

97-R-02

A RESOLUTION

**Authorizing the City Manager to Execute
Amendment No. 1 to Agreement Between City of
Evanston ("COE") and Evanston Environmental
Association ("EEA") Dated May 14, 2001
Regarding Major Capital Improvements to the
Evanston Ecology Center ("Center"), Project No. 00-98**

WHEREAS, the City and the EEA entered into an Agreement dated May 14, 2001 setting forth their respective rights and obligations in connection with renovation and expansion (collectively, "construction") of the Center, located at 2024 McCormick Boulevard in Evanston; and

WHEREAS, paragraph 4 of said Agreement, "Project Funding", provided for \$13,000.00 from the City, \$364,000.00 from the EEA, a \$250,000.00 line of credit from the EEA, and an Illinois Department of National Resources ("IDNR") Grant of \$73,000.00 to fund the estimated total cost of construction of \$655,682.00; and

WHEREAS, Change Order No. 1 increased the Project Cost by \$11,516.00, for a total of \$667,198.00; and

WHEREAS, the funds received and paid out to date are IDNR Phase I grant (\$73,000.00), IDNR Phase 2 grant (\$97,200.00), individual fundraisers (\$65,000.00), EEA contribution (\$300,066.22) and City (\$13,000.00); and

WHEREAS, the EEA obtained a line of credit ("LOC") no. 9001, dated April 23, 2001 in the amount of \$250,000.00, with First Bank and Trust, 828 Church Street, Evanston, Illinois, Exhibit A attached hereto and made a part hereof; and

WHEREAS, the EEA has repaid approximately \$18,000.00 of the \$137,000.00 drawn from the aforescribed LOC no. 9001 to date; and

WHEREAS, the EEA's successful fundraising has made unnecessary the borrowing of more than the \$137,000.00 drawn on LOC no. 9001; and

WHEREAS, the EEA owes a balance of \$118,931.78 on LOC no. 9001 as of December 5, 2002; and

WHEREAS, the maturity date of LOC no. 9001 was November 1, 2002; and

WHEREAS, the EEA and First Bank and Trust have extended LOC no. 9001 for one year, to expire on October 31, 2003; and

WHEREAS, the interest rate of LOC no. 9001 is the prime rate, which varies each month; and

WHEREAS, the prime rate on April 23, 2001, the date the EEA and First Bank and Trust executed the LOC no. 9001 Agreement, was 7.5%; and

WHEREAS, the prime rate between April 23, 2001 and November 25, 2002 has not been below 4.25%; and

WHEREAS, the EEA is desirous of reducing the amount of interest rate to finance the Project; and

WHEREAS, the Center, with the financial assistance and efforts of the EEA, provides environmental education programs and services to the Evanston Community; and

WHEREAS, the EEA's undertaking of a contribution of \$787,000.00 to renovate and expand the Center provides significant monetary, social, and environmental benefits to the citizens of Evanston; and

WHEREAS, the City is desirous of assisting the EEA with reducing the amount of interest paid to finance the Project; and

WHEREAS, interest monies saved are available for future EEA contributions to Ecology Center programs; and

WHEREAS, such contributions are in the best interests of the citizens of Evanston; and

WHEREAS, the estimated savings to the EEA with an interest rate of 3% instead of the "baseline" 4.25% on a principal amount of \$120,000.00 over a two-year period is approximately \$4,000.00; and

WHEREAS, the City is desirous of entering into an Agreement with the EEA for an Amendment no. 1 to the May 14, 2001 Agreement, which Amendment no. 1 provides for the loan of \$120,000.00 to the EEA for two (2) years at a fixed rate of three percent (3%) per annum; and

WHEREAS, the EEA is desirous of entering into such an agreement with the City whereby the City will pay First Bank and Trust the sum of \$118,931.78 plus interest accrued to the date of execution of this Amendment no. 1, which sum represents the final amount due on LOC no. 9001; and

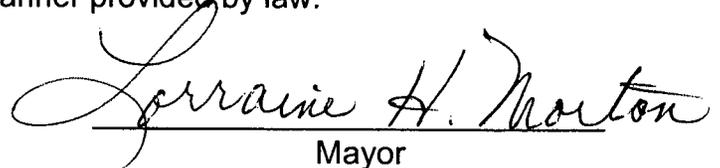
WHEREAS, execution of the aforescribed Amendment no. 1 is in the best interests of the citizens of Evanston,

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 of Evanston, the Amendment no. 1 to Agreement Between the City and the EEA dated May 14, 2001 regarding Major Capital Improvements to the Evanston Ecology Center, Project no. 00-98, in substantial conformity with that marked as Exhibit A attached hereto and incorporated herein by reference.

SECTION 2: That the City Manager is hereby authorized and directed to negotiate any additional terms and conditions of the Amendment no. 1 as may be determined to be in the best interests of the City.

SECTION 3: This Resolution shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.



Mayor

ATTEST:



City Clerk

Adopted: December 16, 2002