

ORDINANCE NUMBER 127-04-15

AN ORDINANCE providing for and authorizing the issuance of General Obligation Refunding Bonds, Series 2015 of the City of Springfield, Sangamon County, Illinois, in an amount not to exceed \$9,095,000 for the purpose of refunding the City's General Obligation Refunding Bonds, Series 2005A

WHEREAS, Section 6(a) of Article VII of the 1970 Constitution of Illinois provides that "any municipality which has a population of more than 25,000 (is) a home rule unit" and the City of Springfield, Sangamon County, Illinois (the "City") has a population of more than 25,000 and is therefore a home rule unit and may, under the power granted by said Section 6(a) of Article VII of said Constitution of 1970 exercise any power and perform any function pertaining to its government and affairs, including, but not limited to, the power to tax and to incur debt; and

WHEREAS, Section 6(d) of Article VII of the 1970 Constitution of Illinois grants authority for the City to incur debt payable from ad valorem property tax receipts maturing within 40 years from the time it is incurred; and

WHEREAS, Section 6 of Article VII of the 1970 Constitution of Illinois grants constitutional authority for the City to incur debt payable from ad valorem tax receipts without prior referendum approval and without imposing any limitations upon the rate or amount of taxes to be levied for the payment of the indebtedness so incurred; and

WHEREAS, the City has previously issued its General Obligation Refunding Bonds, Series 2005A (the "Prior Bonds") pursuant to Ordinance No. 180-03-05 adopted by the Mayor and City Council of the City (the "Corporate Authorities") on March 29, 2005 (the "Prior Bond Ordinance"); and

WHEREAS, \$9,095,000 principal amount of the Prior Bonds remain outstanding and the Corporate Authorities have determined it is advisable, necessary and in the best interests of the public health, safety and welfare to current refund the Prior Bonds (the "Refunding"); and

WHEREAS, the City has insufficient funds on hand and lawfully available to pay costs of the Refunding; and

WHEREAS, the Corporate Authorities determine that an amount not exceeding the aggregate sum of \$9,095,000 be borrowed at this time and in evidence of such borrowing, General Obligation Refunding Bonds, Series 2015 of the City in an aggregate principal amount not to exceed \$9,095,000 be issued (the "Bonds") to provide the sum necessary to pay costs of the Refunding, bond discount, bond interest, legal, financing, and administrative expenses; and

WHEREAS, in order to provide for the issuance of the Bonds it is necessary for the City to authorize the execution of certain documents in substantially the forms before this meeting and on file with the office of the City Clerk; and

WHEREAS, the following Table of Contents is provided for the convenience of reference only:

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NOW, THEREFORE, BE It Ordained by the City Council of the City of Springfield, Sangamon County, Illinois, as follows:

#### Section 1. Definitions.

The following words and terms used in this Ordinance shall have the following meanings unless the context or use clearly indicates another or different meaning is intended:

(a) "Applicable Acts" means collectively, the Illinois Municipal Code as supplemented and amended, 65 ILCS 5/1-1-1 *et seq.*, the Local Government Debt Reform Act, as supplemented and amended, 30 ILCS 350/1 *et seq.*, the Omnibus Bond

Acts, 5 ILCS 70/8, together with and supplemented by and, in all cases of conflict, expressly superseded by, the powers of the City as a home rule unit under Section 6 of Article VII of the Constitution of 1970 of the State of Illinois.

(b) "Bond and Interest Account" means the Bond and Interest Account established in Section 13 of this Ordinance.

(c) "Bond Insurer" means, with respect to the Bonds, an insurance company that has insured the payment of the principal of and interest on the Bonds pursuant to a Municipal Bond Insurance Policy as set forth in the Bond Order.

(d) "Bond Order" means one or more Bond Orders executed by the Mayor selecting the Bond Insurer, if any, and specifying the details of the Bonds as provided in Section 4 of this Ordinance.

(e) "Bond Purchase Agreement" means the contract for the purchase of the Bonds between the City and the Purchaser.

(f) "Bond Register" means the books of the City kept by the Bond Registrar to evidence the registration and transfer of the Bonds.

(g) "Bond Registrar" means the Budget Director or a successor thereto or a successor designated as Bond Registrar hereunder.

(h) "Bond" or "Bonds" means one or more, as applicable, of the General Obligation Refunding Bonds, Series 2015, authorized to be issued by this Ordinance.

(i) "Budget Director" means the Director of the Office of Budget and Management of the City.

(j) "City" means the City of Springfield, Sangamon County, Illinois.

(k) "City Council" means the City Council of the City.

(l) "Code" means the Internal Revenue Code of 1986, as amended.

(m) "DTC" means The Depository Trust Company, a limited purpose trust company organized under the laws of the State of New York, as depository of the Bonds, and any successor depository of the Bonds.

(n) "Escrow Agent" means the bank, trust company or national banking association designated by the Mayor in the Bond Order to act as Escrow Agent pursuant to the Escrow Agreement or a successor designated as Escrow Agent.

(o) "Escrow Agreement" means the Escrow Agreement between the City and the Escrow Agent.

(p) "Municipal Bond Insurance Policy" means a municipal bond insurance policy issued by a Bond Insurer guaranteeing to the registered owners of Bonds the payment of the principal of and interest on the Bonds.

(q) "Officer" means the Mayor, City Clerk, or City Treasurer of the City.

(r) "Official Statement" means the Official Statement used in connection with the sale of the Bonds.

(s) "Ordinance" means this Ordinance passed by the City Council.

(t) "Project" means the project originally financed or refinanced with the Prior Bonds.

(u) "Paying Agent" means the Budget Director or a successor thereto or a successor designated as Paying Agent hereunder.

(v) "Permitted Investments" means investments authorized for the investment of public funds under the Public Funds Investment Act, 30 ILCS 235/0.01 *et seq.* and Sections 37.40 through 37.49.04 of the City of Springfield, Illinois Code of Ordinances, 1988.

(w) "Purchaser" means J.P. Morgan Securities LLC, Chicago, Illinois, the underwriter with respect to the Bonds.

#### Section 2. Incorporation of Preambles.

The Corporate Authorities hereby find that all of the recitals contained in the preambles to this Ordinance are true, correct and complete and do incorporate them into this Ordinance by this reference.

#### Section 3. Determination To Issue Bonds.

It is necessary and in the best interests of the City and for the public health, welfare, safety, and convenience, to provide for the payment of the Refunding and the costs of expenses incidental thereto and the issuance of the Bonds. The Bonds shall be issued pursuant to the Applicable Acts and in compliance with this Ordinance.

#### Section 4. Bond Details.

For the purpose of providing for the payment of costs of the Refunding, and for the payment of the costs of all expenses incidental thereto, as aforesaid, the Bonds shall be issued in one or more series in such principal amounts not in excess of \$9,095,000 as the Mayor shall certify in one or more Bond Orders. The Bonds may mature or have sinking fund installments in the years 2015 through 2021, as determined by the Mayor, provided that the tax levies to pay such debt service on the Bonds in each annual period shall not exceed the annual amount of taxes levied pursuant to Section 11 of this Ordinance. The determination of such principal maturities and sinking fund installments as certified by the Mayor are hereby specifically authorized and approved without any further action or approval by the City Council other than as set forth in this Ordinance.

Subject to the limitations contained in this Ordinance, authority is delegated to the Mayor until October 15, 2015, (i) to sell the Bonds to the Purchaser, in one or more series upon the terms as prescribed in this Ordinance, provided that (a) the aggregate purchase price of the Bonds shall be not less than 100.00% of the par amount of the Bonds; and (b) the true interest cost of the Bonds shall not exceed 5.50% per annum; and (ii) to determine the principal amount of the Bonds to be issued and all of the terms and details of the Bonds not specified or determined in this Ordinance. The Mayor is authorized to determine whether to sell the Bonds with a Municipal Bond Insurance Policy and to select a Bond Insurer, to determine the principal amount of Bonds to be issued and the amount of the individual interest rates, maturities and sinking fund installments thereof, to determine redemption prices and provisions of the Bonds, if any, to determine the Prior Bonds that shall be refunded, to designate the Escrow Agent, and to determine all other details of the Bonds not specified or determined in this Ordinance. The sale of the Bonds and the determination of the details of the Bonds and other matters by the Mayor shall be evidenced by a bond order for the Bonds (the "Bond Order"), which shall be executed by the Mayor and the City Clerk and filed with the City Clerk and the Sangamon County Clerk prior to the issuance of the Bonds. The execution and filing of the Bond Order shall constitute conclusive evidence that the sale of the Bonds and the determination of the details of the Bonds and other matters by the Mayor have been approved and determined in accordance with this Section.

The principal, premium, if any, and maturity amount of the Bonds shall be payable in lawful money of the United States of America at the office of the Paying Agent for the Bonds. The Bonds may bear such identifying numbers or letters as shall be useful to facilitate the registration, transfer and exchange of Bonds.

The Bonds shall each be designated "General Obligation Refunding Bonds, Series 2015", shall be dated as of their delivery date; and shall bear the date of authentication thereof. The Bonds shall be in fully registered form, shall be in denominations of \$5,000 or integral multiples thereof, shall be numbered 1 and upward, and shall become due and payable on December 1 in any one or more of the years 2015 to 2021 inclusive.

The Bonds shall bear interest from their date or from the most recent interest payment date to which interest has been paid or duly provided for, such interest (computed upon the basis of a 360-day year of twelve 30-day months) being payable on June 1 and December 1 of each year, commencing on the first June 1 or December 1 after issuance.

Interest on each Bond shall be paid by check or draft mailed to the person in whose name such Bond is registered at the close of business on the 15<sup>th</sup> day of the month next preceding the interest payment date at their addresses appearing on the registration books.

#### Section 5. Execution; Authentication.

The Bonds shall be executed on behalf of the City by the manual or facsimile signature of its Mayor and attested by the manual or facsimile signature of its City Clerk, as they may determine, and shall have impressed or imprinted thereon the corporate seal

or facsimile thereof of the City. In case any Officer whose signature shall appear on any Bond shall cease to be such Officer before the delivery of such Bond, such signature shall nevertheless be valid and sufficient for all purposes, the same as if such Officer had remained in office until delivery.

All Bonds shall have thereon a certificate of authentication, substantially in the form hereinafter set forth, duly executed by the Bond Registrar as authenticating agent of the City and showing the date of authentication. No Bond shall be valid or obligatory for any purpose or be entitled to any security or benefit under this Ordinance unless and until such certificate of authentication shall have been duly executed by the Bond Registrar by manual signature, and such certificate of authentication upon any such Bond shall be conclusive evidence that such Bond has been authenticated and delivered under this Ordinance. The certificate of authentication on any Bond shall be deemed to have been executed if signed by an authorized officer of the Bond Registrar, but it shall not be necessary that the same officer sign the certificate of authentication on all of the Bonds issued hereunder.

Section 6. Registration of Bonds; Persons Treated as Owners.

The Budget Director is appointed as Bond Registrar and Paying Agent for the Bonds. The City shall cause books (the "Bond Register") for the registration and for the transfer of the Bonds as provided in this Ordinance to be kept at the principal office of the Bond Registrar, which is hereby constituted and appointed the registrar of the City. The City is authorized to prepare, and the Bond Registrar or such other agent as the City may designate shall keep custody of, multiple bond blanks executed by the City for use in the transfer and exchange of Bonds.

Upon surrender for transfer of any Bond at the principal office of the Bond Registrar, duly endorsed by, or accompanied by a written instrument or instruments of transfer in form satisfactory to the Bond Registrar and duly executed by, the registered owner or his attorney duly authorized in writing, the City shall execute and the Bond Registrar shall authenticate, date and deliver in the name of the transferee or transferees a new fully registered Bond or Bonds of the same maturity of authorized denomination(s) for a like aggregate principal amount.

Any fully registered Bond or Bonds may be exchanged at said office of the Bond Registrar for a like aggregate principal amount of Bond or Bonds of the same maturity of other authorized denomination(s). The execution by the City of any fully registered Bond shall constitute full and due authorization of such Bond, and the Bond Registrar shall thereby be authorized to authenticate, date and deliver such Bond; provided, however, the principal amount of Bonds of each maturity authenticated by the Bond Registrar shall not at any one time exceed the authorized principal amount of Bonds for such maturity less the amount of such Bonds which has been paid.

The Bond Registrar shall not be required to transfer or exchange any Bond during the period of fifteen days next preceding mailing of a notice of redemption of any Bond or to transfer or exchange any Bond all or a portion of which has been selected for redemption.

The person in whose name any Bond shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes, and payment of the principal of or interest on any Bond shall be made only to or upon the order of the registered owner thereof or his legal representative. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Bond to the extent of the sum or sums so paid.

No service charge shall be made for any transfer or exchange of Bonds, but the City or the Bond Registrar may require payment of a sum sufficient to cover any tax, fee or other governmental charge that may be imposed in connection with any transfer or exchange of Bonds.

Section 7. Book-Entry Only System.

It is intended that the Bonds be registered so as to participate in a securities depository system with DTC (the "DTC System"), as set forth herein. The Bonds shall be initially issued in the form of a single fully registered Bond for each of the maturities. Upon initial issuance, the ownership of such Bond shall be registered in the Bond Register in the name of Cede & Co., as nominee of DTC. The City, the Bond Registrar and the Paying Agent are authorized to execute and deliver such letters to or agreements with DTC as shall be necessary to effectuate the DTC System (the "Representation Letter"). In the event of any conflict between the terms of the Representation Letter and the terms of this Ordinance, the terms of this Ordinance shall control. DTC may exercise the rights of a Bondholder only in accordance with the terms hereof applicable to the exercise of such rights.

With respect to Bonds registered in the Bond Register in the name of Cede & Co., as nominee of DTC, the City, Bond Registrar and Paying Agent shall have no responsibility or obligation to any broker-dealer, bank or other financial institution for which DTC holds Bonds from time to time as securities depository (each such broker-dealer, bank or other financial institution being referred to herein as a "DTC Participant"). Without limiting the immediately preceding sentence, the City, Bond Registrar and Paying Agent shall have no responsibility or obligation with respect to (i) the accuracy of the records of DTC, Cede & Co. or any DTC Participant with respect to any ownership interest in the Bonds, (ii) the delivery to any DTC Participant or any other person, other than a Bondholder, as shown in the Bond Register, of any notice with respect to the Bonds, including any notice of redemption, (iii) the payment to any DTC Participant or any other person, other than a Bondholder, as shown in the Bond Register, of any amount with respect to any Bonds or (iv) any consent given by DTC as registered owner. So long as certificates for the Bonds are not issued as provided herein, the City, Bond Registrar and Paying Agent may treat DTC or any successor securities depository as, and deem DTC or any successor securities depository to be, the absolute owner of the Bonds for all purposes whatsoever, including without limitation (i) the payment of principal and interest on the Bonds, (ii) giving notice of redemption and other matters with respect to the Bonds, (iii) registering transfers with respect to the Bonds and (iv) the selection of Bonds for redemption. While in the DTC System, no person other than Cede & Co., or any successor thereto, as nominee for DTC, shall receive a Bond certificate with respect to any Bond. Upon delivery by DTC to the City of written notice to the

effect that DTC has determined to substitute a new nominee in place of Cede & Co., and subject to the provisions in this Ordinance, the name "Cede & Co." in this Ordinance shall refer to such new nominee of DTC.

In the event that (a) the City determines that DTC is incapable of discharging its responsibilities described herein and in the Representation Letter, (b) the Representation Letter shall be terminated for any reason or (c) the City determines that it is in the best interest of the beneficial owners of the Bonds that they be able to obtain certificated Bonds, the City shall notify DTC of the availability through DTC of Bond certificates and the Bonds shall no longer be restricted to being registered on the Bond Register in the name of Cede & Co., as nominee of DTC. At that time, the City may determine that the Bonds shall be registered in the name of and deposited with a successor depository operating a securities depository system, as may be acceptable to the City, or such depository's agent or designee, or if the City does not select such an alternate securities depository system then the Bonds may be registered in whatever name or names registered owners of Bonds transferring or exchanging Bonds shall designate, in accordance with the provisions hereof.

Notwithstanding any other provision of this Ordinance to the contrary, so long as any of the Bonds are registered in the name of Cede & Co., as nominee of DTC, all payments with respect to principal of, premium, if any, and interest on such Bond and all notices with respect to such Bond shall be made and given, respectively, in the manner provided in the Representation Letter. The Bond Registrar may request in each notice sent to Cede & Co. pursuant to the terms of this Ordinance that Cede & Co. forward or cause to be forwarded such notice to the DTC Participants, but neither the Bond Registrar nor the City shall be liable if the Bond Registrar fails to make such request or if Cede & Co. fails to honor such request.

#### Section 8. General Obligations.

The full faith and credit of the City are hereby irrevocably pledged to the punctual payment of the principal of and interest on the Bonds. The Bonds shall be direct and general obligations of the City, and the City shall be obligated to levy ad valorem taxes upon all the taxable property in the City for the payment of the Bonds and the interest thereon, without limitation as to rate or amount.

#### Section 9. Redemption Prior to Maturity.

All or part of the Bonds may be subject to optional redemption prior to maturity as provided in the Bond Order at redemption prices not exceeding 103% of the principal amount to be redeemed. The Bonds may also be issued as term bonds subject to mandatory redemption prior to maturity by application of sinking fund installments at a redemption price equal to the principal amount thereof to be redeemed as provided in the Bond Order (the "Term Bonds").

The City may purchase Bonds, either in the open market or pursuant to a tender offer, for settlement on or before the date of such mandatory redemption. To the extent that the City shall have purchased any Term Bonds, the City may reduce the principal

amount of the Term Bond to be redeemed at subsequent redemption dates by a like principal amount.

Whenever Term Bonds are redeemed or purchased at the option of the City, the principal amount thereof so redeemed or purchased shall be credited against the unsatisfied balance of further sinking fund installments or final maturity amount established with respect to such Term Bonds, in such amounts and against such installments or final maturity amount as shall be determined by the City in the proceedings authorizing such optional redemption or purchase, or in the absence of such determination, shall be credited against the unsatisfied balance of the applicable sinking fund installments next ensuing and with respect to which notice of redemption has not yet been given.

*Notice of Redemption.* Notice of redemption will be given to the registered owners of Bonds to be redeemed by first class mail, postage prepaid, not less than 30 days nor more than 60 days prior to the date fixed for redemption at their addresses as shown on the registration books of the Bond Registrar. Failure to mail to any registered owner a notice of redemption, or any defect in a notice of redemption given to a registered owner, will not affect the sufficiency of that notice with respect to other registered owners of the Bonds. When Bonds have been called for redemption and funds for the payment of the redemption price have been deposited with the Paying Agent, interest on the Bonds so called for redemption will cease to accrue from and after the redemption date. So long as a global book-entry registration system is used, the City will send notices of redemption to DTC. Any failure of DTC to mail a notice of redemption to a DTC participant or of a DTC participant to mail a notice of redemption to a beneficial owner of the Bonds will not affect the sufficiency of that notice with respect to other DTC participants or other beneficial owners of the Bonds.

*Partial Redemption.* During such time as a global book-entry system is used, if less than all of the Bonds are to be redeemed, DTC will randomly allocate among DTC participants the beneficial ownership interests in the Bonds to be redeemed. Each DTC participant will be responsible for determining the beneficial owners whose interest in the Bonds will be subject to redemption. During such time as a global book-entry system is not in use, the Bond Registrar will select the particular Bonds or portions thereof to be redeemed pursuant to a partial redemption by such method of lottery as the Bond Registrar deems fair and appropriate; *provided, however*, that the method of lottery must ensure that each Bond of a \$5,000 denomination or each \$5,000 portion of a Bond will be as likely to be called for redemption as any other Bond of a \$5,000 denomination or \$5,000 portion of a Bond.

Section 10. Form of Bond.

The Bonds shall be in substantially the form hereinafter set forth

*(Form of Bond)*

REGISTERED NO. \_\_\_\_\_

REGISTERED \$ \_\_\_\_\_

UNITED STATES OF AMERICA  
STATE OF ILLINOIS  
COUNTY OF SANGAMON  
CITY OF SPRINGFIELD, ILLINOIS  
GENERAL OBLIGATION REFUNDING BOND  
SERIES 2015

Interest Rate:  
\_\_\_\_\_ %

Maturity Date:  
December 1, \_\_\_\_\_

Dated Date:  
\_\_\_\_\_

CUSIP  
\_\_\_\_\_

Registered Owner:

Principal Amount:

[1] KNOW ALL PERSONS BY THESE PRESENTS, that the City of Springfield, Sangamon County, Illinois, a municipality, home rule unit, and political subdivision of the State of Illinois (the "City"), hereby acknowledges itself to owe and for value received promises to pay to the Registered Owner identified above, or registered assigns as hereinafter provided, on the Maturity Date identified above, the Principal Amount identified above and to pay interest (computed on the basis of a 360-day year of twelve 30-day months) on such Principal Amount from the date of this Bond or from the most recent interest payment date to which interest has been paid at the Interest Rate per annum identified above, such interest to be payable in lawful money of the United States of America on June 1 and December 1 of each year, commencing \_\_\_\_\_ 1, 2015, until the Maturity Date, except as the provisions hereinafter set forth with respect to redemption prior to maturity may be and become applicable hereto. Payment of interest shall be made by check or draft mailed to the registered owner of record hereof as of the 15<sup>th</sup> day of the month next preceding such interest payment date, at the address of such owner appearing on the registration books maintained for such purpose by the Director of the Office of Budget and Management of the City, as Bond Registrar and Paying Agent or its successor (the "Bond Registrar"). This Bond, as to principal when due, will be payable in lawful money of the United States of America upon presentation and surrender of this Bond at the office of the Bond Registrar. This Bond is payable from ad valorem taxes levied against all of the taxable property in the City without limitation as to rate or amount and the full faith and credit of the City are irrevocably pledged for the punctual payment of the principal of, and interest on this Bond according to its terms.

[2] This Bond is one of a series of bonds (the "Bonds") in the aggregate principal amount of \$\_\_\_\_\_ issued by the City for the purpose of paying costs of refunding certain prior bonds of the City and of paying the costs of all expenses incidental thereto, all as described and defined in the ordinance authorizing the Bonds (the "Ordinance"). The Bonds are issued pursuant to and in all respects in compliance with the Illinois Municipal Code as supplemented and amended, 65 ILCS 5/1-1-1 *et seq.*, the Local Government Debt Reform Act, as supplemented and amended, 30 ILCS 350/1 *et seq.*, the Omnibus Bond Acts, 5 ILCS 70/8, together with and supplemented by and, in all cases of conflict, expressly superseded by, the powers of the City as a home rule unit under Section 6 of Article VII of the Constitution of 1970 of the State of Illinois, and in compliance with the Ordinance duly passed by the City Council of the City and approved by the Mayor thereof, in all respects as by law required.

[3] *(The optional redemption provisions of the Bonds, if any, shall be set forth here.)*

[4] *(Term Bond provisions to be used only if Term Bonds are issued)* The Bonds maturing on December 1, 2\_\_\_\_, are subject to mandatory redemption prior to maturity, by lot, on December 1, 2\_\_\_\_ and on each December 1 thereafter, at a redemption price equal to the principal amount thereof to be redeemed, and in an amount required to satisfy the following mandatory redemption requirements (the "Term Bonds"):

| <u>Year</u> | <u>Amount of<br/>Redemption Requirement</u> |
|-------------|---------------------------------------------|
| 2____       |                                             |
| 2____       |                                             |
| 2____       |                                             |
| 2____       |                                             |

The City may purchase Term Bonds, either in the open market or pursuant to a tender offer, for settlement on or before the date of such mandatory redemption at a price not greater than the principal amount of the bonds so purchased. To the extent that the City shall have purchased any Term Bonds, the City may reduce the principal amount of the Term Bonds to be redeemed at subsequent redemption dates by a like principal amount.

*Notice of Redemption.* Notice of redemption will be given to the registered owners of Bonds to be redeemed by first class mail, postage prepaid, not less than 30 days nor more than 60 days prior to the date fixed for redemption at their addresses as shown on the registration books of the Bond Registrar. Failure to mail to any registered owner a notice of redemption, or any defect in a notice of redemption given to a registered owner, will not affect the sufficiency of that notice with respect to other registered owners of the Bonds. When Bonds have been called for redemption and funds for the payment of the redemption price have been deposited with the Paying Agent, interest on the Bonds so called for redemption will cease to accrue from and after the redemption date. So long as a global book-entry registration system is used, the City will

send notices of redemption to DTC. Any failure of DTC to mail a notice of redemption to a DTC participant or of a DTC participant to mail a notice of redemption to a beneficial owner of the Bonds will not affect the sufficiency of that notice with respect to other DTC participants or other beneficial owners of the Bonds.

*Partial Redemption.* During such time as a global book-entry system is used, if less than all of the Bonds are to be redeemed, DTC will randomly allocate among DTC participants the beneficial ownership interests in the Bonds to be redeemed. Each DTC participant will be responsible for determining the beneficial owners whose interest in the Bonds will be subject to redemption. During such time as a global book-entry system is not in use, the Bond Registrar will select the particular Bonds or portions thereof to be redeemed pursuant to a partial redemption by such method of lottery as the Bond Registrar deems fair and appropriate; *provided, however*, that the method of lottery must ensure that each Bond of a \$5,000 denomination or each \$5,000 portion of a Bond will be as likely to be called for redemption as any other Bond of a \$5,000 denomination or \$5,000 portion of a Bond.

[5] The Bonds are issued in fully registered form in the denominations of \$5,000 and authorized integral multiples thereof. This Bond may be exchanged at the principal office of the Bond Registrar in the City of Springfield, Illinois, for a like aggregate principal amount of Bonds of the same interest rate of other authorized denominations upon the terms set forth in the Ordinance.

[6] This Bond is transferable by the Registered Owner hereof in person or by his attorney duly authorized in writing at the principal office of the Bond Registrar in the City of Springfield, Illinois, but only in the manner, subject to the limitations, and upon payment of the charges provided in the Ordinance, and upon surrender and cancellation of this Bond. Upon such transfer, a new Bond or Bonds of authorized denomination(s) of the same interest rate and for the same aggregate principal amount will be issued to the transferee in exchange therefor.

[7] The Bond Registrar shall not be required to transfer or exchange any Bond during the period of fifteen days next preceding mailing of a notice of redemption of any Bond or to transfer or exchange any Bond all or a portion of which has been selected for redemption.

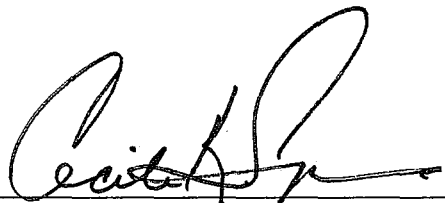
[8] No recourse shall be had for the payment of any Bond against the Mayor, the Clerk, any member of the City Council or any other officer or employee of the City (past, present or future) who executes any Bond, or on any other basis. The City may remove the Bond Registrar or Paying Agent at any time and for any reason and appoint a successor.

[9] The City and the Bond Registrar may deem and treat the Registered Owner hereof as the absolute owner hereof for the purpose of receiving payment of or on account of principal hereof and interest due hereon and for all other purposes; and the City and the Bond Registrar shall not be affected by any notice to the contrary.

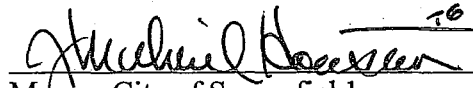
[10] It is hereby certified and recited that all conditions, acts, and things required by the constitution and laws of the State of Illinois to exist or to be done precedent to and in the issuance of this Bond have existed and have been properly done, happened, and been performed in regular and due form and time as required by law; that the indebtedness of the City, represented by the Bonds, and including all other indebtedness of the City, howsoever evidenced or incurred, does not exceed any constitutional or statutory limitation; and that provision has been made for the collection of a direct annual tax, in addition to all other taxes, on all of the taxable property in the City sufficient, with other funds set aside by the City, to pay the interest hereon as the same falls due and also to pay and discharge the principal hereof at maturity.

[11] This Bond shall not be valid or become obligatory for any purpose until the certificate of authentication hereon shall have been signed by the Bond Registrar.

IN WITNESS WHEREOF, the City of Springfield, Sangamon County, Illinois, by its City Council, has caused this Bond to be executed by the duly authorized manual or facsimile signature of its Mayor and attested by the duly authorized manual or facsimile signature of its City Clerk and its corporate seal or a facsimile thereof to be impressed or reproduced hereon, all as appearing hereon and as of the Dated Date identified above.



City Clerk, City of Springfield  
Sangamon County, Illinois

  
Mayor, City of Springfield  
Sangamon County, Illinois

(SEAL)

CERTIFICATE  
OF  
AUTHENTICATION

Bond Registrar  
and  
Paying Agent

Director of the Office of Budget  
and Management of the City of  
Springfield,  
as Bond Registrar

This Bond is one of the Bonds described in the  
within mentioned Ordinance and is one of the  
General Obligation Refunding Bonds, Series 2015 of  
the City of Springfield, Sangamon County, Illinois.

Director of the Office of Budget and Management,  
as Bond Registrar

By: \_\_\_\_\_  
Authorized Officer

Date of Authentication: \_\_\_\_\_, \_\_\_\_\_

(ASSIGNMENT)

FOR VALUE RECEIVED, the undersigned sells, assigns and transfers unto \_\_\_\_\_

\_\_\_\_\_  
(Name and Address of Assignee)  
the within Bond and does hereby irrevocably constitute and appoint \_\_\_\_\_

as attorney to transfer the said Bond on the books kept for registration thereof with full  
power of substitution in the premises.

Dated: \_\_\_\_\_

Signature Guaranteed: \_\_\_\_\_

NOTICE: The signature to this assignment must correspond with the name of the  
registered owner as it appears upon the face of the within Bond in every  
particular, without alteration or enlargement or any change whatever.

*[Statement of bond insurance, if any, shall be inserted here]*

Section 11. Tax Levy.

For the purpose of providing funds required to pay the interest on the Bonds promptly when and as the same falls due and to pay and discharge the principal thereof at maturity, there is hereby levied upon all of the taxable property within the City, in the years for which any of the Bonds are outstanding, a direct annual tax sufficient for that purpose in an amount not to exceed the sums set forth in the following table; and there is hereby levied on all of the taxable property in the City, in addition to all other taxes, the following direct annual taxes, to-wit:

| <u>For the Tax Levy Year</u> | <u>A Tax Sufficient to Produce the Sum of:</u> |
|------------------------------|------------------------------------------------|
| 2015                         | \$1,548,488                                    |
| 2016                         | \$1,553,338                                    |
| 2017                         | \$1,549,675                                    |
| 2018                         | \$1,553,400                                    |
| 2019                         | \$1,549,038                                    |
| 2020                         | \$1,551,825                                    |

Interest or principal coming due at any time when there are insufficient funds on hand from the foregoing tax levy to pay the same shall be paid promptly when due from current funds on hand in advance of the collection of said taxes herein levied; and when said taxes shall have been collected, reimbursement shall be made to said funds in the amount so advanced.

Subject to abatement as provided in the following Section 12, the City covenants and agrees with the purchasers and the holders of the Bonds that so long as any of the Bonds remain outstanding, the City will take no action or fail to take any action which in any way would adversely affect the ability of the City to levy and collect the foregoing tax and will comply with all present and future applicable laws in order to assure that the foregoing taxes will be levied, extended, and collected as provided herein and deposited into the Bond and Interest Account.

Section 12. Filing with County Clerk.

Promptly, as soon as this Ordinance becomes effective, a copy hereof, certified by the City Clerk of the City, shall be filed with the County Clerk of The County of Sangamon, Illinois; and said County Clerk shall in and for each of the years 2015 to 2020, inclusive, ascertain the rate per cent required to produce the aggregate tax hereinbefore provided to be levied in each of said years; and said County Clerk shall extend the same for collection on the tax books in connection with other taxes levied in said years in and by the City for general corporate purposes of the City; and in said years such annual tax shall be levied and collected by and for and on behalf of the City in like manner as taxes for general corporate purposes for said years are levied and collected and in addition to and in excess of all other taxes.

In the event the Bonds are issued in such amount or at such rates that result in annual tax levies less than as set forth in Section 11 above, the reduced tax levies shall be contained in the Bond Order which shall be filed with the County Clerk of the County of Sangamon, Illinois together with a certificate abating the tax levies set forth above.

The taxes levied pursuant to this Section as adjusted by the Bond Order may be abated annually by the filing with the County Clerk of Sangamon County, Illinois of either a certified copy of a resolution of the City or a certificate of the City stating (i) the amount of taxes next to be extended that are to be abated and (ii) either, (a) that an amount at least equal to the amount proposed to be abated is on deposit in the Bond and Interest Account or will be on deposit in accordance with the City's budget ordinance and will be available and applied to pay principal of or interest on the Bonds that would otherwise be paid by the taxes proposed to be abated; or (b) the City has made provision for the payment of such principal and interest by the irrevocable deposit of funds sufficient for that purpose with a bank or trust company in trust for the sole benefit of the owners of the Bonds.

Section 13. Bond and Interest Account.

(a) There shall be created the "2015 General Obligation Refunding Bond and Interest Account" (the "Bond and Interest Account"), which shall be the account for the payment of principal and interest on the Bonds and shall be administered as a bona fide debt service fund under the Code. Taxes received for the payment of the Bonds are hereby appropriated and shall be deposited into the Bond and Interest Account and used solely and only for the purpose of paying the Bonds when and as the same come due. All of such moneys and all other moneys to be used for the payment of the principal of and interest on the Bonds shall be deposited in the Bond and Interest Account.

(b) The Office of Budget and Management and the City Treasurer are authorized to establish any funds, accounts and accounting codes as needed to account for proper payment of expenses and receipt of taxes or monies related to the Bond and Interest Account.

(c) The tax receipts derived from the taxes levied pursuant to this Ordinance and the moneys deposited or to be deposited into the Bond and Interest Account are pledged as security for the payment of the principal of and interest on the Bonds. The pledge is made pursuant to Section 13 of the Local Government Debt Reform Act and shall be valid and binding from the date of issuance of the Bonds. All such tax receipts and the moneys held in the Bond and Interest Account shall immediately be subject to the lien of such pledge without any physical delivery or further act and the lien of such pledge shall be valid and binding as against all parties having claims of any kind in tort, contract or otherwise against the City irrespective of whether such parties have notice thereof.

Section 14. Sale of Bonds; Official Statement.

The Bonds shall be sold to the Purchaser subject to the parameters established in Section 4 of this Ordinance. The form of the Preliminary Official Statement prepared with respect to the Bonds in substantially the form on file in the office of the City Clerk with such changes, omissions, insertions and revisions as the Mayor shall deem advisable is hereby approved and the distribution thereof to prospective purchasers and the use thereof by the Purchaser in connection with the offering of the Bonds is authorized and approved. The Mayor is hereby delegated the power to have the Preliminary Official

Statement "deemed final" as of its date for purposes of Securities and Exchange Commission Rule 15c2-12 promulgated under the Securities Exchange Act of 1934.

The Officers and other officials of the City are authorized and directed to do and perform, or cause to be done or performed for or on behalf of the City each and every thing necessary for the issuance of the Bonds, including the proper execution and delivery of the Bonds, the Bond Order, the Bond Purchase Agreement and the Official Statement which are hereby approved in substantially the form on file in the office of the City Clerk. The Mayor is authorized to execute and deliver a Bond Purchase Agreement and an Official Statement as shall be necessary and proper in connection with the sale and public offering of the Bonds, with such changes and completions as the Mayor may approve within the parameters established in this Ordinance. The execution and delivery of the Bonds, the Bond Order, the Bond Purchase Agreement, and the Official Statement shall constitute conclusive evidence that such documents, in final form, have been approved in accordance with this Section.

Section 15. Use of Bond Proceeds and Appropriations.

The proceeds derived from the sale of the Bonds are hereby appropriated and shall be used as follows:

(a) Accrued interest received by the City upon the sale of the Bonds shall be remitted by the Treasurer for deposit into the Bond and Interest Account and be used to pay first interest coming due on the Bonds.

(b) There shall be deposited with the Escrow Agent that amount together with such amounts as the City may transfer from the 2005A General Obligation Bond Account established for the Prior Bonds, which together with investment earnings thereon, if any, is sufficient to provide for the refunding of the Prior Bonds.

(b) The balance of the proceeds derived from the sale of the Bonds, shall be deposited by the Treasurer into a separate account hereby created and designated the "Expense Account" to be used to pay expenses of issuance of the Bonds. Disbursements from such Account shall be made from time to time upon the direction of the Budget Director..

Section 16. Prior Bond Appropriation.

Concurrently with the refunding of the Prior Bonds, moneys previously appropriated by the City to pay principal and interest on the Prior Bonds shall be deposited into the Bond and Interest Account.

Section 17. Redemption of Prior Bonds.

The Corporate Authorities authorize the Mayor to designate the Prior Bonds to be refunded, a redemption date for the Prior Bonds within 90 days of the date of issuance of the Bonds and to call for redemption and to redeem on such date the outstanding principal amount of the Prior Bonds so designated.

Section 18. Escrow Agreement.

(a) The Corporate Authorities hereby approve in all respects the form, terms and provisions of the Escrow Agreement presented at this meeting and the Mayor and City Clerk of the City are authorized, empowered and directed to execute the Escrow Agreement in the name and on behalf of the City and thereupon to deliver the Escrow Agreement to the Escrow Agent. The Escrow Agreement is to be in substantially the form before this meeting and hereby approved, with such changes as may be approved by the officials of the City executing the same, their execution thereof to constitute conclusive evidence of their approval of any and all changes or revisions therein from the form of Escrow Agreement before this meeting. From and after the execution and delivery of the Escrow Agreement, the officials, agents and employees of the City are hereby authorized, empowered and directed to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of the Escrow Agreement as executed and to effect the refunding of the Prior Bonds.

(b) The City authorizes the deposit in the irrevocable escrow account with the Escrow Agent established pursuant to the Escrow Agreement, the sum necessary to provide for the payment in full of the Prior Bonds from proceeds of the sale of the Bonds and such other funds as the City may make available, which if invested as provided in the Escrow Agreement will produce funds sufficient to pay all principal and interest due from time to time on the Prior Bonds through their respective final maturities or redemption dates. The City hereby finds that the deposit of the securities, if any, and cash described in this Section constitutes provision for the payment in full of the Prior Bonds and interest thereon, that the making of such deposit in accordance with the terms of this Ordinance will constitute provision of the payment in full of the Prior Bonds and the interest thereon, and that the deposit will constitute and accomplish the defeasance of the Prior Bonds in accordance with the Local Government Defeasance of Debt Law, 50 ILCS 415/0.01 *et seq.* and the Prior Bond Ordinance.

(c) The foregoing deposit with the Escrow Agent shall be used to purchase such securities designated in the Escrow Agreement, if any, which shall be held by the Escrow Agent pursuant to the Escrow Agreement and applied to the payment of the Prior Bonds. The Escrow Agent is authorized to subscribe for such investments on behalf of the City.

Section 19. Tax Covenants and Representations.

(a) The City hereby covenants that it will not take any action, omit to take any action or permit the taking or omission of any action within its control (including, without limitation, making or permitting any use of the proceeds of the Bonds) if taking, permitting, or omitting to take such action would cause any of the Bonds to be an arbitrage bond or a private activity bond within the meaning of the Code or would otherwise cause the interest on the Bonds to be included in the gross income of the recipients thereof for Federal income tax purposes.

(b) The City acknowledges that, in the event of an examination by the Internal Revenue Service of the exemption from Federal income taxation for interest paid on the Bonds, under present rules, the City may be treated as a "taxpayer" in such examination

and agrees that it will respond in a commercially reasonable manner to any inquiries from the Internal Revenue Service in connection with such an examination. In furtherance of the foregoing provisions, but without limiting their generality, the City agrees: (a) through its officers, to make such further specific covenants, representations as shall be truthful, and assurances as may be necessary or advisable; (b) to comply with all representations, covenants, and assurances contained in certificates or agreements as may be prepared by counsel approving the Bonds; (c) to consult with counsel and to comply with such advice as may be given; (d) to file such forms, statements, and supporting documents as may be required and in a timely manner; and (e) if deemed necessary or advisable by its officers, to employ and pay fiscal agents, financial advisors, attorneys, and other persons to assist the City in such compliance.

(c) The Corporate Authorities represent and certify as follows:

(i). That the Project has not been, and is not expected to be, sold or otherwise disposed of in whole or in part prior to the last maturity of the Bonds;

(ii). That all of the proceeds of sale of and investment earnings on the Bonds are needed for paying the costs of the Refunding and to the issuance of the Bonds;

(iii). That the City will receive the agreed upon purchase price plus accrued interest from the sale of the Bonds and that accrued interest received upon the sale of the Bonds will be deposited in the Bond and Interest Account and applied to the first interest due thereon;

(iv). That the Prior Bonds will be refunded within 90 days of the date of issue of the Bonds and the City expects that all of the money derived from the sale of the Bonds and all of the investment earnings on said money will be expended within six (6) months following the date of issue of the Bonds.

(v). That the Bonds are not advance refunding bonds for purposes of Section 149(d)(3)(A)(i) of the Code;

(vi). Except for the Bond and Interest Account, the City has not created or established and will not create or establish any sinking funds, reserve fund or any other similar fund to provide for the payment of the Bonds. The Bond and Interest Account has been established and will be funded in a manner primarily to achieve proper matching of revenues and debt service, and will be depleted at least annually to an amount not in excess of the greater of (i) the earnings on the Bond and Interest Account for the immediately preceding bond year or (ii)  $1/12^{\text{th}}$  of the particular annual debt service on the Bonds for the immediately preceding year. Money deposited in the Bond and Interest Account will be spent within a 13 month period beginning on the date of deposit, and investment earnings in the Bond and Interest Account will be spent or withdrawn from the Bond and Interest Account within a one year period beginning the date of receipt.

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(vii). The foregoing statements of expectation are based upon the following facts and estimates:

- (A) Amounts shown as received will be received pursuant to the Bond Purchase Agreement.
- (B) Amounts paid or to be paid into various funds and accounts have been directed to be paid into said funds and accounts by authority hereof or are expected to be so directed to be paid by further proceedings.

(viii). To the best of the knowledge and belief of the City, there are no facts, estimates or circumstances that would materially change the conclusions and representations set out in this Section, and the expectations set out in this Section are reasonable.

(ix). The City has not been notified of any disqualification or proposed disqualification of it by the Commissioner of the Internal Revenue Service as a bond issuer which may not certify bond issues under Treas. Reg. §1.148-2.

(x). That moneys on deposit in any fund or account in connection with the Bonds, whether or not such moneys were derived from the proceeds of the sale of the Bonds or from any other source, will not be used in a manner which will cause the Bonds to be "arbitrage bonds" within the meaning of Section 148 of the Code and any lawful regulations promulgated thereunder, as the same presently exist or may from time to time hereafter be amended, supplemented or revised.

(d) The City reserves the right to use or invest moneys in connection with the Bonds in any manner, notwithstanding the covenants herein, provided it shall first have received an opinion from an attorney or a firm of attorneys of nationally recognized standing in matters pertaining to tax-exempt bonds to the effect that use or investment of such moneys as contemplated will not result in loss of the status of interest paid and received on the Bonds as not includible in the gross income of the owners thereof under the Code for federal income tax purposes except to the extent that such interest will be taken into account in computing an adjustment used in determining the alternative minimum tax for certain corporations, in computing the environmental tax imposed on certain corporations and in computing the "branch profits tax" imposed on certain foreign corporations.

#### Section 20. Rebate Account.

In the event that the City shall invest moneys in any investments which generate income that must be rebated or paid to the United States of America pursuant to Section 148(f) of the Code, the City shall establish a special account, designated as the "Rebate Account" and such income shall be deposited into the Rebate Account. Moneys in the Rebate Account shall be applied to pay such sums as are required to be paid to the United States of America pursuant to Section 148(f) of the Code and are hereby appropriated and set aside for such purpose.

Section 21. Defeasance and Payment of Bonds.

(a) If the City shall pay or cause to be paid to the registered owners of the Bonds, the principal, premium, if any, and interest due or to become due thereon, at the times and in the manner stipulated therein and in this Ordinance, then the pledge of taxes, securities and funds hereby pledged and the covenants, agreements and other obligations of the City to the registered owners and the beneficial owners of the Bonds shall be discharged and satisfied.

(b) Any Bonds or interest installments appertaining thereto, whether at or prior to the maturity or the redemption date of such Bonds, shall be deemed to have been paid within the meaning of paragraph(a) of this Section if (1) in case any such Bonds are to be redeemed prior to the maturity thereof, there shall have been taken all action necessary to call such Bonds for redemption and notice of such redemption shall have been duly given or provision shall have been made for the giving of such notice, and (2) there shall have been deposited in trust with a bank, trust company or national banking association acting as fiduciary for such purpose either (i) moneys in an amount which shall be sufficient, or (ii) Federal Obligations" as defined in paragraph (c) of this Section, the principal of and the interest on which when due will provide moneys which, together with any moneys on deposit with such fiduciary at the same time for such purpose, shall be sufficient, to pay when due the principal of, redemption premium, if any, and interest due and to become due on said Bonds on and prior to the applicable redemption date or maturity date thereof.

(c) As used in this Section, the term "Federal Obligations" means (i) non-callable, direct obligations of the United States of America, (ii) non-callable and non-prepayable, direct obligations of any agency of the United States of America, which are unconditionally guaranteed by the United States of America as to full and timely payment of principal and interest, (iii) non-callable, non-prepayable coupons or interest installments from the securities described in clause (i) or clause (ii) of this paragraph, which are stripped pursuant to programs of the Department of the Treasury of the United States of America or (iv) coupons or interest installments stripped from bonds of the Resolution Funding Corporation.

Section 22. Registered Form.

The City recognizes that Section 149 of the Code requires the Bonds to be issued and to remain in fully registered form in order that interest thereon be tax-exempt under laws in force at the time the Bonds are delivered. In this connection, the City agrees that it will not take any action to permit the Bonds to be issued in, or converted into, bearer or coupon form.

Section 23. Ordinance to Constitute a Contract.

The provisions of this ordinance shall constitute a contract between the City and the registered owners of the bonds. Any pledge made in this ordinance and the provisions, covenants and agreements herein set forth to be performed by or on behalf of the City shall be for the equal benefit, protection and security of the owners of any and all of the Bonds. All of the Bonds, regardless of the time or times of their issuance, shall be of equal rank without preference, priority or distinction of any of the Bonds over any

other thereof except as expressly provided in or pursuant to this Ordinance. This Ordinance shall constitute full authority for the issuance of the Bonds and to the extent that the provisions of this Ordinance conflict with the provisions of any other ordinance or resolution of the City, the provisions of this ordinance shall control. If any section, paragraph or provision of this Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this Ordinance.

Section 24. Continuing Disclosure.

For the benefit of the beneficial owners of the Bonds, the City covenants and agrees to provide an annual report containing certain financial information and operating data relating to the City and to provide notices of the occurrence of certain enumerated events.

The annual report shall be filed with the Municipal Securities Rulemaking Board's (the "MSRB") Electronic Municipal Market Access ("EMMA") system within 210 days after the close of the City's fiscal year. The information to be contained in the annual report shall consist of the annual audited financial statement of the City and such additional information as noted in the Official Statement for the Bonds under the caption "Continuing Disclosure." Each annual audited financial statement will conform to generally accepted accounting principles applicable to governmental units and will be prepared in accordance with standards of the Governmental Accounting Standards Board. If the audited financial statement is not available, then an unaudited financial statement shall be included in the annual report and the audited financial statement shall be filed within 30 days after it becomes available.

The City also covenants and agrees, for the benefit of the beneficial owners of the Bonds, to provide notice in a timely manner (not in excess of ten business days after the occurrence) to the MSRB of any failure of the City to file any such annual report within the 210 day period and of the occurrence of any of the following events with respect to the Bonds: (1) principal and interest payment delinquencies; (2) non-payment related defaults, if material; (3) unscheduled draws on debt service reserves reflecting financial difficulties; (4) unscheduled draws on credit enhancements reflecting financial difficulties; (5) substitution of credit or liquidity providers, or their failure to perform; (6) Adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the Bonds, or other material events affecting the tax status of the Bonds; (7) modifications to rights of Bondholders, if material; (8) bonds calls, if material, and tender offers; (9) defeasances; (10) release, substitution or sale of property securing repayment of the Bonds, if material; (11) rating changes; (12) bankruptcy, insolvency, receivership or similar event of the City (This event is considered to occur when any of the following occur: the appointment of a receiver, fiscal agent or similar officer for the City in a proceeding under the U.S. Bankruptcy Code or in any other proceeding under state or federal law in which a court or governmental authority has assumed jurisdiction over substantially all of the assets or business of the City, or if such jurisdiction has been assumed by leaving the existing governing body and officials or officers in possession but subject to the supervision and

orders of a court or governmental authority, or the entry of an order confirming a plan of reorganization, arrangement or liquidation by a court or governmental authority having supervision or jurisdiction over substantially all of the assets or business of the City); (13) the consummation of a merger, consolidation, or acquisition involving the City or the sale of all or substantially all of the assets of the City, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material; and (14) appointment of a successor or additional trustee or the change of name of a trustee, if material.

It is found and determined that the City has agreed to the undertakings contained in this Section in order to assist participating underwriters of the Bonds and brokers, dealers and municipal securities dealers in complying with Securities and Exchange Commission Rule 15c2-12(b)(5) promulgated under the Exchange Act. The Mayor is authorized and directed to do and perform, or cause to be done or performed, for or on behalf of the City, each and every thing necessary to accomplish the undertakings of the City contained in this Section for so long as Rule 15c2-12(b)(5) is applicable to the Bonds and the City remains an "obligated person" under Rule 15c2-12 with respect to the Bonds. MSRB Rule G-32 requires all EMMA filings to be in word searchable PDF format. This requirement extends to all documents required to be filed with EMMA, including financial statements and other externally prepared reports.

The undertakings contained in this Section may be amended by the City upon a change in circumstances that arises from a change in legal requirements, including without limitation, pursuant to a "no-action" letter issued by the Securities and Exchange Commission, change in law, or change in the identity, nature or status of the obligated person, or type of business conducted; provided that (a) the undertaking, as amended, would have complied with the requirements of Rule 15c2-12(b)(5) at the time of the primary offering, after taking into account any amendments or interpretations of the Rule, as well as any change in circumstances and (b) in the opinion of nationally recognized bond counsel selected by the City, the amendment does not materially impair the interests of the beneficial owners of the Bonds.

In the event of a failure of the City to comply with any provision of this Section, the beneficial owner of any Bond may seek mandamus or specific performance by court order, to cause the City to comply with its obligations under this Section. A default under this Section shall not be deemed a default under the Bond Ordinance, and the sole remedy under this Section in the event of any failure of the City to comply with this Section shall be an action to compel performance.

#### Section 25. Bond Registrar.

The City covenants that it will maintain at the designated office of the Bond Registrar a place where Bonds may be presented for payment and registration of transfer or exchange and that it shall require that the Bond Registrar maintain proper registration books and perform the other duties and obligations imposed upon it by this Ordinance in a manner consistent with the standards, customs and practices of the municipal securities business.

The Bond Registrar, shall signify acceptance of the duties and obligations imposed upon the Bond Registrar by this Ordinance, and any successor Bond Registrar shall signify its acceptance of the duties and obligations imposed upon it by this Ordinance, by executing the certificate of authentication on any Bond, and by such execution the Bond Registrar shall be deemed to have certified to the City the acceptance of such duties and obligations not only with respect to the Bond so authenticated but with respect to all the Bonds. The Bond Registrar is the agent of the City and shall not be liable in connection with the performance of his duties except for his own negligence or default. The Bond Registrar shall, however, be responsible for any representation in the certificate of authentication on the Bonds.

The City may appoint a successor Bond Registrar at any time. In case at any time the Bond Registrar shall resign or shall be removed or shall become incapable of acting, the City covenants and agrees that it will thereupon appoint a successor Bond Registrar. The City shall mail notice of any such appointment made by it to each registered owner of Bonds within twenty days after such appointment. Any successor Bond Registrar appointed under the provisions of this Section shall be a bank, trust company or national banking association maintaining its principal corporate trust office in the State of Illinois, St. Louis, Missouri, or the Borough of Manhattan, City and State of New York.

Section 26. Publication.

The City Clerk is hereby authorized and directed to publish this Ordinance in pamphlet form and to file copies thereof for public inspection in the City Clerk's office.

Section 27. Superseder and Effective Date.

All ordinances, resolutions and orders, or parts thereof, in conflict herewith, are to the extent of such conflict hereby superseded; and this Ordinance shall be in full force and effect upon its passage, approval and recording by the City Clerk.

AYES: Herman, Edwards, Simpson, Turner, Lesko,  
Cahman, Jobe, McMenamin, Thullen, Dorr + McDermough

NAYS: \_\_\_\_\_

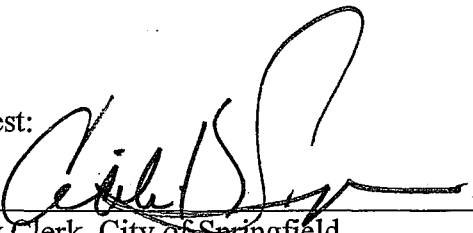
ABSENT: \_\_\_\_\_

ADOPTED: April 21, 2015  
APPROVED: April 21, 2015

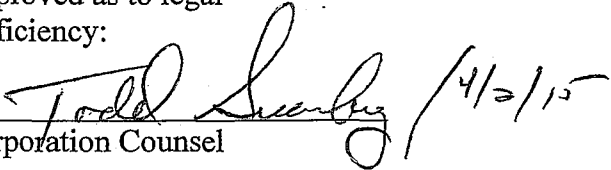
Michael Houston <sup>TC</sup>  
Mayor, City of Springfield,  
Sangamon County, Illinois

Recorded in City Records: April 28, 2015

Attest:

  
\_\_\_\_\_  
City Clerk, City of Springfield,  
Sangamon County, Illinois

Approved as to legal  
sufficiency:

  
\_\_\_\_\_  
Corporation Counsel

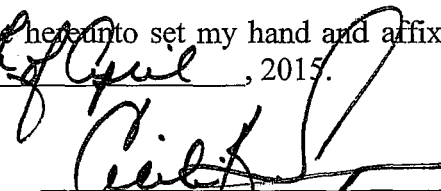
CERTIFICATE

I, Cecilia J. Jurek, City Clerk of the City of Springfield, in Sangamon County, Illinois (the "City"), hereby certify that the foregoing Ordinance 127-4-15 entitled "AN ORDINANCE providing for and authorizing the issuance of General Obligation Refunding Bonds, Series 2015 of the City of Springfield, Sangamon County, Illinois, in an amount not to exceed \$9,095,000 for the purpose of refunding the City's General Obligation Refunding Bonds, Series 2005A" (the "Ordinance") is a true copy of an original ordinance which was duly adopted by the recorded affirmative votes of a majority of the members of the City Council of the City (the "City Council") at a meeting thereof which was duly called and held in compliance with the Open Meetings Act on April 21st, 2015, and at which a quorum was present and acting throughout, and that such copy has been compared by me with the original Ordinance signed by the Mayor of the City and recorded in the Ordinance book of the City and that it is a correct transcript thereof and of the whole of the Ordinance, and that the Ordinance has not been altered, amended, repealed or revoked, but is in full force and effect.

I do further certify that the deliberations of the City Council on the adoption of Ordinance were taken openly, that the vote on the adoption of said Ordinance was taken openly, that said meeting was held at a specified time and place convenient to the public, that notice of said meeting was duly given to all of the news media requesting such notice, that an agenda for said meeting was posted at the location where said meeting was held and at the principal office of the City Council at least 48 hours in advance of the holding of said meeting, and that said meeting was called and held in strict compliance with the provisions of the Open Meetings Act of the State of Illinois, as amended, the Local Government Debt Reform Act of the State of Illinois, as amended, and the Municipal Code of the State of Illinois, as amended, and that the City Council has complied with all of the applicable provisions of said Acts and Code, and with all of the procedural rules of the City.

I do further certify that the Ordinance was published in pamphlet form and that the Ordinance as so published was on said date readily available for public inspection and distribution, in sufficient number, at my office as City Clerk located in the City.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City of Springfield, Illinois this 28th of April, 2015.

  
\_\_\_\_\_  
City Clerk

(SEAL)

128-04-15

**AN ORDINANCE AUTHORIZING EXECUTION OF A SETTLEMENT  
AGREEMENT AND MUTUAL RELEASE REGARDING THE FEDERAL  
CENTRAL DISTRICT OF ILLINOIS CASE 08-CV-3302, WELLS V. COKER**

WHEREAS, the City of Springfield is a home rule unit as defined in Article VII, Section 6(a) of the 1970 Illinois Constitution and has jurisdiction over matters pertaining to its government and affairs; and

WHEREAS, the City of Springfield is defending a case entitled Wells v. Coker, Central District of Illinois Case Number 08-CV-3302; and

WHEREAS, the Parties are willing to settle this lawsuit in the total amount of \$50,000.00 with no admission of liability and releasing the City and all of its officers, agents and employees for all past, present and future claims, the City making settlement only because the amount of the settlement is less than the costs to the City of litigation; and

WHEREAS, it is in the best interest of the City to approve settlement of this case.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SPRINGFIELD, ILLINOIS:

**Section 1:** That the City Council hereby authorizes settlement of the federal Central District of Illinois case of *Wells v. Coker*, Case Number 08-CV-3302, and authorizes payment of \$50,000.00 to settle this case. The Mayor and City Clerk are authorized to execute any necessary documents on behalf of the City.

**Section 2:** That this ordinance shall become effective upon its passage and recording by the City Clerk.

PASSED: April 21, 2015

RECORDED: April 28, 2015

ATTEST: Cecilia K. Tumulty  
City Clerk Cecilia K. Tumulty

Requested by: Mayor J. Michael Houston

SIGNED: April 28, 2015

Michael Houston  
Mayor J. Michael Houston

Approved as to legal sufficiency:

Todd Sherry, 3/31/15  
Office of Corporation Counsel / Date

129-04-15

**AN ORDINANCE AMENDING SECTION 10.18 OF THE 1988 CITY OF  
SPRINGFIELD CODE OF ORDINANCES, AS AMENDED, PERTAINING  
TO USE OF THE CORPORATE SEAL OF THE CITY OF SPRINGFIELD**

WHEREAS, the City of Springfield is a home rule unit as defined in Article VII, Section 6(a) of the 1970 Illinois Constitution and has jurisdiction over matters pertaining to its government and affairs; and

WHEREAS, it is in the best interests of the City to limit the use of the reproduction of the corporate seal of the City of Springfield.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SPRINGFIELD, ILLINOIS:

**Section 1:** That the City Council hereby amends Chapter 10, Section 10.18 of the 1988 Springfield City Code of Ordinances, as amended, as set forth in Exhibit "A", which is attached hereto (additions are indicated by underlines).

**Section 2:** That the City Clerk is hereby directed to publish this ordinance in pamphlet form.

**Section 3:** That this ordinance shall become effective after its passage, recording and publication in pamphlet form.

PASSED: April 21, 2015

RECORDED: April 28, 2015

ATTEST: Cecilia K. Tumulty  
City Clerk Cecilia K. Tumulty

Requested by: Alderman Kris Theilen

SIGNED: April 28, 2015

Michael Houston  
Mayor J. Michael Houston

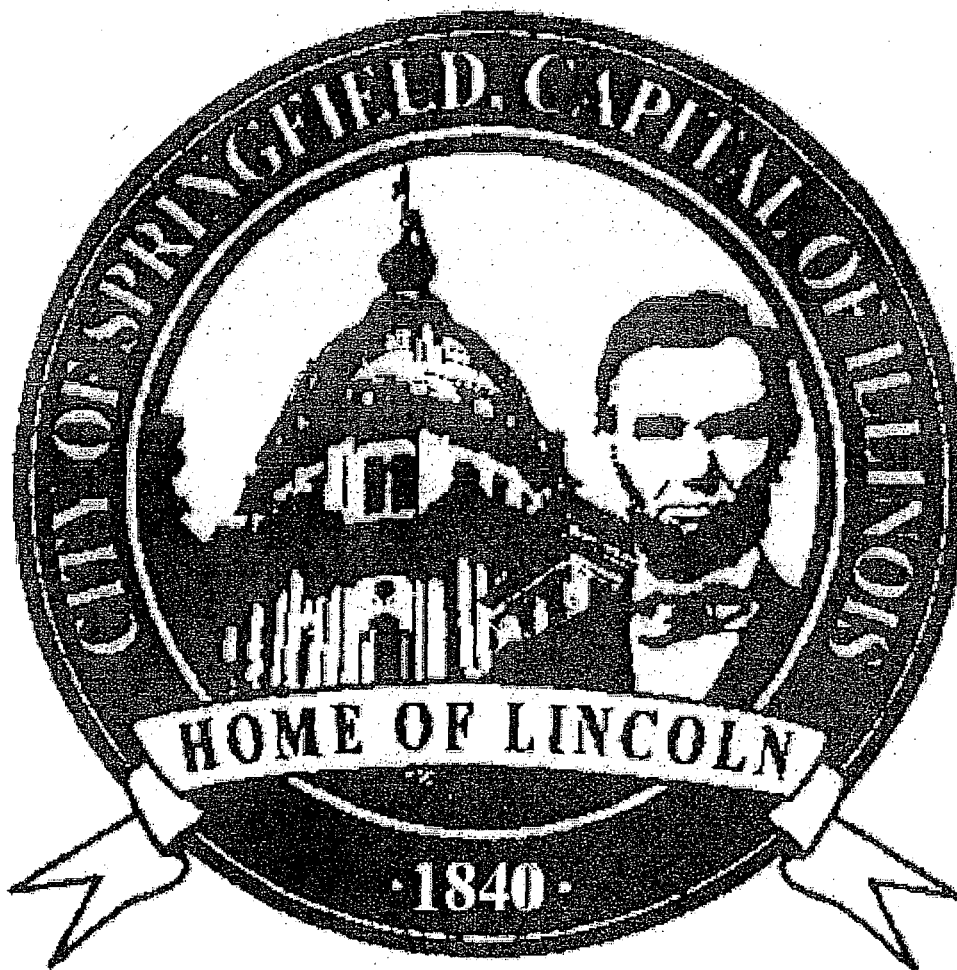
Approved as to legal sufficiency:

Todd Shuck / 4/2/15  
Office of Corporation Counsel / Date

EXHIBIT "A"

**§ 10.18. - Corporate seal.**

(a) The corporate seal of the City of Springfield shall be a 2 1/8-inch black circle inscribed in white with the words "City of Springfield, Capital of Illinois," and the date "1840" in the bottom of the circle. It shall contain the line drawings of the Illinois Capitol dome and a likeness of President Abraham Lincoln within the circle. It shall contain a banner over the lower one-quarter of the circle which contains the words "Home of Lincoln." as follows:



City Seal

(b) The city clerk shall be custodian of the corporate seal. She shall affix the impression of the corporate seal to all commissions or other official documents required to be issued by her and attest or countersign the same. She shall affix the seal to all official acts of the mayor which require it and, if necessary, attest the same. She shall also certify, under the corporate seal, copies of any records, ordinances, documents, or papers in her office, when required by any city

officer or other person. In no case shall the impression of the corporate seal be binding on the city, unless it be authorized by the laws or ordinances of the city, and is attested by the official signature of the city clerk.

The use of reproductions of the corporate seal shall only be for purposes directly connected with the official business of the City of Springfield, its City Council, officers or departments, and for those matters expressly approved by the Mayor and City Council. Incidental reproductions of the corporate seal in photographs or videos is not prohibited, but the corporate seal shall never be reproduced in a manner which implies an endorsement of the City of Springfield other than for official business as set forth in the previous sentence.

130-04-15

**AN ORDINANCE AUTHORIZING EXECUTION OF A MEMORANDUM OF UNDERSTANDING WITH THE U.S. DEPARTMENT OF HOMELAND SECURITY AND THE CITY OF SPRINGFIELD POLICE DEPARTMENT FOR TEMPORARY USE OF PORTABLE MOTOROLA XTS2500 RADIOS**

WHEREAS, the City of Springfield is a home rule unit as defined in Article VII, Section 6(a) of the 1970 Illinois Constitution and has jurisdiction over matters pertaining to its government and affairs; and

WHEREAS, the U.S. Department of Homeland Security has requested the temporary use of portable radios; and

WHEREAS, the City of Springfield Police Department is willing to provide three Motorola XTS2500 units with Desk Chargers and Public Safety Microphones in accordance with Springfield Police Department General Order OPS-2, Radio/Telephone Communications techniques and procedures; and

WHEREAS, it is in the best interest of the City to enter into a Memorandum of Understanding with the U.S. Department of Homeland Security; and

WHEREAS, a copy of the Memorandum of Understanding shall be on file in the Office of the City Clerk.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SPRINGFIELD, ILLINOIS:

**Section 1:** That the City Council hereby authorizes execution of a Memorandum of Understanding with the U.S. Department of Homeland Security for temporary use of three Motorola XTS2500 radio units with desk chargers and public safety microphones. The Mayor hereby authorized to execute and the City Clerk to Attest the Memorandum of Understanding on behalf of the City of Springfield.

**Section 2:** This ordinance shall become effective immediately upon its passage and recording by the City Clerk.

PASSED: April 21, 2015

RECORDED: April 28, 2015

ATTEST: [Signature]  
City Clerk Cecilia K. Tumulty

SIGNED: April 28, 2015

[Signature]  
Mayor J. Michael Houston

Approved as to legal sufficiency:

Requested by: Mayor J. Michael Houston

[Signature] 3/31/15  
Office of Corporation Counsel / Date

**131-04-15**

**AN ORDINANCE AUTHORIZING PAYMENT TO DONALD CLINE, A  
FORMER CITY OF SPRINGFIELD PUBLIC WORKS EMPLOYEE, TO  
SETTLE A WORKERS' COMPENSATION CLAIM FOR CASE NUMBER  
14-WC-13616**

---

**WHEREAS**, the City of Springfield is a home rule unit as defined in Article VII, Section 6(a) of the 1970 Illinois Constitution and has jurisdiction over matters pertaining to its government and affairs; and

**WHEREAS**, Donald Cline was formerly employed as a senior TDL with the City of Springfield Office of Public Works and on January 15, 2014, he reported pain in both wrists from repetitive use of hand tools and jackhammers; and

**WHEREAS**, Mr. Cline was sent for an EMG and diagnosed with bilateral carpal tunnel and was given a recommendation for surgery; and

**WHEREAS**, Mr. Cline was sent for an IME which opined that his job duties could be a primary factor if they were considered repetitive in nature; and

**WHEREAS**, Mr. Cline underwent surgical repair for bilateral carpal tunnel in September of 2014 and was able to return to work full duty in January of 2015; and

**WHEREAS**, Mr. Cline filed a workers compensation claim with the Commission and is willing to settle his claim in the amount of \$26,809.38 representing a permanent partial disability equivalent to 10% loss of use of the left hand and 12.5% loss of use of the right hand; and

**WHEREAS**, Livingstone, Mueller, O'Brien and Davlin, P.C., the city's legal advisors recommend payment in the amount of \$26,809.38 to Donald Cline to settle his workers compensation claim for case number 14-WC-13616.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF  
SPRINGFIELD, ILLINOIS:**

**Section 1:** That the City Council hereby authorizes payment of \$26,809.38 to Donald Cline, a former Office of Public Works employee, to settle a workers compensation claim for case number 14-WC-13616, representing a permanent partial disability equivalent to 10% loss of use of the left hand and 12.5% loss of use of the right hand. The Mayor and the City Clerk are hereby authorized to sign the Settlement Agreement on behalf of the City of Springfield.

**Section 2:** That the Office of Budget and Management is hereby authorized to pay the lump sum of \$26,809.38 from Account Number 074-107-BMGT-WCMP-2205 as provided in the Settlement Agreement to Donald Cline and his attorney, Charles Delano.

Section 3: That this ordinance shall become effective immediately upon its passage and recording by the City Clerk.

PASSED: April 21, 2015

RECORDED: April 28, 2015

ATTEST: Cecilia K. Tumulty  
City Clerk Cecilia K. Tumulty

Requested by: Mayor J. Michael Houston

SIGNED: April 28, 2015

J. Michael Houston  
Mayor J. Michael Houston

Approved as to legal sufficiency:

Todd Hamby / 4/2/15  
Office of Corporation Counsel / Date

131 - 04 - 15

**132 - 04 - 15**

**AN ORDINANCE AUTHORIZING PAYMENT TO HAROLD BUTLER, A  
FORMER CITY OF SPRINGFIELD PUBLIC WORKS EMPLOYEE, TO  
SETTLE WORKERS' COMPENSATION CLAIM NUMBERS 1429E175276  
AND 14294E092210**

---

**WHEREAS**, the City of Springfield is a home rule unit as defined in Article VII, Section 6(a) of the 1970 Illinois Constitution and has jurisdiction over matters pertaining to its government and affairs; and

**WHEREAS**, Harold Butler was formerly employed as a supervisor with the City of Springfield Office of Public Works and on February 13, 2014, reported pain in his right knee after he slipped and fell on ice at a jobsite; and

**WHEREAS**, Mr. Butler was diagnosed with a meniscal tear and received conservative care for his injury; and

**WHEREAS**, on April 4, 2014, Mr. Butler reported injuries to his neck, shoulder and both knees following a motor vehicle accident and was seen in the emergency room and referred to his primary care for additional treatment; and

**WHEREAS**, Mr. Butler again received conservative care and was released for all conditions (both injury dates) in December of 2014; and

**WHEREAS**, Mr. Butler requested a pro se settlement and is willing to settle both claims in the amount of \$21,500.00 representing a permanent partial disability equivalent to 7% loss of use of each leg; and

**WHEREAS**, CCMSI, the City's third party administrator, recommends payment in the amount of \$21,500.00 to Harold Butler to settle workers' compensation claim numbers 14294E175276 and 14294E092210.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SPRINGFIELD, ILLINOIS:**

**Section 1:** That the City Council hereby authorizes payment of \$21,500.00 to Harold Butler, a former Office of Public Works employee, to settle workers compensation claim numbers 14294E175276 and 14294E092210 representing a permanent partial disability equivalent to 7% loss of use of each leg. The Mayor and the City Clerk are hereby authorized to sign the Settlement Agreement on behalf of the City of Springfield.

**Section 2:** That the Office of Budget and Management is hereby authorized to pay the lump sum of \$21,500.00 from Account Number 074-107-BMGT-WCMP-2205 as provided in the Settlement Agreement to Harold Butler, pro se.

Section 3: That this ordinance shall become effective immediately upon its passage and recording by the City Clerk.

PASSED: April 21, 2015

RECORDED: April 28, 2015

ATTEST: [Signature]  
City Clerk Cecilia K. Tumulty

Requested by: Mayor J. Michael Houston

SIGNED: April 28, 2015

[Signature]  
Mayor J. Michael Houston

Approved as to legal sufficiency:

Todd Sweeney / 4/2/15  
Office of Corporation Counsel / Date

132-04-15

133 - 04 - 15

**AN ORDINANCE AUTHORIZING PAYMENT TO WILLIAM WASHINGTON, AN  
OFFICE OF PUBLIC UTILITIES EMPLOYEE, FOR SETTLEMENT OF A  
WORKERS' COMPENSATION CLAIM FOR CASE NUMBER 13-WC-27077**

WHEREAS, the City of Springfield is a home rule unit as defined in Article VII, Section 6(a) of the 1970 Illinois Constitution and has jurisdiction over matters pertaining to its government and affairs; and

WHEREAS, William Washington was working as a Store Attendant for the Office of Public Utilities on June 7, 2013, and reported an injury to his right knee from repetitive climbing up and down a freight truck ladder; and

WHEREAS, Mr. Washington treated conservatively and due to continued complaints his primary physician ordered an MRI which revealed tendonosis and possible intra substance tears and surgery was recommended; and

WHEREAS, the surgery was performed in August of 2013 and Mr. Washington was able to return to work in December of 2013; and

WHEREAS, Mr. Washington filed a workers' compensation claim (case number 13-WC-27077) and is willing to settle his claim in the amount of \$30,639.65 representing a permanent partial disability equivalent to 20% loss of use of his leg; and

WHEREAS, Livingstone, Mueller, O'Brien & Davlin, P.C. recommend payment in the amount of \$30,639.65 to William Washington to settle his workers' compensation claim for case number 13-WC-27077.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF  
SPRINGFIELD, ILLINOIS:**

**Section 1:** That the City Council hereby authorizes payment of \$30,639.65 to William Washington, an Office of Public Utilities employee, to settle a workers' compensation claim for case number 13-WC-27077 representing a permanent partial disability equivalent to 20% loss of use of his leg. The Mayor and City Clerk are hereby authorized to execute any necessary documents on behalf of the City of Springfield.

**Section 2:** That the Office of Budget and Management is hereby authorized to pay the lump sum of \$30,639.65 from Account Number 074-107-BMGT-WCMP-2205 as provided in the Settlement Agreement to William Washington and his attorney Tim Shay.

**Section 3:** That the Office of Public Utilities is hereby directed to pay Account Number 074-107-BMGT-WCMP-5002 the sum of \$30,639.65.

**Section 4:** That this ordinance is shall become effective immediately upon its passage and recording by the City Clerk.

PASSED: April 21, 2015

RECORDED: April 28, 2015

ATTEST: Cecilia K. Tumulty  
City Clerk Cecilia K. Tumulty

Requested by: Mayor J. Michael Houston

SIGNED: April 28, 2015

Michael Houston  
Mayor J. Michael Houston

Approved as to legal sufficiency:

Todd L. Luecke / 4/2/15  
Office of Corporation Counsel / Date

134-04-15

**AN ORDINANCE TO INCREASE THE NUMBER OF CLASS "G"  
LIQUOR LICENSES BY ONE FOR XTREME DREAMZ CAR CLUB  
LOCATED AT 1635 E. CARPENTER STREET**

---

WHEREAS, Xtreme Dreamz Car Club has applied for a Class G liquor license for the business located at 1635 E. Carpenter; and

WHEREAS, all phases of the application process have been met; and

WHEREAS, it is necessary to control the number of licenses authorized per classification pursuant to Chapter 90, Section 90.17 of the 1988 City of Springfield Code of Ordinances, as amended.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF  
SPRINGFIELD, ILLINOIS:**

Section 1: That the City Council hereby approves an increase in the number of Class "G" liquor licenses by one.

Section 2: That this ordinance shall take effect immediately upon its passage and recording by the City Clerk.

PASSED: April 21, 2015

SIGNED: April 22, 2015  
Michael Houston, Mayor  
by Willie B. Ayers  
Mayor J. Michael Houston

RECORDED: April 22, 2015

ATTEST: Cecilia Tumulty  
City Clerk Cecilia K. Tumulty

REQUESTED BY:

Liquor Control Commission  
Mayor J. Michael Houston

Approved as to legal sufficiency:

Paul Sheen / 3/31/15  
Office of Corporation Counsel / Date

135-04-15

**AN ORDINANCE TO INCREASE THE NUMBER OF CLASS "C1"  
LIQUOR LICENSES BY ONE FOR SIMPLY, LLC D/B/A SIMPLY FAIR,  
2357 W. MONROE STREET**

---

**WHEREAS**, Simply, LLC has applied for a Class "C1" liquor license for the business known as Simply Fair located at 2357 W. Monroe Street; and

**WHEREAS**, all requirements of the application process have been met; and

**WHEREAS**, it is necessary to control the number of licenses authorized per classification pursuant to Chapter 90, Section 90.17 of the 1988 City of Springfield Code of Ordinances, as amended.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF  
SPRINGFIELD, ILLINOIS:**

**Section 1:** That the City Council hereby approves an increase in the number of Class "C1" liquor licenses by one.

**Section 2:** That this ordinance shall take effect immediately upon its passage and recording by the City Clerk.

PASSED: April 21, 2015

SIGNED: April 22, 2015

RECORDED: April 22, 2015

Michael Houston, Mayor  
by Will H. Ryan  
Mayor J. Michael Houston

ATTEST: Cecilia Tumulty  
City Clerk Cecilia K. Tumulty

Approved as to legal sufficiency:

Todd Greenberg / 3/31/15  
Office of Corporation Counsel / Date

REQUESTED BY: Mayor J. Michael Houston

136-04-15-

**AN ORDINANCE TO INCREASE THE NUMBER OF CLASS "D"  
LIQUOR LICENSES BY ONE FOR MOTES OF SPRINGFIELD, INC.  
D/B/A THE CEDAR PUB & GRILL LOCATED AT 3186 SOUTH  
DIRKSEN PARKWAY**

---

WHEREAS, Motes of Springfield, Inc. has applied for a Class "D" liquor license for the business known as Cedar Pub & Grill located at 3186 South Dirksen Parkway; and

WHEREAS, all phases of the application process have been satisfactorily met; and

WHEREAS, it is necessary to control the number of licenses authorized per classification pursuant to Chapter 90, Section 90.17 of the 1988 City of Springfield Code of Ordinances, as amended.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF  
SPRINGFIELD, ILLINOIS:**

**Section 1:** That the City Council hereby approves an increase in the number of Class "D" liquor licenses by one.

**Section 2:** That this ordinance shall take effect immediately upon its passage and recording by the City Clerk.

PASSED: April 21, 2015

RECORDED: April 22, 2015

ATTEST: Cecilia Tumulty  
City Clerk Cecilia K. Tumulty

SIGNED: April 22, 2015  
Michael Houston, Mayor  
by Willie H. Brown  
Mayor J. Michael Houston

REQUESTED BY:  
Liquor Control Commission

Approved as to legal sufficiency:

Todd Shelby / 4/2/15  
Office of Corporation Counsel Date

137-04-15

**AN ORDINANCE AUTHORIZING THE PURCHASE OF VACANT OR  
ABANDONED PROPERTIES ON THE TAX SALES LIST FROM  
SANGAMON COUNTY, AS TRUSTEE, IN AN AMOUNT NOT TO EXCEED  
\$32,589.00 FOR THE OFFICE OF PUBLIC WORKS**

---

**WHEREAS**, the City of Springfield is a home rule unit as defined in Article VII, Section 6(a) of the 1970 Illinois Constitution and has jurisdiction over matters pertaining to its government and affairs; and

**WHEREAS**, Sangamon County, as Trustee, wishes to dispose of real property through the Tax Liquidation Program; and

**WHEREAS**, the City has an opportunity to obtain properties from Sangamon County, as Trustee, from the tax sales list; and

**WHEREAS**, the City has already demolished many of the structures on these properties and had planned on foreclosing on its demo liens for these properties; and

**WHEREAS**, the City would be protecting its demolition lien which would be voided by a Tax sale judicial deed; and

**WHEREAS**, the properties are listed on Exhibit A attached hereto; and

**WHEREAS**, the City Purchasing Agent has determined, in writing, that this project is exempt from the provisions of the City Purchasing Code requiring sealed competitive bidding pursuant to the exceptions contained in Section 38.40 pertaining to Sole Source Procurement; and

**WHEREAS**, pursuant to the above determination, the City Purchasing Agent recommends the purchase of vacant or abandoned properties in the amount of \$32,589.00 on the Tax Sales Properties list from Sangamon County Trustee; and

**WHEREAS**, the Contracts for Purchase shall be located in the Office of the City Clerk.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SPRINGFIELD, ILLINOIS:**

**Section 1:** That the City Council hereby approves and authorizes the execution of Contracts for the Purchase of Real Estate listed on the Tax Sale Properties list from Sangamon County, as Trustee, in an amount not to exceed \$32,589.00 and as shown on attached Exhibit A.

**Section 2:** That the Mayor and City Clerk are hereby authorized to execute this ordinance and any documents on behalf of the City of Springfield which may be necessary to complete the purchase of these properties approved by this ordinance.

**Section 3:** That upon proper documentation, the Office of Budget and Management is hereby directed to make payment in an amount not to exceed \$32,589.00 to Sangamon County Trustee Payment Account (OSAN 6702) from account number 001-110-WORK-ZONE-2301 in accordance with the Contracts to Purchase Real Estate located in the Office of the City Clerk.

**Section 4:** That this ordinance shall become effective immediately upon its passage and recording by the City Clerk.

PASSED: April 21, 2015

RECORDED: April 28, 2015

ATTEST: Cecilia K. Tumulty  
City Clerk Cecilia K. Tumulty

SIGNED: April 28, 2015

Michael Houston <sup>TC</sup>  
Mayor J. Michael Houston

Approved as to legal sufficiency:

Requested by: Mayor J. Michael Houston

Todd Lundy 1/4/2/15  
Office of Corporation Counsel /Date

**AN ORDINANCE APPROVING THE LOCATION AND SKETCH MAP  
OF THE WABASH COMMERCIAL PARK SUBDIVISION FOR THE  
OFFICE OF PUBLIC WORKS**

**WHEREAS**, the City of Springfield is a home rule unit as defined in Article VII, Section 6(a) of the 1970 Illinois Constitution and has jurisdiction over matters pertaining to its government and affairs; and

**WHEREAS**, the Land Subdivision Committee and the Springfield/Sangamon County Regional Planning Commission have reviewed the location and sketch map of Wabash Commercial Park Subdivision; and

**WHEREAS**, all requirements of the 1988 City of Springfield Code of Ordinances, as amended, have been met; and

**WHEREAS**, the Land Subdivision Committee and the Springfield/Sangamon County Regional Planning Commission recommend that the location and sketch map be approved by the City Council.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF  
SPRINGFIELD, ILLINOIS:**

**Section 1:** That the location and sketch map of Wabash Commercial Park Subdivision; is hereby accepted and approved by the City Council.

**Section 2:** That the Mayor is authorized to sign and the City Clerk to attest approval of said map for and in the name of the City.

**Section 3:** That this ordinance shall become effective immediately upon its passage and recording by the City Clerk.

PASSED: April 21, 2015

RECORDED: April 28, 2015

ATTEST: Cecilia K. Tumulty  
City Clerk Cecilia K. Tumulty

SIGNED: April 28, 2015

J. Michael Houston <sup>76</sup>  
Mayor J. Michael Houston

Approved as to legal sufficiency:

Todd L. Lundy / 3/31/15  
Office of Corporation Counsel/Date

Requested by: Mayor J. Michael Houston

Location: Ward 10

**139-04-15**

**AN ORDINANCE REGARDING THE VARIANCE REQUEST OF  
SECTION 153.158(b)(2) PERTAINING TO LOT ARRANGEMENT AT  
SLUMBERLAND - RESUBDIVISION OF LOT 26 OF PRAIRIE  
CROSSING - PLAT 2, LOCATED EAST OF FURNITURE ROW ON THE SOUTH  
SIDE OF CHUCKWAGON DRIVE, FOR THE OFFICE OF PUBLIC WORKS**

---

**WHEREAS**, the City of Springfield is a home rule unit as defined in Article VII, Section 6(a) of the 1970 Illinois Constitution and has jurisdiction over matters pertaining to its government and affairs; and

**WHEREAS**, the developers of Slumberland - Resubdivision of Lot 26 of Prairie Crossing - Plat 2 have requested a variance of Section 153.158(b)(2) of the 1988 City of Springfield Code of Ordinances, as amended ("Land Subdivision Ordinance"), to allow an access solely through an access easement; and

**WHEREAS**, the Land Subdivision Committee and the Regional Planning Commission have reviewed the request and recommend the variance be approved by the City Council; and

**WHEREAS**, the criteria for granting a variance of the Land Subdivision Ordinance are set forth at Section 153.201(c) of the Land Subdivision Ordinance as follows:

- (c) A variation from the requirements of this chapter may be granted if the planning commission finds that the subdivision substantially complies with the following requirements:
- (1) The intent of the chapter is maintained;
  - (2) Extraordinary circumstances of topography, land ownership, adjacent development or other circumstances not provided for in the chapter exist;
  - (3) The extraordinary circumstances will result in a hardship, not merely an inconvenience;
  - (4) The circumstances upon which the request for variance is based are not common to most other tracts of land;
  - (5) The circumstances upon which the request for variance is based are not the result of the subdivider's affirmative act or failure to act; and
  - (6) The purpose of a variation is not based exclusively on the desire to eliminate development costs at the expense of the public improvement standards as outlined in this chapter.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF  
SPRINGFIELD, ILLINOIS:**

Section 1: (The City Clerk shall check the following based upon the outcome of the vote.)

(X) The City Council agrees with the recommendation of the Land Subdivision Committee and the Regional Planning Commission. In addition, the City Council makes the following findings:

- (1) The intent of the chapter is maintained;
- (2) Extraordinary circumstances of topography, land ownership, adjacent development or other circumstances not provided for in the chapter exist;
- (3) The extraordinary circumstances will result in a hardship, not merely an inconvenience;
- (4) The circumstances upon which the request for variance is based are not common to most other tracts of land;
- (5) The circumstances upon which the request for variance is based are not the result of the subdivider's affirmative act or failure to act; and
- (6) The purpose of a variation is not based exclusively on the desire to eliminate development costs at the expense of the public improvement standards as outlined in this chapter.

( ) That the City Council disagrees with the recommendation of the Land Subdivision Committee and the Regional Planning Commission, and finds that the requirements for a variance are not met.

**Section 2:** That the application for a variance of Section 153.158(b)(2) of the Springfield Subdivision Ordinance is: (The City Clerk shall check the following based upon the outcome of the vote.)

(X) Approved to allow an access solely through an access easement.

( ) Denied.

**Section 3:** This ordinance shall become effective immediately upon its passage and recording by the City Clerk.

PASSED: April 21, 2015

SIGNED: April 28, 2015

RECORDED: April 28, 2015

Michael Houston <sup>76</sup>  
Mayor

ATTEST: Cecilia K. Tumulty  
City Clerk Cecilia K. Tumulty

Approved as to legal sufficiency:

John Seeburg / 4/2/15  
Office of Corporation Counsel/Date

Requested by: Public Works/Mayor Houston

Location: Ward 10

139 - 04 - 15

140-04-15

**AN ORDINANCE APPROVING/DENYING THE PRELIMINARY PLAN OF  
SLUMBERLAND – RESUBDIVISION OF LOT 26 OF PRAIRIE CROSSING –  
PLAT 2, LOCATED EAST OF FURNITURE ROW ON THE SOUTH SIDE OF  
CHUCKWAGON DRIVE, FOR THE OFFICE OF PUBLIC WORKS**

**WHEREAS**, the City of Springfield is a home rule unit as defined in Article VII, Section 6(a) of the 1970 Illinois Constitution and has jurisdiction over matters pertaining to its government and affairs; and

**WHEREAS**, the Land Subdivision Committee and the Springfield/Sangamon County Regional Planning Commission have reviewed the revised preliminary plan of Slumberland – Resubdivision of Lot 26 of Prairie Crossing – Plat 2; and

**WHEREAS**, all requirements of the 1988 Springfield City Code of Ordinances, as amended, have been met; and

**WHEREAS**, the Land Subdivision Committee recommends that the preliminary plan be approved by the City Council and the Springfield/Sangamon County Regional Planning Commission recommends that the preliminary plan be approved by the City Council.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SPRINGFIELD, ILLINOIS:**

**Section 1:** That the revised preliminary plan of Slumberland – Resubdivision of Lot 26 of Prairie Crossing – Plat 2 is hereby:

(The City Clerk shall check the following based upon the outcome of the vote.)

☒ Approved  
☐ Denied

by the City Council of the City of Springfield, Illinois.

**Section 2:** That the Mayor is authorized to sign and the City Clerk to attest:

☒ Approval  
☐ Denial

of said Plan for and in the name of the City.

**Section 3:** That this ordinance shall become effective immediately upon its passage and recording by the City Clerk.

PASSED: April 21, 2015

RECORDED: April 28, 2015

ATTEST: [Signature]  
City Clerk Cecilla K. Tumulty

Requested by: Mayor J. Michael Houston

Location: Ward 10

SIGNED: April 28, 2015

[Signature]  
Mayor J. Michael Houston

Approved as to legal sufficiency:

Todd Seumby, 4/2/15  
Office of Corporation Counsel / Date

141-04-15

**AN ORDINANCE AUTHORIZING A SUPPLEMENTAL APPROPRIATION  
IN THE AMOUNT OF \$9,429.00 FOR THE OFFICE OF PUBLIC WORKS**

**WHEREAS**, the City of Springfield is a home rule unit as defined in Article VII, Section 6(a) of the 1970 Illinois Constitution and has jurisdiction over matters pertaining to its government and affairs; and

**WHEREAS**, the Office of Public Works filed a property damage claim and received \$9,429.00 for fire damaged 2012 Ford F150 parking vehicle P 063; and

**WHEREAS**, the Office of Public Works is requesting a supplemental appropriation of \$9,429.00 to use toward the replacement of parking vehicle P 063.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SPRINGFIELD, ILLINOIS:**

**Section 1:** That the City Council hereby authorizes a supplemental appropriation in the amount of \$9,429.00 for the Office of Public Works to use toward replacement of parking vehicle P 063.

**Section 2:** That the Office of Budget and Management is hereby directed to effectuate this supplemental appropriation in the amount of \$9,429.00 from account number 036-110-PARK-BOND-3460 into expenditure account 036-110-PARK-ADMN-1503.

**Section 3:** That the City Clerk is hereby directed to publish this ordinance in pamphlet form.

**Section 4:** That this ordinance shall become effective from and after its passage, publication and recording by the City Clerk.

PASSED: April 21, 2015

RECORDED: April 27, 2015

ATTEST: Cecilia K. Tumulty  
City Clerk Cecilia K. Tumulty

Requested by: Mayor J. Michael Houston

SIGNED: April 28, 2015

Michael Houston  
Mayor J. Michael Houston

Approved as to legal sufficiency:

Todd Sweeney 4/2/15  
Office of Corporation Counsel Date

**AN ORDINANCE AUTHORIZING EXECUTION OF AN AMENDMENT TO  
AN ANNEXATION AGREEMENT PREVIOUSLY AUTHORIZED BY  
ORDINANCE 663-09-05 BETWEEN THE CITY OF SPRINGFIELD,  
ILLINOIS, AND ABUNDANT FAITH MINISTRY, INC. FOR THE  
PROPERTY LOCATED AT 2525 SOUTH TAYLOR AVENUE**

---

**WHEREAS**, the City of Springfield is a home rule unit as defined in Article VII, Section 6(a) of the 1970 Illinois Constitution and has jurisdiction over matters pertaining to its government and affairs; and

**WHEREAS**, the City Council previously passed ordinance 663-09-05 authorizing an annexation agreement with Abundant Faith Ministry, Inc., an Illinois religious corporation, for property located at 2525 South Taylor Avenue; and

**WHEREAS**, the Parties wish to amend a portion of the agreement with respect to Section 3, Roadway Construction in Exhibit A and to provide for the performance of other conditions and matters, pursuant to the provisions of 605 ILCS 5/5-912, *et. seq.*; and

**WHEREAS**, the Parties agree that Section 1 of the amendment to the agreement attached hereto as Exhibit A shall replace Section 3 of the agreement previously approved by ordinance 663-09-05 providing the City agrees to reduce the Owner(s) original responsibility of \$225,000 to construct Stanford Avenue along the property by \$80,000 in exchange for a letter to confirm that a noise wall does not need to be constructed on the north side of Stanford Avenue and that the Owners agree to pay \$145,000 for the construction of Stanford Avenue in monthly installments of \$1,726.19 over a seven year period; and

**WHEREAS**, all other terms and conditions of ordinance 663-09-05 and the agreement attached thereto not in conflict with this ordinance and amendment to the agreement shall remain in full force and effect; and

**WHEREAS**, a copy of the Annexation Agreement Amendment shall be on file in the Office of the City Clerk.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SPRINGFIELD, ILLINOIS:**

**Section 1:** That the City Council hereby approves and authorizes execution of an amendment to the annexation agreement previously authorized by ordinance 663-09-05 between the City of Springfield and Abundant Faith Ministry, an Illinois religious corporation, to replace Section 3 of the agreement authorized per ordinance 663-09-05 with Section 1 of the amendment attached hereto as Exhibit A.

**Section 2:** The Mayor and City Clerk are hereby authorized to execute the annexation agreement amendment, which shall be located in the Office of the City Clerk, on behalf of the City of Springfield.

**Section 3:** That all other terms and conditions of the ordinance and agreement authorized by ordinance 663-09-05 not in conflict with this ordinance shall remain in full force and effect.

**Section 4:** That this ordinance shall become effective immediately upon its passage and recording by the City Clerk.

PASSED: April 21, 2015

SIGNED: April 28, 2015

RECORDED: April 28, 2015

Michael Houston TC  
Mayor J. Michael Houston

ATTEST: Cecilia K. Tumulty  
City Clerk Cecilia K. Tumulty

Approved as to legal sufficiency:

Requested by: Mayor J. Michael Houston

Todd L. Lumbly / 4/2/13  
Office of Corporation Counsel / Date

142 - 04 - 15

# ORDINANCE FACT SHEET

REQUEST FORM NO: 15-21  
DATE OF 1ST READING: 4/8/15

OFFICE REQUESTING: Public Works

CONTACT PERSON: Nathan Bottom  
PHONE NUMBER: 789-2260

EMERGENCY PASSAGE: No ☒ Yes ☐ If yes, explain justification.

TYPE OF ORDINANCE: IDOT agreement

FISCAL IMPACT: NA

(If amending a previous ordinance, please attach a copy of the previous ordinance)

## SUGGESTED TITLE:

AN ORDINANCE AUTHORIZING EXECUTION OF AN AMENDMENT TO AN ANNEXATION AGREEMENT WITH ABUNDANT FAITH MINISTRY, INC. FOR THE PROPERTY LOCATED AT 2525 S. TAYLOR AVENUE FOR THE OFFICE OF PUBLIC WORKS

Please list supporting documentation (i.e., contract, agreement, change order, bid book, etc.)  
agreement

CONTRACTOR / VENDOR NAME

VENDOR NO:

CONTRACT TERM:

CONTRACT #

Change in Scope Yes ☐ No ☐

CONTRACT AMOUNT:

(Original amount if change order)

Change Order #

Additional Amount

Method of Purchase (check one)

Previous Ord #s

663-09-05

☐ Low Bid

☒ Other: annexation agreement

Is Purchasing Agent approval required? No ☐ Yes ☐

☐ Low Bid Meeting Specs

☐ Exception:

Is Purchasing Agent approval attached? No ☐ Yes ☐

☐ Low Evaluated Bid

Code Provision:

Accounting information (if more than four accounts, please attach list)

### REVENUE

| Fund | Agency | Org | Activity | Object | Amount |
|------|--------|-----|----------|--------|--------|
| 1    |        |     |          |        |        |
| 2    |        |     |          |        |        |
| 3    |        |     |          |        |        |
| 4    |        |     |          |        |        |

### EXPENDITURE

| Fund | Agency | Org | Activity | Object | Amount |
|------|--------|-----|----------|--------|--------|
| 1    |        |     |          |        |        |
| 2    |        |     |          |        |        |
| 3    |        |     |          |        |        |
| 4    |        |     |          |        |        |

|                                                       |                |
|-------------------------------------------------------|----------------|
| FUNDS CHECK BY: <i>Nathan Bottom</i>                  | Date: 03/31/15 |
| DIRECTOR / SUPERVISOR SIGNATURE: <i>Nathan Bottom</i> | Date: 3/30/15  |
| CITY PURCHASING AGENT: <i>[Signature]</i>             | Date: 3/31/15  |

## COMMENTS

Ordinance #663-09-05 authorized execution of an annexation agreement and required Abundant Faith to pay \$225,000 for Stanford Avenue roadway construction. The City agrees to reduce the amount required \$80,000 to a total amount of \$145,000 with a seven year payment plan for Stanford Avenue improvements and Abundant Faith agrees to not require a noise wall along the Stanford Avenue extension. The noise wall cost is estimated at \$80,000.

142-04-15

SIGN OFF:

*[Signature]*  
(Mayor's Signature)

*[Signature]*  
(Director of OBM)

9590

**Return To:**

City of Springfield, IL  
Attn: City Clerk  
Municipal Center West  
300 S. Seventh St.  
Springfield, IL 62701-1680

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**ANNEXATION AGREEMENT AMENDMENT**

**THIS AMENDMENT**, is made by and between **ABUNDANT FAITH MINISTRY, INC.** (hereinafter the "Owner(s)") and **CITY OF SPRINGFIELD, ILLINOIS**, ("City"), an Illinois Municipal Corporation, and is effective this 26<sup>th</sup> day of March, 2015.

**WHEREAS**, the City is a home rule unit as defined in Section 6 of Article VII of the Illinois Constitution of 1970; and

**WHEREAS**, pursuant to Section 5-912 of the Illinois Highway Code, the City has the power to enter into an agreement; and

**WHEREAS**, the Parties to this Amendment previously entered into a binding agreement, with respect to annexation (Ordinance 663-09-05) attached hereto as Exhibit A; and

**WHEREAS**, the Parties wish to amend a portion of the agreement, with respect to Section 3 Roadway Construction in Exhibit A and to provide for the performance of other conditions and matters, pursuant to the provisions of 605 ILCS 5/5-912, et seq.

**WHEREAS**, the Parties agree Section 1. Roadway Construction in this Amendment shall replace Section 3. Roadway Construction of the Annexation Agreement approved by Ordinance 663-09-05.

**NOW THEREFORE**, in consideration of the mutual covenants and agreements contained in this Amendment, the Parties agree as follows:

**Section 1. Roadway Construction**

The City agrees to reduce the Owner(s) original responsibility of \$225,000 to construct Stanford Avenue along Owner(s) property by \$80,000. In exchange for the cost reduction, Owner(s) agree and will sign a letter stating that a noise wall does not need constructed on the north side of Stanford Avenue for the residence located on Owner(s) property. The Owner(s) covenant and agree to pay \$145,000, for the construction of Stanford Avenue along their property. The amount shall be paid in monthly installments (\$1726.19) over a seven (7) year period. These payments shall be due the first of the month, a monthly late fee shall be assessed of 1.5 percent if not paid by the fifteenth of that month. The Owner(s) shall begin the aforementioned monthly payments to the City of Springfield, Illinois the succeeding month after City Council approval.

**Section 2. Notices**

All notices and other communications required under this Amendment shall be in writing and delivered either personally or by certified mail, with postage prepaid, to the Parties at the following addresses (or such other addresses as may be designated by the Parties from time to time):

**To the City at:**

City of Springfield, Illinois  
Attn: City Engineer  
Room 210 Municipal Center West  
300 S. 7th Street  
Springfield, IL 62701

**To Owner(s):**

Abundant Faith Ministry, Inc.  
Attn: Pastor Jerry Doss  
2525 S. Taylor Avenue  
Springfield, IL 62703

**With a copy to:**

Corporation Counsel  
Room 313 Municipal Center East  
800 East Monroe Street  
Springfield, IL 62701  
Facsimile: (217) 789-2397

**Section 3. Time**

Time shall be of the essence in this Amendment.

**Section 4. Power to Execute**

The Owner(s) as well as the President and Secretary or other officer of any corporate owner, or Trustee, or other Party hereto, warrant that they are authorized to execute this Amendment. The Mayor and City Clerk warrant that they are authorized by the City Council to execute this Amendment on behalf of the City. This amendment is binding on the City only upon authorization of two-thirds majority vote of the corporate authorities, defined as the Mayor and the Aldermen, and upon compliance with the provisions set forth in the Illinois Municipal Code, 65 ILCS 5/11-15.1 et seq., and as further amended.

**Section 5. Recording**

A copy of this Amendment shall be recorded in the Office of the Sangamon County Recorder of Deeds by the City within thirty (30) days of the execution of this Amendment.

**Section 6. Binding Effect**

This Amendment shall be binding upon the Parties hereto and their respective heirs, executors, personal representatives, corporate authorities, administrators, successors and assigns.

**Section 7. Waiver**

Neither party shall be excused from complying with any of the terms and conditions of this Amendment by any failure of the other party upon one or more occasion to insist upon or seek compliance with any such terms or conditions.

**Section 8. Continuity of Obligations**

Notwithstanding any provision of this Amendment to the contrary, the Owner(s) or their successor and assigns shall at all times during the term of this Amendment remain liable to City for the faithful performance of all obligations imposed on the Owner(s) or their successor and assigns by this Amendment until such obligations have been fully performed or until City, at its sole option, has otherwise released the Owner(s) or their successor and assigns from any or all of such obligations.

## **Section 9. Remedies**

Upon a breach of this Amendment, the City, in any court of competent jurisdiction, by an action or proceeding at law or in equity, may secure the specific performance of the covenants and agreements herein contained, may be awarded damages for failure of performance or both, or may obtain rescission for repudiation or material failure of performance. Notwithstanding the forgoing, before the failure of any Party to perform its obligations under this Amendment shall be deemed to be a breach of this Amendment, the Party claiming such failure shall notify, in writing, the Party alleged to have failed to perform of the alleged failure and shall demand performance. No breach of this Amendment may be found to have occurred if performance has commenced to the satisfaction of the complaining Party within thirty (30) days of receipt of such notice. Owner(s) hereby waive any right to claim: consequential, exemplary, equitable, loss of profits, punitive or tort damages.

## **Section 10. Indemnification**

Owner(s) shall indemnify and save harmless City against any and all damage to property or injuries to or death of any person or persons, and shall defend, indemnify and save harmless City from any and all claims, demands, suits, actions or proceedings of any kind or nature of or by anyone in connection with this Amendment.

## **Section 11. Amendment**

This Amendment sets forth all the promises, inducements, agreements, conditions and understandings between the Parties relative to the subject matter hereof, and there are no promises, agreements, conditions or understanding, either oral or written, expressed or implied, between them, other than are herein set forth. Except as herein otherwise provided, no subsequent alteration, amendment, change or addition to this Amendment shall be binding upon the Parties hereto unless authorized in accordance with law and reduced in writing and signed by them.

## **Section 12. Severability**

If any section, subsection, sentence, clause, phrase or portion of this Amendment is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate and distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

## **Section 13. Force Majeure**

If performance of any covenant to be performed hereunder by any Party is delayed as a result of circumstances which are beyond the reasonable control of such party, which circumstances may include acts of God, war, acts of civil disobedience, strikes or similar acts, the time for such performance shall be extended by the amount of time of such delay. As a condition precedent to such a time extension, the Party seeking protection under this Section shall provide notice to the other Party within fourteen (14) days from the event causing the delay.

## **Section 14. Code of Ordinances**

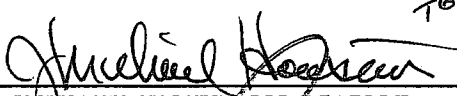
All requirements of the 1988 Springfield City Code of Ordinances and any future amendments thereto, shall apply to this Amendment. In the event any provisions of the Code are in direct conflict with any provisions of this Amendment, the provisions of this Amendment shall control.

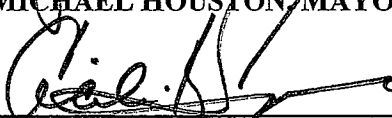
**Section 15. Governing Law**

This Amendment shall be construed, interpreted and enforced in accordance with the laws of the State of Illinois. The City and Owner(s) voluntarily and freely submit to a court of competent jurisdiction in Sangamon County, Illinois, should any dispute arise between the City and the Owner(s). By execution and delivery of this Agreement, each of the parties knowingly, voluntarily and irrevocably: (i) waives any right to trial by jury; (ii) agrees that any dispute arising out of this Amendment shall be decided by trial without a jury; and (iii) agrees that the other party to this Amendment may file an original counterpart or a copy of this Section as written evidence of the consents, waivers and agreements of the parties set forth in this Section.

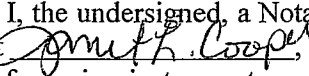
NOW THEREFORE, this Amendment is entered into on the day and year first written above.

**CITY OF SPRINGFIELD, ILLINOIS**  
an Illinois municipal corporation

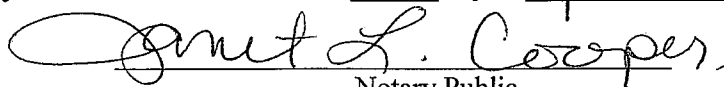
By:  <sup>T6</sup>  
J. MICHAEL HOUSTON, MAYOR

Attest:   
CECILIA K. TUMULTY, CITY CLERK

STATE OF ILLINOIS            )  
                                          ) SS.  
COUNTY OF SANGAMON    )

I, the undersigned, a Notary Public in and for the County and State aforesaid, DO HEREBY CERTIFY that  personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he signed, sealed and delivered the forgoing instrument as his free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and Notarial Seal this 28<sup>th</sup> day of April, 2015.

  
Notary Public



ABUNDANT FAITH MINISTRY, INC.

By: \_\_\_\_\_

JERRY W. DOSS, CEO & SENIOR PASTOR

Attest: \_\_\_\_\_

MEMBER OF THE BOARD

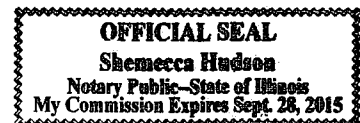
STATE OF ILLINOIS       )  
                                      ) SS.  
COUNTY OF SANGAMON )

I, the undersigned, a Notary Public in and for the County and State aforesaid, DO HEREBY CERTIFY that Jerry W. Doss, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he signed, sealed and delivered the forgoing instrument as his free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and Notarial Seal this 26<sup>th</sup> day of March, 2015.

Shemecca Hudson  
Notary Public

S:\AGREEMENTS\ANNEXATIONS\Standard.doc



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**AN ORDINANCE AUTHORIZING EXECUTION OF AN AGREEMENT WITH,  
AND PAYMENT IN THE AMOUNT OF \$46,720.00 TO, THE STATE OF ILLINOIS  
DEPARTMENT OF TRANSPORTATION FOR TRAFFIC SIGNAL  
IMPROVEMENTS ON WABASH AVENUE AT THE INTERSECTIONS OF  
ROBBINS ROAD AND WEST WHITE OAKS DRIVE (MFT SECTION # 15-STATE-  
01-TL) FOR THE OFFICE OF PUBLIC WORKS**

---

**WHEREAS**, the City of Springfield is a home rule unit as defined in Article VII, Section 6(a) of the 1970 Illinois Constitution and has jurisdiction over matters pertaining to its government and affairs; and

**WHEREAS**, the State of Illinois and the City of Springfield, in the interest of safety and efficient movement of vehicular traffic, are desirous of the modernization of traffic signals on Wabash Avenue at the intersections of Robbins Road and West White Oaks Drive, MFT Section # 15-STATE-01-TL; and

**WHEREAS**, the costs of the proposed work will be divided between the parties as set forth in the agreement and the estimated cost to the City will be \$46,720.00; and

**WHEREAS**, the agreement sets forth jurisdictional responsibilities following the completion of the project and the City's participation in the project; and

**WHEREAS**, a copy of the Agreement shall be on file in the Office of the City Clerk.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF  
SPRINGFIELD, ILLINOIS:**

**Section 1:** That the City Council hereby approves execution of an Agreement with and payment of \$46,720.00 to the State of Illinois Department of Transportation for traffic signal improvements on Wabash Avenue at the intersections of Robbins Road and West White Oaks Drive, MFT Section # 15-STATE-01-TL. The Mayor is hereby authorized to execute and the City Clerk to attest said agreement on behalf of the City.

**Section 2:** That the Office of Budget and Management is hereby authorized to pay the State of Illinois Department of Transportation (OSTA4950) an amount not to exceed \$46,720.00 from account number 041-110-GAST-STRS-2307.

**Section 3:** That this ordinance shall become effective immediately upon its passage and recording by the City Clerk.

PASSED: April 21, 2015

RECORDED: April 28, 2015

ATTEST: Cecilia K. Tumulty  
City Clerk Cecilia K. Tumulty

Requested by: Mayor J. Michael Houston

SIGNED: April 28, 2015

J. Michael Houston  
Mayor J. Michael Houston

Approved as to legal sufficiency:

Todd Lumbert 4/2/15  
Office of Corporation Counsel Date

**AN ORDINANCE ACCEPTING BIDS AND AUTHORIZING THE EXECUTION OF CONTRACT NO. PW 15-02-108 FOR AN AMOUNT NOT TO EXCEED \$1,412,422.00 WITH P.H. BROUGHTON & SONS, INC., STATE HIGHWAY CONSTRUCTION CORP., INC., BEELMAN LOGISTICS, LLC, VULCAN CONSTRUCTION MATERIALS, LP AND COMPLETE ASPHALT SERVICE CO. FOR 2016 MAINTENANCE MATERIALS**

**WHEREAS**, the City of Springfield is a home rule unit as defined in Article VII, Section 6(a) of the 1970 Illinois Constitution and has jurisdiction over matters pertaining to its government and affairs; and

**WHEREAS**, the Purchasing Code of the City of Springfield requires that this contract be let by sealed competitive bidding; and

**WHEREAS**, pursuant to the above, the City Purchasing Agent has determined that P.H. Broughton & Sons, Inc., State Highway Construction Corp., Inc., Beelman Logistics, LLC, Vulcan Construction Materials, LP and Complete Asphalt Service Co. ("Contractors") have submitted bids meeting specifications to furnish 2016 maintenance materials for the Office of Public Works; and

**WHEREAS**, the proposed contract documents and bid proposals are on file in the Office of the City Clerk and identified by Contract Index No. PW 15-02-108.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SPRINGFIELD, ILLINOIS:**

**Section 1:** That the City Council hereby accepts bids from the following companies to furnish 2016 maintenance materials for the Office of Public Works. The Mayor and City Clerk are authorized to execute contracts on behalf of the City of Springfield as follows:

| <b>VENDOR</b>                                   | <b>QUANTITY</b> | <b>PRICE</b> | <b>TOTAL</b> |
|-------------------------------------------------|-----------------|--------------|--------------|
| <b>1. P. H. Broughton &amp; Sons, Inc.</b>      |                 |              |              |
| Bituminous Concrete (Hot Mix)                   | 6,000 tons      | @ \$75.95    | \$455,700.00 |
| Bituminous Pre-Mix (Cold Mix)                   | 1,000 tons      | @ \$89.51    | \$89,510.00  |
| High Performance Cold Mix                       | 1,000 tons      | @ \$122.83   | \$122,830.00 |
| Emulsified Asphalt (HFE 150)                    | 5,000 gals      | @ \$8.80     | \$44,000.00  |
| Bituminous Materials (Prime Coat)               | 2,000 gals      | @ \$9.70     | \$19,400.00  |
| <b>2. State Highway Construction Corp. Inc.</b> |                 |              |              |
| Bituminous Concrete (Hot Mix)                   | 3,000 tons      | @ \$77.00    | \$231,000.00 |
| <b>3. Beelman Logistics, LLC</b>                |                 |              |              |
| FA-1, 2, or 3                                   | 300 tons        | @ \$8.74     | \$2,622.00   |
| Aggregate Surface Course, Type B, CA-6          | 6,000 tons      | @ \$12.91    | \$77,460.00  |
| <b>4. Vulcan Construction Materials, LP</b>     |                 |              |              |
| Selected Granular Backfill                      | 300 tons        | @ \$10.50    | \$31,500.00  |
| <b>5. Complete Asphalt Service Co.</b>          |                 |              |              |
| Crackfilling Bituminous Pavement                | 60,000 lbs.     | @ \$1.88     | \$112,800.00 |
| Crackfilling with Routing Bituminous Pavement   | 60,000 lbs.     | @ \$1.88     | \$112,800.00 |
| Crack & Joint Sealing PCC Pavement              | 60,000 lbs.     | @ \$1.88     | \$112,800.00 |

**Section 2:** That the Office of Budget and Management is hereby authorized to make payments to the above contractors in an amount not to exceed \$1,412,422.00 from the following accounts upon satisfactory performance of the contracts.

| VENDOR                                              | ACCOUNT NUMBERS                                  | AMOUNT                      |
|-----------------------------------------------------|--------------------------------------------------|-----------------------------|
| P.H. Broughton & Sons, Inc.<br>(0BRO 2800)          | 041-110-GAST-STRS-1407<br>015-110-SEWR-SEWR-1407 | \$681,440.00<br>\$50,000.00 |
| State Highway Construction<br>Corp., Inc.(0STA3948) | 041-110-GAST-STRS-1407<br>015-110-SEWR-SEWR-1407 | \$201,000.00<br>\$30,000.00 |
| Beelman Logistics, LLC (VC3009)                     | 041-110-GAST-STRS-1407                           | \$80,082.00                 |
| Vulcan Construction Materials, Inc.<br>(VU0030502)  | 041-110-GAST-STRS-1407                           | \$31,500.00                 |
| Complete Asphalt Service Co.<br>(0COM3300)          | 095-107-GENC-15GO-1204                           | \$338,400.00                |

**Section 2:** That this ordinance shall become effective immediately upon its passage and recording by the City Clerk.

PASSED: April 21, 2015

RECORDED: April 28, 2015

ATTEST: Cecilia K. Tumulty  
Cecilia K. Tumulty, City Clerk

Requested by: Mayor J. Michael Houston

SIGNED: April 28, 2015

Michael Houston  
Mayor J. Michael Houston

Approved as to legal sufficiency:

Todd Seebury / 4/2/15  
Office of Corporation Counsel Date

144-04-15

145-04-15

**AN ORDINANCE AUTHORIZING EXECUTION OF A TWO-YEAR MASTER AGREEMENT AND ASSOCIATED PRICING SCHEDULES WITH, AND PAYMENT IN AN AMOUNT NOT TO EXCEED \$195,000.00 TO, AT&T CORP. FOR TELEPHONE, CENTREX AND LONG DISTANCE SERVICES FOR THE CITY OF SPRINGFIELD**

**WHEREAS**, the City of Springfield is a home rule unit as defined in Article VII, Section 6(a) of the 1970 Illinois Constitution and has jurisdiction over matters pertaining to its government and affairs; and

**WHEREAS**, the City desires to enter into an agreement for telephone, Centrex and long distance services; and

**WHEREAS**, AT&T Corp. is the only authorized provider for these services; and

**WHEREAS**, the City Purchasing Agent has made a determination, in writing, that this is a Sole Source Procurement and is exempt from the provisions of the City Purchasing Code requiring sealed competitive bidding pursuant to the exceptions contained in Section 38.40 pertaining to Sole Source Procurement; and

**WHEREAS**, AT&T Corp. is willing and able to provide these services in an amount not to exceed \$195,000.00 for two years; and

**WHEREAS**, it is necessary to authorize payment in an amount not to exceed \$195,000.00 to, and execute a Master Service Agreement and associated pricing schedules with, AT&T Corp; and

**WHEREAS**, a copy of the Master Agreement and associated pricing schedules will be on file in the Office of City Clerk.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SPRINGFIELD, ILLINOIS:**

**Section 1:** That the City Council hereby authorizes execution of a two-year Master Agreement and associated pricing schedules with, and payment in an amount not to exceed \$195,000.00 to, AT&T Corp. for telephone, Centrex and long distance services for the City of Springfield. The Mayor and City Clerk are authorized to execute any necessary documents on behalf of the City of Springfield.

**Section 2:** That the Office of Budget and Management is hereby authorized to pay AT&T Corp. (OAME4900) an amount not to exceed \$195,000.00 during the term of the Master Agreement from various accounts determined by the Office of Budget and Management.

**Section 3:** That this ordinance shall become effective immediately upon its passage and recording by the City Clerk.

**PASSED:** April 21, 2015

**RECORDED:** April 28, 2015

**ATTEST:** Cecilia K. Tumulty  
City Clerk Cecilia K. Tumulty

**Requested by:** Mayor J. Michael Houston

**SIGNED:** April 28, 2015

Michael Houston  
Mayor J. Michael Houston

**Approved as to legal sufficiency:**

Todd Searcy / 4/2/15  
Office of Corporation Counsel Date

146-04-15

AN ORDINANCE ACCEPTING BIDS AND AUTHORIZING CONTRACT UE15-02-96 – ANHYDROUS AMMONIA FOR A FIVE YEAR PERIOD WITH BRANDT CONSOLIDATED, INC.  
IN AN AMOUNT NOT TO EXCEED \$9,000,000.00  
FOR THE OFFICE OF PUBLIC UTILITIES

WHEREAS, by previous action, the Specifications Committee approved specifications for Contract UE15-02-96 – Anhydrous Ammonia for a five year period with Brandt Consolidated, Inc. ("Brandt") for the Office of Public Utilities, and

WHEREAS, as described in said specifications, advertisement for bids for Contract UE15-02-96 was placed, and

WHEREAS, Brandt submitted the only bid, and

WHEREAS, the proposed contract documents and bid proposals are on file in the Office of the City Clerk and identified by Contract Index No. UE15-02-96.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SPRINGFIELD, ILLINOIS:

Section 1. The Council of the City of Springfield, Illinois, hereby approves and accepts the bid from Brandt under Contract UE15-02-96 – Anhydrous Ammonia, in an amount not to exceed Nine Million Dollars and No Cents (\$9,000,000.00) for the Office of Public Utilities' Administrative Services, Electric and Water Divisions.

Section 2. The Mayor and the City Clerk are hereby authorized and empowered to execute said contract with Brandt on behalf of the Office of Public Utilities.

Section 3. Payment to Brandt for a total amount not to exceed Nine Million Dollars and No Cents (\$9,000,000.00) from Account No. 102-100-CABC-8016-1418 is hereby authorized, approved and directed.

Section 4. This Ordinance shall become effective immediately upon its passage and recording with the City Clerk.

PASSED: April 21, 2015

RECORDED: April 28, 2015

ATTEST: [Signature]

SIGNED: April 28, 2015

[Signature]  
MAYOR

Approved as to legal sufficiency: [Signature] / 4/2/15

Office of the Corporation Counsel/Date

Requested by the Office of Public Utilities/Mayor Houston

147-04-15

AN ORDINANCE ACCEPTING BIDS AND AUTHORIZING THE EXECUTION OF CONTRACT  
UE15-01-81 – MULTI-YEAR TRANSFORMER ALLIANCE WITH ERMCO INC. AND  
FLETCHER-REINHARDT COMPANY IN AN AMOUNT NOT TO EXCEED \$3,000,000.00  
FOR THE OFFICE OF PUBLIC UTILITIES

WHEREAS, by previous action, the Specifications Committee approved specifications for Contract UE15-01-81 – Multi-Year Transformer Alliance with ERMCO Inc. ("ERMCO") and Fletcher-Reinhardt Company ("Fletcher-Reinhardt"), in an amount not to exceed \$3,000,000.00 for the Office of Public Utilities, and

WHEREAS, as described in said specifications, advertisement for bids for Contract UE15-01-81 was placed, and

WHEREAS, ERMCO submitted the low bid for 1-phase pole mounted transformers and Fletcher-Reinhardt submitted the low bid for 1-phase and 3-phase pad mounted transformers, and

WHEREAS, the proposed contract documents and bid proposals are on file in the Office of the City Clerk and identified by Contract Index No. UE15-01-81.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SPRINGFIELD, ILLINOIS:

Section 1. The Council of the City of Springfield, Illinois, hereby approves and accepts the bid from ERMCO for 1-phase pole mounted transformers and Fletcher-Reinhardt for 1-phase and 3-phase pad mounted transformers for Contract UE15-01-81 – Multi-Year Transformer Alliance in an amount not to exceed Three Million Dollars and No Cents (\$3,000,000.00) for the Office of Public Utilities.

Section 2. The Mayor and the City Clerk are hereby authorized and empowered to execute said Contract with ERMCO and Fletcher-Reinhardt on behalf of the City of Springfield Office of Public Utilities.

Section 3. The Payment to ERMCO and Fletcher-Reinhardt for the total maximum amount of Three Million Dollars and No Cents (\$3,000,000.00) from Account No. 102-100-CBAB-3692-2313 is hereby authorized, approved and directed.

Section 4. This Ordinance shall become effective immediately upon its passage and recording with the City Clerk.

PASSED: [Signature], 2015

RECORDED: [Signature], 2015

ATTEST: [Signature]

SIGNED: [Signature]

[Signature]  
MAYOR

Approved as to legal sufficiency

[Signature] 7/4/2/15

Office of the Corporation Counsel/Date

Requested by the Office of Public Utilities/Mayor Houston

148-04-15

AN ORDINANCE AMENDING ORDINANCE NUMBER 96-03-14 REGARDING AN AGREEMENT WITH  
BUCKMAN LABORATORIES, INC. FOR THE PURCHASE OF OXAMINE® BY APPROVING A  
RESTATED AND AMENDED AGREEMENT FOR THE PURCHASE OF OXAMINE® AND BULAB®  
FOR A TOTAL AMOUNT NOT TO EXCEED \$720,000.00,  
FOR THE OFFICE OF PUBLIC UTILITIES

WHEREAS, Ordinance 96-03-14 approved a 3-year contract with Buckman Laboratories, Inc. ("Buckman") for the purchase of Oxamine® in an amount not to exceed \$420,000.00, and

WHEREAS, due to EPA requirements on our new NPDES permit, we need to add a dechlorination process on the back end of the Oxamine® chlorination process, and

WHEREAS, Buckman has designed a dechlorination process using Bulab® that works in tandem with our existing Oxamine® system through wireless communication, and

WHEREAS, Buckman will provide both processes for \$30,000.00 per month, for a period of 6 months per year, for 4 years.

WHEREAS, this ordinance amends Ordinance 96-03-14 to approve a Restated & Amended Sales Agreement to reflect the additional dechlorination process, increase the total dollar amount from \$420,000.00 to \$720,000.00, and extend the contract term through October of 2018, and

WHEREAS, in accordance with the provisions of Section 38.40 of the City Code, the Purchasing Agent has determined that this agreement is not subject to sealed competitive bidding, and

WHEREAS, a copy of the Restated and Amended Sales Agreement shall be on file with the Office of the City Clerk.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SPRINGFIELD, ILLINOIS:

Section 1. The Council of the City of Springfield, Illinois, hereby amends Ordinance Number 96-03-14, to approve a Restated & Amended Sales Agreement to reflect the additional dechlorination process, increase the total dollar amount to \$720,000.00, and extend the contract term through October of 2018.

Section 2. The Mayor and the City Clerk are hereby authorized and empowered to execute the Restated & Amended Sales Agreement on behalf of the Office of Public Utilities.

Section 3. Payment to Buckman for the total maximum amount of Seven Hundred Twenty Thousand Dollars and No Cents (\$720,000.00) from Account No. 102-100-CAB-7702-1418 is hereby authorized, approved and directed.

Section 4. This Ordinance is being adopted pursuant to the City's home rule authority and shall be in full force and effect from and after its passage and recording with the City Clerk.

PASSED: April 26, 2015

RECORDED: April 28, 2015

ATTEST: April 28

SIGNED: April 28, 2015

Michael Houston  
MAYOR

Approved as to legal sufficiency:

Paul Sweeney / 3/31/15  
Office of the Corporation Counsel/Date

Requested by the Office of Public Utilities/Mayor Houston

149-04-15

No. GFO-0250

AN ORDINANCE ACCEPTING BIDS AND AUTHORIZING  
CONTRACT UE15-02-101 – PORTABLE DEMINERALIZER SERVICES FOR  
THE DALLMAN POWER PLANT AND INTERSTATE COMBUSTION TURBINE  
WITH MPW INDUSTRIAL WATER SERVICES, INC. IN AN AMOUNT NOT TO EXCEED  
\$346,200.00 OVER A THREE-YEAR TERM  
FOR THE OFFICE OF PUBLIC UTILITIES

WHEREAS, by previous action, the Specifications Committee approved specifications for Contract UE15-02-101 - Portable Demineralizer Services for the Dallman Power Plant and Interstate Combustion Turbine for a three-year term for the Office of Public Utilities' Electric Division Electric Generation Department, and

WHEREAS, as described in said specifications, advertisement for bids for Contract UE15-02-101 was placed, and

WHEREAS, MPW Industrial Water Services, Inc. submitted the low bid for the rental of portable demineralizer units on an "as needed" basis to produce high purity water from city water, which is required for the power generation process, and

WHEREAS, the proposed contract documents and bid proposals are on file in the Office of the City Clerk and identified by Contract Index No. UE15-02-101.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SPRINGFIELD, ILLINOIS:

Section 1. The Council of the City of Springfield, Illinois, hereby approves and accepts the bid from MPW Industrial Water Services, Inc. for Contract UE15-02-101 - Portable Demineralizer Services for the Dallman Power Plant and Interstate Combustion Turbine for a three-year term in an amount not to exceed Three Hundred Forty-Six Thousand Two Hundred Dollars and No Cents (\$346,200.00) for the Office of Public Utilities' Electric Division Electric Generation Department.

Section 2. The Mayor and the City Clerk are hereby authorized and empowered to execute said Contract with MPW Industrial Water Services, Inc. on behalf of the Office of Public Utilities.

Section 3. Payment by the Office of Budget and Management to MPW Industrial Water Services, Inc. for the total maximum amount of Three Hundred Forty-Six Thousand Two Hundred Dollars and No Cents (\$346,200.00) from Account No. 102-100-CAB-8035-1210 is hereby authorized, approved and directed.

Section 4. This Ordinance shall become effective immediately upon its passage and recording with the City Clerk.

PASSED: April 27, 2015

RECORDED: April 28, 2015

ATTEST: April 28

SIGNED: April 28

Michael Houston  
MAYOR

Approved as to legal sufficiency: 4/3/15  
John S. Seabury  
Office of the Corporation Counsel/Date

Requested by the Office of Public Utilities/Mayor Houston

150-04-15

AN ORDINANCE APPROVING A PROPOSAL WITH IBIDEN CERAM ENVIRONMENTAL, INC. IN THE AMOUNT OF \$341,400.00 FOR THE PURCHASE OF 36 NEW CATALYST MODULES FOR DALLMAN POWER PLANT UNIT NOS. 31, 32, AND 33 FOR THE ELECTRIC GENERATION DEPARTMENT  
FOR THE OFFICE OF PUBLIC UTILITIES

WHEREAS, this Ordinance accepts a Proposal from Ividen Ceram Environmental, Inc. (Ceram) for the purchase of 36 new catalyst modules for Dallman Power Plant Units 31, 32, and 33 for the Electric Generation Department for the Office of Public Utilities, and

WHEREAS, the catalyst is the nitrogen oxide (NOx) removing portion of the SCR system and must be in proper operating condition in order to comply with NOx removal requirements as mandated by the United States and Illinois Environmental Protection Agencies, and

WHEREAS, under the Proposal, Ceram will provide 36 new catalyst modules to be used in either Dallman Unit No. 31, 32, or 33, and

WHEREAS, Ceram is the original equipment manufacturer for the catalyst used in the SCR system, and

WHEREAS, Ceram will perform said services in accordance with the Proposal to the City of Springfield Office of Public Utilities, a copy of which shall be on file with the Office of the City Clerk, and

WHEREAS, in accordance with the provisions of Section 38.40 of the City Code, the Purchasing Agent has determined that this contract is not subject to sealed competitive bidding.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SPRINGFIELD, ILLINOIS:

Section 1. The Council of the City of Springfield, Illinois, hereby approves and accepts the Proposal, a copy of which shall be on file with the Office of the City Clerk, in the amount of Three Hundred Forty-One Thousand Four Hundred Dollars and No Cents (\$341,400.00) with Ceram for the purchase of 36 new catalyst modules for the City of Springfield Office of Public Utilities' Electric Generation Department.

Section 2. The Mayor and the City Clerk are hereby authorized and empowered to execute said proposal and related necessary documents on behalf of the City of Springfield Office of Public Utilities.

Section 3. The Payment by the City of Springfield Office of Budget and Management to Ceram for the total maximum amount of Three Hundred Forty-One Thousand Four Hundred Dollars and No Cents (\$341,400.00) from Account No. 102-100-CAA-8017-1404 is hereby authorized, approved and directed.

Section 4. This Ordinance shall become effective immediately upon its passage and recording with the City Clerk.

PASSED: April 27, 2015

RECORDED: April 28, 2015

ATTEST: Cate

SIGNED: April 28, 2015

Michael Houston  
MAYOR

Approved as to legal sufficiency:

Todd Greenberg / 4/2/15  
Office of the Corporation Counsel/Date

Requested by the Office of Public Utilities/Mayor Houston

151-04-15

AN ORDINANCE ACCEPTING BIDS AND AUTHORIZING CONTRACT UE15-02-104 – BACKFILL  
MATERIALS WITH P.H. BROUGHTON & SONS, INC. AND VULCAN MATERIALS COMPANY IN AN  
AMOUNT NOT TO EXCEED \$250,000.00  
FOR THE OFFICE OF PUBLIC UTILITIES

WHEREAS, by previous action, the Specifications Committee approved specifications for Contract UE15-02-104 – Backfill Materials with P.H. Broughton & Sons, Inc. ("Broughton") and Vulcan Materials Company ("Vulcan") for the City of Springfield Office of Public Utilities, and

WHEREAS, as described in said specifications, advertisement for bids for Contract UE15-02-104 was placed, and

WHEREAS, Broughton submitted the low bid for CA-1 aggregate and Vulcan submitted the low bid for all remaining items, and

WHEREAS, the proposed contract documents and bid proposals are on file in the Office of the City Clerk and identified by Contract Index No. UE15-02-104.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SPRINGFIELD, ILLINOIS:

Section 1. The Council of the City of Springfield, Illinois, hereby approves and accepts the bid from Broughton for CA-1 and Vulcan for all remaining items under Contract UE15-02-104 – Backfill Materials in an amount not to exceed Two Hundred Fifty Thousand Dollars and No Cents (\$250,000.00) for the City of Springfield Office of Public Utilities' Administrative Services, Electric and Water Divisions.

Section 2. The Mayor and the City Clerk are hereby authorized and empowered to execute said Contract with Broughton and Vulcan on behalf of the City of Springfield Office of Public Utilities.

Section 3. The Payment to Broughton and Vulcan for the total maximum amount of Two Hundred Fifty Thousand Dollars and No Cents (\$250,000.00) from Account Nos. 102-100-CBC-7778-1407; 102-100-CBB-7778-1403; 101-200-JAAC-6331-1404; 101-200-JAAC-6343-1404; 101-100-BA-6192-1416; and, 102-100-CABG-7710-1407 is hereby authorized, approved and directed.

Section 4. This Ordinance shall become effective immediately upon its passage and recording with the City Clerk.

PASSED: April 21, 2015

RECORDED: April 28, 2015

ATTEST: April 28

SIGNED: April 28, 2015

Michael Houston  
MAYOR

Approved as to legal sufficiency:

Todd Sweeney 4/2/15  
Office of the Corporation Counsel/Date

Requested by the Office of Public Utilities/Mayor Houston

152-04-15

No. L & W 1079

AN ORDINANCE APPROVING 38 SEPARATE FARM LEASES WITH VARIOUS TENANTS  
FOR A ONE-YEAR TERM FOR THE WATER DIVISION OF THE  
OFFICE OF PUBLIC UTILITIES

WHEREAS, the City of Springfield Office of Public Utilities Water Division Land and Water Resources Department leases approximately 3,662 acres, used for pasture, corn, soybeans, wheat, alfalfa, clover, grass and pasture, to various tenants under separate leases, and

WHEREAS, the City desires to enter into new one-year farm lease agreements with said tenants, the terms for which expire February 28, 2016, unless cancelled in accordance with the lease provisions, and

WHEREAS, this ordinance approves and authorizes execution of 38 separate farm lease agreements, copies of which shall be on file with the City of Springfield Office of the City Clerk.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SPRINGFIELD, ILLINOIS:

Section 1. The Council of the City of Springfield, Illinois, hereby approves and authorizes execution of 38 separate Farm Lease Agreements, copies of which shall be on file with the City Clerk, on behalf of the Office of Public Utilities' Water Division Land and Water Resources Department.

Section 2. The Mayor and the City Clerk are hereby authorized and empowered to execute said leases on behalf of the Office of Public Utilities.

Section 3. This Ordinance shall become effective immediately upon its passage and recording with the City Clerk.

PASSED: April 21 2015

RECORDED: April 28 2015

ATTEST: [Signature]

SIGNED: April 28 2015

[Signature]  
MAYOR

Approved as to legal sufficiency:

Todd Swenberg 4/12/15  
Office of the Corporation Counsel/Date

Requested by the Office of Public Utilities/Mayor Houston

153 - 04 - 15

AN ORDINANCE APPROVING A TELECOMMUNICATIONS CONTRACT SERVICE AGREEMENT  
WITH SPRINGFIELD CLINIC LLP FOR 901 S. KOKE MILL  
FOR THE OFFICE OF PUBLIC UTILITIES

WHEREAS, the City of Springfield Office of Public Utilities has constructed a fiber optic telecommunications system and has been granted certificates of service authority with the Illinois Commerce Commission, and

WHEREAS, Springfield Clinic LLP ("Clinic") wishes to establish Ethernet communications between its facility at 1025 S. 6<sup>th</sup> Street to their facility at 901 S. Koke Mill, and

WHEREAS, the Office of Public Utilities will use existing fiber optics and communications infrastructure to provide 10-megabits per second (Mbps) Ethernet service for said connection, and

WHEREAS, pursuant to a Telecommunications Contract Service Agreement, a copy of which shall be on file with the Office of the City Clerk, Clinic shall pay the City of Springfield \$995.00 per month for the initial three-year agreement term, and

WHEREAS, Clinic may elect to terminate the agreement at any time without cause, provided that it pays the remaining monthly charges for the remainder of the three year contract.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SPRINGFIELD, ILLINOIS:

Section 1. The Council of the City of Springfield, Illinois, hereby approves and authorizes the execution of the Telecommunications Contract Service Agreement, a copy of which shall be on file with the City Clerk, between the City of Springfield and Clinic for Ethernet service from its facility at 1025 S. 6<sup>th</sup> Street to their facility at 901 S. Koke Mill, Springfield, Illinois.

Section 2. The Mayor and the City Clerk are hereby authorized and empowered to execute said Telecommunications Contract Service Agreement with Clinic.

Section 3. This Ordinance shall become effective immediately upon its passage and recording with the City Clerk.

PASSED: April 21, 2015

RECORDED: April 28, 2015

ATTEST: April 28

SIGNED: April 28, 2015

Michael Houston  
MAYOR

Approved as to legal sufficiency:

Todd S. Samsbury 4/2/15  
Office of the Corporation Counsel/Date

Requested by the Office of Public Utilities/Mayor Houston

154 - 04 - 15

**AN ORDINANCE APPROVING AN AGREEMENT BETWEEN THE CITY OF  
SPRINGFIELD AND ACE SIGN COMPANY**

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**WHEREAS**, the City of Springfield is a home rule unit as defined in Article VII, Section 6(a) of the 1970 Illinois Constitution and has jurisdiction over matters pertaining to its government and affairs; and

**WHEREAS**, the City of Springfield controls the streets and rights-of-way for public purposes; and

**WHEREAS**, it is in the best interests of the City to receive revenue from advertising on bus benches placed on the right-of-way for streets within the City of Springfield.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF  
SPRINGFIELD, ILLINOIS:**

**Section 1:** That the attached Agreement between the City of Springfield and Ace Sign Company is approved.

**Section 2:** That this ordinance shall become effective immediately upon its passage and recording by the City Clerk.

PASSED: April 21, 2015

RECORDED: April 28, 2015

ATTEST: [Signature]  
City Clerk Cecilia K. Tumulty

Requested by: Mayor J. Michael Houston

SIGNED: April 28, 2015

[Signature] 76  
Mayor J. Michael Houston

Approved as to legal sufficiency:

[Signature] / 4/2/15  
Office of Corporation Counsel / Date

155-04-15

**AN ORDINANCE AMENDING CHAPTER 79, SECTION 79.20 OF THE 1988 CITY OF SPRINGFIELD CODE OF ORDINANCES, AS AMENDED, BY INCREASING THE PENALTY TO \$250.00 FOR STOPPING OR PARKING ON YALE BOULEVARD ADJACENT TO HARVARD PARK SCHOOL, AS AMENDED**

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WHEREAS, the City of Springfield is a home rule unit as defined in Article VII, Section 6(a) of the 1970 Illinois Constitution and has jurisdiction over matters pertaining to its government and affairs; and

WHEREAS, persons are disregarding "No Parking" signs which are posted on Yale Boulevard and are stopping their vehicles on Yale Boulevard when children are going to and leaving Harvard Park Elementary School, creating a congested traffic situation in which children are at risk of being struck by vehicles; and

WHEREAS, an increase in the fine to be assessed for disregarding the posted "No Parking" signs is necessary to deter persons from disobeying such signs.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SPRINGFIELD, ILLINOIS:**

**Section 1:** That the City Council hereby amends Chapter 79 of Title 7 of the 1988 Springfield City Code of Ordinances, as amended, by adding the following Section 79.20 (24)

79.20 (24): At any place adjacent to the center portion of Yale Boulevard next to Harvard Park Elementary School where official signs prohibit stopping or parking when school children are present. The penalty for violating this subsection (24) is a fine of \$250.00.

**Section 2:** That the City Clerk is hereby directed to publish this ordinance in pamphlet form.

**Section 3:** That this ordinance shall become effective ten days after its passage, recording and publication in pamphlet form.

PASSED: April 21, 2015

RECORDED: April 28, 2015

ATTEST: [Signature]  
City Clerk

SIGNED: April 28, 2015

[Signature] TG  
Mayor

Approved as to legal sufficiency:

[Signature] / 4/21/15  
Office of Corporation Counsel / Date

Sponsors: Alderman Gail Simpson  
Alderman Cory Jobe

156-04-15

**AN ORDINANCE TO INCREASE THE NUMBER OF CLASS "D"  
LIQUOR LICENSES BY ONE FOR KEEFNER'S INC. D/B/A KEEFNER'S  
LOCATED AT 1941 W. ILES, FOR EMERGENCY PASSAGE**

WHEREAS, Keefner's Inc. has applied for a Class "D" liquor license for the business known as Keefner's located at 1941 W. Iles; and

WHEREAS, all phases of the application process have been satisfactorily met; and

WHEREAS, it is necessary to control the number of licenses authorized per classification pursuant to Chapter 90, Section 90.17 of the 1988 City of Springfield Code of Ordinances, as amended.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF  
SPRINGFIELD, ILLINOIS:**

**Section 1:** That the City Council hereby approves an increase in the number of Class "D" liquor licenses by one.

**Section 2:** That this ordinance shall take effect immediately upon its passage and recording by the City Clerk.

PASSED: April 21, 2015

SIGNED: April 22, 2015

RECORDED: April 22, 2015

J. Michael Houston, Mayor  
by Will H. Royer  
Mayor J. Michael Houston

ATTEST: Cecilia Tumulty  
City Clerk Cecilia K. Tumulty

REQUESTED BY:  
Alderman Joe McMenamin

Approved as to legal sufficiency:

Todd L. Lunsby / 4/16/15  
Office of Corporation Counsel / Date

157-04-15

**AN ORDINANCE ACCEPTING PROPOSAL NO RFP #PD16-01 WITH PCN STRATEGIES FOR IRSA IN-CAR CAMERA SYSTEMS FOR AN AMOUNT NOT TO EXCEED \$160,000.00 FOR THE SPRINGFIELD POLICE DEPARTMENT, FOR EMERGENCY PASSAGE**

**WHEREAS**, the City of Springfield is a home rule unit as defined in Article VII, Section 6(a) of the 1970 Illinois Constitution and has jurisdiction over matters pertaining to its government and affairs; and

**WHEREAS**, the City requested proposals pursuant to RFP #PD16-01 for IRSA in-car camera systems to be used by the Springfield Police Department; and

**WHEREAS**, the City Purchasing Agent has made a determination that these services are exempt from the provisions of the City Purchasing Code requiring sealed competitive bidding because it is neither practicable nor advantageous pursuant to Section 38.38 regarding Competitive Sealed Proposals and has also determined that requirements of 38.38(a) have been satisfied; and

**WHEREAS**, PCN Strategies submitted the lowest responsible bid under proposal RFP #PD16-01 to provide these services in the amount not to exceed \$160,000.00; and

**WHEREAS**, it is in the best interest of the City to accept proposal RFP #PD16-01 with PCN Strategies; and

**WHEREAS**, a copy of RFP #PD16-01 shall be located in the Office of the City Clerk.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SPRINGFIELD, ILLINOIS:**

**Section 1:** That the City Council hereby accepts RFP #PD 16-01 with PCN Strategies for purchase of in-car camera systems to be used by the Springfield Police Department. The Mayor and City Clerk are authorized to execute the agreement and any necessary documents on behalf of the City.

**Section 2:** That the Office of Budget and Management is hereby authorized to make payment in the amount not to exceed \$160,000.00 to PCN Strategies from account number 094-107-GENC-FLTM-1502.

**Section 3:** That this ordinance shall become effective immediately upon its passage and recording by the City Clerk.

PASSED: April 21, 2015

RECORDED: April 27, 2015

ATTEST: [Signature]  
City Clerk

SIGNED: April 25, 2015

[Signature] TC  
Mayor

Approved as to legal sufficiency:

Requested by: Mayor J. Michael Houston

/  
Office of Corporation Counsel /Date

RES. 015-010

**A RESOLUTION NOTIFYING THE STATE OF ILLINOIS DEPARTMENT OF TRANSPORTATION THAT MOTOR FUEL TAX FUNDS IN THE AMOUNT OF \$46,720.00 MAY BE USED FOR TRAFFIC SIGNAL IMPROVEMENTS ON WABASH AVENUE AT THE INTERSECTIONS OF ROBBINS ROAD AND WEST WHITE OAKS DRIVE, MFT SECTION # 15-STATE-01-TL, FOR THE OFFICE OF PUBLIC WORKS**

WHEREAS, the City of Springfield is a home rule unit as defined in Article VII, Section 6(a) of the 1970 Illinois Constitution and has jurisdiction over matters pertaining to its government and affairs; and

WHEREAS, the City anticipates using Motor Fuel Tax funds in the amount of \$46,720.00 for traffic signal improvements on Wabash Avenue at the intersections of Robbins Road and West White Oaks Drive, MFT Section #15-STATE-01-TL; and

WHEREAS, the City is required to notify the State regarding the expenditure of Motor Fuel Tax funds.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SPRINGFIELD, ILLINOIS:

**Section 1:** That improvements will be made to traffic signals on Wabash Avenue at the intersections of Robbins Road and West White Oaks Drive within the City under the Illinois Highway Code.

**Section 2:** That the proposed improvement is to be designated as City Section 15-STATE-01-TL.

**Section 3:** That the City anticipates using \$46,720.00 for the improvement of said section from its allotment of Motor Fuel Tax Funds.

**Section 4:** That said work shall be done by contract.

**Section 5:** That the City Clerk is hereby directed to transmit two (2) certified copies of this resolution to the Illinois Department of Transportation, Division of Highways, through its District Engineer.

**Section 6:** That this resolution shall become effective immediately upon its passage and recording by the City Clerk.

PASSED: April 21, 2015

RECORDED: April 28, 2015

ATTEST: Cecilia K. Tumulty  
City Clerk Cecilia K. Tumulty

SIGNED: April 28, 2015

Michael Houston  
Mayor J. Michael Houston

Approved as to legal sufficiency:

Todd Leeburg / 4/2/15  
Office of Corporation Counsel

Requested by: Mayor J. Michael Houston