

3/29/2017

28-O-17

AN ORDINANCE

**To Approve the Construction of a Local Improvement Known as
Evanston Special Assessment No. 1522**

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

SECTION 1: That 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*:

That the unimproved public alley in the block bounded by Leonard Place on the north, Simpson Street on the south, Rail Road ROW on the west, and Wesley Avenue on the east, in the City of Evanston, be improved by excavating, constructing the necessary drainage system and paving with 8" Portland Cement Concrete Pavement, to a width of thirteen feet (13') and fourteen feet (14').

SECTION 2: That 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: That said improvement shall be made and the cost thereof, including the sum of Two Hundred Sixty Thousand Eight Hundred Forty Four and 64/100 Dollars (\$260,844.64), 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: That One Hundred Seventy One Thousand Six Hundred Forty Two and 47/100 Dollars (\$171,642.47) of the cost of said improvement shall be allocated by the City; and the remainder of the cost, Eighty Nine Thousand Two Hundred Two and 17/100 Dollars (\$89,202.17) will be allocated as private benefit.

SECTION 5: That 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 One Hundred Seventy One Thousand Six Hundred Forty Two and 47/100 Dollars (\$171,642.47) of which are payable by the City, homeowners pay up to Eighty Nine Thousand Two Hundred Two and 17/100 Dollars (\$89,202.17) 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.

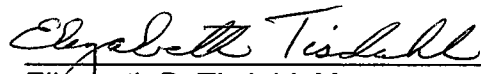
SECTION 9: If any provision of this ordinance or application thereof to any person or circumstance is held unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this ordinance that can be given effect without the invalid application or provision,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

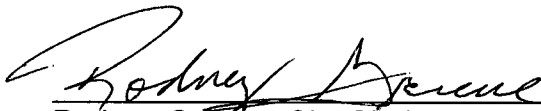
SECTION 11: This ordinance shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

Introduced: April 17, 2017 Approved:
Adopted: April 24, 2017 April 28, 2017


Elizabeth B. Tisdahl, Mayor

Attest:

Approved as to form:


Rodney Greene, City Clerk


W. Grant Farrar, Corporation Counsel

Exhibit A

Recommendation

**SPECIAL ASSESSMENT NO. 1522
RECOMMENDATION OF THE BOARD OF LOCAL IMPROVEMENTS
TO THE CITY COUNCIL OF THE CITY OF EVANSTON, ILLINOIS**

The Board of Local Improvements of the City of Evanston, Illinois, herewith submits the draft of Ordinance 28-O-17 for the making of a local improvement 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*:

That the unimproved public alley in the block bounded by Leonard Place on the north, Simpson Street on the south, Rail Road ROW on the west, and Wesley Avenue on the east, in the City of Evanston, be improved by excavating, constructing the necessary drainage system and paving with 8" Portland Cement Concrete Pavement, to a width of thirteen feet (13') and fourteen feet (14').

and, as part of said Ordinance, and in conjunction therewith, said Board also herewith submits the plans and specifications of an estimate of the cost of said improvement, including the cost of engineering services, as finally determined by said Board; and said Board hereby recommends the passage of Ordinance 28-O-17 and the making of the improvement described therein.

Respectfully submitted,

BOARD OF LOCAL IMPROVEMENTS
CITY OF EVANSTON, ILLINOIS

By: David Stoneback
David Stoneback, President

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APPROVED AS TO FORM:

Mario Treto, Jr.
Mario Treto, Jr.
Attorney for the Board of Local
Improvements of the City of Evanston, Illinois

W. GRANT FARRAR
MARIO TRETO, JR.
CITY of EVANSTON LAW DEPARTMENT
2100 RIDGE AVENUE
EVANSTON, ILLINOIS 60201
(847) 866-2937
Attorney Code 46996

Date: February 14, 2017

Exhibit B

Estimate

ESTIMATE OF ENGINEER OF BOARD OF LOCAL IMPROVEMENTS

To the Board of Local Improvements of the City of Evanston:

Pursuant to a Resolution of the Board of Local Improvements of the City of Evanston, heretofore adopted, providing that the unimproved public alley in the block bounded by Leonard Place on the north, Simpson Street on the south, Rail Road ROW on the west, and Wesley Avenue on the east, in the City of Evanston, be improved by excavating, constructing the necessary drainage system and paving with 8" Portland Cement Concrete Pavement, to a width of thirteen feet (13') and fourteen feet (14').

Said improvement to be constructed in detail as specified in aforesaid Resolution.

I, herewith submit an estimate of cost of such improvement as described in said Resolution, including labor, materials, and all other lawful expenses attending the proceedings for making said improvement and the cost of making and collecting the assessment therefore as provided by law,

COST ESTIMATE

<u>ITEM NO.</u>	<u>ITEM</u>	<u>UNIT</u>	<u>QUANTITY</u>	<u>UNIT PRICE</u>	<u>TOTAL</u>
1	EARTH EXCAVATION	CU. YD.	305	65.00	\$ 19,825.00
2	TRENCH BACKFILL	CU. YD.	188	40.00	\$ 7,520.00
3	SUB-BASE GRANULAR MATERIAL, TYPE B	CU. YD.	25	45.00	\$ 1,125.00
4	GRANULAR CRADLE MATERIAL, CA-11	TON	82	30.00	\$ 2,460.00
5	AGGREGATE BASE COURSE, TYPE B, 4"	SQ. YD.	35	15.00	\$ 525.00
6	INCIDENTAL HOT-MIX ASPHALT SURFACING	TON	10	230.00	\$ 2,300.00
7	PORTLAND CEMENT CONCRETE PAVEMENT, 8"	SQ. YD.	880	75.00	\$ 66,000.00
8	STORM SEWERS, SPECIAL, 8" (D. I. P. / CL 50)	FOOT	221	117.00	\$ 25,857.00
9	STORM SEWERS, 8", PVC SDR 26	FOOT	174	90.00	\$ 15,660.00
10	CATCH BASIN, TYPE A, 4' DIAMETER, TYPE 1 FRAME, OPEN LID	EACH	1	4,500.00	\$ 4,500.00
11	MANHOLE, TYPE A, 4' DIAMETER, TYPE 1 FRAME, OPEN LID	EACH	2	5,000.00	\$ 10,000.00
12	INLET, TYPE A, TYPE 1 FRAME, OPEN LID	EACH	4	1900.00	\$ 7,600.00
13	CONCRETE CURB, TYPE B	FOOT	280	30.00	\$ 8,400.00
14	DRIVEWAY PAVEMENT REMOVAL	SQ. YD.	265	20.00	\$ 5,300.00
15	CURB REMOVAL	FOOT.	280	8.00	\$ 2,240.00
16	SIDEWALK REMOVAL	SQ.FT	260	2.50	\$ 650.00
17	PORTLAND CEMENT CONCRETE DRIVEWAY PAVEMENT - 6"	SQ. YD.	230	65.00	\$ 14,950.00
18	PORTLAND CEMENT CONCRETE SIDEWALK - 5"	SQ. FT.	260	8.00	\$ 2,080.00
19	PROTECTIVE SEALER	SQ. YD.	1110	2.00	\$ 2,220.00
20	CRUSHED STONE, CA - 14	TON	20	45.00	\$ 900.00
21	FURNISHING AND PLACING TOPSOIL, 3"	SQ. YD.	130	8.00	\$ 1,040.00
22	SODDING, SALT TOLERANT	SQ. YD.	130	15.00	\$ 1,950.00
23	CLASS B PATCHES, SPECIAL 9" (HES)	SQ. YD.	20	110.00	\$ 2,200.00
24	DETECTABLE WARNINGS	SQ. FT.	20	45.00	\$ 900.00
25	HOT-MIX ASPHALT SURFACE REMOVAL	SQ. YD.	40	20.00	\$ 800.00
26	TEMPORARY FENCE	FOOT	95	5.00	\$ 475.00

Estimate of Engineer of BLI - S.A. 1522
 (Alley N/Simpson St., E/Rail Road ROW)

<u>ITEM NO.</u>	<u>ITEM</u>	<u>UNIT</u>	<u>QUANTITY</u>	<u>UNIT PRICE</u>	<u>TOTAL</u>
27	CONSTRUCTION LAYOUT AND STAKING	LUM. SUM.	1	4,000.00	\$ 4,000.00
28	STREET SWEEPING	EACH	4	400.00	\$ 1,600.00
29	SOIL DISPOSAL ANALYSIS	LUM. SUM.	1	3,000.00	\$ 3,000.00
30	NON SPECIAL/SPECIAL WASTE DISPOSAL	CU.YD	410	27.00	\$ 11,070.00
31	CLOSED CIRCUIT TV INSPECTION	LUM. SUM.	1	4,000.00	\$ 4,000.00
32	PRE-CONSTRUCTION SURFACE VIDEO TAPING	LUM. SUM.	1	3,000.00	\$ 3,000.00
33	STEEL PLATE BEAM GUARD RAIL, TYPE A 6 FOOT POSTS	FOOT	15	120.00	\$ 1800.00
34	EPOXY PAVEMENT MARKING LINE- 4' YELLOW	FOOT.	120	28.00	\$ 3,360.00
TOTAL					\$ 239,307.00

Cost of Engineering Services..... \$ 10,768.82
 For Lawful Expenses, etc..... \$ 10,768.82
 Sub-Total \$ 21,537.64

RECAPITULATION

Construction Cost..... \$ 239,307.00
 Engineering..... \$ 10,768.82
 Legal..... \$ 10,768.82
 Total Cost..... \$ 260,844.64

I hereby certify that in my opinion the above estimate does not exceed the probable cost of the above proposed improvement and the lawful expenses attending the same.

 Lara N. Biggs, P.E.
 City Engineer
 Board of Local Improvements