



## Memorandum

**To:** Honorable Mayor and Members of the City Council  
Administration & Public Works Committee

**From:** David Stoneback, Public Works Agency Director  
Lara Biggs, P.E., Bureau Chief – Capital Planning / City Engineer  
Chris Venatta, P.E., Senior Project Manager

**Subject:** Alley Paving Special Assessment No. 1523  
Ordinance 49-O-18

**Date:** April 9, 2018

### Recommended Action:

Staff recommends City Council adopt Ordinance 49-O-18 allowing the paving of the alley north of Payne Street and east of McDaniel Avenue through the Special Assessment Process.

### Funding Source:

Funding will be from: 2018 Capital Improvement Program (CIP) General Obligation Bonds (Account 415.40.4118.65515 – 418003) in the amount of \$220,395.00, which has \$250,000 budgeted in FY 2018; and Special Assessment funds (Account 415.40.4218.65515 – 418003) in the amount of \$220,395.00, which has \$250,000 budgeted in FY 2018. The remaining balance in both accounts is \$250,000.

### Livability Benefits:

Built Environment: Enhance public spaces

### Detailed Funding Analysis:

The 2018 CIP Fund has a budget allocation of \$500,000 for special assessment alley improvements. The total estimated construction cost for this alley is \$440,790.00 and the share of the adjacent property owners comes to \$220,395.00 plus 9.0% for engineering and legal expenses for a total of share of \$240,230.55. The property owners will reimburse the City for their share of the project cost in one lump-sum payment or in installments for up to 10 years plus interest. The following table summarizes the project costs:

<b>Budget Description</b>	<b>Account</b>	<b>Project Number</b>	<b>Budget Amount</b>	<b>Project Cost</b>
Alley Paving - GO Bonds	415.40.4118.65515	418003	\$250,000	\$220,395.00
Alley Paving - SSA	415.40.4218.65515	418003	\$250,000	\$220,395.00

**Total Estimated Construction Cost:** \$440,790.00

Summary:

The alley paving project was initiated by a petition from the property owners adjacent to this alley. The petition contained signatures of 56.25% of the abutting property owners showing support of the project. The petition was accepted by the Board of Local Improvements (BLI) on March 8, 2016. City staff then proceeded with the design of the alley paving project.

A public hearing for the project was held on March 15, 2018 to share the project design and to receive public comments. At the public hearing, there were additional votes for the project raising the percentage of signatures to 60.60% in favor. The BLI voted to recommend to the City Council that the alley be paved through the special assessment process.

Attachments:

Ordinance 49-O-18 with the recommendation of BLI and estimate of BLI Engineer

3/26/2017

49-O-18

AN ORDINANCE

To Approve the Construction of a Local Improvement Known as  
Evanston Special Assessment No. 1523

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF  
EVANSTON, ILLINOIS:**

**SECTION 1:** A local improvement shall be made within the City of Evanston, County of Cook, and State of Illinois, the nature, character, locality and description of which is as follows, *to-wit*:

The unimproved public alley in the block bounded on the north by Noyes Street, on the east by Pioneer Road, on the south by Payne Street, and on the west by McDaniel Avenue, in the City of Evanston, County of Cook, State of Illinois, be improved by excavating, constructing the necessary drainage system and paving with 8" Portland Cement Concrete Pavement, to a width of sixteen feet (16').

**SECTION 2:** The Recommendation (Exhibit A) of the Board of Local Improvements of the City of Evanston, Illinois, of this Ordinance, and the Estimate of the Cost (Exhibit B) of said improvement made by the Engineer of said Board, both attached hereto, be and the same are hereby approved and by reference thereto made a part hereof.

**SECTION 3:** Said improvement shall be made and the cost thereof, including the sum of Four Hundred Eighty Thousand Four Hundred Sixty One and 10/100 Dollars (\$480,461.10), being the cost of making and collecting the Assessment

and all other expenses as provided by law, shall be paid for by Special Assessment in accordance with the *Illinois Municipal Code*, Chapter 65, Section 5/9-2-1, *et seq.*

**SECTION 4:** Two Hundred Forty Thousand Two Hundred Thirty One and 55/100 Dollars (\$240,231.55) of the cost of said improvement shall be allocated by the City; and the remainder of the cost, Two Hundred Forty Thousand Two Hundred Thirty One and 55/100 Dollars (\$240,231.55) will be allocated as private benefit.

**SECTION 5:** The aggregate amount to be assessed and each individual assessment shall be divided into ten (10) installments in the manner provided by law, and each of said installment shall bear interest at the rate of three percent (3%) per annum from sixty (60) days after the date of the first voucher issued on account of work done upon said proposed improvement.

**SECTION 6:** That, for the purpose of anticipating the collection of the installments of said assessment levied against the real estate benefited thereby, general obligation bonds have been issued, up to Two Hundred Forty Thousand Two Hundred Thirty One and 55/100 Dollars (\$240,231.55) of which are payable by the City, homeowners pay up to Two Hundred Forty Thousand Two Hundred Thirty One and 55/100 Dollars (\$240,231.55) of which are payable out of said installments, bearing interest at the rate of three percent (3%) per annum, payable annually and signed on behalf of the City of Evanston, Illinois, by its Mayor and attested by its City Clerk and its corporate seal affixed thereto; and each interest coupon attached to said bonds shall likewise be executed by and shall bear the official or facsimile signature of the same officers who signed said bonds and who, if facsimile signatures are used, do adopt by

their execution of said bonds as and for their proper signatures their respective facsimile signatures appearing on said coupons; and that said bonds shall be issued in accordance with and shall be in all respects conform to the provisions of an Act of the General Assembly of the State of Illinois, known as the "*Illinois Municipal Code*," effective July 1, 1961, and the Amendments thereto.

**SECTION 7:** That David Stoneback, President of the Board of Local Improvements of the City of Evanston, Illinois, be and he is hereby directed to file a Petition in the Circuit Court of Cook County, Illinois, praying that steps may be taken to levy a Special Assessment to pay the cost of said improvement in accordance with the provisions of this ordinance and in the manner prescribed by law.

**SECTION 8:** All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**SECTION 9:** If any provision of this ordinance or application thereof to any person or circumstance is held unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this ordinance that can be given effect without the invalid application or provision, and each invalid application of this ordinance is severable.

**SECTION 10:** The findings and recitals contained herein are declared to be prima facie evidence of the law of the City and shall be received in evidence as provided by the Illinois Compiled Statutes and the courts of the State of Illinois.

**SECTION 11:** This ordinance shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

Introduced: \_\_\_\_\_, 2018    Approved:

Adopted: \_\_\_\_\_, 2018    \_\_\_\_\_, 2018

\_\_\_\_\_  
Stephen H. Hagerty, Mayor

Attest:

Approved as to form:

\_\_\_\_\_  
Devon Reid, City Clerk

\_\_\_\_\_  
Michelle L. Masoncup, Interim City  
Attorney

Exhibit A  
Recommendation

Exhibit B  
Estimate