ADMINISTRATION & PUBLIC WORKS COMMITTEE
MINUTES
Monday, July 26, 2010

Lorraine H. Morton Civic Center, 2100 Ridge Avenue, Council Chambers


Members Absent: 


Others Present: 

Presiding:  Ald. Jean-Baptiste

I.  DECLARATION OF QUORUM
With a quorum present, Chairman Jean-Baptiste called the meeting to order at 5:42 p.m.

II.  APPROVAL OF MINUTES OF REGULAR MEETING of July 12, 2010
Minutes were approved unanimously 5 - 0.

III.  ITEMS FOR CONSIDERATION

(A1)  City of Evanston Payroll through 0718/10  $2,398,970.23
A1 was approved unanimously 5 - 0.

(A2)  City of Evanston Bills through 07/27/10  $1,856,689.01
A2 was approved unanimously 5 – 0.

Ald. Rainey commended the Police Department for the recent drug arrests and said it is important for the community to know about the job the police force is doing.

Chief Eddington said a press release had gone out on the first substantial confiscation. He said the process is lengthy, so news is not broadcast immediately.

Ald. Rainey asked whether the survey administered by Peer Services about Evanston Township High School’s (ETHS) students had been publicized. Evonda Thomas responded that the information was obtained from the ETHS website. She explained that Peer Services is the entity that the City works with to educate students about drugs,
smoking, etc. She explained that a pre-test is administered to determine the behavior of the students. Then the organization does canvassing and distributes printed material to educate them. A second survey is given afterwards to determine behavior. Findings showed that students are smoking at a younger age. The organization is tailoring their intervention to target younger age students.

Ms. Thomas said she did not advise publishing the results of the survey, since they were published on the ETHS website and the City did not obtain permission, but that she would obtain permission next year.

(A3.1) Approval of Contract Award to Argon Electric Company, Inc. for the Church Street Self Park Lighting Upgrade (Bid 11-16)

Staff recommends City Council approval of the Church Street Self Park Lighting Upgrade contract award to Argon Electric Company, Inc. (353 Hastings Drive, Buffalo Grove, IL) in the amount of $104,548.00. Funding provided by Energy Efficiency and Conservation Block Grant, Accounts No. 70050 for $63,514.88 and No. 7015.62230 for $41,845.12, totaling $105,360.00. Staff is submitting an application to the Illinois Department of Commerce and Economic Opportunity (DCEO) Public Sector Electric Efficiency Program for a rebate of the $41,845.12 portion, however, rebates are not issued until projects are completed.

Ald. Rainey asked whether the City would be reimbursed for the $41,845.12, to which Stefanie Levine replied that the City would, and that the City would pay zero for the program.

A3.1 was unanimously approved 5 – 0.

(A3.2) Approval of Contract Award to Arthur Weiler, Inc. for the AT&T VRAD Screening Project (Bid 11-25)

Staff recommends approval of the AT&T VRAD Screening Project contract to Arthur Weiler, Inc. (12247 W. Russell Road, Zion, IL), in the amount of $39,709.88. Per a prior agreement with the City, AT&T is providing funding in the amount of $1,500 per VRAD location to install landscape screening to help reduce the visual impact of these utilities. Residents were provided with the option to either install landscape screening material on their own with reimbursement up to the $1,500 amount by the City or have the City install landscape screening for them. This contract will install landscape screening at 56 VRAD locations where residents have opted for City installation. Funding provided by AT&T, Account No. 100.22711, which has a balance of $84,000.00.

Ald. Holmes asked whether a resident could still get landscaping if they had not previously requested it, to which Paul D’Agostino replied that everyone who requests landscaping will have it, adding that the remaining money is for landscaping around future VRAD boxes.

Ald. Rainey asked why a landscaping company in Zion, Illinois had been picked for this job when there are so many landscaping companies in Evanston that could do it, to which Mr. D’Agostino replied that 3 companies in Evanston were on the original list of landscapers, adding that most of the smaller companies do not pay
prevailing wages so they are not eligible to bid on City projects.

Chair Jean-Baptiste said the lowest bid was $16,000 and asked whether the City called to inquire about it, to which Mr. D’Agostino replied that he did call but he was unable to contact them. Ms. Jackson of the Purchasing Department said she emailed them and gave them time to respond and she called all of their contact numbers but got no response. She said the bid included materials only, not installation or the rest of the work. When asked, she responded that she did not try to contact them by mail. Chair Jean-Baptiste said it would have been worthwhile to send a mail inquiry when they did not respond in 2 days, and that 2 days is not enough time. He said he agrees with Ald. Rainey that this job could have been done by an Evanston landscaping business.

Chair Jean-Baptiste asked that a policy be developed that will give bids only to Evanston businesses to the exclusion of others initially. He added that they should be contacted with a certified letter if they do not respond otherwise. He said an economic development incentive should be in place that should be coordinated with the Interim Economic Development Director.

A3.2 was unanimously approved 5 – 0.

(A3.3) Approval of Contract for High Lift Pumping Station Roof Replacement (Bid 11-27)

Staff recommends City Council approval of a contract in response to Bid 11-27 for the High Lift Pumping Station Roof Replacement to G.E. Riddiford Company (2333 Hamilton Road, Arlington Heights, IL) in the amount of $76,378.00. Funding is provided from the Water Fund. Funding for this work is available in the current fiscal year from savings realized by favorable bids received for water main installation work. The FY 10/11 CIP allocation for water main replacement is $2,000,000. The water main replacement scheduled for FY 10/11 will cost a total of approximately $1,825,000, leaving a balance of $175,000 for this work.

Dave Stoneback explained that the roof replacement was in the capital improvement program and the City is asking for it to be moved up 2 years so it can be installed prior to the solar panels being placed on the roof.

Ald. Rainey asked Mr. Stoneback about the change order to the water main project, which had several different funding sources and Chair Jean-Baptiste asked about the change order for the McDaniel Dempster water project, to which Mr. Stoneback replied affirmatively, that there were change orders to both projects but that they were funded from ARRA funding, separate from the 2010 capital improvement project. He added that the City is well below its funding for the 2009 water main project because of the ARRA and loan funding.

A3.3 was unanimously approved 5 – 0.

(A3.4) Approval of Lease for Nine Lanier Copiers from United Business Solutions

Staff recommends approval of a 2010 Addendum that amends the United Business Solutions (UBS) contract approved at the City Council meeting March 9, 2009. The 2010 Addendum contracts for nine additional Lanier
copiers through UBS United Business Solutions, LLC (2171 Executive Dr, Ste 250, Addison, IL) as a single source to be leased through U. S. Bancorp Business Equipment Finance Group. Funding is provided by account 1932.62380, Copy Machine Charges. The new total annual cost is estimated at $31,498, which is approximately a 50% annual reduction.

Bruce Slown explained that the new copier models cost several thousand dollars less per copier. He said the prior lease was more expensive, explaining that technology has developed so they can be produced for less and competition has caused the price to go down. Ald. Rainey commented that she did not realize it was cheaper to print from a computer to a copier than to a printer, to which Mr. Slown replied that the City will gradually move away from network printers, and that emailing a scanned document, which requires no paper, is replacing faxing.

A3.4 was unanimously approved 5 – 0.

(A3.5) Approval of Renewal of Police Service Agreement with Motorola
Staff from the Police Department recommends approval for the City Manager to renew the annual sole source service agreement with Motorola, Inc. (1301 East Algonquin Road, Schaumburg, IL). The agreement is effective from July 1, 2010 through June 30, 2011. The annual cost is $38,960.04. Funding is provided in the Emergency Telephone System budget account 5150.62509 Service Agreements/Contracts.

A3.5 was unanimously approved 5 – 0.

(A3.6) Approval of March 1, 2010 Police and Firefighter Pension Actuarial Report
Staff recommends that City Council review and approve the March 1, 2010 Actuarial Valuation for usage in the 2009-10 Comprehensive Annual Finance Report, and for usage in the 2011 Tax Levy for Police and Firefighter funding purposes.

Ald. Burrus said she was disappointed and appalled by the response to Timothy Schoolmaster and Ronald Brumbach by GRS to the request for more information on the actuarial report. She said in the response to one of the questions about their costs, they were almost jousting with their answer, which was not adequate. She also said 7% is a high assumption and that we need to get the numbers right.

Ald. Rainey said she agreed with Ald. Burrus and she was mortified at the response. She mentioned that they said any two actuaries could give substantially different results.

Marty Lyons responded that he had met with both pension presidents. He explained that this report is for the 2011 levy and that the City has 15 months to analyze it, and to decide whether the schedule should be moved up as the City moves towards a calendar year, which would make it easier to match the dates with the tax levy information. He said the City had discussed using a different actuary, but that it is not advisable to use a different one each year. He suggested a 4 year contract which could even say the City must use a different one after 4 years. He said the 2nd year should cost less than the 1st. Mr. Lyons stated that GRS defended their fee because they do not just flip a button. They must
recalculate for their liability because of the complexity of the report. He added that this report is needed for the City’s audit.

Ald. Burrus said each year they say they will put in the salary presumption the following year and they keep saying this every year, to which Mr. Lyons stated that GRS acted on his instructions. He said everything else was held constant and if we made the change to the investment rate it would have increased the result $500,000 over the last report. Ald. Burrus said we must look at the long range and that we should be more conservative and face that we are under funded. Chair Jean-Baptiste agreed that the ability to fund at the expected level has always been a problem. Ald. Burrus said a report in the early 1980’s said there was a problem with the funding of pensions in Evanston and that it is a systemic problem. She said she wants to be transparent about it. Chair Jean-Baptiste said there is nothing illegal about the actuarial projections we are using to fund the pension.

Mr. Lyons agreed to look for other actuarial advice. He said he will wait for guidance from Council. He said there may be changes in funding requirements from the legislature in November or December. If desired, he said he will come back with an interim valuation after legislation and he will put out an RFP for a new actuary if nothing happens in the fall veto session.

Timothy Schoolmaster, Trustee and President of the Evanston Police Pension Fund and Ron Brumbach, President of the Fire Pension Board were called to the podium. Mr. Brumbach said he read the report and that it seemed to be full of boilerplate answers to the Council’s inquiries. Mr. Schoolmaster said it is not too late for the pension boards to make their own recommendations as both boards must certify and send their approval.

Mr. Lyons clarified that this is not for the 2010 levy; it is for the 2011 levy. He added that changes can be recommended over time for the next 30 years until 2033 and that the City could move to a 6.75% from a 7% assumption with more conservative assumptions in the following years. Ald. Rainey responded that they have not spent as much time on this important decision as is spent on much less important things that they spend months on.

Chair Jean-Baptiste said this came before the Committee on June 21st, that the Committee responded and made inquiries, the response may not have been adequate and the Committee may not be satisfied with any of the actuarial reports.

Ald. Rainey said it would be fair if it was for introduction, but not for action.

Wally Bobkiewicz said from his perspective, that he agrees with Ald. Burrus and wonders how much the taxpayers will want to pay. He said the City can either tax residents or cut the operations budget, and that the City can file an amended report.

Mr. Lyons agreed that the timing is bad and said he would ask for a one month extension to the annual financial report filing.
Ald. Burrus requested that the City find out what more financially sound municipalities are using as a percentage.

Mr. Bobkiewicz suggested holding the item in committee and staff will provide additional information. Mr. Lyons clarified that for each change of a finite amount, the pension is worth “X” on the levy; creating the annual required contribution (ARC). He said he would go back to the current actuary for the potential changes in assumptions.

Ald. Holmes said Council is committed to paying more into the fund to relieve the burden on taxpayers. Mr. Bobkiewicz said the only way that will change is when the City’s obligation changes, and that is determined by the State.

Ald. Fiske asked that the new report provide how the result will affect the average tax bill in Evanston.
A3.4 was voted unanimously 5 – 0 to be held in Committee.

(A3.7) March 1, 2010 GASB 45 Other Post Employment Benefits (OPEB) Actuarial Report
As a part of our Annual Financial Report, the City is required to provide an evaluation of the total liability of all other post employment benefits. The attached report from Gabriel, Roeder, Smith & Company (GRS) provides a detailed analysis of our total liability. Staff recommends that this report be accepted and placed on file for use in the 2009-10 Annual Financial Report.

Marty Lyons explained that there are not a lot of assumptions made for this report. He said it is a question of what retirees pay and what the city’s costs are. He said unlike the pension liability, the City’s contribution is low compared to other communities.

Chair Jean-Baptiste asked the Committee to vote on their acceptance of the 3/1/10 report to be placed on file for use in the 2010 Annual Report.

A3.7 was unanimously approved 5 – 0.

(A4) Approval of Change Order # 1 to the 2010 Water Main Replacement & CIP Street Resurfacing Project (Bid 11-02)

Staff recommends City Council approval of Change Order # 1 to the 2010 Water Main Replacement & CIP Street Resurfacing Contract (Bid 11-02) to A. Lamp Concrete Contractors (800 W. Irving Park Road, Schaumburg, IL) in the amount of $142,112. This change order will extend the limits of street resurfacing on Oakton Street from Hartrey Avenue west to the 2424 Oakton Development main access drive. Funding for this work will be from a State reimbursement of $70,000 for the Ridge Avenue Traffic Signal Project and Capital Improvement Street Resurfacing Fund of $72,112 (415857.65515).

Since last year the asphalt surface on Oakton Street has deteriorated at faster pace and the ride quality has decreased significantly.

Sat Nagar, Senior Traffic Engineer, explained that traffic has increased
significantly and the surface has deteriorated. He said they would have requested the change order in the 2010 plan but funding was constrained. Since then the City received a grant from the State to fix it.

A4 was unanimously approved 5 – 0.

(A5) **Approval of Change Order # 1 for the Lorraine H. Morton Civic Center Roof Replacement Project (Bid 10-93)**

Recommend approval of change order #1 in the amount of $58,511 for the Lorraine H. Morton Civic Center (LHMCC) Roof Replacement Project. During the liner removal process, a number of wood framing / bedding areas have been found severely damaged by water infiltration to the extent that reconstruction of the bed area or complete rebuilding of the framing system itself have been required. This change order will increase the current contract amount from $1,478,580 to $1,537,091. Funding provided by 2010/11 CIP account #415169: $1,700,000.

Ald. Rainey asked why the frame system rebuilding was not in the original estimate. Doug Gaynor, Director of Parks and Recreation said it was in the bid at a small percentage and as they continue to uncover the liner, they find more deterioration. Stefanie Levine added that the underlining on the roof is good but the problem is in the gutter system and that the estimates were based on what could be visually observed. In response to questions by Aldermen Fiske and Rainey and Chair Jean-Baptiste, she said about 1/3 of the north wing has been uncovered and it is difficult to say how much more deterioration will be found but that the change order is in anticipation of future findings, but they will only charge back what they correct. She said this may have caused part of the mold problem. She said City staff does not go on the roof. The contractor is documenting and photographing the problems and they are being monitored by 3 consultants.

A5 was unanimously approved 5 – 0.

(A6) **Resolution 47-R-10: Bridge Street Bridge Project – RFQ 10-25 Phase I Engineering Contract Award**

Staff recommends approval of Resolution 47-R-10 authorizing the City Manager to sign the Local Agency Agreement with the Illinois Department of Transportation (IDOT) and a Preliminary Engineering Services Agreement with Alfred Benesch & Company for Federal Participation for the Bridge Street Bridge Phase I Engineering Contract. Funding for Phase I Engineering with Alfred Benesch & Company (205 North Michigan Avenue, Suite 2400, Chicago, IL) will be from the Capital Improvements Fund Account 415885 in the amount of $274,765, which the City will be reimbursed $219,812 (80%) by the Highway Bridge Program Funds through IDOT. The remaining City share from the Capital Improvement Fund, Account 415885 Bridge Street Bridge Project, will be $54,953 (20%).

A6 was unanimously approved 5 – 0.

(A7) **Resolution 48-R-10 Authorizing the City Manager to Enter into a Co-Lease Agreement with Sarah Kaiser and Elena Kaiser for Use of Studio B9 at the Noyes Cultural Arts Center**
Staff recommends City Council approval of Resolution 48-R-10 authorizing the City Manager to enter into a Co-Lease agreement with Sarah Kaiser and Elena Kaiser for use of Studio B9 at the Noyes Cultural Arts Center. All Noyes Cultural Arts Center leases will be up for renewal on March 1, 2011. Revenue from rent payments are posted to account 3710.53565 (Noyes Center), City of Evanston General Fund.

A7 was unanimously approved 5 – 0.

(A8) **Ordinance 55-O-10, Enacting a New Subsection 3-5-6-F1 of the City Code, “Classification and License Fees,” Class F1 Liquor License**

Local Liquor Commissioner recommends City Council adoption of Ordinance 55-O-10. The one day liquor license currently available for events not held on City property, Class F, permits the sale of beer and wine, but not liquor. The text of this ordinance mirrors the Class F regulations. Consideration arose from a request by Foodstuffs, which attended the hearing and presented testimony and facts that supported the creation of the new class of liquor license.

Ald. Holmes asked whether Northwestern University students were being informed of the ordinance. Ald. Rainey asked whether this affects house parties. Grant Farrar explained that the ordinance was developed for catering. Foodstuffs” does not want to upgrade to Class J Liquor license, but they want to bring liquor to a catering job. That is the reason for the one day Class F1 Liquor License. They will not be able to advertise that they can serve liquor at their catered events. Ald. Rainey asked for other instances where an F1 Liquor License would apply. Ald. Holmes said if Foodstuffs is catering to the Unitarian Church they need to make sure that they obtain the one day liquor license and that we need to make sure that everyone is obeying the law. Ald. Fiske asked whether the definition of a not-for-profit included athletic based groups that are sponsoring events. Mr. Farrar said he would get more information. Ald. Burrus clarified that it only applies to people who are selling liquor and it does not address private parties.

A8 was voted 5 – 0 unanimously to hold in Committee.

IV. ITEMS FOR DISCUSSION

(APW1) **Proposed Ordinance 52-O-10 Amending Sections of the City Code Relating to Taxicab Service Regulations**

Proposed Ordinance 52-O-10 is intended to assure that taxis serving Evanston are meeting the standard established by the City Code. The proposed language strengthens the prohibition against the solicitation of business by outside cabs.

Mr. Farrar explained that there had been recent incidents which have caused a need for more clarity to be written into the code that forbids solicitation by non-licensed taxi drivers, providing for a substantial fine of $750 for a violator. He advises having an external registration indicator on a taxi windshield. The goal of this ordinance is to strengthen enforcement of the law.

Chair Jean-Baptiste asked what other cities do, to which Mr. Farrar replied that Rosemont and Chicago charge a $500 fine. He said the proposed fine is consistent with some other municipalities.
Ald. Fiske said she has heard concern from residents of taxis standing on residential streets and complaints about taxi drivers sleeping in cabs in front of the residents’ homes. She said it would be good to have the taxi stands defined and encourage the taxis to wait at stands.

V. COMMUNICATIONS

VI. ADJOURNMENT
The meeting adjourned at 7:35 p.m.

Respectfully submitted,
Bobbie Newman
Executive Secretary, Planning & Zoning Division
Community & Economic Development Dept.