

07/15/2002

53-R-02

**A RESOLUTION**

**Authorizing the City Manager to  
Sign the Service Agreement with  
Evanston Community Media Center**

**WHEREAS**, The Evanston Community Media Center, Inc., an Illinois nonprofit corporation ("ECMC"), has been the provider of public, educational and governmental (PEG) access programming and services, including training, management and coordination service in the City of Evanston, Illinois, (the "City"); and

**WHEREAS**, the time span of the original Service Agreement between the City and ECMC has passed; and

**WHEREAS**, both ECMC and the City desire to enter into a new Service Agreement stating the duties and responsibilities of each party; and

**WHEREAS**, both ECMC and the City have made various representations; and

**WHEREAS**, the Municipality and ECMC have negotiated an agreement regarding certain conditions of this Service Agreement, a copy of which is attached as Exhibit A and is incorporated by reference,

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

**SECTION 1: CONSENT; CONDITIONS:**

A. In reliance upon the past and continued performance of ECMC in the execution of its duties in the provision of PEG access programming and services, including training, management, and coordination, and subject to the conditions set forth

in the Service Agreement, the City hereby consents to entering into a Service Agreement with ECMC for the time period stated in the Service Agreement.

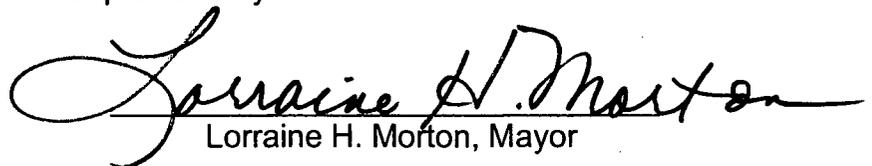
B. The City's consent is subject to ECMC executing and delivering to the CITY a Service Agreement in the form of the attached Exhibit A by no later than sixty (60) days from the date the City sends a certified copy of this Resolution to ECMC.

**SECTION 2: SEVERABILITY:** If any portion of this resolution or application thereof is found to be unenforceable such provision shall not effect any other application thereof or the enforceability of the remaining provisions herein to the extent permitted by law.

**SECTION 3:** That the City Manager is hereby authorized and directed to sign, and the City Clerk is hereby authorized and directed to attest on behalf of the City of Evanston, the Service Agreement Between City of Evanston and Evanston Community Media Center, Inc., attached hereto as Exhibit A and made a part hereof.

**SECTION 4:** That the City Manager is hereby authorized and directed to negotiate any additional terms of the Agreement as may be determined to be in the best interests of the City.

**SECTION 5:** That this Resolution shall be in full force and effect from and after its passage and approval in the manner provided by law.

  
Lorraine H. Morfon, Mayor

ATTEST:

  
City Clerk

Adopted: July 22, 2002