

Committee-of-the-Whole Minutes

Tuesday, September 13, 2016

- PRESENT:** Mayor Scott Raes (*Chair*)
Alderman Quentin Rodriguez (*Ward 1*)
Alderman David Parker, Jr. (*Ward 2*)
Alderman Mike Wendt (*Ward 3*)
Alderman John Zelnio (*Ward 4*)
Alderman Lori Turner (*Ward 5*)
Alderman Kevin Schoonmaker (*Ward 6*)
Alderman Mike Waldron (*Ward 7*)
Alderman Stephanie Acri (*Alderman At-Large*)
- STAFF:** Lew Steinbrecher, City Administrator
Maureen Riggs, City Attorney
Tracy Koranda, City Clerk
Ray Forsythe, Planning & Development Director
Alison Fleming, Human Resources Manager
Lori Wilson, Parks Recreation Director
Nate Scott, Information Technology Manager
Bryon Lear, Library Director
Kim Hankins, Public Safety Director
Jeff Snyder, Battalion Chief
Scott Hinton, City Engineer
Kathy Carr, Finance Director
Jeff Anderson, City Planner
J.D. Schulte, Public Works Director
Rodd Schick, Municipal Services General Manager
Rhonda Bartz, Public Works Administrative Assistant
Tony Loete, Utilities General Manager
- OTHERS:** Students from Black Hawk College of Nursing
Marilyn O'Hara, Resident
Jerry Lack, Illowa
Janet Mathis, Renew Moline
Dave Smith, Russell Construction
Kirk Whalen, Heart of America
Jenna Morton, WQAD
Anthony Pannicucci, WQAD
Anthony Watt, The Dispatch

Mayor Raes called the meeting to order at 6:30 p.m. in Council Chambers.

Proclamation

A Proclamation from the HAVlife™ Foundation to declare September 19, 2016, as “Preventing Lost Potential Day.”

Presentation

Rodd Schick, Municipal Services General Manager, gave an overview of the Yard Waste Cart Program.

Agenda Items

1. **A Resolution declaring the following Article 36 seized and forfeited vehicles as surplus property: 2002 GMC Yukon, VIN# 1GKEC13V42R200456, 2003 Buick LeSabre, VIN# 1G4HP54KX34101434, and 2011 Chevrolet Impala LS, VIN# 2G1WF5EK1B1195641.** Kim Hankins, Chief of Police/Public Safety Director, stated that Illinois State statute provides that law enforcement agencies may seize vehicles used during the attempt or commission of specific crimes and subsequently initiate forfeiture proceedings on those vehicles. The above vehicles have been forfeited to the Police Department, and City staff is requesting that they be declared as surplus property and disposed of by the Chief of Police/Public Safety Director through the legal disposal process that is most advantageous to the City, whether sealed bid, auction, negotiation, or otherwise. A motion was made by Alderman Parker to approve. Seconded by Alderman Schoonmaker. Motion passed unanimously.
2. **A Special Ordinance authorizing the Mayor and City Clerk to execute a Performance Based Development Agreement between the City of Moline and Moline 501, L.L.C. and Moline Chase, L.L.C. for the “Chase Bank Building” project and to execute any necessary agreements referenced therein, and authorizing all appropriate City officers and staff to do all things necessary to complete each of the City’s responsibilities pursuant to said agreement.** Ray Forsythe, Planning & Development Director, explained that Moline 501, L.L.C. and Moline Chase, L.L.C. seek to enter into a Performance Based Development Agreement with the City to facilitate redevelopment of the property: located at 501 15th Street, referred to as the Chase Bank Building Project (“Project”). The estimated total project cost for the Project is \$8,333,334.00, which will consist of the Developer completing a Historic Rehabilitation of 501 15th Street into 31 market rate apartments and maintaining the existing commercial spaces on the basement, first and annex space with floors 2-9 to contain mostly one bedroom units ranging between 500-800 square feet. Additional amenities will be incorporated, including storage, fitness, and common gathering and recreational spaces. The City wishes to support the redevelopment by granting certain incentives to include TIF. A motion was made by Alderman Parker to approve. Seconded by Alderman Turner. Motion passed with Alderman Schoonmaker abstaining due to employment.
3. **A Special Ordinance authorizing the Mayor and City Clerk to execute a Third Amendment to the KONE Development Agreement, a Loan Extension Agreement between Financial District Properties HQO, L.L.C. and the City of Moline, a Purchase Agreement with Fifth Avenue Block LLC, an Assignment to HOA Hotels LLC of the Purchase Agreement between the City and Fifth Avenue Block LLC, and a Development Agreement between the City and HOA Hotels LLC for HOA Hotels LLC’s redevelopment of the property located at 1630 5th Avenue, Moline, Illinois (n/k/a the Fifth Avenue Building), and the adjacent building located at 1620 5th Avenue; and authorizing all appropriate City officers and staff to do all things necessary to complete each of the City’s responsibilities pursuant to said agreements.** Ray Forsythe, Planning & Development Director and Maureen Riggs, City Attorney, indicated that the City Council has designated the redevelopment of the Fifth Avenue Building, 1630 5th Avenue, Moline, as a priority as it is an integral part of the City’s downtown and such redevelopment would contribute to the City’s economic development. As part of negotiations for the sale of the building with the current owner of the Fifth Avenue Building, the City agreed to extend the owner’s loan term on the KONE building; to amend a term of the Development Agreement so that the owner could own the residential units in the KONE building for that project; and to purchase the Fifth Avenue Building for \$1.8 million. HOA Hotels LLC would like to purchase the Fifth Avenue Building and redevelop it into an approximate 105 room (+/-) nationally branded hotel or an independent boutique brand hotel with amenities such as food & beverage/bar operations,

meeting/conference/banquet space, fitness facility, room service, dry cleaning and similar services. HOA Hotels LLC has agreed to take an assignment of the Purchase Agreement between the City and Fifth Avenue Block LLC and to purchase the Fifth Avenue Building directly from Fifth Avenue Block LLC according to the terms of the Purchase Agreement. In addition, the City and HOA Hotels LLC have negotiated terms of a Development Agreement for the demolition, repair and remodel of the Fifth Avenue Building. The City wishes to support the redevelopment by granting certain incentives to include a TIF rebate, a sales tax rebate, and a hotel-motel use tax rebate for the Fifth Avenue Building as well as the adjacent property located at 1620 5th Avenue. A motion was made by Alderman Parker to approve. Seconded by Alderman Wendt. Motion passed unanimously.

4. **A Resolution authorizing the Mayor and City Clerk to execute a Contract with Walter D. Laud, Inc. for Project #1255, 2016 Sanitary Sewer Replacement Project.** Scott Hinton, City Engineer, stated that bids were opened and publicly read on August 30, 2016, for Project #1255 with the following results:

\$289,397.00	Walter D Laud
\$355,808.00	Needhan Excavating
\$364,935.00	Langman Construction
\$396,027.00	Valley Construction
\$410,084.00	Miller Trucking and Excavating

Walter D. Laud Inc. submitted the lowest responsible and responsive bid. A motion was made by Alderman Parker to approve. Seconded by Alderman Wendt. Motion passed unanimously.

5. **A Resolution authorizing the Mayor and City Clerk to approve of a request for a street light on 9th Street A, between 33rd Avenue and 34th Avenue.** Scott Hinton, City Engineer, explained that staff received a request for an additional street light on 9th Street A, between 33rd Avenue and 34th Avenue. An investigation revealed that installing a light in said location is justified under the Residential Street Light Policy. A motion was made by Alderman Parker to approve. Seconded by Alderman Zelnio. Motion passed with Alderman Aciri abstaining due to her residency at the location of the street lights.
6. **A Resolution authorizing the Mayor and City Clerk to approve a Local Agency Agreement for Federal Participation for Motor Fuel Tax Section 15-00264-00-BR, Sylvan Slough Pedestrian Bridge.** Scott Hinton, City Engineer, indicated that the City of Moline will receive Federal transportation funds through the Illinois Department of Transportation in an amount not to exceed \$1,137,600 to replace the existing pedestrian bridge over the Sylvan Slough. The Federal funds require a 20% local match. The 2017 Capital Improvement Program will include \$284,400 in Motor Fuel Tax (MFT) funds to provide the local match. Approving this Agreement provides acknowledgement to IDOT that the City has sufficient funds available to fund the local match, all participating construction costs above the maximum federal contribution, and all non-participating construction costs. A motion was made by Alderman Parker to approve. Seconded by Alderman Wendt. Motion passed with Alderman Zelnio voting nay.
7. **A Resolution authorizing the approval of a Resolution for Improvement by Municipality Under the Illinois Highway Code for Motor Fuel Tax (MFT) Section 15-00264-00-BR, Sylvan Island Pedestrian Bridge.** Scott Hinton, City Engineer, stated that a Resolution for Improvement is necessary to use Motor Fuel Tax funds to pay for the City's 20% share of the bridge replacement project. The maximum Federal participation is \$1,137,600 with a corresponding \$284,400 City share. A motion was made by Alderman Turner to approve. Seconded by Alderman Parker. Motion passed with Alderman Zelnio voting nay.
8. **Other – A Resolution authorizing the Department of Planning and Development to apply to the Illinois Housing Development Authority for a two-year grant for a Home Accessibility Program in the amount of \$321,000 for the City of Moline; and Authorizing the Mayor and City staff to do any**

and all things necessary to prepare and submit said grant application; and Authorizing the Planning and Development Department, upon award of said grant, to begin to manage and operate said program. Jeff Anderson, City Planner, explained that as demonstrated by a waiting list of 100 individuals who are seeking assistance with rehabilitation assistance in the City of Moline, there is a continued need for additional resources to assist low income individuals or families in Moline and the surrounding communities. The Home Accessibility Program grant will assist senior citizens and persons with disabilities by funding repairs that will allow homeowners or tenants to remain in their homes in an effort to prevent premature or unnecessary institutionalization by providing up to \$15,000 for repairs to allow them to remain in their homes. A motion was made by Alderman Parker to approve. Seconded by Alderman Wendt. Motion passed unanimously.

Informational

Scott Hinton, City Engineer, gave an overview of the attached detail regarding Contracting for Engineering Services and 15th Street A Watermain.

The meeting adjourned at 7:27 p.m.

Respectfully submitted,



Tracy A. Koranda
City Clerk

Contracting for Engineering Services

Contracting for Engineering Services

Architectural, Engineering, Surveying

Contracting for Engineering Services

Governed by:

Contracting for Engineering Services

Governed by:

- Federal Law – Federal Funds

Contracting for Engineering Services

Governed by:

- Federal Law – Federal Funds
- IDOT Regulations – MFT Funds

Contracting for Engineering Services

Governed by:

- Federal Law – Federal Funds
- IDOT Regulations – MFT Funds
- State Statute – Local Funds
- City Code – Local Funds

Contracting for Engineering Services

Federal Law

Contracting for Engineering Services

Federal Law - Brooks Act:

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Qualifications Based Selection

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1. Publicly advertise a clearly defined scope of desired services

Contracting for Engineering Services

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Qualifications Based Selection

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2. Review submittals and rank firms based on qualifications

Contracting for Engineering Services

Federal Law - Brooks Act:

Qualifications Based Selection

1. Publicly advertise a clearly defined scope of desired services
2. Review submittals and rank firms based on qualifications
3. Interview at least the top 3 potential firms

Contracting for Engineering Services

Federal Law - Brooks Act:

Qualifications Based Selection

1. Publicly advertise a clearly defined scope of desired services
2. Review submittals and rank firms based on qualifications
3. Interview at least the top 3 potential firms
4. Negotiate “fair and reasonable” contract

Contracting for Engineering Services

Federal Law - Brooks Act:

“price shall not be used as a criterion in the evaluation and ranking/selection of the most highly qualified firm...all price/cost related items which include, but are not limited to direct salaries/wage rates, indirect cost rates, and other direct costs are prohibited from being used as an evaluation criterion...”

Contracting for Engineering Services

Qualifications Based Selection:

- North Slope Treatment Plant
- Library
- Police Station
- MidTowne Parking Ramp
- Multi-Modal Station
- Water and Sanitary Sewer Rate Studies
- WIU

Contracting for Engineering Services

IDOT Regulations – Motor Fuel Tax:

Contracting for Engineering Services

IDOT Regulations – Motor Fuel Tax:

- Bureau of Local Roads & Streets

Contracting for Engineering Services

IDOT Regulations – Motor Fuel Tax:

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- Follows QBS process unless “satisfactory working relationship”

Contracting for Engineering Services

IDOT Regulations – Motor Fuel Tax:

- Bureau of Local Roads & Streets
- Follows QBS process unless “satisfactory working relationship”
- “In no case shall the LPA, prior to selecting a professional...firm...for negotiation, seek formal or informal submission of verbal, written, or sealed estimates of costs...in terms of dollars, hours required, percentage of construction cost, or any other measure of compensation.”

Contracting for Engineering Services

State Statute – Local Funds:

Contracting for Engineering Services

State Statute – Local Funds:

- 50 ILCS 510/ Local Government Professional Services Selection Act

Contracting for Engineering Services

State Statute – Local Funds:

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- Follows QBS process unless “satisfactory relationship”

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State Statute – Local Funds:

- 50 ILCS 510/ Local Government Professional Services Selection Act
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- “In no case...prior to selecting a firm...seek... estimates of costs...in terms of dollars, hours required, percentage of construction cost, or any other measure of compensation.”

Questions?