

AN ORDINANCE APPROVING AND AUTHORIZING THE EXECUTION OF AN INTERGOVERNMENTAL AGREEMENT WITH THE COUNTY OF CHAMPAIGN

(Funding for Location Study for Windsor Road)

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS, as follows:

Section 1. That an Intergovernmental Agreement Between the City of Urbana and the County of Champaign Concerning the Funding for a Location Study for Windsor Road, in the form of the copy of said Agreement attached hereto and hereby incorporated by reference, be and the same is hereby authorized and approved.

Section 2. That the Mayor of the City of Urbana, Illinois, be and the same is hereby authorized to execute and deliver and the City Clerk of the City of Urbana, Illinois, be and the same is authorized to attest to said execution of said Agreement as so authorized and approved for and on behalf of the City of Urbana, Illinois.

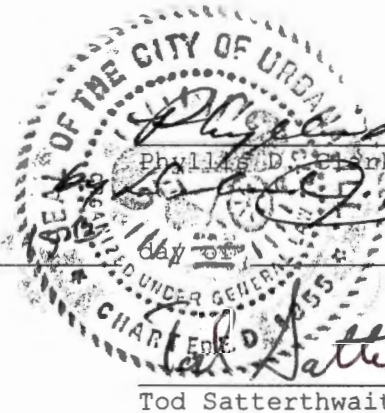
PASSED by the City Council this 4th day of March, 2002.

AYES: Chynoweth, Hayes, Huth, Otto, Patt, Wyman

NAYS:

ABSTAINS:

APPROVED by the Mayor this 4th day of March, 2002.



Phyllis D. Clark
Phyllis D. Clark, City Clerk

John J. Helwig
Deputy Clerk

Tod Satterthwaite
Tod Satterthwaite, Mayor

An Intergovernmental Agreement Between the City of Urbana and the County of Champaign Concerning the Funding for a Location Study for Windsor Road

[Windsor Road from High Cross Road (IL 130) to Philo Road]

* * *

This Agreement is entered into between the City of Urbana, Illinois ("City") and the County of Champaign, Illinois ("County"), on this 27th day of March 2002, in consideration of the following premises and terms:

WHEREAS, Article VII Section 10 of the 1970 Constitution of the State of Illinois authorizes the City and the County to contract to perform and share services in any manner not prohibited by law; and

WHEREAS, 65 ILCS 5/11-91.2-1 and 605 ILCS 5/5-102, 5-105, 5-106, 5-408, 5-410, 5-410.1, 7-101, and 9-101, all provide statutory authority for the City and the County to enter into this cooperative agreement with respect to the construction, jurisdiction, and maintenance of roads and streets; and

WHEREAS, the responsibility to provide for a highway transportation system rests with the City, the County, and the State; and

WHEREAS, the City and the County find it to be in the public's best interest and best interest of their constituents to perform a location study including an environmental impact study of Windsor Road from High Cross Road {IL 130} to Philo Road.

WHEREAS, the parties find it to be most cost effective to mutually conduct such studies and to share in the costs as provided in this Agreement.

WHEREAS, the maximum contribution required of the City and the County is thirty thousand dollars {\$30,000} each.

NOW, THEREFORE, the City and the County, in consideration of the mutual promises and covenants contained herein, agree as follows:

Section 1. Engineer Selection

The City shall select and contract with an engineer to perform a location study for Windsor Road from High Cross Road to Philo Road. The City shall not enter into a contract for these studies without prior written approval from the County Engineer with regard to the engineer, scope of work to be performed, and contractual terms of the contract between the County and the selected engineer. The contract shall provide that the engineer shall consult with all parties to an equal extent with regard to the content of the studies and approval of the final report.

Section 2. **Commencement of Work**

The County and City agree to reasonably cooperate to allow the engineer selected to commence work by April 1, 2002, and complete work within eighteen {18} months of the start of the study.

Section 3. **Project Funding**

The parties agree that the engineer's fee and expenses shall not exceed one hundred and twenty thousand dollars {\$120,000}. Federal STP-Urban funds shall pay fifty percent {50%} of the cost of said study. The City and County each agree to split between them equally the remaining fifty percent {50%} of the cost of the study.

Section 4. **Future Project Funding**

The parties agree in principle to each agree to split between them equally fifty percent {50%} of the local share cost to engineer, relocate utilities, acquire right-of-way, and construct Windsor Road from High Cross Road to Philo Road with the timing and method of handling such costs to be the subject of a more detailed agreement at the appropriate time.

Section 5. **Invoices and Payments**

The City will be responsible for the Project and shall invoice the County for its share of the Project costs. The County shall pay invoices within thirty {30} days of receipt. The City shall provide reasonable documentation to the County regarding the actual cost of the work as costs are incurred.

Section 6. **Further Actions**

The City and the County hereby agree to take any official action necessary to accomplish their respective obligations as set forth in this Agreement, including the passage of legally sufficient resolutions or ordinances, the appropriation or budgeting of money, and any and all other undertakings set forth in this Agreement. The Chair of the County Board and the Mayor of the City are hereby authorized by the approval of this Agreement by the respective governing bodies of the County and the City to execute any such documents necessary to carry out the terms of this Agreement.

Section 7. **Effective Date of the Agreement**

This Agreement shall be effective on the date of the last of the County Board or City Council to approve this Agreement.

Section 8. **Termination**

The parties agree that, if the Study has not begun by June 30, 2003, this Agreement shall terminate without further action by the parties.

Section 9. Amendment

No amendment to this Agreement shall be effective unless it is in writing and signed by the parties hereto.

Section 10. Notices

Notice with respect to any matter contained herein shall be sent first class and mailed to:

CITY:
Mayor
City of Urbana
400 South Vine Street
Urbana, Illinois 61801
Public Works Director
City of Urbana
706 South Glover Avenue
Urbana, Illinois 61802

COUNTY:
County Board Chair
County of Champaign
1776 East Washington Street
Urbana, Illinois 61802
County Engineer
County of Champaign
1776 East Washington Street
Urbana, Illinois 61802

IN WITNESS WHEREOF, the parties have executed this Agreement.

CITY OF URBANA, ILLINOIS

COUNTY OF CHAMPAIGN

By: *Jack Artzt*
Mayor

By: *Patricia Arney*
County Board Chair

ATTEST: *Steph S. Clark*
City Clerk

ATTEST: *Mark Skelton*
County Clerk

David Wal
Deputy Clerk
APPROVED AS TO FORM:

Date of County Board Approval:

David Wal
City Attorney

Date: *February 25, 2002*

Date of City Council Approval:

Date: March 4, 2002
