



CITY OF URBANA, ILLINOIS
DEPARTMENT OF PUBLIC WORKS
ENGINEERING DIVISION

MEMORANDUM

TO: Mayor Laurel L. Prussing and Members of the City Council
FROM: William R. Gray, Public Works Director
Gale L. Jamison, Assistant City Engineer
Bradley M. Bennett, Civil Engineer
DATE: April 19, 2012
RE: Stormwater Utility Fee Ordinances and Intergovernmental Billing Agreement with the Urbana-Champaign Sanitary District

Introduction

On October 10, 2011 the Council approved by motion to have City Staff prepare an ordinance establishing a stormwater utility fee and stormwater utility enterprise fund. Attached please find a copy of the stormwater utility fee and enterprise fund ordinance for your review.

The stormwater utility fee ordinance establishes the legal framework for the fee and includes the following elements:

1. creates stormwater utility fee enterprise fund;
2. establishes the stormwater utility fee rate structure and applicability;
3. establishes utility fee credit and incentive program;
4. establishes billing and collection policies;
5. creates fee administrative policies including an appeals process.

The Urbana and Champaign Sanitary District (UCSD) has agreed to provide billing and collection services for the stormwater utility fee. The stormwater utility fee will be listed as a separate line item on UCSD's sewer bill. The City will be responsible for computing the stormwater utility fee along with any credits for each parcel and providing that information to UCSD. Attached please find a copy for your review of the intergovernmental agreement for billing services with UCSD.

City stormwater utility fees billed by the UCSD that become delinquent will be collected in accordance with the UCSD's standard procedures that it utilizes for collecting its own delinquent accounts up to the step of discontinuance of water service. At that point, UCSD will reverse all outstanding stormwater utility fees from the UCSD's account, create a detail of the fees, and forward that information to the City. Collection efforts for stormwater utility fees reversed for non-payment will become the responsibility of the City.

The first stormwater utility fee billing would be sent out in May 2013.

Any questions, comments, or inquiries may be directed to Mr. Gale Jamison or Mr. Brad Bennett at the Public Works Department at 217/384-2385.

Recommended Actions

It is recommended that the ordinance establishing a stormwater utility fee and stormwater utility enterprise fund be adopted.

It is recommended that the ordinance authorizing the mayor and clerk to sign the intergovernmental agreement for billing and collection services with the Urbana-Champaign Sanitary District be adopted.

The Public Works Department also seeks by motion, approval to proceed with retaining AMEC Earth and Environmental (AMEC) to provide engineering services for the implementation phase of the stormwater utility fee. Implementation phase activities will include building the master account file for service charge billing and providing support services, such as the development of a crediting mechanism, the development of customer service tools, and on-call support for the first month of billing. The estimated engineering service fees for the implementation phase of the stormwater utility fee is \$125,000. Sufficient funds are available in the Stormwater Utility Fee Implementation Phase Budget Line Item.

AN ORDINANCE ESTABLISHING A STORMWATER UTILITY
AND A DEDICATED FUND FOR ITS OPERATION

WHEREAS, the City of Urbana, Illinois is legally authorized to own, build, maintain, and operate a stormwater system to protect and preserve the public health, safety, and welfare and protection of the natural resources of the City of Urbana; and,

WHEREAS, the City of Urbana, Illinois seeks to increase the frequency of stormwater infrastructure inspections and maintenance activities; add more resources for compliance with the National Pollutant Discharge System permit; reduce stormwater pollution; update the City's Stormwater Master Plan, implement sustainable stormwater management practices; and increase funding levels for stormwater infrastructure repairs and capital improvement projects; and,

WHEREAS, the City of Urbana, Illinois City Council approved the Stormwater Utility Fee Feasibility Study recommendations prepared by AMEC Earth and Environmental on October 10, 2011; and,

WHEREAS, the City of Urbana, Illinois has determined that it needs a dedicated source of funding to properly address its stormwater management program needs; and,

WHEREAS, the City of Urbana, Illinois wishes to equitably distribute the costs of its stormwater utility among its stormwater management customers; AND THUS

The purpose of this ordinance is to establish a stormwater utility to address the function of management of stormwater runoff in the City in compliance with the National Pollution Discharge Elimination Program of the United State Environmental Protection Agency. This ordinance also creates a fund dedicated to the support of the operation of the stormwater utility and prescribes stormwater utility fees to be levied on all parcels within the City.

NOW THEREFORE BE IT ORDAINED:

1. That the attached is hereby enacted as Article VIII of Chapter 24 of the Urbana City Code.

2. Pursuant to Section 14-7 (b) of the Urbana City Code (limited amendment), Section 14-7 "Schedule of Fees" is hereby amended to add the following thereto:

(P) Stormwater Utility

Equivalent Residential Unit (ERU) \$5.15 per month.

3. This Ordinance shall be in full force and effect, and shall be controlling, on the first day of March, 2013.

4. The City Clerk is directed to publish this Ordinance in pamphlet form at least thirty (30) days prior to the effective date.

5. If any section, paragraph or provision of this ordinance is held to be invalid or unenforceable, such invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this ordinance, or the provision of the Code.

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 _____ day of _____, 2012.

AYES:

NAYS:

ABSTAINS:

Phyllis D. Clark, City Clerk

APPROVED by the Mayor this _____ day of

_____, _____.

Laurel Lunt Prussing, Mayor

DIVISION 1. 24-170 STORMWATER UTILITY ESTABLISHED

a. The Stormwater Utility herein established is a program to provide for the management, regulation, construction, maintenance, and improvement of the handling of stormwater runoff in the City of the Urbana, and for such purposes may include all or part of the necessary engineering, planning, operations, maintenance, repair, administration and enforcement, capital programs, and educational efforts related thereto.

b. The management and supervision of the stormwater utility shall be under the direction of the director of public works.

c. The City hereby establishes a stormwater utility enterprise fund. All revenues of the stormwater utility including late fees, administrative fees and interest earned on the account shall be deposited into the stormwater enterprise fund and used only for purposes of the stormwater utility as deemed appropriate by the city council.

d. The management and supervision of the stormwater enterprise fund shall be under the direction of the comptroller subject to the provisions of Section 24-202.

DIVISION 2. 24-171 DEFINITIONS

City or City of Urbana means the City of Urbana, Illinois, a municipal corporation.

Credit means a conditional reduction to the amount of a stormwater service charge to an individual parcel based upon the provisions of the City of Urbana Stormwater Credit and Incentives Manual.

Direct Discharge means the conveyance of stormwater runoff directly to a receiving stream (water of the State of Illinois) without entering the City-owned stormwater drainage system.

District means the Urbana & Champaign Sanitary District.

District Agreement means the Intergovernmental Agreement for Billing Services for the Urbana & Champaign Sanitary District and the City of Urbana.

Duplex Parcel means any parcel containing a single structure designed with two dwelling units for occupancy by one family in each unit. Each dwelling unit shall contain at least one bedroom, a kitchen, and a bathroom.

Equivalent Residential Unit (ERU) shall be used as the basis for determining the storm water service charge to a parcel. Thirty-one hundred (3100) square feet of impervious area shall be one ERU.

Comptroller means the director of the finance department of the City of Urbana.

Gross Area means the entire area of a parcel, including both the impervious and pervious areas.

Impervious Area or Impervious Surface means those areas that prevent or impede the infiltration of storm water into the soil. Common impervious areas include, but are not limited to, rooftops, sidewalks, walkways, patio areas, driveways, parking lots, storage areas, compacted aggregate and awnings.

Incentive means a onetime disbursement that fully or partially compensates a parcel owner for partnering with the city to achieve a stormwater management objective based on the provisions of the City of Urbana Credit and Incentives Manual.

Parcel means any designated lot, tract, or area of land, established by a plat or other legal means and to be used, developed or built upon as a unit which is partially or wholly inside the corporate limits of the City of Urbana.

Single Family Residential (SFR) means developed land containing one dwelling structure which contains one or more bedrooms, with a bathroom and kitchen facilities, designed for occupancy by one family. SFR units may include houses, manufactured homes, and mobile homes located on one or more individual lots or parcels of land.

Stormwater Enterprise Fund sometimes called, or titled, or stated stormwater enterprise utility fund, means the dedicated fund to support the stormwater utility created herein.

Stormwater System shall mean a conveyance or system of conveyances and include sewers, storm drains, curbs, gutters, ditches, swales, retention and/or detention ponds or basins, dams, manmade channels or storm drains, and flood control facilities and appurtenances thereof which is designed or used for the collection, control, transportation, treatment or discharge of stormwater.

Sec. 24-172. - Stormwater utility fee rate structure/responsibility for payment.

- (a) A stormwater utility fee is hereby created to generate revenue to fund the city's stormwater utility. The revenue generated by the fee will be obligated exclusively to the stormwater utility enterprise fund.
- (b) The stormwater utility fee shall be distributed among the parcels in the city based on the amount of impervious area on each parcel.
- (c) The owner of each parcel of real property that is wholly or partially located within the corporate limits of the city shall be responsible for the payment of any stormwater utility fee assessed against said parcel.
- (d) The stormwater utility fee billing unit for all parcels shall be based on the mean level of imperviousness on single family residential parcels. This billing unit is known as an

“Equivalent Residential Unit” or “ERU” and has been determined to be 3,100 square feet of impervious surface in the City of Urbana.

- (a) The minimum stormwater utility fee charged for any parcel in the city shall be one half (0.5) of an ERU.
- (b) Single family residential and duplex parcels shall be billed one (1.0) ERU each.
- (c) All other parcels in the city shall be billed based on the measured number of ERUs on the parcel. Fractional ERUs shall be rounded to the nearest tenth (0.1) of an ERU. For example, 10,000 square feet of impervious area represents 3.226 ERUs and would be rounded to 3.2 ERUs for billing purposes.
- (d) Fees to qualifying parcels may be adjusted if stormwater utility fee credits are approved by the city for on-site stormwater management (see Sec. 24-175).

Sec. 24-173. - Stormwater utility fee applicability.

- (a) The stormwater utility fee shall be charged to all parcels in, or partially in, the city.
- (b) The stormwater utility fee shall not be charged to streets and sidewalks that are inside the public right-of-way or that are part of a street system that is privately owned, but are the functionally equivalent of a public street or those owned or controlled by the University of Illinois.
- (c) Parcels that are annexed into the city after the stormwater utility becomes operational shall be subject to the fee upon completion by the public works department of the applicable calculations of the amount of impervious surface on the parcels in question.

Sec. 24-174. - Stormwater utility rate.

- (a) The initial stormwater utility fee rate per ERU, per month, shall be as set forth in Section 14-7 of the Urbana City Code and effective as to each such parcel starting with bills generated on or after such parcels become subject to this ordinance.
- (b) The comptroller shall review the stormwater utility fund and make rate recommendations to the city council annually thereafter. The city council shall review the recommendations and may adjust the stormwater utility fee rates accordingly.

Sec. 24-175. - Stormwater utility fee credits.

City of Urbana Stormwater Credit and Incentive Manual. The director of public works is hereby authorized to develop and publish a Stormwater Credit and Incentive Manual for purposes of establishing a program of incentives and credits that will reduce the stormwater utility fee that particular property owners will be required to pay, to promote efforts by said

property owners to mitigate the effects of stormwater on the city's stormwater system and facilities. The Stormwater Credit and Incentive Manual shall not go into effect until fifteen days after a copy of the Manual has been provided to the city council.

Secs. 24-176 – 24-177. - Reserved.

DIVISION 3. BILLING

Sec. 24-178. - Agreement for billing with the Urbana & Champaign Sanitary District.

- (a) The city comptroller is hereby authorized to enter into an Intergovernmental Agreement ("Billing Agreement") with the Urbana & Champaign Sanitary District ("District") for the District to bill for the city's stormwater utility fee to parcel owners in the city, subject to the city council's approval of the initial terms and conditions of such an agreement. Said agreement shall, at a minimum, provide the following. (i) A schedule for forwarding the proceeds from the billing to the city; (ii) A financial penalty for delinquent payment of the fee; (iii) A reasonable system for the collection of said fee.
- (b) The city comptroller is authorized to execute addenda or amendments to any Billing Agreement for collection of the stormwater utility fee which has been previously approved by the city council for the purpose of making the billing arrangements contained in the Agreement more efficient or for the purpose of adjusting the fees paid by the city to the District without prior city council approval, provided that a copy of the proposed addenda or amendments shall be provided to the city council at least fifteen (15) days prior to execution of said addenda or amendment.
- (c) To the extent that any provision of this Division is inconsistent with the terms of the Billing Agreement, then the provisions of this Division shall not be effective or controlling while the Billing Agreement is in effect.
- (d) To the extent the procedures adopted of the District contradict the provisions of this Division, the procedures in the Agreement shall apply while the Agreement is in force and effect.

Sec. 24-179. - Collection of Stormwater Utility Fees by the City.

If the city is unable to enter into an agreement with the District for the collection of the Stormwater Utility Fee, or the agreement with the District for the collection of said fee is terminated for any reason, then the city comptroller shall have the authority to formulate and implement written procedures for collection of said fee by the city, provided that the city comptroller shall provide the city council with a copy of any proposed procedures at least fifteen (15) days prior to the time said procedures are to go into effect.

Sec. 24-180. – Billing.

(a) The monthly stormwater utility fee for all parcels shall be based on the number of ERUs as determined in Sec. 24-172 and the current monthly stormwater utility rate. The fee may be adjusted by previously approved stormwater utility fee credits (Sec. 24-175).

(b) The stormwater utility fee for any parcel will remain constant from month to month unless one of the following changes occurs:

(1) A physical modification to the parcel that changes its level of imperviousness;

(2) A credit for on-site stormwater management is either awarded or revoked;

(3) The stormwater utility fee rate is changed by the city council per the Schedule of Fees (Chapter 14); or

(4) Any other billing adjustment as described in Sec. 24-194 – 24-195 is applied to the account.

(c) The new fee will be assessed on all bills processed on or after the effective date of the fee or new fee.

Sec. 24-181. Liens.

(a) Whenever the stormwater utility fee for a parcel becomes delinquent as set forth in the collection process implemented by the Urbana & Champaign Sanitary District or the comptroller in accordance with this Article, the delinquent fee together with the outstanding penalties shall become and constitute a lien upon the parcel.

(b) Statements rendered for such delinquent stormwater utility fee shall be deemed notice of the lien to the owner of the property if such statement is mailed to the owner of the parcel as shown in the records of the supervisory of assessments by first class mail. No additional notice of lien is required to be sent to the owner nor is a copy of the claim of lien required to be sent to the owner.

Sec. 24-182. - Contents of lien claim.

The claim of lien for delinquent stormwater utility fee shall be made in the form of a sworn statement by the comptroller setting forth the following information:

(a) A description of the parcel, sufficient for identification;

(b) The amount or amounts of money due including outstanding penalties and interest charges;

(c) The date or dates when such amount or amounts became delinquent; and

(d) The owner of record of the parcel as disclosed by the records of the supervisor of assessments within ninety (90) days before the last statement date.

(e) Said claim shall be recorded in the Office of the Recorder for Champaign County.

Sec. 24-183. - Additional lien charge.

In all cases where the stormwater utility fee has become delinquent and the city elects to file a claim for lien as set forth in this article, there shall be added to the amount due prior to recording, in addition to other charges and penalties then due, such charges and expenses as are necessary and required to verify the legal description of the parcel and ownership information and to prepare and record the claim of lien and release the claim for lien. Such additional charge shall be included in the amount claimed due by the lien claim. The amount of the additional charge shall be established by rule or regulation of the comptroller.

Sec. 24-184. - Other remedies.

In addition to the recording of a lien:

(a) the city may seek payment of delinquent stormwater utility fees and penalties by filing a suit to collect in court, or

(b) the city may file a complaint charging a violation of this ordinance. Any taxpayer found guilty of violating, disobeying, omitting, neglecting or refusing to comply with any of the provisions of this division shall, upon conviction thereof, be fined not less than one hundred dollars (\$100.00) nor more than five hundred dollars (\$500.00) for each violation.

Secs. 24-185 - 24-193. – Reserved.

DIVISION 4. ADJUSTMENTS

Sec. 24-194. - Adjustments to stormwater bills.

A parcel's stormwater utility rate and/or computed number of ERUs may be adjusted by the director of public works to an amount which more properly represents the impervious surfaces on a parcel. This may be done upon presentation by the parcel owner of factual evidence which, in the director's sole discretion, establishes that the impervious area used to determine the parcel's stormwater utility tier or the computed number of ERUs was incorrect.

Sec. 24-195. - Responsibility for initiating adjustment process.

The owner of the parcel is responsible for initiating any review of the impervious area computation for a parcel and presenting factual evidence in support of a change in the impervious area if the owner wishes to have the parcel's stormwater utility rate or computed number of ERUs adjusted.

Secs. 24-196 - 24-201. – Reserved.

DIVISION 5. UTILITY ADMINISTRATION

Sec. 24-202. - Accounts.

Which costs and expenses shall be charged to and paid from the Stormwater Utility Fund shall be determined by the director of public works.

The comptroller shall establish a proper system of accounts and shall keep proper books, records and accounts in which complete and correct entries shall be made of all transactions relative to the Stormwater Utility Fund. An annual audit by an independent audit firm will be procured. In addition to the financial statements, the statistical section of the Comprehensive Annual Financial Report shall also reflect the revenues and operating expenses of the stormwater fund. The financial information to be shown in the audit report shall include the following:

- 1) Billing data to show total number of billing units per fiscal year.
- 2) Debt service for the next succeeding fiscal year.
- 3) Number of stormwater utility ratepayers.

Sec. 24-203. - Access to records.

The city shall allow any relevant agency of the state of Illinois or its authorized representative to have access to any applicable books, documents, paper and records of the stormwater utility fee for the purpose of making audit, examination, excerpts and transcriptions thereof to ensure compliance with the terms of loan agreements and rules of any state loans.

Sec. 24-204. - Appeals.

The method for determination of stormwater utility fee in Section 24-172 shall be made available to a user within fifteen (15) days of receipt of a written request by the parcel owner. Any discrepancy over the method used or in the computations thereof shall be remedied by the director of public works or his designee within thirty (30) days after notification of a formal written appeal outlining the discrepancies. The appeals process is structured as follows:

- (a) The parcel owner files an appeal requesting reconsideration of the fees charged to the owner's parcel. The appeal shall be provided in the form required by city and factual evidence in support of the adjustment must be provided.
- (b) The initial appeal of a fee determination will be reviewed by department of public works staff. Upon completion of this review a recommendation will be made to the director of public works regarding the resolution of the appeal. The written response to the parcel owner will be mailed within thirty (30) days of receipt.
- (c) If a second appeal of the determination is requested the request will be heard and a decision will be rendered by the director of public works. The written response to the

second appeal of the parcel owner will be mailed within fifteen (15) days of its receipt by the director.

- (d) If a third appeal of the determination is requested that request will be heard by the city mayor of Urbana. The written response to the third appeal of the parcel owner will be mailed within fifteen (15) days of its receipt by the mayor.

Sec. 24-205. - Authority of Directors to issue rules and regulations.

The comptroller and the director of public works may issue rules and regulations necessary to implement this article provided that a copy of each rule or regulation is filed with the city clerk and distributed to the mayor and each council member at least fifteen (15) days before the rule or regulation becomes effective.

RESOLUTION NO. 2012-04-022R

**A RESOLUTION APPROVING AN INTERGOVERNMENTAL AGREEMENT WITH THE
URBANA & CHAMPAIGN SANITARY DISTRICT FOR BILLING SERVICES**

(Sewer use and stormwater fees)

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

Section 1.

An Intergovernmental Agreement for Billing Services between the City of Urbana, Illinois, and the Urbana & Champaign Sanitary District, in substantially 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.

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 Agreement as so authorized and approved for and on behalf of the City of Urbana, Illinois.

Motion was made by Alderman _____, seconded by Alderman _____ that the Resolution be adopted.

PASSED BY THE CITY COUNCIL this ____ day of _____, _____.

Phyllis D. Clark, City Clerk

APPROVED BY THE MAYOR this ____ day of _____, _____.

Laurel Lunt Prussing, Mayor

**INTERGOVERNMENTAL AGREEMENT
FOR BILLING SERVICES**

URBANA & CHAMPAIGN SANITARY DISTRICT/CITY OF URBANA

THIS AGREEMENT is made this ____ day of _____ 2012, by and between the **URBANA & CHAMPAIGN SANITARY DISTRICT**, a municipal corporation (hereinafter referred to as "**District**") and the **CITY OF URBANA**, a municipal corporation (hereinafter referred to as "**City**").

WHEREAS, the City has established a sanitary sewer fee for use of the City's sanitary sewer system in accordance with Urbana City Code Sections 24-16 and 24-17, attached hereto as Exhibit A (hereinafter "Sanitary Sewer Fee Ordinance").

WHEREAS, the City and the District did on the 5th of January 2006, pursuant to City of Urbana Ordinance No. 2005-11-168, enter into an intergovernmental agreement to allow the District to provide billing services to the City for its Sanitary Sewer Fee.

WHEREAS, the City and the District hereby agree to enter into a new intergovernmental agreement to authorize the District to provide Sanitary Sewer Fee billing services as provided herein.

WHEREAS, the City has established a stormwater utility fee for the use of the City's stormwater sewer system in accordance with Urbana City Code Chapter 24, Article VIII, attached hereto as Exhibit B (hereinafter "Stormwater Utility Fee Ordinance.")

WHEREAS, the City and District agree that provision of billing services by the District to the City is in the best interests of the parties and the parties' customers.

NOW, THEREFORE, IT IS AGREED BY AND BETWEEN THE PARTIES as follows:

I. Billing Services, Billing Rate, and Calculation of Charges

A. Charges for services provided beginning _____ and thereafter.

1. The District shall include charges for the City's Sanitary Sewer Fee and Stormwater Utility Fee on bills for the District's services. Each City fee will be listed as a separate line item on the District's sewer bill. The fees will be identified on the bill as the "sewer use fee" and "stormwater fee".
2. The City shall establish billing formulas for each service for each entire calendar year. The District shall calculate bills using the formulas established by the City. The City will notify the District of any change to the City's billing formulas not later than December 15 of the year before the effective date. The District will implement any

change in the City's formulas with the first billing of the new calendar year. The new rate(s) shall apply to all bills generated on or after the effective date of the rate or rate change.

3. The District shall accurately calculate and use its best efforts to collect the City's fees. The District's calculation methods shall include the following:
 - a. The District will calculate the City's sewer use fee based upon the rate provided to the District by the City as applied to the billable flow for each parcel billed by the District.
 - b. The District will calculate the City's stormwater utility fee using the monthly rate, equivalent residential units (ERU), and credits applicable to each parcel as provided by the City.
 - c. The District will assess delinquency fees on unpaid balances thirty (30) days overdue in accordance with the District's standard procedures utilized for its own delinquent accounts.
 - d. City sewer use fees billed by the District that become delinquent will be collected in accordance with the District's standard procedures that it utilizes for collecting its own delinquent accounts. The District will communicate material changes to these procedures to the City prior to implementation.
 - e. City stormwater utility fees billed by the District that become delinquent will be collected in accordance with the District's standard procedures that it utilizes for collecting its own delinquent accounts up to the step of discontinuance of water service. At that point, the District will reverse all outstanding stormwater utility fees from the District's account, create a detail of the fees, and forward that information to the City. Collection efforts for stormwater utility fees reversed for non-payment will become the responsibility of the City.
 - f. The City may determine that adjustments are to be applied to stormwater utility fees in accordance with its ordinance or policy. Additions of or changes to existing criteria will be forwarded to the District no more frequently than once a week. Change information shall include the parcel number, property address, ERU, and /or credit percentage. Changes will be incorporated into the stormwater calculation for the specified parcel and will apply to the next regularly generated bill.
- B. Response to Customer Questions: The District will make good faith efforts to respond to questions from customers concerning the City's charges, including past-due amounts. The District will direct customers who request additional information to the City at a phone number provided to the District by the City.
- C. Processing Payments. The District will process all payments of the fees as it processes payments of District charges. Payments shall be applied to the oldest outstanding bill first in the following order: delinquency or collection fees, District charges, sewer use fee, and stormwater utility fee. The District will distribute all receipts actually collected to the City each month via wire transfer or ACH before the end of the fifth business day of the following month. The District shall not pay to the City interest earned on funds held on behalf of the City during the month in which it is collected.

II. Responsibilities of City Prior to Initiation of District Billing

- A. Prior to _____, _____, the City will notify all owners of property in the City that stormwater utility fees will be assessed to each parcel and will be included on the District's regular bill.

III. Fees for Services Provided by the District.

- A. Fees. The City shall pay to the District 3.0% of billed revenues for services rendered. Changes in fee structure for subsequent years shall be set by mutual written agreement between the Executive Director of the Urbana & Sanitary District and the Mayor of the City of Urbana.

IV. District Information Sharing Responsibilities.

- A. No later than the date specified in I.C., the District shall provide the following information to the City regarding billing information for the City's fees:
 - 1. The amount billed, paid, outstanding, and the amount that the District deems uncollectible by reason of bankruptcy or similar reason. Those City fees that the District deems uncollectible shall receive no further attention by the District. The District will identify such accounts by address and Permanent Parcel Index Number.

V. Amendment and Termination.

- A. This Agreement may be amended by written agreement of both parties.
- B. This Agreement may be terminated by either party for any reason by notifying the other party in writing at least 90 days in advance. The Agreement shall terminate on the 31st day of December in the year of termination.
- C. In the event that this Agreement is terminated for any reason, within thirty (30) calendar days following the date of termination, the District shall provide to the City the following information for each property subject to the City's fees, in an industry-standard format using industry-standard electronic media:
 - 1. Parcel tax identification number assigned by County
 - 2. Premise number assigned by IAWC
 - 3. Property address
 - 4. Billing address
 - 5. Property owner name
 - 6. Billing and payment history, including the following for each billing period:
 - a. Water reading
 - b. Billed sewer units (daily base or actual water use, as applicable)
 - c. Dollar amount billed for sewer use fee
 - d. Dollar amount billed for stormwater utility fee
 - e. Amount paid toward each fee type
 - f. Amount outstanding for each fee type

Within thirty (30) calendar days of termination, the District shall also provide to the City the following information for each property that is not subject to the City's sewer use fee and stormwater utility fee, in an industry-standard format using industry-standard electronic media:

1. Parcel tax identification number assigned by County
2. Premise number assigned by IAWC
3. Property address
4. Billing address
5. Property owner name

The District shall also provide the above data to the City upon the City's request prior to termination of this Agreement, and provide other information that the City might reasonably request, so that the City may test conversion of the data to the City's billing system.

VI. Notices

Any notices required or made pursuant to this Agreement shall be delivered personally or sent by first class mail as follows:

To the District

Executive Director
 Urbana & Champaign Sanitary District
 P. O. Box 669
 Urbana, IL 61803-0669

To the City

Mayor
 City of Urbana
 400 South Vine Street
 Urbana, IL 61801

IN WITNESS WHEREOF, the parties hereto have set their hand and seal the day and year first written above.

URBANA & CHAMPAIGN
 SANITARY DISTRICT

CITY OF URBANA

By: _____
 Its President

By: _____
 Mayor

ATTEST:

By: _____
 Its Clerk

By: _____
 City Clerk

SEAL:

SEAL:

APPROVED AS TO FORM:

 City Attorney