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February 21, 2002

Jack Waaler  
City of Urbana  
Legal Department  
400 South Vine Street  
Urbana, Illinois 61801

Re: Changes to the Intergovernmental Agreement Regarding Use  
of the Courthouse Parking Lot for Special Events.

The Champaign County Board Facilities Committee has authorized me to make the following counter-offer regarding the Intergovernmental Agreement for use of the courthouse parking lot for special events. I propose the first paragraph of section E read as follows (changes are underlined):

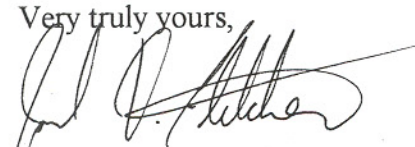
“The City of Urbana agrees to provide written notice of intent to use the lot for such purposes to the Sheriff of Champaign County, the County Administrator, and the County Board Chair at least three (3) weeks prior to such event. The County Board Chair or the Sheriff may deny permission to use the lot for articulable reasons including, but not limited to, public safety, failure to abide by this Agreement in the past, or conflicting use or maintenance of the Champaign County Courthouse. Requests will not be denied unreasonably or unlawfully, and any denial of a request shall be in writing, with a reason stated for the denial. Unless requests are denied in writing within seven working days, they shall be deemed approved. The three-week notice may be waived by agreement of the County Board Chair and the Sheriff, for good cause shown.”

Consistent with the City of Urbana's request, the County Board Chair has been substituted for the County Administrator in the approval process. However, because the County Administrator has the most immediate knowledge of the operations and maintenance needs of the courthouse, he or she would still receive a copy of the notice. This immediate notice would ensure the County Administrator has time to confer with the County Board Chair.

The County is not prepared to provide an exhaustive list of reasons for which permission may be denied. This agreement is to span over two decades, and it simply is not realistic to assume we can predict every contingency at this point. However, the County would still be required to provide articulable reasons, in writing, for any denial, and permission could not be denied unreasonably or unlawfully. I hope these changes are agreeable to the City of Urbana.

Enclosed please find paper copies of the original agreement and an agreement as amended, and a disk storing both documents.

Very truly yours,



Joel D. Fletcher,  
Assistant State's Attorney

Enclosures