

RESOLUTION NO. 9192-R35

A RESOLUTION CONCERNING THE ISWDA AGREEMENT

WHEREAS, the City of Champaign has filed with the Intergovernmental Solid Waste Disposal Association (ISWDA) and its Member Governments a duly enacted Resolution withdrawing from the ISWDA; and

WHEREAS, the ISWDA Agreement, adopted in 1986 and subsequently revised, is a legally binding contract under which the City of Urbana and Champaign County have made substantial financial commitments in reliance upon strong guarantees duly adopted by other Member Governments; and

WHEREAS, alternative provisions have not been made for complete retirement of ISWDA Member Governments' financial commitments and long term disposal of their municipal solid waste.

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

Section 1. The City of Urbana finds it necessary to continue the ISWDA, preferably with the cooperation of Champaign County, and if possible with the full cooperation of the City of Champaign;

Section 2. The City of Urbana acknowledges the withdrawal of the City of Champaign from the ISWDA, and looks forward to its prompt and effective cooperation in compliance with all terms of the ISWDA contract relevant to a Member Governments' withdrawal.

Section 3. The City of Urbana remains interested in cooperation with the City of Champaign in the context of the ISWDA. However, if the City of Champaign chooses to not rejoin ISWDA, the City of Urbana is willing to consider a post-withdrawal agreement with the City of Champaign to resolve all of the obligations, financial and otherwise, created by the unexpected withdrawal of Champaign within the context of a written agreement specifying a new set of goals and/or substitute structure and name for the ISWDA--and mechanisms for achieving this acceptable to all member governments.

Section 4. The City of Urbana shall adopt substantive equivalents of the attached modifications to its Fiscal Year 1992-1993 budget proposal, which proposal was originally drawn up before the City of Champaign's withdrawal from the ISWDA. These modifications have the following effect:

(a) They provide for guarantees that the essential goals of the ISWDA may be accomplished without increases in property tax rates for solid waste programs from the remaining Member Governments.

(b) They provide for revenues from volume-based pricing of Urbana residents' municipal solid waste, effective as early as July 1, 1992 and no later than September 1, 1992, in conjunction with a plan being drawn up by Urbana city staff.

(c) They authorize funds for guaranteed payment of Urbana's portion of ISWDA debts and continued operation of the ISWDA in the event of withdrawal of its other Member Governments. They also provide for review and appropriation, if necessary, of funds for construction of a transfer station of adequate capacity to exercise quality and flow control on all municipal solid waste subject to ISWDA regulation with an option to substitute enhanced screening and recycling of Urbana's municipal solid waste should flow control of the entire ISWDA waste stream become no longer necessary.

(d) While willing and able to continue the ISWDA without Champaign County, the City of Urbana would prefer to work with Champaign County in revising goals and procedures for the ISWDA along the lines expressed in its Mayor's recent attached letter to County Board Members.

This Resolution 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 special meeting of said Council.

PASSED by the City Council this 11th day of May, 1992.

  
Ruth S. Brookens  
Ruth S. Brookens, City Clerk

APPROVED by the Mayor this \_\_\_\_\_ day of \_\_\_\_\_, 1992.

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Jeffrey T. Markland, Mayor