



OFFICE OF THE CITY MANAGER



TO: Honorable Mayor and Members of the City Council
FROM: Patrick Urich, City Manager *Patrick Urich*
DATE: July 19, 2013
SUBJECT: Issues Update

The following are issues related to the City for the weekly Issues Update. If there are additional items you believe should be included, please let me know.

Report Back on Chronic Nuisance Ordinance

Attached is a report back from the Chief of Police regarding the Chronic Nuisance Ordinance.

Warehouse District: TIGER II Complete Streets Project Newsletter

Attached is a newsletter with summer updates for the TIGER II Complete Streets Project in the Warehouse District.

June 2013 Marriott Pere Marquette Report

Attached is the June 2013 summary of the Marriott Pere Marquette project.

PACVB June 2013 Updates

- Through the first six months of 2013, the PACVB has sent 162 (113 new) convention, sports and motorcoach leads to hotels and venues. These leads represent 65,416 hotel room nights and 124 Peoria Civic Center (PCC) days. The breakdown of these leads by market segments may be seen on the graph at <http://www.peoria.org/includes/media/docs/Total-Lead-Goal-and-New-Lead-Goal-Charts.pdf>.
- During this same period of time, the PACVB has turned 70 groups definite (35 new) representing 18,139 room nights and 64 PCC days.
- Three new “Kaci’s Places to Play in Peoria” have been created and can be viewed at:
 - <http://www.youtube.com/watch?v=52gi3pql3ds>
 - <http://www.youtube.com/watch?v=39s6PJRRDA>
 - <http://www.youtube.com/watch?v=j9-6FdUAukM&feature=youtu.be>
- Please see the following commercials that are running in the Rockford area on Comcast through the month of July. These were free bonus spots to run with the regular buy:
 - <http://www.peoria.org/includes/media/video/MER0534A-EnjoyPeoriaDBDGen-1.wmv>

- <http://www.peoria.org/includes/media/video/MER0534B-EnjoyPeoriaDBBCulinary-1.wmv>
- The following ad appeared in Food Traveler magazine. 255,000 copies of this magazine are distributed in print, another 5,000 000 are distributed free to doctors' offices and it is viewed online by over 1,000,000 visitors.
[http://www.peoria.org/includes/media/docs/Food-Travel-Ad-\(2\)-1.pdf](http://www.peoria.org/includes/media/docs/Food-Travel-Ad-(2)-1.pdf).
- This ad will appear in the DMAI special edition insert of Association News and Sports Travel magazines (120,000 copies) http://www.peoria.org/includes/media/docs/Sports-Travel-Full-Page-Ad_FINAL.pdf. The insert will also be distributed at the Orlando DMAI Annual Convention.
- The PACVB co-sponsored a training day with Great Rivers Country at the PCC. Approximately 70 people attended to hear presentations about how to deliver excellent customer service and workplace etiquette.
- The Peoria All-America City committee has agreed to allow the PACVB to handle the non-local marketing, promotion and awareness of this award. Some of the activities that have been done are:
 - Sent out information announcing the award to all PACVB members in the 8 counties.
 - Sent out press releases to all out-of town clients and meeting planners.
 - Sent out press release to convention and meetings trade publications.
 - Put information on the PACVB website and all social media.
 - Sent a press release to the Illinois Office of Tourism, and sent to all CVB's in the state of Illinois.
 - Secured help from the Illinois Office of Tourism (IOT) with some activities that would create a buzz in the Chicago area – IOT also put out on their social media.
 - Working on release for regional and national press with Fleischman-Hillard, the IOT's ad agency in Chicago.
 - Made a presentation and display in Springfield on June 24th to the Illinois Society of Association Executives and a press release was in their monthly newsletter.
 - Themed the August Chicago sales blitz to meeting planners with PCC and area hotels – "Award Winners (All America City) and Divine Dinners" (Chopping Block event) and created logo for event.
 - Will include All-America City logo on all displays and leisure, sports and meeting advertisements going forward.
 - Will redesign the billboard on I-39 to highlight Peoria as an All-America City.
 - Include All-America City honor in the Meeting Planners Guide used at tradeshow and appointment shows across the country.



Peoria Police Department

Memorandum

To: City Manager Patrick Urich
From: Chief Steven Settingsgaard
Date: Thursday, July 18, 2013
Subject: Chronic Nuisance Ordinance Report Back

The following is in response to a Council request for a report back pertaining to the Chronic Nuisance Ordinance.

Nuisance Properties:

Nuisance property investigations are primarily the responsibility of the Nuisance Abatement Office within the Police Department. Investigations are complaint driven and generated by multiple sources, i.e., citizens, elected officials, media, patrol officers, etc. Absent a complaint, potential nuisance properties do not self-identify based solely upon their activity or dispatch/report history. It is the complaint that triggers the initial review of an individual property. Both criminal nuisance types (drugs and other Quality of Life) are the responsibility of the Nuisance Abatement Officer but drug related complaints follow a different path through the process.

Drug Related - Most nuisance complaints have an illegal drug trafficking component and that portion of the investigation is completed by the Target Offender Unit (formerly Vice and Drug Unit.) Depending upon the individual circumstances and the amount of intelligence available, the Target Offender Unit may conduct an investigation with the goal being the successful arrest and prosecution of those involved in drug trafficking. This may be accomplished through search warrants and other means. These types of investigations are frequently lengthy and labor intensive. Sometimes complaints are made against properties that lack sufficient cause for further narcotics investigation. In other words, the preliminary review doesn't substantiate actual drug activity and the witnessed behaviors believed to be drug related are attributable to some other activity. Drug related complaints are also subject to nuisance letters which are sent to the property owner and or tenant.

Quality of Life – Nuisance complaints centered on the various quality of life issues are primarily the responsibility of the Nuisance Abatement Officer (N.A.O.). This does not mean that all of the police work associated with the case is done personally by the N.A.O. but he/she is responsible for the management of the case. Officers assigned to Patrol and other functional units within the Department are frequently involved as well. One of the preliminary responsibilities of the N.A.O. is to research a property and determine if it

qualifies under the ordinance. If it does qualify, a plan is implemented to remediate the problem.

Process: (sample letters attached)

Warning Letter – When a complaint is received and the officer determines that the property does not meet the legal standard for a nuisance property, the N.A.O. will still work to remedy the problem as well as send a warning letter indicating that the property is in danger of becoming a nuisance.

1st Letter - Once a property is determined to have qualified under the ordinance, a letter is mailed to both the property owner and the tenant. In addition to the letter, the N.A.O. typically contacts the parties involved and works with them to identify the root of the problem and then seeks to find a solution. The officer is frequently successful during this phase.

2nd Letter - If after thirty days of the first mailing, the illegal activity has not been abated, a second letter is mailed. If the property owner and/or tenants do not take action within ten days after the second letter, City Legal is notified of non-compliance thus allowing the commencement of legal action. When circumstances permit, the N.A.O. continues to problem solve toward a solution during this phase of the process as well.

City Legal – If all efforts to abate the violations have failed, the case is referred to City Legal for further action.

Number of Properties Identified

For the two year period of July 2011 through July 2013, the police department took action on 208 properties that were deemed nuisance properties. In all of these cases, a first letter was sent to the property owner and tenant. A 2nd letter was necessary in only 7 of the 208 cases, while the remaining 201 cases were resolved. Of the 7 properties that received a second letter, 4 were successfully abated relatively quickly. The N.A.O. continued to seek solutions on the remaining 3 cases and was successful in gaining evictions of the problem tenants prior to formal legal action. No cases have proceeded to court in the last 2 years. Attached is a spreadsheet of all 208 nuisance properties.

Recommendations

The Police Department proposes the following for consideration and further review toward the goal of improving the effectiveness of our nuisance abatement efforts.

Nuisance Abatement Staffing - Increase the staffing in the Nuisance Abatement Office allowing us to identify and pursue nuisance properties, including those for which no complaint has yet been made. The funding source for the increase in staff could potentially be derived from an additional fee levied upon registered rental properties. According to the Inspections Department, There are currently 7,755 rental property registrations in the

City. Each additional assigned police officer would require a fee of approximately \$15 per property.

Disorderly Houses - Officers who observe large disturbances connected to a particular property have the ability to issue a citation for Disorderly House. This is a tool that can be applied as an immediate corrective measure irrespective of the Chronic Nuisance Ordinance. The current fine amount for a disorderly house is \$500. We recommend an increase in the fine to \$750 to serve as a greater deterrent.

Tenant Training/Services – An increase in Nuisance Abatement staffing would also allow for the opportunity to conduct tenant training classes designed to educate tenants on matters of good citizenship and what constitutes appropriate and acceptable behavior. We would also provide education regarding the impact of poor behavior upon the community. Tenants could be motivated to attend the training by lowering the fee for the ordinance violations stemming from their unwanted behaviors. The Police Department could also take the opportunity to connect tenants with local social service agencies that could help the tenants address problems in their lives that may contribute to disruptive behavior. This model would be similar to Don't Shoot in its focus on finding solutions to core personal issues.

Tenant Registration – Currently the City has a process for landlord registration but there is no registration required for tenants. Currently renters are able to relocate following an eviction resulting from a nuisance property investigation. There is no system of tracking these individuals and they can move to other locations in the city and subsequently generate the next nuisance property complaint. Property owners have limited ability to access rental histories for particular individuals and a tenant registration may be a useful tool for landlords who want to be responsible property owners.

Attachments:

Sample warning letter

Nuisance letter

Chronic Nuisance Ordinance

Overview of nuisance properties for 2 year period

Spreadsheet identifying all properties for YTD 2013

Map 1: City map depicting all 2013 nuisance properties

Map 2: Repeat of Map 1, with Council Districts overlaid

Map 3: City wide hotspot map of 2013 nuisance properties

Map 4: Nuisance property density map by Council District

DATE

Mr Landlord
ADDRESS

RE: **Warning Notice of Chronic Nuisance Property Located At: Address**
Tenant(s): Tenants Names

Dear Mr./Mrs.

The purpose of this letter is to formally put you on notice that this property in which you have a vested interest in has been determined to be extremely close to becoming deemed a chronic nuisance property as defined in section 20-201 of the Peoria City Ordinance for the following reasons:

DATE AND NARRATIVE

DATE AND NARRATIVE

Peoria Police Officers continue to be sent to this location numerous times for the same reason on the following dates: **dates and times**

This letter is to inform you should the police be dispatched to this house for a repeated violation of the above listed offenses, the property **will** be declared a public nuisance.

I have also forwarded copies of these reports to the City of Peoria Legal Department for further review. **If another qualifying offense is documented prior to xx/xx/xx, the Peoria Police Department, if necessary, will seek provisions for abating this nuisance in court.** We hope that your cooperation in voluntarily eliminating this problem will make such action unnecessary. **Upon receipt of this letter, you are required to contact Officer Anthony Allen at 494-8249.**

Sincerely,

Lieutenant xx
title

Cc: Chief of Police; CID Captain; Corporation Counsel; Patrol Captain; Special Investigations; Tenant

DATE

Mr Landlord
ADDRESS

RE: **FIRST NOTICE for PROPERTY LOCATED AT: Address**
TENANT(S): Tenants

Dear Mr./Ms.,

This **First Notice** is being sent to notify you that the property in which you have a vested interest in has been determined to be a **Chronic Nuisance Property as defined in Section 20-201 of the Peoria City Ordinance** for the following reasons:

DATE	NARRATIVE	CASE NUMBER
(Repeat as needed)		

Peoria police have also responded to the listed address on calls for service on the following dates during the last 12 months: xx/xx/xx, xx/xx/xx. All of these were dispatched calls for service that did not necessarily result in a police report being written or police action being taken at that time.

I have also forwarded copies of these reports to the City of Peoria Legal Department for further review. **Upon receipt of this letter, you are required to contact Officer Anthony Allen at (309) 494-8249** within ten (10) days to discuss an immediate cause of action that will abate the nuisance activities at this location. Failure to do so will result in a court hearing in housing court on this matter. Thank you in advance for your cooperation.

Sincerely,

Lieutenant xxx
TITLE

Cc: Chief of Police; CID Captain; Corporation Counsel; Patrol Captain; Special Investigations; Tenants

Sec. 20-200. Violation of chapter.

- (a) Any certain property within the City of Peoria which becomes a chronic nuisance property or an aggravated chronic nuisance property is in violation of this chapter and is subject to its remedies.
- (b) Any owner or person in charge who permits property under his or her ownership or control to be a chronic nuisance property or an aggravated chronic nuisance property shall be in violation of this chapter and subject to its remedies.

(Ord. No. 14616, § 1, 11-24-98)

Sec. 20-201. Definitions.

- (a) *Chronic nuisance property.* Chronic nuisance property shall be property upon which three or more of the criminal offenses listed below have occurred during any 365-day period, as a result of any three separate and distinct events.
 - (1) First degree murder as defined in 720 ILCS 5/9-1;
 - (2) Any kidnapping offense as defined in 720 ILCS 5/10-1 et seq.;
 - (3) Criminal Housing Management as defined in 720 ILCS 5/12-5.1;
 - (4) Possession of explosives or incendiary devices as defined in 720 ILCS 5/20-2;
 - (5) Any offense involving deadly weapons as defined in 720 ILCS 5/24 et seq.;
 - (6) Mob action as defined in 720 ILCS 5/25-1;
 - (7) Possession, manufacture or delivery of controlled substances as defined in 720 ILCS 570/401 et seq.;
 - (8) Sexual abuse or related offenses as defined in 720 ILCS 5/12-15 et seq.;
 - (9) Possession, cultivation, manufacture or delivery of cannabis as defined in 720 ILCS 550/1 et seq.;
 - (10) Sale, delivery or possession of drug paraphernalia, as defined in 720 ILCS 600/3 and 3.5
 - (11) Disorderly conduct as defined in 720 ILCS 5/26-1;
 - (12) Gambling as defined in 720 ILCS 5/28-1;
 - (13) Assault or battery or any related offense as defined in 720 ILCS 5/12-1 et seq.;
 - (14) Public indecency as defined in 720 ILCS 5/11-9;
 - (15) Prostitution as defined in 720 ILCS 5/11-14 et seq.;
 - (16) Criminal damage to property as defined in 720 ILCS 5/21 et seq.;
 - (17) Illegal consumption or possession of alcohol as defined in 235 ILCS 5/1-1 et seq.;
 - (18) An order imposing a fine or other sanction for violation of Chapter 5 of the Code of the City of Peoria, which order is issued by the code hearing officer pursuant to sections 5-273 through 5-284 of the Code of the City of Peoria or by a Court;

- (19) A violation of Chapter 13 of the Code of the City of Peoria, which violation is not remedied within the time allotted after service of a notice to abate as provided in Chapter 13
 - (20) Violation of the city noise ordinance, section 15-62; 15-63; 15-65; 15-69; or 15-72
 - (21) Violation of any City of Peoria Ordinance or State of Illinois Statute controlling or regulating the sale or use of alcoholic beverages.
- (b) *Aggravated chronic nuisance property.* Aggravated chronic nuisance property shall be property upon which two or more of the criminal offenses listed below have occurred during any 365-day period, as a result of any two separate and distinct events.
- (1) First degree murder as defined in 720 ILCS 5/9-1;
 - (2) Any kidnapping offense as defined in 720 ILCS 5/10-1 et seq.;
 - (3) Criminal housing management as defined in 720 ILCS 5/12-5.1;
 - (4) Possession of explosives or incendiary devices as defined in 720 ILCS 5/20-2;
 - (5) Any offense involving deadly weapons as defined in 720 ILCS 5/24 et seq.;
 - (6) Mob action as defined in 720 ILCS 5/25-1 (a)(1), (d), (e);
 - (7) Possession, manufacture or delivery of controlled substances as defined in 720 ILCS 570/401 et seq.;
 - (8) Sexual abuse or related offenses as defined in 720 ILCS 5/12-15 et seq.;
 - (9) Possession, cultivation, manufacture or delivery of cannabis as defined in 720 ILCS 550/1 et seq.;
 - (10) Sale, delivery or possession of drug paraphernalia, as defined in 720 ILCS 600/3 and 3.5
- (c) *Control.* The ability to regulate, restrain, dominate, counteract or govern conduct that occurs on that property.
- (d) *Owner.* Any person, partnership, land trust, or corporation having any legal or equitable interest in the property. owner includes, but is not limited to:
- (1) A mortgagee in possession in whom is vested (a) all or part of the legal title to the property; or (b) all or part of the beneficial ownership and the right to the present use and enjoyment of the premises; or
 - (2) An occupant who can control what occurs on the property; or
 - (3) Any person acting as an agent of an owner as defined herein.
- (e) *Permit.* To suffer, allow, consent to, acquiesce by failure to prevent, or expressly assent or agree to the doing of an act.
- (f) *Person.* Any natural person, association, partnership or corporation capable of owning or using property in the City of Peoria.
- (g) *Person in charge.* Any person in actual or constructive possession of a property, including but not limited to an owner, occupant of property under his or her domain, ownership or control.

- (h) *Property.* Any real property, including that which is affixed, incidental or pertinent to land, including but not limited to any premises, room, house, building or structure or any separate part or portion thereof, whether permitted or not.

(Ord. No. 14616, § 1, 11-24-98; Ord. No. 15695, § 1, 10-19-04; Ord. No. 15994, § 1, 9-8-06)

Sec. 20-202. Remedies.

- (a) In the event a court determines property to be a chronic nuisance property or an aggravated chronic nuisance property, the court may order that the property be closed and secured against all use and occupancy for a period of not less than 30 days, but not more than 180 days, or the court may employ any other remedy deemed by it to be appropriate to abate the nuisance.
- (b) In addition to the remedy provided in paragraph (a) above, the court may impose upon the owner of the property a civil penalty in the amount of up to \$100.00 per day, payable to the City of Peoria, for each day the owner had actual knowledge that the property was a chronic nuisance property or an aggravated chronic nuisance property and permitted the property to remain a chronic nuisance property or an aggravated chronic nuisance property.
- (c) In determining what remedy or remedies shall be employed, the court may consider evidence of other conduct which has occurred on the property, including, but not limited to:
- (1) The actions or lack of action taken by the owner to mitigate or correct the problem at the property;
 - (2) Whether the problem at the property was repeated or continuous;
 - (3) The magnitude or gravity of the problem;
 - (4) The cooperation of the person in charge with the city;
 - (5) The cost to the city to investigate and correct or attempt to correct the condition;
 - (6) The disturbance of neighbors;
 - (7) The recurrence of loud and obnoxious noises; and/or
 - (8) Repeated consumption of alcohol in public.
- (d) The court may authorize the City of Peoria to physically secure the property against use or occupancy in the event the owner fails to do so within the time specified by the court or to take other steps necessary to abate a chronic nuisance or an aggravated chronic nuisance.
- (e) In the event that the city is authorized to secure the property or otherwise abate a chronic nuisance or an aggravated chronic nuisance, all costs reasonably incurred by the city to effect a closure or abate the nuisance shall be assessed against the owner. The City of Peoria shall submit a statement of costs to the court for its review. If no objection of the statement is made within the period prescribed by the court, or if the court, after objection is made, determines that the statement of costs is accurate, the court shall approve such costs.

- (f) Any person who is assessed the cost of abatement and/or civil penalty by the court shall be personally liable for the payment thereof to the city. If payment is not made, the city may pursue all available collection procedures, including but not limited to the filing of a lien on the property found to be a chronic nuisance or an aggravated chronic nuisance, a civil collection action, or requesting a court to find the owner in contempt of court for nonpayment of such costs.
- (g) In the court's discretion, a tenant may be entitled to his or her reasonable relocation costs from the owner, as those costs are determined by the court if, without actual notice, the tenant moved into the property, after the owner received notice as described herein of the police superintendent's determination as described below.
- (h) The city, in addition to any other remedies set forth herein, may, at its discretion, charge an owner of a chronic public nuisance or an aggravated chronic public nuisance with a violation of this chapter which may be processed and prosecuted as an ordinance violation.
- (i) In addition to other remedies available, the court may order the owner or person in control of the nuisance property to post a reasonable bond to assure future compliance with the statutes of the State of Illinois and the ordinances of the City of Peoria for a reasonable period of time, not to exceed one year.

(Ord. No. 14616, § 1, 11-24-98; Ord. No. 15994, § 2, 9-8-06)

Sec. 20-203. Notification of procedure.

When the superintendent of police of the city of peoria or his designee receives two or more police reports documenting the occurrence of nuisance activity, as defined by [section 20-201\(a\)](#) of this chapter, or one or more police reports documenting the occurrence of nuisance activity, as defined by [section 20-201\(b\)](#) of this chapter, on or within a property, the superintendent or his designee shall independently review such reports to determine whether they describe acts set forth in [section 20-201\(a\)](#) or (b) of this chapter. Upon such findings, the superintendent or his designee may:

- (1) Notify the owner or person in control in writing that the property is in danger of becoming a chronic nuisance property or aggravated chronic nuisance property. The notice shall contain the following information:
 - a. The street address or a legal description sufficient for identification of the property.
 - b. A statement that the superintendent of police has information that the property may be chronic nuisance property or aggravated chronic nuisance property, with a concise description of the nuisance activities that may exist, or that have occurred. The superintendent of police or his designee shall offer the person in charge an opportunity to propose a course of action that the superintendent of police agrees will abate the nuisance activities giving rise to the violation.

- c. Demand that the owner respond to the superintendent of police or his designee within ten days to discuss the nuisance activities.

Nothing herein shall prohibit the superintendent of police or his designee from sending a warning letter after receiving one police report documenting the occurrence of a nuisance activity, as defined in section 20-201(a) of this chapter.

- (2) After complying with the notification procedures described herein when the superintendent of police or his designee receives a police report documenting the occurrence of a third nuisance activity at or within a property and determines that the property has become a chronic nuisance property or aggravated chronic nuisance property, the superintendent of police or his designee shall:

- a. Notify the owner or person in control in writing that the property has been determined to be a chronic nuisance property. The notice shall contain the following information:
 - 1. The street address or legal description sufficient for identification of the property.
 - 2. A statement that the superintendent of police has determined the property to be a chronic nuisance property with a concise description of the nuisance activities leading to his/her findings.
 - 3. Demand that the owner respond within ten days to the superintendent of police and propose a course of action that the superintendent of police agrees will abate the nuisance activities giving rise to the violation.
 - 4. Service shall be made either personally or by first class mail, postage prepaid, return receipt requested, addressed to the owner at the address of the property believed to be a chronic nuisance property, or such other place which is likely to give the person in charge notice of the determination by the superintendent of police.
 - 5. A copy of the notice shall be served on the owner at such address as shown on the tax rolls of the county in which the property is located, and/or the occupant, at the address of the property, if these persons are different than the owner, and shall be made either personally or by first class mail, postage prepaid.
 - 6. A copy of the notice shall also be posted at the property after ten days has elapsed from the service or mailing of the notice to the owner and the owner has not contacted the superintendent of police.

- b. The failure of any person to receive notice that the property may be a chronic nuisance property or aggravated chronic nuisance property shall not invalidate or otherwise affect the proceedings under this chapter. The notification procedures set forth in this [section 20-203](#) need not be followed in cases of aggravated chronic public nuisances.
- c. If after the notification, but prior to the commencement of legal proceedings by the city pursuant to this chapter, an owner stipulates with the superintendent of police or his designee that the owner will pursue a course of action the parties agree will abate the nuisance activities giving rise to the violation, the superintendent of police may agree to postpone legal proceedings for not less than ten days nor more than 30 days. If the agreed course of action does not result in the abatement of the nuisance activity or if no agreement concerning abatement is reached within 30 days, the superintendent of police shall request authorization for the corporation counsel to commence a legal proceeding to abate the nuisance.
- d. Concurrent with the notification procedures set forth herein, the superintendent of police or his designee shall send copies of the notice, as well as any other documentation which supports legal proceedings to the corporation counsel.

(Ord. No. 14616, § 1, 11-24-98)

Sec. 20-204. Commence of action, burden of proof.

- (a) The corporation counsel of the City of Peoria may commence an action to abate a chronic nuisance or an aggravated chronic nuisance as described in [section 20-201](#)
- (b) In an action seeking abatement of a chronic nuisance property or aggravated chronic nuisance property, the city shall have the initial burden of showing by preponderance of the evidence that the property is a chronic nuisance property or an aggravated chronic nuisance property.
- (c) It is a defense to an action seeking the closure of chronic nuisance property or an aggravated chronic nuisance property that the owner or person in control of the property at the time in question could not, in the exercise of reasonable care or diligence, determine that the property had become a chronic nuisance property or an aggravated chronic nuisance property, or could not, in spite of the exercise of reasonable care and diligence, control the conduct leading to the findings that the property is a chronic nuisance property or an aggravated chronic nuisance property.

(Ord. No. 14616, § 1, 11-24-98)

Sec. 20-205. Emergency closing procedures.

- (a) In the event that it is determined that the property is an immediate threat to the public safety and welfare, the city may apply to the court for such interim relief, as is deemed by the corporation counsel to be appropriate. In such an event, the notification provision set forth in section 20-203 above need not be complied with; however, the city shall make a diligent effort to notify the person in charge prior to a court hearing.
- (b) In the event that the court finds the property constitutes a chronic nuisance property or an aggravated chronic nuisance property, and finds that the property is an immediate threat to the public safety and welfare, the court may order the remedies set forth in section 20-202 of this chapter. In addition, in the event that it also finds the person in charge had knowledge of activities or conditions of the property constituting or violating this chapter and permitted the activities to occur, the court may assess a civil fine as provided above.

(Ord. No. 14616, § 1, 11-24-98)

Sec. 20-206. Severability.

If any provision of this article or its application, or any person or circumstances held to be invalid for any reason, the remainder of said application of its provisions to the other persons or circumstances shall not be in any way affected.

(Ord. No. 14616, § 1, 11-24-98)

Sec. 20-207. Permitting the use of property for illegal use or sale of illegal drugs such as cannabis, narcotics, methamphetamine or controlled substances.

- (a) *Purpose.* The city council finds it to be in the best interests of the residents of the city and the general public to prevent illegal acts and to promote public peace, health and safety, and to this end, the city council enacts this section.
- (b) *Permitting the use of real estate for illegal drug activity.* No owner of real estate located in the city shall knowingly allow that real estate to be used as a site for any use or sale of illegal drugs such as cannabis, narcotics, methamphetamine or controlled substances, after having received a second written notice from the police department, that a present occupant or tenant of that property has been using or selling illegal drugs such as cannabis, narcotics, methamphetamine or controlled substances, or allowing the using or selling of illegal drugs such as cannabis, narcotics, methamphetamine or controlled substances at that property.

A legal or equitable owner of such real estate is deemed to have knowledge of such activity upon receipt of notice set forth herein. For the purposes of this section, an owner of real estate is defined as any person who, alone, jointly or severally with others, shall have legal or equitable title or other possessory interest to any dwelling or dwelling unit, including, but not limited to, a purchaser under a contract for conditional sale of real estate commonly known as a land contract, and a lessee,

sub-lessee, renter or tenant who is allowing another person to occupy the dwelling or dwelling unit. The definition of owner shall not include a mortgage lien holder or other lien holder holding an interest, which secures a debt or judgment, or a person deemed to be a legal owner who has notified the police department of the name(s) and address(es) of persons purchasing the property under a contract for conditional sale of real estate commonly known as a land contract.

- (c) *Notice.* Notice shall be deemed sufficient if done by one of the following methods:
- (1) Sending a copy of the notice by registered or certified mail return receipt requested to the address listed by the county treasurer's office for sending notice of property taxes, or to the residence, business address, or place of employment of the person to be notified;
 - (2) Delivering a copy of the notice to the person to be notified; or
 - (3) Leaving a copy of the notice at the dwelling or usual place of abode of the person to be notified.

If, after a reasonable effort, service is not obtained by a method listed above, service shall be deemed sufficient if notice is published in a newspaper of general circulation published in the city.

- (d) *Discrimination forbidden.* Nothing in this section shall be construed to encourage or authorize the discrimination by lessors against any persons based upon race, creed, religion, sex, age, national origin, familial status or handicap. Rather, it is the intent of this section to hold persons accountable for acquiescing in or participating in the continued use of his/her property as the location of illegal activity, after having received notice as set forth in section (c) above.

- (e) *Reports, investigations and notices by the police department.*

- (1) A report of suspected illegal activities constituting the use or sale of illegal drugs such as cannabis, narcotics, methamphetamine or controlled substances by tenants, occupants and/or their visitors, guests or invitees as observed by the owner or third persons including, but not limited to, other tenants of the property, or persons residing or working in the vicinity of the property, or city officials or employees, shall be submitted to the police department and each such report or complaint shall be individually logged.
- (2) Upon receipt of any report or complaint of such suspected illegal activities on the premises, a determination shall be made by the police department as to the need and nature of any further investigation including, but not limited to, the necessity for surveillance by the police department of such premises.
- (3) *First notice.* Upon a determination by the police department that such suspected illegal activity is taking place at a particular premises based upon lawfully obtained evidence, including, but not limited, to, personal knowledge of a police officer, information obtained from a reliable source, evidence

obtained pursuant to an arrest or physical evidence obtained by a search warrant or other lawful means, a written notice shall be sent by the police department to the owner, as provided in section (c) above, of the real estate and a copy to the tenant or occupant whose premise is the subject of the investigation, by certified mail, return receipt requested, informing the owner that the initial investigation revealed alleged suspected illegal activity and the fact that there is an on-going investigation. The notice shall inform the owner that the owner shall take legal action, within 30 days of the date of the letter, to abate such suspected illegal activity, including, but not limited to, filing an eviction action, and if this does not happen, of the intent of the police department to take further legal action. The notice shall further include a request of the property owner to whom the letter is addressed to specify in writing information concerning the existence of any contract for conditional sale of real estate, commonly known as a land contract, setting forth the name, address and phone number of the purchaser under the land contract, and further specifying any other person who has a legal, equitable or possessory interest in the dwelling or dwelling unit and the pertinent information, including, but not limited to, name, address and phone number with respect to those individuals.

Any owner who believes the determination by the police department of illegal activity on the premises is insufficient to permit an eviction of the tenant or other occupant, may appeal that determination in writing within 30 days of the date of the first notice to the city manager, who may designate an official or the administrative hearing officer to review the complaint. The decision of the city manager or his designee shall be final and based upon substantial evidence and in accordance with legal principles. The city manager or his designee shall hear such appeal at the first reasonable opportunity but no less than seven days from the date of giving said appealing owner notice of the date, time and place of the meeting at which the appeal shall be heard. During such appeal and before a decision is rendered by the city manager or his designee, the city shall not commence an action against the owner for violation of this section of the City Code. Failure to appeal to the city manager shall not prejudice the rights of the owner in any proceedings under this section.

- (4) *Second notice.* If the illegal activity has not been abated or an eviction action has not been commenced within 30 days of the first written notice, a second written notice shall be sent to the owner of the real estate, by certified mail, return receipt requested, or such other method as permitted in Section (c) above, and shall inform the owner that the investigation at the premises is continuing, and that legal proceedings may be commenced pursuant to this section. Such letter shall inform the owner of his/her failure to take some form

of remedial action within ten (10) days to abate the illegal activity, including eviction of those persons conducting the illegal activity, will result in legal proceedings against said owner for violation of this section.

Such notice shall also request, of the person to whom the letter is being submitted, any and all information concerning the existence of any contract for conditional sale of the real estate, commonly known as a land contract and any other legal equitable, or possessory interest in the dwelling unit by any other person or persons specifically requesting the name, address or other pertinent information of said individual or individuals. Said owner or other individual receiving said written notice shall be required to supply said information requested. A copy of the notice shall be sent to the chief of police, the legal department and to the tenant/occupant of the premises.

- (5) If the owner of the property fails to take required legal action to commence an eviction action or abate the illegal activities within ten days of receipt of the second notice, the legal department may proceed to collect the fines provided in this section and/or proceed under state law to abate or enjoin any suspected illegal activity as defined herein constituting a nuisance as defined under state law.
- (f) *Criteria for establishing a violation.* A violation of this section will be determined by the appropriate judicial authority based upon the totality of the circumstances present, including, but not limited to that the owner has received notices of suspected illegal activity pursuant to paragraphs (b), (c) and (e) of this section.
- (g) *Eviction proceedings as a defense.* No person shall be charged with the violation of this section if such person:
 - (1) Has instituted eviction proceedings within 30 days of receipt of notice of alleged criminal activities in accordance with section (b) above, against the tenant or occupant whose suspected criminal activities would otherwise give rise to potential liability under this section;
 - (2) Has proceeded with reasonable diligence in the prosecution of said eviction proceedings;
 - (3) If any eviction proceedings are not completed within 30 days by reason of court ordered delays in such proceedings, the person charged with a violation of this section must, nonetheless, move forward expeditiously with any such eviction proceeding; or
 - (4) Has initiated an action under 735 ILCS 5/9-101 et seq. or any similar eviction law which will cause such illegal activity to cease upon the property.
- (h) *Multiple unit dwellings.* In the case of a multiple unit dwelling, the only person necessary to name in an eviction proceeding is the tenant/occupant occupying the actual unit involved with the suspected illegal activity described herein.
- (i) *Filing of criminal charges.* Charging an owner of real estate with a violation of this section shall be an adjunct to, and not substitution for, any criminal charges filed as a

result of investigation by the police department against occupants or tenants of that owner's real estate premises for use or sale of illegal drugs such as cannabis, narcotics, methamphetamine or controlled substances.

- (j) *Assistance by chief of police.* The chief of police shall use reasonable efforts to train, educate and assist owners of real estate in avoiding placing tenants or occupants in their real estate who are known violators of illegal activities enumerated herein.
- (k) *Non-exclusive remedy.* The provisions of this section shall not in any manner be construed to limit or be a condition precedent to bringing an action under 735 ILCS 5/9-101 et seq.
- (l) *Violations.* It shall be a violation of this chapter for any person to knowingly allow his/her property to be used for the activities which are prohibited by this section, or fail to comply with the terms of this chapter. The violation is by property address.
- (m) *Penalty.* Any person who violates any provision of this chapter shall be subject to a civil penalty of \$750.00 per day for the first violation at a dwelling unit, the with second violation at the same dwelling unit carrying a civil penalty of \$1,500.00 per day, and the third and subsequent violations at the same dwelling unit carrying a penalty of \$2,500.00 per day. Each day a violation exists shall be considered a separate violation and a court may assess a monetary civil penalty for each day a violation exists. The fines for the second and any subsequent violations shall be imposed irrespective of the tenant or occupant of the premises and shall be imposed only if the person fined was an owner in a previous violation.
- (n) The police officers will appear in court to testify if subpoenaed by the property owners.
- (o) *Limited indemnification.* The City of Peoria shall provide a limited indemnification to an owner of real estate who has initiated eviction proceedings in court and is sued or a counterclaim is asserted by the individual who is sought to evict, under the following terms and conditions:
 - (1) The premises which are the subject of the eviction proceedings are located in the City of Peoria;
 - (2) Eviction proceedings are instituted in Peoria County in compliance with 735 ILCS 5/9-101 et seq.;
 - (3) The owner of the property received notice from the police department under subsection (e)(3) or (4) above to abate the illegal activity of the premises and instituted eviction proceedings solely because of such notice;
 - (4)
The owner instituted eviction proceedings within 30 days of receipt of the notice in subsection (e)(3) or within ten days of the receipt of the notice in subsection (e)(4) above;
 - (5) The owner has given the office of the corporation counsel no less than 30 days' written notice of the trial date of any claim, lawsuit or counterclaim against said owner, and no less than 72 hours' written notice of any claim,

- lawsuit or counterclaim against said owner; any such notice shall be in writing and sent by U.S. mail, return receipt requested;
- (6) The claim, counterclaim or lawsuit is based upon an alleged illegality or unconstitutionality of this section of the City Code or the negligence of the police department in providing information to the owner and relied upon by the owner as a basis of bringing an action against the tenant or other occupant of the premises sought to be evicted;
 - (7) The owner fully and expeditiously cooperates with the office of the corporation counsel in defense of such claim, lawsuit or counterclaim, including but not limited to allowing the office of the corporation counsel to intervene in the lawsuit and take control over the defense of such claim, lawsuit or counterclaim;
 - (8) The office of the corporation counsel is permitted to pursue any and all appeals of the decision of the court on behalf of the owner; and
 - (9) The tenant or person sought to be evicted prevails on his/her claim, lawsuit or counterclaim solely based upon a finding of illegality or unconstitutionality of this ordinance or the negligence of the police department in supplying the information to the owner and not on a finding of procedural wrongdoing or other improprieties of illegalities of the owner in pursuing the eviction. If the tenant or person sought to be evicted prevails on his/her claim, lawsuit or counterclaim based upon any other reason, including but not limited to, procedural wrongdoing, or the negligence, bad faith, or other impropriety or illegality of the owner, then the indemnity shall not apply.

(Ord. No. 16214, § 1, 11-27-07)

Editor's note—

It should be noted that Ord. No. 16214 becomes effective January 1, 2008.

Secs. 20-208—20-219. Reserved. 

The following is an overview for the nuisance properties between July 8, 2011 and July 8, 2013 by council district and narrative type.

	2011 Nuisance Properties Reported In Each Council District	2012 Nuisance Properties Reported In Each Council District	2013 Nuisance Properties Reported In Each Council District	
District 1	21	66	24	
Distict 2	17	19	7	
Disrict 3	7	21	10	
District 4	4	9	3	
District 5	0	0	0	Total:
Total	49	115	44	208
	45 of 49 cases are drug related	107 of 115 are drug related	38 of 44 are drug related	

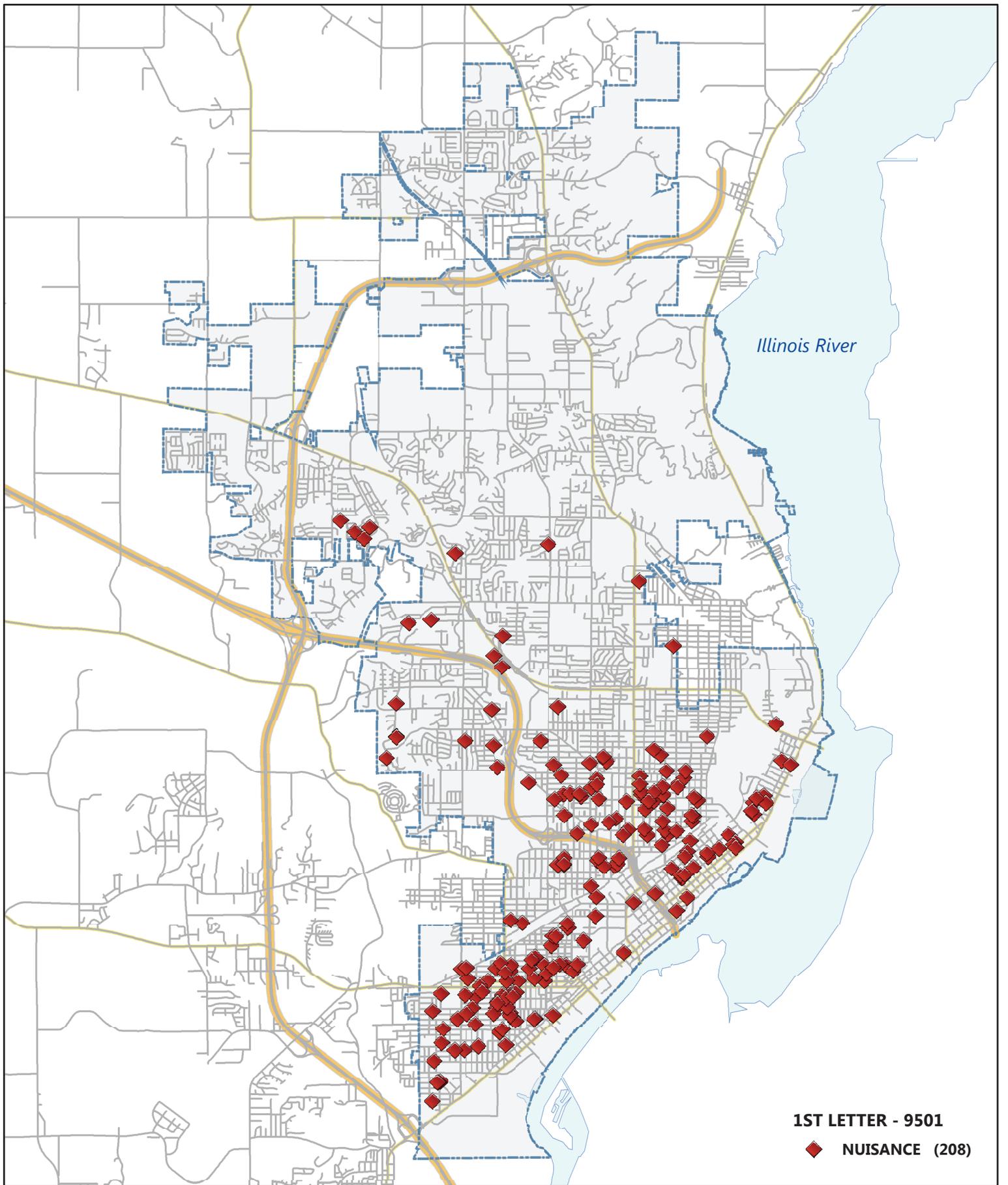
Attached is a list of all 2013 nuisance cases up to July 8, 2013, identifying each individual property by address, council district, date letters were sent, property owner, and nuisance type.

NUISANCE LETTERS 2013

Address	Council District	Date Letters Sent	Property Owner	Charges
2405 W. Martin Luther King Apt. 8	1	7/3/2013	Manning,Stephanie	Drugs / Weapons
1110 NE Glendale	1	6/13/2013	Burroughs, Robert	Drugs
1019 NE. Perry	1	6/13/2013	Buswell,Greg	Drugs
410 S. Sterling Apt. 3	1	6/13/2013	Romanus, Lynn	Drugs
2027 E. Harvard	1	6/10/2013	Vip Investments of Peoria LLC	Drugs /Weapons
2804 W. Humboldt	1	5/23/2013	Carlson, David	Drugs
250 Eaton Apt. 39	1	5/19/2013	Tillman,Christopher W/PHA	Drugs
645 Spitznagle	1	5/19/2013	Majors, Jerry	Drugs
314 S. Webster	1	5/12/2013	OKPARA	Drugs/Weapons
506 Morgan	1	5/12/2013	Fredericks, Robert	Drugs
1927 W. Proctor	1	4/29/2013	Royer, Gary	Drugs
2420 W. Wiswall	1	4/28/2013	Midwest Property Investors	Drugs
818 NE. Monroe	1	4/25/2013	Mitchell,Trust	Drugs
1211 S. Western	1	4/21/2013	Randle, Linda	Drugs
811 S. Blaine	1	4/7/2013	Samuels, Charlie	Drugs
2411 W. Marquette	1	4/3/2013	Boon, Teresa	Drugs
1833 W. Ann	1	3/24/2013	Banks, Gregory	Drugs/Weapons
422 S. Western	1	3/6/2013	Hoover, Trev	Drugs
2907 S. Grinnell	1	2/28/2013	OKPARA	Drugs/Weapons
720 NE Adams Apt. 118	1	2/3/2013	Elizabeth Lewis W/PHA	Drugs
2824 W. Wiswall	1	1/27/2013	Giles, Lenora	Drugs/Weapons
124 NE Rock Island	1	1/24/2013	James Robertson	Chronic Nuisance calls
2621 N. Sheridan	2	7/3/2013	Argo, Peter	Drugs
2012 N. Indiana	2	6/23/2013	O'Neal, Eleanor	Drugs
904 E.Virginia	2	6/16/2013	Uppole, Gary	Drugs
310 E. Republic	2	6/16/2013	Nath, Sylvia	Drugs
2312 N. Ellis	2	6/13/2013	Regions Bank	Drugs
1801 N. North	2	5/23/2013	Schench,Michael	Chronic Nuisance calls
1750 N. Sheridan Apt. A	2	5/22/2013	Davis, George	Drugs/Weapons
2127 N. Flora	2	2/3/2013	Voigt, Ray	Drugs

NUISANCE LETTERS 2013

Address	Council District	Date Letters Sent	Property Owner	Charges
505 W. Hanssler	2	1/29/2013	Regions Bank	Chronic Nuisance calls
1102 W. McClure	2	1/14/2013	Huff, James	Drugs
310 E. Republic	3	7/7/2013	Nath, Sylvia	Drugs
700 E. Virginia Apt. 1/2	3	6/23/2013	Alwan, Henri	Drugs
719 E. Lasalle	3	6/11/2013	Garcia, Aniceto	Chronic Nuisance calls
1007 E. Nebraska	3	5/16/2013	Hamlin, Michael	Chronic Nuisance calls
623 E. Lake	3	4/21/2013	Dinh, Khanh	Drugs
905 E. Nebraska	3	4/15/2013	Lehman, Mark	Chronic Nuisance calls
807 E. Arcadia	3	2/19/2013	Hohstadt, Albert	Drugs
202 E. Archer	3	2/12/2013	Oldham, Laura	Drugs
1205 E. Melbourne	3	1/27/2013	Bartley, Douglas	Drugs
3828 W. Verner	4	4/21/2013	Bailey, James	Drugs
1822 W. War Memorial Apt. 142	4	2/3/2013	FMW RRI LLC	Drugs
4306 N. Brandywine	4	1/23/2013	Brea Esa Properties	Drugs



NUISANCE PROPERTIES 1ST LETTER / LOCATIONS / PAST 2 YEARS

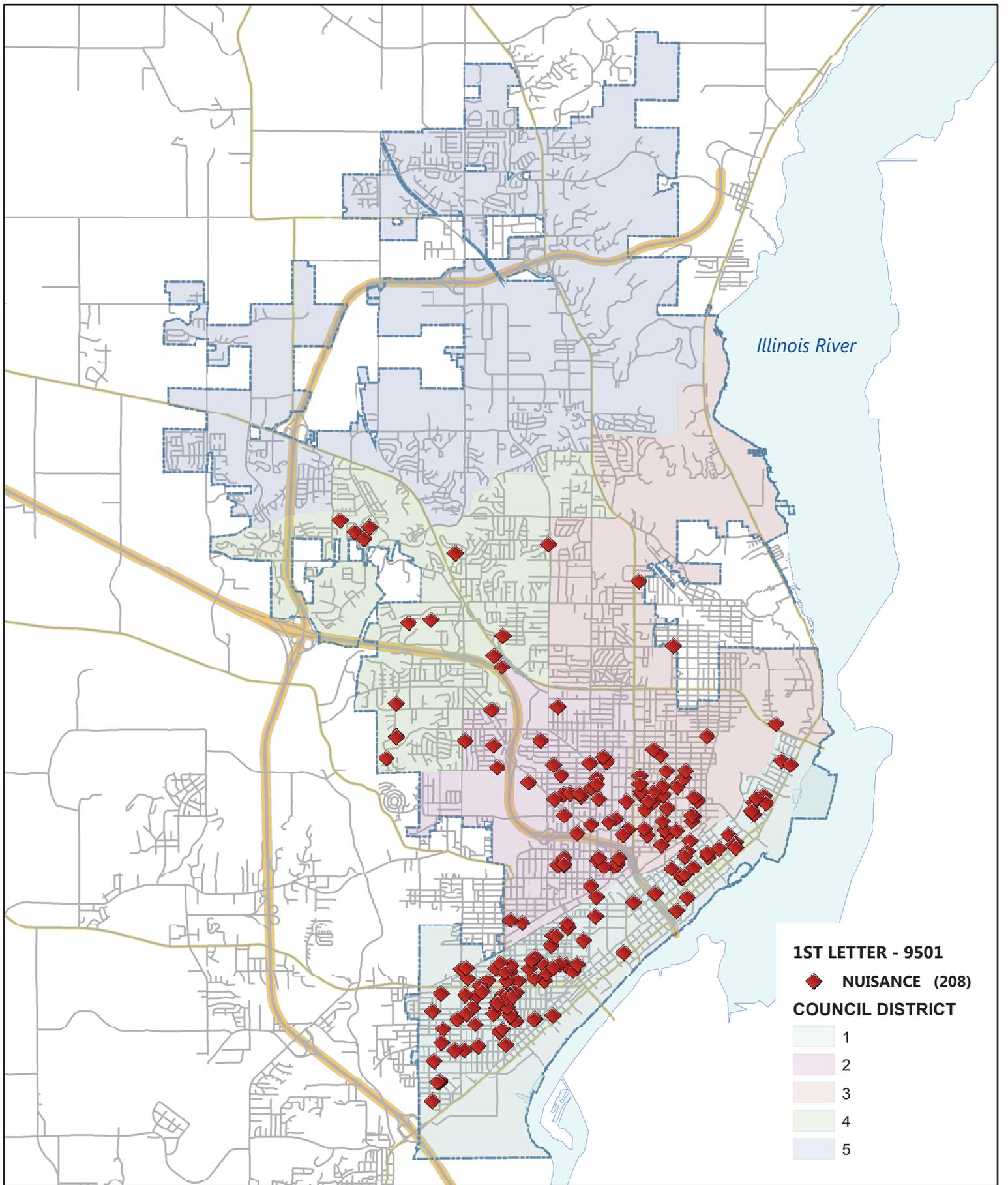
2013_0710

Query: (NUISANCE PROPERTY - ADMIN -FIRST LETTER - 9501)

Dates: 7/8/2011 - 7/8/2013

ppd_dpw





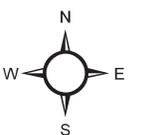
NUISANCE PROPERTIES 1ST LETTER / LOCATIONS / PAST 2 YEARS

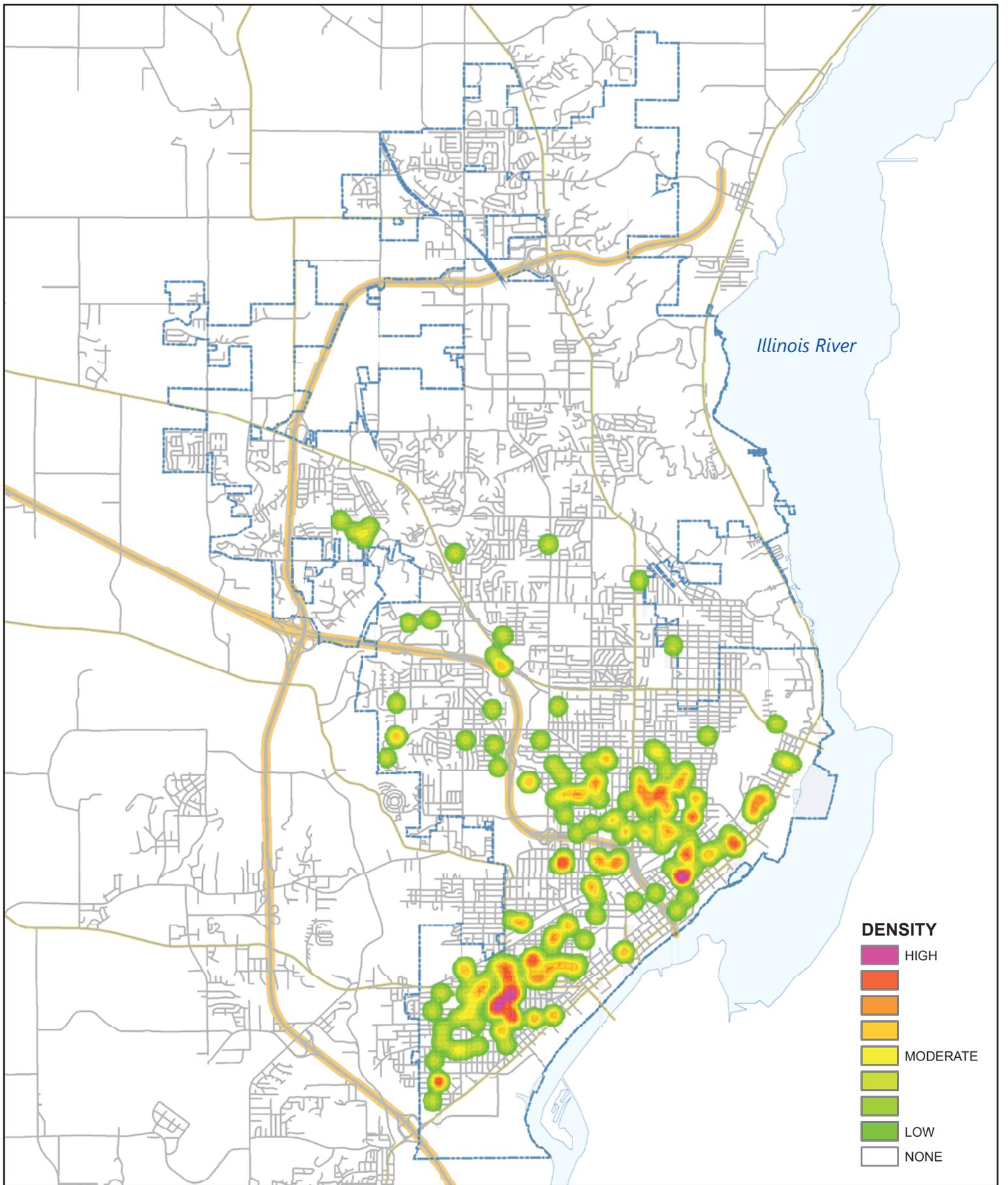
2013_0710

Query: (NUISANCE PROPERTY - ADMIN -FIRST LETTER - 9501)

Dates: 7/8/2011 - 7/8/2013

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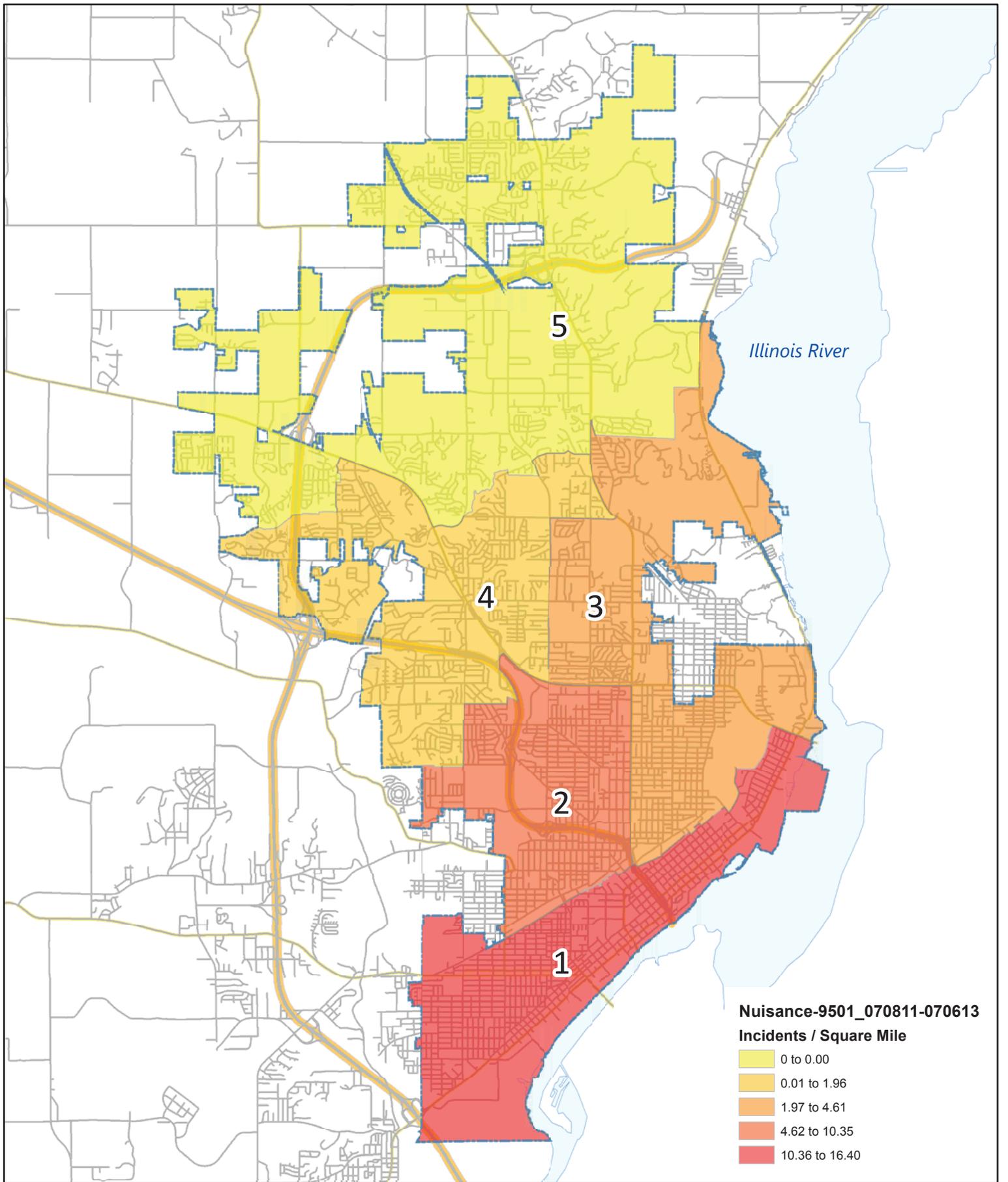




NUISANCE PROPERTIES 1ST LETTER / HOTSPOTS / PAST 2 YEARS
2013_0710

Query: (NUISANCE PROPERTY - ADMIN - FIRST LETTER - 9501)
Dates: 7/8/2011 - 7/8/2013





NUISANCE PROPERTIES 1ST LETTER / DENSITY / COUNCIL DISTRICTS / PAST 2 YEARS
 2013_0710

Query: (NUISANCE PROPERTY - ADMIN -FIRST LETTER - 9501)
 Dates: 7/8/2011 - 7/8/2013

ppd_dpw





WAREHOUSE DISTRICT

TIGER II COMPLETE STREETS PROJECT

CITY OF PEORIA



NEWSLETTER 5: SUMMER UPDATES



● ADAMS AND JEFFERSON STREETS *(Persimmon to Walnut)*

Adams and Jefferson Streets are both reduced to two lanes each, with shorter sections reduced to one lane when work crews are present. Storm sewers are complete on the river side of Adams. Crews are completing new curb and gutter and parking lanes along Adams Street. Planter boxes and foundations for light poles are being built over the next few weeks. Driveways and sidewalks will be built next. Decorative brick inlays will be installed in sidewalk and parking areas. Storm sewer is nearly complete on Jefferson and on side streets. The construction effort will be concentrated on the river side of Adams Street until that area is complete.

● WASHINGTON STREET *(Persimmon to Liberty)*

Washington Street is closed to through traffic from Persimmon Street to Liberty Street. Work completed includes pavement removal, new water main, and storm sewer from State to Liberty. Work tentatively planned for July includes roadway grading, concrete curbs, and planter boxes from State to Liberty. Pavement removal, new water main and storm sewer from State to Maple are also tentatively planned for July.

● SIDE STREETS *(Persimmon, Maple, Elm, Oak, State, and Walnut Streets between Jefferson and Washington)*

Elm Street is closed at the river side of Jefferson. This will re-open in mid August when storm sewer and pavement patching are completed. Maple Street is closed from Adams to the May Alley. Construction continues on one side of each side street. These side streets are open to two-way traffic, and all businesses are accessible. Some construction activities may occasionally reduce these side roads to one lane for short periods of time.

● UTILITY RELOCATION *(Various Locations)*

Overhead electric wires are being moved underground at many locations. Construction for the underground work will be on Oak Street through July. Fire hydrants have been relocated throughout the project site.

www.warehousedistrictpeoria.com

Public involvement activities including newsletters, monthly status meetings, web updates, and meetings with individual property owners will continue until the project is complete. If you have any questions regarding public involvement activities, please contact Karen Dvorsky, P.E. at kdvorsky@terraengineering.com or 309-472-3132.

● CONTACT US

Warehouse District Field Office

Charleen Boudreau, P.E.
309.265.8775

cboudreau@terraengineering.com

City of Peoria

Scott Reeise, P.E.
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sreeise@peoriagov.org

Washington Street Field Office

Steve Dietz, P.E.
309.253.8791

sdietz@mps-il.com

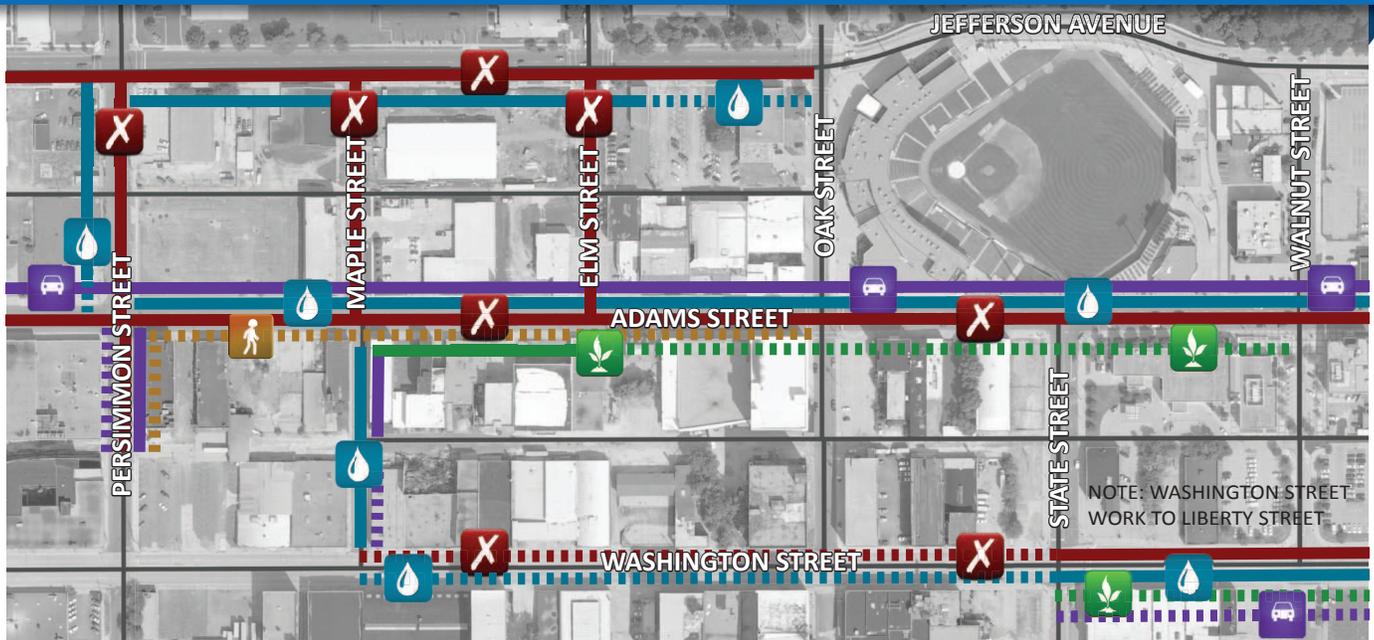
CHECK OUT OUR PROGRESS & HOW TO GET AROUND



We appreciate your patience during the duration of construction.

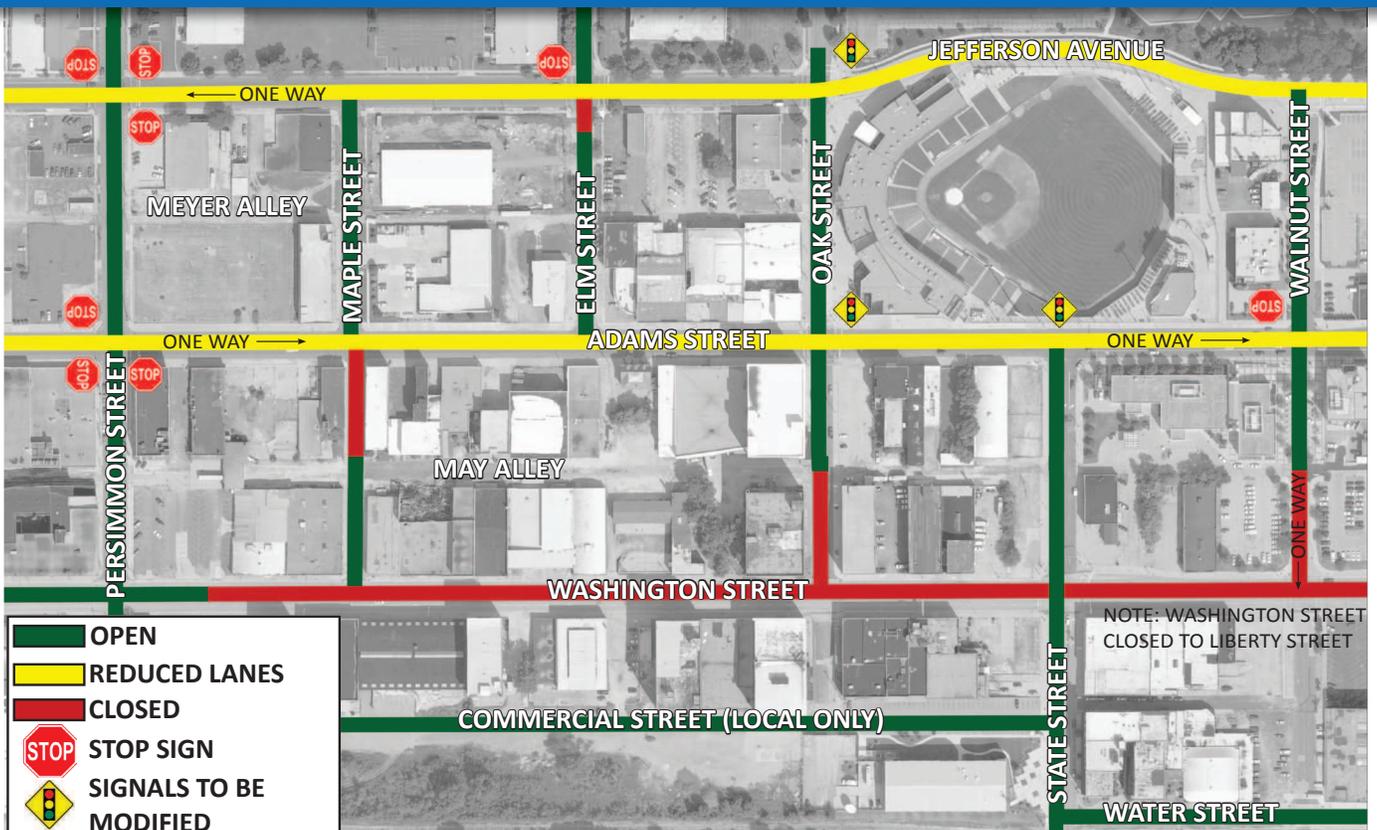


OUR PROGRESS



KEY	COMPLETED	ANTICIPATED WORK JULY 2013
PLANTER BOXES (CONCRETE WORK)		
CURB & PARKING LANES		
STORM SEWER		
SIDEWALK & DRIVEWAYS		
REMOVALS & FIRE HYDRANT RELOCATION		

GETTING AROUND



	OPEN
	REDUCED LANES
	CLOSED
	STOP SIGN
	SIGNALS TO BE MODIFIED

Marriott Hotel Projects

June 2013 Progress Report



Report Dated: July 16, 2013



Marriott Hotel Projects Progress Report

This is the monthly report prepared by Dewberry Architects Inc. for the month of June 2013. It covers construction activities for the four components of the project; parking deck, pedestrian bridge, Pere Marquette Hotel, and the Marriott Courtyard Hotel. The ePrismSoft Compliance System Executive Summary Report, dated July 10, 2013, for EEO monitoring is attached.

Parking Deck

Progress Summary:

The parking deck is complete. The dryvit finish system has been installed. Accent painting has been complete. The portion of the walkway along the parking deck is being enclosed. The parking deck is open and operating.

Photos:



Dryvit and painted concrete

Pedestrian Bridge

Progress Summary:

Exterior brick is complete. Storefront modifications have begun. Second floor slab to be poured in early July. Then interior CMU wall can be installed and then the roof. The elevator is ready to be delivered to the site and installed as soon as the roof is on.

Forthcoming Items:

The bridge trusses are anticipated to be placed in late August or mid September. Bridge erection and finishing will require the shutdown of the street.

Photos:



Exterior masonry complete



Installing bridge enclosure at parking deck

Pere Marquette Hotel

Progress Summary:

Marriott has accepted entire building. Marriott and owner finishing placement of OSE items. Kitchens passed the IDPH inspection. The certificate of occupancy was issued and the hotel was opened for business since June 28th.

A last punchlist was created and items were being completed. Installation of lighting, fire alarm and pipe insulation was underway in the parking area. The parking area was also being painted.

The exterior sidewalk and planters were completed. Street lighting was completed.

Forthcoming Items:

None at this time.

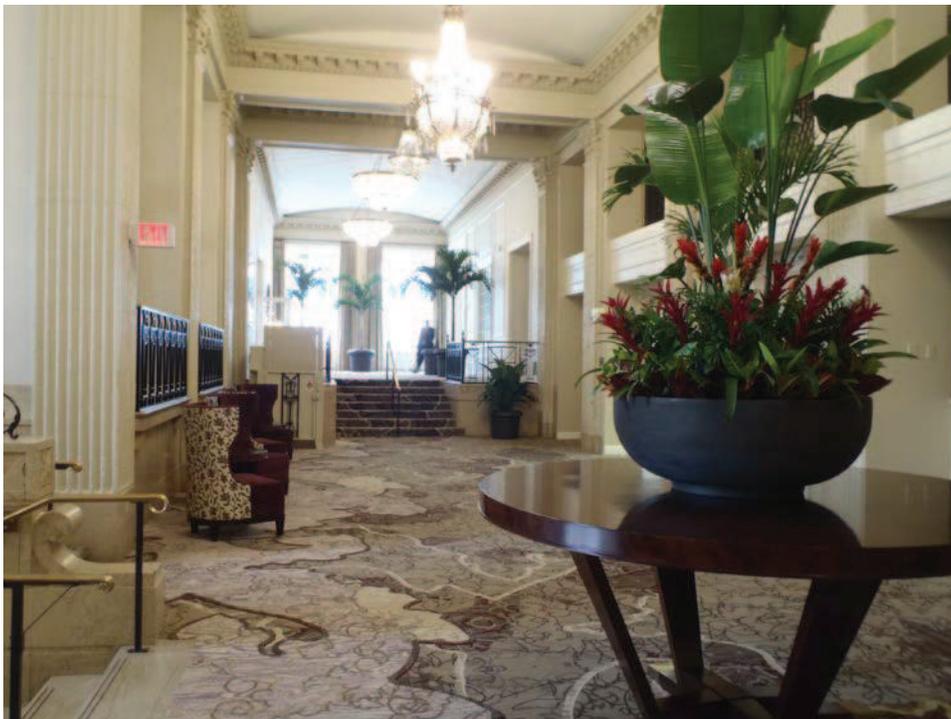
Photos:



Finished ballroom elevator wall



Setting up ballroom for opening



Finished prefunction area



Presidential Suite



FFE installation at 12th floor suites



Conceirge's Lounge 11th floor



Finished guestroom



Finished planters and sealing of the red concrete

Courtyard

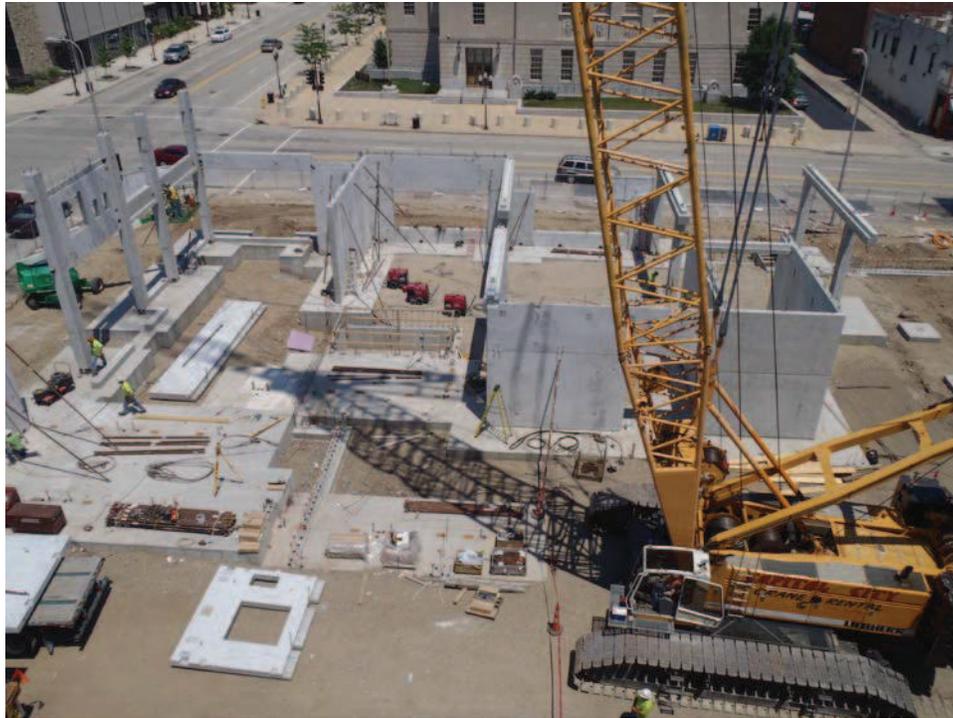
Progress Summary:

Footings and foundations have been installed. Precast installation has started. Crew is installing a floor every 4 days. Anticipate erection of precast panels to be complete late August or early September.

Forthcoming Items:

Stair handrails are in fabrication. Masonry and underground utilities planned to start in July.

Photos:



Precast panel progress June 20



Precast panel progress June 27



Precast floor panel installation

Schedule

The Marriott Pere Marquette was accepted by Marriott and was opened for business June 28, 2013. Current targeted milestones are listed below.

Milestones:

Parking Deck	Open
Pere Marquette	Open
Courtyard by Marriott Substantial Completion	Mid June 2014

Financial

The project construction costs remain within budget. The construction contract with Core Construction Services, Inc. covers the construction of the parking deck, pedestrian bridge, the Pere Marquette, and the Courtyard by Marriott. There were no additional change orders this month. The retainage has been reduced to reflect the substantial completion of the Marriott Pere Marquette. While the project overall is 74% complete, the site demolition, parking deck, and Pere Marquette are complete. The pedestrian bridge is 43% complete and the Courtyard is approximately 15% complete.

Construction Cost Status

(Includes pay application No. 16 for the month of June 2013)

Original Contract Sum	\$44,000,000.00
Net Change Orders	\$3,381,633.00
Contract Sum to Date	\$47,381,633.00
Total Complete to Date	\$35,151,147.07
Percent Complete	74%
Retainage	\$1,979,970.84
Total Paid to Date	\$33,171,176.23
Balance to Finish	\$14,210,456.77

EEO

Project Goals:

Enterprise Level: 10% MBE and 5% WBE
Labor Utilization: 18% Minority and 3% Female

Progress Summary:

Contracted values have not changed from last month. Verified MBE firms under contract remains at 9.64% of the total construction cost. Due to the multiple phase nature of the project, only approximately \$43 million of the \$47 million value has been committed (contracted). Comparing the current MBE contracts to the total committed, the MBE portion represents 10.51%. In addition there are now 5 non-verified MBE firms. These are firms that are under contract and are having their status confirmed. Efforts are continuing to contract additional MBE firms for portions of the uncommitted (non-contracted) work.

For the WBE portion; J. Hulick Electric, Inc. and Connies Commercial Cleaning are identified. The WBE contracted value remains at 6.99%. Connie's Commercial Cleaning is both a MBE and WBE and is reflected in both Contracted Values. Since the value cannot be counted twice in the subtotal, \$179,926.14 has been subtracted to arrive at the \$43,441,479.47 subtotal.

The Human Capital Development report now also includes confirmed payments to MBE and WBE firms, as well as, a breakdown of payments by demographic group. For the MBE and WBE firms, this is indicated as the "Actual Value" and is reflected in the chart below. As anticipated, these figures continue to increase as contractors are paid.

Enterprise Level Summary (Project Goals: 10% MBE and 5% WBE)

Current results based on Human Capital Development, LLC Executive Contract Summary Report dated 7/10/ 2013.

	Contracted Values	Percentage of Total Contract	Percentage of Committed Work	Actual Value (Confirmed Payments)
MBE	\$4,566,324.14	9.64%	10.51%	\$3,906,257.33
WBE*	\$3,310,659.14	6.99%	7.62%	\$1,439,113.25
NON-VERIFIED Minority	\$53,446.25	0.11%	0.12%	\$14,562.25
NON-MINORITY	\$35,690,976.08	75.33%	82.16%	\$25,626,240.74
COMMITTED WORK (Subtotal)	\$43,441,479.47	91.68%	100.41%	\$30,986,173.57
UNCOMMITTED WORK**	\$3,940,153.53	8.32%		
TOTALS	\$47,381,633.00	100.00%		

* See discussion above concerning WBE.

**The Uncommitted Work is work for which there are no contracts yet.

Minority labor utilization declined and is under goal at 17.09% but showed a slight increase, and the Female utilization increased remaining above goal at 3.97%. The minority labor utilization has been slightly below goal for several months. The contractor is aware of this and is continuing to make efforts to increase the utilization.

Labor Utilization Summary (Project Goals: 18% Minority and 3% Female)

Current results based on Human Capital Development, LLC Executive Contract Summary Report dated 7/10/ 2013.

	Current Labor Hours	Percentage of Total
Minority	41,564.55	17.09%
Female	9,656.50	3.97%
Non-Minority/Female	194,196.30	79.86%
Total	243,176.35	

Please note when reviewing the Human Capital Development report in the Labor Utilization chart that the total for line items Minority, Female, and Non-Minority/Female shows as 243,176.35 hours, however, the hours listed for these lines adds up to 245,417.35 hours. There are 2,241.0 female minority hours that are reported under both the Female and Minority items. Since these hours cannot be counted twice for the total, 2,241.0 hours has been subtracted out to arrive at the 243,176.35 hour total. Adding the 2,241.0 hours to the 243,176.35 equals 245,417.35 hours which is the same total arrived at by adding the hours reported for each line item.

Also, when reviewing the Human Capital Development report you will note a difference between the total number of employees of each Demographic Employment Breakdown and the employee count shown in the Demographic Summary Chart. This difference is due the fact that some employees perform more than one trade tasks listed in the Demographic Employment Breakdown. As an example, the Black Demographic Employment Breakdown shows 70 males for a total of 19,556.05 hours. When you look at the Demographic Summary chart under Black Male, you see a count of 62 for 19,556.05 hours. Each Demographic Employment Breakdown Chart shows how many employees perform which tasks while the Demographic Summary chart shows the total number of employees within a specific demographic.

In the Human Capital Development report you will find the current List of Subcontractors that list all those subcontractors under contract. Please note that this list indicates each contractor's gross contract amount. Some of the contractors are subcontractors to other contractors on this list. The reporting software nets these values when reporting them in the Enterprise Level Summary chart.

The Human Capital Development report also includes an "Employment Breakdown: Apprenticeship Summary" chart. This chart was added in support of Illinois Project Labor Agreements Act HB 2987.

During Dewberry's periodic site visits, we have casually observed EEO participation and have found them to be consistent with the figures presented.

ePrismSoft Compliance System



Executive Contract Summary

Contract Name: Pere Marquette - Courtyard
Report Period: April 2012 to June 2013
Contractor: CORE Construction

Contract: Pere Marquette - Courtyard

Enterprise Level

Goal	Contract Planned Value	Actual Value	% of Plan	% of Actual
5.00% US - WBE or US - FBE	\$3,310,659.14	\$1,439,113.25	6.99%	3.04%
10.00% US - MBE or US - DBE	\$4,566,324.14	\$3,906,257.33	9.64%	8.24%
Total Minority Subs	\$7,697,057.14	\$5,200,944.02	16.24%	10.98%
Non- Verified Minority Subs	\$53,446.25	\$14,562.25	0.11%	0.03%
Total Non- Minority Subs	\$35,690,976.08	\$25,626,240.74	75.33%	54.08%
Amount Not Yet Allocated	\$3,940,153.53	\$0.00	8.32%	0.00%
Contract Totals	\$47,381,633.00	\$30,841,747.01	100.00%	65.09%

Non- Verified Minority Subcontractors

Contractor Name	Contract Name	Contract Amount	Contract Payments
Garcia Brothers Trucking	Garcia Brothers Trucking	\$783.75	\$783.75
CVC Trucking	CVC Trucking	\$760.00	\$760.00
Kirby Trucking	Kirby Trucking	\$1,402.50	\$1,402.50
Joseph Construction Co. of Central Illinois	Joseph Construction Co. of Central Illinois	\$15,000.00	\$11,616.00
ASC Fireproofing, Inc.	ASC Fireproofing, Inc.	\$35,500.00	\$0.00

Main Contract Change Orders

Change ID	Date	Previous Amount	Change Amount	New Amount
CO #4	12/04/2012	\$44,000,000.00	\$432,148.00	\$44,432,148.00
	01/31/2013	\$44,432,148.00	\$782,000.00	\$45,214,148.00
	06/10/2013	\$45,214,148.00	\$2,167,485.00	\$47,381,633.00
Total Change			\$3,381,633.00	

Labor Utilization

Goal	Labor Hours	Percent of Total
90.00% Resident Workforce in IL state	237,040.85	97.48%
18.00% Minority Workforce	41,564.55	17.09%
3.00% Female Workforce	9,656.50	3.97%
Non Minority/ Female	194,196.30	79.86%
Total Contract Hours	243,176.35	100%

Contract: Pere Marquette - Courtyard

List of Subcontractors

Contractor Name	Contract Number	Contractor Status	Contract Amount		Contract Payments	
Human Capital Development, LLC	2012	Minority	\$40,000.00	0.08%	\$19,500.00	0.04%
Scope: Consulting						
Core Construction Services of Illinois Inc.	Internal Work Order	Non-Minority	\$9,134,190.33	19.28%	\$8,586,284.55	18.12%
Scope:						
Valor Technologies, Inc.	11060-2052	Minority	\$980,000.00	2.07%	\$740,171.70	1.56%
Scope: Abatement						
Otto Baum Company, Inc.	11060-4060	Non-Minority	\$1,802,237.00	3.80%	\$1,716,837.84	3.62%
Scope: Masonry Restoration; Cast- in- Place Concrete; Paving; Excavation; Storm Sewer; Masonry						
Central Illinois Rebar Installers, Inc.	12-306-1	Minority	\$75,280.00	0.16%	\$61,502.30	0.13%
Scope:						
The PIPCO Companies, LTD.	11060-15030	Non-Minority	\$7,302,410.00	15.41%	\$6,787,385.68	14.32%
Scope: Plumbing; Fire Protection; HVAC						
Design Air Inc.	002	Minority	\$502,208.00	1.06%	\$357,068.34	0.75%
Scope: Plumbing						
VOGUE PAINTING & DECORATING	11060-9110	Non-Minority	\$1,463,105.00	3.09%	\$1,045,671.51	2.21%
Scope: Painting & Ceiling Patching						
Ridge Painting	13	Minority	\$500,000.00	1.06%	\$665,915.75	1.41%
Scope:						
River City Demolition	11060-2050	Non-Minority	\$358,400.00	0.76%	\$464,943.82	0.98%
Scope: Demolition						
KENNEL Trucking	KENNEL Trucking	Non-Minority	\$5,567.50	0.01%	\$5,567.50	0.01%
Scope: Trucking						
Leo Brown Trucking, Inc.	Leo Brown	Minority	\$4,468.75	0.01%	\$4,468.75	0.01%
Scope: Trucking						
Johnson & Johnson Construction	Johnson & Johnson	Minority	\$3,208.75	0.01%	\$3,208.75	0.01%
Scope: Trucking						
T & M Trucking	T & M Trucking	Non-Minority	\$910.00	0.00%	\$910.00	0.00%
Scope: Trucking						
Garcia Brothers Trucking	Garcia Brothers Trucking	Non-Verified Minority	\$783.75	0.00%	\$783.75	0.00%
Scope: Trucking						
CVC Trucking	CVC Trucking	Non-Verified Minority	\$760.00	0.00%	\$760.00	0.00%
Scope: Trucking						
RAW Trucking	Raw Trucking	Minority	\$1,232.50	0.00%	\$1,232.50	0.00%
Scope: Trucking						

Kirby Trucking	Kirby Trucking	Non-Verified Minority	\$1,402.50	0.00%	\$1,402.50	0.00%
Scope: Trucking						
J. Hulick Electric, Inc.	11060-16030	Minority	\$4,066,233.00	8.58%	\$2,508,996.70	5.30%
Scope: Electrical & Fire Alarm						
Tillman Electrical Services	1707	Minority	\$900,000.00	1.90%	\$1,214,310.01	2.56%
Scope:						
Coreslab Structures	11060-3160-30000	Non-Minority	\$5,846,000.00	12.34%	\$4,013,815.00	8.47%
Scope: Precast Structural Concrete						
Cushing's Commercial Carpet, Inc.	11060-9100	Non-Minority	\$359,500.00	0.76%	\$288,139.95	0.61%
Scope: Flooring						
Houlihan & Associates	11060-9020	Non-Minority	\$1,277,838.00	2.70%	\$0.00	0.00%
Scope:						
Mid- State Terrazzo & Tile	11060-9030	Non-Minority	\$727,500.00	1.54%	\$654,300.00	1.38%
Scope: Tile						
Peoria Roofing & Restoration Co.	11060-7170	Non-Minority	\$295,000.00	0.62%	\$242,155.00	0.51%
Scope: Roofing & Demo						
Lewis Michael Construction Maintenance, Inc.	11060-1390	Minority	\$150,000.00	0.32%	\$100,811.51	0.21%
Scope:						
KONE Inc.	11060-14010	Non-Minority	\$227,000.00	0.48%	\$189,997.20	0.40%
Scope: Elevators						
Montefusco Heating & Sheet Metal Co.	11060-15060	Non-Minority	\$1,227,705.00	2.59%	\$33,992.00	0.07%
Scope: HVAC						
The H3 Group, LLC	11060-5080	Non-Minority	\$442,800.00	0.93%	\$352,887.65	0.74%
Scope: Furnish & Install Steel						
ThyssenKrupp Elevator Corp.	11060-14011	Non-Minority	\$430,025.00	0.91%	\$223,702.88	0.47%
Scope: Elevators						
Dries Brothers Plumbing, Inc.	11060-15030	Non-Minority	\$1,134,820.00	2.40%	\$159,430.00	0.34%
Scope: Plumbing						
Human Capital Development, LLC	2	Minority	\$30,000.00	0.06%	\$30,000.00	0.06%
Scope: ePrism Licensing						
Thompson Brothers, Inc.	11060-8020	Minority	\$1,200,000.00	2.53%	\$563,641.16	1.19%
Scope: Finish Carpentry Install						
Associated Constructors Company, Inc.	11060-9020	Non-Minority	\$3,784,460.00	7.99%	\$1,553,780.00	3.28%
Scope: Framing, Drywall, EIFS, Gypsum Board, Ceilings						
Contech Engineered Solutions LLC	11060-5645	Non-Minority	\$253,116.00	0.53%	\$75,934.80	0.16%

Scope: Pedestrian Walkway (Material Only)						
Commercial Glass Co., Inc.	11060-8090	Non-Minority	\$336,340.00	0.71%	\$270,570.50	0.57%
Scope: Glass & Glazing						
J.J. Braker and Sons, Inc.	11060-4060-30000	Non-Minority	\$228,100.00	0.48%	\$29,735.00	0.06%
Scope: Masonry						
Kreiling Roofing Company	11060-7130-40000	Non-Minority	\$149,774.00	0.32%	\$33,020.00	0.07%
Scope: Roofing						
CONNIES COMMERCIAL CLEANING CO	11060-1410	Minority	\$144,426.14	0.30%	\$144,426.56	0.30%
Scope: Cleaning						
Joseph Construction Co. of Central Illinois	11060-6020	Non-Verified Minority	\$15,000.00	0.03%	\$11,616.00	0.02%
Scope: Finish Carpentry Work						
ASC Fireproofing, Inc.	11060-7251-20000	Non-Verified Minority	\$35,500.00	0.07%	\$0.00	0.00%
Scope: Applied fireproofing						

Payment Recipient Summary

Demographic Information		Gender Information			Certification Information		
Demographic	Population	Male	Female	Unknown	US - MBE	US - DBE	US - WBE
Unspecified	1 \$1,232.50 (0.00%)	1 \$1,232.50 (0.00%)				1 \$1,232.50 (0.00%)	
Black	10 \$2,601,211.97 (5.49%)	8 \$1,790,869.66 (3.78%)	2 \$810,342.31 (1.71%)		10 \$2,601,211.97 (5.49%)		
Caucasian	1 \$1,294,686.69 (2.73%)		1 \$1,294,686.69 (2.73%)				1 \$1,294,686.69 (2.73%)
Native American	1 \$563,641.16 (1.19%)	1 \$563,641.16 (1.19%)			1 \$563,641.16 (1.19%)		
Asian	0 \$0.00 (0.00%)						
Asian Pacific	0 \$0.00 (0.00%)						
Hispanic	1 \$740,171.70 (1.56%)	1 \$740,171.70 (1.56%)			1 \$740,171.70 (1.56%)		
Latin American	0 \$0.00 (0.00%)						
Subcontinent Asian	0 \$0.00 (0.00%)						
Other	0 \$0.00 (0.00%)						
Non- Minority	25 \$25,640,802.99 (54.12%)			25 \$25,640,802.99 (54.12%)			
TOTALS	39 \$30,841,747.01 (65.09%)	11 \$3,095,915.02 (6.53%)	3 \$2,105,029.00 (4.44%)	25 \$25,640,802.99 (54.12%)	12 \$3,905,024.83 (8.24%)	1 \$1,232.50 (0.00%)	1 \$1,294,686.69 (2.73%)

Employment Breakdown: Unspecified Demographic

Trade	Gender										
	Male		Female		Unspecified			Total			
	Count	Hours	Count	Hours	Count	Hours	Count	Hours			
					5	816	0.34%	5	816	0.34%	
TOTALS					5	816	0.34%	5	816	0.34%	

Employment Breakdown: Black Demographic

Trade	Gender										
	Male			Female			Unspecified		Total		
	Count	Hours		Count	Hours		Count	Hours	Count	Hours	
OPERATOR	3	273	0.11%						3	273	0.11%
CREW CLEANING	8	1166	0.48%	1	267.5	0.11%			9	1433.5	0.59%
SPRINKLERFITTER	4	2744	1.13%						4	2744	1.13%
GLAZIER	2	209	0.09%						2	209	0.09%
APPREITICE				1	321.5	0.13%			1	321.5	0.13%
OWNER	1	19.75	0.01%						1	19.75	0.01%
	2	73.3	0.03%	2	229	0.09%			4	302.3	0.12%
INSIDE	2	80	0.03%						2	80	0.03%
OPERATINF ENGINEER	1	11.5	0.00%						1	11.5	0.00%
CEMENT MASON	2	16	0.01%						2	16	0.01%
ELECTRICIAN	4	3705	1.52%						4	3705	1.52%
OPERATING ENGINEER	1	3.5	0.00%						1	3.5	0.00%
BRICKLAYER	3	585	0.24%						3	585	0.24%
PAINTER	1	1266	0.52%						1	1266	0.52%
LABORER	21	4874.5	2.00%	3	1417.5	0.58%			24	6292	2.59%
IRON WORKER	3	215	0.09%						3	215	0.09%
OWNER - DESIGN AIR INC	3	59	0.02%						3	59	0.02%
STEAMFITTER	1	1133	0.47%						1	1133	0.47%
CARPENTER	6	2803.5	1.15%						6	2803.5	1.15%
WIREMAN	2	319	0.13%						2	319	0.13%
CREW CLANING				1	5.5	0.00%			1	5.5	0.00%
TOTALS	70	19556.05	8.04%	8	2241	0.92%			78	21797.05	8.96%

Contract: Pere Marquette - Courtyard

Employment Breakdown: Caucasian Demographic

Trade	Gender											
	Male			Female			Unspecified			Total		
	Count	Hours		Count	Hours		Count	Hours		Count	Hours	
OPERATOR	35	1413	0.58%	2	2382.5	0.98%				37	3795.5	1.56%
POWER EQUIPMENT OPERATOR	1	17	0.01%							1	17	0.01%
PAINTER	37	14582	6.00%	4	1946	0.80%				41	16528	6.80%
TAPER / PAINTERS	1	38	0.02%							1	38	0.02%
GLAZIER	12	1141	0.47%	1	379.5	0.16%	8	276	0.11%	21	1796.5	0.74%
TAPER	1	40	0.02%							1	40	0.02%
JOURNEYMAN	1	1	0.00%							1	1	0.00%
CARPENTER	113	40544.25	16.67%				2	0	0.00%	115	40544.25	16.67%
PAINTER / TAPER	5	2822.5	1.16%							5	2822.5	1.16%
	29	4113.5	1.69%	1	24	0.01%				30	4137.5	1.70%
SHEET METAL WORKER	51	13872.05	5.70%	1	2	0.00%				52	13874.05	5.71%
CREW CLEANING	14	799	0.33%	2	616	0.25%				16	1415	0.58%
PLUMBER	36	18981	7.81%	1	514.5	0.21%				37	19495.5	8.02%
SPRINKLERFITTER	20	2618.5	1.08%							20	2618.5	1.08%
FINISHER	3	42	0.02%							3	42	0.02%
CEMENT MASON	28	2376	0.98%							28	2376	0.98%
BRICKLAYER	73	11067	4.55%				1	46	0.02%	74	11113	4.57%
STEAMFITTER	46	14239	5.86%							46	14239	5.86%
LABORERS	1	78	0.03%							1	78	0.03%
LABORER	120	23949	9.85%	5	1479	0.61%				125	25428	10.46%
TAPER	7	2873	1.18%							7	2873	1.18%
OPERATING ENGINEERS	1	32	0.01%							1	32	0.01%
TILE SETTER	11	1633.5	0.67%							11	1633.5	0.67%
ELECTRICIAN	61	34894.5	14.35%				2	0	0.00%	63	34894.5	14.35%
APPRENTICE ELECTRICIAN	5	313	0.13%							5	313	0.13%
OPERATING ENGINEER	6	578.5	0.24%	1	72	0.03%				7	650.5	0.27%
TOTALS	718	193058.3	79.39%	18	7415.5	3.05%	13	322	0.13%	749	200795.8	82.57%

Employment Breakdown: Native American Demographic

Trade	Gender										
	Male			Female			Unspecified		Total		
	Count	Hours		Count	Hours		Count	Hours	Count	Hours	
OPERATOR	1	8	0.00%						1	8	0.00%
CARPENTER	5	742.5	0.31%						5	742.5	0.31%
CARPENTER FOREMAN	1	8	0.00%						1	8	0.00%
MANAGER	1	0	0.00%						1	0	0.00%
TOTALS	8	758.5	0.31%						8	758.5	0.31%

Employment Breakdown: Asian Demographic

Trade	Gender										
	Male			Female			Unspecified		Total		
	Count	Hours		Count	Hours		Count	Hours	Count	Hours	
SHEET METAL WORKER	1	1285.5	0.53%						1	1285.5	0.53%
PLUMBER	1	312	0.13%						1	312	0.13%
LABORER	3	695	0.29%						3	695	0.29%
TOTALS	5	2292.5	0.94%						5	2292.5	0.94%

Employment Breakdown: Hispanic Demographic

Trade	Gender									
	Male			Female		Unspecified		Total		
	Count	Hours		Count	Hours	Count	Hours	Count	Hours	
CREW CLEANING	3	420.5	0.17%					3	420.5	0.17%
SPRINKLERFITTER	1	1582.5	0.65%					1	1582.5	0.65%
	2	80	0.03%					2	80	0.03%
TILE FINISHER	1	56	0.02%					1	56	0.02%
PAINTER	6	1593	0.66%					6	1593	0.66%
LABORER	33	9272	3.81%					33	9272	3.81%
IRON WORKER	1	8	0.00%					1	8	0.00%
SHEET METAL WORKER	1	30	0.01%					1	30	0.01%
STEAMFITTER	1	1156.5	0.48%					1	1156.5	0.48%
TILE FITTER	1	332	0.14%					1	332	0.14%
TILE SETTER	4	294	0.12%					4	294	0.12%
CARPENTER	2	1484	0.61%					2	1484	0.61%
PAINTER / TAPER	1	408	0.17%					1	408	0.17%
TOTALS	57	16716.5	6.87%					57	16716.5	6.87%

Employment Breakdown: Demographic Summary

Demographic	Gender											
	Male			Female			Unspecified			Total		
	Count	Hours		Count	Hours		Count	Hours		Count	Hours	
Unspecified							5	816	0.34%	5	816	0.34%
Black	62	19556.05	8.04%	7	2241	0.92%				69	21797.05	8.96%
Caucasian	689	193058.3	79.39%	16	7415.5	3.05%	13	322	0.13%	718	200795.8	82.57%
Native American	6	758.5	0.31%							6	758.5	0.31%
Asian	5	2292.5	0.94%							5	2292.5	0.94%
Asian Pacific												
Hispanic	54	16716.5	6.87%							54	16716.5	6.87%
Latin American												
Subcontinent Asian												
Other												
TOTALS	816	232381.85	95.56%	23	9656.5	3.97%	18	1138	0.47%	857	243176.35	100.00%

Employment Breakdown: Apprenticeship Summary

Demographic	Gender										
	Male			Female			Unspecified		Total		
	Count	Hours		Count	Hours		Count	Hours	Count	Hours	
Unspecified											
Black	14	3275.8	1.35%	4	778.5	0.32%			18	4054.3	1.67%
Caucasian	99	35674.05	14.67%	2	640	0.26%			101	36314.05	14.93%
Native American	2	288	0.12%						2	288	0.12%
Asian	1	312	0.13%						1	312	0.13%
Asian Pacific											
Hispanic	8	2718	1.12%						8	2718	1.12%
Latin American											
Subcontinent Asian											
Other											
TOTALS	124	42267.85	17.38%	6	1418.5	0.58%			130	43686.35	17.96%