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EXHIBIT A



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January 20, 2026

CONFIDENTIAL

VIA ELECTRONIC MAIL & MESSENGER

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Mr. Robert Burke, Assistant Administrator
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Dear Messrs. Fruchter, Burke and Gerber:

I. Executive Summary

On behalf of the City of Peoria (“**Peoria**”), we write to address your attention and that of the Illinois Gaming Board (“**IGB**” or “**Gaming Board**”) to its substantive legal concerns presented by Boyd Gaming’s (“**Boyd**”) plan to “modernize” its riverboat casino known as Par-A-Dice Casino (“**Par-A-Dice**”) that is currently moored dockside on the Illinois River in East Peoria, Illinois.

In spite of Peoria’s numerous requests, Boyd only disclosed its proposal to the public (and Peoria) five weeks ago at the December 11, 2025 IGB meeting. Given the IGB’s statement that it will consider further Boyd’s proposal on February 5, 2026, this is a time-sensitive matter.

Peoria has a direct legal and equitable interest in Boyd’s proposal because, as you know, the Illinois Gambling Act, 230 ILCS 10/1 et seq. (the “**Act**”) specifically states that Peoria is entitled to a license for a land-based casino if East Peoria does not operate a riverboat casino.

The riverboat casino Boyd proposes is not on the Illinois River, as required by the Act—not by any measure. It is a brick-and-mortar, land-locked building. Boyd’s assertion that the IGB has approved such a structure before is incorrect. Boyd ignores the fact that the location of its riverboat casino on the Illinois River was determined by the Illinois General Assembly in 1990, and it has

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never been amended to allow the IGB to relocate that license off the Illinois River. The Act and binding Illinois Supreme Court case law prohibits the relocation of Boyd's Illinois River riverboat casino from the Illinois River without an amendment to the Act. Under well-established law, the IGB lacks the authority to override the General Assembly's mandate that the Illinois River riverboat casino be located on the Illinois River.

Boyd claims that it satisfies the statutory requirements through its plan to have up to 1,000 gallons of Illinois River water circulate beneath the new land-based casino's 29,000 square foot casino floor. Boyd likens its plan to the Rivers Casino in Des Plaines, where a casino was built atop a water basin, or the Harrah's Metropolis Casino, which was built over water bladders. What Boyd ignores is that Rivers Casino was relocated following changes to the law and Harrah's Metropolis Casino is not one of the Six Specific Licenses (described further below). The Rivers casino operates on a license that originally required the location of the casino to be on the Mississippi River. Ultimately, the Illinois General Assembly amended the Act to provide for the relocation of that particular casino from the Mississippi River, which allowed Emerald to attempt to site a casino in Rosemont. After protracted litigation and a statutory amendment, Rivers was permitted to be sited in Des Plaines, off of the Mississippi River, through statutory amendment. *See Crusius v. Ill. Gaming Bd.*, 216 Ill. 2d 315, 318–21 (2005) (summarizing legislation and litigation over Emerald move). Second, the Harrah's Metropolis license was initially sited on the Ohio River and its location was not mandated by the Illinois General Assembly in the Act, unlike here. *See* 230 ILCS 10/7(e) (Metropolis license is one of the "4 additional licenses" not assigned to a specific river).

In sum, Boyd's proposal to "modernize" its riverboat casino violates well-established Illinois law and IGB precedent. First, Boyd's proposal would relocate its riverboat casino from dockside on the Illinois River to a land-based facility over 150 feet away from the Illinois River, which is strictly prohibited by Illinois law and IGB authority unless the Act is amended to specifically allow such relocation. Here, there is no such amendment. Second, Boyd's proposal would transform the riverboat casino into a land-based casino located in East Peoria. This, too, is prohibited by Illinois law and IGB precedent, and also interferes with the longstanding Inter-Governmental Agreement ("IGA") between East Peoria and Peoria.

II. Applicable Legal Authority

The Par-A-Dice Casino cannot be moved off the Illinois River and relocated inland, as Boyd proposes. The law is clear. In 1990, the Illinois General Assembly enacted the Act, which created the IGB and authorized the issuance of ten riverboat casino licenses by the IGB. Under Section 7(e) of the Act, the Illinois General Assembly expressly provided for the situs of six of those casinos ("**Six Specific Licenses**"). Of the Six Specific Licenses, four riverboat casino licenses were dedicated to locations on the Mississippi River. One riverboat casino license was dedicated to the Des Plaines River, and one license was dedicated to the Illinois River. Boyd's Par-A-Dice riverboat casino has operated under the license dedicated to the Illinois River for the last thirty-six years. The Act only granted the IGB authority to determine the locations of the remaining four riverboat casino licenses, and not the location of the Six Specific Licenses. *See* 230 ILCS 10/7(e).

Section 7(e) of the Act and the IGA provide that Peoria shall be the location of a land-based casino if East Peoria does not host a riverboat casino on the Illinois River. 230 ILCS 10/7(e) (“One other license shall authorize riverboat gambling on the Illinois River in the City of East Peoria or, with Board approval, shall authorize land-based gambling operations anywhere within the corporate limits of the City of Peoria.”). This means that Peoria has both a statutory right granted by the General Assembly and a contractual right under the IGA recognized by East Peoria to be the location of a land-based casino. The IGB lacks the authority to grant Boyd’s proposal because it would violate Section 7(e) by relocating the riverboat casino off of the Illinois River, as expressly required by the Act, *and* it would be authorizing a land-based casino in East Peoria in violation of the Act (and the IGA).

Since the enactment of the Illinois Gaming Act, there has been an unbroken chain of precedent from the courts and the IGB that recognizes that only the Illinois General Assembly can approve the relocation of one of the Six Specific Licenses set forth in 230 ILCS 10/7(e).

a) *History of the Riverboat Casino Licenses in Illinois*

The Act was enacted in 1990 as the Illinois Riverboat Gambling Act (P.A. 86-1029). The original Act (pursuant to Section 3(c) thereof) authorized riverboat gambling on “any navigable stream” and required riverboats to conduct excursions. The Act authorized the IGB to issue ten licenses for the ownership of riverboats on which gambling could be conducted. For the Six Specific Licenses, the statute specified the navigable stream on which riverboat gambling could be conducted—the Mississippi River (four licenses), the Illinois River south of Marshall County (one license), and the Desplaines River in Will County (one license). These six licenses went to the Alton Belle, the Silver Eagle, Casino Queen, and the Casino Rock Island, all on the Mississippi River, the Empress Casino on the Des Plaines River, and currently the Par-a-Dice Casino on the Illinois River.

In 1999, the Act was amended to allow riverboat gambling on “any water” and to expand the definition of “riverboat” to include permanently moored barges. Those amendments do not, however, grant authority to the IGB to relocate the Six Specific Licenses. As binding precedent shows, the relocation of any of the Six Specific Licenses requires a specific statutory amendment authorizing such relocation. Of the Six Specific Licenses:

- The Alton Belle became the Argosy Casino Alton and continues to operate as a permanently moored barge on the Mississippi River.
- The Silver Eagle’s license was revoked in 1997. The 1999 amendment to the Act (P.A. 91-40) allowed its subsequent owner, Emerald Casino Inc. (“**Emerald**”), to file an application to move gambling operations from the Mississippi River to Rosemont, Illinois. In 2011, after more than a decade of litigation, the original Silver Eagle license was issued to Midwest Gaming and Entertainment Limited, which in turn opened Rivers Casino (“**Rivers**”) in Des Plaines, Illinois, atop an artificial moat. Subsequently, Rivers removed the moat and became fully land-based pursuant to the 2019 amendment to the Act (P.A. 101-31) (specifically Section 7(k) of the Act), which authorized owners licensees to

conduct land-based gambling operations upon approval by the IGB and payment of a fee of \$250,000.

- The Casino Rock Island (now Bally’s Quad Cities) was authorized to move from its original location on the Mississippi River pursuant to the 2002 amendment to the Act (P.A. 92-600), permitting one of the three remaining Mississippi River owners licensees to conduct riverboat gambling in a municipality that bordered on the Mississippi River or was within five miles of the Mississippi River.
- The Casino Queen (now DraftKings at Casino Queen) was authorized to move from its original location on the Mississippi River pursuant to the 2003 amendment to the Act (P.A. 93-28) and subsequent 2003 and 2005 amendments to the Act (P.A. 93-28, P.A. 93-453 and P.A. 94-667) permitting the remaining Mississippi River owners licensees to conduct riverboat gambling in a municipality that bordered on the Mississippi River or was within five miles of the Mississippi River.
- The Empress Casino (now Hollywood Casino Joliet) became a permanently land-based casino in 2025 pursuant to the 2019 amendment to the Act (P.A. 101-31), which authorized owners licensees to conduct land-based gambling operations upon approval by the IGB and payment of a fee of \$250,000.
- The Par-a-Dice Casino continues to operate as a permanently moored barge on the Illinois River.

b) The Courts Interpret the Act’s Location Requirements for Riverboat Casinos

In *Lake County Riverboat v. Ill Gaming Bd.*, 332 Ill. App. 3d 127 (1st Dist. 2002), the Illinois Appellate Court considered the statutory scheme governing riverboat gambling—and later, land-based casino gambling—in Illinois. The case concerned Section 11.2 of the Act (added to the Act in 1999 by P.A. 91-40), statutory language that allowed one of the Six Specific Licenses—Emerald Casino in East Dubuque, Illinois—to move to a new location. Before the passage of 230 ILCS 10/11.2 in June 1999, a competing casino developer, Lake County Riverboat, had applied to take over Emerald’s license and open a casino on the Fox River. But the statute thwarted Lake County Riverboat’s plans, because the statute expressly provided that Emerald was permitted to move to a new location where its casino would be economically viable. The First District rejected Lake County Riverboat’s challenge for lack of standing. The standing question turned on two issues: “[1] whether Emerald’s license would have been available for competitive application and [(2)] whether the license was geographically restricted to the Mississippi River in the absence of legislation that would authorize relocation.” *Id.* at 133.

The court answered *yes* to (1) but *no* to (2). The court “[did] not see how Emerald could have saved its license” and found that “Lake County had a realistic pre-amendment hope of becoming a competitive bidder for [Emerald’s] license.” *Id.* at 134. But the court concluded the license *was* geographically limited to the Mississippi River before the Act was amended, so Lake County had no realistic pre-amendment chance of being awarded the license. Looking to legislative history to “ascertain and give effect to the true intent of the legislature” in enacting the Riverboat Gambling Act, the court “[did] not find any indication the legislature intended to give the Board authority to relocate any of the [Mississippi River riverboat licenses] from the Mississippi to some other

waterway.” *Id.* at 138. Instead, the court saw in the legislative scheme “*a consistent and persistent commitment to gambling boats on the Mississippi River*, without any apparent concern for the financial viability of those enterprises. The wisdom of legislative choice is not for us.” *Id.* (emphasis added). The court further noted that the statute at issue in the case only affected the Emerald license, *see id.* at 130 (“Everyone agrees section 11.2 applies only to Emerald.”), and left in place the geographic restrictions in the other licenses. As to the other licenses, “[t]here is no indication those licenses could be relocated by the Board should they be revoked or terminated. *No additional powers to relocate were granted to the Board.*” *Id.* at 140. Thus, Lake County Riverboat had no standing, because even if the legislature had not passed the statute at issue, the relevant statutory scheme barred the Gaming Board from granting it a license to build a casino on the Fox River.

Critically, the court wrote, “Based on all we have said, we conclude the Riverboat Gambling Act of 1990 **does not give the Board discretion to issue any of the first six licenses** [those granted for casinos on specified rivers] **away from their statutorily designated navigable streams . . .**” *Id.* at 140 (emphasis added). The *Lake County* case affirms that the Gaming Board is limited by the statutory restrictions in 230 ILCS 10/7(e). It may not license a casino that does not comply with those restrictions, notwithstanding any concerns about the “financial viability of th[e] enterprise.” *Id.* at 138. Only the legislature may revise the geographic restrictions applicable to each license.

The Illinois Supreme Court adopted the reasoning of *Lake County Riverboat* in *Crusius v. Ill. Gaming Bd.*, 216 Ill. 2d 315, a subsequent constitutional challenge to the same statute, this time brought by Illinois taxpayers and the state of Illinois. Specifically, it ratified the First District’s statement regarding the geographic restrictions on the Six Specific Licenses. The Court wrote: “[The First District] held that the Riverboat Gambling Act *does not give the Board discretion to issue any of the six licenses whose locations are fixed by the Act away from their statutorily designated navigable streams*, even where a license is revoked or terminated and reissued to a new licensee.” *Crusius*, 216 Ill. 2d 315, 322 n.1 (2005) (emphasis added). In *Crusius*, plaintiffs argued that the statute permitting Emerald to move its casino off the Mississippi River was unconstitutional “special legislation.” *Id.* at 325. The Court rejected the challenge on the basis that the statute permitting Emerald and only Emerald to relocate was “rationally related to the Riverboat Gambling Act’s economic goals” of “assisting development, promoting tourism, and generating revenue for education.” *Id.* at 327. Specifically, “the legislature could rationally have determined that Emerald’s business would fare better if Emerald were given the opportunity to operate somewhere other than the East Dubuque site, which had proved to be economically unviable.” *Id.* at 328.

The *Crusius* decision affirms the vitality of the Gambling Act’s geographic restrictions, and that the statutory restrictions control over contrary action by the IGB. The Supreme Court noted the Act’s “regulatory provisions are ‘designed to *strictly regulate* the facilities, persons, associations and practices related to gambling operations.’” *Id.* at 329 (quoting 230 ILCS 10/2(b)) (emphasis added). “[S]trict regulation” is an *independent goal* of the Riverboat Gambling Act. The Court further noted that “whether a statute is wise or whether it is the best means to achieve the desired result are matters left to the legislature, not the courts.” *Id.* at 323 (quoting *Arangold Corp. v.*

Zehnder, 204 Ill. 2d 142, 147 (2003)). Thus, courts do not second-guess the wisdom of the Act's various provisions, including its regulations on where casinos may be located. Separately, *Crusius* affirms that where the Act and a decision of the Illinois Gaming Board conflict, *the statute controls*. It discusses favorably an earlier First District decision that held that Section 11.2(a) *required* the Gaming Board to approve Emerald's petition for renewal of its license and relocation. *See id.* at 332–33 (discussing *Emerald Casino, Inc. v. Ill. Gaming Bd.*, 346 Ill. App. 3d 18 (1st Dist. 2003)). Because license renewal was “only one facet of the Board's regulatory authority,” *id.* at 333, and the Board could later revoke Emerald's license, there was no constitutional defect in Section 11.2(a) specifically requiring renewal of the license.

Separately, *Crusius* also reaffirms that Emerald “is the only riverboat gambling licensee” to which Section 11.2(a) applies—or at least, to which it applied as of 2005—because it was the only licensee who was not conducting riverboat gambling on January 1, 1998.

These decisions followed and were consistent with prior opinions from the Illinois Attorney General, who has repeatedly held that the IGB has no authority to permit the relocation of a riverboat absent express statutory authority. In 1995, the Silver Eagle—one of the Six Specific Licensees—inquired whether the IGB had the authority to permit it to relocate from its location on the Mississippi River in East Dubuque, Illinois to the Vermillion River in Danville, Illinois. (Ill. Att'y Gen. Op. No. 95-011, issued Sept. 1, 1995, at 1.) The Attorney General's response was a resounding “no.” Because the IGB was a creature of statute, “any power which is claimed by it must find its source within the provisions of the statute by which it is created.” (*Id.* at 4.) Once the Six Specific Licenses were issued, the Attorney General opined, the IGB had no authority to change “the location of the permitted operations,” and the IGB's powers were exhausted except as to renewal, suspension, or revocation. (*Id.* at 6.) The IGB “does not have the authority to permit the relocation of licensed gambling operations from one location to another” absent a specific statutory grant. (*Id.* at 6-7.)

In 2001, after the 1999 amendment to the Act expressly allowing the Silver Eagle to apply for relocation (by Section 11.2, discussed in *Lake County Riverboat*), the IGB inquired whether it had the authority to permit one of the three remaining riverboats on the Mississippi to move to a different location within the same community. (Ill. Att'y Gen. Op. No. 01-004, issued May 30, 2002, at 1.) The inquiry was prompted by the Casino Rock Island's request to relocate its riverboat on the Mississippi River to an inland basin within the same community. (*Id.* at 2-3.) The Attorney General's opinion was again a resounding “no.” The Attorney General explained that the 1999 amendment had not substantively changed the IGB's powers, and that its construction of those powers in the 1995 opinion thus still controlled. (*Id.* at 7.) The Attorney General reiterated that the IGB has no authority “to permit any revision to the terms of a license specifying where a riverboat will dock, which, pursuant to statute, must be described with specificity.” (*Id.* at 8-9.) The opinion retraced the legislative history of the Act to conclude that the 1999 amendment did not permit relocation except in the very specific circumstances set out in Section 11.2 and applying to the Silver Eagle. (*Id.* at 11-12.) Further, the opinion went on, even assuming that the IGB had the authority to permit an “intra-community relocation” (which it did not), Rock Island's proposal to move the riverboat to an artificially created basin separate from the Mississippi River would be

wholly inconsistent “with the statutory requirement that the boat operate ‘on the Mississippi River.’” (*Id.* at 12.) While the subsequent 2002, 2003 and 2005 amendments to the Act (P.A. 92-600, P.A. 93-28, P.A. 93-453, and P.A. 94-667) would allow intra-community relocation for the remaining Mississippi River licensees, no such relocation was ever allowed for the Des Plaines River and Illinois River licensees.

c) *The Legislative History of the Act Reaffirms the Holdings of the Illinois Supreme Court and Illinois Appellate Court.*

The legislative history of the relevant amendments to the Act confirms that Boyd’s interpretation of the relevant statutory language is erroneous. The statute was carefully drafted to respond to the concerns of legislators who worried about loosening restrictions on riverboat gambling—and to preserve the critical distinction, which Boyd ignores, between riverboat gaming and land-based gaming. The initial debates over the Riverboat Gambling Act set the tone: riverboat gambling was to be tightly regulated to promote economic development in specified parts of the state according to a specific legislative plan. *See* 86th Ill. Gen. Assem., Senate Proceedings, May 26, 1989, at 243-44 (statements of Senator Jacobs) (quoted in *Lake County Riverboat L.P. v. Ill. Gaming Bd.*, 332 Ill. App. 32d 127, 138) (“The bill sets out a rigorous plan for regulating riverboat gambling. . . . A number of Illinois communities, in regard to tourism, could use some of that Excursion boats . . . might just be the ticket.”).

As the statute was amended to permit specific riverboat casinos to move off of their statutorily assigned rivers, legislators expressed concern about preserving the distinction between riverboat and land-based gambling. *See, e.g.* 93rd Ill. Gen. Assem., Senate Proceedings, May 30, 2003, at 62 (statement from Senator Roskam) (“[F]or those of you on my side of the aisle who are – are concerned about the ability to – to move a casino . . . off of the Mississippi River and really have a land-based casino, just heads up.”). The legislature responded by reaffirming the distinction, and further, reaffirming its primacy in this area. *See* 94th Ill. Gen. Assem., Senate Proceedings, March 6, 1997, at 43 (statement of Senator Cullerton) (“The only body that can expand gambling is us, the General Assembly.”).

III. Boyd’s Proposal Would Violate Section 7(e) of the Act.

Boyd’s proposal violates section 7(e) of the Act because it undeniably calls for the relocation of its gaming operations from a riverboat located on the Illinois River to a location that Boyd asserts is 150 feet inland and incorporated into “a land-based pavilion, which includes multiple restaurants and a gift shop.” (*See* page 5 of Boyd’s 2024 Form 10-K SEC filing for its description of its hotel complex.)

Boyd’s reliance on amendments to the Act (made in 1999) that amended Section 3(c) of the Act to eliminate the location of a riverboat casino to be on “navigable waters” or allowing riverboat casinos to be “upon water” do not apply to any of the Six Specific Licenses. That is because, as the Illinois Supreme Court held, such a relocation, by the plain language of the Act, would only be permitted if the Illinois General Assembly amended the Act to allow the relocation of the any

of the Six Specific Licenses from one of three navigable waters: the Mississippi River, the Des Plaines River, and the Illinois River.

The only times the Illinois General Assembly allowed the relocation of a license for one of the Six Specific Licenses from those three rivers *is by an amendment to the Act* that specifically identified the parameters by which the casino could be relocated from the subject river. P.A. 92-600 (effective June 28, 2002); P.A. 93-28 (effective June 20, 2003); P.A. 94-667 (effective August 23, 2005); *see* 230 ILCS 10/7(e), 11.2.

In presenting its proposal, Boyd maintained that its proposed changes to the Par-a-Dice Casino would be similar to the changes which lead to the Rivers Casino. But, this position ignores that Emerald’s license was authorized to move from the Mississippi River inland because the General Assembly amended the Act in 1999 to permit such a change (by introducing Section 11.2 of the Act), and the IGB authorized the relocation, accordingly. That is why Rivers is authorized to operate its casino—it operates under one of the Six Specific Licenses granted to Emerald, *as amended by the Act*.

By contrast, the Illinois General Assembly has never amended the Act to provide that the Par-A-Dice Riverboat Casino could be moved off of the Illinois River. Boyd carefully avoids the particular provision of the Act at issue:

One other license shall authorize riverboat gambling on the Illinois River in the City of East Peoria or, with Board approval, shall authorize land-based gambling operations anywhere within the corporate limits of the City of Peoria.

230 ILCS 10/7(e). While Boyd claims that it will be operating riverboat gambling on the Illinois River in the City of East Peoria, that claim completely ignores the plain language of the Act and the legislative intent that provided for the Par-A-Dice license. It further strains credulity that Boyd’s proposal satisfies the statutory requirements set forth in Section 7(e).

Section 7(e) clearly requires a casino located “on” the Illinois River, Boyd self-servingly argues that “on” does not mean floating upon the river but instead means “next to” or “along the side of” the river. Even utilizing Boyd’s preferred definition of “on,” the proposed facility cannot reasonably be described as being “on the Illinois River” (as required by the law) when it is physically located approximately 150 feet from the river and separated from the shoreline by a road and parking lot. A structure placed that far inland, with clear man-made barriers between it and the river, does not fit within either Boyd’s definition or the commonly understood meaning of being “on” a body of water. Again, construing Boyd’s definition of “on” in its best light, the term implies immediate proximity, direct contact, or physical placement at the water’s edge—none of which are present here. By any ordinary description, a building situated well back from the river and buffered by built infrastructure is by no definition “on the Illinois River.”

In addition, Boyd's project will be constructed entirely on a 29,000-square-foot artificial floor. The fact that a shallow reservoir containing approximately 1,000 gallons of river water will be pumped beneath that floor does not render the facility "on" the Illinois River any more than the use of river water makes breweries, industrial operations, or nuclear power facilities to be located on their water source. Using river water is a functional choice, not a locational one. The facility's physical placement—set back, upland, and separated by hard infrastructure—makes clear that it is not "on the Illinois River" in any meaningful or reasonable sense.

Boyd further suggests that there is precedent for its plan in the IGB's authorization for Harrah's Metropolis to move its gambling operations from a riverboat to a convention center with water underneath. The comparison to Harrah's Metropolis is inapposite because the Metropolis license was not one of the "first six licenses" assigned to particular rivers in the original Illinois Gaming Act. *See Lake County Riverboat L.P. v. Ill. Gaming Bd.*, 332 Ill. App. 3d 127 (1st Dist. 2002). The distinction is important because for the Six Specific Licenses, the statute specified the river upon which the riverboat casino would be located. For the "four additional licenses," of which Harrah's Metropolis is one, the legislature permitted the Board to determine "the water upon which riverboats will operate." 230 ILCS 10/7(e).

In contrast, the Par-A-Dice license expressly designates the water upon which it must operate, and the IGB has no discretion in determining the "water" upon which the casino would operate. *See Lake County Riverboat L.P. v. Ill. Gaming Bd.*, 332 Ill. App. 3d 127, 140 ("[T]he Riverboat Gambling Act of 1990 does not give the Board discretion to issue any of the first six licenses for a location away from their statutorily designated navigable streams.").

The fact that Boyd proposes to pipe some river water under the new casino floor concedes the point. Boyd implicitly recognizes that it *would not be enough* for the casino to be solely upon water, like Harrah's Metropolis was, because it recognizes that its license is for a riverboat *located on* the Illinois River. This effort should fail for any number of reasons, principal among them being that water from a river is *not the same as being located on the river*. The IGB was within its statutory authority to issue the permit to Harrah's Metropolis, because, as one of the "four additional licenses," the IGB had discretion to determine "the water upon which" the riverboat casino would operate. In that instance, the IGB had the discretion and authority to conclude that "water" could be an artificial underground reservoir rather than a river. No such discretion is permitted here. By statute, Boyd's casino must physically be a riverboat casino on the Illinois River.

IV. Boyd's Proposed Gaming Operations Are Not a Self-Propelled Excursion Boat or a Permanently Moored, Non-Operational Barge, and Therefore, Do Not Comply with the Act.

On February 14, 2025, IGB administrator, Marcus Fruchter, wrote to Peoria's Mayor, Rita Ali, and advised her that Boyd has "three options" under the current law for Par-A-Dice to conduct gaming operations: (1) "on a self-propelled excursion boat," *or* (2) "a permanently moored (non-operational) barge," *or* (3) "in a land-based facility." A copy of the February 14, 2025 letter is

attached for your convenience as **Exhibit A**. These three options emanate from the Act, which expressly defines a riverboat casino. 230 ILCS 10/4 (“Riverboat’ means a self-propelled excursion boat, a permanently moored barge, or permanently moored barges that are permanently fixed together to operate as one vessel, on which lawful gambling is authorized and licensed as provided in this Act.”). And, the Act expressly provides that should the casino become a land-based gambling operation, it must be sited “anywhere within the corporate limits of the City of Peoria,” 230 ILCS 10/7(e), not Boyd’s proposed location in East Peoria.

a) *Boyd’s Proposed Casino Is Not a Self-Propelled Excursion Boat.*

Boyd’s proposal does not satisfy the three options to modernize its Par-A-Dice riverboat. The proposed gaming facility is not a self-propelled excursion boat. It is not a boat. It is not moored dockside on the Illinois River. It is, in Boyd’s words, “a new 29,000 square-foot casino gastropub” located across a road from the current riverboat Boyd has moored on the Illinois River. Boyd’s proposed casino will be landlocked within the land-based pavilion/hotel/restaurant complex, across the parking lot from the Illinois River.

b) *Boyd’s Proposed Casino is Not a Permanently Moored Non-Operational Barge.*

Likewise, Boyd’s new proposed casino is not a permanently-moored non-operational barge, or permanently moored barges that are permanently fixed together to operate as one vessel, as required by the Act. 230 ILCS 10/4. As a land-based casino, the proposed Par-A-Dice is not moored on the Illinois River, as required by the Act and the IGB. Nor is the casino gastropub a barge, operational or non-operational.

By any definition, whether through Merriam-Webster’s dictionary, or as defined by cases or statutes, a barge is a *vessel*, which has a well-established legal meaning: It is defined by federal law to include “every description of watercraft or other artificial contrivance used, or capable of being used, as a means of transportation on water. 1 U.S.C. § 3. This is the “default definition of ‘vessel’ throughout the U.S. Code.” *Stewart v. Dutra Constr. Co.*, 543 U.S. 481, 490 (2005).

While Boyd is eager to highlight that it intends to circulate river water underneath the land-based casino floor, this is a contrivance and does not convert the bricks and mortar casino into a riverboat or barge. Similarly, Boyd’s argument that its land-based casino is a riverboat (or barge) because it is “on water” (renaming the same nominal amount of river water under the casino floor) does not convert the land-based casino into a riverboat or barge. The assertion is a red herring because it ignores the plain statutory requirement that it operate a riverboat, a barge on the Illinois River, or otherwise permit a land-based casino located in the City of Peoria—not in East Peoria.

V. **The IGB Should Reject Boyd's Request to Violate the Act, and, at Minimum, Delay its Consideration of Boyd's Proposal to the April 23, 2026 IGB Meeting to Provide the Parties and Stakeholders Adequate Time to Further Assess Boyd's Proposal.**

The IGB stated at its December 11, 2025 meeting that it intends to consider Boyd's proposal and allow public comment and Peoria's input at the February 5, 2026 meeting. Given the gravity of the concerns Peoria has raised regarding Boyd's proposal, Peoria requests that the IGB continue Boyd's proposal to the IGB's next regularly scheduled meeting on April 23, 2026, for status and further consideration.

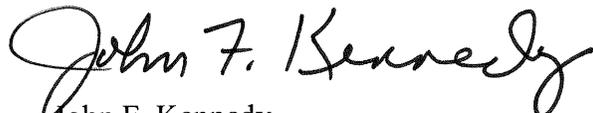
This will give the IGB, Boyd, East Peoria, Peoria and all stakeholders the opportunity to more fully assess the viability of Boyd's proposal given Peoria's analysis that the proposal does not comply with Illinois law. There is no prejudice to Boyd for the IGB to grant the requested relief. This is especially so since the IGB, at its March 14, 2024 meeting, had directed Boyd to present a proposal no later than March 2026, and Boyd elected to disclose its proposal earlier, in December 2025.

Moreover, as I am sure you can appreciate, Peoria reserves its right to seek relief from the court, including emergency injunctive relief to preserve the status quo, if necessary. All the stakeholders will be well served for the IGB to continue Boyd's proposal for further assessment to avoid an improvident approval of the proposal, which would result in Peoria seeking a judicial declaration that the IGB's approval exceeded its authority and violated Illinois law.

In closing we wish to thank you for agreeing to meet with us on January 20, 2026.

Regards,

Taft Stettinius & Hollister LLP


John F. Kennedy

JFK:ETE

cc: Cezar M. Froelich
Kimberly M. Copp
Elizabeth E. Babbitt

EXHIBIT A



ILLINOIS GAMING BOARD

JB Pritzker • Governor Charles Schmadeke • Chairman Marcus D. Fruchter • Administrator

160 North LaSalle ♠ Suite 300 ♣ Chicago, Illinois 60601 ♥ tel 312/814-4700 ♦ fax 312/814-4602

February 14, 2025

Via Electronic Mail

Hon. Rita Ali
Mayor, City of Peoria
Peoria City Hall
419 Fulton Street, Room 207
Peoria, Illinois 61602

RE: Illinois Casino Owner Licensee Par-A-Dice Gaming Corporation d/b/a Par-A-Dice Hotel Casino in East Peoria, Illinois

Dear Mayor Ali,

I write in response to your letter dated February 4, 2025 regarding Boyd Gaming Corporation (“Boyd”) and the Par-A-Dice Hotel Casino (“P-A-D”) Boyd operates in East Peoria, Illinois.

Thank you for sharing the City of Peoria’s position. The Illinois Gaming Board (the “IGB”) values the City of Peoria as an important stakeholder and welcomes the opportunity to engage with you. The IGB fully recognizes the casino’s contributions and impacts on Peoria, East Peoria, and the entire region. Those are among the reasons why the IGB issued its March 14, 2024 directive requiring Boyd to submit a new P-A-D casino gaming facility development plan for IGB consideration on or before March 14, 2026. Additionally, the IGB is mindful of the 1990 intergovernmental benefits sharing agreement between Peoria and East Peoria (to which the IGB is not a party) and understands the relevant historical context.

The IGB respects the City of Peoria’s perspective. However, I am compelled to address two specific statements in the City’s letter that suggest a misapprehension about the IGB’s March 14, 2024 directive to Boyd and the IGB’s position on Boyd’s forthcoming casino gaming development plan. First, the letter states: “[t]aken as a whole, it is clear that Boyd’s presentation to the IGB contemplated the development of a land-based gaming facility at the existing Par-A-Dice location in East Peoria.” (Page 1.) The IGB disagrees with that characterization of the proceedings at the March 14, 2024 meeting. I cannot speculate about what others may have contemplated, but let me be clear that what the IGB contemplated at the meeting and what it continues to expect now is for Boyd to present a good faith development plan for a refreshed, modern casino that complies with existing law, IGB Rules and any other applicable requirements. How Boyd proposes to meet those obligations in the plan it must present to the IGB are matters for Boyd to determine.

Second, the City’s letter “*applauds the IGB’s apparent new requirement that the Par-A-Dice upgrade to a land-based casino gambling facility and related amenities such as a hotel, restaurant, and conference facilities.*” (Page 3.) That statement is similarly mistaken because there is no such “apparent new

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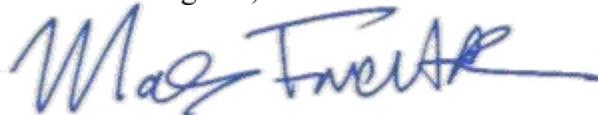
requirement.” While the IGB has indeed required Boyd to present a plan for an upgraded casino, the IGB has not imposed any requirement directing Boyd to develop a land-based gaming facility.

Current law allows casino licensees, like P-A-D, to conduct gaming operations upon water on a self-propelled excursion boat or a permanently moored (non-operational) barge, or in a land-based facility. Thus, Boyd has three options. Boyd must determine what it will present in the P-A-D development plan within those parameters. The IGB has not mandated that Boyd take any specific course of action other than to engage in a good faith evaluation and submit a casino development plan for IGB consideration.

Boyd publicly committed to presenting a plan for a “best-in-class gaming experience.” The IGB will ensure Boyd upholds its commitment in a manner that is compliant and maintains the integrity and safety of Illinois gaming.

I hope my clarification of these issues is helpful. Please let me know if you have any questions or would like to schedule a meeting or call to discuss this matter. I am happy to make myself available at your convenience.

Kind regards,



Marcus D. Fruchter
Administrator

cc: Patrick Urich, Peoria City Manager
Patrick Hayes, City of Peoria Corporation Counsel
John S. Elias, Special Counsel to the City of Peoria
Daniel Gerber, IGB General Counsel
Joseph Miller, IGB Director of Policy

EXHIBIT B

INTERGOVERNMENTAL AGREEMENT
TO SHARE THE BENEFITS OF RIVERBOAT CASINO GAMBLING
IN THE GREATER PEORIA AREA

WHEREAS, the City of Peoria and the City of East Peoria are Illinois Municipal Corporations; and

WHEREAS, Article VII, §10 of the Illinois State Constitution and ch. 127 Ill. Rev. Stat. §741, et seq. authorizes local governmental units to enter into agreements with one another to further the purposes of government; and

WHEREAS, the City of Peoria and the City of East Peoria desire to cooperate with one another and to promote harmonious relations; and

WHEREAS, the common boundary between the cities is the Illinois River; and

WHEREAS, the General Assembly of the State of Illinois has through Public Act 86-1029, as amended, (ch. 120 Ill. Rev. Stat. §2401, et seq.) authorized riverboat casino gambling on the Illinois River south of Marshall County; and

WHEREAS, the Administrator of the Illinois Gaming Board recommended on November 27, 1990 preliminary approval of a license application filed by Greater Peoria Riverboat Corporation and designating the City of East Peoria as a docking site for a riverboat casino; and

WHEREAS, the City of Peoria desires to share in the benefits of a riverboat gambling operation in the Greater Peoria Area; and

WHEREAS, the City of Peoria and the City of East Peoria acting through their respective Councils do now desire to enter into an intergovernmental agreement setting forth the terms and conditions under which the two cities will share in the benefits of riverboat gambling in the Greater Peoria Area;

NOW, THEREFORE, IT IS AGREED AS FOLLOWS:

1. After the City of East Peoria recovers its costs as set forth in paragraph 2 below and the City of Peoria recovers its investment in "The

Boatworks" as set forth in paragraph 3 below, gambling tax revenues as defined herein shall be shared as set forth here:

A. Forty-five percent (45%) of all gambling tax revenues shall be paid to the City of Peoria, without restriction or limitation as to how such gambling tax revenue is used.

B. Forty-five percent (45%) of all gambling tax revenues shall be paid to the City of East Peoria, without restriction or limitation as to how such gambling tax revenue is used.

C. Ten percent (10%) of all gambling tax revenues shall be paid to a joint development fund with 50% of said monies being utilized for projects on the west side of the Illinois River and 50% of said monies being utilized for projects on the east side of the Illinois River. Specific projects shall require mutual consent.

2. Before any gambling tax revenue shall be shared pursuant to the formula set forth in paragraph 1 above, the City of East Peoria shall first be allowed to recoup its costs described as follows:

A. Cost of infrastructure improvements, together with all necessary legal and engineering costs, assumed by the City of East Peoria under a development agreement with the Greater Peoria Riverboat Corporation and generally limited to:

i. Upgrading access from State Route 116 by extending and improving the access road into the interior of the property approximately 1,000 feet and across an existing drainage ditch. Said roadway shall consist of non-reinforced 8" PCC pavement with a joint spacing of 20', curb and gutter, type B-6.12, necessary grading and drainage struc-

tures, including storm sewers. The roadway shall be 54' FF.

ii. Providing improvement of and signalization at the intersection of State Route 116 and the access point which services the property.

iii. Providing 8" water main with fire hydrant(s) as appropriate 1,000 feet into the property.

iv. Providing sanitary sewer with lift station as appropriate 1,000 feet into the property.

B. Legal and other out-of-pocket costs, unrelated to infrastructure improvements, incurred by the City of East Peoria in efforts to accomplish the docking of a riverboat casino in East Peoria in an amount not to exceed \$75,000.

3. Before any gambling tax revenues shall be shared pursuant to the formula set forth in paragraph 1 above, the City of Peoria shall first be allowed to recoup an investment of Two Hundred Thousand Dollars (\$200,000) made in "The Boatworks". Therefore, the first Four Hundred Thousand Dollars (\$400,000) of gambling tax revenue shall be distributed equally between the cities, with the result that the City of Peoria shall recoup a \$200,000 investment made in "The Boatworks" and the City of East Peoria shall recoup \$200,000 of the cost described in paragraph 2 above. Thereafter, each dollar of gambling tax revenue shall be applied against the remaining City of East Peoria cost until all costs described in paragraph 2 above have been recouped. Once the City of East Peoria has recouped all such costs, additional gambling tax revenues shall thereafter be shared pursuant to the formula set forth in paragraph 1 above.

4. The municipality receiving gambling tax revenues as defined herein shall within thirty (30) days transfer to the other municipality or joint development fund such portion as the other municipality or joint development fund is entitled to hereunder. A receiving municipality shall maintain a record of receipts of gambling tax revenues and shall make such records reasonably available to the other municipality. Interest earned shall be distributed in the same proportion as the distribution of gambling tax revenues and in a timely manner.

5. All riverboat casino operations shall be docked in East Peoria, except as provided in paragraphs 9 and 11 below.

6. All land-based casino operations shall be in Peoria. However, any land-based casino operation in Peoria prior to January 1, 1997 shall require the formal approval of the Council of the City of East Peoria.

7. Should the statutes and the rules of the Illinois Gaming Board permit gambling aboard a riverboat casino which is moored, as opposed to being on an excursion, then such gambling aboard a riverboat casino which is moored and not on an excursion may occur in either Peoria or East Peoria.

8. Should the statutes and the rules of the Illinois Gaming Board permit, then at the discretion of the licensee, passengers may board and de-board a riverboat casino in the City of Peoria, but the City of East Peoria shall remain the docking site, except as provided for in paragraphs 9 and 11 below.

9. Assuming approval by the Illinois Gaming Board, at the discretion of the licensee, a second riverboat casino authorized under the license of Greater Peoria Riverboat Corporation may be docked in the City of Peoria, providing the original riverboat (or its replacement) has not been able to handle the passenger demand. In no event shall such a second riverboat docked in the City

of Peoria have a larger capacity than or amenities superior to the original riverboat (or its replacement). The City of East Peoria shall remain the primary docking site and should there be such a second riverboat docking in Peoria, it must be to handle overflow, not to supplant the East Peoria docked riverboat.

10. "Gambling tax revenues" as used herein shall include all direct revenues from a gambling operation received by either municipality, whether the gambling occurs during a riverboat casino excursion, while a riverboat casino is moored or at a shore-based casino. Such gambling tax revenues shall not include any revenues from Peoria's off-track betting parlor or any revenues derived from municipal retailers' occupation tax or any HRA tax (hotel, restaurant, amusement tax) or such similar non-direct taxes not directly derived from gambling.

11. The City of Peoria shall not authorize or approve the docking of a riverboat casino in the City of Peoria prior to January 1, 1997, except under the license of Greater Peoria Riverboat Corporation and subject to the conditions found in paragraph 9.

12. The City of East Peoria shall through a development agreement require the Greater Peoria Riverboat Corporation to coordinate efforts to assure operation of convenient and safe shuttle service by land and/or water between the docking site and "The Boatworks" located in Peoria.

13. The City of East Peoria shall encourage the continuation of "The Boatworks" as a viable riverfront feature integral to Peoria's development.

14. The City of Peoria shall encourage the redevelopment of the Wallace Station as integral to the Greater Peoria Area long term economic goals.

15. Each City shall encourage the licensee to work with the local Private Industry Councils (PICs) to increase the availability of jobs to unemployed and underemployed persons. The City of East Peoria shall consistent with §7(b)(4) of the Riverboat Gambling Act and all other applicable statutes, through a development agreement, require the Greater Peoria Riverboat Corporation to establish a good faith affirmative action plan to recruit, train and upgrade minorities in all employment classifications.

16. Whenever reference is made in the numbered paragraphs of this Intergovernmental Agreement to the "Greater Peoria Riverboat Corporation", the term as used in any such numbered paragraph shall include all successors and assigns and any other owner licensed to operate a riverboat casino docked in the City of East Peoria.

17. In the interests of the entire Greater Peoria Area, the City of Peoria and the City of East Peoria pledge to cooperate with one another and to use their mutual best efforts to bring about a riverboat casino operation consistent with the terms of this Intergovernmental Agreement as soon as possible and to otherwise ensure compliance with all other provisions of this Intergovernmental Agreement.

18. In October of each year, commencing in October of 1992, officials of each municipality shall meet for the purpose of reviewing application of this Intergovernmental Agreement, including, but not limited to, the process of sharing gambling tax revenues hereunder, specific projects as referenced in paragraph 1C and other matters relevant to the Illinois River. It shall be consistent with the spirit of this Intergovernmental Agreement for such annual meetings to be utilized to discuss any other matter of mutual concern to the City of Peoria and the City of East Peoria.

19. If any provision of this Intergovernmental Agreement or any section, sentence, clause or word where the application thereof in any circumstance is held invalid, the validity of the remainder of this Intergovernmental Agreement and the application of such provision, section, sentence, clause or word in other circumstance shall not be affected thereby. Each city shall execute, acknowledge and deliver such additional documents, writings or assurances as the other city may periodically require so as to give full force and effect to the terms and provisions of this Intergovernmental Agreement. As appropriate, both cities shall extend all reasonable good faith efforts to assist the other city to achieve the goals and objectives generally defined herein.

20. In addition to incorporating into a development agreement with Greater Peoria Riverboat Corporation the specific requirements referenced in paragraphs 12 and 15 above, the City of East Peoria shall to the extent possible seek the licensee's cooperation with respect to all other provisions of this Intergovernmental Agreement and shall make this Intergovernmental Agreement an attachment to said development agreement.

21. The terms and conditions set forth in this Intergovernmental Agreement supercede all prior oral understandings and constitute the entire agreement between the cities.

22. This Intergovernmental Agreement shall be enforceable in any court of competent jurisdiction by either of the cities, by appropriate action at law or equity to secure the performance of the covenants herein contained, and the prevailing city shall be entitled to costs, including reasonable attorney's fees.

23. The laws of the State of Illinois shall govern the validity, interpretation and administration of this Intergovernmental Agreement.

24. This Intergovernmental Agreement shall be effective immediately upon execution and terminate upon occurrence of either of the following:

A. The failure of Greater Peoria Riverboat Corporation by December 31, 1991 to gain approval of a preliminary finding of suitability following financial review and review of alternate investors or the final denial by the Illinois Gaming Board of the Greater Peoria Riverboat Corporation license application.

B. The cessation of casino operations in both cities. "Cessation" shall mean a period of 24 consecutive months, commencing subsequent to January 1, 1992, without any regular gambling occurring at a casino, whether aboard a riverboat or shore-based.

CITY OF PEORIA

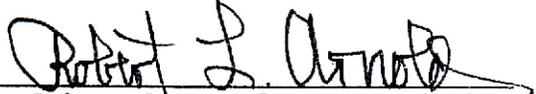
CITY OF EAST PEORIA

By 
Peter A. Korn, City Manager

By 
Richard W. Dodson, Mayor

ATTEST:

Mary L. Haynes, City Clerk

ATTEST:

Robert L. Arnold, City Clerk

DATE: 1-15-91

DATE: 1-28-91

FILED DATE: 2/3/2026 10:39 AM 2026CH01032

EXHIBIT C



OFFICE OF MAYOR RITA ALI

February 4, 2025

VIA U.S. FIRST CLASS MAIL AND
VIA ELECTRONIC MAIL

Illinois Gaming Board
Attn: Marcus D. Fruchter, Administrator
160 N. LaSalle Street, Suite 300
Chicago, Illinois 60601
marcus.fruchter@illinois.gov

Re: City of Peoria Position Regarding Par-A-Dice Casino License Operated by Boyd Gaming Corporation in East Peoria, Illinois.

Dear Administrator Fruchter:

This letter summarizes the City of Peoria's position with regard to the Par-A-Dice casino license operated by Boyd Gaming Corporation ("Boyd") in East Peoria, Illinois.

At the March 14, 2024, Illinois Gaming Board ("IGB") meeting, the IGB renewed Boyd's Par-A-Dice casino license for four years, "and further required that Par-A-Dice submit a new casino facility development project plan by March 14, 2026, unless otherwise directed by future IGB request." Indeed, Boyd's presentation to the IGB at this meeting assumed development of a new competitive gaming facility in replacement of the moored riverboat (which Boyd bought from the initial local casino owner in 1996). Boyd's presentation also discussed recent upgrades that Boyd had made to its East Peoria hotel (which Boyd had also purchased in 1996) and the development of adjacent amenities such as a steakhouse. It was also pointed out at the meeting that the contemplated new casino development would relieve Boyd from having to employ a ship captain and related riverboat staff. Taken as a whole, it is clear that Boyd's presentation to the IGB contemplated the development of a land-based gaming facility at the existing Par-A-Dice location in East Peoria.

Land-Based Gaming Must Occur in Peoria

As Boyd is aware (though Boyd did not mention this during the IGB meeting), any land-based casino operating under the Par-A-Dice gaming license must be located in the City of Peoria and not anywhere in East Peoria (including at existing Par-A-Dice location in East Peoria), for the following reasons:

- 2019 amendments to Sections 7(e) and (k) of the Illinois Gambling Act (the “Act”) made by P.A. 101-31 require that, (i) land-based gaming under this license must occur within the corporate limits of the City of Peoria, and (ii) riverboat gambling on the Illinois River under this license must occur in East Peoria. Thus, under the 2019 amendments to the Act, there is no authority under the Act to pursue land-based gaming in East Peoria.
- Consistent with the Act, Sections 5 and 6 and related provisions of the Intergovernmental Agreement to Share the Benefits of Riverboat Casino Gambling in the Greater Peoria Area, dated January 28, 1991, entered into by the City of Peoria and the City of East Peoria (the “Intergovernmental Agreement,” copy enclosed) provide that (i) all riverboat casino operations shall be docked in East Peoria and (ii) all land-based casino operations shall be in Peoria.

Background of Land-Based Provisions

In addition to and to support the unambiguous above provisions of the Act and the Intergovernmental Agreement requiring land-based gaming under the Par-A-Dice license to occur in Peoria, it is important for the IGB to be aware of the background of these provisions.

- Then Governor Thompson announced the signing into law of the 1990 Illinois Riverboat Gambling legislation on the Spirit of Peoria riverboat, which was then docked on the City of Peoria Riverfront and operated as part of the “Peoria Boatworks” by the Jumer organization (“Jumer”).
- When the riverboat gaming license on the Illinois River in the Peoria area was made available in 1991, there were two applicants (and cities) vying for the license: Jumer, seeking to establish a riverboat on the City of Peoria side of the Illinois River, and a company owned by several well-regarded Peoria-area entrepreneurs, seeking to establish a riverboat on the East Peoria side of the Illinois River. When the parties concluded that the license (unexpectedly to some) was likely to be issued to the East Peoria applicant, in order to avoid further controversy (and perhaps litigation), the parties agreed that the gaming license would be issued by the IGB to the East Peoria applicant, with the losing Peoria applicant’s application being *combined* into the winning East Peoria application as part of a comprehensive global settlement.
- That settlement included the following key elements, among others: (a) the City of East Peoria and its East Peoria applicant were allocated the riverboat docking rights in East Peoria (and the spin-off local development); (b) the successful East Peoria applicant would (i) purchase from Jumer the “Peoria Boatworks” assets (including the Spirit of Peoria) which were all on the Peoria Riverfront, and (ii) allow Jumer to purchase up to 10% of the East Peoria applicant (which was then the percentage ownership limitation for Jumer under the Act, because Jumer was also awarded the Rock Island gaming license); (c) **as discussed earlier in this letter, the cities agreed in the Intergovernmental Agreement to designate the City of East Peoria as the home dock and the primary location for riverboat gaming and the City of Peoria as the sole location for land-based gaming (if the Act were amended in the future to authorize land-based gaming);** and (d) in the

Intergovernmental Agreement, the cities also agreed to share 50/50 the municipal percentage of gaming taxes under the Act in perpetuity, irrespective of the city in which the gaming operations were conducted. Notably, there is a requirement in the Intergovernmental Agreement that a copy of the Intergovernmental Agreement must be provided to any owner of the license to ensure that the Intergovernmental Agreement is observed.

- Thus, when the Par-A-Dice license was initially issued by the IGB in 1991, **the provisions in the Intergovernmental Agreement designating the City of Peoria as the sole location for future land-based gaming**, together with the requiring a 50/50 sharing of the municipal percentage of gaming taxes in perpetuity, irrespective of where the gaming operations were located, were by far the most important provisions to the City of Peoria in the global settlement among the cities of East Peoria and Peoria and their respective applicants.
- Prior to voting to issue the Par-A-Dice license, the IGB heard from representatives of Peoria and East Peoria and the two applicants regarding their understanding of and unanimous acceptance of the global settlement including the Intergovernmental Agreement among the cities of East Peoria and Peoria and their respective applicants. *See* the Minutes of Special Meeting of the IGB, on January 15, 1991, enclosed (in the incomplete form in which the Minutes are available on the IGB website).
- Representative Spain's remarks before the Illinois House in 2019 at the time of enactment of the 2019 amendments to the Act refers to the appropriateness of the amendments to the licensing provisions set forth in Section 7(e) and (k) of the Act to prevent East Peoria's representatives from attempting to revise the Act's licensing provisions to in effect veto Peoria's exclusive land-based gaming rights under the Intergovernmental Agreement. A transcript of Representative Spain's remarks is also enclosed (*see* in particular pgs. 117-118).
- Finally, it is important to note that it would be frivolous for Boyd or the City of East Peoria to attempt to manipulate the definition of "riverboat" and/or "land-based" for purposes of the above provisions of the Intergovernmental Agreement and the Act that are at issue. The literal words, history, and context of the Intergovernmental Agreement and the Act are all very clear. It is, and always has been, the intention of all concerned that if Par-A-Dice gaming operations were to move off of the existing moored vessel in East Peoria to a facility on land, those land-based operations must be located in Peoria.

City of Peoria Bottom Line and Conclusion

The City of Peoria applauds the IGB's apparent new requirement that the Par-A-Dice upgrade to a land-based casino gambling facility and related amenities such as a hotel, restaurant, and conference facilities. The IGB should not allow Boyd to continue to short-change Peoria area economic development by (indefinitely) operating its licensed gaming activities on a more than thirty (30) year old, first-generation moored riverboat in East Peoria. However, the City of Peoria is entitled to benefit of its bargain under the Intergovernmental Agreement and its statutory rights

under the Act. Per the Act and the Intergovernmental Agreement, the new land-based casino and related operations must be located within the corporate limits of the City of Peoria (and not East Peoria). If Boyd is not prepared to develop land-based gaming and related facilities in Peoria, we ask that the IGB require Boyd to sell the Par-A-Dice gaming license to another casino operator that is prepared to develop a land-based gaming facility in Peoria.

The City of Peoria thanks you for your attention to this matter.

Sincerely,



Rita Ali, Mayor

Enclosures:

- (1) Intergovernmental Agreement
- (2) Minutes of Special Meeting of the IGB, January 15, 1991
- (3) Transcript of Representative Spain's 2019 remarks to the Illinois Legislature

cc: Patrick Urich, City Manager
Patrick Hayes, Corporation Counsel
John S. Elias, Special Counsel to City of Peoria

825-0019.4

INTERGOVERNMENTAL AGREEMENT
TO SHARE THE BENEFITS OF RIVERBOAT CASINO GAMBLING
IN THE GREATER PEORIA AREA

WHEREAS, the City of Peoria and the City of East Peoria are Illinois Municipal Corporations; and

WHEREAS, Article VII, §10 of the Illinois State Constitution and ch. 127 Ill. Rev. Stat. §741, et seq. authorizes local governmental units to enter into agreements with one another to further the purposes of government; and

WHEREAS, the City of Peoria and the City of East Peoria desire to cooperate with one another and to promote harmonious relations; and

WHEREAS, the common boundary between the cities is the Illinois River; and

WHEREAS, the General Assembly of the State of Illinois has through Public Act 86-1029, as amended, (ch. 120 Ill. Rev. Stat. §2401, et seq.) authorized riverboat casino gambling on the Illinois River south of Marshall County; and

WHEREAS, the Administrator of the Illinois Gaming Board recommended on November 27, 1990 preliminary approval of a license application filed by Greater Peoria Riverboat Corporation and designating the City of East Peoria as a docking site for a riverboat casino; and

WHEREAS, the City of Peoria desires to share in the benefits of a riverboat gambling operation in the Greater Peoria Area; and

WHEREAS, the City of Peoria and the City of East Peoria acting through their respective Councils do now desire to enter into an intergovernmental agreement setting forth the terms and conditions under which the two cities will share in the benefits of riverboat gambling in the Greater Peoria Area;

NOW, THEREFORE, IT IS AGREED AS FOLLOWS:

1. After the City of East Peoria recovers its costs as set forth in paragraph 2 below and the City of Peoria recovers its investment in "The

Boatworks" as set forth in paragraph 3 below, gambling tax revenues as defined herein shall be shared as set forth here:

A. Forty-five percent (45%) of all gambling tax revenues shall be paid to the City of Peoria, without restriction or limitation as to how such gambling tax revenue is used.

B. Forty-five percent (45%) of all gambling tax revenues shall be paid to the City of East Peoria, without restriction or limitation as to how such gambling tax revenue is used.

C. Ten percent (10%) of all gambling tax revenues shall be paid to a joint development fund with 50% of said monies being utilized for projects on the west side of the Illinois River and 50% of said monies being utilized for projects on the east side of the Illinois River. Specific projects shall require mutual consent.

2. Before any gambling tax revenue shall be shared pursuant to the formula set forth in paragraph 1 above, the City of East Peoria shall first be allowed to recoup its costs described as follows:

A. Cost of infrastructure improvements, together with all necessary legal and engineering costs, assumed by the City of East Peoria under a development agreement with the Greater Peoria Riverboat Corporation and generally limited to:

i. Upgrading access from State Route 116 by extending and improving the access road into the interior of the property approximately 1,000 feet and across an existing drainage ditch. Said roadway shall consist of non-reinforced 8" PCC pavement with a joint spacing of 20', curb and gutter, type B-6.12, necessary grading and drainage struc-

tures, including storm sewers. The roadway shall be 54' FF.

ii. Providing improvement of and signalization at the intersection of State Route 116 and the access point which services the property.

iii. Providing 8" water main with fire hydrant(s) as appropriate 1,000 feet into the property.

iv. Providing sanitary sewer with lift station as appropriate 1,000 feet into the property.

B. Legal and other out-of-pocket costs, unrelated to infrastructure improvements, incurred by the City of East Peoria in efforts to accomplish the docking of a riverboat casino in East Peoria in an amount not to exceed \$75,000.

3. Before any gambling tax revenues shall be shared pursuant to the formula set forth in paragraph 1 above, the City of Peoria shall first be allowed to recoup an investment of Two Hundred Thousand Dollars (\$200,000) made in "The Boatworks". Therefore, the first Four Hundred Thousand Dollars (\$400,000) of gambling tax revenue shall be distributed equally between the cities, with the result that the City of Peoria shall recoup a \$200,000 investment made in "The Boatworks" and the City of East Peoria shall recoup \$200,000 of the cost described in paragraph 2 above. Thereafter, each dollar of gambling tax revenue shall be applied against the remaining City of East Peoria cost until all costs described in paragraph 2 above have been recouped. Once the City of East Peoria has recouped all such costs, additional gambling tax revenues shall thereafter be shared pursuant to the formula set forth in paragraph 1 above.

4. The municipality receiving gambling tax revenues as defined herein shall within thirty (30) days transfer to the other municipality or joint development fund such portion as the other municipality or joint development fund is entitled to hereunder. A receiving municipality shall maintain a record of receipts of gambling tax revenues and shall make such records reasonably available to the other municipality. Interest earned shall be distributed in the same proportion as the distribution of gambling tax revenues and in a timely manner.

5. All riverboat casino operations shall be docked in East Peoria, except as provided in paragraphs 9 and 11 below.

6. All land-based casino operations shall be in Peoria. However, any land-based casino operation in Peoria prior to January 1, 1997 shall require the formal approval of the Council of the City of East Peoria.

7. Should the statutes and the rules of the Illinois Gaming Board permit gambling aboard a riverboat casino which is moored, as opposed to being on an excursion, then such gambling aboard a riverboat casino which is moored and not on an excursion may occur in either Peoria or East Peoria.

8. Should the statutes and the rules of the Illinois Gaming Board permit, then at the discretion of the licensee, passengers may board and de-board a riverboat casino in the City of Peoria, but the City of East Peoria shall remain the docking site, except as provided for in paragraphs 9 and 11 below.

9. Assuming approval by the Illinois Gaming Board, at the discretion of the licensee, a second riverboat casino authorized under the license of Greater Peoria Riverboat Corporation may be docked in the City of Peoria, providing the original riverboat (or its replacement) has not been able to handle the passenger demand. In no event shall such a second riverboat docked in the City

of Peoria have a larger capacity than or amenities superior to the original riverboat (or its replacement). The City of East Peoria shall remain the primary docking site and should there be such a second riverboat docking in Peoria, it must be to handle overflow, not to supplant the East Peoria docked riverboat.

10. "Gambling tax revenues" as used herein shall include all direct revenues from a gambling operation received by either municipality, whether the gambling occurs during a riverboat casino excursion, while a riverboat casino is moored or at a shore-based casino. Such gambling tax revenues shall not include any revenues from Peoria's off-track betting parlor or any revenues derived from municipal retailers' occupation tax or any HRA tax (hotel, restaurant, amusement tax) or such similar non-direct taxes not directly derived from gambling.

11. The City of Peoria shall not authorize or approve the docking of a riverboat casino in the City of Peoria prior to January 1, 1997, except under the license of Greater Peoria Riverboat Corporation and subject to the conditions found in paragraph 9.

12. The City of East Peoria shall through a development agreement require the Greater Peoria Riverboat Corporation to coordinate efforts to assure operation of convenient and safe shuttle service by land and/or water between the docking site and "The Boatworks" located in Peoria.

13. The City of East Peoria shall encourage the continuation of "The Boatworks" as a viable riverfront feature integral to Peoria's development.

14. The City of Peoria shall encourage the redevelopment of the Wallace Station as integral to the Greater Peoria Area long term economic goals.

15. Each City shall encourage the licensee to work with the local Private Industry Councils (PICs) to increase the availability of jobs to unemployed and underemployed persons. The City of East Peoria shall consistent with §7(b)(4) of the Riverboat Gambling Act and all other applicable statutes, through a development agreement, require the Greater Peoria Riverboat Corporation to establish a good faith affirmative action plan to recruit, train and upgrade minorities in all employment classifications.

16. Whenever reference is made in the numbered paragraphs of this Intergovernmental Agreement to the "Greater Peoria Riverboat Corporation", the term as used in any such numbered paragraph shall include all successors and assigns and any other owner licensed to operate a riverboat casino docked in the City of East Peoria.

17. In the interests of the entire Greater Peoria Area, the City of Peoria and the City of East Peoria pledge to cooperate with one another and to use their mutual best efforts to bring about a riverboat casino operation consistent with the terms of this Intergovernmental Agreement as soon as possible and to otherwise ensure compliance with all other provisions of this Intergovernmental Agreement.

18. In October of each year, commencing in October of 1992, officials of each municipality shall meet for the purpose of reviewing application of this Intergovernmental Agreement, including, but not limited to, the process of sharing gambling tax revenues hereunder, specific projects as referenced in paragraph 1C and other matters relevant to the Illinois River. It shall be consistent with the spirit of this Intergovernmental Agreement for such annual meetings to be utilized to discuss any other matter of mutual concern to the City of Peoria and the City of East Peoria.

19. If any provision of this Intergovernmental Agreement or any section, sentence, clause or word where the application thereof in any circumstance is held invalid, the validity of the remainder of this Intergovernmental Agreement and the application of such provision, section, sentence, clause or word in other circumstance shall not be affected thereby. Each city shall execute, acknowledge and deliver such additional documents, writings or assurances as the other city may periodically require so as to give full force and effect to the terms and provisions of this Intergovernmental Agreement. As appropriate, both cities shall extend all reasonable good faith efforts to assist the other city to achieve the goals and objectives generally defined herein.

20. In addition to incorporating into a development agreement with Greater Peoria Riverboat Corporation the specific requirements referenced in paragraphs 12 and 15 above, the City of East Peoria shall to the extent possible seek the licensee's cooperation with respect to all other provisions of this Intergovernmental Agreement and shall make this Intergovernmental Agreement an attachment to said development agreement.

21. The terms and conditions set forth in this Intergovernmental Agreement supercede all prior oral understandings and constitute the entire agreement between the cities.

22. This Intergovernmental Agreement shall be enforceable in any court of competent jurisdiction by either of the cities, by appropriate action at law or equity to secure the performance of the covenants herein contained, and the prevailing city shall be entitled to costs, including reasonable attorney's fees.

23. The laws of the State of Illinois shall govern the validity, interpretation and administration of this Intergovernmental Agreement.

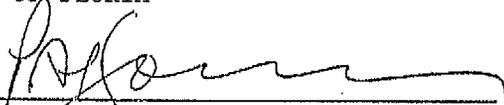
24. This Intergovernmental Agreement shall be effective immediately upon execution and terminate upon occurrence of either of the following:

A. The failure of Greater Peoria Riverboat Corporation by December 31, 1991 to gain approval of a preliminary finding of suitability following financial review and review of alternate investors or the final denial by the Illinois Gaming Board of the Greater Peoria Riverboat Corporation license application.

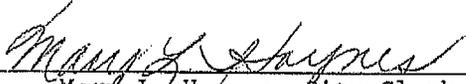
B. The cessation of casino operations in both cities. "Cessation" shall mean a period of 24 consecutive months, commencing subsequent to January 1, 1992, without any regular gambling occurring at a casino, whether aboard a riverboat or shore-based.

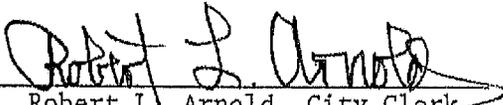
CITY OF PEORIA

CITY OF EAST PEORIA

By 
Peter A. Korn, City Manager

By 
Richard W. Dodson, Mayor

ATTEST:

Mary L. Haynes, City Clerk

ATTEST:

Robert L. Arnold, City Clerk

DATE: 1-15-91

DATE: 1-28-91

FILED DATE: 2/3/2026 10:39 AM 2026CH01032

ORDINANCE NO. 2479

AN ORDINANCE TO APPROVE AN INTERGOVERNMENTAL AGREEMENT
TO SHARE THE BENEFITS OF RIVERBOAT CASINO GAMBLING
IN THE GREATER PEORIA AREA

WHEREAS, the City of Peoria and the City of East Peoria are Illinois Municipal Corporations; and

WHEREAS, Article VII, §10 of the Illinois State Constitution and ch. 127 Ill. Rev. Stat. §741, et seq. authorizes local governmental units to enter into agreements with one another to further the purposes of government; and

WHEREAS, the City of Peoria and the City of East Peoria desire to cooperate with one another and to promote harmonious relations; and

WHEREAS, the common boundary between the cities is the Illinois River; and

WHEREAS, the General Assembly of the State of Illinois has through Public Act 86-1029, as amended, (ch. 120 Ill. Rev. Stat. §2401, et seq.) authorized riverboat casino gambling on the Illinois River south of Marshall County; and

WHEREAS, the City of Peoria desires to share in the benefits of a riverboat gambling operation in the Greater Peoria Area; and

WHEREAS, the Illinois Gaming Board on January 15, 1991 gave preliminary approval to a license application filed by Greater Peoria Riverboat Corporation and designating the City of East Peoria as a docking site for a riverboat casino; and

WHEREAS, said preliminary approval is conditioned upon execution of an intergovernmental agreement between the City of Peoria and the City of East Peoria; and

WHEREAS, the City of Peoria at a special meeting of the Council of the City of Peoria on January 14, 1991 approved an intergovernmental agreement, a copy of which is attached hereto and incorporated herein as "Exhibit A"; and

WHEREAS, the Council of the City of East Peoria finds that entering into an intergovernmental agreement is in the best interests of the City and would further the general health, safety and welfare of its residents, and is in accordance with the public purposes and provisions of applicable federal, state and local laws;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS, AS FOLLOWS:

Section 1. The City Council hereby finds and determines that all the recitals contained in the preambles to this Ordinance are full, true and correct and such recitals are incorporated into this Ordinance by this reference.

Section 2. That the intergovernmental agreement attached hereto and incorporated herein as "Exhibit A" is hereby approved. The Mayor and City Clerk are hereby authorized and directed, respectively, to execute and attest the said Intergovernmental Agreement To Share The Benefits Of Riverboat Casino Gambling

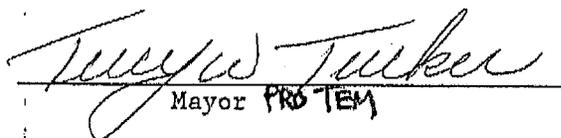
FILED DATE: 2/3/2026 10:39 AM 2026CH01032

In The Greater Peoria Area on behalf of the City of East Peoria and to exchange executed copies with the City of Peoria.

Section 3. This Ordinance shall be in full force and effect from and after its passage and approval in the manner provided by law.

PASSED BY THE COUNCIL OF THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS, IN REGULAR AND PUBLIC SESSION THIS 22ND DAY OF JANUARY, 1991.

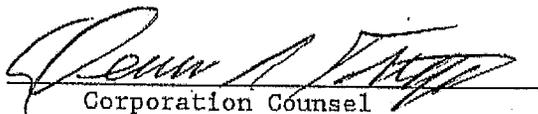
APPROVED:


Mayor PRO TEM

ATTEST:


City Clerk

EXAMINED AND APPROVED:


Corporation Counsel

Minutes of Special Meeting
Illinois Gaming Board
January 15, 1991

A Special Meeting of the Illinois Gaming Board was held at 10:00 a.m. on January 15, 1991, at 300 West Jefferson Street, Springfield, Illinois. the meeting was called by Chairman William J. Kunkle, Jr., and notice was duly and timely given to each Board member and to the general public in conformity with Section 2.02 of the Illinois Open Meetings Act.

The following Board members were present: William J. Kunkle, Jr., Chairman; and Members William Chamblin, Robert Gibson, J. Thomas Johnson, and Raymond Niepert.

Also present were Morton E. Friedman, Administrator; Donna More, Chief Legal Counsel; Joseph McQuaid, Deputy Administrator for Enforcement; J. Thomas Hutchison, Deputy Administrator for Finance; Gaming Officer Commanders Larry Doiron, Roger Shiels, Tom Biebel, William Eder; James Nelson, Assistant for Public Affairs and Acting Secretary of the Board; the media and the general public.

The meeting was called to order by Chairman Kunkle at 10:01 a.m. Mr. Nelson acted as Secretary of the meeting.

The first order of business was approval of the minutes of the Board meeting held on November 26 and 27, 1990. There were numerous typographical and stylistic corrections offered by the members and staff. Mr. Johnson moved and Mr. Chamblin seconded a motion to accept the minutes as amended. Chairman Kunkle called for the yeas and nays. The motion was approved by voice vote of all members.

The next order of business was to consider the postponed consideration of a license application for the Illinois River, South of Marshall County, Illinois. With leave of the body, the Administrator called upon Mr. Forest Miles, attorney for applicant Greater Peoria Riverboat Development Corporation to make the applicant's presentation to the Board.

Mr. Miles stated that the Greater Peoria Riverboat Corporation has reached an agreement with Boatworks Incorporated to combine their applications and that the Cities of Peoria and East Peoria have reached an intergovernmental agreement that will benefit both sides of the river. He also stated that Mr. Berglund of the applicant will be working with Alderman James Polk of Peoria on a specific Affirmative Action plan that will govern the employment requirements of the business. Mr. Miles then yielded to Mr. Dennis Triggs, City Attorney, City of East Peoria, who described the content and nature of the Intergovernmental Agreement.

Mr. Triggs first introduced city officials of the City of East Peoria who were present at the meeting. He also introduced Peoria city officials.

Mr. Triggs explained that the agreement which is designed to be acceptable to both local governments and will provide maximum benefits to both communities. He said that the City of Peoria has already ratified the agreement, but that because the City of East Peoria is a commission form of government, such agreements must "lay upon the table" for a period of one week. Mr. Triggs

stated that there are no problems anticipated with regard to East Peoria's ratification. In summary, the agreement calls for all revenues to be shared, 45% to each municipality, and 10% to a joint development fund of which 50% will be used by each entity for riverfront development with mutual consent of the parties.

The docking site as detailed in the original application will be located in East Peoria and permits passenger boarding and disembarkation in Peoria at the Boatworks. The agreement further recognizes that the Boatworks is an integral part of the area and will be continued as a viable project. The agreement contemplates legislative action that would allow gaming to occur while a boat is docked and allows that such docked gaming could occur at either side of the river. The agreement also requires an affirmative action plan which will reflect the statutory requirement which while not necessary for the agreement is present to establish the public policy in support of a plan. The group has also submitted a resolution adopted by the East Peoria Mass Transit Authority stating that, consistent with existing contractual obligations with the Peoria Mass Transit Authority, mass transit service will be provided in the area for employees and patrons. There will also be shuttle service between the two communities for patrons.

Mr. Friedman asked leave for counsel for Boatworks Incorporated to address the Board. Leave was granted.

Mr. Michael Ficaro, attorney for D. James Jumer, the Boatworks incorporated, addressed the Board. Mr. Ficaro stated that the agreement will serve both the area and statute. Mr. Ficaro said that as a result of the efforts of the Administrator and other interested parties in the area, the Boatworks will become part of the Greater Peoria Riverboat Development Corporation.

Mr. Friedman asked leave of the Board for the purpose of honoring the request of Mayor Richard W. Dotson to address the Board. Leave was granted.

Mayor Dotson stated the City of East Peoria was pleased and excited to play host to a gaming operation. The Mayor pledged to make the operation a model of efficiency.

Mr. Friedman asked leave of the Board to hear from Alderman James Polk of Peoria with respect to concerns that had been expressed about affirmative action. Leave was granted.

Alderman Polk stated that the new civil rights movement should be, and is, business development for minorities. He said that it is paramount, and that indeed the agreement states, that minority participation is necessary for all to benefit. Alderman Polk reported that Mr. Berglund has agreed to begin meetings to assure minority participation not only in employment, but also in supplier businesses. Alderman Polk asked for the Board's assistance in monitoring minority participation performance.

Mr. Friedman indicated there were no further requests to address the Board and suggested the Chair entertain questions.

Chairman Kunkle asked for questions and recognized Member Johnson.

Mr. Johnson asked whether officials from the City of Peoria were present to advise the Board of that municipality's support of the proposed agreement.

In response, Mr. David L. Thomas, Corporation Counsel for the City of Peoria responded that the City Council had adopted the agreement.

Mr. Johnson asked when the East Peoria dock would be ready and when could the Gaming Board expect to see a boat in operation? Mr. Triggs responded, on behalf of the applicant, that the docking facility in East Peoria will be completed at the same time as the construction of a vessel, so that the building of a dock will not delay startup of the operation next Spring, or perhaps sooner.

Mr. Johnson asked if the boat will pick up passengers in Peoria on every trip? Mr. Triggs responded that the language of the Intergovernmental Agreement is permissive and may board and de-board (sic) passengers in Peoria, but that the demand will drive the decision of how often the boat will load in Peoria.

Mr. Johnson observed that the Board will need rulemaking to define when an excursion begin. Such rulemaking would need to reflect that the gaming portion of the cruise would last the full four hours. Mr. Triggs stated that the agreement clearly calls for East Peoria to be the primary docking facility and that the question of when an excursion begins when the boat loads in Peoria was purposely left out of the agreement.

Mr. Gibson asked if there was consideration for the future docking of a second boat in Peoria since a license would allow the owner to operate two boats? Mr. Triggs responded that the agreement recognizes that a second boat would be docked in Peoria, but a second boat would be an overflow boat and would not replace the primary boat docked in Peoria.

Mr. Johnson asked what the ownership interest of D. James Jumer was under the agreement. Mr. Triggs responded that it was less than the statutory limit.

Chairman Kunkle observed that the Board has previously found three applicants on the Mississippi River suitable for licensing, and had decided that a fourth license for a suitable applicant docking in the City of East St. Louis, Illinois would be held open in compliance with statutory mandate. The Chairman recommended that the Board retire to Executive Session. Mr. Friedman asked the Chair for leave to make some observations and his recommendation concerning the application.

Mr. Johnson reminded the Board that the statute requirement for the awarding of licenses mandates one license for the Illinois River South of Marshall County and four on the Mississippi River. He observed that the Board has already found three applicants suitable for the Mississippi River and decided to hold one license open for a suitable applicant for docking in East St. Louis. He stated that due to these circumstances, that no additional licenses for the Mississippi River could be awarded for 1991.

Mr. Friedman stated that Mr. Johnson's observation was correct, especially in light of the Board's decision that the license for East St. Louis be held as open. He stated that the statute clearly identifies that one license be awarded to an applicant on the Illinois River, South of Marshall County.

Mr. Johnson asked the Chair whether the Board had the authority to award an additional license for the Mississippi if the application for the Illinois River was not found to be suitable.

Chairman Kunkle responded that the question was not yet before the Board and that he was unable to direct an answer until the question presented itself.

The Chairman asked Mr. Friedman to present his recommendation to the Board.

Mr. Friedman stated

STATE OF ILLINOIS
101st GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

6/1/2019

a five block radius. So I'm hoping you can clear things up about what the Bill does and what your legislative intent is. Would this Bill allow a licensee to open up multiple sports betting establishments within a five block radius of a sports facility?"

Rita: "No. A sports facility, or their designee, may apply for a single Master Sports Wagering License. The Masters Sports Wagering License allows them to conduct wagering at a single location, either in the sports facility or within that five block radius."

Cassidy: "Thank you. And in Chicago, for example, would that sports betting establishment be subject to all ordinances, rules, and regulations of the City of Chicago?"

Rita: "Yes, it would."

Cassidy: "Thank you. Congratulations on landing your plane."

Speaker Turner: "Chair recognizes Representative Spain."

Spain: "Thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Turner: "Sponsor indicates that he will yield."

Spain: "Representative Rita, thank you for your incredible work for so many years on bringing this package to fruition. Obviously there are a number of gaming provisions that are incorporated now. Not only representing your many years of work to increase the number of casinos throughout the State of Illinois, but incorporating new aspects for new revenue streams related to video gaming and sports betting. So thank you so much. Part of the Bill also includes a number of other provisions that are important to our ability to pass a capital Bill to fund vertical infrastructure projects. And I want to touch on two of them that I think deserve some emphasis.

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HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

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First, we have a change to the purchase... the sales tax cap on the trade-in of items. And can you respond to some discussions that we've had with both the Farm Bureau and organizations like Caterpillar to reflect that farm implements, farm vehicles, or large pieces of heavy construction equipment would not be negatively impacted by this provision."

Rita: "Yes. We were just in committee yesterday and in the Amendment we addressed the concerns. It goes for light trucks and vehicles, not the expansive that it was before. And do you want me to go into exactly..."

Spain: "No, thank you very much."

Rita: "And it sets the floor at 10 thousand."

Spain: "Thank you, Representative. And the other component that I think is important I think has to do with the notion of sales tax parity for remote sellers. Is this the provision related to IRMA and the Wayfair case?"

Rita: "Yes."

Spain: "And am I correct that in this provision we would be moving for remote sellers away from an online use tax model to a retailer's occupation tax or a traditional sale's tax model?"

Rita: "Yes."

Spain: "Ladies and Gentlemen, I think this is very important and I'll speak to the Bill. This is a major change that is important for the future of Illinois. Not only because it reflects an ability to raise more revenue for the capital Bill, but we are also voting on a mechanism to begin the process of restoring sales tax dollars to our local community for goods purchased online. As we all know, that there is a great disparity between sales tax charged for online

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purchases, and buying the same thing, and the local brick and mortar store. Moving the remote sellers now, to a retail occupation tax, allows us to collect not only the state share of traditional sales tax dollars, but the local shares as well. So if you represent a community that has a Home Rule sales tax, county wide facilities tax, or even a school facilities referendum, those taxing bodies will enjoy additional revenue that level the playing field that really doesn't make sense anymore. That distinguishes between where something is bought, whether it's in a brick and mortar store or online. Lastly, I must respond to the issue of the casino in the Central Illinois area. And while I have nothing but the highest respect for one of the earlier speakers, this reflects a difficult situation between two communities that really goes back close to 30 years now. Many people will often ask me in representing the City of Peoria, on the Peoria City Council, how was it that the riverboat gaming location, the Paradise, happened to be located in East Peoria but not Peoria? It's a long and complicated story, but the end result was as the boat was located in East Peoria, both communities agreed to share revenues for those gaming proceeds set at 50/50 split. And in 1991, there was recognition that if the General Assembly ever authorized the ability for casinos to move to land-based, that move would take place within the City of Peoria. In fact, I'll read to you, and as we've discussed language that's included in this Bill, there have been different versions of gaming packages that we've discussed in the General Assembly for many years now. And previous versions actually made modifications to the language

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to give the City of East Peoria veto power over the provision that was long ago agreed to in 1991. I'll read to you a memo from the City of Peoria's Chief Legal Counsel. 'In 1991, the two cities agreed, in writing, that should land-based casinos become legal and the license be granted to this area, that the casino would be located in the City of Peoria. Recently, language has been included... and this is in 2012. Recently, language has been included in General Assembly Bills that would essentially give the City of East Peoria a veto over the full conversion of its river based... riverboat based casino license into a land-based casino in the City of Peoria. The intention of the language that is included in this Bill is to honor the provisions of the 1991 agreement and to offer an opportunity to increase economic development throughout the Central Illinois region with both communities continuing to share revenues from this project, if and when, a decision to move to a land-based casino would take place. Representative, I want to thank you for your work on this issue. I want to thank the General Assembly for their willingness to make important investments in vertical infrastructure throughout our state. Thank you."

Speaker Turner: "Chair recognizes Representative Demmer."

Demmer: "Thank you, Mr. Speaker. To the Bill. I would just like to point out that in addition to many of the issues that have been discussed at length here, there also is an important provision here that I think will spur new investments in many communities across the State of Illinois. And that's a provision that gives incentives for the location of data centers in Illinois. Data centers are growing across the

EXHIBIT D



ILLINOIS GAMING BOARD

JB Pritzker • Governor Charles Schmadeke • Chairman Marcus D. Fruchter • Administrator

160 North LaSalle ♠ Suite 300 ♣ Chicago, Illinois 60601 ♥ tel 312/814-4700 ♦ fax 312/814-4602

February 14, 2025

Via Electronic Mail

Hon. Rita Ali
Mayor, City of Peoria
Peoria City Hall
419 Fulton Street, Room 207
Peoria, Illinois 61602

RE: Illinois Casino Owner Licensee Par-A-Dice Gaming Corporation d/b/a Par-A-Dice Hotel Casino in East Peoria, Illinois

Dear Mayor Ali,

I write in response to your letter dated February 4, 2025 regarding Boyd Gaming Corporation (“Boyd”) and the Par-A-Dice Hotel Casino (“P-A-D”) Boyd operates in East Peoria, Illinois.

Thank you for sharing the City of Peoria’s position. The Illinois Gaming Board (the “IGB”) values the City of Peoria as an important stakeholder and welcomes the opportunity to engage with you. The IGB fully recognizes the casino’s contributions and impacts on Peoria, East Peoria, and the entire region. Those are among the reasons why the IGB issued its March 14, 2024 directive requiring Boyd to submit a new P-A-D casino gaming facility development plan for IGB consideration on or before March 14, 2026. Additionally, the IGB is mindful of the 1990 intergovernmental benefits sharing agreement between Peoria and East Peoria (to which the IGB is not a party) and understands the relevant historical context.

The IGB respects the City of Peoria’s perspective. However, I am compelled to address two specific statements in the City’s letter that suggest a misapprehension about the IGB’s March 14, 2024 directive to Boyd and the IGB’s position on Boyd’s forthcoming casino gaming development plan. First, the letter states: “[t]aken as a whole, it is clear that Boyd’s presentation to the IGB contemplated the development of a land-based gaming facility at the existing Par-A-Dice location in East Peoria.” (Page 1.) The IGB disagrees with that characterization of the proceedings at the March 14, 2024 meeting. I cannot speculate about what others may have contemplated, but let me be clear that what the IGB contemplated at the meeting and what it continues to expect now is for Boyd to present a good faith development plan for a refreshed, modern casino that complies with existing law, IGB Rules and any other applicable requirements. How Boyd proposes to meet those obligations in the plan it must present to the IGB are matters for Boyd to determine.

Second, the City’s letter “*applauds the IGB’s apparent new requirement that the Par-A-Dice upgrade to a land-based casino gambling facility and related amenities such as a hotel, restaurant, and conference facilities.*” (Page 3.) That statement is similarly mistaken because there is no such “apparent new

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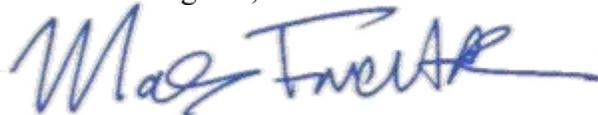
requirement.” While the IGB has indeed required Boyd to present a plan for an upgraded casino, the IGB has not imposed any requirement directing Boyd to develop a land-based gaming facility.

Current law allows casino licensees, like P-A-D, to conduct gaming operations upon water on a self-propelled excursion boat or a permanently moored (non-operational) barge, or in a land-based facility. Thus, Boyd has three options. Boyd must determine what it will present in the P-A-D development plan within those parameters. The IGB has not mandated that Boyd take any specific course of action other than to engage in a good faith evaluation and submit a casino development plan for IGB consideration.

Boyd publicly committed to presenting a plan for a “best-in-class gaming experience.” The IGB will ensure Boyd upholds its commitment in a manner that is compliant and maintains the integrity and safety of Illinois gaming.

I hope my clarification of these issues is helpful. Please let me know if you have any questions or would like to schedule a meeting or call to discuss this matter. I am happy to make myself available at your convenience.

Kind regards,



Marcus D. Fruchter
Administrator

cc: Patrick Urich, Peoria City Manager
Patrick Hayes, City of Peoria Corporation Counsel
John S. Elias, Special Counsel to the City of Peoria
Daniel Gerber, IGB General Counsel
Joseph Miller, IGB Director of Policy

EXHIBIT E

Slide 1



BOYD
PARADISE
HOTEL • CASINO

Presentation to



Casino Sits On Illinois River Water

- Raised Floor
- Concrete Slab
- Water Basin

STRICTLY CONFIDENTIAL UNDER SECTION 6(d) OF THE ILLINOIS GAMBLING ACT AND PROPRIETARY

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PARADICE HOTEL & CASINO

Riverboat Modernization

Our Roadmap to Success

BOYD®

Proposal to modernize the Par-A-Dice casino riverboat by utilizing established industry best design standards to increase economic benefits and create new opportunities in the greater Peoria region



Ward Shaw
EVP, Operations



Cori Rutherford
Vice President, General
Manager of Par-A-Dice



Uri Clinton
EVP, Corporate Secretary &
General Counsel



Cassie Stratford
SVP, Legal Operations &
Compliance

***Our roadmap
to modernize
Par-A-Dice***

CONFIDENTIAL UNDER SECTION 6(d) OF THE ILLINOIS GAMBLING ACT

1

Slide 3

PARADICE
HOTEL • CASINO

BOYD
PARADICE
HOTEL • CASINO
**Best-in-Class
Casino Operator**

BOYD
PARADICE
HOTEL • CASINO
**Closing
Summary**

BOYD
PARADICE
HOTEL • CASINO
**Community
Impact**

BOYD
PARADICE
HOTEL • CASINO
Proposal

BOYD
PARADICE
HOTEL • CASINO
**Economic
Impact**

BOYD
PARADICE
HOTEL • CASINO
**Riverboat
Modernization**

STRICTLY CONFIDENTIAL UNDER SECTION 6(d) OF THE ILLINOIS GAMBLING ACT AND PROPRIETARY

2

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Slide 4



BOYD[®]

PARADICE
HOTEL • CASINO

**Best-in-Class
Casino Operator**

CONFIDENTIAL UNDER SECTION 6(4) OF THE ILLINOIS GAMBLING ACT

3

Par-A-Dice has benefited from Boyd's capabilities and experience as a best-in-class operator



Legacy of Success

50

Years of
Experience

28

Properties

16K

Team Members
Nationwide

PARADICE HOTEL + CASINO

Riverboat Modernization

Boyd is Ready, Willing and Able

BOYD

Boyd is one of the most experienced and financially sound companies in the casino industry

80%
Full-Time Team Members with Benefits


Forbes America's Best Companies
US News Best Companies to Work For
Newsweek America's Most Responsible Companies

8.5
Years Average Team Member Tenure

\$9B
Enterprise Value

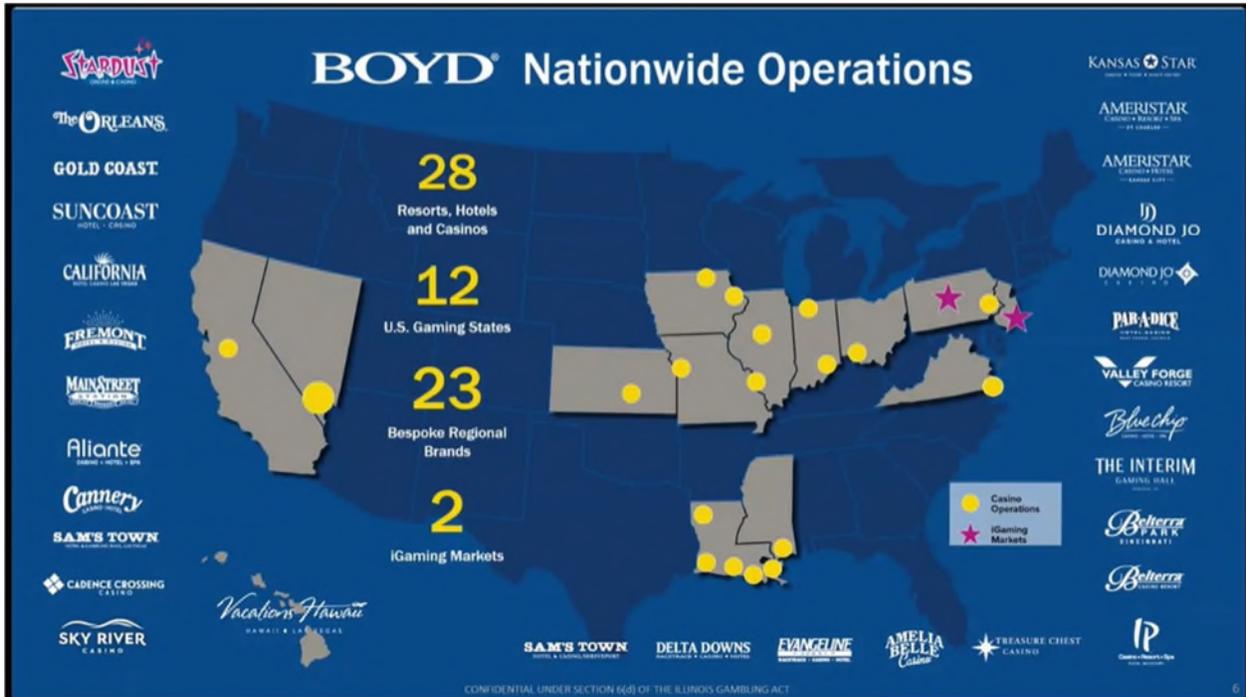
1.5x
Leverage

\$3.9B
Annual Revenue

CONFIDENTIAL UNDER SECTION 6(e) OF THE ILLINOIS GAMBLING ACT

5

Slide 7



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The Modernized Riverboat will benefit from our nationwide loyalty program



- Millions in Database
- National Reach
- Unique Rewards
- Drives Visitation

BOYD
Rewards



#1 Player's Club
in USA
USA Today's 10 Best Reader's
Choice Awards (2025)

Riverboat Modernization

PARADICE
HOTEL • CASINO

Our Commitment to Being An Employer of Choice

BOYD



Sharon Cox

**Boyd Team Members
In Action**

186

Nonprofit organizations
benefiting from
team member contributions

\$3.7M

Donated by Team Members
to Charities Nationwide

CONFIDENTIAL UNDER SECTION 64J OF THE ILLINOIS GAMBLING ACT

8

Slide 10



BOYD®
PARADISE
HOTEL + CASINO

**Community
Impact**

CONFIDENTIAL UNDER SECTION 660 OF THE KANSAS GAMBLING ACT

PARADICE HOTEL + CASINO

Riverboat Modernization

A Proven Community Partner

BOYD



BOYD John Kahl
Mayor of East Peoria

Mayor of East Peoria, John Kahl

The Riverboat Modernization Proposal is a continued investment in the greater Peoria Region

CONFIDENTIAL UNDER SECTION 6(6) OF THE ILLINOIS GAMBLING ACT

10



Riverboat Modernization

Significant Revenue Generator



Since 1991, Par-A-Dice has generated **\$933M** in local and state taxes, creating material benefits for the greater Peoria region

2024 Annual Tax Impact

\$61M

Annual Adjusted Gaming Revenue

\$12M

Annual State Gaming & Admission Taxes

\$3M

Local Share Equally Split with Peoria and East Peoria

425,362

Annual Guest Admissions

Tax Impact Since 1991

\$103M

Total Taxes Paid To Peoria

\$103M

Total Taxes Paid To East Peoria

\$933M

Total State Gaming & Admission Taxes

Par-A-Dice has established itself as a regional employer of choice, with stable leadership

Regional Employer of Choice

450
Team Members

40%
Team Members with
10+ Years Seniority

93%
Job Satisfaction
Rating

\$19M
Annual Wages/Benefits

Continuity of Senior Management

28%
Management Team with
20+ Years Seniority



26 Years
Executive Team's
average tenure

Riverboat Modernization

PARADICE
HOTEL & CASINOCreating Opportunities Throughout the Greater Peoria RegionBOYD

Our workforce is 24% minority vs. 21% for the Tri-County area

Team Member Diversity

24% Minority	47% Women	7% Veterans
------------------------	---------------------	-----------------------

Diversity in our Procurement Programs

\$9.7M Spent with Illinois vendors	315 Illinois vendors 26 WBE, 12 MBE, 2 PBE, 2 VBE	\$1.5M Spent with Illinois WBEs and MBE's	12 Years Hosted Illinois Black Chamber of Commerce Annual Convention, 2011-2024*
---	--	--	--

*excluding 2020 & 2021 due to Covid

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Riverboat Modernization



25 Years of Supporting Non-Profits in the Greater Peoria Region



Par-A-Dice is a valued partner to non-profits throughout the greater Peoria region

400+

Non-profits
Supported in 2024

Total Donated over Last Five Years

\$1.4M

2024 Contributions

\$216K	\$135K	\$88K
Cash Donations	In-Kind Donations	Team Member Giving



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Making a Difference in our Community



Christa Staley, Executive Director, Midwest Food Bank, Peoria, Illinois

*A 31-year track record
of giving back to our
community*

Community Involvement – Board Memberships

**Cori Rutherford,
VP and General Manager**



PARADICE HOTEL & CASINO

Riverboat Modernization

BOYD

Community Involvement – Board Memberships

Cori Rutherford, VP and General Manager

Carrie McCarty, Director Operations

Jim Simmons, Director Surveillance

Veronica Coleman, Director Food & Beverage

Six Other Executives

center for prevention of abuse.

Peoria AREA CHAMBER OF COMMERCE

EAST PEORIA CHAMBER of COMMERCE

Crittenton Centers

Various Local Boards

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Riverboat Modernization
BOYD

Our Commitment to Sustainability

Waste Diversion – Boyd Gaming

Waste Diversion Rate

Year	% of Waste Diverted from Landfill
2021	49.9%
2022	53.6%
2023	57.9%
2024	69.7%

DIVERTED WASTE

Increased 45% since 2021

LANDFILL WASTE

Reduction of 37% since 2021

WASTE DIVERSION RATE

Nearly 70% of waste diverted from landfills in 2024

Waste Diversion – Par-A-Dice

Improving Waste Diversion Rate

25%

2021

57%

2024

Par-A-Dice Energy Consumption Rates

Electricity Consumption (kWh)	
2024 Usage	8.6 Million
2019 Usage	10.7 Million
Reduction since 2019	-19.7%

SAVE ENERGY

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HOTEL + CASINO

**Riverboat
Modernization**

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Riverboat Modernization

History of Reinvestment in The Property



The Riverboat Modernization Project is another step in our ongoing commitment to re-investment at Par-A-Dice as we seek to remain competitive in the market

\$35M

Reinvested Since 2016

\$160M

Riverboat Modernization

Our History of Reinvestment in Illinois



\$8.7M renovation of hotel



\$6M for two new restaurants



Significant Infrastructure reinvestment

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PARADICE HOTEL + CASINO

Riverboat Modernization

Follows Industry Best Practices for Riverboat Casinos

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PARADICE HOTEL + CASINO

Riverboat Modernization

Follows Industry Best Practices for Riverboat Casinos

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The image is an aerial photograph of a large, multi-story brick building, identified as the Paradise Hotel & Casino. The building is situated on a hillside overlooking a body of water. In the foreground, there is a vast, dark asphalt parking lot filled with numerous cars. To the right of the parking lot, a multi-lane highway runs parallel to the property. The overall scene depicts a modern, well-maintained casino facility.

Riverboat Modernization

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Follows Industry Best Practices for Riverboat Casinos

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Casino Sits On Illinois River Water

Raised Floor
Concrete Slab
Water Basin
Illinois River Water

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Riverboat Modernization

PARADICE
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Competitive Gaming & Non-Gaming Amenities

BOYD

*20,500 SF
Modernized Ballroom
& Meeting Space*

New Porte Cochere

29,000 SF Casino

Gastropub

Designed to meet LEED standards

Casino Sits On Illinois River Water

Rained floor
Concrete Slab
Water Basin
Illinois River Water

24

*Current Estimates for Illustrative Purposes Only

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Slide 26

PARADICE HOTEL + CASINO

Riverboat Modernization

Competitive & Modern Entertainment Amenities

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665 Slots

24 Tables

120 Steakhouse seats

155 Gastropub seats

42 QSR seats

Steakhouse

Restroom

BAR

Casino

Entrance

QSR

Gastropub

Restroom

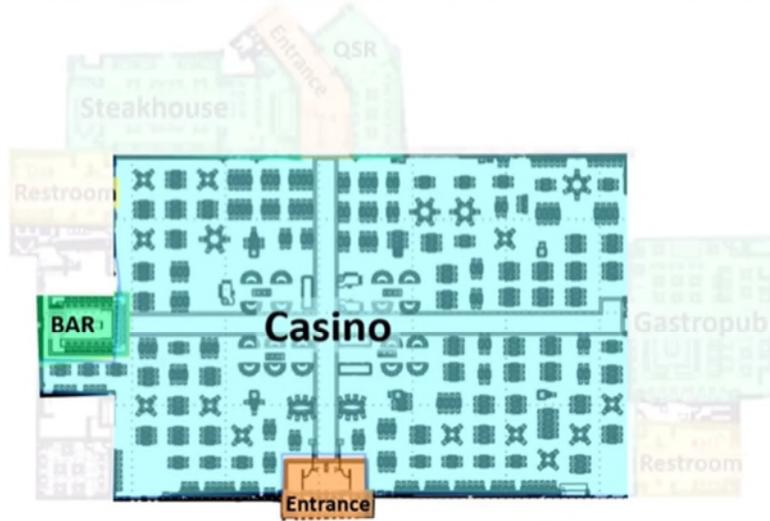
Entrance

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- 665 Slots
- 24 Tables
- 120 Steakhouse seats
- 155 Gastropub seats
- 42 QSR seats



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Riverboat Modernization

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Contemporary, Easy Access Riverboat Design

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*Contemporary
Architectural
Style with
State-of-the-Art
Gaming
Technology*

Casino Sits On Illinois River Water



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Riverboat Modernization

Best-In-Market Dining Options

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The image shows a detailed floor plan of the Riverboat Modernization project. Three specific dining areas are highlighted in green and labeled: 'Steakhouse' in the upper left, 'GSR' in the center, and 'Gastropub' in the lower right. The rest of the floor plan is shown in light grey and yellow tones, representing other parts of the building. The plan includes various rooms, corridors, and structural elements.

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Illustrative designs of existing spaces or in development



Steakhouse
Gastropub
Quick Service
Restaurant

PARADICE HOTEL • CASINO

Riverboat Modernization

Modern Ballroom & Meeting Space

BOYD®

The diagram is a floor plan of a building complex. A large section on the left is shaded in light blue and contains a grid of small squares, representing a hotel or guest room area. To the right of this area, two rectangular sections are highlighted in yellow. The upper yellow section is labeled 'Hotel' and contains several smaller rooms and corridors. The lower yellow section is labeled 'Ballroom' and is a large, open rectangular space. The rest of the floor plan is shown in light grey lines, representing other parts of the building and surrounding areas.

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Riverboat Modernization

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Market-Leading Ballroom & Meeting Space

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Illustrative designs of existing spaces or in development



***A Premier
Destination for
Conventions
and
Celebrations***

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The Riverboat Modernization Project creates significant opportunities for local, MBE, WBE, and DBE contractors

- ✓ **\$160M Development Project** – Opportunities for diverse and local contractors
- ✓ **772 Total Construction Jobs** – **\$54M** in total construction salaries and wages (Direct, Indirect, & Induced)

Riverboat Modernization: Economic Impacts

- ① **503** in direct construction-phase jobs
→ **269** in indirect and induced construction-phase jobs
- ② **\$38M** in direct construction salaries and wages
→ **\$16M** in indirect and induced construction salaries and wages
- ③ **\$156M** in total economic impact



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**Economic
Impact**

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Riverboat Modernization

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Economic Impact for Greater Peoria Region

Construction Phase Economic Impacts

\$160M	\$156M	503	\$38M
Capital Investment	Construction Economic Output	Direct Construction Jobs	Direct Construction Wages

Estimated 10-Year Operating Economic Impacts

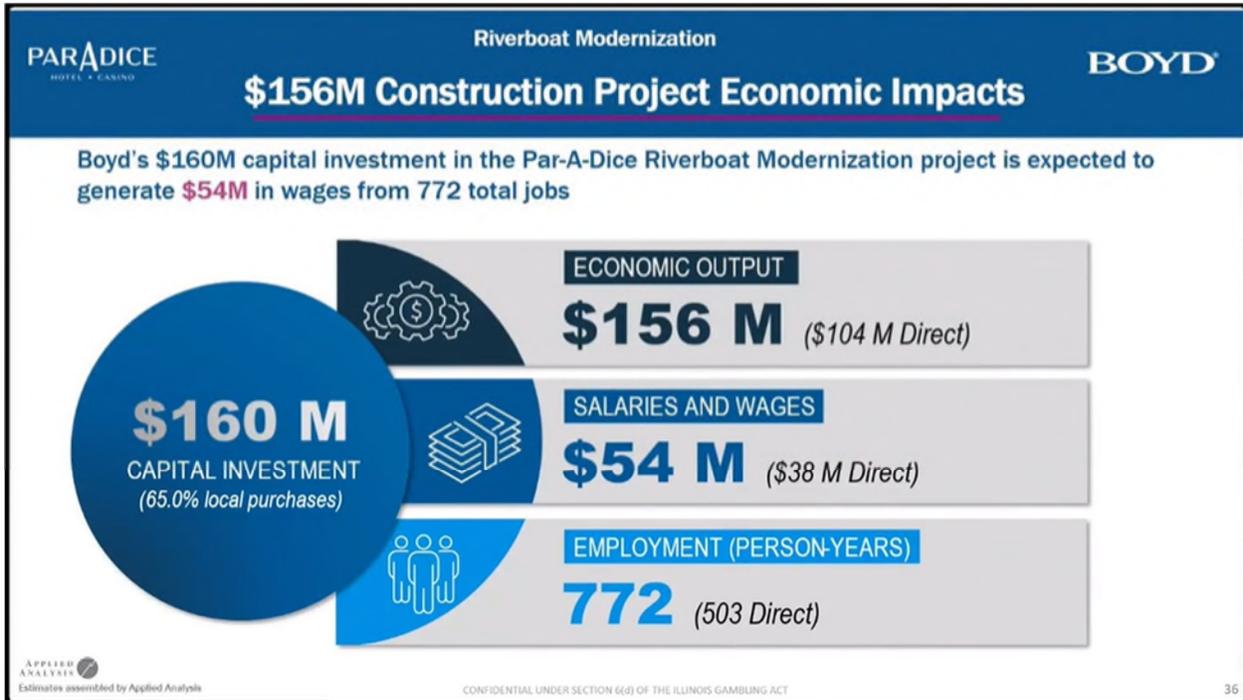
\$890M	\$619M	\$293M
Total Economic Output	Direct Economic Impact	Salaries and Wages

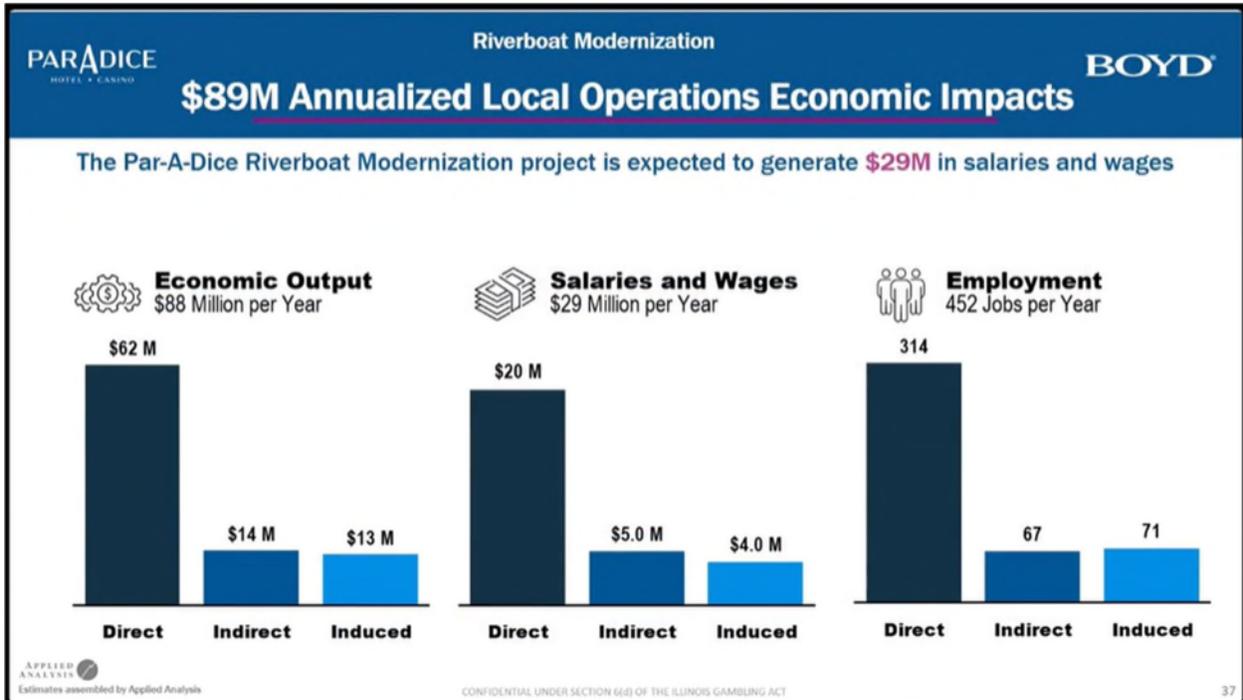
Construction to Comply with Illinois Building Trade Requirements

APPLIED ANALYSIS
All numbers represent the first ten-year estimates assembled by Applied Analysis

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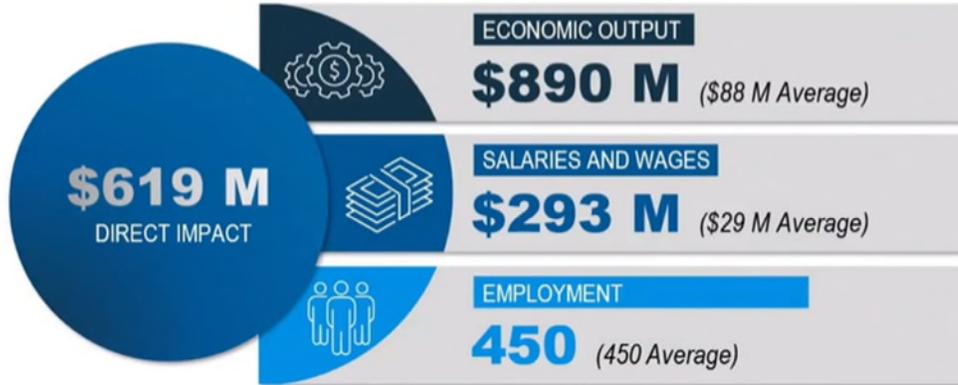
35





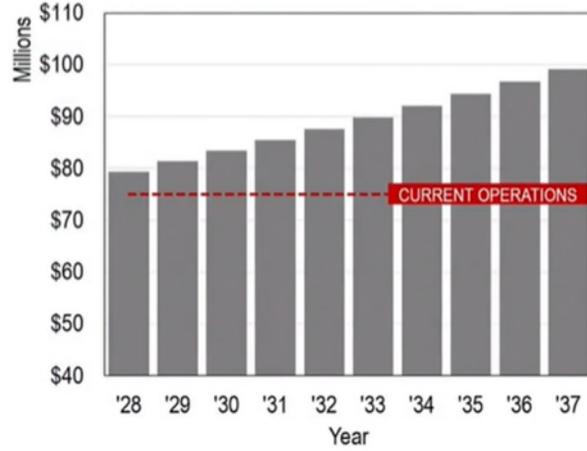
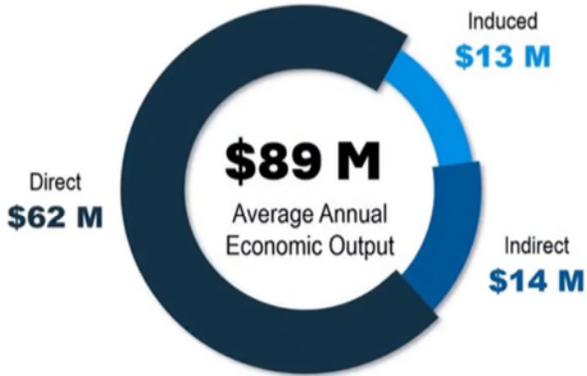
\$889.5M Local Economic Impacts

The Par-A-Dice Riverboat Modernization project is expected to generate **\$293M** in salaries and wages throughout the greater Peoria region during its first 10 years of operation



\$139 M in Increased Local Economic Impacts

The Par-A-Dice Riverboat Modernization project is expected to increase regional economic output by an additional **\$139M** over the first 10 years



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Proposal

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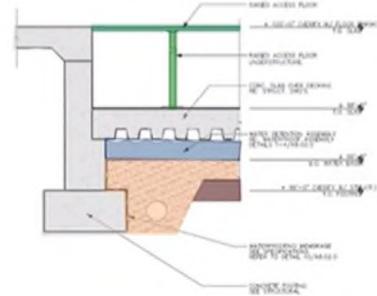


The Amendments to the Illinois Gambling Act are not intended to make Illinois less competitive

- ✓ **Keeps Illinois Competitive With Other Riverboat Jurisdictions** – Major Gaming Jurisdictions no longer require riverboats to cruise
- ✓ **Incorporates Industry Best Practices** – Complies with Illinois Gambling Act

Riverboat Modernization: Constitutes Evolution of Casino Riverboats

- ① Casino floor sits on ~1,000-gallon Illinois River water basin
- ② Illinois River water is the basin’s sole source
- ③ View Ports installed to monitor Illinois River water levels
- ④ The casino floor sits upon historic Illinois River inlet
- ⑤ Specifically designed to be both on the Illinois River and upon any water
- ⑥ Illinois River water pumped directly under casino floor



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Riverboat Modernization Project
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Satisfies The Intent of the Illinois Gambling Act *



This Act is intended to benefit the people of the State of Illinois by assisting economic development, promoting Illinois tourism, and increasing the amount of revenue available to the State to assist and support education; and to defray State expenses. (230 ILCS 10/2(a).)

Riverboat Modernization Project is Consistent With Legislative Intent

Economic Development

\$890M

Total Economic Output

Jobs

772

Total Jobs with Construction Jobs

450

Ongoing Operations Jobs

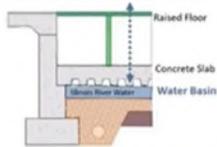
Boost Tourism

\$139M

Incremental Regional Economic Output

Beautification of Riverbanks

Casino Sits On Illinois River Water



Designed to Current Industry Standards for Best Customer Appeal

* Illinois Gambling Act would spur economic development, create jobs, boost tourism . . . [and] cause beautification along the riverbanks. (Ill. H.R. Tran. 1989 Reg. Sess. No. 61 at 89 (Statement of Rep. Giorgi).)

APPLIED ANALYSIS
All numbers represent the first ten-year estimates assembled by Applied Analysis. STRICTLY CONFIDENTIAL UNDER SECTION 6(a) OF THE ILLINOIS GAMBLING ACT AND PROPRIETARY

Riverboat Modernization Project

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Satisfies: 1999 Amendment to the Illinois Gambling Act



The Riverboat Modernization Project is Consistent with Established IGB Precedent

- ✓ Rivers Casino – 2011 IGB approved waterproof basin
- ✓ Harrah's Metropolis - 2014 IGB approved Riverboat on overlapping water bladders

1999 Amendment Removed Navigable Stream Requirement

The Act authorized [r]iverboat gambling . . . upon any water within the State of Illinois[.] *



Casino floor is designed to sit upon water

* (1999 Ill. Legis. Serv. P.A. 91-40 at 30.)

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Riverboat Modernization Project

Satisfies: Riverboat Gaming Authorization for East Peoria





- ✓ **2001 Illinois Attorney General Opinion** – The Project is not miles from the Illinois River
- ✓ **Lake County Riverboat L.P. v. Illinois Gaming Board*** – The Project remains on the Illinois River

The Modernized Riverboat Remains on the Illinois River **



Illinois River

Plain Meaning of the Word "on"



on can mean at, near, or next to a particular place, thing, or person or next to or along the side of



on can be used as a function word to indicate position in close proximity with

- ✓ It's a small town on the Mississippi River means the town is next to or along the side of the Mississippi River. (*Cambridge Dictionary*)
- ✓ They have a house on the river. [=on land next to the river]. (*Britannica Dictionary*)
 - Common understanding for real estate: see, e.g., listing for Stunning Custom Ranch on the Illinois River
- ✓ [I]n every city **located on a river or other body of water** the land near . . . water generally has a higher market value . . . *Illinois Light & Power Co. v. Bedard*, 343 Ill. 618, 623 (1931) (emphasis added).
- ✓ Common understanding for real estate: see, e.g., listing for Stunning Custom Ranch on the Illinois River (<https://www.atproperties.com/12433038/17-windward-way-ottawa-illinois-61350-ne/>)

*332 Ill. App. 3d 127 (2002) **230 ILCS 10/1-24 et seq.

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Riverboat Modernization Project

Property Law: Casino Site Parcel Extends Into Illinois River





- ✓ **Same Soils** - Alluvial soils consist of silty sand and clay with organics, shells, wood, and roots
- ✓ **Same Parcel** - Ownership rights along navigable rivers extend to the midpoint of Illinois River
- ✓ **Historic River Inlet** - The site of Boyd's proposed gaming facility historically part of an Illinois River inlet

The Casino Site Has Historically Been on the Illinois River

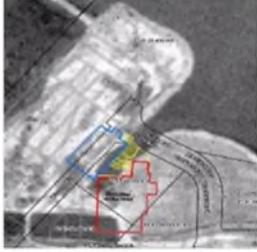
1967



1971



1977



2023



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**Closing
Summary**

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Established History of Ongoing Evolution and Modernization of Riverboat Gaming in Illinois

1993



August 1993, the Par-A-Dice Riverboat Casino travels on the Illinois River between Peoria and East Peoria.

1994



The Par-A-Dice Riverboat Casino passes a barge on the Illinois River near the McClugage Bridge.

2016



2016, the Par-A-Dice Riverboat Casino on the banks of the Illinois River in East Peoria

Casino floor is designed to sit upon water



The IGB Has Always encouraged its Licenses to take a modern approach to Riverboat Gaming

A look back at the Par-A-Dice Riverboat Casino with historic photos
Journal Star
Dec. 2, 2024/Updated Aug. 23, 2025, 10:22 p.m. CT

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Riverboat Modernization Positively Impacts the greater Peoria region & The State of Illinois

- ① **Modernization is in State's Best Interest** – Maximizes the Value of the Gaming License for the Benefit of the State of Illinois
- ② **Significant Wages & Salaries - \$29M** in Direct, Indirect and Induced Regional Salaries annually
- ③ **Significant Economic Output - \$890M** in Total Economic Output Over 10 years
- ④ **Significant Economic Output - \$139M** of Incremental Economic Output Resulting from this Project over that 10-year period
- ⑤ **Honors Our Commitment to Modernization Within the Current License Term** –Boyd's Current License Term to **2028**



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Presentation to



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Disclaimer

The information contained in this presentation submitted by Par-a-Dice Gaming Corporation and Boyd Gaming Corporation (PAD) in support of the proposed modernization of the Par-a-Dice casino riverboat, including the facts, data, descriptions, and projections included therein, is intended only for illustrative purposes and contains forward-looking statements within the meaning of Section 27A of the Securities Act of 1933, as amended, and Section 21E of the Securities Exchange Act of 1934, as amended. Generally, statements that are not historical facts, including statements concerning possible or assumed future actions, business strategies, events or results of operations, are forward-looking statements. Such statements contain words such as may, will, might, expect, believe, anticipate, project, could, would, estimate, continue, plans, forecast, pursue, or the negative thereof or comparable terminology, and may include (without limitation) projected financial information and information regarding PAD's expectations, goals or intentions regarding future performance, anticipated growth, and market opportunities. Forward-looking statements involve certain risks and uncertainties, and actual results may differ materially from those discussed in any such statement. You should not put undue reliance on these statements, which speak only as of the date hereof. All forward-looking statements attributable to PAD are expressly qualified in their entirety by the foregoing cautionary statements. Except as may be required by law, we undertake no obligations to update or revise publicly any forward-looking statements.



Applied Analysis (AA) is a leading economic, fiscal and policy consultancy known for its comprehensive approach to helping businesses and government agencies navigate complex challenges with expertise spanning economic research, financial analysis and market forecasting.

Limitations and Assumptions

Input-output models, as is the case with all econometric models, are not without their limitations; the statistical model used in this analysis, IMPLAN, for example, assumes that capital and labor are used in fixed proportions. This means that for every job created or lost, a fixed change in investment, income and employment results. In reality, developers, consumers and governments respond to stimuli in complex ways, including changing the mix of capital or labor as well as the types and frequencies of investment. Importantly, each impacting force has its own unique characteristics, affecting how consumers and businesses respond to the given change

Key Considerations When Reviewing the Analysis

The objective of this analysis is to identify and quantify the economic impacts associated with transitioning the Par-A-Dice Hotel Casino in East Peoria, Illinois, to a modernized riverboat. This report's purpose is to assist the community in better understanding how the transition will impact the local community and to estimate the related economic impacts of both constructing and operating the casino. Included in this report are an overview and analysis of the estimated economic impacts associated with the casino transition. Data used in this analysis were obtained from Boyd Gaming and various third-party data providers. The data were assembled by AA. While we have no reason to doubt its accuracy, the information collected was not subjected to any auditing or review procedures by AA; therefore, we can offer no representations or assurances as to its completeness. Additional data and information may become available that would alter the estimated impacts reported herein. Please note that values may not sum due to rounding.