

Goal Setting Session

Agenda

October 13, 2010 at 6:30 P.M
Police Department Training Room

- 1. Call to Order**
- 2. Police Committee Update**
- 3. Review of Police Pension Actuarial Report**
- 4. Capital Projects Review**
- 5. Adjournment**

CITY OF DARIEN

MEMO

TO: City Council, City Clerk and City Treasurer

FROM: Kathy Weaver, Mayor
Bryon D. Vana, City Administrator

DATE: October 8th, 2010

SUBJECT: Goal Setting Agenda and Background –October 13th, 2010, 6:30pm

The agenda has been prepared for the goal setting session scheduled for October 13th, 2010. This memo includes a summary of these topics and background information.

1 **Police Committee Update**

The Police Committee was established on January 1, 2010 and has since discussed a wide variety of police department topics. The Committee developed the attached list of police Committee topics that they want to review with the City Council. In addition to that list, staff will update the Council on the status of police dispatch services.

2 **Police Pension Actuarial Report**

Public employee pensions have generated a lot of discussion state wide in recent months. Treasurer Coren will explain the police pension funding report with the Council. A copy of the most recent report is included in the packet.

3 **Capital Projects**

Dan Gombac and the Municipal Services staff have done an outstanding job of planning and managing capital projects throughout Darien. Since our annual capital projects are a critical part of our annual budget staff will update the Council on future capital project planning including streets, drainage, and concrete program.

4 **Adjournment**

City Council Goal Setting Session – Police Committee Discussion Items
October 13, 2010
Aldermen Galan, McIvor, Poteraske

NOTE: The following is a list of discussion items compiled from information received by all three Aldermen on the Police Committee. The Police Committee held a Special Meeting on October 4, 2010, to discuss and prepare this final list.

- 1) Consider charging a towing fine for certain traffic stops (i.e. DUI's, driving without a license, driving on revoked/suspended license, uninsured motorist, etc.). [Note: based upon data for similar traffic stops, City may collect approx. \$100K if the fine is \$500 – implemented in neighboring communities.] Attach a copy of the draft Ordinance from the 6/10/10 PC Meeting.
- 2) Consider charging a booking fee and a fee for issuing warrants (compare to data from neighboring communities).
- 3) Discontinue free automobile lock out service (unless children or pets locked in vehicle).
- 4) Consider keeping the DARE program and expand to include District 66 students as long as it can be accomplished within the confines of the existing DARE officer's work schedule (see below for % of students that are Darien residents, based upon slightly dated information). Also, District 66 should provide a monetary contribution, as other districts do (61 - \$2-\$3K, 63 - \$1K).

2008/2009 School Year			
Dist 66	Students	1110	
	Darien	347	31%
	DG	356	32%
	Woodridge	407	37%

- 5) Consider procuring a standardized hourly time tracking report for monthly O.T. review (that can be expanded and used by other City departments).
- 6) Consider keeping the Canine Program with annual monetary support from the Darien Chamber of Commerce. We can use these dogs at Darien Fest and other educational programs. Yearly donations from the Chamber in lieu of having them pay an officer O.T. for the Fest. Existing canines will be retired in two years. [NOTE: It would be helpful to have a breakout list of the various costs to the City for Darien Fest].
- 7) Develop a program for the Darien Chamber of Commerce to cover a portion of total officer costs (O.T. and straight time) to cover Darien Fest expenses.
- 8) Discuss the replacement of some portion of the 29 police fleet vehicles. The Chief recommends replacing 12 to 15 cars, reallocating the best of the remaining vehicles for the fleet and selling the vehicles that are no longer needed. Estimated cost of \$200K/year for four years (verify if this includes new).
- 9) Discuss the PC's recommendation to keep PD's current authorized strength at 37 full-time police officers, if the budget can support it (must look at 3 –year budget projections).
- 10) Discuss police premium time (contractual and management-initiated). Add Alderman Galan's spreadsheet as an attachment.

AGENDA MEMO
POLICE COMMITTEE
June 10, 2010

ISSUE STATEMENT

Consideration of establishing administrative service fees.

BACKGROUND/HISTORY

Many neighboring municipalities collect administrative service fees for services that their police departments provide. These fees include the towing of vehicles, non-criminal fingerprinting, false alarms and vehicle lockouts.

In calendar year 2009, the Darien Police Department arrested and booked approximately 300 individuals which could have generated administrative fees. We also towed approximately 186 vehicles that would qualify for an administrative tow fee in other municipalities. Darien currently charges for fingerprinting; \$5.00 per fingerprint card for residents and non-residents. Darien also charges a fee for police response to false alarms and in FYE10, approximately \$10,000.00 in revenue was collected from those false alarms.

STAFF/COMMITTEE RECOMMENDATION

Staff recommends that the Committee authorizes the implementation of an administrative service fee for the towing of vehicles and the booking of arrestees. The recommended fee structure is \$500.00 per tow and \$50.00 for booking.

Vehicles would be subject to the administrative tow fee when the driver is arrested for D.U.I., driving while license suspended/revoked, no valid driver's license when the vehicle is uninsured and any other violations of the Illinois Vehicle Code that dictates mandatory towing. Individuals would be subject to a booking fee only when arrested and booked at the Darien Police facility for violations of State and local statutes.

The Committee needs to be aware that this process will involve the expenditure of funds for an administrative law judge that will be based on the number of cases heard and the length of the hearings. Additionally, police staff will have additional duties regarding the paper work involved in the process. The amount of time that will be delegated to this task is unknown at this time.

The attached spreadsheet shows fee projection using the last three years of vehicle tows.

ALTERNATE CONSIDERATION

The alternate consideration would be not to adopt an administrative service fee for towing and or booking.

DECISION MODE

If recommended by Committee than Staff will prepare an ordinance establishing this program.

**ADMINISTRATIVE TOW FEE PROJECTION
 BASED ON NUMBER OF TOWS FOR TRAFFIC ARRESTS**

6/3/2010

	2007	2008	2009
JAN	22	22	14
FEB	14	13	23
MAR	21	36	17
APR	18	27	11
MAY	21	26	23
JUN	26	18	13
JUL	32	23	15
AUG	25	32	19
SEP	25	8	20
OCT	30	15	18
NOV	19	11	15
DEC	18	6	12

TOTAL	271	237	200
Held for Possible Seizure	27	16	14
Vehicles Eligible for Fees	244	221	186
\$250 Admin Fee	\$61,000	\$55,250	\$46,500
\$500 Admin Fee	\$122,000	\$110,500	\$93,000
Vehicles Awarded to City	13	11	14

ARTICLE XII. ADMINISTRATIVE HEARING SYSTEM

DIVISION 1. GENERALLY

Sec. 78-500. City administrative hearing system--Established.

(a) There is hereby established and created within the city an administrative hearing system to enforce and adjudicate violations ("violations") of the following chapters of the Municipal Code of the City of Darien (the "Code"), as the same have been, and may from time to time hereafter be, amended:

(1) Chapter 78-511. Vehicle seizure and impoundment: use of motor vehicles for unlawful purposes.

(2) Such other city ordinances and Code provisions as the mayor and city council may from time to time designate.

(b) The provisions of 65 ILCS 5/1-2.1 of the Illinois Municipal Code are hereby adopted and incorporated into this chapter as if fully set forth herein.

(c) The provisions of this chapter shall apply to administrative adjudication proceedings to the extent that they are not inconsistent with the provisions of the Code which set forth specific procedures for the administrative adjudication of particular Code provisions.

(Ord. No. 09-190, § 1, 11-16-2009)

Sec. 78-501. Hearing procedures non-exclusive.

The provisions of this chapter shall not preclude the city from using other methods or proceedings to enforce and adjudicate the Code or other ordinances of the city, including, without limitation, the institution of an action in the DuPage County Circuit Court or the United States District Court, or any administrative proceeding.

(Ord. No. 09-190, § 1, 11-16-2009)

Sec. 78-502. Administrative composition.

The administrative hearing system shall provide for one or more hearing officers, all with the power, authority and limitations as set forth in this chapter.

(Ord. No. 09-190, § 1, 11-16-2009)

Sec. 78-503. Hearing officer.

(a) *Appointment.* The city administrator shall appoint one or more qualified hearing officers to perform the functions set forth in this section.

(b) *Independent contractor.* A hearing officer shall be employed as an independent contractor of the city and shall not be considered an employee of the city. A hearing officer may be removed, with or without cause, by the city administrator.

(c) *Qualifications.* To qualify as a hearing officer, an individual must:

(1) Be an attorney licensed to practice law in the State of Illinois for at least three years;

(2) Be in good standing with the Illinois Supreme Court Attorney Registration and Disciplinary Commission;

(3) Complete a formal training program approved by the city administrator and the city attorney consisting of:

a. Instruction on the rules of procedure for administrative hearings;

b. Orientation to each subject area of the Code that will be adjudicated;

- c. Observation of hearings conducted by Illinois municipalities that have adopted the administrative hearing system; and
- d. Participation in hypothetical hearings, including ruling on evidence and issuance of final orders.

(d) *Compensation.* Authorization for compensation for a hearing officer shall be made by the mayor and city council through the city's annual budget process. Compensation shall be determined by the city administrator within approved budget limitations.

(e) *Authority and powers.* Hearing officers shall have all powers necessary to conduct fair and impartial hearings including, but limited to, the power to:

- (1) Hold conferences for the settlement or simplification of the issues;
 - (2) Administer oaths and affirmations;
 - (3) Hear testimony and accept evidence that is relevant to the allegation of a violation;
 - (4) Issue subpoenas directing witnesses to appear and give relevant testimony at the hearing, upon the request of the parties or their representatives;
 - (5) Preserve and authenticate the record of the hearing, including all exhibits and evidence introduced at the hearing;
 - (6) Issue a determination, based on the evidence presented at the hearing, on whether a violation occurred or exists. The hearing officer's determination shall be in writing and shall include a written finding of fact, decision, and order, including the fine, penalty, or other action with which the defendant must comply; and
 - (7) Impose penalties consistent with applicable Code provisions and assess costs upon finding a defendant liable for the charged violation, except as expressly provided in this chapter.
- (Ord. No. 09-190, § 1, 11-16-2009)

Sec. 78-504. Violation notice.

(a) A notice of any violation ("violation notice") shall be issued by the persons authorized under this chapter, shall contain information as to the nature of the violation, shall be certified, and shall constitute prima facie evidence of the violation cited.

(b) All officers, as well as other specifically authorized individuals of any department of the city, shall have the authority to issue violation notices.

(c) Any individual authorized to issue violation notices that detects a violation, is authorized to issue a violation notice thereof and shall serve the violation notice in the manner set forth in the Code.

(d) The correctness of facts contained in any violation notice shall be certified by the person issuing the notice through signing his or her name to the violation notice at the time of issuance.

(e) The records department of the Darien Police Department shall retain the original or a facsimile of the violation notice and keep it as a record in the ordinary course of business.

(f) The violation notice or a copy thereof shall be admissible in any subsequent administrative or judicial proceeding to the extent permitted by law.

(Ord. No. 09-190, § 1, 11-16-2009)

Sec. 78-505. Service.

(a) Service of any violation notice shall be made as follows:

- (1) Handing the notice to the registered owner, operator or lessee of the vehicle, if present; or
- (2) Mailing the notice by certified mail to the registered owner, operator or lessee of the vehicle; or

(b) If service of notice is provided by mail for any violation notice or for any hearing notice, said service shall be deemed sent and shall be complete on the date the notice is deposited, postage prepaid, in the United States mail. The counting of any time period as set forth in the Code shall begin to run on the date the notice is deposited, postage prepaid, in the United States mail.

(Ord. No. 09-190, § 1, 11-16-2009)

Sec. 78-506. Hearings.

All hearings conducted under the administrative hearing system shall be conducted by a hearing officer and shall be in accordance with the following rules and procedures:

- (1) A record of the hearing shall be made by tape recording or other appropriate means.
- (2) The parties may be represented by counsel, present witnesses, and cross-examine opposing witnesses.
- (3) The hearing officer may grant continuances only upon a finding of good cause.
- (4) All testimony shall be given under oath or affirmation.
- (5) Parties may request the hearing officer to issue, and the hearing officer shall have the authority to issue, subpoenas to direct the attendance and testimony of relevant witnesses and produce relevant documents.
- (6) The formal and technical rules of evidence shall not apply. Evidence, including hearsay, may be admitted only if it is of a type commonly relied upon by reasonably prudent persons in the conduct of their affairs.
- (7) In a hearing on the propriety of impoundment of a vehicle any sworn or affirmed report that (i) is prepared in the performance of a law enforcement officer's duties and (ii) sufficiently describes the circumstances leading to the impoundment, shall be admissible evidence of the vehicle owner's liability, unless rebutted by clear and convincing evidence.
- (8) Each hearing shall culminate in a determination of liable or not-liable by the hearing officer or a determination of liability based upon the failure of the defendant to appear at the hearing.
- (9) The hearing officer shall, upon a determination of liability, assess fines and penalties in accordance with the Code. In addition, the hearing officer shall have the discretion to assess costs upon finding a defendant liable for the charged violation. In no event shall the hearing officer have authority to: (a) impose a penalty of incarceration; or (b) impose a fine in excess of \$1,000.00 for a violation.
- (10) The maximum monetary fine imposed under the Code shall be exclusive of costs of enforcement or costs incurred by the city to secure compliance with the city's Code and ordinances, and shall not be applicable to cases to enforce the collection of any tax imposed and collected by the city.

(Ord. No. 09-190, § 1, 11-16-2009)

Sec. 78-507. Judicial review.

Any final decision by a hearing officer that a violation does or does not exist shall constitute a final determination for purposes of judicial review and shall be subject to review under the Illinois Administrative Review Law (735 ILCS 5/3-101 et seq.).

(Ord. No. 09-190, § 1, 11-16-2009)

Sec. 78-508. Debt to the city.

Any fine, penalty or part of any fine or penalty assessed in accordance with the provisions of the Code and remaining unpaid after the exhaustion of, or the failure to exhaust, administrative procedures under this chapter and the conclusion of any judicial review procedures, shall be a debt due and owing the city, and, as such, may be collected in accordance with applicable law. (Ord. No. 09-190, § 1, 11-16-2009)

Sec. 78-509. Enforcement of judgments.

(a) After expiration of the period that judicial review under the Illinois Administrative Review Law may be sought for a final determination of any violation, unless stayed by a court of competent jurisdiction, the findings, decision, and order of the hearing officer may be enforced in the same manner as a judgment entered by a court of competent jurisdiction.

(b) Prior to any expenses being fixed by the hearing officer pursuant to this subsection (b), the City shall provide a notice to the defendant that states that the defendant shall appear at a hearing before the hearing officer to determine whether the defendant has failed to comply with the judgment. The notice shall set the date for such hearing that shall not be less than ten days from the date that notice is served. If notice is served by mail, the ten day period shall begin to run on the date that the notice is deposited in the mail.

(Ord. No. 09-190, § 1, 11-16-2009)

Sec. 78-510. Schedule of fines/penalties.

For a violation of any city ordinance, fines and penalties shall be as established from time to time by the mayor and city council.

(Ord. No. 09-190, § 1, 11-16-2009)

DIVISION 2. VEHICLE SEIZURE AND IMPOUNDMENT

Sec. 78-511. Vehicle seizure and impoundment-use of motor vehicles for unlawful purposes.

(a) *Definitions.*

Business day. Any day in which the office of the City Clerk of the City of Darien is open to the public for a minimum of seven hours.

Motor vehicle. Every vehicle which is self-propelled, including but not limited to automobiles, trucks, vans, motorcycles and motor scooters.

Owner of record. The record title holder(s) of the vehicle as registered with the Secretary of State, State of Illinois-or if not registered in Illinois, the particular state where the vehicle is registered.

(b) *Conduct prohibited.* A motor vehicle that is used in connection with any of the following violations may be subject to seizure and impoundment by the city, and the owner of record of said vehicle shall be liable to the city for an administrative penalty of \$500.00 plus any applicable towing fees:

(1) Driving under the influence of alcohol, other drug or drugs, intoxicating compound(s) or any combination thereof, as provided in section 5/11-501(a) of the Illinois Vehicle Code (625 ILCS 5/11-501(a), as amended), or in any local ordinance patterned after this statute; or

(2) Driving while driver's license, permit or privilege to operate a motor vehicle is suspended or revoked, as provided in Section 5/6-303 of the Illinois Vehicle Code (625 ILCS 5/6-303, as amended), or in any local ordinance patterned after this statute; or

(3) Driving with no valid drivers license or an expired drivers license when it has been expired in excess of 12 months, as provided in 5/6-101 of the Illinois Vehicle Code (625 ILCS 5/6-101, as amended) or any local ordinance patterned after this statute.

(4) Driving with no valid driver's license in conjunction with no proof of liability insurance as required by Illinois law.

Other reasons you may want to add – or not – From Hinsdale – covers more violations-more reasons to tow bad guys

A motor vehicle, operated with the permission, express or implied, of the owner of record, shall be declared a public nuisance and shall be subject to seizure and impoundment under this chapter where such motor vehicle is used in the commission of any of the violations set forth in this section or the commission of any of the violations set forth in this section makes impoundment of the vehicle reasonably necessary as a community caretaking function so that the vehicle does not jeopardize public safety and the efficient movement of vehicular traffic. It shall not be necessary for criminal charges to be filed, prosecuted, and/or proven in order to demonstrate that one of the following violations has been committed:

A violation of subsection 5-3-11C, "Discharge Of Firearms", of this code, as amended, or section 5-3-3, "Fighting" (assault or battery), of this code, as amended.

Repeated – already in the one from Westmont

A violation of 625 Illinois Compiled Statutes 5/6-303, "driving while driver's license, permit or privilege to operate a motor vehicle is suspended or revoked" of the Illinois vehicle code, as amended, except a person whose driver's license, permit or privilege to operate a motor vehicle is suspended only for a violation of 625 Illinois Compiled Statutes 5/13 et seq., "the emissions inspection law", of the Illinois vehicle code, as amended.

A violation of 625 Illinois Compiled Statutes 5/11-204, "fleeing or attempting to elude a peace officer", of the Illinois vehicle code, as amended, 625 Illinois Compiled Statutes 5/11-501, "driving under the influence of alcohol, other drug or drugs, intoxicating compound or compounds or any combination thereof", of the Illinois vehicle code, as amended, 625 Illinois Compiled Statutes 5/11-503, "reckless driving or aggravated reckless driving", of the Illinois vehicle code, as amended, or 625 Illinois Compiled Statutes 5/11-504, "drag racing", of the Illinois vehicle code, as amended, or against whom a warrant has been issued by a circuit court for failing to appear to answer charges that the person was: 1) operating a motor vehicle while that person's license was suspended or revoked or 2) operating a motor vehicle while under the influence of alcohol, other drug or drugs, intoxicating compound or compounds or any combination thereof.

A violation of 720 Illinois Compiled Statutes 5/11-6, "indecent solicitation of a child", of the Illinois criminal code of 1961, as amended, 720 Illinois Compiled Statutes 5/12-2, "aggravated assault", of the Illinois criminal code of 1961, as amended, 720 Illinois Compiled Statutes 5/12-4, "aggravated battery", of the Illinois criminal code of 1961, as amended, 720 Illinois Compiled Statutes 5/12-4.2, "aggravated battery with a firearm", of the Illinois criminal code of 1961, as

amended, 720 Illinois Compiled Statutes 5/12-4.3, "aggravated battery of a child", of the Illinois criminal code of 1961, as amended, 720 Illinois Compiled Statutes 5/12-4.6, "aggravated battery of a senior citizen", of the Illinois criminal code of 1961, as amended, 720 Illinois Compiled Statutes 5/16A-3, "retail theft", of the Illinois criminal code of 1961, as amended, when the value of the merchandise exceeds one hundred fifty dollars (\$150.00), 720 Illinois Compiled Statutes 5/18-1, "robbery", all of the Illinois criminal code of 1961, as amended, 720 Illinois Compiled Statutes 5/18-2, "armed robbery", of the Illinois criminal code of 1961, as amended, 720 Illinois Compiled Statutes 5/19-1, "burglary", of the Illinois criminal code of 1961, as amended, 720 Illinois Compiled Statutes 5/19-3, "residential burglary", of the Illinois criminal code of 1961, as amended, 720 Illinois Compiled Statutes 5/20-1, "arson", of the Illinois criminal code of 1961, as amended, 720 Illinois Compiled Statutes 5/20-1.1, "aggravated arson", of the Illinois criminal code of 1961, as amended, 720 Illinois Compiled Statutes 5/20-2, "possession of explosives or explosive or incendiary devices", of the Illinois criminal code of 1961, as amended, 720 Illinois Compiled Statutes 5/21-1, "criminal damage to property", of the Illinois criminal code of 1961 as amended, or 720 Illinois Compiled Statutes 5/25-1, "mob action", of the Illinois criminal code of 1961.

A violation of 720 Illinois Compiled Statutes 570/401, "manufacture or delivery of a controlled substance", of the Illinois controlled substances act, as amended, 720 Illinois Compiled Statutes 570/401.1, "controlled substance trafficking", of the Illinois controlled substances act, as amended, or 720 Illinois Compiled Statutes 570/402, "possession of a controlled substance", of the Illinois controlled substances act, as amended.

A violation of 720 Illinois Compiled Statutes 550/4(d), "possession of more than thirty grams of any substance containing cannabis", of the Illinois cannabis control act, as amended, 720 Illinois Compiled Statutes 550/5, "manufacture or delivery of cannabis", of the Illinois cannabis control act, as amended, 720 Illinois Compiled Statutes 550/5.1, "cannabis trafficking", Illinois cannabis control act, as amended, 720 Illinois Compiled Statutes 550/5.2, "delivery of cannabis on school grounds", of the Illinois cannabis control act, as amended, or 720 Illinois Compiled Statutes 550/8, "unauthorized production or possession of Cannabis sativa plant", of the Illinois cannabis control act, as amended.

A violation of 720 Illinois Compiled Statutes 5/24-1, "unlawful use of weapons", of the Illinois criminal code of 1961, as amended, 720 Illinois Compiled Statutes 5/24-3.1, "unlawful possession of firearms and firearm ammunition", of the Illinois criminal code of 1961, as amended, or 720 Illinois Compiled Statutes 5/24-3.3, "unlawful sale or delivery of firearms on the premises of any school", of the Illinois criminal code of 1961, as amended. This subsection shall not apply when any of the exemptions set forth in 720 Illinois Compiled Statutes 5/24-2 of the Illinois criminal code of 1961, as amended, are met.

A violation of 720 Illinois Compiled Statutes 5/11-14, "prostitution", of the Illinois criminal code of 1961, as amended, 720 Illinois Compiled Statutes 5/11-14.1, "solicitation of a sexual act", of the Illinois criminal code of 1961, as amended, 720 Illinois Compiled Statutes 5/11-15, "soliciting for a prostitute", of the Illinois criminal code of 1961, as amended, 720 Illinois Compiled Statutes 5/11-15.1, "soliciting for a juvenile prostitute", of the Illinois criminal code of 1961, as amended, 720 Illinois Compiled Statutes 5/11-18, "patronizing a prostitute", of the

Illinois criminal code of 1961, as amended, or 720 Illinois Compiled Statutes 5/11-18.1, "patronizing a juvenile prostitute", of the Illinois criminal code of 1961, as amended.

The motor vehicle is otherwise subject to seizure and impoundment pursuant to 720 Illinois Compiled Statutes 5/36-1, "seizure", of the Illinois criminal code, as amended.

A violation of 625 Illinois Compiled Statutes 5/6-101, "drivers must have licenses or permits", of the Illinois vehicle code, as amended. (Ord. O2008-45, 8-12-2008)

(c) *Seizure and impoundment.*

(1) Whenever a police officer has reason to believe that a vehicle is subject to seizure and impoundment pursuant to this section, the police officer may provide for the towing of the vehicle to a facility approved by the chief of police. This section shall not apply if the vehicle used in the violation was stolen at that time and the theft was reported to the appropriate police authorities within 24 hours after the theft was discovered or reasonably should have been discovered.

(2) The police officer shall notify any person identifying himself as the owner of the vehicle or any person who is found to be in control of the vehicle at the time of the alleged violation, if there is such a person, of the fact of the seizure and of the vehicle owner's right to request an administrative hearing to be conducted under this section.

(d) *Administrative hearing.* Within five business days after a vehicle is seized and impounded pursuant to this Section, the city shall notify by personal service or by certified mail the owner of record of the owner's right to request a hearing to challenge whether a violation of this section has occurred. The owner of record seeking a hearing must file a written request for a hearing with the chief of police or his/her designee no later than ten business days after notice was mailed. The hearing date must be scheduled no more than ~~ten~~ business days after a request for a hearing has been filed. All interested persons shall be given a reasonable opportunity to be heard at the hearing. The formal rules of evidence shall not apply at the hearing and hearsay evidence shall be admissible. If, after the hearing, the hearing officer determines by a preponderance of evidence that the vehicle was used in violation of this section, then the hearing officer shall enter an order finding the owner of record of the vehicle civilly liable to the city for the administrative penalty of \$500.00. If, after a hearing, the hearing officer does not determine by a preponderance of the evidence that the vehicle was used in such a violation, the hearing officer shall enter an order finding for the owner and for the return of the vehicle. If the owner of record requests a hearing but fails to appear at the hearing or fails to request a hearing in a timely manner, the owner of record shall be deemed to have waived his or her right to a hearing and the hearing officer shall enter a default order in favor of the city in the amount of the administrative penalty. However, if the owner of record pays such penalty and the vehicle is returned to the owner, no default order need be entered if the owner is informed of his or her right to a hearing and signs a written waiver, in which case an order of liability shall be deemed to have been made when the city receives the written waiver.

(e) *Disposition of impounded vehicle.* A penalty imposed pursuant to this section shall constitute a debt due and owing the city. A vehicle impounded pursuant to this section shall remain impounded until:

(1) The penalty of \$500.00 is paid to the city and all applicable towing fees are paid to the towing agent, in which case the owner of record shall be given possession of the vehicle, or
(2) A bond in the amount of \$500.00 is posted with the police department and all applicable towing fees are paid to the towing agent, at which time the vehicle will be released to the owner of record, or

(3) The vehicle is deemed abandoned, in which case the vehicle shall be disposed of in the manner provided by law for the disposition of abandoned vehicles.

(f) *Posting of bond.* If a bond in the amount of \$500.00 is posted with the police department, the impounded vehicle shall be released to the owner of record; the owner of the vehicle shall still be liable to the towing agent for any applicable towing fees. If a \$500.00 penalty is imposed for violation of this section, the \$500.00 bond will be forfeited to the city; however if a violation of this section is not proven by a preponderance of the evidence, the \$500.00 bond will be returned to the person posting the bond. If a \$500.00 bond is posted and either a hearing is requested in writing as required in section (d), herein, but the owner fails to appear at the hearing and there is a finding of liability imposed by the hearing officer or if a written waiver of hearing is signed by the owner, the \$500.00 will be forfeited to the city. All bond money posted pursuant to this section shall be held by the city until the hearing officer issues a decision, or, if there is a judicial review, until the court issues its decision. Posting of bond may occur at the Darien Police Department 24-hours a day, any day.

(g) *Vehicle possession.* Any motor vehicle that is not reclaimed within 30 days after the expiration of the time during which the owner of record may seek judicial review of the city's action under this section, or the time at which a final judgment is rendered in favor of the city, or the time a final administrative decision is rendered against an owner of record who is in default, may be disposed of as an unclaimed vehicle as provided by law, provided, however, that where proceedings have been instituted under state or federal drug asset forfeiture laws, the subject vehicle may not be disposed of by the city except as consistent with those proceedings.

(Ord. No. 09-190, § 1, 11-16-2009)



Darien Fest 2010

Report

Submitted by:

Sergeant Steven Reed #316

Darien Fest 2010

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1. Arrest statistics
2. Calls for Service
3. Recommendations
4. Manpower assigned
5. Regular and Overtime Costs

Arrest Statistics

ARRESTS

Friday, September 10th

Adult – 0

Juvenile – 2 (Trespassing and Theft)

Saturday, September 11th

Adult – 0

Juvenile – 1 (Damage to Property)

Sunday, September 12th

Adult – 0

Juvenile – 0

PARKING TICKETS

4 (3 day total)

Calls for Service

Calls for Service

Friday, September 10th

Criminal Trespass

Theft

Theft

Saturday, September 11th

Criminal Trespass

Damage to Property

Criminal Trespass

Sunday, September 12th

No activity

Report and Recommendations

REPORT

A total of 2 juveniles were arrested over the 3 day period of Darien Fest. Both arrests occurred on Friday, September 10th. The juvenile cited for trespassing had been warned and given written notice he was not permitted on park district property prior to Darien Fest.

Juvenile #2 was arrested for Theft of Mislaid Property when he took property belonging to another.

4 parking tickets were issued in and around the festival for parking where prohibited and the blocking of stop signs.

Department manpower was adjusted within the festival to provide greater visibility. 20 officers and 2 canines provided security Friday and Saturday. On Sunday there were 19 officers present.

Under the Federal Guidelines of NIMS, a Special Events Plan was drafted and an Emergency Operation Center (EOC) trailer was on loan from the Woodridge Police Department and placed in the park for the duration of the fest. Surrounding towns were notified of the festival and were on stand-by in the event Mutual Aid was needed.

Last year changes remained in effect with 1 additional lighting unit along the midway. The added lighting along the Midway, and the deletion of music on the rides was very helpful. The park district removed the basketball hoops from the courts which eliminated another place for youths to gather.

With the entire fest closing ½ hour earlier (10:30 PM), we were able to move all of the people out of the park safely at one time and any trouble dissipated quickly. No additional patrol officers from the road were requested or needed at any time during this year's fest.

Gang presence was very limited at this year's festival. No incidents of gang activity were reported.

RECOMMENDATIONS

Should Darien Fest continue in 2011, my recommendation list is very short and doesn't concern areas within the park grounds. Several traffic complaints were received by the department in regards to speeding vehicles cutting through on High Road after Clarendon Hills had been closed. The Chief suggested placing portable speed bumps along High Road.

Respectfully submitted,



Sergeant Reed

Manpower Assigned

Friday, September 10th

(Overtime Officers)

Sgt. Reed
Sgt. Topel
Sgt. Piccoli
Sgt. Rentka
Officer Foyle-Price
Officer Murphy
Officer Liss and K9
Officer Kosieniak
Officer Hellmann
Officer Norton
Officer Lorek
Officer Skweres
Detective Stock
Detective Foster
Detective Bozek
Detective Glomb

(Afternoon shift officers)

Officer Stutte and K9
Officer Liska
Officer Yeo

(Administration)

Chief Pavelchik
Deputy Chief Skala

Saturday, September 11th

(Overtime officers)

Sgt. Reed
Sgt. Topel
Sgt. Rentka
Officer Foyle-Price
Officer Murphy
Officer Liss and K9
Officer Hellmann
Officer Norton
Officer Lorek
Officer Skweres
Officer Simek
Officer Hruby
Detective Stock
Detective Foster
Detective Bozek
Detective Glomb

(Afternoon shift officers)

Officer Stutte and K9
Officer DeYoung
Officer Jump

(Administration)

Chief Pavelchik
Deputy Chief Skala

Sunday, September 12th

(Overtime officers)

Sgt. Reed
Sgt. Topel
Sgt. Rentka
Officer Foyle-Price
Officer Murphy
Officer Liss
Officer Hellmann
Officer Norton
Officer Lorek
Officer Skweres
Officer Simek
Officer Hruby
Officer Zimny
Detective Stock
Detective Foster
Detective Bozek
Detective Glomb

(Afternoon shift officers)

Officer Yeo
Officer DeYoung
Officer Jump

DARIENFEST 2010 SALARY EXPENSE

Item 6

Sept. 10, 11 12

Last Name	Thur 9-09 Reg	Fri 9-10 Reg	Sat 9-11 Reg	Sun 9-12 Reg	Total Reg	Rate	Total Reg	Thur 9-09 O/T	Fri 9-10 O/T	Sat 9-11 O/T	Sun 9-12 O/T	Total O/T	O/TRate	Total O/T	Total Salary
Bischoff						\$ 37.67	0.00						\$ 56.51	\$ -	\$ -
Borsilli						\$ 46.74	0.00						\$ 70.11	\$ -	\$ -
Bozek						\$ 39.94	0.00		5.50	5.50	4.50	15.50	\$ 59.91	\$ 928.61	\$ 928.61
Campo						\$ 46.12	0.00		0.50	0.25		0.75	\$ 69.18	\$ 51.89	\$ 51.89
Cheare						\$ 46.74	0.00		0.50	0.25		0.75	\$ 70.11	\$ 52.58	\$ 52.58
Cooper						\$ 54.19	0.00						\$ 81.29	\$ -	\$ -
DeYoung			8.00	7.00	15.00	\$ 34.19	512.85		0.25	0.25		0.50	\$ 51.29	\$ 25.64	\$ 538.49
Foster						\$ 39.94	0.00		5.50	5.25	4.50	15.25	\$ 59.91	\$ 913.63	\$ 913.63
Foyle-Price			8.00		8.00	\$ 38.43	307.44		5.00	6.00	4.50	15.50	\$ 57.65	\$ 893.50	\$ 1,200.94
Glomb						\$ 37.67	0.00		5.50	5.50	4.50	15.50	\$ 56.51	\$ 875.83	\$ 875.83
Greenaberg						\$ 38.43	0.00						\$ 57.65	\$ -	\$ -
Hellmann		8.00		8.00	16.00	\$ 37.67	602.72		6.00	5.00	5.50	16.50	\$ 56.51	\$ 932.33	\$ 1,535.05
Hruby*				8.00	8.00	\$ 35.93	287.44			5.00	4.50	9.50	\$ 53.90	\$ 512.00	\$ 799.44
Jump			8.00	7.00	15.00	\$ 27.24	408.60						\$ 40.86	\$ -	\$ 408.60
Keough						\$ 27.24	0.00						\$ 40.86	\$ -	\$ -
Kosieniak						\$ 37.67	0.00		5.00			5.00	\$ 56.51	\$ 282.53	\$ 282.53
Liska		5.00			5.00	\$ 38.43	192.15		0.25	0.25		0.50	\$ 57.65	\$ 28.82	\$ 220.97
Liss						\$ 38.43	0.00		5.00	5.00	5.00	15.00	\$ 57.65	\$ 864.68	\$ 864.68
Lorek						\$ 37.67	0.00		5.50	5.25	4.50	15.25	\$ 56.51	\$ 861.70	\$ 861.70
Murphy			3.00		3.00	\$ 38.43	115.29		5.50	6.00	4.50	16.00	\$ 57.65	\$ 922.32	\$ 1,037.61
Norton			3.00	3.00	6.00	\$ 37.67	226.02		5.50	6.00	5.25	16.75	\$ 56.51	\$ 946.46	\$ 1,172.48
Pavelchik		3.00	3.00		6.00	\$ 60.61	363.66						\$ 90.92	\$ -	\$ 363.66
Piccoli						\$ 46.74	0.00		5.25			5.25	\$ 70.11	\$ 368.08	\$ 368.08
Reed						\$ 46.74	0.00		5.75	6.50	5.00	17.25	\$ 70.11	\$ 1,209.40	\$ 1,209.40
Renner						\$ 34.20	0.00						\$ 51.30	\$ -	\$ -
Rentka				3.00	3.00	\$ 46.74	140.22		5.25	5.25	5.25	15.75	\$ 70.11		\$ 140.22
Rumick						\$ 28.98	0.00						\$ 43.47	\$ -	\$ -
Simek						\$ 37.67	0.00			5.00	4.50	9.50	\$ 56.51	\$ 536.80	\$ 536.80
Skala		4.50	4.50		9.00	\$ 54.19	487.71						\$ 81.29	\$ -	\$ 487.71
Skweres						\$ 37.67	0.00		5.50	5.50		11.00	\$ 56.51	\$ 621.56	\$ 621.56
Stock						\$ 39.94	0.00		5.50	5.25	4.50	15.25	\$ 59.91	\$ 913.63	\$ 913.63
Stutte		5.00	5.00		10.00	\$ 38.43	384.30		0.25			0.25	\$ 57.65	\$ 14.41	\$ 398.71
Topel						\$ 46.75	0.00		5.00	5.00	4.50	14.50	\$ 70.13	\$ 1,016.81	\$ 1,016.81
Yeo	6.00	5.00		4.00	15.00	\$ 37.67	565.05		0.75	0.25		1.00	\$ 56.51	\$ 56.51	\$ 621.56
Zimny						\$ 30.72	0.00				4.50	4.50	\$ 46.08	\$ 207.36	\$ 207.36
TOTALS	6.00	30.50	42.50	40.00	119.00		\$ 4,593.45	0.00	88.75	88.25	75.50	252.50		\$ 14,037.05	\$ 18,630.50
*Hruby worked 8 Hrs on Monday 9/13															

DARIENFEST 2009 SALARY EXPENSE
Sept. 11, 12 13

2009
RATE

1/2010

Last Name	Thur 9-10 Reg	Fri 9-11 Reg	Sat 9-12 Reg	Sun 9-13 Reg	Total Reg	Rate	Total Reg	Thur 9-10 O/T	Fri 9-11 O/T	Sat 9-12 O/T	Sun 9-13 O/T	Total O/T	O/T Rate	Total O/T	Total Salary	
Bischoff						\$ 37.39	0.00		5.00	5.00	5.00	15.00	\$ 56.09	\$ 841.35	\$ 841.35	
Borsilli						\$ 46.74	0.00		-	-	4.25	4.25	\$ 70.11	\$ 297.97	\$ 297.97	
Bozek						\$ 38.14	0.00		5.50	6.00	4.00	15.50	\$ 57.21	\$ 886.76	\$ 886.76	
Campo						\$ 46.12	0.00		-	5.00	-	5.00	\$ 69.18	\$ 345.90	\$ 345.90	
Cheasure						\$ 46.74	0.00		5.00	5.00	-	10.00	\$ 70.11	\$ 701.10	\$ 701.10	
Cooper		5.00			5.00	\$ 52.18	260.90		-	-	-		\$ 78.27	\$ -	\$ 260.90	
DeYoung						\$ 30.49	0.00		-	-	-		\$ 45.73	\$ -	\$ -	
Foster						\$ 38.14	0.00		5.50	5.25	4.00	14.75	\$ 57.21	\$ 843.85	\$ 843.85	
Foyle-Price						\$ 38.14	0.00		5.50	4.25	4.25	14.00	\$ 57.21	\$ 800.94	\$ 800.94	
Glomb						\$ 37.39	0.00		-	5.50	4.50	10.00	\$ 56.09	\$ 560.90	\$ 560.90	
Greenaberg						\$ 38.14	0.00		6.50	5.00	0.75	12.25	\$ 57.21	\$ 700.82	\$ 700.82	
Gross						\$ 39.64	0.00		-	1.00	-	1.00	\$ 59.46	\$ 59.46	\$ 59.46	
Hellmann						\$ 37.39	0.00		-	5.50	5.25	10.75	\$ 56.09	\$ 602.97	\$ 602.97	
Hruby						\$ 33.94	0.00		5.50	-	5.00	10.50	\$ 50.91	\$ 534.56	\$ 534.56	
Jump						\$ 25.32	0.00		5.50	-	-	5.50	\$ 37.98	\$ 208.89	\$ 208.89	
Keough		8.00			8.00	\$ 25.32	202.56		0.75	0.75	-	1.50	\$ 37.98	\$ 56.97	\$ 259.53	
Kosieniak						\$ 37.40	0.00		5.50	6.25	4.25	16.00	\$ 56.10	\$ 897.60	\$ 897.60	
Liska						\$ 38.14	0.00		6.00	-	-	6.00	\$ 57.21	\$ 343.26	\$ 343.26	
Liss		8.00	8.00	8.00	24.00	\$ 38.14	915.36		0.50	0.50	-	1.00	\$ 57.21	\$ 57.21	\$ 972.57	
Lorek						\$ 37.40	0.00	5.75	5.50	5.50	1.00	17.75	\$ 56.10	\$ 995.78	\$ 995.78	
Menzione						\$ 46.12	0.00		0.50	0.50	-	1.00	\$ 69.18	\$ 69.18	\$ 69.18	
Murphy			8.00		8.00	\$ 38.14	305.12		1.00	0.75	0.75	2.50	\$ 57.21	\$ 143.03	\$ 448.15	
Norton		8.00			8.00	\$ 37.40	289.20		0.75	0.75	-	1.50	\$ 56.10	\$ 84.15	\$ 383.35	
Pavalchik			3.00		3.00	\$ 58.37	175.11						\$ 87.56	\$ -	\$ 175.11	
Piccoli						\$ 46.74	0.00		1.00	0.50	-	1.50	\$ 70.11	\$ 105.17	\$ 105.17	
Reed						\$ 46.74	0.00		6.00	6.25	4.50	16.75	\$ 70.11	\$ 1,174.34	\$ 1,174.34	
Renner			8.00	8.00	16.00	\$ 32.22	515.52		0.50	0.50	-	1.00	\$ 48.33	\$ 48.33	\$ 563.85	
Rumick		8.00		8.00	16.00	\$ 25.32	405.12		0.50	0.50	-	1.00	\$ 37.98	\$ 37.98	\$ 443.10	
Simek						\$ 35.67	0.00		-	0.75	4.25	5.00	\$ 53.51	\$ 267.55	\$ 267.55	
Skala		8.00	8.00		16.00	\$ 52.18	834.88		-	-	-		\$ 78.27	\$ -	\$ 834.88	
Skweres						\$ 35.67	0.00		5.75	5.50	-	11.25	\$ 53.51	\$ 601.99	\$ 601.99	
Stock						\$ 39.64	0.00		5.50	5.75	3.50	14.75	\$ 59.46	\$ 877.04	\$ 877.04	
Stutte						\$ 37.40	0.00		5.00	5.00	5.00	15.00	\$ 56.10	\$ 841.50	\$ 841.50	
Topel						\$ 46.12	0.00		5.50	5.50	4.00	15.00	\$ 69.18	\$ 1,037.70	\$ 1,037.70	
Yeo						\$ 37.40	0.00		5.00	5.50	5.00	15.50	\$ 56.10	\$ 869.55	\$ 869.55	
Zimny						\$ 28.77	0.00		0.50	-	-	0.50	\$ 43.16	\$ 21.58	\$ 21.58	
TOTALS	0.00	45.00	35.00	24.00	104.00			\$ 3,913.77	5.75	99.75	98.25	69.25	273.00		\$ 15,915.35	\$ 19,829.12

**Police Overtime
4-3-09 To 5-16-10**

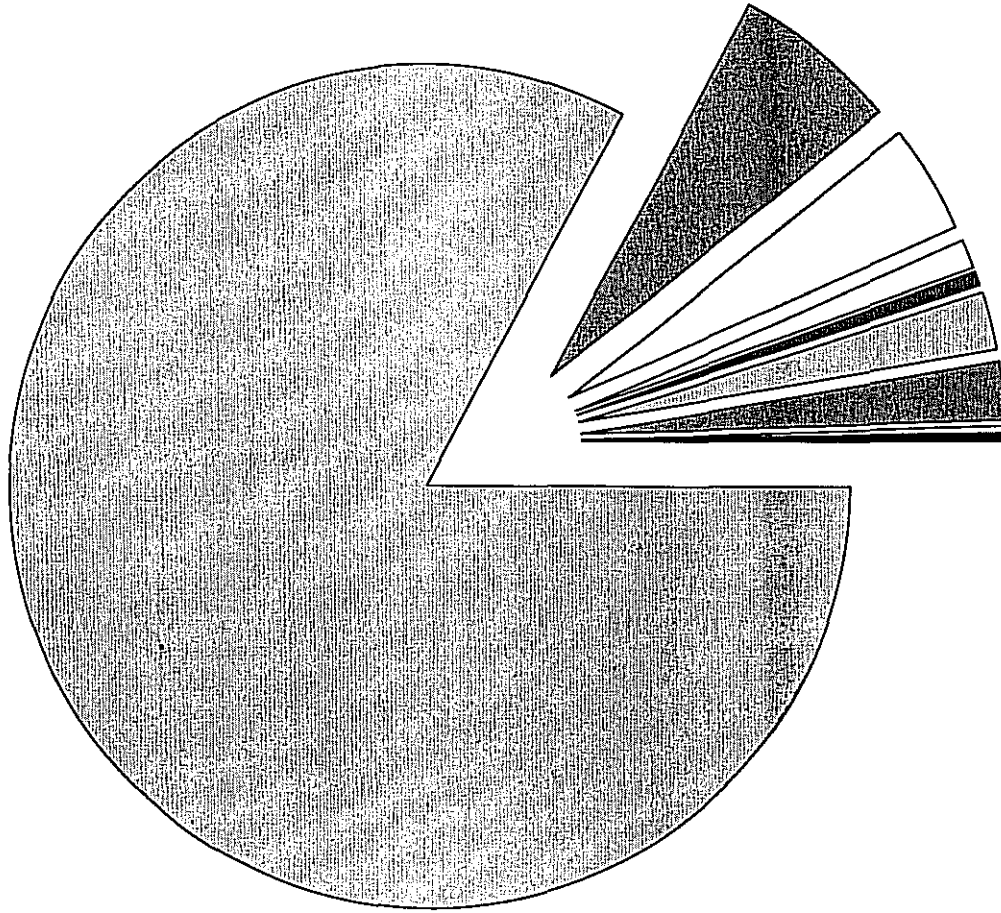
Item #4a

OT TYPE	IT	DARE/ PR	Peer Jury	Civilians	New Officers PTI	Cash Out Comp	Travel Time	Sick Coverag e	Early/ Late Call	Sched. OT	Shift Prep	Traffic Court	House Court	On Call For Court	K-9	DETS	HS Pays	SRO Pays	SRO PD Pays	Training	Meetings	FIAT	Range	FTO	Cover Street
5/2-5/15	18.75	4	8	4.5	20	440		60.75	19	3	12	17.75	53.5	10	30.25	15.5	3.5	3.25				6.25			
5/16-5/29	11.25	7	20	16.75	32	191		21	21.5		15.5	16	23.25	4.5	18	9.5	10.5	7	55.25	12	2			1	
5/30-6/12	12.75		4	2.75	36	174		48	53.5	32	11	12.75	4.25	5	14	72	3.5		15.75	20					
6/13-6/26	22.75		12	4.25	15	448		60	25.25	176	11.5	11.25	37.25	4	18	24.5			12.25		9			1	
6/27-7/10	25			3.25		501		16	24.5	206.5	15	11	24	10	15.75	16.5			4.75	5	12.5	1		16	
7/11-7/24	11.75	11	8	12		233		31.75	37.75	34.5	13	24.25	24.25	8	20	20						6.5		19.75	
7/25-8/7	6	12	4	0.75		510		75.75	17	20	10.75	8	23	4	15	31.5			6.5	18	5.5	2		16.5	
8/8-8/21	4		12	4.5		140		25.5	30		12.75	24	10.5	10	18.5	29			6	14.5				31.75	
8/22-9/4	8		8	17.5		170		64	36.25	16	10.5	16.75	14.25	5	16	13	1	6		8		8.75		28.5	
9/5-9/18	14	5		13.75		356		48	64.5	193.75	17.25	4.5	13.5	5	17.75	100.25	17			60		11.5		18.5	
9/19-10/2		21	12	18		255		16	44.5	32	12.25	18	19	5	14	33.75	13.5	5	3.5		12	4.5		22.75	
10/3-10/16	10	12.5		6.7		356		48	42.5	66.25	11.75	23.25	29.25	5	14	10.25	11.5	6.5	36	23				21.25	
10/17-10/30		12		8.25		256		48	15.75	68	10.5	8.25	41	8	16.5	35.25	7	17.5	17.5	5.5				44.25	
10/31-11/13	3	8	4	24.5		358		36	23.25		12.25	27.25	19.5	9	21	22.5	2.75	6	19.5		13.5			15	
11/14-11/27	13.75	16		19.25		398		76	22.75	16	13.25	17.25	15.5	6	16	37	19	7.75	44		13			1	
11/28-12/11	27	3.5	10	7		318		16	49.75		13.75	24	40.5	9	15	18.5	16.5	4.5	10.75	13.5	2.5	8.75		1	
12/12-12/25			4	15.75		149		29	14		11	7.5	6.75	5	26.25	11	6	2.5	28	16	4.5				
12/26-1/8	8.25	8.25			15	47.5		35.25	51.75		13	10.5	11.5	5	16.25	72.5	4	2.5		2				1	
1/9 - 1/22		9	12	7		148	3	24	31	8	11.75	29	15	9.5	14	0	16		4	2.5		8	1	4.5	
1/23 - 2/5	5.5	6.5		8.5		327.75	8	48	21.5	8	14	22	21.5	14	20	8	29.5	5	0.5	20.75	8			15.75	
2/6 - 2/19	0	6	12	1.75	0	325	0	8	28.5	32	15.5	9	21.5	2	16	0	13.5	4	0	19	0	1		16	
2/20 - 3/5	7		8	23.75		150	4	12	50.25	4	12	14.25	22.75	9	14	9	4	0	49.25	9.5	0	5		28.25	
3/6 - 3/19	12	0	8	14.5	0	433	0	24	44.5	0	14	10.25	26.25	9	16	0	0	0	0	21	0	0		19	
3/20 - 4/2	0	1.5	8	3	11.5	253.375	6.5	43	30	16	11.5	15.5	25.5	10	14	8	0	6	18.5	11.75	0	0		16.5	
4/3 - 4/16	10.5	0	8	3.25	0	228	2	16	71.75	16	15.5	25.25	46.75	2	14	14.5	0	0	0	32	4	0.5		25.5	
Total	231.25	141.75	162	241.2	129.5	7165.625	23.5	930	871	948	321.25	407.5	590	173	430.25	612	178.75	83.5	332	314	86.5	58.25	361.25	21.5	

Total for report period 14813.58

Contractual vs. Management Initiated

Contractual
84%



Management Prerogative



Actuary

CITY OF DARIEN
DARIEN POLICE PENSION FUND

Actuarial Valuation Report

For the Year

Beginning May 1, 2010

And Ending April 30, 2011

Timothy W. Sharpe, Actuary, Geneva, IL (630) 262-0600

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INTRODUCTION

Police-sworn personnel of the City of Darien are covered by the Police Pension Plan that is a defined-benefit, single-employer pension plan. The purpose of this report is to disclose the Tax Levy Requirement and GASB Statements No. 25 & 27 financial information and related actuarial information for the year beginning May 1, 2010, and ending April 30, 2011.

The valuation results reported herein are based on plan provisions in effect as of May 1, 2010, the employee data furnished by the City, the financial data provided by the Fund's trustee and the actuarial methods and assumptions described later in this report. I hereby certify that this report is complete and accurate and fairly presents the actuarial position of the Fund as of April 30, 2010, in accordance with generally accepted actuarial principles and procedures. In my opinion, the assumptions used are reasonably related to the experience of the Plan and to reasonable expectations.

Respectfully submitted,

Timothy W. Sharpe, EA, MAAA
Enrolled Actuary No. 08-4384

Date

SUMMARY OF RESULTS

There were no changes with respect to Plan Provisions, Actuarial Methods or Actuarial Assumptions from the prior year.

There were no unexpected changes with respect to the participants included in this actuarial valuation (2 new members, 0 terminations, 1 retirement, 0 incidents of disability, annual payroll increase 7.3%, average salary increase 7.1).

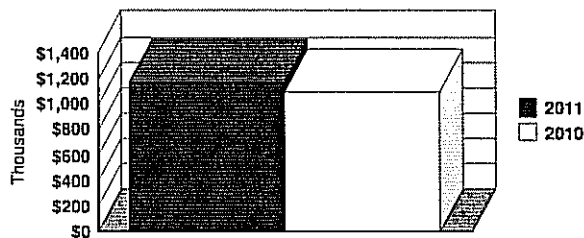
There were no unexpected changes with respect to the Fund's investments from the prior year (annual investment return 13.26%).

The City's Tax Levy Requirement has increased from \$1,103,909 last year to \$1,174,292 this year (6.4%). The increase in the Tax Levy is due to the increase in the salaries was greater than assumed. The Percent Funded has increased from 51.6% last year to 55.1% this year.

SUMMARY OF RESULTS (Continued)

	For Year Ending April 30	
	<u>2011</u>	<u>2010</u>
Tax Levy Requirement	\$ 1,174,292	\$ 1,103,909
	as of May 1	
	<u>2010</u>	<u>2009</u>
City Normal Cost	401,752	369,341
Anticipated Employee Contributions	325,254	303,208
Accrued Liability	30,626,124	28,067,625
Actuarial Value of Assets	16,866,119	14,488,861
Unfunded Accrued Liability/(Surplus)	13,760,005	13,578,764
Amortization of Unfunded Accrued Liability/(Surplus)	695,717	662,350
Percent Funded	55.1%	51.6%
Annual Payroll	\$ 3,282,075	\$ 3,059,620

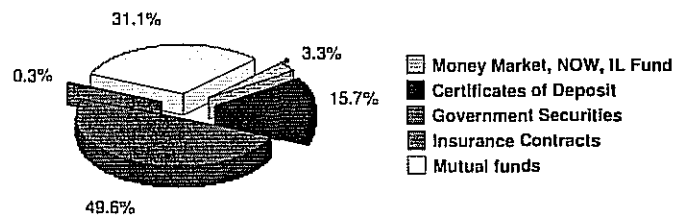
TAX LEVY REQUIREMENT
as of April 30



ACTUARIAL VALUATION OF ASSETS

		as of May 1	
	<u>2010</u>		<u>2009</u>
Money Market, NOW, IL Fund	\$ 545,528	\$	517,540
Certificates of Deposit	2,634,681		2,832,988
Government Securities	8,315,241		7,287,349
Insurance Contracts	51,853		50,248
Mutual Funds	5,224,335		3,708,378
Interest Receivable	98,539		96,618
Miscellaneous Receivable/(payable)	<u>(4,059)</u>		<u>(4,260)</u>
Actuarial Value of Assets	\$ <u>16,866,119</u>	\$	<u>14,488,861</u>

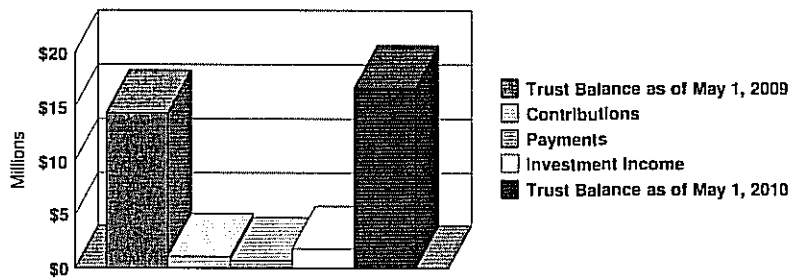
SUMMARY OF ASSETS
As Of May 1, 2010



ASSET CHANGES DURING PRIOR YEAR

Trust Balance as of May 1, 2009		\$	14,487,756
Contributions			
City	949,373		
Employee	<u>310,894</u>		
Total			1,260,266
Payments			
Benefit Payments	815,397		
Expenses	<u>16,605</u>		
Total			832,002
Investment Income			<u>1,950,098</u>
Trust Balance as of May 1, 2010		\$	<u>16,866,119</u>
Approximate Annual Rate of Return			13.26%

ASSET CHANGES DURING PRIOR YEAR

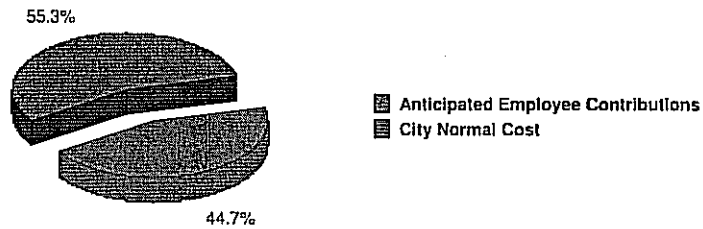


NORMAL COST

The Normal Cost is the actuarial present value of the portion of the projected benefits that are expected to accrue during the year based upon the actuarial valuation method and actuarial assumptions employed in the valuation.

	as of May 1	
	<u>2010</u>	<u>2009</u>
Total Normal Cost	\$ 727,006	\$ 672,549
Anticipated Employee Contributions	<u>325,254</u>	<u>303,208</u>
City Normal Cost	<u>401,752</u>	<u>369,341</u>
Normal Cost Payroll	\$ 3,282,075	\$ 3,059,620
City Normal Cost Rate	12.24%	12.07%
Total Normal Cost Rate	22.15%	21.98%

NORMAL COST As Of May 1, 2010



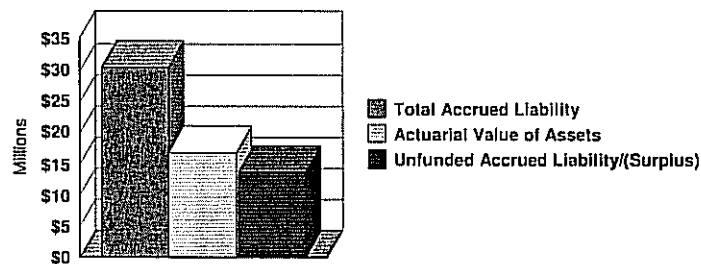
ACCRUED LIABILITY

The Accrued Liability is the actuarial present value of the portion of the projected benefits that has been accrued as of the valuation date based upon the actuarial valuation method and actuarial assumptions employed in the valuation. The Unfunded Accrued Liability is the excess of the Accrued Liability over the Actuarial Value of Assets.

	as of May 1	
Accrued Liability	<u>2010</u>	<u>2009</u>
Active Employees	\$ 18,508,787	\$ 17,551,080
Children Annuities	0	0
Disability Annuities	2,065,055	1,819,407
Retirement Annuities	9,679,532	8,319,486
Surviving Spouse Annuities	372,750	377,652
Terminated Vested Annuities	<u>0</u>	<u>0</u>
Total Annuities	12,117,337	10,516,545
Total Accrued Liability	30,626,124	28,067,625
Actuarial Value of Assets	<u>16,866,119</u>	<u>14,488,861</u>
Unfunded Accrued Liability/(Surplus)	\$ <u>13,760,005</u>	\$ <u>13,578,764</u>
Percent Funded	55.1%	51.6%

ACCRUED LIABILITY

As Of May 1, 2010



TAX LEVY REQUIREMENT

The Tax Levy Requirement is determined as the annual contribution necessary to fund the normal cost, plus the amount to amortize the unfunded accrued liability as a level percentage of payroll over a forty (40) year period which commenced in 1993, plus an adjustment for interest.

	For Year Ending April 30	
	<u>2011</u>	<u>2010</u>
City Normal Cost as of Beginning of Year	\$ 401,752	\$ 369,341
Amortization of Unfunded Accrued Liability/(Surplus)	695,717	662,350
Interest for One Year	<u>76,823</u>	<u>72,218</u>
Tax Levy Requirement as of End of Year	\$ <u>1,174,292</u>	\$ <u>1,103,909</u>

TAX LEVY REQUIREMENT

For Fiscal Year Ending April 30, 2011



SUMMARY OF PLAN PARTICIPANTS

The actuarial valuation of the Plan is based upon the employee data furnished by the City. The information provided for Active participants included:

- Name
- Sex
- Date of Birth
- Date of Hire
- Compensation
- Employee Contributions

The information provided for Inactive participants included:

- Name
- Sex
- Date of Birth
- Date of Pension Commencement
- Monthly Pension Benefit
- Form of Payment

Membership	<u>2010</u>	<u>2010</u>	<u>2009</u>	<u>2009</u>
Current Employees				
Vested	28		24	
Nonvested	<u>11</u>		<u>14</u>	
Total	<u>39</u>		<u>38</u>	
Inactive Participants		<u>Annual Benefits</u>		<u>Annual Benefits</u>
Children	0 \$	0	0 \$	0
Disabled Employees	3	124,183	3	110,566
Retired Employees	10	689,574	9	582,153
Surviving Spouses	1	31,962	1	31,962
Terminated Vesteds	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total	<u>14</u>	<u>845,719</u>	<u>13</u>	<u>724,681</u>
Annual Payroll	\$	3,282,075	\$	3,059,620

SUMMARY OF PLAN PARTICIPANTS (Continued)

Age and Service Distribution

Service Age	0-4	5-9	10-14	15-19	20-24	25-29	30+	Total	Salary
20-24	1							1	58,855
25-29	4	2						6	63,861
30-34	1	6						7	78,154
35-39	1	2	5					8	80,781
40-44				1				1	83,009
45-49				3	4	1		8	97,254
50-54				1	1	2	1	5	99,767
55-59					1		1	2	100,291
60+							1	1	86,270
Total	<u>7</u>	<u>10</u>	<u>5</u>	<u>5</u>	<u>6</u>	<u>3</u>	<u>3</u>	<u>39</u>	<u>84,156</u>
Salary	60,464	79,870	82,681	86,600	99,553	102,590	102,879		

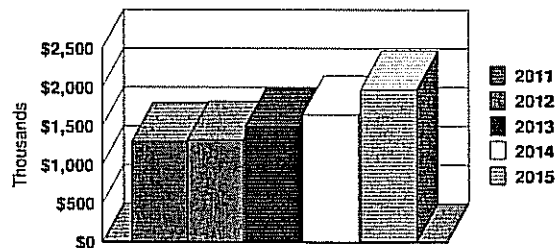
Average Age: 39.6 Average Service: 13.8

DURATION (years) Active Members: 16.2 Retired Members: 10.1 All Members: 13.8

PROJECTED PENSION PAYMENTS

<u>2011</u>	<u>2012</u>	<u>2013</u>	<u>2014</u>	<u>2015</u>
\$1,319,494	\$1,338,606	\$1,518,471	\$1,667,095	\$1,988,525

PROJECTED PENSION PAYMENTS
2011-2015



SUMMARY OF PLAN PROVISIONS

The Plan Provisions have not been changed from the prior year.

The City of Darien Police Pension Fund was created and is administered as prescribed by "Article 3. Police Pension Fund - Municipalities 500,000 and Under" of the Illinois Pension Code (Illinois Compiled Statutes, 1992, Chapter 40). A brief summary of the plan provisions is provided below.

Employees attaining the age of (50) or more with (20) or more years of creditable service are entitled to receive an annual retirement benefit of (2.5%) of final salary for each year of service up to (30) years, to a maximum of (75%) of such salary.

Employees with at least (8) years but less than (20) years of credited service may retire at or after age (60) and receive a reduced benefit of (2.5%) of final salary for each year of service.

Surviving spouses receive (100%) of final salary for fatalities resulting from an act of duty, or otherwise the greater of (50%) of final salary or the employee's retirement benefit.

Employees disabled in the line of duty receive (65%) of final salary.

The monthly pension of a covered employee who retired with (20) or more years of service after January 1, 1977, shall be increased annually, following the first anniversary date of retirement and be paid upon reaching the age of at least (55) years, by (3%) of the originally granted pension. Beginning with increases granted on or after July 1, 1993, the second and subsequent automatic annual increases shall be calculated as (3%) of the amount of the pension payable at the time of the increase.

Employees are required to contribute (9.91%) of their base salary to the Police Pension Plan. If an employee leaves covered employment with less than (20) years of service, accumulated employee contributions may be refunded without accumulated interest.

ACTUARIAL METHODS

The Actuarial Methods used for determining the Tax Levy and GASB Statements No. 25 & 27 financial disclosure have not been changed from the prior year. The Actuarial Method employed for this valuation is as follows:

Entry Age Normal Cost Method

Under the Entry Age Normal Cost Method the Normal Cost for each participant is computed as the level percentage of pay which, if paid from the earliest age the participant is eligible to enter the plan until retirement or termination, will accumulate with interest to sufficiently fund all benefits under the plan. The Normal Cost for the plan is determined as the sum of the Normal Costs for all active participants.

The Accrued Liability is the theoretical amount that would have accumulated had annual contributions equal to the Normal Cost been paid. The Unfunded Accrued Liability is the excess of the Accrued Liability over the plan's assets. Experience gains or losses adjust the Unfunded Accrued Liability.

ACTUARIAL ASSUMPTIONS

The Actuarial Assumptions used for determining the Tax Levy Requirement and GASB Statements No. 25 & 27 Disclosure Information are the same and have not been changed from the prior year. The Actuarial Assumptions employed for this valuation are as follows:

Valuation Date	May 1, 2010
Asset Valuation Method	Market Value
Investment Return	7.00%
Salary Scale	5.50%
Mortality	1971 Group Annuity Mortality Table
Withdrawal	State of Illinois DOI Experience Rates
Disability	State of Illinois DOI Experience Rates
Retirement	State of Illinois DOI Experience Rates (100% by Age 62)
Marital Status	80% Married, Spouse Same Age
Plan Expenses	None

Sample Annual Rates Per 100 Participants

<u>Age</u>	<u>Mortality</u>	<u>Withdrawal</u>	<u>Disability</u>	<u>Retirement</u>
20	0.05	6.00	0.07	
30	0.81	5.10	0.10	
40	0.16	2.85	0.20	
50	0.53		0.52	20.00
60	1.31		0.60	83.33
62	1.59			100.00

GASB STATEMENTS NO. 25 & 27 DISCLOSURE INFORMATION

The Governmental Accounting Standards Board (GASB) issued Statements No. 25 & 27 that established generally accepted accounting principles for the annual financial statements for defined benefit pension plans. The required information is as follows:

Membership in the plan consisted of the following as of:

	<u>April 30, 2010</u>	<u>April 30, 2009</u>
Retirees and beneficiaries receiving benefits	14	13
Terminated plan members entitled to but not yet receiving benefits	0	0
Active vested plan members	28	24
Active nonvested plan members	<u>11</u>	<u>14</u>
Total	<u>53</u>	<u>51</u>
Number of participating employers	1	1

SCHEDULE OF FUNDING PROGRESS

Actuarial Valuation Date	Actuarial Value of Assets (a)	Actuarial Accrued Liability (AAL) -Entry Age (b)	Unfunded AAL (UAAL) (b-a)	Funded Ratio (a/b)	Covered Payroll (c)	UAAL as a Percentage of Covered Payroll ((b-a)/c)
04/30/08	14,711,377	26,025,510	11,314,133	56.5%	2,839,516	398.5%
04/30/09	14,488,861	28,067,625	13,578,764	51.6%	3,059,620	443.8%
04/30/10	16,866,119	30,626,124	13,760,005	55.1%	3,282,075	419.2%

GASB STATEMENTS NO. 25 & 27 DISCLOSURE INFORMATION (Continued)

ANNUAL PENSION COST AND NET PENSION OBLIGATION

	<u>April 30, 2010</u>	<u>April 30, 2009</u>
Annual required contribution	939,778	927,983
Interest on net pension obligation	(2,991)	(2,304)
Adjustment to annual required contribution	<u>2,114</u>	<u>1,574</u>
Annual pension cost	938,901	927,253
Contributions made	<u>949,373</u>	<u>937,066</u>
Increase (decrease) in net pension obligation	(10,472)	(9,813)
Net pension obligation beginning of year	<u>(42,733)</u>	<u>(32,920)</u>
Net pension obligation end of year	<u>(53,205)</u>	<u>(42,733)</u>

THREE-YEAR TREND INFORMATION

<u>Fiscal Year Ending</u>	<u>Annual Pension Cost (APC)</u>	<u>Percentage of APC Contributed</u>	<u>Net Pension Obligation</u>
04/30/08	807,555	106.4%	(32,920)
04/30/09	927,253	101.1%	(42,733)
04/30/10	938,901	101.1%	(53,205)

GASB STATEMENTS NO. 25 & 27 DISCLOSURE INFORMATION (Continued)

FUNDING POLICY AND ANNUAL PENSION COST

Contribution rates:

City	28.93%	30.63%
Plan members	9.91%	Same

Annual pension cost 938,901 927,253

Contributions made 949,373 937,066

Actuarial valuation date 04/30/2010 04/30/2009

Actuarial cost method Entry age Same

Amortization period Level percentage of pay, closed Same

Remaining amortization period 23 years 24 years

Asset valuation method Market Same

Actuarial assumptions:

Investment rate of return* 7.00% Same

Projected salary increases* 5.50% Same

*Includes inflation at 3.00% Same

Cost-of-living adjustments 3.00% per year Same

CITY OF DARIEN

M E M O

TO: City Council

FROM: Bryon Vana, City Administrator

DATE: October 8, 2010

SUBJECT: FYE 2012 Capital Project Funding

Attached are two pages showing the capital projects identified by the Municipal Services Department for the next fiscal year. It includes the overall cost of these projects and the specific streets identified. Funding for these projects has not been identified and will be considered during the budget process.

FYE 2012 Capital Project Budget Summary

Account #	Description	Department Maintenance Budget Request	City Council Discretionary Expenditures
<u>CAPITAL</u>			
25-30-4376	DITCH PROJECTS		\$ 675,000
25-30-4380	SIDEWALK REPLACEMENTS	\$ -	\$ 100,000
25-30-4382	CRACK SEAL PROGRAM	\$ -	\$ 75,000
25-30-4383	CURB & GUTTER PROGRAM	\$ -	\$ 305,000
25-30-4855	STREET RECONSTRUCTION/REHAB	\$ -	\$ 1,500,000
	TOTAL CAPITAL	\$ -	\$ 2,655,000

PROPOSED FYE 2012 ROAD PROGRAM

STREET	LIMIT
BREWER RD	Grandview Ln to Alden Ln
DROVER LN	Parkview Dr to Burgess Ln
HILLSIDE LN	Meadow Ln to Woodvale Dr
SANDALWOOD CT	Beller Dr to Water Tower Ct
FOX HILL PLACE	Carriage Green Dr to Limit
KENTWOOD CT	Creekside Ln to limit
GREEN VALLEY RD	Green Valley Ct to Wakefield Dr
GREEN VALLEY CT	Green Valley Rd to Limit
WAKEFIELD DR	Green Valley Rd to Abbey Dr
GALWAY CT	Darien Club Dr to limit
LIMERICK CT	Darien Club Dr to limit
KELLY CT	Darien Club Dr to limit
72ND STREET	Fairview Ave to Gold Grove Pl
69TH STREET	Cass to Clarendon Hills Rd
70TH STREET	Richmond to Clarendon Hills Rd
70TH STREET CDS 1	70th St to Limit
70TH STREET CDS 2	70th St to Limit
70TH STREET CDS 3	70th St to Limit
DARIEN LN	75th St to Timber Ln
EVANS PL	Elm St to Janet Ave
WESTERN AVE	Plainfield Road to 72nd Street
RICHMOND AVE	67th Street to north limit
HIGH RIDGE CT	Richmond Ave to limit
SLEEPY HOLLOW CDS	Sleepy Hollow Ln to limit
TOTAL	5.65 MILES/ \$1,500,000

PROPOSED FYE 2012 DITCH PROGRAM

HIGH ROAD	67th Street to Plainfield
POPLAR LANE	Limits
BENTLEY AVENUE	71st to 72nd
TOTAL	\$675,000