

19-R-02

A RESOLUTION

**Authorizing the City Manager to Enter Into
A Tiered Approach Corrective-Action Agreement With
BP Products North America, Inc. Concerning the
Contamination Clean-up at 1826 Dempster Street**

WHEREAS, BP has requested that the City enter into the Tiered Approach to Corrective-Action Agreement in order for BP to obtain a "No Further Action" letter from the Illinois Environmental Protection Agency concerning the leaking underground storage tank formerly located on the Property at 1826 Dempster Street; and

WHEREAS, a "No Further Action" letter is an important step in making the property attractive to potential purchasers who would redevelop the property and make it available for beneficial reuse, and it is important to the City that the property be utilized again; and

WHEREAS, the Agreement allows BP to leave in place soil under the roadway that is contaminated from the leaking tank, but the agreement requires BP to perform any soil remediation required in connection with the City's regular maintenance of the relevant roadway; and

WHEREAS, the City has agreed to give notice of the contamination to any persons seeking permission to perform work in the roadway, so that such persons can safely perform such work; and

WHEREAS, the City Council has determined it is in the best interest of the City to enter into said Agreement,

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

SECTION 1: That the City Manager is hereby authorized and directed to sign, and the City Clerk hereby authorized and directed to attest on behalf of the City, a Tiered Approach Corrective-Action Agreement with BP Products North America, Inc., concerning contamination clean-up at 1826 Dempster Street, attached as Exhibit A and made a part hereof.

SECTION 2: That the City Manager is hereby authorized and directed to negotiate any additional conditions or terms of the Agreement as may be determined to be in the best interest of the City.

SECTION 3: That this Resolution shall be in full force and effect from and after the date of its passage and approval in the manner provided by law.

Adopted: March 11, 2002

Suzanne H. Norton
Mayor

ATTEST:

Mary D. Morris
City Clerk