

3-R-02

**A RESOLUTION**

**Authorizing the City to Participate in a Regional Grant Program for Construction of a Compressed Natural Gas Fueling Facility at the City's Municipal Services Center**

**WHEREAS**, entities located in a high-containment air quality sector and operating more than ten motor vehicles are required to meet certain air quality standards imposed by the Clean Air Act Amendments of 1990, Public Law 101-549; and

**WHEREAS**, the Chicago metropolitan area is in a high-containment air quality sector of the country; and

**WHEREAS**, the City of Evanston is located within the Chicago metropolitan high containment area; and

**WHEREAS**, the City of Evanston desires to comply with the Energy Policy Act of 1992, Public Law 102-486, which requires a reduction on dependence of use of petroleum gasoline and diesel fuel products; and

**WHEREAS**, the use of compressed natural gas ("CNG") promotes compliance with these Acts by reducing dependency on foreign oil and contributing to improvement of air quality; and

**WHEREAS**, the City of Evanston desires a CNG facility; and

**WHEREAS**, the City of Chicago has been awarded up to \$2,000,000 of Congestion Mitigation and Air Quality Federal funds (the "CMAQ Funds") by the Illinois Department of Transportation to coordinate a Regional Alternative Fuel Infrastructure Grant Program (the

"CMAQ Grant Program") for installation of ten CNG alternative fueling stations within the Chicago metropolitan area; and

**WHEREAS**, the City of Chicago and The Gas Technology Institute ("GTI") entered into an agreement dated March 1, 2000, whereby GTI will design and administer installation of these CNG facilities in the Chicago metropolitan area; and

**WHEREAS**, the City is desirous of participating in the Grant Program and having the CNG facility constructed under the aegis of GTI; and

**WHEREAS**, participation in the Grant Program is in the best interests of the citizens of Evanston; and

**WHEREAS**, the City desires to participate in the Agreement between the City of Chicago and GTI as a signatory to the Agreement as a third-party beneficiary; and

**WHEREAS**, the City of Evanston and the City of Chicago are home rule units of local government under Article VII of the Constitution of the State of Illinois; and

**WHEREAS**, among the powers granted to a home rule unit of government by Article VII, Section VI of the Illinois Constitution is that to exercise any power and perform any function pertaining to its government and affairs; and

**WHEREAS**, the Illinois Intergovernmental Cooperation Act, 5 ILCS 220/3, permits local units of government to enter into agreements pertaining to their government and affairs; and

**WHEREAS**, a cooperative effort to fuel their fleets with clean-burning compressed natural gas ("CNG") pertains to the government and affairs of the City of Evanston and the City of Chicago,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EVANSTON, COOK COUNTY, ILLINOIS:

**SECTION 1:** That the foregoing recitals are found as fact and made a part hereof.

**SECTION 2:** That the City Manager and the City Clerk, respectively, are hereby authorized and directed to execute, attest, and deliver all documents as may be necessary to the herein-authorized participation in the CMAQ Grant Program.

**SECTION 3:** That the City Manager is hereby authorized and directed to negotiate any additional terms and conditions of the Grant Program consistent with this Resolution as may be in the best interest of the City.

**SECTION 4:** That this Resolution shall be in full force and effect from and after the date of its passage and approval in the manner required by law.

Adopted: February 25, 2002

Lorraine H. Morton  
Lorraine H. Morton, Mayor

ATTEST:

Mary P. Morris  
City Clerk