

**ORDINANCE NO. 2012-03-025**

**AN ORDINANCE TO REPEAL ORDINANCE NO. 2011-12-137 AND TO APPROVE A HIGHWAY AUTHORITY AGREEMENT AND A SUPPLEMENTAL AGREEMENT WITH BP PRODUCTS NORTH AMERICA, INC.**

(809 West Green Street)

**WHEREAS**, the City Council heretofore did on the 19th day of December 2011, pursuant to Ordinance No. 2011-12-137, approve and authorize the Mayor to execute an agreement with BP Products North America, Inc. ("BP Products") for a Tiered Approach to Corrective Action Objectives (TACO) concerning a release of contaminants from underground storage tanks located at 809 West Green Street, Urbana, Illinois; and

**WHEREAS**, said agreement was not thereafter executed, as BP Products and the City subsequently determined that changes to the agreement were required; and

**WHEREAS**, after due and proper consideration, the City Council finds that the best interests of the City are served by repealing Ordinance No. 2011-12-137 and by approving a Highway Authority Agreement and a Supplemental Agreement with BP Products in lieu thereof as described herein.

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Urbana, Champaign County, Illinois, as follows:

**Section 1.**

Ordinance No. 2011-12-137 is hereby repealed upon the effective date of this Ordinance. The repeal of such Ordinance shall not abrogate or affect any act committed or done or any penalty or forfeiture incurred or any pending litigation or prosecution under such repealed ordinance.

**Section 2.**

In place of said Ordinance herein repealed, a Highway Authority Agreement and a Supplemental Agreement with BP Products North America, Inc., in substantially the form of the copies of said Agreements attached hereto and hereby incorporated by reference, be and the same are hereby authorized and approved.

**Section 3.**

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 hereby authorized to attest to said execution of said Agreements as so authorized and approved for and on behalf of the City of Urbana, Illinois.

**Section 4.**

This Ordinance shall be in full force and effect from and after its passage.

This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called, of a majority of the members of the Council of the City of Urbana, Illinois, at a meeting of said Council.

PASSED BY THE CITY COUNCIL this 19th day of March, 2012.

AYES: Jakobsson, Lewis, Marlin, Roberts, ~~Smyth~~, Stevenson

NAYS:

ABSTAINS:



*Phyllis D. Clark*  
Phyllis D. Clark, City Clerk

APPROVED BY THE MAYOR this 21st day of March, 2012.

*Laurel Lunt Prussing*  
Laurel Lunt Prussing, Mayor