

5-O-17

AN ORDINANCE

**Authorizing the City Manager to Execute an Agreement to Sell Water
to New Wholesale Water Customers,
the Villages of Morton Grove and Niles, Illinois**

**NOW BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF
EVANSTON, COOK COUNTY, ILLINOIS, THAT:**

SECTION 1: Legislative Statement. The City of Evanston is the owner and operator of a water intake, filtration, treatment and pumping plant located at 555 Lincoln Street, Evanston, Illinois. Evanston draws water from Lake Michigan for Evanston's drinkable water, firefighting and fire protection needs for its community, and for distribution and resale to its customers. The Village of Morton Grove and the Village of Niles want to purchase drinkable Lake Michigan water from Evanston for distribution and sale to the customers of their respective water systems. The initial term of the Agreement will be for 39 years, and may be renewed as provided for in the terms of the Agreement.

SECTION 2: The City Manager is authorized and directed to negotiate with the Villages of Morton Grove and Niles, Illinois, an Agreement to sell water, in substantial conformance with the terms and conditions of the Agreement described in Exhibit A. The Corporation Counsel is authorized to approve the Agreement as to form and legality prior to its execution by the City Manager.

SECTION 3: If any provision of this ordinance or application thereof to any person or circumstance is ruled unconstitutional or otherwise invalid, such invalidity

shall not affect other provisions or applications of this ordinance that can be given effect without the invalid application or provision, and each invalid provision or invalid application of this ordinance is severable.

SECTION 4: The Legislative Statement in Section 1 is declared to be prima facie evidence of the law of the City and shall be received in evidence as provided by the Illinois Compiled Statutes and the courts of the State of Illinois.

SECTION 5: This Ordinance 5-O-17 shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

Introduced: January 23, 2017

Adopted: February 13, 2017

Approved:

February 27, 2017
Elizabeth B Tisdahl
Elizabeth B. Tisdahl, Mayor

Attest:

Rodney Greene
Rodney Greene, City Clerk

Approved as to form:

W. Grant Farrar
W. Grant Farrar, Corporation Counsel

EXHIBIT A

LINK TO PROPOSED TERMS AND CONDITIONS OF WATER SALES AGREEMENT