

AUTHORIZING A GRANT UP TO \$25,000 TO THE KISHWAUKEE WATER RECLAMATION DISTRICT FOR THE RELOCATION OF A NEIGHBORHOOD SEWER TRUNK LINE AT 217 FRANKLIN STREET, DEKALB, ILLINOIS.

WHEREAS, the City of DeKalb (the "City") is a home rule unit of local government which may exercise any power and perform any function pertaining to its government and affairs pursuant to Article VII, Section 6, of the Illinois Constitution of 1970; and

WHEREAS, Safe Passage, Inc. ("Safe Passage"), as the owner of real property located at 217 Franklin Street (the "Property"), and

WHEREAS, the redevelopment of the Property requires the relocation of the neighborhood sewer trunk line for a total estimated cost of \$75,000 (the "Project"); and

WHEREAS, the City, the Kishwaukee Water Reclamation District (the "KWRD"), and Safe Passage have agreed in principle to share the costs of the Project; and

WHEREAS, the City's Corporate Authorities find that it is in the City's best interests of the City's welfare, public health, and safety to approve a grant in an amount not to exceed \$25,000 for the reimbursement of the Project's costs, subject to the terms and conditions provided in this Resolution; and

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF DEKALB, ILLINOIS:

SECTION 1: The City's Corporate Authorities authorize and approve the expenditure of grant in an amount not to exceed \$25,000 (the "Grant"), to be held in trust by the KWRD, for the reimbursement of costs associated with the relocation of the neighborhood sewer trunk line at 217 Franklin Street (the "Project"), and for the City Manager to undertake all actions which may be necessary to effectuate the Grant, subject to the following terms and conditions:

1. That the Grant shall be used solely for the reimbursement of costs associated with the Project;
2. That the reimbursement of costs associated with the Project shall be made in equal, *pro rata*, by and between the City, the KWRD, and Safe Passage; provided, however, that the City's share not exceed the total amount of \$25,000, notwithstanding the total amount of the Project's cost;
3. That the City shall not be liable to provide any monies in excess of \$25,000 for the Project or the Grant unless any such additional expenditures are expressly authorized by the City's Corporate Authorities in the manner provided by law;
4. That the KWRD shall promptly return to the City all remaining amounts of monies in the Grant, if any, which are not used upon the final payment of the Project's costs;
5. That Safe Passage and the KWRD agree to indemnify, defend, and hold harmless the City of DeKalb, its elected officials, officers, employees and agents from any and all claims, liabilities or damages arising out of or related to the Project, the Grant, and the acts or omissions of Safe Passage, the KWRD, and the City of DeKalb, its elected officials, officers, employees

and agents relating to the Project and the Grant; and

6. That Safe Passage and the KWRD comply with all laws, ordinances, rules and regulations applicable to the administration, construction, development, management, maintenance and operation of the Project and the Grant.

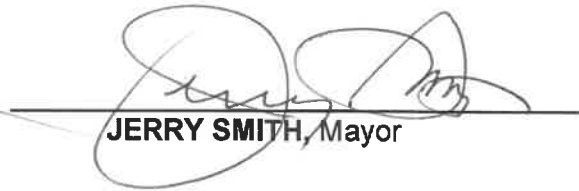
SECTION 2: This Resolution shall be in full force and effect from and after its passage and approval as provided by law.

PASSED BY THE CITY COUNCIL of the City of DeKalb, Illinois at a Regular meeting thereof held on the 11th day of January 2021 and approved by me as Mayor on the same day. Passed by an 8-0 roll call vote. Aye: Morris, Finucane (Remote), Smith, Perkins, McAdams, Verbic, Faivre, Mayor Smith. Nay: None.

ATTEST:



RUTH A. SCOTT, Executive Assistant



JERRY SMITH, Mayor



