection of the contractor involved in the conflict, if applicable.

By signing this document, below, as the duly authorized representative of Grantee, I hereby certify that:

- All of the statements in this Conflict of Interest Disclosure form are true, complete and accurate to the best of my knowledge. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil or administrative penalties. (U.S. Code, Title 18, Section 1001).
- If I become aware of any situation that conflicts with any of the representations herein, or that might indicate a potential conflict of interest or create the appearance of a conflict of interest, I or another representative from my organization will immediately notify the Department's grant manager for this award.
- I have read and I understand the requirements for the Conflict of Interest Disclosure set forth herein, and I acknowledge that my organization is bound by these requirements.

Grantee Organization: **City of Bloomington**

By:

  
Signature of Authorized Representative

Printed Name: **Tari Renner**

Printed Title: **Mayor**

Date:



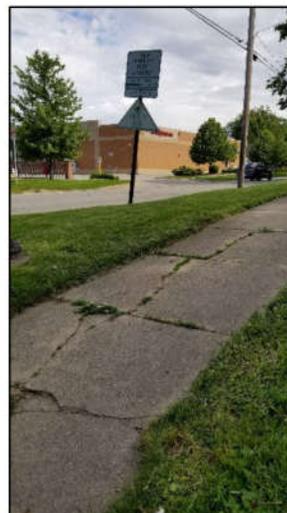
# Photographic documentation

The City of Bloomington seeks \$750,263.58 for sidewalk/ADA ramp projects within State-identified underserved areas under the Rebuild Illinois Public Infrastructure program. This document provides a sampling of sidewalk problems that will be corrected through grant-funded projects. All photos were taken in May 2020.



Cracked panels, out-of-code ramps, and deteriorating concrete are common along the West Wood Street Corridor. The corridor connects the U.S. 51 Corridor to a signature community park (Miller Park). The location of a store with a pharmacy, Walgreens, makes Wood Street sidewalks especially important to nearby residents who do not have autos.

The project extends five blocks. In 2019, the City spent about \$29,000 on the West Wood corridor, to the west of this project.





Most Bloomington sidewalk ramps were built before the U.S. Assess Board issues standards for cross slope, running slope, width and use of colored pads, called detectable warnings, which assist low-vision pedestrians. The ramp above, in the 300 block of East Grove, is among the worst in town. Work here will improve access to Downtown.



This sidewalk, on West MacArthur, is among those without any intersection ramps.



Broken sidewalk in the 200 block of East Mulberry inhibits foot traffic into Downtown, which starts a block away.



Three blocks away, the East Mulberry connection to the Clinton Street business corridor also is marked by poor sidewalk access.



Poor compaction of soil or aggregate base causes some sidewalk panels to sink. This sidewalk takes residents to a Jewel-Osco, Dollar General, and White Oak Park.



This outdated ramp and accompanying broken sidewalk is on the route to a favorite pedestrian stop: Carl's Ice Cream Factory on West Locust/Illinois Route 9, and to Crawford's Corner Pub.



When trees meet sidewalks, trees win. The City will save the tree, above, in the 500 block of West MacArthur and the one below, at Livingston near West Wood, by curving sidewalk around the trees. The Bloomington Sidewalk Master Plan advocates saving trees whenever possible when addressing tree-sidewalk conflict. Bloomington Public Works recognizes the value of green infrastructure.



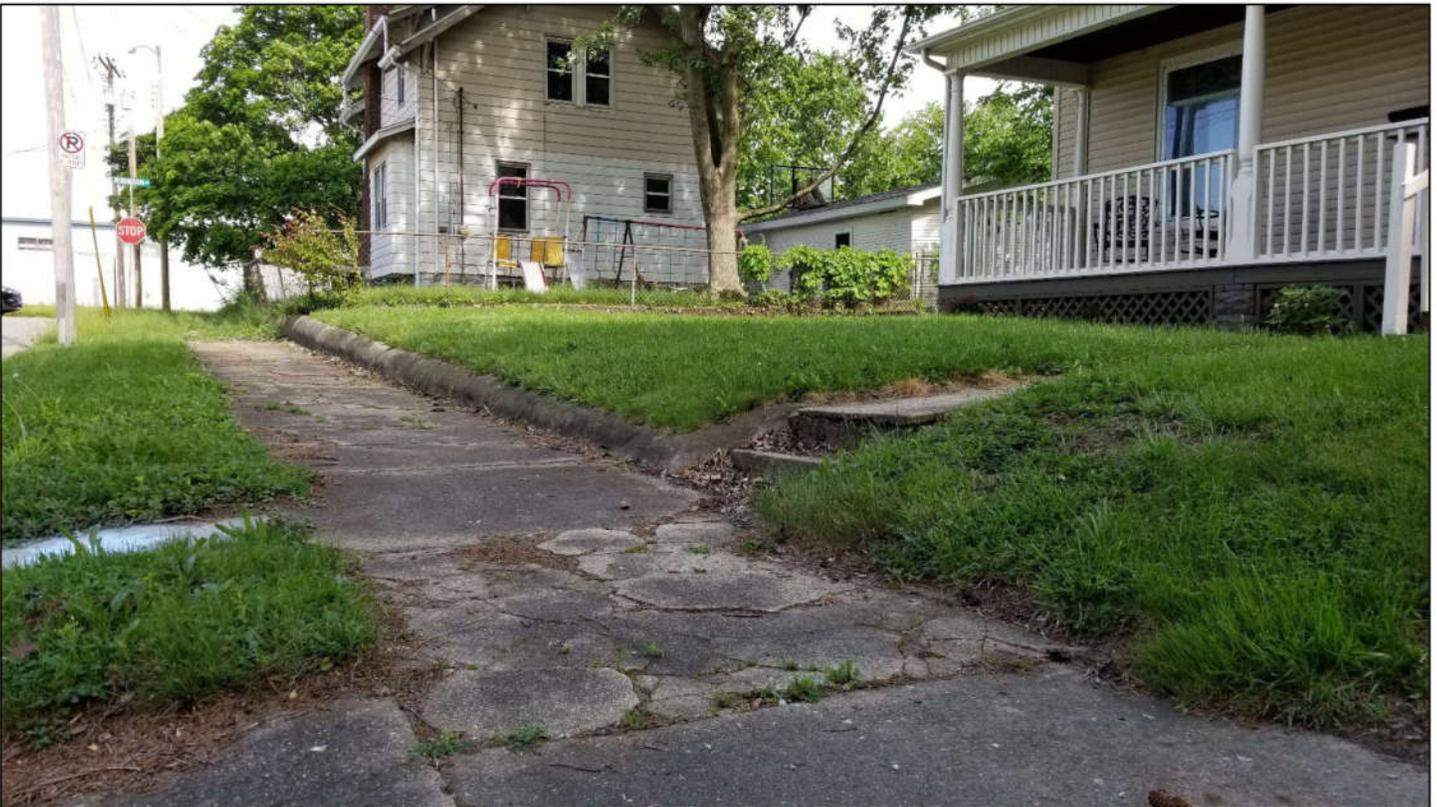


Driveway entrances often are locations for the worst sidewalk because of the extra pounding they endure. Replacement sidewalk will be thicker (6 inches) than typical sidewalk to prevent breakage. The location is a mixed-use stretch of East Grove Street (800 block).





Old, worn sidewalk leads to the Vrooman Mansion, an event center/B&B seen in the left corner of the image above. The proposed project is the second phase of sidewalk upgrade near Vrooman. The City spent \$24,000 a year ago on the first phase.



This sidewalk, on Taylor near Robinson, leads to the Constitution Trail, a 45-mile network for bicyclists and pedestrians.



Sidewalk construction on Brown Street near the West Market Street business district will include construction of an ADA pad between the sidewalk and curb for Connect Transit bus users.



In an e-mail requesting sidewalk repair, the owner of this property in the 1400 block of West Grove noted, "There is a section of sidewalk that I have to mow."



# A Master Plan For Sidewalks

Prepared by the Bloomington, IL  
Department of Public Works  
Adopted by the City Council  
on October 12, 2015



**RESOLUTION NO. 2015 - 37**  
**A RESOLUTION APPROVING THE CITY OF BLOOMINGTON**  
**SIDEWALK MASTER PLAN**

WHEREAS, sidewalks and sidewalk ramps are vital for safe travel of all pedestrians and especially elderly persons and persons with disabilities; and

WHEREAS, a systematic approach is needed by the City to provide proper stewardship, including a budgeted plan of action, for approximately 423 miles of public sidewalks; and

WHEREAS, the City is required to demonstrate progress toward citywide compliance with the American Disabilities Act (ADA) and update its ADA transition plan; and

WHEREAS, the Public Works Department for the City of Bloomington, Illinois, created a sidewalk rating system, rated its sidewalks, calculated cost based on its study of costs, outlined priorities, documented ADA progress, demonstrated its intentions to fully comply with ADA sidewalk requirements, and then produced a Sidewalk Master Plan exceeding 100 pages to capulize the above elements.

WHEREAS, the City Council finds it to be in the best interests of the City to adopt the City of Bloomington Sidewalk Master Plan.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BLOOMINGTON, ILLINOIS:

That the City of Bloomington Sidewalk Master Plan is hereby approved.

**ADOPTED this 12th day of October, 2015.**

**APPROVED this 13<sup>th</sup> day of October, 2015.**

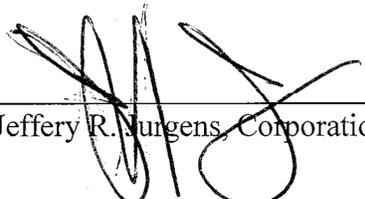
**CITY OF BLOOMINGTON**

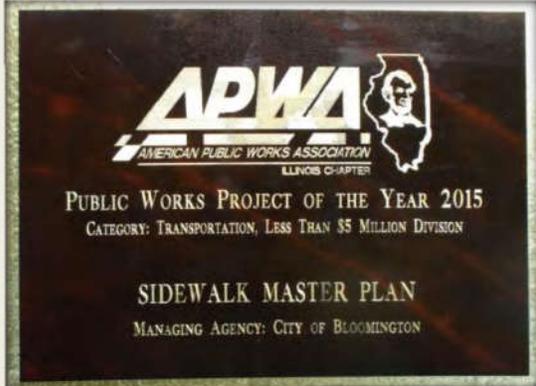
  
 \_\_\_\_\_  
 Tari Renner, Mayor

**ATTEST**

  
 \_\_\_\_\_  
 Cherry L. Lawson, City Clerk

**APPROVED AS TO FORM**

  
 \_\_\_\_\_  
 Jeffery R. Nurgens, Corporation Counsel



Congratulations!

You have been selected to receive an APWA Project Award for 2015 in the category "Transportation (Less than \$5 Million)" for the Sidewalk Master Plan.

Thanks for submitting a nomination to



# Sidewalk Master Plan

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## EXECUTIVE SUMMARY

At present, the condition of sidewalks throughout Bloomington falls short of crisis. In fact, about 70 percent of our pedestrian passageways rate as “good” or “excellent.” Nonetheless, there are significant problems. Nearly one in 10 sidewalks is in at least “poor” condition. That's 32 miles of sidewalk in which at least portions are in dire shape. Some of those sidewalks rank below “poor” -- as "failed" and impassible. Further, some streets that should have sidewalks have none. Most sidewalks have ramps at intersections; some don't. However, 4 out 5 ramps fall short of the standards of the Americans with Disabilities Act. Overall, the sidewalk system is in fair shape with need of improvement. It will not stay that way. Inaction will invariably lead to deterioration to levels that now define Bloomington streets. Decisive action and commitment to stable funding will raise the sidewalk system toward the level the City desires. It desires to be a healthy, pedestrian-friendly community, one where residents can age in place and where all residents can travel safely on foot and by wheelchair.

### Priorities

This Master Plan systematically addresses three shortcomings in the sidewalk system: 1) Access for persons with disabilities. 2) Locations with poor overall quality. 3) Key gaps in the sidewalk system. Short-term, the Plan outlines a method to bring every sidewalk in Bloomington to a minimum rating of “Fair-minus,” in the term used by the City’s rating system, while also addressing the highest priority missing pieces or “gaps.” Longer term, the Plan brings the minimum condition to, in rating terms, a “Fair-plus,” while addressing medium-priority missing pieces of sidewalk. The Plan also provides a method to bring Bloomington sidewalks closer to full compliance with the Americans with Disabilities Act (ADA) though an ongoing long-term strategy.

While the Plan produces dollar figures that may cause hesitation, the final portion of the Plan presents a clear roadmap for funding based on a systematic study and objective rating of sidewalks.

### Studied in context

The Sidewalk Master Plan was produced by the Engineering Division of the Public Works Department and Public Works Administration. This is important in that the planners generated expectations and goals within context of the City of Bloomington operations rather than taking an isolated view of the sidewalk system, as an outside consulting firm might be expected to produce. The Department sought realistic goals -- practicality that by necessity compromises idealism within the framework of a municipality weighing many costly needs, wants and demands. In fact, the initial draft of the Plan sought to improve all sidewalks to a rating of “Good-minus.” The Department scaled back the level of service because of financial considerations, cutting \$2 million in spending from the Ten-Year Action Plan before it even entered a final draft stage.

### Cost calculations

The Department used formulas developed by the Public Works Engineering Division in making projections for costs based on lengths of sidewalks and their ratings. The formulas use the average amount of a sidewalk within each parcel needing replacement under a given rating – not the replacement of the entire sidewalk. For example, addressing a sidewalk with a quality rating of 4 (“Fair-minus”) translates on average to replacing 27 percent of sidewalk panels, not all panels. Cost calculations also take into account extra depth and cost of sidewalks abutting driveway aprons.

The Master Plan concludes with an Action Plan to meet all goals over a 10-year span, starting with the 2015-2016 budget. It factors inflation at 3 percent annually, taking a cautious approach rather than an optimistic approach on inflation.

Two issues stay atop the agenda throughout the Sidewalk Master Plan:

- **Safety:** Providing safe travel for pedestrians is a City responsibility. City staff sees need to keep existing sidewalks safe, improve marginal and unsafe sidewalks and create new sidewalk in selected areas where none exists. The Master Plan takes into account locations and usage -- near a school, for example -- in setting priorities. The result is a plan for good pedestrian travel for the maximum number of users. However, the Master Plan also seeks good pedestrian travel for individuals who most need it -- outside the issue of amount of usage; hence, the priority of accessibility.
- **Accessibility:** The City began the effort to make its sidewalks accessible to persons with disabilities well before the federal government passed the Americans with Disabilities Act in 1990, and it continues to do so. It started ramping sidewalks at street crosswalks in the early 1980s. However, the job of meeting ADA continues. Most of our sidewalk ramps do not meet our standards or the ADA's, largely because the standards changed. Some of our sidewalks still have no ramps leading to street intersections. And some of our ramps need to be made safer. Furthermore, routine fixes of sidewalk problems and the responsibility to our citizens with disabilities go hand in glove; tripping hazards are all the more dangerous to the elderly, who risk serious injury from falls, and to those with visual impairment and other disabilities.

### **City of Bloomington Strategic Plan Tie-in**

The City's Strategic Plan emphasizes quality infrastructure and puts forward a vision for the future: "Vision 2025." Vision 2025 is for Bloomington to be a beautiful, family-friendly city with great neighborhoods and convenient connectivity. Well-designed public facilities, including sidewalks, work toward that end. The City wants to have great neighborhoods and is dedicated to having easy and safe accessibility to parks and schools. Bloomington wants to increased connectivity, giving citizens the opportunity to work near home and use non-motorized transportation. The Vision considers Downtown as the heart of the City and sees easy pedestrian access there as vital. And it states that achieving the vision requires "(W)ell-maintained city streets, sidewalks." The City sidewalk system is for public use; it is the commitment of Bloomington to keep the sidewalks well maintained so all can benefit.

**Motion by Alderman Matejka, seconded by Alderman Sprague that the Proposal from Hanson Engineers be accepted in an amount not to exceed \$14,000.00 and the Mayor and City Clerk be authorized to execute the necessary documents.**

**The Mayor directed the Clerk to call the roll which resulted as follows:**

**Ayes: Alderman Fruin, Sprague, Whalen, Markowitz, Matejka, Kroutil and Bittner.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

To: Honorable Mayor and Members of the City Council  
From: Staff  
Subject: Analysis of Revisions to Human Relations Ordinance

The purpose of this memo is to better inform you of the changes proposed by the Human Relations Commission to Chapter 22.2 of the City Code, and to point out areas where the staff is recommending revisions to the proposed changes.

### **Section 1- Declaration of Policy**

No changes are suggested in this section with the exception of the addition of the categories of familial status, sexual orientation, and source of income discrimination, which will be addressed later in this memo.

### **Section 2- Establishment and Guidelines of the Human Relations Commission**

Several changes are made in this section to clarify the composition of the Commission.

Presently, the Chairperson of the Commission is appointed by the Mayor and ratified by the City Council for a term of 2 years. Six Commissioners are appointed by the Mayor and ratified by the City Council for a term of 3 years. The revision has the Mayor appointing 7 commissioners with the advice and consent of the City Council. The Commissioners serve terms of three years. By majority vote of the Commission, they select from their own ranks a Chairperson and Vice-Chairperson.

The position of Human Relations Associate is defined in the revision (the current ordinance does not mention this position). The Associate is authorized to serve as an investigator of

discrimination complaints filed with the Commission and is required to make reasonable efforts to attend all meetings of the Commission.

The duties and authorities of the Commission include new references to the Commission's jurisdiction to investigate claims of discrimination on the basis of familial status, sexual orientation, and source of income.

### **Section 3- Definitions**

Numerous changes are made to the current ordinance. Many of these revisions are proposed with the intent to bring the language of the City Code into conformance with language used by similar statutes at the federal and state level, or to reflect current practices of the Commission which at present are set forth only in the Commission's by-laws. This report will reference only the major changes.

"Disability"- this definition tracks the definition of disability used by the Americans with Disabilities Act. As with the federal act, impairments relating to the illegal use, possession or distribution of controlled substances are excluded.

"Familial status"- Discrimination on the basis of familial status in real estate transactions has been prohibited by the City Code and Illinois law for several years. The only substantive change is that the City Code currently makes it unlawful to discriminate on the basis that a person under the age of 14 years is living with the applicant. The provision is revised to prohibit discrimination on the basis that a person under 18 years of age is living with the applicant, which tracks the language used by the Illinois statute.

"Hearing officer"- the revision permits public hearings to be conducted by less than the full Commission. It also permits the Commission to appoint an attorney at law to conduct the hearing to receive evidence and make findings of fact.

"Probable cause"- Many of the procedures set forth in the Code are triggered by the Commission's determination of whether probable cause of a violation of the ordinance exists. This language is a standard definition of probable cause.

"Sexual harassment"- definitions of sexual harassment in the context of housing, public accommodation, and financing transactions are included, which are consistent with federal and state case law.

### **Sexual Orientation**

"Sexual orientation"- This language is copied from the language used in the Cook County ordinance. The proposed language is as follows:

"Sexual orientation" means the status or expression, whether actual or perceived, of heterosexuality, homosexuality, or bisexuality.

Four major issues are involved with this definition:

- (1) Whether discrimination on the basis of sexual orientation should be prohibited by the City Council;
- (2) Whether an exception should exist when persons assert that obeying a prohibition against discrimination on the basis of sexual preference is an infringement on their religious beliefs;
- (3) Whether homosexual or bisexual conduct between consenting adults is illegal under the criminal laws of Illinois; and
- (4) Whether the proposed language is too vague.

**(1) Whether discrimination on the basis of sexual orientation should be prohibited by the City Council.** *No.* The staff recommends against adoption of the language prohibiting discrimination on the basis of sexual orientation. The reason for this recommendation is that the original intent of the City of Bloomington when it enacted its Human Relations ordinance was to give victims of discrimination as defined by federal and state law a local option to obtain justice in an expedited manner. (The exception to this has been that the City ordinance has always been the only option available to employees or job applicants if the employer has fewer than 15 employees.) Although the federal and state anti-discrimination laws may have been controversial when first enacted, by the time they were copied at the level of local government a consensus had developed among society as a whole that such laws were both necessary and in the public interest. It is the position of the staff that such a consensus does not exist on the issue of whether persons should be placed in a protected class by local government on the basis of their sexuality, and until or unless such a consensus develops, the City should not reach out to prohibit conduct which is not prohibited by federal or state law. However, in the event the City Council decides to enact the provisions prohibiting sexual orientation discrimination, the staff has drafted additional language in this area, which will be set forth later in this memo.

**(2) Whether an exception should exist when persons assert that obeying a prohibition against discrimination on the basis of sexual preference is an infringement of their religious beliefs.** *Yes.* It is the opinion of the Legal Department that the Religious Freedom Restoration Act of 1993 (42 United States Code §2000bb et seq.) requires the City to exempt persons and institutions from any ordinance which prohibits discrimination on the basis of sexual orientation when those persons or institutions assert that obeying such an ordinance would substantially burden the exercise of their religious beliefs unless the City can prove that it has a compelling interest in enforcement of the ordinance and that it has taken the narrowest means possible of enforcing that interest. Although there is sometimes a debate on the difference between a "religious" belief on the one hand and an "ethical" belief on the other, as a practical matter a religious belief is whatever a person says it is. The real issue is whether the City has a "compelling state interest" in requiring persons to obey an ordinance which conflicts with their religious beliefs. (The "compelling state interest" test is the strictest test used by courts against a government when the government is required to justify its actions.) It is the opinion of the staff

that the City lacks a compelling state interest which would permit it to enforce a sexual orientation provision against a religious defense for the following reasons: (1) neither the federal government nor the state of Illinois has found it necessary to prohibit such discrimination; and (2) no studies exist, to the staff's knowledge, which prove that homosexuals or bisexuals experience a substantial disadvantage in finding or keeping employment or housing when compared to heterosexuals. Therefore, the staff has drafted language which would write the "religious exemption" into the ordinance if the Council decides to enact the sexual orientation provisions.

**(3) Whether homosexual or bisexual conduct between consenting adults is illegal under the criminal laws of Illinois.** *No.* The criminal laws of Illinois prohibit both adultery and fornication. Some persons have suggested that prohibiting discrimination on the basis of sexual orientation would be sanctioning violations of state law. In the Corporation Counsel's opinion, the criminal laws of Illinois do not make private homosexual conduct between consenting adults illegal. At least one older case interpreted the fornication statute as applying to male/female sexual intercourse. In addition, at the time the legislature enacted the prohibitions against adultery and fornication, it also enacted a law prohibiting sodomy. If homosexual conduct were already illegal by reason of the laws against adultery and fornication, there would have been no reason for a separate sodomy law. However, the prohibition against sodomy was repealed when the Illinois Criminal Code was revised in 1961. Finally, according to legal scholars, the criminal prohibitions against adultery and fornication were originally made part of the common law, not to enforce religious morality, but to punish conduct which caused the birth of illegitimate children and interfered with the orderly inheritance of property. Therefore, it is the Legal Department's opinion that enacting a sexual preference provision would not conflict with Illinois criminal law.

**(4) Whether the proposed language is too vague.** *No.* These objections have been voiced because discrimination would be prohibited against someone who is "perceived" to be homosexual or bisexual, even if he or she is not. In the Corporation Counsel's opinion, this language is no more difficult to apply than the prohibition in federal and state law against discriminating against someone who is "perceived" to be handicapped. As a practical matter, perception is usually the basis for discrimination on the basis of sexual orientation, since an employer/landlord/store owner is rarely going to have actual knowledge that a person engages in a particular type of sexual conduct. It has also been pointed out that effeminate men or masculine women who are actually heterosexual may be subject to discrimination because they are mistakenly perceived to be homosexual.

The language which prohibits discrimination on the basis of the "expression" of sexual conduct is more problematic, but again the Corporation Counsel believes this language is adequate when interpreted (as all laws must be) in a reasonable manner. Conduct which would be disruptive to the workplace or a place of public accommodation if engaged in by heterosexuals (such as loud behavior, inappropriate displays of affection, or exhibitionism), could properly be prohibited by employers or store owners against homosexuals as well without violating the ordinance.

In the final analysis, the City Council must decide whether enactment of an ordinance which will be enforced exclusively against persons *without* religious objections to homosexual or bisexual conduct will have any substantive effect and, if not, whether the Council desires to make a largely symbolic statement that homosexual or bisexual status should be subject to more toleration by society at large.

### **Source of Income**

This definition is new and is not a form of discrimination prohibited by either state or federal law. The staff is recommending against passage of the provisions regarding source of income discrimination for the same reasons as its recommendation against passage of the sexual orientation provisions- this is an area which is not addressed by either state or federal law. However, the staff is adding language which it recommends be included in the ordinance in the event the City Council decides to enact the prohibition against source of income discrimination.

The staff is adding language to the definition of "source of income" to clarify that it is not unlawful to make a decision on the basis of source of income if it is based on the applicant's ability to pay using recognized standards of credit worthiness as applied by lending institutions.

At the public hearings conducted on the proposed ordinance, the Commission discussed whether the prohibition against source of income discrimination would cause landlords to be liable if they did not accept tenants who are subsidized under the federal Section 8 program, even if those landlords were not participants in the program. In response to these concerns, the staff has inserted language which clarifies that these provisions do not require landlords to apply for Section 8 certification. (This language is identical to an exception contained in the Cook County ordinance).

The staff is also adding language which would exempt landlords from the provisions prohibiting source of income discrimination when the prospective tenant's source of income is unemployment compensation and the term of the lease would last longer than the unemployment compensation.

### **Section 4- Employment**

The current ordinance groups the prohibitions against discrimination in employment, housing, public accommodations and financing into one section. The Commission and the staff believe that separating the different types of discrimination into separate sections will be less confusing.

The section on employment adds to the list of prohibited discriminatory practices familial status, sexual orientation, and source of income discrimination, which have been addressed previously. The only other substantive change added by the Commission was language which tracks the requirements of the Americans with Disabilities Act, requiring employers to make reasonable accommodations to permit disabled persons equal opportunities in employment, but which permits employers to assert a defense of undue hardship.

The staff has added the following language to Section 4:

Sexual Orientation. Nothing in this Chapter shall be interpreted as prohibiting discrimination on the basis of sexual orientation when employment without regard to the sexual orientation of the potential or current employee would substantially burden the employer in the exercise of the employer's religious beliefs.

This language is added to clarify that the City intends to follow federal law in accommodating religious beliefs.

### **Section 5- Housing**

In addition to adding sexual orientation and source of income discrimination to the list of prohibited forms of discrimination, the ordinance adds the "reasonable accommodation/undue hardship" language in the area of disability discrimination.

Under the "Exemptions" section, the Commission has added language exempting owner-occupied housing (in which the owner shares bathroom or kitchen areas with the prospective tenant) from all of the housing discrimination provisions. It also exempts housing intended for persons age 55 or older. It permits religious organizations to restrict non-commercial housing to members of its religion (except where membership in the religion is restricted on account of race, color, or national origin). Finally, it permits housing to be restricted to persons of one sex where compelling privacy reasons exist.

The staff has added language which clarifies that the prohibition against sexual orientation discrimination in the area of housing does not apply to persons or institutions who assert that such a practice would substantially burden the exercise of their religious beliefs.

The staff has also added language which clarifies that the City ordinance does not require landlords to apply for Section 8 certification.

### **Section 6- Public Accommodations**

The proposed ordinance adds familial status, sexual orientation, and source of income discrimination to the list of prohibited practices. It also adds language the "reasonable accommodation/undue hardship language" to clarify the tests used in disability discrimination cases.

An exemption contained in the ordinance is the provision which permits housing accommodations to be restricted to persons of one sex when compelling privacy reasons exist. This provision is primarily included to clarify that private schools are not required to provide co-ed dormitories.

The staff has added language exempting persons who have religious objections from compliance with the "sexual orientation" discrimination provisions.

### **Section 7- Financing**

This section adds the prohibition against discrimination on the basis of familial status, sexual orientation, and source of income in financing. It also includes the "reasonable accommodations/undue hardship" language in the area of disability discrimination.

### **Section 8- Additional Civil Rights Violations**

No substantive changes have been made in this section. It continues to prohibit retaliation against persons who file complaints with the Commission; it prohibits the aiding and abetting of any persons in the violation of the Code; and prohibits the willful interference with the Commissioners or the staff in the performance of their duties.

### **Section 9- Jurisdictional Authority**

No substantive changes have been made in this section. The unlawful practices must have been committed within the corporate limits of the City in order for the Commission to have jurisdiction.

### **Section 10- Complaint Resolution Process**

The current ordinance is, for the most part, silent as to the procedures to be used by the parties to the Complaint process. This section is a reflection of the complaint resolution process which is set forth in the by-laws of the Commission.

Most of the provisions set forth in this Section are non-controversial, with the exception of the remedies provisions, which are greatly increased from the current ordinance. Under the current ordinance, the total of all fines, damages, benefits and/or back-pay which may be awarded by the Commission is \$2,500.00 for each offense, of which not more than \$1,000.00 may be assessed as a fine. It is the opinion of the Commission and the staff that these amounts are unrealistically low. Section 10(K)(1) of the proposed ordinance increases the maximum fine which may be assessed by the Commission to \$2,500.00 per offense. As drafted by the Commission, there are currently no caps on the amount of actual damages or compensatory damages which may be reasonably assessed by the Commission. In addition, the Commission has the authority to require payment by the Respondent of the Complainant's attorney's fees (the City's Legal Department represents the staff and the Commission; it does not represent Complainants).

Actual damages are intended to reimburse the Complainant for out-of-pocket losses, such as lost pay. Compensatory damages are intended to reimburse the Complainant for other losses which the law recognizes as compensable, such as pain and suffering.

It is the staff's position that a cap of \$50,000.00 in damages should be written into the ordinance. Such a cap exists under federal discrimination law and it is the staff's belief that the City's ordinance should not permit more relief to a Complainant than is available under federal law.

### **Section 11- Settlement**

This section was not approved by the Commission, and has been added by the staff. It was the position of the Commission that once a person has filed a charge of discrimination against the City, it should not be settled between the parties until the Commission has had the opportunity to determine probable cause. The position of the staff has been that the City Code should encourage the parties to a discrimination complaint to reach a voluntary settlement of the matter at any time and that the most favorable time for settlement with a minimum of disruption to the lives of all concerned is at an early stage in the process. The language as drafted still requires, not only the agreement of the parties, but the approval of the Commission, in order for a settlement agreement to dispose of the charge. The Commission would continue to retain jurisdiction over the matter in the event the settlement agreement is breached.

### **Chapter 12- Equal Employment Opportunity and Contract Compliance**

This section is essentially unchanged from the current ordinance. It requires persons who contract with the City to provide written commitments that it provides equal employment opportunities in recruiting, training, and utilizing workers.

### **Section 13-16 Judicial Relief, Limitations, Penalty, and Severability**

These sections are unchanged from the current ordinance, with the exception that the 90 day statute of limitations in Section 14 is amended to 180 days to be consistent with the rest of the ordinance.

### **Conclusion**

The Commission and the staff have devoted a great deal of time to this comprehensive revision of the Human Relations Ordinance. It is the recommendation of the staff that, with the exception of the provisions relating to sexual orientation and source of income discrimination, the ordinance be passed as it has been drafted by the Commission and amended by the staff. The staff has highlighted the language pertaining to sexual orientation discrimination in italics and the provisions pertaining to source of income discrimination in underlines; if the Council chooses to follow the staff's recommendation, the motion should state that the proposed ordinance be passed with the exception of the italicized and underlined language, which is to be deleted from the ordinance.

Respectfully,

J. Todd Greenburg  
Corporation Counsel

Emily Bell  
Human Resources Director

Richard Bailey  
Assistant City Manager

Tom Hamilton  
City Manager

January 22, 1996

**ORDINANCE NO. 1996 - 8****AN ORDINANCE REPEALING CHAPTER 22.2 OF THE BLOOMINGTON CITY CODE (HUMAN RELATIONS) AND ENACTING A COMPREHENSIVE REVISION OF CHAPTER 22.2**

BE IT ORDAINED by the City Council of the City of Bloomington, McLean County, Illinois:

SECTION 1. Chapter 22.2 of the Bloomington City Code, 1960, as amended, is further amended by deleting said Chapter in its entirety and substituting therefore a new Chapter 22.2, a copy of which is attached hereto, labeled "Exhibit "A" and incorporated by reference.

SECTION 2. That except as provided for herein, the Bloomington City Code, 1960, as amended, shall remain in full force and effect.

SECTION 3. The repeal of Chapter 22.2 shall in no way affect the validity of any enforcement proceedings or causes of action which shall have been pending or which may have accrued prior to the effective date of this Ordinance.

SECTION 4. The City Clerk shall be, and she is hereby directed and authorized to publish this Ordinance in pamphlet form as provided by law.

SECTION 5. This Ordinance is enacted pursuant to the authority granted to the City as a home rule unit by Article VII, Section 6 of the 1970 Illinois Constitution.

SECTION 6. This Ordinance shall take effect ten (10) days after publication.

PASSED this 22nd day of January, 1996.

APPROVED this 23rd day of January, 1996.

APPROVED:

JESSE R. SMART  
Mayor

ATTEST:

TRACEY COVERT  
City Clerk

## Exhibit "A"

### CHAPTER 22.2

#### HUMAN RELATIONS

##### SEC. 1 DECLARATION OF POLICY

It is the intent of the City of Bloomington in adopting this article, to secure an end in the city to discrimination, including, but not limited to, discrimination by reason of race, color, sex, religion, age, national origin, marital status, familial status, *sexual orientation*, source of income, or physical or mental disability unrelated to ability. The protections of this ordinance are administered by the Bloomington Human Relations Commission.

##### SEC. 2 ESTABLISHMENT AND GUIDELINES OF THE HUMAN RELATIONS COMMISSION

There is hereby established a Commission to be referred to and known as the Bloomington Human Relations Commission:

(A) **Organization and Members of the Commission.** The following designated persons shall be the members of the Human Relations Commission.

- (1) **Chairperson.** The Chairperson shall be selected from among the Commissioners by a majority vote of the Commission for a term of two (2) years. The term as Chairperson shall not affect the original appointment term of the Commissioner chosen to serve as Chairperson. The Chairperson shall receive no salary, but may be compensated for expenses incurred in the performance of the Commission duties. The Chairperson shall supervise the activities and duties of the Human Relations Commission and shall preside over all of its meetings in addition to the powers enumerated below. The Chairperson shall participate in all matters and shall vote on all issues before the Commission.
- (2) **Vice-Chairperson.** The Vice-Chairperson shall be selected from among the Commissioners by a majority vote of the Commission for a term of two (2) years which shall coincide with the term of the Chairperson. The term as Vice-Chairperson shall not affect the original appointment term of the Commissioner chosen to serve as Vice-Chairperson. The Vice-Chairperson shall receive no salary, but may be compensated for expenses incurred in the performance of the Commission duties. The Vice-Chairperson shall act as Chairperson at meetings and functions of the Commission from which the Chairperson is absent.

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- (3) **Commissioners.** Seven (7) persons, who shall be referred to and known as Human Relations Commissioners, shall be appointed by the Mayor with the advice and consent of the City Council for terms of three (3) years. Commission members may be reappointed at the discretion of the Mayor with the advice and consent of the Council. Commissioners shall receive no salary, but may be compensated for expenses incurred in the performance of Commission duties. The Mayor shall make appointments to the Human Relations Commission which reflect a broad diversity of backgrounds within the community in the areas of race, ethnic groups, sex and age.
- (4) **Staff.** The following designated persons shall assist the Commission in the execution of its responsibilities.
- (a) **Community Relations Coordinator.** The Community Relations Coordinator shall be hired by the Director of Human Resources and shall advise the Commission, serve as a resource person to the Commission, coordinate and develop human relations projects of the Commission and act as a liaison with the City administration. The Community Relations Coordinator shall make reasonable efforts to attend all meetings and functions of the Commission and shall have a voice in all proceedings, but shall not vote on issues before the Commission.
- (b) **Human Relations Associate.** The Human Relations Associate shall be hired by the Director of Human Resources and shall investigate discrimination complaints filed with the Commission, as well as individual instances and patterns of conduct that appear to be in violation of this Chapter, and shall assist in the coordination and development of human relations projects of the Commission. The Human Relations Associate shall make reasonable efforts to attend all meetings of the Commission and shall have a voice in complaint related issues, but shall not vote on complaint related issues before the Commission.
- (c) **Legal Representation.** The Commission shall be represented by the City's Corporation Counsel Office, or in the case of a conflict of interest, the Commission shall engage the services of a private attorney.
- (B) **Removal.** The Chairperson and Commissioners appointed herein may be removed for cause by the City Council.
- (C) **Meetings.** The Chairperson of the Human Relations Commission shall call meetings of the Commission on a regular basis, not less than once a month on a schedule to be established and published by the Chairperson as required by law. The Chairperson or any four (4) Commissioners may call additional meetings as may be deemed necessary by giving notice of the time and place of such meetings to all other Commissioners, to the

Chairperson, to the news media as required by law, and to the Community Relations Coordinator not less than twenty-four (24) hours prior to such meetings.

(D) **Duties and Authority.** It shall be the duty and authority of the Human Relations Commission to:

- (1) Conduct research, publish, and utilize studies in the field of intergroup relations and to develop and implement procedures to educate the community, equalize opportunities, eliminate discrimination, and promote good will among all persons;
- (2) Receive and record any complaint whether initiated by the Human Relations Commission or by the filing of a complaint with the Commission, alleging discrimination against any person because of race, color, age, sex, religion, national origin, marital status, familial status, *sexual orientation*, source of income, or physical or mental disability unrelated to ability in violation of this Chapter.
- (3) Seek to resolve conflicts between persons involved in complaints which are within the jurisdiction of the Commission.
- (4) Recommend to the appropriate agency or person legislative, administrative, legal or other ameliorative action to be taken to eliminate discrimination and foster good will.
- (5) Invite and enlist the cooperation of any citizen, organization, or committee which can be of benefit in fulfilling the responsibilities of the Human Relations Commission in carrying out specific programs designed to lessen conflicts and in improving understanding in the community.
- (6) Adopt such bylaws, rules of procedure and regulations as may be deemed necessary to conduct its meetings, conciliation conferences, public hearings, and general operations and to carry out the purposes and provisions of this Ordinance.
- (7) The Commission may also cooperate and assist any person who requests such cooperation or assistance for the purpose of developing or maintaining equal employment opportunity programs.
- (8) Prepare and submit annually to the City Council, at or shortly after the end of each fiscal year, a report of its activities during such fiscal year.
- (9) Refer individuals and/or information to other agencies or persons when appropriate. Serve as a resource/liaison for information, training, education, and outreach efforts.

### SEC. 3 DEFINITIONS

As used herein, unless a different meaning appears clearly from the content, the following words or phrases shall have the meanings provided in this section:

**"Age"** as used in this Chapter shall be limited to individuals who are at least forty (40) years of age.

**"Aggrieved person"** includes any person who (1) claims to have been injured by a discriminatory practice; or (2) believes that such person will be injured by a discriminatory practice that is about to occur.

**"Answer"** means a formal certified written response to the allegations in a complaint which shall be filed by the Respondent in the manner and form herein specified in accordance with the established time tables herein specified.

**"Commission"** means the City of Bloomington Human Relations Commission.

**"Complainant"** means the Commission, Staff, or an aggrieved person who files a complaint with the Commission alleging a violation of this Chapter.

**"Complaint"** means a written and signed statement alleging one or more discriminatory acts or practices.

**"Conciliation Agreement"** means a written agreement setting forth the resolution of the issues in conciliation.

**"Conciliation Conference"** means a meeting of the parties arranged by the Commission in an attempt to resolve a complaint by a signed agreement of the parties.

**"Conciliator"** means one or more members of the Commission or any other person authorized by the Commission to conduct a conciliation conference.

**"Contractor"** means any person who contracts with or proposes to contract with the City to provide goods and/or services in an amount greater than \$5,000.00 for the current fiscal year or who has contracted with the City for a total of \$5,000.00 during the last preceding fiscal year.

**"Disability"** means (1) a physical or mental impairment that substantially limits one or more of the major life activities of an individual; (2) record of such an impairment; or (3) being regarded as having such an impairment. Excluded from this definition is an impairment relating to the illegal use, possession or distribution of "controlled substances" as defined in schedules I through V of the Controlled Substances Act (21 U.S.C. 812).

**"Discriminate"** means to make a difference in treatment, or favor any person because of race, color, sex, religion, age, national origin, marital status, familial status, *sexual orientation*, source of income, or physical or mental disability unrelated to ability.

**"Employee"** means (1) any individual whether paid or unpaid who performs services under the direction and control of and for any employer; or (2) an applicant for employment.

**"Employer"** includes any person within the City of Bloomington, including, but not limited to owners, managers, supervisors, and others who serve a supervisory function, who hires or employs any employee whose services are to be partially or wholly performed in the City of Bloomington, but excluding any religious or fraternal corporation, association, society, or organization with respect to the hiring or employment of individuals from their membership.

**"Employment agency"** means any person regularly undertaking, with or without compensation, to procure employees for an employer, or to procure for employees opportunities to work for an employer, or to recruit, refer or place employees.

**"Familial status"** means one or more individuals, who have not attained the age of 18 years, being domiciled with a parent or person having legal custody of such individual or individuals; or (1) the designee of such parent or other person having such custody, with the written permission of such parent or other person; or (2) any person who is pregnant or is in the process of securing legal custody of one or more individuals who have not attained the age of 18 years.

**"Hearing officer"** shall mean one or more members of the Commission or any attorney duly licensed by the State of Illinois who may be designated by the Commission to conduct a Public Hearing.

**"Housing accommodations"** include all buildings, structures, or any portions thereof, within the City of Bloomington which are used or occupied, or are maintained, arranged or designed to be used or occupied as a home, residence or sleeping place for one (1) or more persons.

**"Marital status"** means the status of being single, married, divorced, separated or widowed.

**"National origin"** means the place in which an individual or one of his or her ancestors was born.

**"Owner"** means any person who holds legal or equitable title to, or owns any beneficial interest in, any real property or who holds legal or equitable title to share of, or holds any beneficial interest in, any real estate cooperative which owns any real property, or any person who is acting as the agent, manager or employee of the owner.

**"Party" or "parties"** means either the Complainant or the Respondent. These terms shall also refer to the Commission when used in the context of a written agreement which is to be or has been signed by the Commission or its authorized representative as the resolution of the allegations contained in a complaint.

**"Person"** includes one (1) or more individuals, partnerships, associations, organizations, corporations, legal representatives, joint stock companies, mutual companies, trustees, trustees in bankruptcy, receivers, employment agencies, labor unions, or union labor organizations and any other incorporated or unincorporated organized group. The term includes, but is not limited to, any real estate owner, lessor, assignor, builder, manager, broker, salesman or agent, any lending institution, the City of Bloomington, any other unit of local government and any department, unit, officer or employee of any of the above.

**"Probable cause"** means on the basis of all available information there exists a state of facts which leads an objective person to reasonably believe that a violation of this Chapter may have occurred. These facts need not be proved "beyond a reasonable doubt", as in criminal cases, or by "clear and convincing evidence", or by a "preponderance of the evidence" as in civil matters. The Commission is not a court. It functions on an administrative, investigative level. It seeks only reasons to believe that facts exist which establish a violation of local civil rights laws.

**"Public accommodation"** means all places, businesses or individuals offering goods, services or accommodations to the general public. This paragraph shall not apply to any public school system.

**"Public hearing"** shall mean an administrative hearing of the allegations in a complaint by the Commission or by an impartial Hearing Officer pursuant to the procedures set forth in this Chapter.

**"Religion"** includes all aspects of religious observance and practice, as well as belief, except that with respect to employers. "Religion" with respect to employers includes all aspects of religious observance and practice, as well as belief, unless an employer demonstrates that he is unable to reasonably accommodate an employee's or prospective employee's religious observance or practice without undue hardship on the conduct of the employer's business.

**"Respondent"** means any person accused in a complaint of having committed a discriminatory practice or act.

**"Response"** means an informal written statement by a Respondent or a Respondent's legal representative stating that person's initial position with respect to the allegations contained in a complaint.

**"Sexual harassment" (in Employment)** means any unwelcome sexual advance, request for sexual favors, or conduct of a sexual nature when (1) submission to such conduct is an explicit or implicit term or condition of an individual's employment; or (2) submission to or rejection of such conduct by an individual is used as the basis for any employment decision affecting the individual; or (3) such conduct has the purpose or effect of substantially interfering with an individual's work performance, or creating an intimidating, hostile, or offensive working environment.

**"Sexual harassment" (in Housing)** means any unwelcome sexual advance, request for sexual favors or conduct of a sexual nature when (1) submission to such conduct is an explicit or implicit term or condition of an individual's real estate transaction; or (2) submission to or rejection of such conduct by an individual is used as the basis for any decision affecting the individual's real estate transaction, or creating an intimidating, hostile, or offensive environment with respect thereto.

**"Sexual harassment" (in Public Accommodation)** means any unwelcome sexual advance, request for sexual favors, or conduct of a sexual nature when (1) submission to such conduct is an explicit or implicit term or condition of an individual's access to, participation in, or full use of a public accommodation; or (2) submission to or rejection of such conduct by an individual is used as the basis for any decision affecting the individual's access to, participation in, or full use of a public accommodation; or (3) such conduct has the purpose or effect of substantially interfering with an individual's access to, participation in, or full use of any public accommodation, or creating an intimidating, hostile, or offensive environment with respect thereto.

**"Sexual harassment" (in Financing)** means any unwelcome sexual advance, request for sexual favors, or conduct of a sexual nature when (1) submission to such conduct is an explicit or implicit term or condition of any portion of the loan process; or (2) submission to or rejection of such conduct by an individual is used as the basis for any loan decision affecting the individual; or (3) such conduct has the purpose or effect of substantially interfering with an individual's access to any part of the loan process, or creating an intimidating, hostile, or offensive environment with respect thereto.

*"Sexual orientation" means the status or expression, whether actual or perceived, of heterosexuality, homosexuality, or bisexuality.*

**"Source of income"** means the lawful manner by which an individual supports himself or herself and his or her dependents when the individual has the ability to pay for goods, services, or living accommodations using recognized standards of credit worthiness as applied by lending institutions.

**"Staff"** includes the Community Relations Coordinator, the Human Relations Associate, as well as individuals hired in or assigned to the Human Relations Office.

## SEC. 4 EMPLOYMENT

"Discrimination" as applied under this section shall mean any differences in treatment based on race, color, sex, religion, age, national origin, marital status, familial status, *sexual orientation*, source of income, or physical or mental disability unrelated to ability.

(A) **Discriminatory Acts.** It shall be illegal for any person to commit any of the following acts of discrimination in employment.

- (1) To permit or take action which discriminately affects a person's selection, status, or eligibility for employment, promotion or transfer, or for apprenticeship or membership, or conditions and privileges or benefits directly or indirectly related to one's employment.
- (2) To cause or permit to be published or circulated, any notice, advertisement, job order, requisition or request for applicants for employment or apprenticeship or for the referral thereof which makes or has the effect of making race, color, religion, sex, age, national origin, marital status, familial status, *sexual orientation*, source of income, or physical or mental disability unrelated to ability as a condition of applying for employment or of referral therefor or indicates the existence of such a condition except for a bona fide occupational qualification.
- (3) To refuse to make reasonable accommodations for persons with disabilities in rules, policies, practices or services when such accommodations may be necessary to afford such person equal opportunity in employment. It shall be an affirmative defense to this subsection for the employer to show that such accommodations would constitute an undue hardship upon the employer.
- (4) For an employer, employment agency or labor organization to inquire on a written application whether a job applicant has ever been arrested or to use such knowledge of an arrest as a reason for denial or termination of employment. This section shall not be construed to prohibit any employer, employment agency or labor organization from requesting or using information or records concerning the conviction of any individual.

(B) **Exemptions.**

- (1) It shall not be unlawful practice for any person to develop a bona fide affirmative action plan designed to overcome the effects of past discrimination and to take action not otherwise prohibited by this Chapter or State or Federal law to carry out such affirmative action plan.

- (2) *Sexual Orientation.* Nothing in this Chapter shall be interpreted as prohibiting discrimination on the basis of sexual orientation when employment without regard to the sexual orientation of the potential or current employee would substantially burden the employer in the exercise of the employer's religious beliefs.

## SEC. 5 HOUSING

"Discrimination" as applied under this section shall mean any differences in treatment based on race, color, sex, religion, age, national origin, marital status, familial status, *sexual orientation*, source of income, or physical or mental disability unrelated to ability.

- (A) **Discriminatory Acts.** It shall be illegal for any person to commit any of the following acts of discrimination in housing.

- (1) To directly or indirectly discriminate against any person in any manner in the sale, rental, lease or occupancy of any residential real estate in the City of Bloomington, specifically relating to, but not limited to the price, terms, conditions or privileges of any kind relating thereto or in the furnishing of any services or facilities in connection therewith including advertisements therefore.
- (2) To refuse to allow, permit or assist any person in the examination of any listing of real estate or real estate otherwise for sale within the City of Bloomington, except for nondiscriminatory reasons applicable to all persons.
- (3) To solicit either orally or in writing or to distribute or cause to be distributed, written material or statements designed to induce any owner of any housing accommodation in the City of Bloomington, to sell or refuse to sell or lease his or her property because of any present or prospective change in the race, color, sex, religion, age, national origin, marital status, familial status, *sexual orientation*, source of income, or physical or mental disability of persons in the neighborhood.
- (4) To refuse to make reasonable accommodations for persons with disabilities in rules, policies, practices or services when such accommodations may be necessary to afford such person equal opportunity in housing. It shall be an affirmative defense to this subsection for the respondent to show that such accommodations would constitute an undue hardship upon the respondent.

- (B) **Exemptions.**

- (1) **Owner Occupied.** Nothing in this Chapter shall be construed to apply to the rental or leasing of housing accommodations in that portion of a building in which the owner, or members of his/her family, occupy one of the living units and in which the owner-occupant anticipates the necessity of sharing a kitchen or bathroom with a prospective tenant, not related to the owner-occupant.

- (2) **Housing For Older Persons.** No provision in this section regarding familial status shall apply with respect to older persons.
- (a) As used in this section, "housing for older persons" means housing:
- (i) provided under any State or Federal program that the Secretary of Housing and Urban Development has determined to be specifically designed and operated to assist elderly persons (as defined in the State or Federal program); or
  - (ii) intended for and solely occupied by persons 62 years of age or older; or
  - (iii) intended and operated for occupancy by at least one person 55 year of age or older per unit. In determining whether housing qualifies as housing for older persons under this subsection, the Commission shall develop regulations which require at least the following:
    - (aa) the existence of significant facilities and services specifically designed to meet the physical or social needs of older persons, or if the provision of such facilities and services is not practical, that such housing is necessary to provide important housing opportunities for older persons; and
    - (bb) that at least 80% of the units are occupied by at least one person 55 years of age or older per unit; and
    - (cc) the publication of, and adherence to, policies and procedure which demonstrate an intent by the owner or manager to provide housing for persons 55 years of age or older.
- (b) Housing shall not fail to meet the requirements for housing for older persons by reason of:
- (i) persons residing in such housing as of the effective date of this Ordinance who do not meet the age requirements of subsections (a)(ii) or (iii); provided, that the new occupants of such housing meet the requirements of subsections (a)(ii) or (iii) of this subsection ; or
  - (ii) unoccupied units; provided, that such units are reserved for occupancy by persons who meet the age requirements of subsections (a)(ii) or (iii) of this subsection.

- (3) **Religion.** Nothing contained in this section shall prohibit a religious organization, association, or society, or any nonprofit institution or organization operated, supervised or controlled by or in conjunction with a religious organization, association, or society from limiting the sale, rental or occupancy of a dwelling which it owns or operates for other than a commercial purpose to persons of the same religion, or from giving preference to such persons, unless membership in such religion is restricted on account of race, color, or national origin.
- (4) **Sex.** Nothing contained in this section shall prohibit restricting the rental of rooms in a housing accommodation to persons of one sex where compelling privacy reasons exist.
- (5) **Unemployment Compensation.** Nothing contained in this section shall prohibit an owner or manager of dwelling units from refusing to rent or lease housing to a person whose only source of income is unemployment compensation if the term of the lease proposed is longer than the maximum period of eligibility of the potential lessee for unemployment compensation.
- (6) **Section 8 Housing.** Notwithstanding anything to the contrary contained in this Ordinance, nothing contained in this section shall require any person who does not participate in the federal Section 8 housing assistance program (42 U.S.C. 1437f) to accept any subsidy, payment assistance, voucher, or contribution under or in connection with such program or to lease or rent to any tenant or prospective tenant who is relying on such a subsidy, payment assistance, contribution, or voucher for payment of part of the rent for such housing accommodation.
- (7) **Sexual Orientation.** *Nothing in this Chapter shall be interpreted as prohibiting discrimination on the basis of sexual orientation when sale, rental or lease or occupancy of residential real estate without regard to the sexual orientation of the person seeking to purchase, rent or occupy the residential real estate would substantially burden the vendor, lessor, owner or manager of the residential real estate in the exercise of the religious beliefs of such vendor, lessor, owner or manager.*

## SEC. 6 PUBLIC ACCOMMODATIONS

"Discrimination" as applied under this section shall mean any differences in treatment based on race, color, sex, religion, age, national origin, marital status, familial status, *sexual orientation*, source of income, or physical or mental disability unrelated to ability.

- (A) **Discriminatory Acts.** It shall be illegal for any person to commit any of the following acts of discrimination in public accommodations.

- (1) To discriminate against any person in the full enjoyment of goods, services, facilities, advantages or privileges of any public accommodation.
- (2) To refuse to make reasonable accommodations for persons with disabilities in rules, policies, practices or services when such accommodations may be necessary to afford such person equal opportunity in public accommodations. It shall be an affirmative defense to this subsection for the respondent to show that such accommodations would constitute an undue hardship upon the respondent.

**(B) Exemptions.**

- (1) **Sex.** Nothing contained in this section shall prohibit restricting the rental of rooms in a housing accommodation to persons of one sex where compelling privacy reasons exist.
- (2) **Sexual Orientation.** *Nothing contained in this section shall be interpreted as prohibiting discrimination on the basis of sexual orientation when providing public accommodation without regard to the sexual orientation of the person seeking public accommodation would substantially burden the exercise of the religious beliefs of the person providing public accommodations.*

**SEC. 7 FINANCING**

"Discrimination" as applied under this section shall mean any differences in treatment based on race, color, sex, religion, age, national origin, marital status, familial status, *sexual orientation*, source of income, or physical or mental disability unrelated to ability.

- (A) Discriminatory Acts.** It shall be illegal for any person to commit any of the following acts of discrimination in financing.
- (1) To discriminate or to participate directly or indirectly in discrimination in connection with the terms of loans, guaranteeing loans, accepting mortgages or otherwise making available funds for loans, provided that lending money is one of the principal aspects of the person's business or is incidental to the person's principal business
  - (2) To refuse to make reasonable accommodations for persons with disabilities in rules, policies, practices or services when such accommodations may be necessary to afford such person equal opportunity in financing. It shall be an affirmative defense to this subsection for the respondent to show that such accommodations would constitute an undue hardship upon the respondent.

**SEC. 8 ADDITIONAL CIVIL RIGHTS VIOLATIONS**

- (A) **Retaliation.** It shall be illegal for any person to discriminate or take retaliatory action against any other person because such person has opposed any practice forbidden by this Chapter or because such person has made a charge, filed a complaint, testified or assisted in any manner in any investigation, proceeding or hearing under this Chapter.
- (B) **Aiding and Abetting.** It shall be illegal for any person to aid, incite, compel, coerce or participate directly or indirectly in the doing of any act or practice declared in this Chapter to be prohibited.
- (C) **Interference.** It shall be unlawful for any person to willfully interfere with the performance of a duty or the exercise of a power by the Commission or one of its members or Staff.

#### SEC. 9 JURISDICTIONAL AUTHORITY

The Human Relations Commission shall have jurisdiction to take the actions authorized herein if the alleged act of unlawful discrimination or practice prohibited herein occurred within the corporate limits of the city of Bloomington, Illinois. For the purposes of this Section, the discriminatory practice shall be deemed to have occurred within the corporate limits of the city of Bloomington if:

- (A) all or part of the employment services in a position held or applied for by a Complainant are to be performed within the city of Bloomington; or
- (B) the housing accommodation sought, occupied, or formerly occupied by Complainant is located within the city of Bloomington; or
- (C) the public accommodation is located within the city of Bloomington; or
- (D) the person allegedly discriminating in financing is located or has a principal office within the city of Bloomington or is offered property within the city as collateral for any loan.

#### SEC. 10 COMPLAINT RESOLUTION PROCESS

##### (A) **Complaint.**

###### (1) **Who May File.**

- (a) Any person claiming to be aggrieved by a discriminatory practice or act committed within the limits of the city of Bloomington may file a complaint with the Bloomington Human Relations Commission.
- (b) Staff may investigate individual instances and patterns of conduct which the Commission or Staff feel are in violation of the provisions of this chapter, and may file complaints in connection therewith.

- (c) The Commission may file a complaint against any person who is alleged to have committed a discriminatory act within the jurisdiction of the Commission. Each complaint filed by the Commission shall be signed by four or more Commissioners.
- (2) **Dual Filing of Complaint Prohibited.** The Commission and Staff shall not process any complaint if a similar complaint is filed before the Illinois Department of Human Rights, or the Equal Employment Opportunity Commission, or Housing and Urban Development Department. The Commission shall dismiss any complaint filed with it where it is discovered that a similar complaint has been filed with any of the above said agencies.
- (3) **Content.** A complaint shall contain the following:
- (a) The name, address and telephone number, if any, of the Complainant or if a Commission or Staff complaint, of the Commission or Human Relations Office.
  - (b) The full name, address and telephone number of the Respondent, if known; if not known, the complaint shall so state.
  - (c) The alleged discriminatory practice(s) and/or act(s) together with a plain and concise statement of the particulars thereof.
  - (d) The date or dates of the alleged discriminatory practice(s) and/or act(s) and if alleged to be of a continuing nature, the dates between which said continuing practices or acts of discrimination are alleged to have occurred.
- (4) **Place of Filing.** A complaint shall be filed at the Human Relations Office at the Bloomington City Hall.
- (5) **Time of Filing.** A complaint must be filed no later than 180 days after the date of the last alleged occurrence of a discriminatory practice or act or 180 days after the date of discovery of an alleged discriminatory practice or act, which ever is later. The Respondent shall be informed by Staff promptly by certified mail of the filing of a complaint and of the Commission's responsibility to resolve such complaints. A copy of the complaint shall be enclosed with said letter.
- (6) **Withdrawal.** Complaints may be voluntarily withdrawn at the request of the Complainant at any time prior to the completion of the Public Hearing. The circumstances accompanying such withdrawal may be fully investigated by the Commission or Staff.

- (B) **Notification of Formal Complaint.** The Respondent shall be informed by Staff promptly by certified mail or by personal service of the filing of such complaints and of the Commission's responsibility to resolve such complaints. A copy of the complaint shall be enclosed with said letter.
- (C) **Response.**
- (1) **Time of Filing.** A response shall be filed by the Respondent at the Human Relations Office within fourteen (14) days from the date of service of the complaint or at such later time as the Commission or Staff may allow.
  - (2) **Content of Response.** The response shall contain the full name, address and telephone number of the Respondent, and if the Respondent is represented by an attorney, the name, address and telephone number of said attorney. The response shall contain specific information stating the Respondent's position with respect to the allegations contained in the complaint.
  - (3) **Failure to File Response.** If no response is filed within the permitted time, it shall be presumed that the complaint is not denied. Failure to file a response shall not operate to delay the proceeding.
- (D) **Party Representation.** Both the Complainant and the Respondent may be represented by counsel at any stage of conciliation, investigation, or hearing on the complaint. Representatives of parties shall be entitled to the notices specified herein only after they have entered their appearances in a case in writing by mailing or delivering same to the Human Relations Office wherein they identify the party they represent, and state their name and the address and telephone number where they may be contacted and to which all such notices may be mailed or delivered. Evidence that notices were mailed or delivered to such addresses shall be prima facie proof that all such notices were properly served.
- (E) **Investigation Process.**
- (1) **Investigation.** After the filing of a complaint, an investigation of the allegations in the complaint shall be conducted by Staff. The findings of the investigation will be reported to the Commission and the Commission shall determine on the basis of all available information if there is probable cause to believe that the allegations made in the complaint are true or if further investigation is required for its determination.
  - (2) **Additional Respondents.** A person who is not named as a Respondent in a complaint, but who is identified as a Respondent in the course of an investigation, may be joined as an additional or substitute Respondent upon written notice to such person from the Human Relations Office. Such notice shall explain the basis for the belief that the person to whom the notice is addressed is properly joined as

a Respondent. This Respondent will be notified per subsection B of this Section, and shall be held to the response requirements of subsection C of this section.

- (3) **Subpoena Power.** The Commission shall issue subpoenas for the appearance of witnesses, the production of evidence, or both, in the course of the investigation. Subpoenas will be issued where necessary for a thorough investigation. A subpoena shall be served in the same manner as subpoenas issued under subsection (I) (5) of this Section.
- (4) **Failure to Cooperate.** The Commission may dismiss a complaint or may enter an order of default against a party for failure to cooperate with the investigation.
- (5) **No Prima Facie Case.** The Commission may reject without prejudice and without investigation any complaint that fails to set forth sufficient evidence to state a prima facie case of a violation of this Chapter.

(F) **Findings.**

- (1) **Probable Cause.** If the Commission determines from the investigation of a complaint that there is probable cause to believe a violation has occurred, the Commission shall direct Staff to give notice to all parties that a probable cause determination has been made by the Commission. This notice shall be mailed to all parties within fourteen (14) days of the Commission's decision or at such other time as may be approved by the Commission.

(a) **Basis for Establishing Probable Cause.**

"Probable cause" means on the basis of all available information there exists a state of facts which leads an objective person to reasonably believe that a violation of this Chapter may have occurred. These facts need not be proved "beyond a reasonable doubt", as in criminal cases, or by "clear and convincing evidence", or by a "preponderance of the evidence" as in civil matters. The Commission is not a court. It functions on an administrative, investigative level. It seeks only reason to believe that facts exist which establish a violation of this Chapter.

Probable cause is established when one or more of the following eleven (11) factors are uncovered.

- (i) Prima facie evidence uncovered is on its face discriminatory, e.g., notices printed and distributed by the Respondent.

- (ii) The Respondent admits orally or in writing to the investigator, Complainant or witnesses that the action taken was because of the race, color, sex, etc. of the Complainant, class, associate of the Complainant--and the admissions are documented, witnessed, or under the circumstances of the case, the Commission has probable cause to believe the admissions were made.
- (iii) The Respondent violates equal opportunity regulations and ordinances and those guidelines which have the same effect as the law.
- (iv) Disparate treatment, e.g., a comparison between the Complainant of the protected class and similarly situated others of different race, color, sex, religion, etc., depending on what is alleged in the complaint.
- (v) Disparate effect--effect of neutral standards equally applied having a discriminatory impact.
- (vi) A pattern exists of a class being isolated from the other members of the total group or being restricted to certain areas, departments, use of certain facilities, creating a bona fide segregated situation.
- (vii) A discriminatory pattern exists. It has been determined that the pattern was created by and is maintained by specific Respondent policies, practices, and procedures. Those practices tend to exclude, channel into a limited or specified area, or otherwise deny equal opportunity to a given class.
- (viii) The Respondent violated his/her own policies, rules, regulations, recognized business practices in regard to the Complainant, denying the Complainant an opportunity he or she would otherwise have had, and there are comparisons that can be made of similarly situated others of another class.
- (ix) When the evidence that would enable a finding to be made has been mysteriously lost or destroyed, tampered with, altered or partly withheld, or the evidence is conflicting and shifting.
- (x) The action of the Respondent is, on its face, so outrageous that even in the absence of any other damaging comparisons as indicated above it is presumed to have resulted from discriminatory bias against persons in the protected class.

(xi) The Respondent's decision (to discipline, fire, refuse service, etc.) was based on his/her prejudice or his/her reliance on information from biased sources and the information relied upon can be shown to be untrue. There may or may not be any other comparisons that can be made in accordance with the above criteria.

(2) **No Probable Cause.** If the Commission determines from the investigation of a complaint that there is not probable cause to believe the Respondent has engaged in any discriminatory practice or act as alleged in the complaint, it shall state its findings in writing, dismiss the complaint and notify the parties by mail.

(G) **Reconsideration.**

A Complainant may apply to the Commission for a reconsideration of a dismissal of his/her complaint. Such application must be in writing, state specifically the grounds upon which it is based, and be filed with the Human Relations Office within fourteen (14) days from the date of the mailing of the notice of dismissal. A copy of said application shall be sent to the Respondent by certified mail. The Respondent shall have fourteen (14) days from the date of mailing of said application to the Respondent to file a written objection with the Commission, which shall be filed with the Human Relations Office. The Commission may order the complaint reinstated at its next special or regular meeting, but in no event earlier than fourteen (14) days after such application has been mailed to the Respondent or at any time after an objection from the Respondent is filed.

(H) **Conciliation.**

(1) **Conciliation Conference.** If the Commission determines that probable cause exists for the allegations made in the complaint, it shall designate one or more of its members or Staff to undertake a conciliation conference with the parties in an attempt to resolve the complaint by mutual agreement. Within thirty (30) days after the probable cause finding or at such other time as may be approved by the Commission, a notice stating the time and place of the conciliation conference shall be sent to all parties and their legal representatives, if any. If the Complainant fails to attend the conciliation conference, the complaint may be dismissed, unless such absence is excused by the Conciliator for just cause. Each party at a conciliation conference may be represented by one person of his/her choice. If the Respondent fails to attend the conciliation conference, the Conciliator shall notify the Commission of same and the case shall proceed to a Public Hearing.

(2) **Successful Conciliation.** If the conciliation conference is successful in resolving the complaint, the Conciliator shall have the terms of the settlement prepared and agreed to in writing by the parties. The Conciliator shall submit the settlement agreement to the Commission for its review and final decision thereon. All such agreements shall become effective only after they are approved by the Human

Relations Commission. Except as prohibited by law, the Commission may be a party to such agreement, which may be signed by the Chairperson of the Commission, or by a majority of the Commission (which may include the Chairperson).

- (3) **Unsuccessful Conciliation.** If the conciliation conference is unsuccessful in resolving the complaint, the Conciliator shall notify the Commission of same and the case shall proceed to a Public Hearing.

(I) **Public Hearing**

- (1) **Notice of hearing.** In case of failure of conciliation efforts, or in advance of such efforts, as determined by the Commission, and after finding probable cause, Staff shall cause to be issued and served in the name of the Commission, a written notice, together with a copy of the complaint, as the same may have been amended, requiring the Respondent to answer to the charges of such complaint at a Public Hearing. The notice shall specify the time, date and place of such hearing. Notice shall be served by registered or certified mail, return receipt requested, or by personal service.
- (2) **Complaint.** A complaint may be amended as a matter of right by the Complainant, or in the case of a Staff filed complaint, by the Staff, or in the case of a Commission filed complaint, by the Commission at any time prior to the filing of an answer by the Respondent. A complaint may thereafter be amended only with the consent of all parties or with the consent of the Hearing Officer on application duly made in writing therefor. An amended complaint must be in the form as the original complaint; however, an amendment to a complaint filed by the Commission may be signed only by the Chairperson and need not be notarized.
- (3) **Answer.**
  - (a) **Time of Filing.** The Respondent shall file a written verified answer within seven (7) days, or by such time as agreed to by all parties, from the date of the mailing of the notice of the Public Hearing and this requirement shall be stated in said notice. The answer shall be filed at the Human Relations Office. Upon written application, Staff may extend the time within which the answer may be filed up to seven (7) days prior to the Public Hearing.
  - (b) **Form of Answer.** The answer shall contain an admission or denial of each allegation contained in the complaint or a statement that the Respondent does not have adequate knowledge or information sufficient to form a belief with respect to particular allegations. The answer shall contain a statement of any matters which constitute a defense to the allegations contained in the complaint.

- (c) **Amendment to Answer.** An answer may be amended as a matter of right seven (7) or more days prior to the date of the Public Hearing and thereafter may be amended only in the discretion of the Hearing Officer on application duly made in writing therefor. All answers shall contain the full name, address and telephone number of the Respondent and if the Respondent is represented by an attorney, the name, address and telephone number of said attorney. In any case where a complaint has been amended, the Respondent shall have an equal opportunity to amend his/her answer within the time specified in this Chapter and remaining for the filing of an answer or in such additional time as may be allowed by the Hearing Officer on application duly made therefor to the Hearing Officer.
- (4) **Procedure Without Answer.** Regardless of whether a Respondent files an answer within the time provided herein, a hearing may be held at the time and place specified in the Notice of Hearing, and Findings of Fact and orders may be entered upon testimony taken at the hearing.
- (5) **Subpoenas.**
- (a) The Hearing Officer or any of the members of the Commission who preside at a Public Hearing may issue subpoenas upon the application of any party to the proceeding whenever necessary to compel the attendance of witnesses, or to require the production for examination of any books, records, correspondence, documents, papers or any other evidence relating to any matter under investigation or hearing before the Commission or at a Public Hearing.
- (b) When a subpoena is issued upon the motion of a party of the proceeding other than the Commission, the customary legal cost of service, witness and mileage fees shall be paid by the party at whose request the subpoena is issued. Where a subpoena is issued upon the motion of the Commission, the cost of such service, witness and mileage fees shall be paid by the Commission.
- (c) Any witness summoned may petition the Hearing Officer or the members of the Commission who are to preside over a Public Hearing to vacate or modify a subpoena. Prompt notice of the petition to vacate or modify a subpoena shall be given to the party, if any, who requested the issuance of the subpoenas. After such investigation as the Hearing Officer or the Commission members consider appropriate, the petition may be granted in whole or in part upon a finding that the testimony, or the evidence whose production is required, does not relate to any matter in question, or that a subpoena for the production of evidence is unreasonable and oppressive.

- (d) Upon failure of any person to comply with a subpoena issued as herein provided, the Commission may authorize its legal representative on its behalf to petition any court of competent jurisdiction to compel the attendance before the Commission or Hearing Officer of the person subpoenaed and to compel the production of subpoenaed evidence. If any person fails to obey any such court order, the Commission through its authorized legal representative may petition the court to hold such person in contempt of court. Such person may be assessed a fine by the Commission not in excess of \$1,000.00 for each offense, provided the person to whom the subpoena is issued is so notified on said subpoena that such fine may be assessed. Each such person shall be immediately notified of the amount of each such fine and each fine shall be paid within thirty days (30) days after it is assessed. In the event any such fines are not so paid, they shall be considered to be debts to the City of Bloomington and shall be collectible in the same manner provided by law for the collection of all other debts.
- (e) All subpoenas issued hereunder shall be served upon the party to whom they are directed by members of the Bloomington Police Department or by any other means which show that the subpoena has been received by the person to whom it was directed.
- (6) **Rules of Evidence.** The rules of evidence prevailing in the courts of law in this State shall not be applicable to nor bind any party, the representative of any party, nor any administrative person or body in any proceeding hereunder but such parties, persons and bodies shall consider any and all reliable, probative, and substantial evidence, statistical or otherwise, produced by anyone at any proceeding hereunder which may tend to prove or disprove any act or acts of discrimination alleged in the complaint under consideration. All testimony in any proceeding hereunder shall be given under oath. The Complainant has the burden of proving his or her case by a preponderance of the evidence.
- (7) **Written Record of the Hearing.** The written record of the Public Hearing shall consist of the notice of hearing, the complaint, the answer, the recorded transcript of the testimony taken at the hearing, the exhibits in evidence, motions, stipulations, oral arguments and the finding and orders of the Hearing Officer and of the Commission.
- (8) **Close of Hearings.** The Hearing Officer shall specifically inquire of all parties whether they have further proofs to offer or witnesses to be heard. Upon receiving negative replies, the Hearing Officer shall declare the hearing closed. If briefs are to be filed, the hearing shall be declared closed as of the final date set by the Hearing Officer for the receipt of briefs.

(9) **Findings and Recommendations.**

- (a) The Hearing Officer shall report his/her recommended findings to the Commission in writing within thirty (30) days of the close of the hearing. The Commission shall at its next meeting, or within a reasonable time after receipt of said Hearing Officer's report, adopt, modify, or reject in whole or in part and in writing the findings, recommendations, damages and/or the proposed fine of the Hearing Officer which, upon being signed by the Chairperson or by all members of the Commission attending such hearing shall constitute a final order of the Commission. A copy of the final order of the Commission shall be served by certified mail, or personal service on each party directly affected thereby.
  - (b) If the Commission conducts said Public Hearing, its findings, determinations, recommendations, damages to be paid to the Complainant and/or the fine shall be stated in writing which upon being signed by the Chairperson or by all members of the Commission who presided at the hearing shall constitute a final order of the Commission.
- (10) **Review of Decision.** Review of all decisions and final orders made at any public hearing provided for herein shall be by writ of certiorari and all appeals must be filed within thirty-five (35) days from the date that a copy of the decision or final order sought to be reviewed was served upon the party affected thereby.

(K) **Remedies**

- (1) Relief may include, but is not limited to, an order:
  - (a) to cease the illegal conduct complained of and to take steps to alleviate the effect of the illegal conduct complained of;
  - (b) to pay actual damages, as reasonably determined by the Commission, for injury or loss suffered;
  - (c) to pay compensatory damages, as reasonably determined by the Commission;
  - (d) to hire, reinstate, or upgrade the Complainant, with or without back pay, or to provide such fringe benefits as the Complainant may have been denied;
  - (e) to sell or lease housing in question to the Complainant;
  - (f) to admit the Complainant to a public accommodation;

- (g) to extend to the Complainant the full and equal enjoyment of the goods, services, facilities, privileges, advantages, or accommodations of the Respondent;
  - (h) to pay the Complainant all or a portion of the costs, including reasonable attorney's fees, expert witness fees, witness fees, and duplicating costs, incurred in pursuing the complaint before the Commission or at any stage of judicial review;
  - (i) to take such action as may be necessary to make the Complainant whole, including, but not limited to awards of interest on the actual damages and back pay from the date of the violation;
  - (k) to file with the Commission a report as to the manner of compliance;
  - (l) to post in a conspicuous place notices which the Commission may publish or cause to be published setting forth requirements for compliance with this Ordinance, or other relevant information which the Commission determines necessary to explain this Ordinance; and
  - (m) to pay a fine of up to \$2,500 for each offense.
- (2) The total amount of actual and compensatory damages in the Commission's order shall not exceed \$50,000.00.
  - (3) The Commission may file with the Department of Professional Regulation of the State of Illinois a notice in the event that any licensed real estate broker or salesperson violates this Ordinance.

## SEC. 11 SETTLEMENT

- (A) **Circumstances.** A settlement of any charge prior to a finding of probable cause may be effectuated at any time upon agreement of the parties and the approval of the Commission. A settlement of any charge after a finding of probable cause shall be effectuated as specified in Section 10(H)(1) and (2) of this Chapter.
- (B) **Form.** Settlements of charges prior to a finding of probable cause shall be reduced to writing by the staff, signed by the parties, and submitted by the staff to the Commission for approval. Settlements of charges after a finding of probable cause shall be effectuated as specified in Section 10(H)(1) and (2) of this Chapter.
- (C) **Violation.**
  - (1) When either party alleges that a settlement order has been violated, the staff shall conduct an investigation into the matter.

- (2) Upon finding substantial evidence to demonstrate that a settlement has been violated, the staff shall file notice of a settlement order violation with the Commission and serve all parties. The Commission shall have the authority to order appropriate sanctions permitted by this Code against the party found to have violated a settlement agreement.

## SEC. 12 EQUAL EMPLOYMENT OPPORTUNITY AND CONTRACT COMPLIANCE

- (A) The City of Bloomington shall not contract in any amount exceeding \$5,000.00 in any year with any contractor or vendor, or maintain any financial relationship with any financial institution, which does not first submit to the City a written commitment to provide equal employment opportunity in recruiting, training, and utilizing workers and to require all subcontractors to provide equal employment opportunity in recruiting, training and utilizing workers.
- (B) The Commission shall have the authority to subpoena for records or testimony any financial institution within the city of Bloomington or any contractor or vendor contracting with the City of Bloomington for the purpose of investigating compliance with the provisions of this Section 12. Subpoenas shall be severed in the same manner as subpoenas issued under Section 10 (I) (5) of this Chapter.
- (C) Any financial institution within the city of Bloomington or any contractor or vendor contracting with the City of Bloomington will be required on request to submit compliance reports in writing to the Human Relations Commission showing the implementation of and the extent of the effectiveness of their equal employment opportunity program in recruiting, training and hiring minority and women workers.
- (D) In the event that any contractor, vendor or financial institution contracting with the City of Bloomington fails to comply with the Equal Employment Opportunity and/or Contract Compliance provisions of this Chapter, the City upon recommendation of the Human Relations Commission may deny, cancel, terminate, or suspend the contract in whole or in part and/or may recover the sum of \$50.00 for each day a party fails to comply with the provisions of this Chapter as liquidated damages and not as a penalty.
- (E) Upon the request of the Commission, the services of all City departments and agencies shall be made available through the City Manager by their respective department heads to the Commission and upon request, relevant information in the possession of any department or agency shall be furnished to the Commission.

## SEC. 13 JUDICIAL RELIEF

Whenever deemed necessary in order to protect the rights of a Complainant or to preserve the power of the Commission to resolve a complaint, the Legal Department of the City of Bloomington, or the legal representative of the Commission, may apply to a court of competent jurisdiction for an injunction or other judicial relief to accomplish such purpose.

## SEC. 14      LIMITATIONS

Any action under Section 12 shall be commenced within one (1) year after the cause of action accrued and any other action hereunder shall be commenced within ninety (90) days after the cause of action accrued or after discovery thereof.

## SEC. 15      PENALTY

If fines or other damages due hereunder are not paid within thirty (30) days after they are assessed, they shall be considered to be debts to the City of Bloomington or to the party to whom they are owed and shall be collectible in the same manner provided by law for the collection of all other debts.

## SEC. 16      SEVERABILITY

If any section, paragraph, sentence or clause of this Chapter is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of any other part of this Chapter.

**Todd Greenburg, Corporation Counsel, presented the staff report. He stated that the Human Relations Ordinance had been revised. He stated that the Commission and City staff had held numerous work sessions and public commentary was taken. The goals of this revision were 1.) the terminology used in the City Ordinance should be consistent with the language used by the Federal and State governments, 2.) clarify the procedures used by the Commission, (these procedures have been removed from the Commission by-laws and incorporated into the Ordinance), and 3.) establish adequate penalties. Penalties will address actual and compensatory damages. The penalty for an offense may be a fine of up to \$2,500. The total amount of actual and compensatory damages shall not exceed \$50,000.00.**

**Mr. Greenburg stated that there were three areas of disagreement between the Commission and City staff. The first area involved a penalty cap. City staff supported a limit of \$50,000.00 which is found in Federal law. The Commission did not limit the amount of damages which could be awarded. The Commission recommended that two (2) forms of discrimination be included into the City Code, 1.) discrimination based upon a person's lawful source of income, and 2.) discrimination based upon the sexual orientation of an individual. The final area of disagreement involves the issue of voluntary settlement of complaints.**

**He addressed the question of policy versus legal recommendation. The City staff's recommendation to not include the two new areas of discrimination was a policy decision. The City is not prohibited from including these two areas. However, the addition would put the City in the forefront and raise the question of interpretation. The legal issue involved is that there is no precedent. There are no guidelines regarding how to apply this Ordinance.**

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In addition, the City staff requested clarification to the area regarding source of income. Source of income should be defined as a person's ability to pay for goods and services using recognized credit standards which are used by financial institutions. City staff recommended two (2) additions in the area of housing. First, landlords would not be guilty of discrimination, if the source of income is unemployment compensation and the terms of the lease would be longer than the length of unemployment compensation. Second addition, landlords would not be guilty of discrimination based on source of income, if they did not apply for Federal Section 8 certification.

Next, he addressed the issue of sexual orientation. If the section on sexual orientation is included, then language would have to address the issue of a religious exemption. If the City did not include this language, then the Courts would impose a religious exemption on the City. Federal law will not permit the City to burden an individual's religious beliefs, unless 1.) the city has a compelling interest to do so and 2.) the City must use the least restrictive means to advance that compelling interest. The City would be on the cutting edge and could not look to Federal or State law for guidance on this issue. He stated that he had reviewed Court cases and could not locate one regarding sexual orientation. He stated that the Courts in California and Massachusetts had addressed the issue of unmarried persons living together. In those cases, the Courts found that the State did not have a compelling interest. He stated his opinion that the issue and results would be the same if the case involved homosexuality or bisexuality. The City staff has attempted to chart the direction the Courts might take. The City could be forced to pay damages and attorney's fees if an individual mounted a religious belief defense.

For the reasons presented, the City staff recommended that the language pertaining to sexual orientation and source of income be deleted from the Ordinance. Finally, he stated that there was an error in Section 14. The statute of limitations should have been 180 days. The City staff requested that the motion on adoption of this Ordinance specify that Section 14 be amended from 90 to 180 days.

**Motion by Alderman Sprague, seconded by Alderman Matejka that the rules be suspended.**

**The Mayor directed the Clerk to call the roll which resulted as follows:**

**Ayes: Alderman Fruin, Sprague, Whalen, Markowitz, Matejka, Kroutil and Bittner.**

**Nays: None.**

**Motion carried.**

Mayor Smart stated that debate would be limited to ten (10) minutes for each side. He stated that six (6) individuals would be recognized. Three (3) will speak for including the language addressing sexual orientation and three (3) will speak against. The procedure has been that those in support address the Council first.

Marc Miller, 1418 N. Clinton, addressed the Council. As a member of the Commission, he stated that the work of correcting administrative problems with the current Ordinance took two (2) years. The Commission addressed the issue of diversity and tolerance for it. He added that the Commission reviewed past discriminatory practices. He stated that the community must be tolerant of private thoughts and behaviors. He stated his belief that the City would be a better community if the Ordinance were adopted as presented by the Commission.

Jerry Pope, 1105 N. Prairie, addressed the Council. He stated his support for the Ordinance as presented by the Commission. He reviewed past discriminatory practices. He stated that with the passage of time, many of these practices have been seen as wrong. He questioned society's view of homosexuality. He raised four (4) questions, 1.) what if a family member or close friend was homosexual, 2.) which side of this debate has treated all with dignity and respect, 3.) when did advocating human rights become controversial and radical, and 4.) how many people believe in basic human rights for all people?

Peggy Burton, 34 Chiswick Circle, addressed the Council. She stated her support for the Ordinance as presented by the Commission. She addressed the issue of peace and an end to violence. She stated the City has the responsibility to defend and protect all of its citizens. She stated that the Commission exposed the prejudice which exists in the community. She defined prejudice as encouraging individuals to see others as less human and less important. She stated that Civil Rights would not have happened if it had required a majority of the popular vote. She stated that prejudice divides the City and that the time for adoption of this Ordinance is now. This Ordinance would protect those who are the target of discrimination. She stated that adoption of the Ordinance as presented by the Commission would be a step toward unifying the community.

Jesse Parker, 1513 W. Locust, addressed the Council. He stated his opposition to the Ordinance as presented by the Commission. He stated that as a former Alderman, he knew of the pressure the Council was under. He stated that the City is a nice place to live. He stated his belief that the morality of this country has been chipped away. This country was founded on biblical principles. He stated that too many items are being labeled as Civil Rights. He stated that he reviewed the newspaper daily. He referred to the Bible, and read from Leviticus 19: 22 - 23, and 20:13. He also referred to the Illinois Combined Statutes, (ILCS) Section 720, 512-12, Subsection F. He requested that the Council not approve the Ordinance as presented by the Commission, because it would force him to honor something that God condemns. He stated that he loves his neighbors, but he does not love their sins.

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Scott Shaffer, 3208 Suffolk Way, addressed the Council. He stated his opposition to the Ordinance as presented by the Commission. He stated that he felt no ill will to the supporters of the Ordinance. He stated that rejection of the proposal does not equal rejection of the proponents. He stated his belief that the government should not provide special legal rights based on an individual's sexual behavior. He also stated his belief that the government should not approve of homosexual or bisexual behavior. He stated three reasons for his beliefs. First, these special legal rights are unnecessary. No objective statistics have been provided demonstrating the need for this proposal. Second, these special legal rights are not required by Federal and State law. One of the stated goals of the Commission was for the Ordinance to be consistent with Federal and State law. Neither the Federal nor State Civil Rights statutes grant special legal rights based upon sexual behavior. Homosexuals prosperity, political power and demonstrated ability to leave this behavior are well documented. This group fails the criteria used by the United States Supreme Court for granting special legal rights granted to minorities. Finally, providing these special legal rights will promote litigation. He stated that the proposal would violate the Federal Religious Freedom Restoration Act. He stated that the burden would be widespread, because Christianity, Judaism and Islam all teach that homosexual behavior is wrong. He stated his belief that the proposal would institute intolerance.

**Motion by Alderman Matejka, seconded by Alderman Whalen to return to order.**

**The Mayor directed the Clerk to call the roll which resulted as follows:**

**Ayes: Alderman Fruin, Sprague, Matejka, Anderson, Whalen, Markowitz, Kroutil and Bittner.**

**Nays: None.**

**Motion carried.**

Alderman Fruin questioned if Section X contained an item labeled J. Mr. Greenburg responded negatively and added that the error would be corrected. Alderman Fruin questioned if any community that had adopted a similar ordinance chose at a later date to rescind it. Mr. Greenburg responded negatively, but added that his knowledge was limited to the State of Illinois.

**Motion by Alderman Matejka to adopt the Ordinance as presented by the Commission. Motion failed for lack of a second. He stated his support for the Ordinance. He stated his belief that the City was a tolerant, caring and compassionate community. At this time, the City has gained national attention. He questioned if the City was stuck in the past or was prepared to move forward into the future. This Ordinance provides the City with the opportunity to protect, learn and grow.**

**Alderman Markowitz made a statement for the record. "I believe that persons with an alternative lifestyle deserve to live peacefully and equally. However, I am not sure we should be expected to legislate policy tonight for a special group. I will follow the recommendation of our Corporation Counsel and staff, who because of compelling legal ramifications, are recommending against adoption of this portion of the Ordinance. I was elected to represent a broad range of constituents and their points of view. Overwhelmingly, those I represent at this time, have asked me not to vote in favor of this Ordinance. Quite honestly, if I dishonor this request, I face the fact that I may lose the trust of these citizens whom I have worked so hard to represent. My constituents, the past seven years, are from all religious upbringings, but mostly they are moderate, long time Bloomington residents, who call this their home. People with whom I come into contact and talk with daily, and to a person, they do not want any more government interference in their lives. Since November, when we were told this Ordinance would be brought to us tonight, my main personal objection has been government intrusion. I believe the mood of many citizens all over the United States, is that government should be less intrusive, not more. How many of you on either side of this issue want government to step into your life and tell you what to do about anything? I believe that for the well being of all Bloomington residents, the resolution of this issue needs to be win-win, and tonight is not win-win. If this Ordinance does not pass and is to come to us again in the future, I would expect the Human Relations Commission, the Advocacy Council for Human Rights, and the Coalition for Diversity and Reconciliation, to take on the job of trying to foster understanding of this issue throughout the community. See what support develops, but avoid simply preaching to the converted. I am still waiting to see or read even a single letter from any community leader publicly affirming support for this Ordinance. If we on the Council are to make a change in the Ordinance, we should expect that change to occur when we are encouraged and joined in vocal support by community leaders and business persons. At that time, we will have a community at peace."**

**Alderman Sprague stated his agreement with the statements made by both Aldermen Matejka and Markowitz. He stated that he did not see this issue as a religious one. He stated that individuals on both sides of the issue have professed to be Christians. He stated that all Christians are challenged not to be judgmental. He stated that there would not be a winner and a loser based upon this vote. He added that this issue has divided the community that we all call our home. This division is wrong. Violence is wrong regardless of which side of the issue you support. He challenged all to work to make our community better and stronger.**

**Mayor Smart stated his agreement with Alderman Sprague's comments. He stated that the Council needed to vote on the issue so that the healing might begin. He added that the issue has been an emotional one. Petitions were submitted by individuals representing both sides of the issue. He stated that regardless of the vote, the sun would come up in the morning. We all live as one community, and the citizens can live with the decision of the Council. He challenged the residents of Bloomington to prove that the City does not need this Ordinance.**

January 22, 1996

**Motion by Alderman Bittner, seconded by Alderman Markowitz that the proposed ordinance be passed with the exception of the italicized and underlined language, which will be deleted from the ordinance with the amendment to Section 14 changing the 90 day statute of limitations to 180 days.**

**The Mayor directed the Clerk to call the roll which resulted as follows:**

**Ayes: Alderman Fruin, Sprague, Whalen, Markowitz, Kroutil and Bittner.**

**Nays: Alderman Matejka.**

**Motion carried.**

**The following was presented:**

**To: Honorable Mayor and Members of the City Council**

**From: Staff**

**Subject: Revised annexation agreement submitted by Charles W. Palmer requesting annexation and B-2, C-1, R-3A, R-2, R-1B, and S-2 zoning for various portions of a 713.11 acre tract located along both sides of Cabintown Road, (Road 1000N), east of Road 1025E and 1050E, west of the Southern Pacific Railroad and west and south of the Fox Creek Country Club Subdivision. (Case Z-26-95)**

**Background Information:**

**Adjacent Zoning Districts**

North - A - Agriculture & R-1B and S-2  
 South - A - Agriculture  
 East - A - Agriculture  
 West - A - Agriculture

**Adjacent Land Uses**

North - agriculture & single family  
 South - agriculture & single family  
 East - agriculture & single family  
 West - agriculture

The property in question now consists of the original 713.11 acres that Mr. Palmer included in the first draft of his proposed annexation agreement. On December 12, 1995, Mr. Frank Miles, Mr. Palmer's legal counsel, met with the neighbors along Cabintown Road and Six Points Road to discuss modifications to Mr. Palmer's plans which will accomplish the following:

1. Lessen the traffic on Fox Creek Road and
2. Lessen the impact of the commercial / office area on the Kohaus and Knutson properties.

## Request for Taxpayer Identification Number and Certification

Give Form to the  
requester. Do not  
send to the IRS.

Print or type See Specific Instructions on page 2.	Name (as shown on your income tax return) <b>City of Bloomington</b>	
	Business name/disregarded entity name, if different from above	
	Check appropriate box for federal tax classification: <input type="checkbox"/> Individual/sole proprietor <input type="checkbox"/> C Corporation <input type="checkbox"/> S Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Trust/estate  <input type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=partnership) ▶ _____  <input checked="" type="checkbox"/> Other (see instructions) ▶ _____	Exemptions (see instructions):  Exempt payee code (if any) <u>3</u> Exemption from FATCA reporting code (if any) <u>C</u>
	Address (number, street, and apt. or suite no.) <b>109 East Olive Street</b> City, state, and ZIP code <b>Bloomington, IL 61701</b>	Requester's name and address (optional)
List account number(s) here (optional)		

**Part I Taxpayer Identification Number (TIN)**

Enter your TIN in the appropriate box. The TIN provided must match the name given on the "Name" line to avoid backup withholding. For individuals, this is your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN* on page 3.

**Note.** If the account is in more than one name, see the chart on page 4 for guidelines on whose number to enter.

<b>Social security number</b>	
[ ] [ ] [ ] - [ ] [ ] - [ ] [ ] [ ] [ ]	
<b>Employer identification number</b>	
3 7 - 6 0 0 1 5 6 3	

**Part II Certification**

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me), and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding, and
- I am a U.S. citizen or other U.S. person (defined below), and
- The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

**Certification instructions.** You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions on page 3.

<b>Sign Here</b>	Signature of U.S. person ▶ <i>Carla D. Murillo</i>	Date ▶ <i>10/31/19</i>
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**General Instructions**

Section references are to the Internal Revenue Code unless otherwise noted.

**Future developments.** The IRS has created a page on IRS.gov for information about Form W-9, at [www.irs.gov/w9](http://www.irs.gov/w9). Information about any future developments affecting Form W-9 (such as legislation enacted after we release it) will be posted on that page.

**Purpose of Form**

A person who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) to report, for example, income paid to you, payments made to you in settlement of payment card and third party network transactions, real estate transactions, mortgage interest you paid, acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA.

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN to the person requesting it (the requester) and, when applicable, to:

- Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
- Certify that you are not subject to backup withholding, or
- Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income, and

4. Certify that FATCA code(s) entered on this form (if any) indicating that you are exempt from the FATCA reporting, is correct.

**Note.** If you are a U.S. person and a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

**Definition of a U.S. person.** For federal tax purposes, you are considered a U.S. person if you are:

- An individual who is a U.S. citizen or U.S. resident alien,
- A partnership, corporation, company, or association created or organized in the United States or under the laws of the United States,
- An estate (other than a foreign estate), or
- A domestic trust (as defined in Regulations section 301.7701-7).

**Special rules for partnerships.** Partnerships that conduct a trade or business in the United States are generally required to pay a withholding tax under section 1446 on any foreign partners' share of effectively connected taxable income from such business. Further, in certain cases where a Form W-9 has not been received, the rules under section 1446 require a partnership to presume that a partner is a foreign person, and pay the section 1446 withholding tax. Therefore, if you are a U.S. person that is a partner in a partnership conducting a trade or business in the United States, provide Form W-9 to the partnership to establish your U.S. status and avoid section 1446 withholding on your share of partnership income.

**SAM Search Results**  
**List of records matching your search for :**

**Record Status: Active**  
**CAGE Code: 3utr4**

<b>ENTITY</b> CITY OF BLOOMINGTON	Status: Active
DUNS: 060864170 +4:	CAGE Code: 3UTR4 DoDAAC:
Expiration Date: 12/19/2020	Has Active Exclusion?: No Debt Subject to Offset?: No
Address: 109 E OLIVE ST	
City: BLOOMINGTON	State/Province: ILLINOIS
ZIP Code: 61701-5217	Country: UNITED STATES



**Department of the Treasury  
Internal Revenue Service  
Ogden, UT 84201**

In reply refer to: 0441457889  
Jul 29, 2009 LTR 147C  
37-6001563

**CITY OF BLOOMINGTON  
COUNTY OF MCLEAN  
% FINANCE DEPT  
PO BOX 3157  
BLOOMINGTON IL 61702-3157 000**

Taxpayer Identification Number: 37-6001563

Form(s):

Dear Taxpayer:

This letter is in response to your telephone inquiry of July 29th, 2009.

Your Employer Identification Number (EIN) is 37-6001563. Please keep this number in your permanent records. You should enter your name and your EIN, exactly as shown above, on all business federal tax forms that require its use, and on any related correspondence documents.

If you have any questions regarding this letter, please call our Customer Service Department at 1-800-829-0115 between the hours of 7:00 AM and 10:00 PM. If you prefer, you may write to us at the address shown at the top of the first page of this letter. When you write, please include a telephone number where you may be reached and the best time to call.

Sincerely,

Roger Moon  
01-44579  
Customer Service Representative

## INDEPENDENT AUDITORS' REPORT

To the City Council  
City of Bloomington, Illinois

### **Report on the Financial Statements**

We have audited the accompanying financial statements of the governmental activities, the business-type activities, the discretely presented component units, each major fund, and the aggregate remaining fund information of the City of Bloomington, Illinois, as of and for the year ended April 30, 2019, and the related notes to the financial statements, which collectively comprise the City of Bloomington's basic financial statements as listed in the table of contents.

### ***Management's Responsibility for the Financial Statements***

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

### ***Auditors' Responsibility***

Our responsibility is to express opinions on these financial statements based on our audit. We did not audit the financial statements of the Miller Park Zoological Society, a discretely presented component unit. We also did not audit the financial statements of the Police Pension Fund, a fiduciary fund of the City, which represents 42 percent, 44 percent, and 40 percent, respectively, of the assets/deferred outflows of resources, fund balance/net position, and revenues/additions of the aggregate remaining fund information. Those statements were audited by other auditors whose report has been furnished to us, and our opinion, insofar as it relates to the amounts included for Miller Park Zoological Society and Police Pension Fund, is based solely on the report of the other auditors. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement. The financial statements of the Library Foundation, Miller Park Zoological Society, Police Pension Fund, and Firefighters' Pension Fund were not audited in accordance with *Government Auditing Standards*.

To the City Council  
City of Bloomington, Illinois

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditors' judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control over financial reporting relevant to the City of Bloomington's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances but not for the purpose of expressing an opinion on the effectiveness of the City of Bloomington's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

### ***Opinions***

In our opinion, based on our audit and the report of other auditors, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, the discretely presented component units, each major fund, and the aggregate remaining fund information of the City of Bloomington, Illinois, as of April 30, 2019 and the respective changes in financial position and, where applicable, cash flows thereof for the year then ended in accordance with accounting principles generally accepted in the United States of America.

### ***Emphasis of Matter***

As discussed in Note I, the City of Bloomington adopted the provisions of GASB Statement No. 75, *Accounting and Financial Reporting for Postemployment Benefits Other Than Pensions*, effective May 1, 2018. Our opinions are not modified with respect to this matter.

### ***Other Matters***

#### *Required Supplementary Information*

Accounting principles generally accepted in the United States of America require that the required supplementary information as listed in the table of contents be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

To the City Council  
City of Bloomington, Illinois

#### *Supplementary Information*

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the City of Bloomington's basic financial statements. The supplementary information as listed in the table of contents is presented for purposes of additional analysis and is not a required part of the basic financial statements. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the basic financial statements. The information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America by us and other auditors. In our opinion, based on our audit, the procedures performed as described above, and the report of the other auditors, the supplementary information is fairly stated in all material respects, in relation to the basic financial statements as a whole.

#### *Other Information*

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the City of Bloomington's basic financial statements. The introductory and statistical section are presented for purposes of additional analysis and are not a required part of the basic financial statements. Such information has not been subjected to the auditing procedures applied in the audit of the basic financial statements, and accordingly, we do not express an opinion or provide any assurance on it.

#### **Other Reporting Required by *Government Auditing Standards***

In accordance with *Government Auditing Standards*, we have also issued our report dated October 14, 2019 on our consideration of the City of Bloomington's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is solely to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the City of Bloomington's internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the City of Bloomington's internal control over financial reporting and compliance.



Oak Brook, Illinois  
October 14, 2019