

## AGENDA BRIEFING

**COMMITTEE:** Health Committee  
**MEETING DATE:** May 25, 2018 @ 11:30am

**LINE ITEM:** n/a  
**AMOUNT:** n/a

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**ISSUE:** Third Amendment to the Landfill Agreement

### BACKGROUND:

Attached please find a Third Amendment to the Landfill Agreement, which adjusts the location of one of the four recycling drop off locations from the identified sites in the Landfill Agreement effective December 11, 2009.

This Third Amendment to the Landfill Agreement replaces section 16b of the Landfill Agreement “ PDC Laboratories, INC located at 2231 W Altorfer Drive, Peoria IL 61615” with “ Lot 4,5 or 6 in Galena Road Industrial Park located at North Old Galena Road, Chillicothe, Illinois”

The Third Amendment to the Landfill Agreement reflects a proposal provided by PDC Services, Inc., as an alternate location to ensure safety and better service delivery than the site identified in the Landfill Agreement.

The Peoria City/County Landfill Committee approved this Third Amendment to the Landfill Agreement at the May 12, 2021 meeting.

**RECOMMENDATION:** Request to Approve the Third Amendment to the Landfill Agreement.

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### COUNTY BOARD GOALS:



HEALTHY VIBRANT COMMUNITIES

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### COMMITTEE ACTION:

Approved 5/25/21 (10-0 votes)

Ms. Reliford and Mr. Reneau voted aye via teleconference; Ms. Bryant absent for vote

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**PREPARED BY:** Becca Cottrell  
**DATE:** May 17, 2021

**DEPARTMENT:** Sustainability & Resource Conservation

### THIRD AMENDMENT TO LANDFILL AGREEMENT

THIS THIRD AMENDMENT TO LANDFILL AGREEMENT ("Agreement") is made and effective \_\_\_\_\_, 2021, by and among the COUNTY OF PEORIA, ILLINOIS, a body politic and corporate (the "County"), the CITY OF PEORIA, ILLINOIS, a municipal corporation (the "City") (the County and the City shall be collectively referred to as the "Owners"), the JOINT CITY OF PEORIA-COUNTY OF PEORIA SOLID WASTE DISPOSAL FACILITY BOARD (the "Committee") and PEORIA CITY/COUNTY LANDFILL, INC., an Illinois corporation (the "Contractor").

#### **RECITALS**

WHEREAS, the Owners, the Committee and the Contractor entered into a certain Landfill Agreement effective December 11, 2009, as amended by First Amendment To Landfill Agreement effective May 10, 2012, as amended by Second Amendment to Landfill Agreement effective June 30, 2018 (collectively the "Landfill Agreement");

WHEREAS, the Owners, the Committee and the Contractor desire to amend the Landfill Agreement to effectuate certain changes and revisions thereof;

NOW, THEREFORE, for and in consideration of the foregoing recitals, and other good and valuable consideration, the receipt of which is hereby acknowledged, the Owners, the Committee and the Contractor, intending to be legally bound, hereby amend the Landfill Agreement as follows:

1. Section 16 of the Landfill Agreement is deleted in its entirety and the following is substituted in lieu thereof:

#### **16. RECYCLING DROP-OFF SITES**

Commencing upon the acceptance of Municipal Waste at the Expansion Solid Waste Facility, the Contractor shall provide the County, at no cost, with four (4) recycling drop-off sites for the placement of containers to increase the convenience of recycling for residents and businesses in Peoria County. In addition, the Contractor shall arrange for the servicing of these sites at no cost to the County. The four (4) recycling drop-off sites will be located at the following places:

- (a) Wigand Disposal Company located at 19908 N. Route 29, Chillicothe, IL 61523
- (b) Lot 4, 5 or 6 in Galena Road Industrial Park located at North Old Galena Road, Chillicothe, Illinois.
- (c) PDC Services, Inc. located at 1113 N. Swords Avenue, Peoria, IL 61604.
- (d) Peoria Disposal Company located at 4349 Southport Road, Peoria, IL 61615.

In addition, upon the acceptance of Municipal Waste at the Expansion Solid Waste Facility, the Contractor shall service, upon mutually agreed upon collection rates, four (4) recycling drop-off sites at locations arranged for by the County.

The Contractor shall retain all proceeds from the sale of recyclable material collected at the above recycling drop-off sites.

2. Except as hereinabove set forth, the Landfill Agreement shall remain unmodified and be in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed by their respective duly authorized officers or representatives on the date first above written.

COUNTY OF PEORIA

CITY OF PEORIA

By: \_\_\_\_\_  
Its: \_\_\_\_\_

By: \_\_\_\_\_  
Its: \_\_\_\_\_

Attest:

Attest:

By: \_\_\_\_\_  
Its: \_\_\_\_\_

By: \_\_\_\_\_  
Its: \_\_\_\_\_

JOINT CITY OF PEORIA-COUNTY OF  
PEORIA SOLID WASTE DISPOSAL  
FACILITY BOARD

PEORIA CITY/COUNTY LANDFILL,  
INC.

By: \_\_\_\_\_  
Its: \_\_\_\_\_

By: \_\_\_\_\_  
Its: \_\_\_\_\_

Attest:

By: \_\_\_\_\_  
Its: \_\_\_\_\_

TO THE HONORABLE COUNTY BOARD     )  
   )  
COUNTY OF PEORIA, ILLINOIS     )

Your Health Committee do hereby recommend passage of the following Resolution:

RE:     Third Amendment to the Landfill Agreement regarding Peoria City/County Landfill #3 - an expansion of solid waste facility

**RESOLUTION**

**WHEREAS**, the City and County jointly own real property, part of which is utilized as a landfill; and

**WHEREAS**, the City and County entered into an Intergovernmental Agreement, effective January 15, 1997, concerning said property; and

**WHEREAS**, the Intergovernmental Agreement defines the responsibilities of the Joint City/County Solid Waste Committee, now referred to the City/County Landfill Committee (Committee); and

**WHEREAS**, the Committee selected Peoria City/County Landfill Inc. (PCCLI), an affiliate of Peoria Disposal Company, to provide contractual obligations to operate the expansion facility; and

**WHEREAS**, the Owners, the Committee, and PCCLI entered into a certain Landfill Agreement effective December 11, 2009, as amended by First Amendment to Landfill Agreement effective May 10, 2012, as amended by the Second Amendment to Landfill Agreement effective June 30, 2018 (collectively the "Landfill Agreement"); and

**WHEREAS**, the Owners, the Committee and PCCLI desire to amend the Landfill Agreement a third time to effectuate certain changes and revisions thereof; and

**WHEREAS**, the City/County Landfill Committee approved this Third Amendment to the Landfill Agreement at its May 12, 2021 meeting.

**NOW THEREFORE BE IT RESOLVED**, by the Peoria County Board, that Board approves the Third Amendment to the Landfill Agreement.

RESPECTFULLY SUBMITTED,  
HEALTH COMMITTEE  
Sharon Williams (chairman)  
Betty Duncan (vice-chairman)  
Jennifer Groves Allison  
Edan Blair  
Brandy Bryant  
Linda Daley  
Kate Pastucha  
Rachel Reliford  
Rob Reneau  
Steven Rieker  
Phillip Salzer

Reviewed:  
Dated: