

CITY OF OGLESBY

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ORDINANCE NO. 1138-111620

AN ORDINANCE AUTHORIZING THE EXECUTION OF A MANAGEMENT AND SUPERVISION AGREEMENT FOR WASTE WATER TREATMENT PLANT, AND WATER TREATMENT PLANT FOR THE CITY OF OGLESBY, LASALLE COUNTY, ILLINOIS

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ADOPTED BY THE CITY COUNCIL OF  
THE CITY OF OGLESBY  
THIS 16TH DAY OF NOVEMBER, 2020

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Published in pamphlet form by authority of the City Council of the City of Oglesby, LaSalle County, Illinois, this 16th day of November, 2020.

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STATE OF ILLINOIS            )  
  ) SS.  
COUNTY OF LASALLE        )

I, Amy Eitutis, am the duly appointed and authorized Clerk of the City of Oglesby, LaSalle County, Illinois.

I further certify that on the 16th day of November, 2020, the corporate authorities of the above municipality passed and approved Ordinance No. 1138-111620, entitled "Ordinance Authorizing the Execution of a Management and Supervision Agreement for Waste Water Treatment Plant, and Water Treatment Plant of the City of Oglesby, LaSalle County, Illinois", which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 1138-111620, including the ordinance and cover sheet thereof, was prepared and a copy of such ordinance was posted in the municipal building, commencing on the 16th day of November, 2020, and continuing for at least ten days thereafter. Copies of the ordinance were also available for public inspection upon request in the office of the municipal clerk.

Dated in Oglesby, Illinois, this 16th day of November, 2020.

  
Amy Eitutis, City Clerk

(SEAL)

ORDINANCE NO. 1138-111620

AN ORDINANCE AUTHORIZING THE EXECUTION OF A MANAGEMENT AND SUPERVISION AGREEMENT FOR WASTE WATER TREATMENT PLANT, AND WATER TREATMENT PLANT FOR THE CITY OF OGLESBY, LASALLE COUNTY, ILLINOIS

WHEREAS, the Corporate Authorities of the City of Oglesby deem it to be in the best interest of public health, safety and welfare of the residents of the City of Oglesby to enter into an agreement with Total Environmental Service Technologies, Inc., and Illinois Corporation, (hereinafter "TEST") in the form and substance as set forth in Exhibit A entitled Management and Supervision Agreement for Waste Water Treatment Plant, and Water Treatment Plant for the City of Oglesby, (hereinafter "AGREEMENT"); and

WHEREAS, the City of Oglesby desires to enter into a contract with TEST whereby TEST will perform certain designated services for the City of Oglesby as set forth in the attached AGREEMENT; and

WHEREAS, the City of Oglesby desires to hire TEST to perform designated water and waste water services for the City of Oglesby as set forth in the attached AGREEMENT; and

WHEREAS, the Corporate Authorities of the City of Oglesby have determined that TEST can provide services to the City of Oglesby as set forth in the AGREEMENT at a lower cost to the City of Oglesby than the City of Oglesby would incur by using City employees to perform the services to be undertaken by TEST in accordance with the enclosed AGREEMENT; and

WHEREAS, Section 11-124-1 of the Illinois Municipal Code (65 ILCS 5/11-124-1) authorizes municipalities to enter into contracts for the supply of water for a period of up to 40 years; and

WHEREAS, Section 11-137-1 of the Illinois Municipal Code (65 ILCS 5/11-137-1) authorizes municipalities to enter into contracts for a supply of water for public use, and for sewerage for drainage and sanitary purposes for up to 30 years, and by implication authorizes municipalities to contract with third-party suppliers such as TEST to provide certain services for a municipality.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF OGLESBY, LASALLE COUNTY, ILLINOIS, AS FOLLOWS:

1. The recitals contained in the preamble to this ordinance are incorporated by reference as if set out in full herein.

2. The City of Oglesby hereby agrees to enter into a contract with Total Environmental Service Technologies, Inc. (hereinafter "TEST") in the form and substance as set forth in Exhibit A attached hereto and incorporated by reference as if set out in full herein entitled Management and Supervision Agreement for Waste Water Treatment Plant and Water Treatment Plant for the City of Oglesby (hereinafter "AGREEMENT").

3. The Mayor of the City of Oglesby and the City Clerk of the City of Oglesby are authorized to sign the AGREEMENT on behalf of the City of Oglesby.

4. This ordinance shall be in full force and effect from and after its passage, approval and due publication in pamphlet form as provided by law.

PRESENTED, PASSED AND ADOPTED at a regular meeting of the City Council of the City of Oglesby, LaSalle County, Illinois, by an aye and nay roll call vote as follows:

PASSED AND ADOPTED this 16th DAY OF NOVEMBER, 2020.

THOMAS ARGUBRIGHT	<u>X</u>	AYE;	_____	NAY;	_____	ABSENT;	_____	PASS
JASON CURRAN	<u>X</u>	AYE;	_____	NAY;	_____	ABSENT;	_____	PASS
JAMES CULLINAN	<u>X</u>	AYE;	_____	NAY;	_____	ABSENT;	_____	PASS
CARRIE LIJEWSKI	<u>X</u>	AYE;	_____	NAY;	_____	ABSENT;	_____	PASS
DOMINIC RIVARA	<u>X</u>	AYE;	_____	NAY;	_____	ABSENT;	_____	PASS

APPROVED:



Dominic Rivara, Mayor



Amy Eitulis, Clerk