



CITY OF URBANA, ILLINOIS
DEPARTMENT OF PUBLIC WORKS

ADMINISTRATION

M E M O R A N D U M

TO: Bruce K. Walden, Chief Administrative Officer

FROM: William R. Gray, P. E., Public Works Director

DATE: March 3, 2005

RE: ***CORRECTED AGREEMENT
REMAPPING THE BONEYARD CREEK FLOODPLAIN***

As a result of discussion at the Committee of the Whole Meeting this past Monday evening, February 28, 2005, the corrections have been made to ***AMENDMENT #1 TO AN AGREEMENT BETWEEN THE CITY OF CHAMPAIGN, THE CITY OF URBANA, AND THE UNIVERSITY OF ILLINOIS RESPECTING IMPROVEMENTS TO THE BONEYARD CREEK***. The attached agreement replaces the previous document submitted to the Committee of the Whole Meeting on February 28, 2005.

It is recommended that ***AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH THE CITY OF CHAMPAIGN AND THE UNIVERSITY OF ILLINOIS RESPECTING FLOODPLAIN REMAPPING OF THE BONEYARD CREEK (AMENDMENT #1)*** be approved.

WRG:klf

Attachments: Ordinance
Intergovernmental Agreement

ORDINANCE NO. 2005-02-026

AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH THE CITY OF CHAMPAIGN AND THE UNIVERSITY OF ILLINOIS RESPECTING FLOODPLAIN REMAPPING OF THE BONEYARD CREEK (AMENDMENT #1)

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

Section 1. That An Agreement Between The City of Champaign, The City of Urbana, and the University of Illinois Respecting Floodplain Remapping of the Boneyard Creek, 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. 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 _____ day of _____, 2005.

AYES:

NAYS:

ABSTAINS:

Phyllis D. Clark, City Clerk

APPROVED by the Mayor this _____ day of _____, 2005.

Tod Satterthwaite, Mayor

**AMENDMENT #1
TO AN AGREEMENT BETWEEN
THE CITY OF CHAMPAIGN, THE CITY OF URBANA,
AND THE UNIVERSITY OF ILLINOIS
RESPECTING IMPROVEMENTS TO THE BONEYARD CREEK**

THIS Amendment No. 1, made as of the date below the signature of the last entity to sign it (“effective date”), clarifies and modifies the Intergovernmental Agreement entered into between the City of Champaign (“Champaign”), the City of Urbana (“Urbana”) and the Board of Trustees of the University of Illinois (“University) effective February 19, 2001 and approved in CB 2000-024 by the City of Champaign and Ordinance 2000-08-100 by the City of Urbana.

WHEREAS, pursuant to the laws of the State of Illinois and the ordinances of the City of Champaign, the undersigned agree that this amendment is authorized by law and is in the best interest of the parties; and

WHEREAS, the parties desire to revise the existing 100 year flood hazard maps to accurately reflect post-improvement conditions of the Boneyard Creek; and

WHEREAS, the Cities and the University have an existing agreement between themselves and with the United States Geological Survey (USGS) to compare the hydrologic/hydraulic model used for the Phase I-A, I-B, and I-C improvements with post improvement Boneyard Creek flow which agreement is attached to the February 19, 2001 agreement; and

WHEREAS, the USGS has presented an agreement to each of the Cities and the University to document the 100 year flood conditions as the result of the improvements, and to apply for revised FEMA flood hazard maps to reflect current conditions, a copy of which is attached hereto as “Amendment Exhibit A”.

NOW, THEREFORE, in consideration of the foregoing premises and the other undertakings contained in this Agreement, the Cities and the University agree as follows:

I. **Amendments.**

“Section 11. Notices” shall be amended as follows:

Notice hereunder shall be considered delivered when delivered personally or sent by certified mail, postage prepaid, to:

City of Champaign City Manager 102 North Neil Street Champaign, IL 61820	City of Urbana Mayor 400 South Vine Street Urbana, IL 61801
University of Illinois Executive Director, Facilities & Services 1501 S. Oak Street Champaign, IL 61820	

II. Additions.

The following provisions shall be added to the Agreement:

“ Section 14. USGS Remapping Services.

A. The Cities and the University acknowledge the importance of remapping the 100 year floodplain and floodway so as to more accurately reflect current flood conditions. Remapping is indicated primarily due to the Phase I construction improvements, but also due to improvements in modeling techniques.

(1) The Cities and the University agree that the USGS proposed agreement (Exhibit A) shall be used for the floodplain remapping services provided for herein.

(2) The Cities and the University agree that each entity will enter into a cooperative agreement with the USGS to perform the services as outlined in Exhibit A. The parties agree that the total cooperative share for Urbana, Champaign, and the University shall be a not to exceed amount of \$120,000 broken down as follows: Champaign shall contribute a not-to-exceed amount of \$56,400 (47%), Urbana shall contribute a not-to-exceed amount of \$42,000 (35%), and the University shall contribute a not-to-exceed amount of \$21,600 (18%).

Section 15. Contours.

Accurate contours are required for the FEMA floodplain map generation. Each entity shall be responsible for obtaining and paying for the contours within its jurisdiction. The parties agree that the floodplain remapping contours shall ideally be procured as an additional service from

the 2005 Aerial Photograph Services for Champaign County Illinois to be obtained by the Champaign County GIS Consortium. If contours are obtained through another source or means, the results of the same shall be delivered not later than September 30, 2005. Any contours shall be obtained on a two foot elevation interval.

III. Continuation of Other Conditions.

All other terms and conditions of the Intergovernmental Agreement shall remain in full force and effect.

IN WITNESS HEREOF, the authorized officers of the respective parties have hereunto set their hands.

<p>CITY OF CHAMPAIGN, ILLINOIS</p> <p>By: _____ City Manager</p> <p>ATTEST: _____ City Clerk</p> <p>Date: _____</p> <p>APPROVED AS TO FORM FOR CITY: _____ City Attorney</p>	<p>BOARD OF TRUSTEES OF THE UNIVERSITY OF ILLINOIS</p> <p>By: _____ Its _____</p> <p>ATTEST: _____ Its: _____</p> <p>Date: _____</p> <p>APPROVED AS TO FORM: _____</p>
<p>CITY OF URBANA, ILLINOIS</p> <p>By: _____ Mayor</p> <p>ATTEST: _____ City Clerk</p> <p>Date: _____</p> <p>APPROVED AS TO FORM FOR CITY: _____ City Attorney</p>	<p>Its _____</p> <p>REVIEWED BY: _____ Executive Director, Facilities & Services</p>