

RESOLUTION NO. 2022-02-018R

A RESOLUTION ACCEPTING A GRANT FROM THE CHAMPAIGN COUNTY ENVIRONMENTAL STEWARDS

WHEREAS, the City of Urbana (“City”) is a home rule unit of local government pursuant to Article VII, Section 6, of the Illinois Constitution, 1970, and may exercise any power and perform any function pertaining to its government and affairs, and the passage of this Resolution constitutes an exercise of the City’s home rule powers and functions as granted in the Illinois Constitution, 1970; and

WHEREAS, the City is committed to pursuing waste reduction and recycling; and

WHEREAS, the Champaign County Environmental Stewards (“CCES”) is a 501(c)(3) non-profit organization formed to improve recycling and other sustainable practices; and

WHEREAS, CCES has offered a \$20,928.14 grant to the City to pay for the construction of a concrete bin at the Landscape Recycling Center; and

WHEREAS, such construction will allow the Landscape Recycling Center to participate in a food scrap pilot project organized by the Champaign County Environmental Stewards; and

WHEREAS, the City Council, after due consideration, finds that the acceptance of this grant, in accordance with the terms of the Concrete Bin Construction Agreement attached hereto is in the best interests of the residents of the City and is desirable for the welfare of the City’s government and affairs.

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

Section 1.

The City of Urbana, Illinois, hereby accepts a \$20,928.14 grant from the Champaign County Environmental Stewards for the construction of a concrete bin at the Landscape Recycling Center substantially upon such terms as contained in the copy of the Concrete Bin Construction Agreement attached hereto and hereby incorporated by reference.

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.

Section 3.

From and after the execution and delivery of such Agreement, the Sustainability & Resilience Officer is hereby authorized and directed to perform all acts necessary on behalf of the City of Urbana to carry out the purpose and intent of this Resolution.

PASSED BY THE CITY COUNCIL this 14th day of February, 2022.

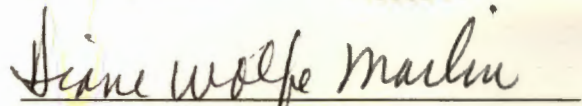
AYES: Wu, Evans, Kolisetty, Bishop, Quisenberry

NAYS: None

ABSTENTIONS: Wilken


Phyllis D. Clark, City Clerk

APPROVED BY THE MAYOR this 15th day of February, 2022.


Diane Wolfe Marlin, Mayor

CONCRETE BIN CONSTRUCTION AGREEMENT

This agreement is made between the Champaign County Environmental Stewards ("CCES") and the City of Urbana, Illinois ("Urbana"), each a "party" and together the "parties," and is effective on the last date signed by a party hereto. The parties agree as follows:

1. **CCES's Commitment.** CCES agrees to reimburse Urbana the amount of \$20,928.14 upon receipt of an invoice for the construction of a concrete bin at the Landscape Recycling Center.
2. **Urbana's Commitment.** Urbana, in their capacity as managers of the Landscape Recycling Center, agrees to pay for construction of a concrete bin and shall be responsible for all procurement costs beyond the CCES's \$20,928.14 contribution. Upon payment of construction of a concrete bin, Urbana shall submit a copy of the purchase invoice to CCES for reimbursement of \$20,928.14. Urbana also agrees to utilize the concrete bin for a food scrap pilot project in 2022.
3. **Default.** Either party may terminate this agreement at any time for cause if the other party breaches any term of this agreement and does not cure such breach by the 30th day after written notice is given. The party giving notice shall specify the reason or reasons for such termination and shall state the effective date of such termination if the breach is not fully corrected.
4. **Assignment.** CCES shall not assign its rights under this agreement unless Urbana provides its prior written express consent of the proposed assignee of such rights, which consent Urbana may withhold in its sole discretion.
5. **Entire agreement; amendments.** This agreement constitutes the entire agreement between the parties concerning the subject matter and supersedes all prior agreements or understandings pertaining to the matter of this agreement. Any modification of this agreement must be in writing and signed by the parties.
6. **Notices.** Except where the terms of this agreement expressly provide otherwise, the parties shall give all notices required or permitted by this agreement in writing, addressed as set forth below, unless another address is provided in writing. Notices will be deemed given when personally delivered; deposited in the U.S. mail, postage prepaid, first class; or delivered to a commercial courier.

Urbana: Scott R. Tess, Sustainability & Resilience Officer, City of Urbana, 706 South Glover Avenue, Urbana, Illinois 61802

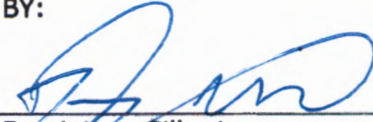
CCES: Dominique Gilbert, President, Champaign County Environmental Stewards, 1404 West Washington Street, Champaign, Illinois 61821
7. **Authority.** Each party represents to the other that the person signing this agreement on behalf of the party is authorized and empowered to enter into this agreement by and on behalf of such party and to bind that party to all terms, performances, and provisions herein set forth.
8. **Counterparts.** The parties may sign this agreement in one or more counterparts, each of which will be deemed an original, but all of which together will constitute one and the same instrument. Signatures delivered by email in Adobe Portable Document Format (PDF) or by facsimile will be deemed original signatures for all purposes.

The parties are signing this agreement on the dates indicated below their signatures.

Champaign County Environmental
Stewards


City of Urbana, Illinois

BY:



Dominique Gilbert
President

BY:



Diane Wolfe Marlin
Mayor

Date: 2.7.22, 2022

Date: 02.15.2022, 2022