



Urbana Fire Department

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(217) 384-2420 - Phone
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MEMORANDUM

DATE: September 24, 2015

TO: Mayor Laurel Lunt Prussing and Members of the City Council

FROM: Brian Nightlinger, Fire Chief

RE: Second Amendment to Intergovernmental Agreement for Fire Protection Services

Introduction: Attached is a Resolution authorizing entering into and executing a second amendment to Intergovernmental Agreement for Fire Protection Services.

Discussion: In 1997, the City of Urbana, the City of Champaign, and the Board of Trustees for the University of Illinois entered into and executed an *Intergovernmental Agreement between the University of Illinois and the Cities of Urbana and Champaign for Fire Protection Service* under which Urbana and Champaign agreed to provide certain fire protection services to the University in exchange for compensation. This second amendment to that Agreement clarifies two technical issues and remedies a third:

1. The amendment clarifies that the CAESEC committee shall meet “with such frequency as the committee deems necessary” instead of monthly.
2. The amendment clarifies that the Comptroller of the University, and not the Secretary of the Board of Trustees, is the executing authority of the Agreement for the University of Illinois.
3. The third modification to the Agreement has the most significant impact to the City. Several months ago, the Urbana Fire Department’s CAESEC committee representative approached the committee to address the fact that compensation for non-personnel base costs had remained stagnant for several years despite increased costs to the Cities. This was due to the fact that the original Agreement called for non-personnel base costs increases be calculated utilizing a percentage change to the University’s calculation of continuing components, which were dependent upon funding from the Illinois General

Assembly. The University has not received any such funding for a number of years, and is unlikely to receive this funding in the near future. This amendment to the Agreement calls for the University to utilize a different means by which to calculate increases to non-personnel costs. The amended agreement will utilize the Fire Protection Departmental Index as calculated by the Illinois Municipal Price Index to calculate increases in non-personnel base costs.

Fiscal Impact: Beginning July 1, 2015, the University's payments to the Cities for non-personnel base costs will be adjusted annually by the percentage change in the Department Price Index (DPI) for Fire Protection as published by the Illinois Municipal League. The published DPI for Fire Protection reflected a 1.81 percent increase over the previous year's index. The University currently pays the City of Urbana \$107,775 for non-personnel base costs related to fire protection services. As such, the proposed increase will generate an additional \$1,950 for the City's non-personnel base costs for Fire Protection this fiscal year; this increase will be compounded in coming years.

Recommendation: The University and the City of Champaign have executed this Second Amendment to the Agreement. It is recommended that A Resolution Authorizing and Entering Into and Executing a Second Amendment to Intergovernmental Agreement for Fire Protection Services be approved.

RESOLUTION NO. 2015-09-056R

**A RESOLUTION APPROVING AND AUTHORIZING ENTERING
INTO AND EXECUTING A SECOND AMENDMENT TO
INTERGOVERNMENTAL AGREEMENT FOR FIRE PROTECTION SERVICES**

(Authorizing the Entering into and Execution of a Second Amendment to Intergovernmental Agreement between the City of Urbana, City of Champaign and the University of Illinois for Fire Protection Services – Non-Personnel Costs)

WHEREAS, the City of Urbana (“Urbana”) is an Illinois home rule unit of local government pursuant to Section 6 of Article VII of the Illinois Constitution of 1970 and the Statutes of the State of Illinois; and

WHEREAS, pursuant to Section 10 of Article VII of the Illinois Constitution of 1970 and the Illinois Intergovernmental Cooperation Act, 5 ILCS 220/1 *et seq.* the parties may enter into cooperative agreements by and among themselves which provide for intergovernmental cooperation; and

WHEREAS, in 1997, the City of Urbana (“Urbana”), the City of Champaign (“Champaign”) and the Board of Trustees for the University of Illinois (“University”) entered into and executed an *An Intergovernmental Agreement between the University of Illinois and the Cities of Urbana and Champaign for Fire Protection Services* under which Urbana and Champaign agreed to provide certain fire protection services to the University in exchange for compensation; and

WHEREAS, in 2008, the parties to the aforesaid intergovernmental agreement entered into and executed an *Amendment to Intergovernmental Agreement for Fire Protection Services* to extend fire service protection under the said 1997 intergovernmental agreement; and

WHEREAS, Urbana, Champaign, and the University now seek to enter into and execute this Second Amendment to Intergovernmental Agreement for Fire Protection Services in

substantially the form and substance as appended hereto and which has already been executed by Champaign and the University.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS, AS FOLLOWS:

Section 1. A Second Amendment to Intergovernmental Agreement for Fire Protection Services in substantially the form attached hereto and hereby incorporated herein 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 on behalf of the City of Urbana, Illinois and deliver to the City Clerk of the City of Urbana, Illinois, the latter being and the same being hereby authorized to attest to said execution of the Second Amendment to Intergovernmental Agreement for Fire Protection Services as so authorized and approved for and on behalf of the City of Urbana, Illinois.

PASSED BY THE CITY COUNCIL this _____ Day of _____, 2015.

AYES:

NAYS:

ABSTAINS:

Phyllis D. Clark, City Clerk.

APPROVED BY THE MAYOR OF THE CITY OF URBANA, ILLINOIS this ____ Day of _____, 2015.

Laurel Lunt Prussing, Mayor.

Second Amendment to Intergovernmental Agreement for Fire Protection Services

This *Second Amendment to Intergovernmental Agreement for Fire Protection Services* ("Second Amendment") is among The Board of Trustees of the University of Illinois on behalf of its Urbana-Champaign campus ("University"), the City of Champaign, Illinois ("Champaign") and the City of Urbana, Illinois ("Urbana"). Urbana and Champaign may collectively be referred to as the "Cities."

Background

In 1997, the parties entered into *An Intergovernmental Agreement between the University of Illinois and the Cities of Urbana and Champaign for Fire Protection Services* under which the Cities agreed to provide certain fire protection services to UNIVERSITY in exchange for compensation.

In 2008, the parties entered into an *Amendment to Intergovernmental Agreement for Fire Protection Services* to extend fire service protection under the IGA to the South Farms.

The parties now enter into this Second Amendment to update several terms of the IGA as follows.

Terms of Amendment

1. Section 4(d) of the IGA is amended as follows:
 - (d) The first meeting shall be called by the University, which shall designate one of its CAESAC members as the first chair of the committee, within thirty (30) days after the effective date of the Agreement. The committee shall meet at least bi-weekly for the first six (6) months after the initial meeting and thereafter with such frequency as the committee deems necessary and appropriate, but at a minimum annually. Meeting notices shall be published in accordance with the Open Meetings Act, 5 ILCS 120, et seq., as amended. The Chair shall designate a member of the committee to take minutes. Each Chair shall serve for one (1) year,

on a rotating basis. The position of Chair shall rotate as follows: University, Urbana, and Champaign.

2. Section 9(c) of the IGA is amended as follows:

(c) The Comptroller of the University.

3. Appendix B, Section B.2.2 is amended as follows:

B.2.2. Effective July 1, 1998, and for each year thereafter, the University's payments to the Cities for the non-personnel base costs will be adjusted by the percentage change to the University's calculation of continuing components. Continuing components are the incremental funds provided by the General Assembly for recurring costs. For FY 1998, the continuing components percentage was 2.4%. Beginning July 1, 2015, the University's payments to the Cities for the non-personnel base costs will be adjusted annually by the percentage change in the Fire Protection Departmental Index as calculated in the Municipal Price Index (MPI), published annually by the Illinois Municipal League.

4. Appendix B, Section B. 3.1 is amended as follows:

The Cities shall prepare a statement of the total amount owed by the University for that fiscal year, and shall send that calculation to the University in care of the Office of the Executive Director of Facilities and Services, Suite 135 C, Physical Plant Services Building, 1501 S. Oak Street, Champaign, IL, 61820 by September 1 (or as soon as it is known) in each year. The Cities shall also send bills to the University in care of the Office of the Executive Director of Facilities and Services for quarterly payments by September 1, December 1, March 1, and June 1. If cost increases are not known or finalized for that fiscal year, the Cities shall submit an estimated payment adjustment and total amount due from the University for that fiscal year, and shall reconcile future bills to reflect actual costs as soon as those costs are known.

[Signature page follows.]

5. This Second Amendment is effective on date of last signature below.

CITY OF URBANA, ILLINOIS

By: _____
Mayor Date

ATTEST:

By: _____
City Clerk Date

CITY OF CHAMPAIGN, ILLINOIS

By: *Dorothy D. David* 8.31.15
City Manager Date

Attest: *Beth Williams* 9.2.15
for City Clerk Date

APPROVED AS TO LEGAL FORM:

By: *Judith K. Asst City Atty*

BOARD OF TRUSTEES OF THE UNIVERSITY OF ILLINOIS

By: *Nicole Stewart*
Walter Johnson 8/24/15
Comptroller Date

APPROVED:

By: _____
For the Office of the Chancellor