

DATE: Monday, November 17, 2025
TIME: 7:00 PM
PLACE: 400 South Vine Street, Urbana, IL 61801

AMENDED AGENDA

Chair: *Grace Wilken, Ward 6*

- A. Call to Order and Roll Call
- B. Approval of Minutes of Previous Meeting
- C. Additions to the Agenda
- D. Presentations and Public Input
- E. Staff Report
- F. New Business
 - 1. **Ordinance No. 2025-11-031:** An Ordinance Approving a Special Use Permit for a Solar Farm at 1210 East University Avenue (Plan Case No. 2513-SU-25) – CD
 - 2. **Ordinance No. 2025-11-032:** An Ordinance Revising the Annual Budget Ordinance (Budget Amendment #3 – Omnibus) – HRF
 - 3. **Ordinance No. 2025-11-033:** An Ordinance Revising the Annual Budget Ordinance (Budget Amendment #4 – TIF 4 Ending) – HRF
- G. Discussion
 - 1. Police Surveillance Technology Continuing Discussion (Ordinance No. 2024-12-042)
- H. Council Input and Communications
- I. Adjournment

PUBLIC INPUT

The City of Urbana welcomes Public Input during open meetings of the City Council, the City Council's Committee of the Whole, City Boards and Commissions, and other City-sponsored meetings. Our goal is to foster respect for the meeting process, and respect for all people participating as members of the public body, city staff, and the general public. The City is required to conduct all business during public meetings. The presiding officer is responsible for conducting those meetings in an orderly and efficient manner. Public Input will be taken in the following ways:

Email Input

Public comments must be received prior to the closing of the meeting record (at the time of adjournment unless otherwise noted) at the following: citycouncil@urbanail.gov. The subject line of the email must include the words "PUBLIC INPUT" and the meeting date. Your email will be sent to all City Council members, the Mayor, City Administrator, and City Clerk. Emailed public comments labeled as such will be incorporated into the public meeting record, with personal identifying information redacted. Copies of emails will be posted after the meeting minutes have been approved.

Written Input

Any member of the public may submit their comments addressed to the members of the public body in writing. If a person wishes their written comments to be included in the record of Public Input for the meeting, the writing should so state. Written comments must be received prior to the closing of the meeting record (at the time of adjournment unless otherwise noted).

Verbal Input

Protocol for Public Input is one of respect for the process of addressing the business of the City. Obscene or profane language, or other conduct that threatens to impede the orderly progress of the business conducted at the meeting is unacceptable.

Public comment shall be limited to no more than five (5) minutes per person. The Public Input portion of the meeting shall total no more than two (2) hours, unless otherwise shortened or extended by majority vote of the public body members present. The presiding officer or the city clerk or their designee, shall monitor each speaker's use of time and shall notify the speaker when the allotted time has expired. A person may participate and provide Public Input once during a meeting and may not cede time to another person, or split their time if Public Input is held at two (2) or more different times during a meeting. The presiding officer may give priority to those persons who indicate they wish to speak on an agenda item upon which a vote will be taken.

The presiding officer or public body members shall not enter into a dialogue with citizens. Questions from the public body members shall be for clarification purposes only. Public Input shall not be used as a time for problem solving or reacting to comments made but, rather, for hearing citizens for informational purposes only.

In order to maintain the efficient and orderly conduct and progress of the public meeting, the presiding officer of the meeting shall have the authority to raise a point of order and provide a verbal warning to a speaker who engages in the conduct or behavior proscribed under "Verbal Input". Any member of the public body participating in the meeting may also raise a point of order with the presiding officer and request that they provide a verbal warning to a speaker. If the speaker refuses to cease such conduct or

behavior after being warned by the presiding officer, the presiding officer shall have the authority to mute the speaker's microphone and/or video presence at the meeting. The presiding officer will inform the speaker that they may send the remainder of their remarks via e-mail to the public body for inclusion in the meeting record.

Accommodation

If an accommodation is needed to participate in a City meeting, please contact the City Clerk's Office at least 48 hours in advance so that special arrangements can be made using one of the following methods:

- Phone: 217.384.2366
- Email: CityClerk@urbanil.gov



City of Urbana
400 S. Vine Street, Urbana, IL 61801
www.urbanaininois.us

MEMORANDUM TO THE MAYOR AND CITY COUNCIL

Meeting: November 17, 2025, Committee of the Whole Meeting
Subject: **AN ORDINANCE APPROVING A SPECIAL USE PERMIT** (Solar Farm at 1210 E. University Ave. / Plan Case 2513-SU-25)

Summary

Action Requested

A request by Scott Tess for a special use permit, on behalf of the City of Urbana, to allow the installation, operation, and maintenance of a solar energy system up to 25 acres in size, on the closed City landfill at 901 North Smith Road, which extends westward to the proposed site, which is generally located at 1210 East University Avenue.

Brief Background

The City and TotalEnergies have entered into an agreement giving the company the option to lease all or part of the property to install, operate, and maintain a ground-mounted solar energy system at this site. A Solar Farm is permitted with a special use permit in the Agriculture (AG) and Conservation-Recreation-Education (CRE) zoning districts which make up the site.

This request was previously approved by the Council on January 5, 2023 (Ordinance No. 2023-01-003) and was passed unanimously with seven ayes and zero nays; however, since construction did not begin within the required 12-month timeline, the special use permit expired after one year. This is a request to re-approve the previously approved special use permit.

Relationship to City Services and Priorities

Impact on Core Services

There will be no impact to core services.

Strategic Goals & Plans

This recommendation aligns with Big Move 11, in the *Imagine Urbana* Comprehensive Plan, “Advance a Healthy, Clean, and Green Community.” Historically, Urbana has prioritized its environmental impact. The City was the first community in Illinois to be recognized as a Tree City in 1976, created a Boneyard Creek Master Plan in 1978, adopted a Sustainable Water Management Plan in 2013, and multiple Climate Action Plans. Reducing the City’s environmental impact is vital to support the global initiative to address climate change, to be a more sustainable city, and to foster

healthier lifestyles among its residents. This recommendation is specifically aligned with Little Move 11.8, which supports installation of renewable energy generation systems.

Previous Council Actions

On May 23, 2022, the Council passed a Solar Energy Text Amendment to the Urbana Zoning, with the stated purpose to “encourage the use and development of solar energy systems as a clean, renewable energy source and to help promote local, clean jobs.” The ordinance requires the following:

- Inverters shall be at least 150 feet from all property lines;
- Compliance with State and local regulations including the Urbana Code of Ordinances;
- Compliance with setback and height requirements of its zoning district.

On January 23, 2023, the Council unanimously passed Ordinance No. 2023-01-003: An Ordinance Approving a Special Use Permit (Solar Farm at 1210 E. University Avenue / Plan Case 2464-SU-22), with seven ayes and zero nays.

Discussion

Additional Background Information

The project site is located between East Perkins Road and Butzow Drive, west of Interstate 74 and east of the Landfill Recycling Center access drive. It is on a portion of the closed municipal landfill complex, which operated from the 1920’s until it was closed in 1988. The proposed solar farm is the second phase of the development of solar energy systems at the City landfill. According to Scott Tess, Urbana’s Sustainability and Resiliency Officer, the City solicits vendors to develop solar arrays on the closed landfill to help replace fossil fuels with clean, renewable energy. The State of Illinois has ambitious goals to expand renewable energy production, and closed landfills are ideal locations for such developments since they have few other uses. TotalEnergies would design, install, operate, and maintain the solar farm, and put the electricity produced directly onto the electrical grid to be sold to the commercial electricity market. In 2018, Council approved a special use permit allowing the construction and operation of a 20-acre solar farm approximately 500 feet east of the proposed project site (see **Figure 1**). Construction of that first phase is complete, and it is fully operational.

Figure 1. Proposed and Existing Solar Farms



The current special use permit request is for up to 25-acres. This area includes the total project site which includes two solar arrays designed to produce a total of approximately 4.3 MW DC (megawatts direct current) of electricity:

- North array of 4.6 acres, 1.4 MW DC production, located north of the landfill access drive, with one inverter and transformers, and approximately 2,500 solar panels in nine-foot-tall strings.
- South array of 10 acres, 2.9 MW DC production, located south of the landfill access drive, with one inverter and transformers and 5,048 solar panels in nine-foot-tall strings.
- Seven eight-foot-tall perimeter chain-link fence around each array, with access gates around the panels and inverter cabinets.
- Access the two arrays from the LRC private access drive.

The proposed solar farm is more than 500 feet from the nearest residential use, therefore there is no need for screening on the solar panels. Glare from the panels should be minimal, as the pebbled surface of the solar panels is designed to absorb light, not reflect it. In addition, it should not pose any aviation threat, as the project site is at least 500 feet from any public or private airport or restricted landing area. There will be no impacts to farmland, and the ballast-mounting installation for the panels will allow the site to be decommissioned and returned to its current condition with minimal permanent damage.

Construction and operation of the site would be regulated by existing relevant City and State codes. Operational noise, including that from the inverters and transformers, would be regulated by Chapter 16 “Noise and Vibrations” of the City’s Code of Ordinances, which requires that “mechanical stationary noise” be no louder than 55 decibels (dB) from 10 p.m. to 7 a.m. and no louder than 60 dB from 7 a.m. to 10 p.m. The proposed inverters are specified to operate at a peak

of 69 dB. They will be located at least 150 feet from property lines, allowing noise to dissipate to below the threshold level. Vegetation will be regulated by Chapter 25 “Vegetation” of the City’s Code, which addresses nuisance vegetation and maximum height.

Policy or Statutory Impact

No impact.

Fiscal and Budget Impact

No impact.

Recommendation

On November 6, 2025, the Plan Commission unanimously recommended approval of the special use permit to City Council. The Plan Commission recommended with the following condition: the proposed construction and use must generally conform to the site plan submitted in the application, including a minimum 80-foot buffer to the centerline of the Saline Branch Drainage Ditch, except where modified to meet City regulation.

Staff concur with the Plan Commission’s condition and recommendation.

Attachments

1. An Ordinance Approving a Special Use Permit (Solar Farm at 1210 E. University Ave./Plan Case 2513-SU-25)
2. Plan Commission Staff Report (November 6, 2025)

Originated by: Olivia Jovine, Director of Community Development

Approved: Darius White, City Administrator

ORDINANCE NO. _____**AN ORDINANCE APPROVING A SPECIAL USE PERMIT****(Solar Farm at 1210 E. University Ave. / Plan Case 2513-SU-25 – City of Urbana)**

WHEREAS, the City of Urbana (“City”) is a home rule unit of local government pursuant to Article VII, Section 6, of the Illinois Constitution, 1970, and may exercise any power and perform any function pertaining to its government and affairs, and the passage of this Ordinance constitutes an exercise of the City’s home rule powers and functions as granted in the Illinois Constitution, 1970; and

WHEREAS, the City of Urbana has petitioned the City for approval of a Special Use Permit to allow TotalEnergies Renewable USA to construct, operate, and maintain a Solar Energy System in the Agriculture (AG) and Conservation-Recreation-Education (CRE) Zoning Districts, which is permitted in said districts with a Special Use Permit; and

WHEREAS, the proposed use is conducive to the public convenience at this location because it would redevelop the closed municipal landfill while creating very little impact on transportation and other infrastructure; and

WHEREAS, the proposed use is designed, located, and proposed to be operated so that it will not be unreasonably injurious or detrimental to the district in which it shall be located, or otherwise injurious to the public welfare; and

WHEREAS, the proposed development is consistent with the development regulations for properties in the Agriculture (AG) and Conservation-Recreation-Education (CRE) Zoning Districts and preserves the essential character of the districts, in which it shall be located; and

WHEREAS, after due publication, the Urbana Plan Commission held a public hearing on November 6, 2025, and voted with five (5) ayes and zero (0) nays to forward Plan Case 2513-SU-25 to the Urbana City Council with a recommendation to approve the request for a special use permit, subject to the condition specified in Section 1 herein; and

WHEREAS, approval of the special use permit, with the condition set forth below, is consistent with the requirements of Section VII-4 of the Urbana Zoning Ordinance, Special Use Procedures, and with the general intent of that section of the ordinance; and

WHEREAS, the City Council, after due consideration, finds that approving a special use permit as herein provided is in the best interests of the residents of the City and is desirable for the welfare of the City's government and affairs.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Urbana, Illinois, as follows:

Section 1.

An Ordinance is hereby enacted, and a special use permit is hereby approved to allow construction and operation of a Solar Farm in the Agriculture (AG) and Conservation-Recreation-Education (CRE) Zoning Districts with the following condition:

- Construction and use must generally conform to the attached site plan entitled "Urbana Phase 2 – RFQ #2122-11 City of Urbana Landfill PH2" dated 12/19/2022 (Attachment 1), including a minimum 80-foot buffer to the centerline of the Saline Branch Drainage Ditch, except where modified to meet City regulation.

Legal Description for the land commonly known as 1210 East University Avenue:

- Part of the south half of the northeast quarter and part of the north half of the southeast quarter, Section 9, Township 19 North, Range 9 East, of the Third Principal Meridian, Champaign County, Illinois. Part of P.I.N. 91-21-09-401-007 Commonly known as 810 East Perkins Road.

Section 2.

Upon approval of this Ordinance, the City Clerk is directed to record a certified copy of this Ordinance with the Champaign County Office of Recorder of Deeds. The City Clerk is directed to publish this Ordinance in pamphlet form by authority of the corporate authorities, and this Ordinance shall be in

full force and effect from and after its passage and publication in accordance with Section 1-2-4 of the Illinois Municipal Code.

This Ordinance is hereby passed by the affirmative vote, the “ayes” and “nays” being called, of a majority of the members of the Council of the City of Urbana, Illinois, at a meeting of said Council.

PASSED BY THE CITY COUNCIL this _____ Day of _____, 20_____.

AYES:

NAYS:

ABSTENTIONS:

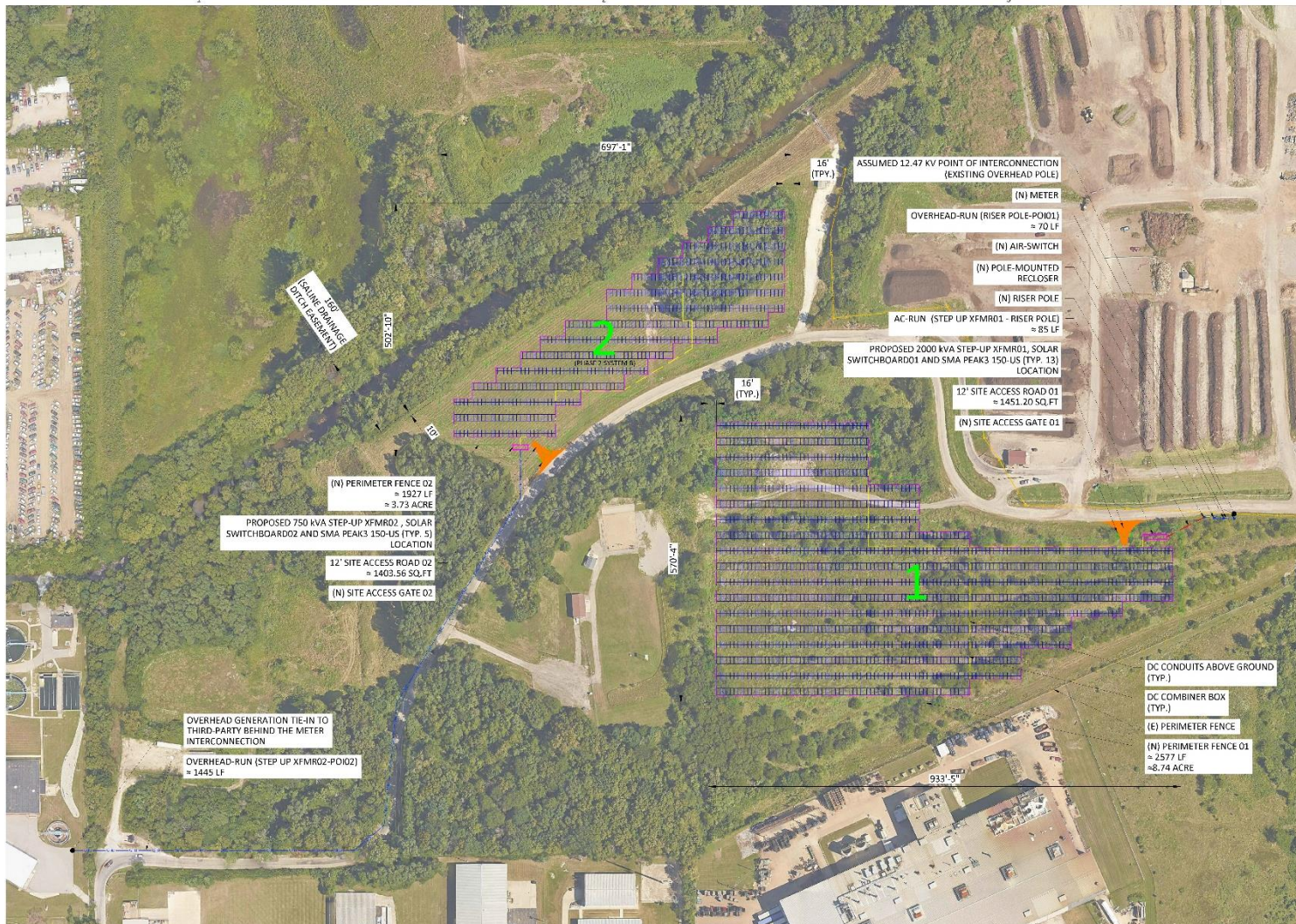
Darcy E. Sandefur, City Clerk

APPROVED BY THE MAYOR this _____ Day of _____, 20_____.

DeShawn Williams, Mayor

ATTACHMENT 1

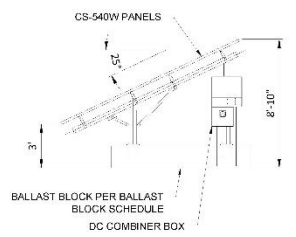
Item F1.



- NOTES:
- 105 MPH WIND ZONE (ASCE 7-10) CATEGORY I, EXPOSURE C
 - SNOWLOAD 20 PSF, ELEVATION 749'
 - ARRAY SHOWN ON: AERIAL IMAGE
 - BALLASTED FOUNDATIONS FOR RACKING REQUIRED
 - ALL TREES WITHIN ARRAY BOUNDARY, AND THOSE WHICH WILL SHADE THE ARRAY, NEED TO BE REMOVED PRIOR TO INSTALLATION
 - MAXIMUM PANEL HEIGHT FROM GRADE: 8'-10"
 - TOTAL NO. OF NEW UTILITY POLES: 4
 - NEW UTILITY POLE-TO-POLE DISTANCE: 20 FT



POI	SOLAR SWITCHBOARD	#MODULE	#STRING	KW (DC)	35 INPUT CB (W/ 16 STR)	SHP_150_US_20	AC SYSTEM SIZE (KW)	TILT (°)	GCR	CSI AZIMUTH (°)	PLANE AZIMUTH (°)	DC RUN (CB-INV)
POI01	SSR01	5408	208	2920.32	13	13	1950	25	0.44	180	0	745, 680, 620, 640, 575, 545, 515, 485, 455, 425, 390, 360, 330
POI02	SSR02	2080	80	1123.2	5	5	750	25	0.44	180	0	640, 575, 495, 385, 100
	TOTAL	7488	288	4043.52	18	18	2700.00					



LEGEND:

- PROPOSED AC STATION
- PROPOSED POINT OF INTERCONNECTION
- AC CONDUITS (SSB-POI)
- DC CONDUITS (CB-INV)
- EXISTING OVERHEAD LINE
- NEW OVERHEAD LINE
- EXISTING UTILITY POLE
- NEW UTILITY POLE

REV#	DATE	DESCRIPTION	BY	CHK
1	06/20/22	ISSUED FOR PERMITTING	JK	TC
2	11/03/22	CHANGE MODULE TYPE FROM 5408 TO 5408	TC	TC
3	12/19/22	ISSUED FOR PERMITTING	TC	TC

THE PROPOSED ARRAY LAYOUT SHOWN IS DESIGNED TO FIT EXISTING CONDITIONS AS THEY ARE DESCRIBED ON THIS DRAWING. LAYOUT AND QUANTITIES ARE SUBJECT TO CHANGE BASED ON TOTAL ENERGIES VERIFICATION OF ACTUAL SITE CONDITIONS.

TIER 1

PROJECT DEVELOPER

 101 ALBA STREET, BIRMINGHAM, AL 35203, USA
 1501 OIL BANK STREET, BILTY, MO 65002, POLSON, USA

ENGINEER'S STAMP

URBANA PHASE 2 - RFQ #2122-11
 CITY OF URBANA LANDFILL PHZ
 ARRAY LAYOUT

OPPORTUNITY: 0002496685

PROJECT: ---

SHEET: AL1



DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

Planning Division

m e m o r a n d u m

TO: The Urbana Plan Commission

FROM: Olivia Jovine, Director of Community Development Services

DATE: October 29, 2025

SUBJECT: **Plan Case 2513-SU-25:** A request by Scott Tess on behalf of the City of Urbana to allow the installation, operation, and maintenance of a solar energy system up to 25 acres in size, and generally located near 1210 East University Avenue, in the Agriculture (AG) and Conservation-Recreation-Education (CRE) zoning districts.

Introduction

Scott Tess, on behalf of the City of Urbana, requests a special use permit to allow TotalEnergies Renewable USA (TotalEnergies) to install, operate, and maintain a Solar Farm of up to 25-acres. The City of Urbana owns the closed landfill at 901 North Smith Road, which extends westward to the proposed site, which is generally located at 1210 East University Avenue. The City and TotalEnergies have entered into an agreement giving the company the option to lease all or part of the property to install, operate, and maintain a ground-mounted solar energy system at this site. According to Table V-1, Table of Uses, a Solar Farm is permitted with a special use permit in the AG – Agriculture and the CRE – Conservation-Recreation-Education zoning districts which make up the site.

The Plan Commission must review the special use permit application, hold a public hearing, and make a recommendation to the Urbana City Council. The Council must then approve, approve with certain conditions, or deny the request.

This request was previously approved in 2023; however, the special use permit expired after one year since construction had not begun. On January 5, 2023, the Plan Commission voted unanimously to forward 2465-SU-22 to City Council with a recommendation to APPROVE the permit with the following condition:

- The proposed construction and use must generally conform to the site plan submitted in this application as shown in Exhibit D: Application – Site Plan, including a minimum 80-foot buffer to the centerline of the Saline Branch Drainage Ditch, except where modified to meet City regulation.

On January 23, 2023, Ordinance No. 2023-01-003: An Ordinance Approving a Special Use Permit (Solar Farm at 1210 E. University Avenue / Plan Case 2464-SU-22) passed unanimously with seven ayes and zero nays. As this is a renewal of a previously approved case, staff recommends that the Plan Commission forward the case to City Council with a recommendation of approval with the same condition.

Background

Description of the Site and Surrounding Properties

The project site is located between East Perkins Road and Butzow Drive, west of Interstate 74 and east of the Landfill Recycling Center access drive. It is on a portion of the closed municipal landfill complex, which operated from the 1920's until it was closed in 1988. Table 1 on this page identifies the current zoning, existing land uses, and the 2025 *Imagine Urbana* Comprehensive Plan place type designations of the site and surrounding properties.

Proposed Use

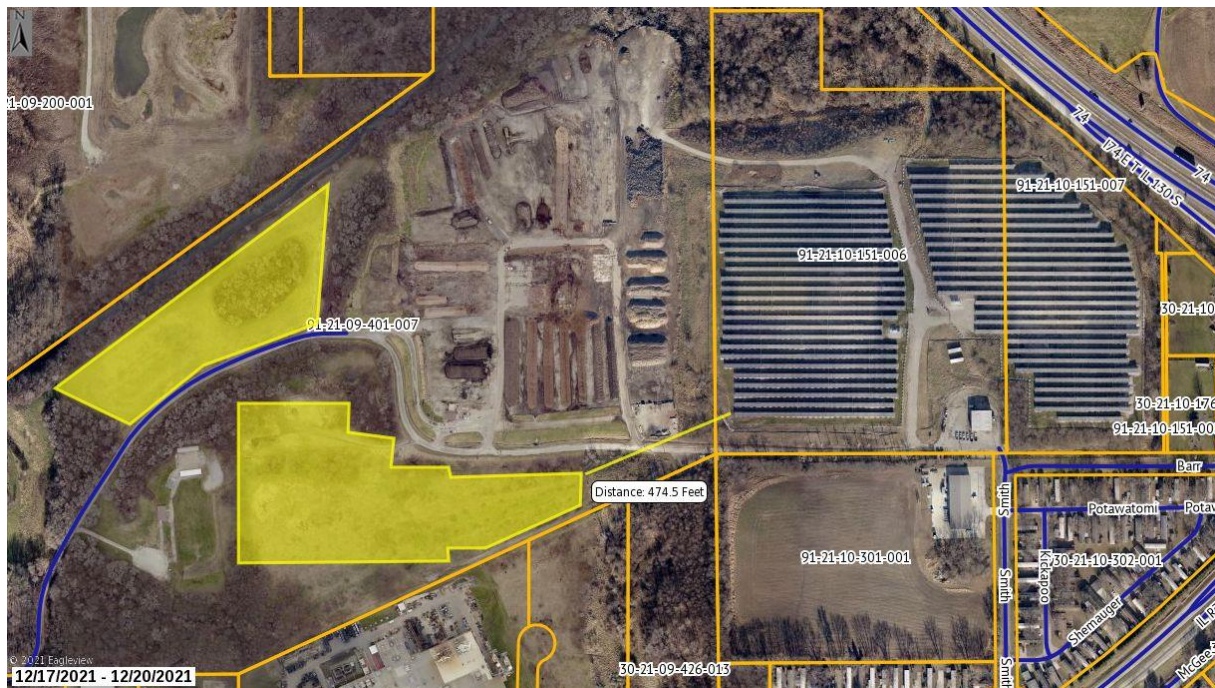
The proposed solar farm is the second phase of the development of solar energy systems at the closed City landfill. According to Scott Tess, Urbana's Sustainability and Resiliency Officer, the City solicits vendors to develop solar arrays on the closed landfill to help replace fossil fuels with clean, renewable energy. The State of Illinois has ambitious goals to expand renewable energy production, and closed landfills are ideal locations for such developments since they have few other uses. TotalEnergies would design, install, operate, and maintain the solar farm, and put the electricity produced directly onto the electrical grid to be sold to the commercial electricity market. In 2018, Council approved a special use permit allowing the construction and operation of a 20-acre solar farm approximately 500 feet east of the proposed project site (see Figure 1).¹ Construction of that solar farm is complete, and it is fully operational.

Table 1. Zoning, Current Land Use, and Future Land Use Designation

	Zoning	Existing Land Use	Future Place Type
Site	AG, Agriculture (south) & CRE, Conservation-Recreation-Education (north)	Closed landfill	Green Spaces & Recreation
North	AG, Agriculture; CRE, Conservation-Recreation-Education	Perkins Road Park; Judge Webber Park	Green Spaces & Recreation
East	AG, Agriculture	Landscape Recycling Center; solar farm	Green Spaces & Recreation
South	IN-1, Industrial; IN-2, Heavy Industrial; B-3, General Business; County R-4, Multiple Family Residence	Guardian West/Flex-n-Gate manufacturing; undeveloped land	Manufacturing & Logistics
West	AG, Agriculture	Municipal police firing range and fire services training range; undeveloped land	Campus; Neighborhood 1

¹ Ordinance No. 2019-01-008, Plan Case 2365-SU-18

Figure 1. Proposed and Existing Solar Farms



The current special use permit request is for up to 25-acres. This area includes the total project site which includes two solar arrays designed to produce a total of approximately 4.3 MW DC (megawatts direct current) of electricity (Exhibit D – Site Plan):

- North array of 4.6 acres, 1.4 MW DC production, located north of the landfill access drive, with one inverter and transformers, and approximately 2,500 solar panels in nine-foot-tall strings.
- South array of 10 acres, 2.9 MW DC production, located south of the landfill access drive, with one inverter and transformers and 5,048 solar panels in nine-foot-tall strings.
- Seven eight-foot-tall perimeter chain-link fence around each array, with access gates around the panels and inverter cabinets.
- Access the two arrays from the LRC private access drive.

The City passed a Solar Energy Text Amendment to the Urbana Zoning Ordinance on May 23, 2022, with the stated purpose to “encourage the use and development of solar energy systems as a clean, renewable energy source and to help promote local, clean jobs.” The ordinance requires the following:²

- Inverters shall be at least 150 feet from all property lines,
- compliance with State and local regulations including the Urbana Code of Ordinances,
- compliance with setback and height requirements of its zoning district.

Screening would not be required, as the proposed solar farm is more than 500 feet from the nearest residential use. Glare from the panels should be minimal, as the pebbled surface of the solar panels is designed to absorb light, not reflect it. In addition, it should not pose any aviation threat, as the project site is at least 500 feet from any public or private airport or restricted landing area. Staff recommend that the north array be at least 80 feet from the centerline of the Saline Branch Drainage Ditch, in

² Ordinance No. 2022-05-018, Plan Case 2425-T-21

accordance with an unrecorded 160-foot maintenance easement held by the Saline Drainage District. There will be no impacts to farmland, and the ballast-mounting installation for the panels will allow the site to be decommissioned and returned to its current condition with minimal permanent damage.

Construction and operation of the site would be regulated by existing relevant City and State codes. Operational noise, including that from the inverters and transformers, would be regulated by Chapter 16 “Noise and Vibrations” of the City’s Code of Ordinances, which requires that “mechanical stationary noise” be no louder than 55 dB during 10 p.m. – 7 a.m. and no louder than 60 dB during 7 a.m. – 10 p.m. The proposed inverters are specified to operate at a peak of 69 decibels (dB). They will be located at least 150 feet from property lines, allowing noise to dissipate to below the threshold level. Vegetation will be regulated by Chapter 25 “Vegetation” of the City’s Code, which addresses nuisance vegetation and maximum height.

Discussion

Requirements for a Special Use Permit

According to Section VII-4.A of the Urbana Zoning Ordinance, an application for a special use permit shall demonstrate the following:

1. *That the proposed use is conducive to the public convenience at that location.*

Similar to the nearby 20-acre solar farm, the proposed solar farm is conducive to the public convenience at the proposed location in three ways:

- a. The proposed system would redevelop 25 acres of a closed municipal landfill which would otherwise have very little opportunity for reuse. It would not consume any current or potential farmland or commercially viable property.
 - b. The proposed project would be self-contained on the site: construction would have a short-term impact on neighboring properties as materials are delivered to the site; operation should not affect neighboring properties.
 - c. The project site’s proximity to the interstate would allow easy access for construction materials and labor, and for maintenance.
2. *That the proposed use is designed, located, and proposed to be operated so that it will not be unreasonably injurious or detrimental to the district in which it shall be located, or otherwise injurious to the public welfare.*

The proposed solar farm would be designed, constructed, operated and maintained similarly to the nearby solar farm, and include characteristics to minimize unreasonably injurious or detrimental impacts to the public:

- a. A seven-foot-tall, galvanized chain link gated fence around the array perimeter would prevent unauthorized access to the Solar Farm.
- b. The selected inverters generate noise levels below 69 decibels and will be located at least 150 feet from all property lines. Existing trees and vegetation along much of the project perimeter would further mitigate noise.
- c. No occupied structures or buildings are proposed.
- d. Access roads are designed to minimize use of external roads for internal circulation.
- e. No new lighting is expected to be installed, to avoid light pollution.

- f. Tenant will exercise reasonable diligence to not unreasonably block or hamper traffic.
 - g. Scheduled site work is only expected to occur during 7:00 a.m. – 5:00 p.m.
 - h. Very few consumables are used during operations, and very little waste is generated.
3. *That the proposed use conforms to the applicable regulations and standards of, and preserves the essential character of, the district in which it shall be located, except where such regulations and standards are modified by Section VII-7.*

The proposed solar farm would conform to the applicable regulations and standards of the AG and CRE districts and would not be out of character with the AG and CRE districts, especially given the proximity of the nearby 20-acre solar farm. As the proposed use will not require extension or expansion of any City infrastructure, installation and operation should have minimal impact on the natural and built environments, and the project site should be able to be restored to its current condition with minimal permanent damage.

Overview

The redevelopment of the subject property with the proposed solar farm would be beneficial to the City and meet the criteria for special use permit approval. It would be an infill redevelopment of the closed City of Urbana Landfill: a much higher and better use of the subject property than its current use as vacant land with few potential opportunities for reuse. In addition to providing a source of revenue for the city, the proposed solar farm would bring the city another step closer to implementing its Climate Action Plan, which includes Goal 3: Increase Renewable Energy Purchasing and Installation, by generating electricity without generating carbon. The proposed solar farm would be compatible with the surrounding complex of natural areas, agricultural production, municipal operations, and renewable energy generation. The required buffers and existing landscaping would mitigate noise and visual impacts to nearby uses. Overall, the proposed solar farm would be a benefit to the community if it were granted a special use permit.

In addition to the requirements in Section VII-4.A. of the Zoning Ordinance, the Plan Commission shall make a recommendation to the City Council for or against the proposed special uses, and may also recommend such additional conditions and requirements on the operation of the proposed uses as are appropriate or necessary for the public health, safety, and welfare, and to carry out the purposes of this Ordinance, including but not limited to conditions that:

1. Regulate the location, extent, and intensity of such uses;
2. Require adherence to an approved site plan;
3. Require landscaping and the screening of such use by means of fences, walls, or vegetation;
4. Stipulate a required minimum lot size, minimum yards, and maximum height of buildings and structures;
5. Regulate vehicular access and volume, and the design and location of parking and loading areas and structures;
6. Require conformance to health, safety, and sanitation requirements as necessary;
7. Regulate signs and outdoor lighting; and
8. Any other conditions deemed necessary to affect the purposes of the Zoning Ordinance.

Public Input

As required by the Zoning Ordinance, staff published Legal Notice in *The News-Gazette* fifteen days prior to the Plan Commission meeting, to notify the public of the request and public hearing. Staff also sent letters to 20 neighboring property owners notifying them of the request and posted two public hearing signs on the property. Staff received no inquiries regarding the requested permit.

Summary of Findings

1. The proposed use is conducive to the public convenience at that location because it would redevelop the closed municipal landfill – a site with few other redevelopment opportunities – while creating very little impact on transportation and other infrastructure.
2. The proposed use would be designed, located, and operated so that it will not be unreasonably injurious or detrimental to the district in which it shall be located, or otherwise injurious to the public welfare, because road access will be maintained, little waste will be generated, vegetation and noise management will comply with City regulations, site security will be implemented, and no structures other than the solar arrays, inverters, and associated peripherals will be built.
3. The character of the district would be preserved with the proposed use because installation and operation of the proposed solar farm – similar in scope and scale to the nearby solar farm – would have minimal impact on the natural and built environments, and the project site should be able to be restored to its current condition with minimal permanent damage.

Options

The Plan Commission has the following options in Plan Case 2513-SU-25:

1. Recommend approval of the special use permit without any additional conditions.
2. Recommend approval of the special use permit with any conditions deemed appropriate or necessary for the public health, safety, and welfare, and to carry out the purposes of the City's municipal code.
3. Recommend denial of the special use permit. If the Plan Commission elects to do so, it should articulate the findings supporting its denial.

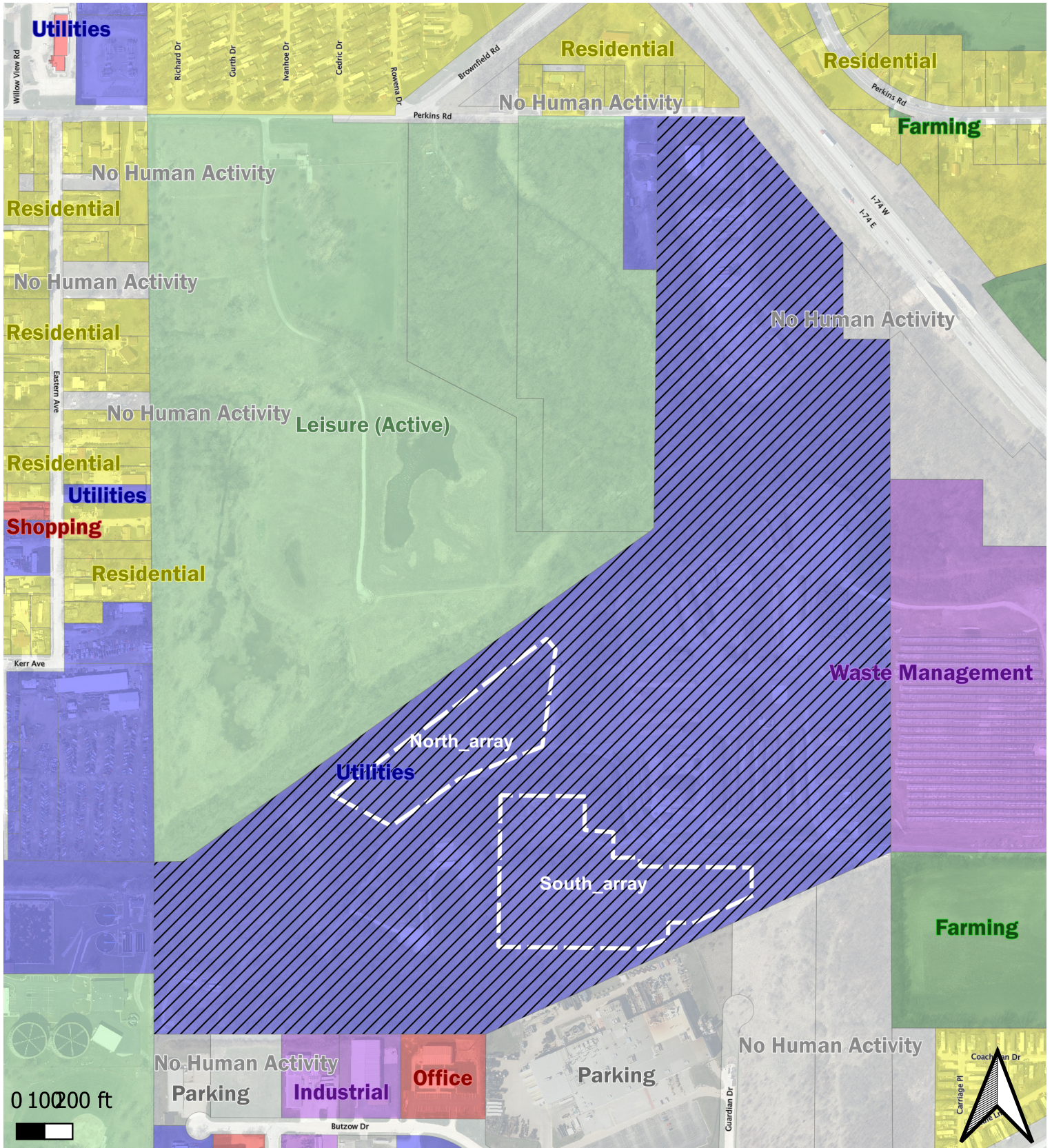
Recommendation

Based on the evidence presented in the discussion above, and prior unanimous approval by the Plan Commission on January 5, 2023, and without the benefit of considering additional evidence that may be presented at the public hearing, staff recommends that the Plan Commission recommend APPROVAL of the proposed special use permit in Plan Case No. 2513-SU-25 for the reasons articulated above and with the following condition:

- The proposed construction and use must generally conform to the site plan submitted in this application as shown in Exhibit D: Application – Site Plan, including a minimum 80-foot buffer to the centerline of the Saline Branch Drainage Ditch, except where modified to meet City regulation.

Exhibit A - Location & Land Use

Item F1.

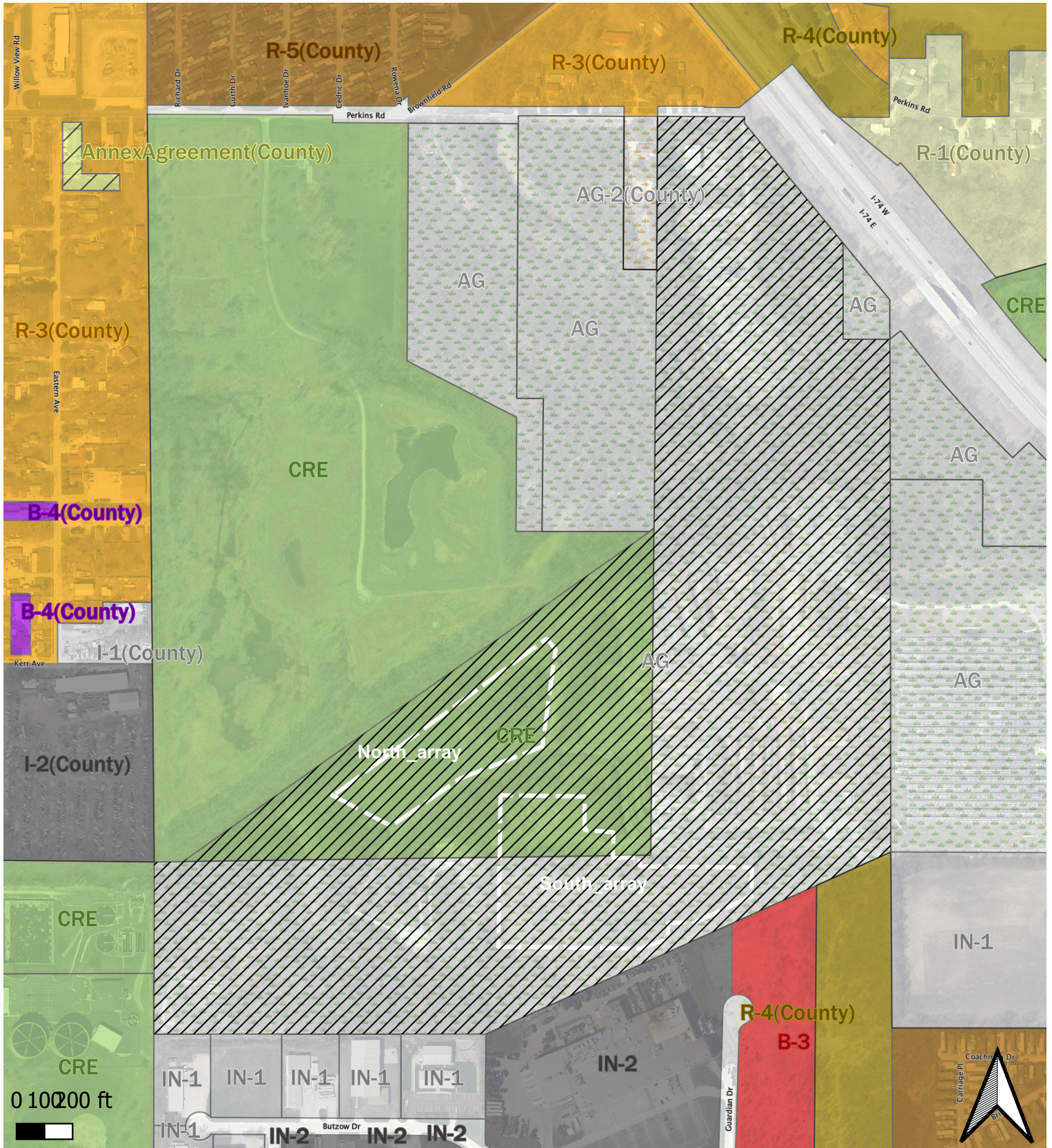


Case: 2513-SU-25
 Subject: Solar Farm
 Location: 1210 E University Ave
 Applicant: Scott Tess

//// Subject Property

Exhibit B - Zoning

Item F1.

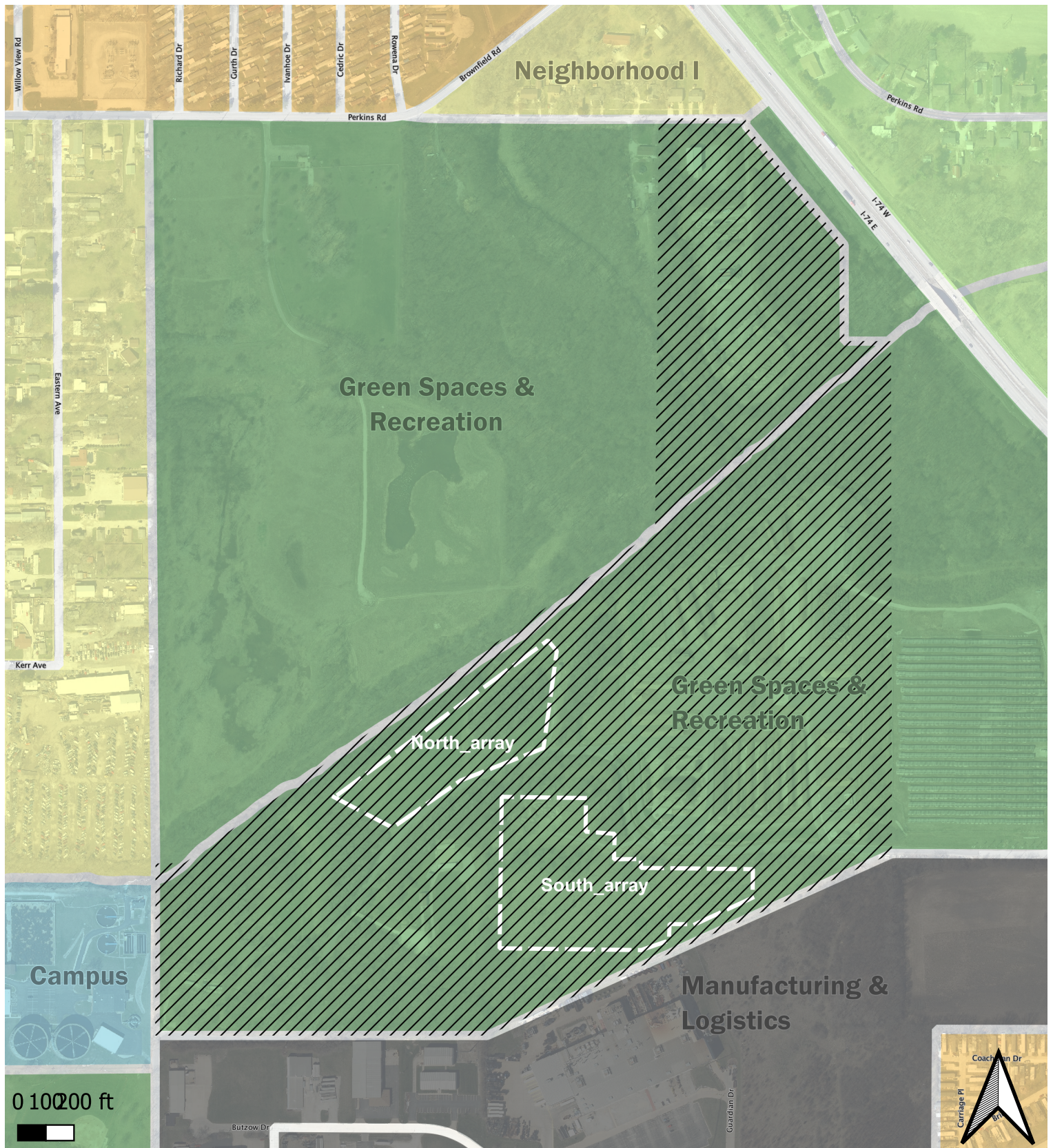


Case: 2513-SU-25
 Subject: Solar Farm
 Location: 1210 E University Ave
 Applicant: Scott Tess

//// Subject Property

Exhibit C - Place Types

Item F1.



Case: 2513-SU-25
Subject: Solar Farm
Location: 1210 E University Ave
Applicant: Scott Tess

//// Subject Property

Exhibit D: SUP Application with Site Plan

Item F1.



Application for Special Use Permit

PLAN COMMISSION

The application fee must accompany the application when submitted for processing. Please refer to the City's website at <http://www.urbanaininois.us/fees> for the current fee associated with this application. **The Applicant is also responsible for paying the cost of legal publication fees.** Estimated costs for these fees usually run between \$75.00 and \$225.00. The applicant will be billed separately by the News-Gazette.

DO NOT WRITE IN THIS SPACE - FOR OFFICE USE ONLY

Date Request Filed 10/02/25 Plan Case No. 2513-SU-25
Fee Paid - Check No. Electronic Amount \$220 Date 10/09/25

PLEASE PRINT OR TYPE THE FOLLOWING INFORMATION

A SPECIAL USE PERMIT is requested in conformity with the powers vested in the Plan Commission to recommend to the City Council under Section VII-4 of the Urbana Zoning Ordinance to allow *(Insert proposed use)* Solar Farm on the property described below.

1. APPLICANT CONTACT INFORMATION

Name of Applicant(s): Solar Star Urbana Landfill South, LLC (attn: Scott Tess) Phone: 217-384-2381

Address (street/city/state/zip code):

Email Address: 706 S. Glover Ave. Urbana, IL 61802

2. PROPERTY INFORMATION

Address/Location of Subject Site: 1210 E University Ave., Urbana, IL 61802

PIN # of Location: 91-21-09-401-007

Lot Size: 93.02 acres

Current Zoning Designation: CRE (north part) and AG (south part)

Current Land Use (vacant, residence, grocery, factory, etc): Vacant, closed landfill

Proposed Land Use: Installation, operation, and maintenance of distributed-energy, ballasted fixed-tilt, ground mounted solar photovoltaic energy system

Legal Description (If additional space is needed, please submit on separate sheet of paper):

Part of the south half of the northeast quarter and part of the north half of the southeast quarter, Section 9, Township 19 North, Range 9 East of the Third Principal Meridian, Champaign County, Illinois.

3. CONSULTANT INFORMATION

Name of Architect(s): Phone:

Address (*street/city/state/zip code*):

Email Address:

Name of Engineers(s): Chad Tady, TotalEnergies Renewables USA Phone: 312-841-2423

Address (*street/city/state/zip code*): 4330 Gaines Ranch Loop, Suite 100, Austin, TX 78735

Email Address:

Name of Surveyor(s): Phone:

Address (*street/city/state/zip code*):

Email Address:

Name of Professional Site Planner(s): Phone:

Address (*street/city/state/zip code*):

Email Address:

Name of Attorney(s): Phone:

Address (*street/city/state/zip code*):

Email Address:

4. REASONS FOR SPECIAL USE PERMIT

Explain how the proposed use is conducive to the public convenience at the location of the property.

Please see enclosed Supplemental Responses

Explain how the proposed use is designed, located and proposed to be operated, so that it will not be unreasonably injurious or detrimental to the district in which it shall be located, or otherwise injurious or detrimental to the public welfare.

Please see enclosed Supplemental Responses

Explain how the proposed use conforms to the applicable regulations and standards of and preserves the essential character of the district in which it shall be located.

Please see enclosed Supplemental Responses

NOTE: *If additional space is needed to accurately answer any question, please attach extra pages to the application.*

By submitting this application, you are granting permission for City staff to post on the property a temporary yard sign announcing the public hearing to be held for your request.

CERTIFICATION BY THE APPLICANT

I certify all the information contained in this application form or any attachment(s), document(s) or plan(s) submitted herewith are true to the best of my knowledge and belief, and that I am either the property owner or authorized to make this application on the owner's behalf.

Scott T. Lee
Applicant's Signature

10/2/25
Date

PLEASE RETURN THIS FORM ONCE COMPLETED TO:

City of Urbana
Community Development Department Services
Planning Division
400 South Vine Street, Urbana, IL 61801
Phone: (217) 384-2440
Fax: (217) 384-2367

Exhibit D: SUP Application with Site Plan Continued

Item F1.



LOGOUT

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VIEW PERMIT

[Home](#) / [Services](#) / [Development Permits](#) / [View Permit](#)

Make a payment

Request an inspection

Upload documents

Leave message

Permit #: SUP25-000003

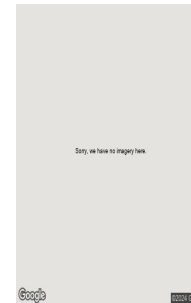
Project #: 25-003225

Status: Under Review

Balance Due: \$220.00

Address: 1210 East University Avenue

Description: Landfill Solar Farm



[Permit](#) [Reviews](#) [Documents](#) [Inspections](#)

Permit #:

SUP25-000003

Permit Type:

Special Use Permit

Sub Type:

Special Use

Issue Date:

Expiration Date:

The application fee must be paid when submitting the application. For the current fee amount, please refer to the most recent version of the City's

'Schedule of Fees - Excluding Liquor License Fees', which can be found at <https://www.urbanaininois.us/fees> (<https://www.urbanaininois.us/fees>).

The applicant is also responsible for paying the cost of the legal ad publication fees. The News-Gazette will bill the applicant directly. Legal ad publication fees vary from \$75.00 and up.

If you need assistance completing this form, please contact the Planning Department at Planning@urbanaininois.us (<mailto:planning@urbanaininois.us>) or (217) 384-2440.

PROPOSED USE

Describe the proposed use and its activities. In other words, what do you plan to do? Are there existing buildings you will use, change, or demolish? Will you build new buildings? What activities will take place on site, and where? If you are planning a business, what will your hours of operation be?

Current Zoning District:

CRE - Conservation-Recreation-Education

Current Land Use:

Landfill

Proposed Use:

Solar Farm

PROPERTY LEGAL DESCRIPTION

A legal description is the geographical description of a real estate property for the purpose of identifying the property for legal transactions such as deeds, mortgages and other legal documents. A legal description will refer to the name of the subdivision and the lot number.

If your legal description is long, please type "See Attached Legal Description," in the Legal Description Provided by Applicant field and upload a separate document with legal description.

Legal Description Provided by Applicant:

Part of the south half of the northeast quarter and part of the north half of the southeast quarter, Section 9, Township 19 North, Range 9 East of the Third

Principal Meridian, Champaign County, Illinois

Legal Description attachment:

PERMIT INFORMATION

Purpose for Request:

Allow Solar Farm in the AG and CRE Zoning Districts

Number of Applicants:

1

Applicant Name:

Scott Tess

OWNER INFORMATION

If the applicant is not the sole owner, please attach documentation for contact information including **name**, **email** and **phone numbers** of every owner.:

CONSULTANT INFORMATION

If you are working with an architect, engineer, surveyor, site planner, or attorney, please fill in their information below.

Architect Name, Email and Phone:

Engineer Name, Email and Phone:

Chad Tady - TotalEnergies Renewables USA chad.tady@totalenergies.com
312.841.2423

Surveyor Name, Email and Phone:

Site Planner Name, Email and Phone:

Attorney Name, Email and Phone:

REASONS FOR SPECIAL USE PERMIT

Below are the criteria that the Plan Commission will base their decision on. Your answers should be as detailed as possible.

Explain how the proposed use is conducive to the public convenience at the location of the property. In other words, why is this a good location for what you are proposing, for the overall good of the community and for people coming to the property? Is it easy to get to? Does it fill a need that is missing in the neighborhood? Are there other similar or complementary uses nearby?:

Please see Supplemental Responses

Explain how the proposed use is designed, located and proposed to be operated, so that it will not be unreasonably injurious or detrimental to the district in which it shall be located, or otherwise injurious or detrimental to the public welfare. In other words, how will the building and site design, and the operation of the proposed use be done so they do not cause a nuisance to the neighborhood and the community in general? Will it operate at hours similar to surrounding uses? Will it generate excessive noise, light, odor, waste, or traffic, and if so, how do you plan to deal with it?:

Please see Supplemental Responses

Explain how the proposed use conforms to the applicable regulations and standards of, and preserves the essential character of, the district in which it shall be located. In other words, how well will the proposed use fit into the neighborhood? Will buildings be similar in size and scale to others in the area? Does the site layout (e.g. location of buildings and parking areas) fit in with surrounding properties?:

Please see Supplemental Responses

ATTACHMENTS

Please include any attachments relevant to your special use permit request:
supporting documents, site plans, photos, etc.:

APPLICATION - 2513-SU-25 - Submitted 10-02-2025 via Paper.pdf

CERTIFICATION

I am:

2. Authorized to make this application on behalf of the owner.

Please attach letter of authorization from owner.:

I certify all the information contained in this application form or any
attachment(s), document(s) or plan(s) submitted herewith are true to the
best of my knowledge and belief.

Agree:

Yes

I acknowledge that my electronic or digital signature on this application has
the full legal effect as that of my written signature.

Agree:

Yes

I grant permission for City staff to post a temporary yard sign on the subject
property announcing the public hearing to be held for my request.

Agree:

Yes

Applicant Signature Upload:

Signer Name:

Teri Andel on behalf of Applicant

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Terms of Use (<https://www.citizenserve.com/Portal/TermsOfUse.pdf>)
Privacy Policy (<https://www.citizenserve.com/Portal/PrivacyPolicy.pdf>)

Exhibit D: SUP Application with Site Plan Continued

Item F1.

City of Urbana Planning Division – SUP Application for Solar Farm

November 22, 2022

Page 1

TotalEnergies Distributed Generation USA, LLC

1414 Harbour Way South, Ste 1901

Richmond, CA 94804

November 22, 2022

City of Urbana

Community Development Department

Planning Division

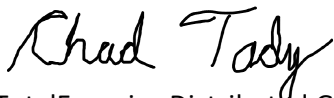
400 South Vine Street

Urbana, IL 61801

Dear Planning Division:

The City of Urbana is pursuing a solar photovoltaic project at the City's landfill site and submits this enclosed Application for a Special Use Permit along with relevant attachments on behalf of the project. The Subject Site is located near 1210 E University, Urbana, IL 61802 on Property Index Number 91-21-09-401-007. This Subject Site is approximately 10 acres and comprised of a vacant land on a closed landfill. The proposed land use is for the installation, operation, and maintenance of a distributed energy ballasted fixed tilt ground mount solar photovoltaic energy system ("Solar Farm"). The City's tenant under a lease with the developer, Solar Star Urbana Landfill South, LLC. ("Tenant" or "Developer") is responsible for the turn-key development including design, engineering, installation, interconnection, operations and maintenance.

Sincerely,



TotalEnergies Distributed Generation USA, LLC

Chad.Tady@totalenergies.com

312-841-2423

Exhibit D: SUP Application with Site Plan Continued

City of Urbana Planning Division – SUP Application for Solar Farm

November 22, 2022

Page 2

Item F1.

Contents

- 1. Application for Special Use Permit**
- 2. Supplemental Responses**
- 3. Technical Exhibits**
 - a. Preliminary Site Plan**
 - b. Preliminary Elevation Schematic**
 - c. Preliminary Component Specifications**

Exhibit D: SUP Application with Site Plan Continued
Original Submission (2022)

Item F1.



**Application for
Special Use Permit**

**PLAN
COMMISSION**

The application fee must accompany the application when submitted for processing. Please refer to the City's website at <http://www.urbanaininois.us/fees> for the current fee associated with this application. **The Applicant is also responsible for paying the cost of legal publication fees.** Estimated costs for these fees usually run between \$75.00 and \$225.00. The applicant will be billed separately by the News-Gazette.

DO NOT WRITE IN THIS SPACE - FOR OFFICE USE ONLY

Date Request Filed 11-22-2022 Plan Case No. 2465-SU-22
Fee Paid - Check No. 9395 Amount \$200.00 Date 11-23-2022

PLEASE PRINT OR TYPE THE FOLLOWING INFORMATION

A SPECIAL USE PERMIT is requested in conformity with the powers vested in the Plan Commission to recommend to the City Council under Section VII-4 of the Urbana Zoning Ordinance to allow *(Insert proposed use)* Solar Farm on the property described below.

1. APPLICANT CONTACT INFORMATION

Name of Applicant(s): Solar Star Urbana Landfill South, LLC (attn: Scott Tess) Phone: (217) 384-2381
Address (street/city/state/zip code): 706 S. Glover Ave. Urbana, IL 61802
Email Address: srtess@urbanaininois.us

2. PROPERTY INFORMATION

Address/Location of Subject Site: 1210 E University Ave, Urbana, IL 61802
PIN # of Location: 91-21-09-401-007
Lot Size: approximately 93.02 acres
Current Zoning Designation: CRE (north part) and AG (south part)
Current Land Use (vacant, residence, grocery, factory, etc): Vacant, closed landfill
Proposed Land Use: Installation, operation, & maintenance of a distributed-energy, ballasted, fixed-tilt, ground-mounted solar photovoltaic energy system
Legal Description (If additional space is needed, please submit on separate sheet of paper):
Part of the south half of the northeast quarter and part of the north half of the southeast quarter, Section 9, Township 19 North, Range 9 East, of the Third Principal Meridian, Champaign County, Illinois.

Exhibit D: SUP Application with Site Plan Continued Original Submission (2022)

Item F1.

3. CONSULTANT INFORMATION

Name of Architect(s):

Address (*street/city/state/zip code*):

Email Address:

Name of Engineers(s): Chad Tady, Total Energies Renewables USA **Phone:** 312-841-2423

Address (*street/city/state/zip code*): 1414 Harbour Way South, Suite 1901, Richmond CA 94804

Email Address: Chad.Tady@totalenergies.com

Name of Surveyor(s):

Address (*street/city/state/zip code*): Email Address:

Name of Professional Site Planner(s): Address (*street/city/state/zip code*): Email Address:

Name of Attorney(s):

Address (*street/city/state/zip code*): Email Address:

4. REASONS FOR SPECIAL USE PERMIT

Explain how the proposed use is conducive to the public convenience at the location of the property.

Please see enclosed Supplemental Responses

Explain how the proposed use is designed, located and proposed to be operated, so that it will not be unreasonably injurious or detrimental to the district in which it shall be located, or otherwise injurious or detrimental to the public welfare.

Please see enclosed Supplemental Responses

Explain how the proposed use conforms to the applicable regulations and standards of and preserves the essential character of the district in which it shall be located.

Please see enclosed Supplemental Responses

Exhibit D: SUP Application with Site Plan Continued
Original Submission (2022)

Item F1.

NOTE: If additional space is needed to accurately answer any question, please attach extra pages to the application.

By submitting this application, you are granting permission for City staff to post on the property a temporary yard sign announcing the public hearing to be held for your request.

CERTIFICATION BY THE APPLICANT

I certify all the information contained in this application form or any attachment(s), document(s) or plan(s) submitted herewith are true to the best of my knowledge and belief, and that I am either the property owner or authorized to make this application on the owner's behalf.

Scott Fraz
Applicant's Signature

11/22/22
Date

PLEASE RETURN THIS FORM ONCE COMPLETED TO:

City of Urbana
Community Development Department Services
Planning Division
400 South Vine Street, Urbana, IL 61801
Phone: (217) 384-2440
Fax: (217) 384-2367

Exhibit D: SUP Application with Site Plan Continued

Item F1.

City of Urbana Planning Division – SUP Application for Solar Farm

November 22, 2022

Page 6

Supplemental Responses

The following are responses to Section 4. Reasons for Special Use Permit of the application.

Explain how the proposed use is conducive to the public convenience at the location of the property.

The proposed use of a Solar Farm at this Subject Site is conducive to the public in several direct and indirect ways. Indirectly, this Solar Farm Special Use Permit would allow the City to benefit from additional lease revenues and reduced electricity operating costs which will benefit the public tax payers and those who receive services from the City. Directly, the proposed use of the Solar Farm at this Subject Site is conducive to the public because of the minimal impact at the Subject Site and surrounding area. The preliminary design and arrangement with the Developer of the Solar Farm includes the following attributes which result in little impact to the public.

- A seven (7) foot tall galvanized, nine (9) gauge, two (2) inch mesh fencing and chain link fence-with gate around the array perimeter is included to prevent access to the Solar Farm.
- Inverter selection has considered noise levels and the preliminary inverters noise level will be below 69 decibels based on sound pressure level at a distance of 1 meter. Inverters have strategically been located towards the center of the Subject Site center of the Subject Site, approximately 300 ft or more from public areas beyond the Subject Site and the existing Landscape Recycling Center. Furthermore, there are existing trees and vegetation along much of the perimeter of the site to eliminate any noise.
- The Solar Farm preliminary design includes a ballasted ground mount system with the height of approximately nine (9) feet from the ground surface and with no moving parts.
- No occupied structures or buildings are included in the Solar Farm which minimizes impact to the Subject Site and surrounding area.
- Access roads in the preliminary design have been designed to minimize use of external roads for access within the Solar Farm.
- No new lighting is expected to be installed to avoid light pollution.

Explain how the proposed use is designed, located and proposed to be operated, so that it will not be unreasonably injurious or detrimental to the district in which it shall be located, or otherwise injurious or detrimental to the public welfare.

The Solar Farm design, commercial arrangements, installation, operations and maintenance include the following characteristics which will result in no unreasonably injurious or detrimental impacts to the public.

Exhibit D: SUP Application with Site Plan Continued

Item F1.

City of Urbana Planning Division – SUP Application for Solar Farm

November 22, 2022

Page 7

- Tenant will exercise reasonable diligence not to unreasonably block any such road or otherwise hamper or encumber any vehicular, bicycle or pedestrian traffic on any such road, except as reasonably necessary.
- Scheduled site work is only expected to occur during the hours of 7:00 AM to 5:00 PM.
- During installation, the Tenant will provide a temporary portable toilet and temporary dumpster for all Solar Farm installation waste. During operations, very few consumables are used and very little waste is generated. Operational waste will be handled and disposed of by the Tenant if and when it is resulting from Solar Farm use.
- Tenant may remove, trim, prune, top or otherwise control the growth of any tree, shrub, plant or other vegetation located on the Subject Site. Vegetation management within the array area of the Solar Farm will be the responsibility of the Tenant and will include manual means (e.g. mowing and cutting), and chemical or other means.

Explain how the proposed use conforms to the applicable regulations and standards of and preserves the essential character of the district in which it shall be located.

The proposed use of the Solar Farm will satisfy and conform with the following codes and standards.

- City of Urbana 2021 Zoning Ordinance
- City of Urbana Building, Fire, and Flood Safety Codes - Chapter 5 Urbana City Code
- City of Urbana Electrical Code Requirements - The 2008 National Electrical Code
- City of Urbana Fence Requirements - Chapter 7 Urbana City Code
- IEEE 929-2000, “Recommended Practice for Utility Interface of Photovoltaic Systems”; and
- UL Subject 1741, “Standard for Static Inverters and Charge Controllers for use in Photovoltaic Power Systems”
- ANSI C12.1-2008; (electricity metering)
- ASME PTC 50 (solar PV performance)
- ANSI Z21.83 (solar PV performance and safety)
- NFPA 70 (including NFPA 70E Arc flash)
- IEEE 1547 (interconnections)

Furthermore, the proposed use of the Solar Farm’s design, products, and installation will comply with the following industry standards, wherever applicable:

- Electronic Industries Association (EIA) Standard 569

Exhibit D: SUP Application with Site Plan Continued

Item F1.

City of Urbana Planning Division – SUP Application for Solar Farm

November 22, 2022

Page 8

- Illumination Engineering Society of North America (IESNA) Lighting Standards
- Institute of Electrical and Electronics Engineers (IEEE) Standards
- National Electrical Manufacturers Association (NEMA)
- National Electric Code (NEC)
- Insulated Power Cable Engineers Association (IPCEA)
- Certified Ballast Manufacturers Association (CBMA)
- Underwriters Laboratories, Inc. (UL)
- National Fire Protection Association (NFPA)
- Utility(s) Requirements
- American National Standards Institute (ANSI)
- Occupational Health and Safety Administration (OSHA)
- American Disabilities Act (ADA)
- American Society for Testing and Materials (ASTM)
- National Electrical Contractors Association (NECA)
- National Electrical Testing Association (NETA)

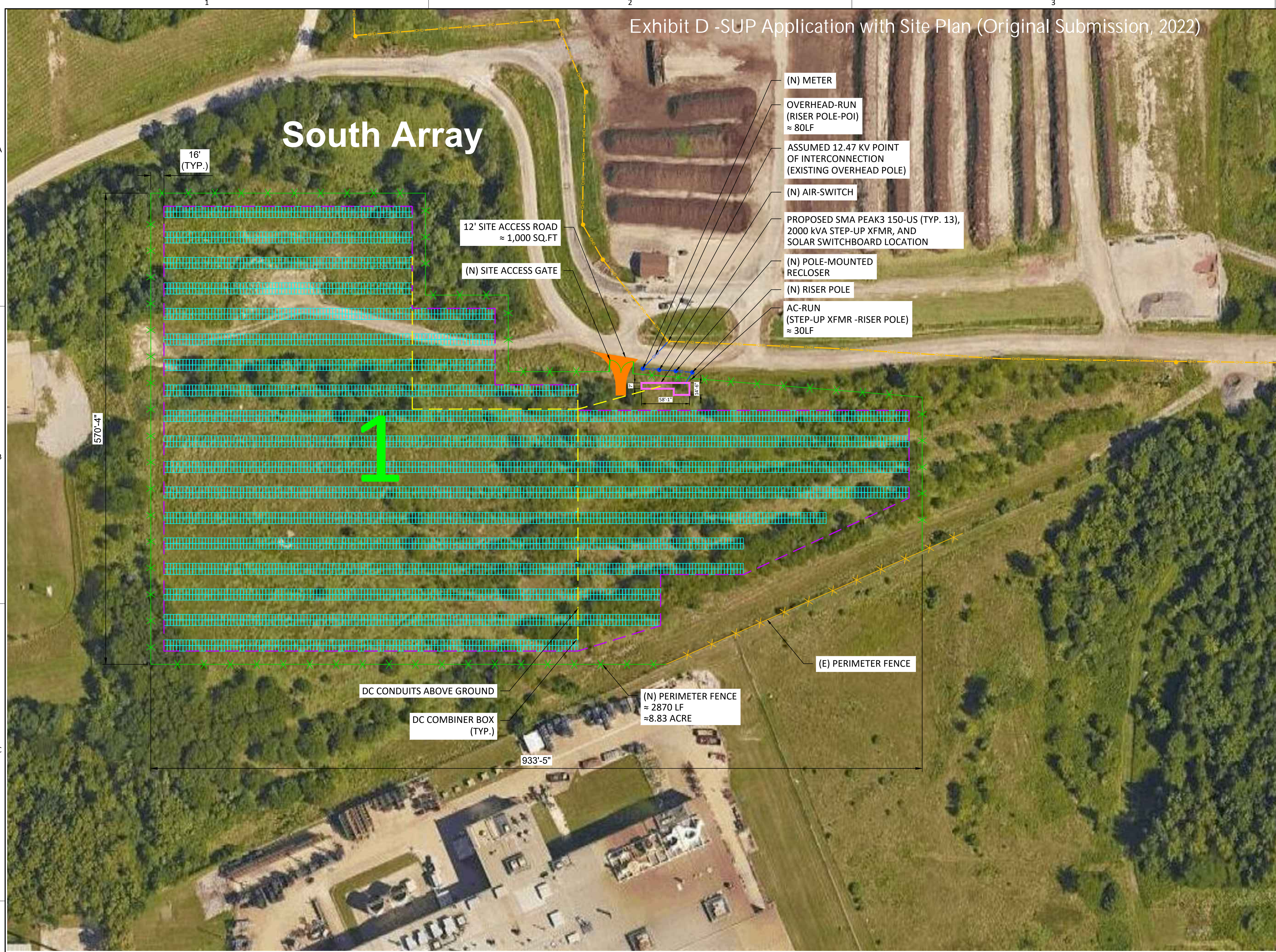
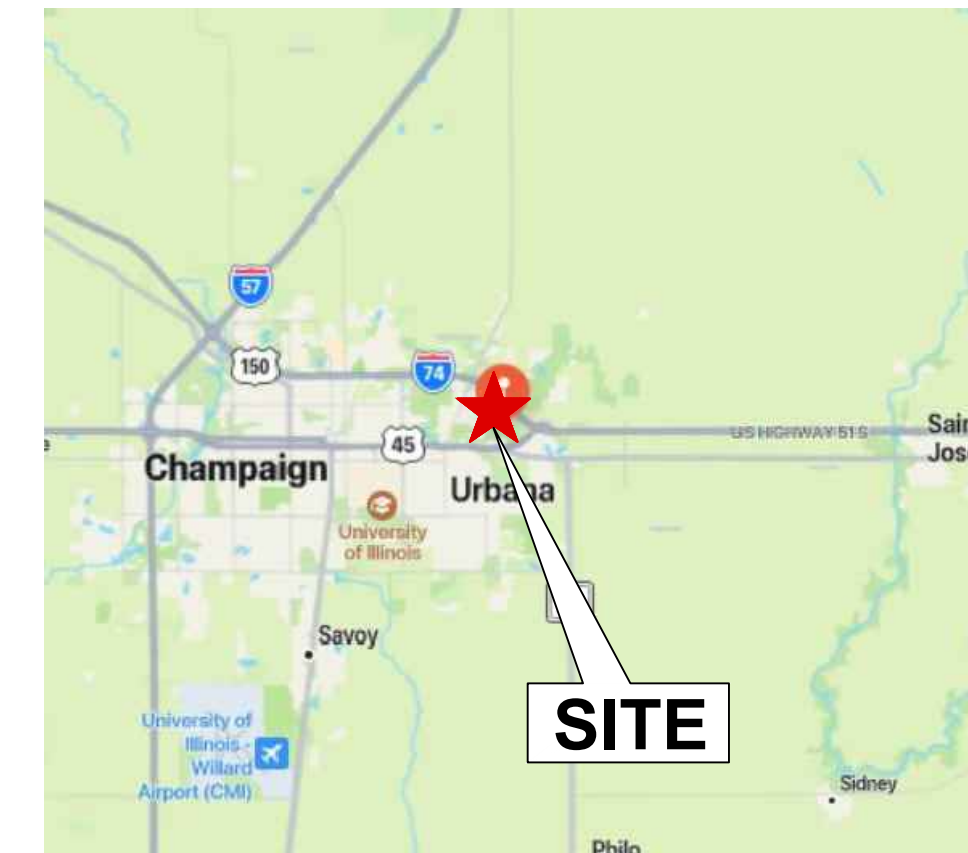
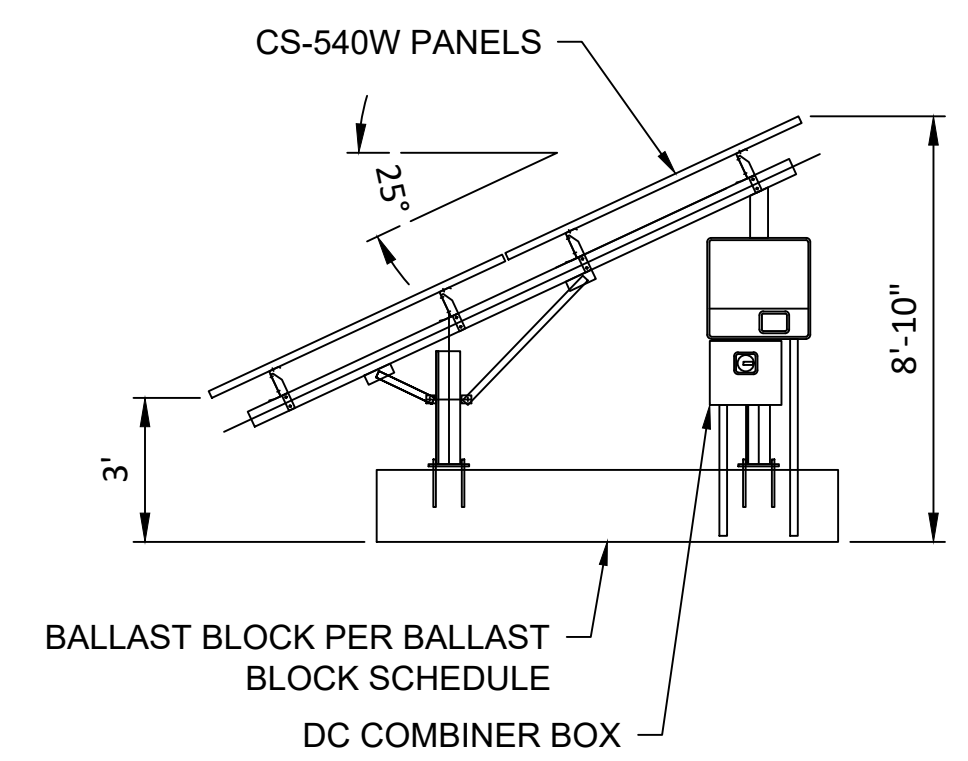


Exhibit D -SUP Application with Site Plan (Original Submission, 2022)



VICINITY MAP:
LATITUDE: 40.121152°
LONGITUDE: -88.185529°

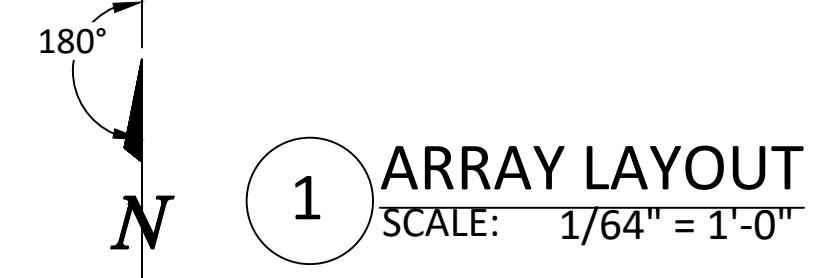


SCHEMATIC DIAGRAM

LEGEND:

- PROPOSED AC STATION
- PROPOSED POINT OF INTERCONNECTION
- AC CONDUITS (SSB-POI)
- AC CONDUITS (SPB-SSB)
- DC CONDUITS (DC DISCONNECT-INV)
- EXISTING OVERHEAD LINE
- NEW OVERHEAD LINE
- EXISTING UTILITY POLE
- NEW UTILITY POLE

- NOTES:
1. 105 MPH WIND ZONE (ASCE 7-10) CATEGORY I, EXPOSURE C
 2. SNOWLOAD 20 PSF, ELEVATION 749'
 3. ARRAY SHOWN ON : AERIAL IMAGE
 4. BALLASTED FOUNDATIONS FOR RACKING REQUIRED
 5. ALL TREES WITHIN ARRAY BOUNDARY, AND THOSE WHICH WILL SHADE THE ARRAY, NEED TO BE REMOVED PRIOR TO INSTALLATION
 6. MAXIMUM PANEL HEIGHT FROM GRADE: 8'-10"
 7. TOTAL NO. OF NEW UTILITY POLES: 4
 8. NEW UTILITY POLE-TO-POLE DISTANCE: 20 FT



Technical Exhibit: Preliminary Site Plan

SOLAR SWITCHBOARD	BLOCK	# MODULE	#STRING	KW (DC)	36 INPUT CB (W/ 16 STR)	SHP_150_US_20	AC SYSTEM SIZE (KW)	TILT (°)	GCR	CSI AZIMUTH (°)	PLANE AZIMUTH (°)	DC RUN (CB-INV)
SSB	1	5408	208	2920.32	13	13	1950	25	0.44	180	0	385,320,285,250,215,180,145,110,75,140,370,435,500

PROJECT SUMMARY		GFT
TOTAL # OF MODULE		5408
STRING LENGTH		26
MODULE TYPE		3RD PARTY 540W
# OF SMA PEAK 3 INVERTER		13
DC SYSTEM SIZE (kW)		2920.32
AC SYSTEM SIZE (KW)		1950.00

THE PROPOSED ARRAY LAYOUT SHOWN IS DESIGNED TO FIT EXISTING CONDITIONS AS THEY ARE DESCRIBED ON THIS DRAWING. LAYOUT AND QUANTITIES ARE SUBJECT TO CHANGE BASED ON TOTAL ENERGIES VERIFICATION OF ACTUAL SITE CONDITIONS.

TIER 1

PROJECT DEVELOPER

TOTALENERGIES RENEWABLES, USA
1201 LOUISIANA STREET, SUITE 1800
77002 - HOUSTON - USA

ENGINEER'S STAMP

URBANA PHASE 2 - RFQ #2122-11
CITY OF URBANA LANDFILL PH2
1210 E UNIVERSITY AVE
URBANA, IL 61802

ARRAY LAYOUT

REV	DESIGN #	DESCRIPTION	DATE	DB	CB	AR	TC	INC	TC
A	D-0120691	PROPOSAL	04-22-22						
B	D-0129727	CHANGE MODULE TYPE	11-2-22						

OPPORTUNITY	0002496695
PROJECT	---

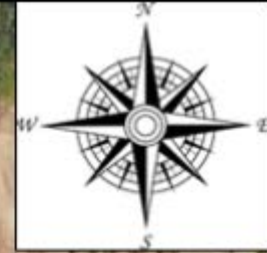
0 1/2" 1"

IF BAR IS NOT ONE INCH, DRAWING IS NOT TO SCALE

SHEET

AL1

Exhibit D - SUP Application with Site Plan (Original Submission, 2022)



1414 HARBOR SOUTH RICHMOND, VA (510) 54

Item F1.

Who do we serve? We serve our customers, our community, and our state. We are committed to providing the highest quality of service to our customers and to the state of Virginia. We are committed to being a good neighbor and to being a responsible corporate citizen. We are committed to being a good employer and to providing a safe and healthy work environment for our employees. We are committed to being a good steward of the environment and to protecting our natural resources. We are committed to being a good citizen and to supporting our community. We are committed to being a good partner and to working with our customers, our community, and our state to solve problems and to improve the quality of life for all.

Fence line perimeter
~2,300 feet; enclosed
area ~4.55 acres



North Array

Overhead generation
tie-in to third-party
behind the meter
interconnection

ANNOTATION LEGEND:

- Text
- Call-out
- Overhead AC Gen-Tie
- AC Station
- Fence Line

Project Summary

System Size: 1,354 kWp
 System Type: Ground fixed tilt ballasted
 Tilt: 25°
 Row Spacing: 18.77 ft (~0.50 GCR)
 Module: Tier 1 Bi-facial 540W

Urbana Phase 2B
 City of Urbana Landfill Phase 2B

Exhibit D - SUP Application with Site Plan Continued

City of Urbana Planning Division – SUP Application for Solar Farm

November 22, 2022

Page 10

Item F1.

Preliminary Elevation Schematic

Components, dimensions, structures and design subject to change

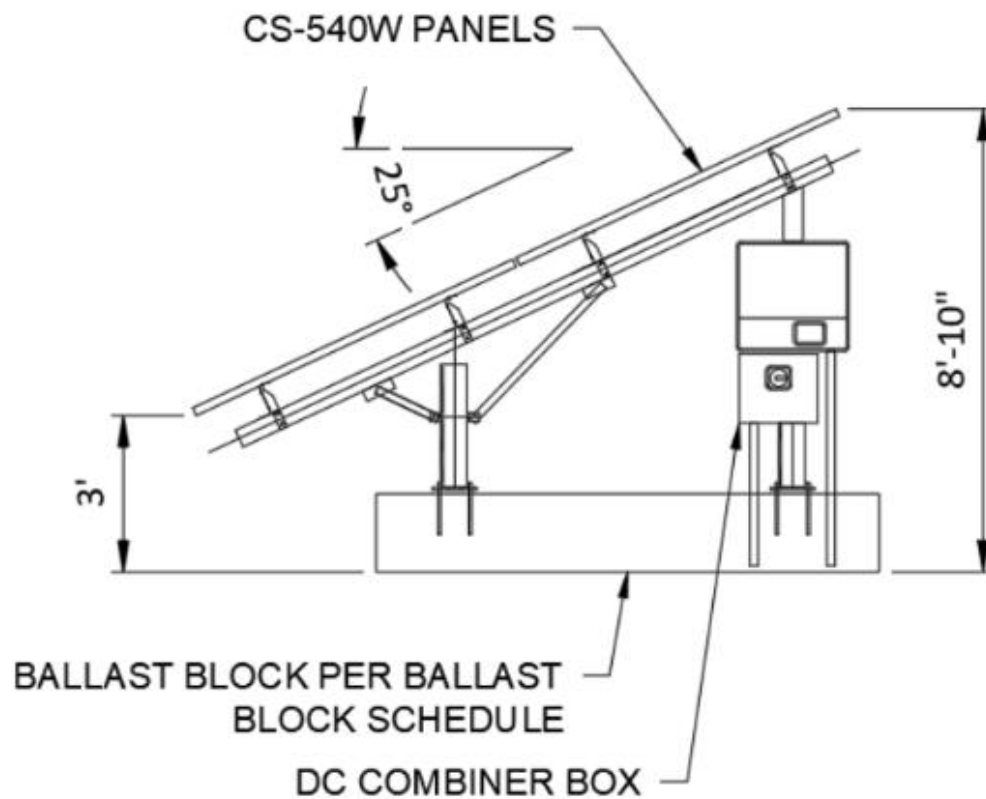




Figure 1. Project site from north (GoogleMaps)



Figure 2. Project site from north; Flex-n-Gate in background.



DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

Planning Division

m e m o r a n d u m

TO: Mayor Diane Wolfe Marlin and City Council Members

FROM: Sheila Dodd, Interim Community Development Services Director
Marcus Ricci, AICP, Planner II

DATE: January 12, 2023

SUBJECT: **AN ORDINANCE APPROVING A SPECIAL USE PERMIT** (Solar Farm at 1210 E. University Ave. / Plan Case 2465-SU-22)

Introduction

Scott Tess, on behalf of the City of Urbana, requests a special use permit to allow TotalEnergies Renewable USA (TotalEnergies) to install, operate, and maintain a 15-acre Solar Farm. The City of Urbana owns the closed landfill at 901 North Smith Road, which extends westward to the proposed site, generally located at 1210 East University Avenue. The City and TotalEnergies have entered into an agreement giving the company the option to lease all or part of the property to install, operate, and maintain a ground-mounted solar energy system at this site. According to Table V-1, Table of Uses, a Solar Farm is permitted with a special use permit in the AG – Agriculture and the CRE – Conservation-Recreation-Education zoning districts, which make up the site.

At its January 5, 2023, meeting, the Plan Commission held a public hearing on this case. No members of the public spoke regarding the case. **The Plan Commission voted unanimously, with four ayes and zero nays, to recommend that City Council approve the special use permit with one condition.** Staff request that this case be placed on the City Council Consent Agenda.

Background

Description of the Site and Surrounding Properties

The project site is located between East Perkins Road and Butzow Drive, west of Interstate 74 and east of the Landfill Recycling Center access drive. It is on a portion of the closed municipal landfill complex, which operated from the 1920's until it was closed in 1988 (Exhibit A). Table 1 on the following page identifies the current zoning, existing land uses, and Comprehensive Plan future land use designations of the site and surrounding properties (Exhibits A, B, and C).

Proposed Use

The proposed solar farm is the second phase of the development of solar energy systems at the closed City landfill. According to Scott Tess, Urbana's Sustainability and Resiliency Officer, the City solicits vendors to develop solar arrays on the closed landfill to help replace fossil fuels with clean, renewable energy. The State of Illinois has ambitious goals to expand renewable energy production, and closed

landfills are ideal locations for such developments since they have few other uses. TotalEnergies would design, install, operate, and maintain the solar farm, and put the electricity produced directly onto the electrical grid to be sold to the commercial electricity market. In 2018, Council approved a special use permit allowing the construction and operation of a 20-acre solar farm approximately 500 feet east of the proposed project site (see Figure 1).¹ Construction of that solar farm is complete and it is fully operational.

Table 1. Zoning, Current Land Use, and Future Land Use Designation

	Zoning	Existing Land Use	Future Land Use
Site	AG, Agriculture (south) & CRE, Conservation-Recreation-Education (north)	Closed landfill	Heavy Industrial
North	AG, Agriculture; CRE, Conservation-Recreation-Education	Perkins Road Park; Judge Webber Park	Park; Heavy Industrial
East	AG, Agriculture	Landscape Recycling Center; solar farm	Heavy Industrial
South	IN-1, Industrial; IN-2, Heavy Industrial; B-3, General Business; County R-4, Multiple Family Residence	Guardian West/Flex-n-Gate manufacturing; undeveloped land	Heavy Industrial
West	AG, Agriculture	Municipal police firing range and fire services training range; undeveloped land	Heavy Industrial; then Institutional

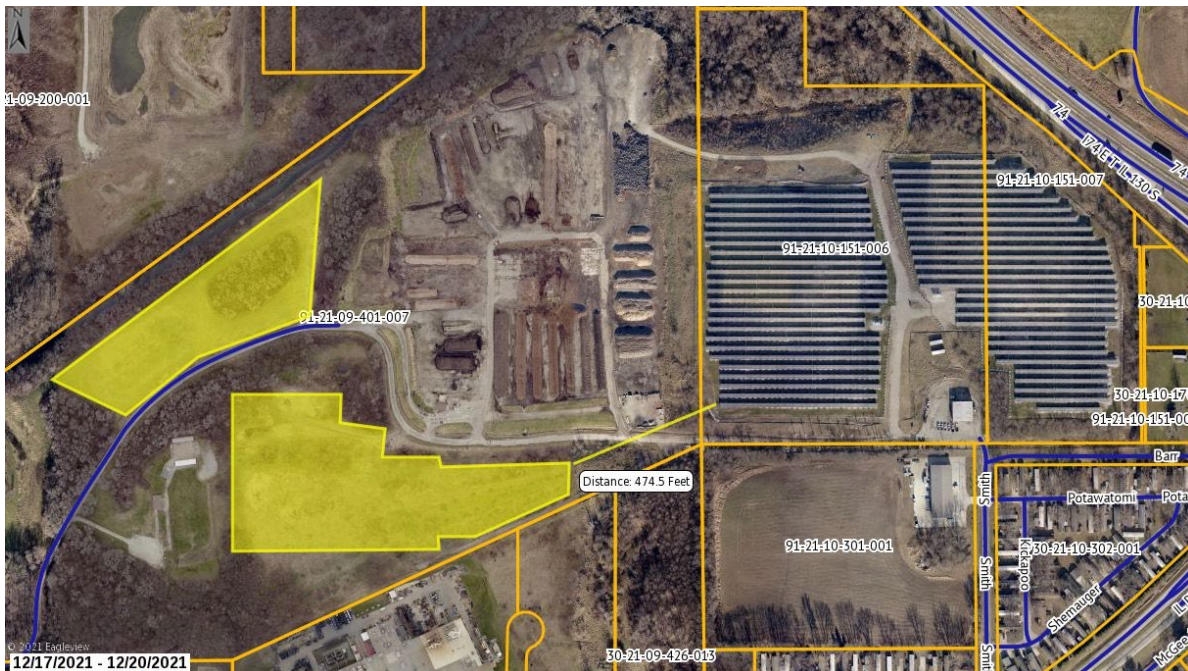


Figure 1. Proposed and Existing Solar Farms

¹ Ordinance No. 2019-01-008, Plan Case 2365-SU-18

The current special use permit request is for 15 acres. This area includes the total project site which includes two solar arrays designed to produce a total of approximately 4.3 MW DC (megawatts direct current) of electricity (Exhibit D – Site Plan):

- north array of 4.6 acres, 1.4 MW DC production, located north of the landfill access drive, with one inverter and transformers, and approximately 2,500 solar panels in nine-foot-tall strings
- south array of 10 acres, 2.9 MW DC production, located south of the landfill access drive, with one inverter and transformers and 5,048 solar panels in nine-foot-tall strings
- seven-foot-tall perimeter chain-link fence around each array, with access gates around the panels and inverter cabinets
- access the two arrays from the LRC private access drive

The City passed a Solar Energy Text Amendment to the Urbana Zoning Ordinance on May 23, 2022, with the stated purpose to “encourage the use and development of solar energy systems as a clean, renewable energy source and to help promote local, clean jobs.” The Ordinance requires the following:²

- inverters shall be at least 150 feet from all property lines,
- compliance with State and local regulations including the Urbana Code of Ordinances,
- compliance with setback and height requirements of its zoning district.

Screening would not be required, as the proposed solar farm is more than 500 feet from the nearest residential use. Glare from the panels should be minimal, as the pebbled surface of the solar panels is designed to absorb light, not reflect it. In addition, it should not pose any aviation threat, as the project site is at least 500 feet from any public or private airport or restricted landing area. Staff recommend that the north array be at least 80 feet from the centerline of the Saline Branch Drainage Ditch, in accordance with an unrecorded 160-foot maintenance easement held by the Saline Drainage District. There will be no impacts to farmland, and the ballast-mounting installation for the panels will allow the site to be decommissioned and returned to its current condition with minimal permanent damage.

Construction and operation of the site would be regulated by existing relevant City and State codes. Operational noise, including that from the inverters and transformers, would be regulated by Chapter 16 “Noise and Vibrations” of the City’s Code of Ordinances, which requires that “mechanical stationary noise” be no louder than 55 dB during 10 p.m. – 7 a.m. and no louder than 60 dB during 7 a.m. – 10 p.m.. The proposed inverters are specified to operate at a peak of 69 decibels (dB) (Exhibit D – Specifications). They will be located at least 150 feet from property lines, allowing noise to dissipate to below the threshold level. Vegetation will be regulated by Chapter 25 “Vegetation” of the City’s Code, which addresses nuisance vegetation and maximum height.

Discussion

Requirements for a Special Use Permit

According to Section VII-4.A of the Urbana Zoning Ordinance, an application for a special use permit shall demonstrate the following:

² Ordinance No. 2022-05-018, Plan Case 2425-T-21

1. *That the proposed use is conducive to the public convenience at that location.*

Similar to the nearby 20-acre solar farm, the proposed solar farm is conducive to the public convenience at the proposed location in three ways:

- The proposed system would redevelop 15 acres of a closed municipal landfill that would otherwise have very little opportunity for reuse. It would not consume any current or potential farmland or commercially-viable property.
- The proposed project would be self-contained on the site: construction would have a short-term impact on neighboring properties as materials are delivered to the site; operation should not affect neighboring properties.
- The project site's proximity to the interstate would allow easy access for construction materials and labor, and for maintenance.

2. *That the proposed use is designed, located, and proposed to be operated so that it will not be unreasonably injurious or detrimental to the district in which it shall be located, or otherwise injurious to the public welfare.*

The proposed solar farm would be designed, constructed, operated and maintained similarly to the nearby solar farm, and include characteristics to minimize unreasonably injurious or detrimental impacts to the public:

- A seven-foot-tall, galvanized chain link gated fence around the array perimeter would prevent unauthorized access to the Solar Farm.
- The selected inverters generate noise levels below 69 decibels and will be located at least 150 feet from all property lines. Existing trees and vegetation along much of the project perimeter would further mitigate noise.
- No occupied structures or buildings are proposed.
- Access roads are designed to minimize use of external roads for internal circulation.
- No new lighting is expected to be installed, to avoid light pollution.
- Tenant will exercise reasonable diligence to not unreasonably block or hamper traffic.
- Scheduled site work is only expected to occur during 7:00 a.m. – 5:00 p.m.
- Very few consumables are used during operations, and very little waste is generated.

3. *That the proposed use conforms to the applicable regulations and standards of, and preserves the essential character of, the district in which it shall be located, except where such regulations and standards are modified by Section VII-7.*

The proposed solar farm would conform to the applicable regulations and standards of the AG and CRE districts and would not be out of character with the AG and CRE districts, especially given the proximity of the nearby 20-acre solar farm. As the proposed use will not require extension or expansion of any City infrastructure, installation and operation should have minimal impact on the natural and built environments, and the project site should be able to be restored to its current condition with minimal permanent damage.

Overview

The redevelopment of the subject property with the proposed solar farm would be beneficial to the City and meet the criteria for special use permit approval. It would be an infill redevelopment of the closed City of Urbana Landfill: a much higher and better use of the subject property than its current use as vacant land with few potential opportunities for reuse. In addition to providing a source of

revenue for the City, the proposed solar farm would bring the City another step closer to implementing its Climate Action Plan, which includes Goal 3: Increase Renewable Energy Purchasing and Installation, by generating electricity without generating carbon. The proposed solar farm would be compatible with the surrounding complex of natural areas, agricultural production, municipal operations, and renewable energy generation. The required buffers and existing landscaping would mitigate noise and visual impacts to nearby uses. Overall, the proposed solar farm would be a benefit to the community if it were granted a special use permit.

In addition to the requirements in Section VII-4.A. of the Zoning Ordinance, the Plan Commission shall make a recommendation to the City Council for or against the proposed special uses, and may also recommend such additional conditions and requirements on the operation of the proposed uses as are appropriate or necessary for the public health, safety, and welfare, and to carry out the purposes of this Ordinance, including but not limited to conditions that:

1. Regulate the location, extent, and intensity of such uses;
2. Require adherence to an approved site plan;
3. Require landscaping and the screening of such use by means of fences, walls, or vegetation;
4. Stipulate a required minimum lot size, minimum yards, and maximum height of buildings and structures;
5. Regulate vehicular access and volume, and the design and location of parking and loading areas and structures;
6. Require conformance to health, safety, and sanitation requirements as necessary;
7. Regulate signs and outdoor lighting; and
8. Any other conditions deemed necessary to affect the purposes of the Zoning Ordinance.

Public Input

As required by the Zoning Ordinance, staff published Legal Notice in *The News-Gazette* 15 days prior to the Plan Commission meeting, to notify the public of the request and public hearing. Staff also sent letters to 18 neighboring property owners notifying them of the request, and posted two public hearing signs on the property. Staff received no inquiries regarding the requested permit.

Plan Commission

The Urbana Plan Commission discussed the proposed special use permit at its January 5, 2023, meeting (Exhibit F – Plan Commission Meeting Minutes – DRAFT). Discussion focused on the extent of floodplain on the property and the recommended condition to the permit. The commission voted unanimously, with four ayes and zero nays, to recommend that City Council approve the proposed special use permit.

Summary of Findings

1. The City of Urbana has requested a special use permit to allow a Solar Farm on the property near 1210 East University Avenue.
2. The proposal calls for an approximately 15-acre renewable energy system to generate electricity via a system of solar photovoltaic panels, inverters, and transformers. A Solar Farm is permitted in the AG, Agriculture and CRE, Conservation-Recreation-Education zoning district with a Special Use Permit.
3. The proposed use is conducive to the public convenience at that location, because it would

redevelop the closed municipal landfill – a site with few other redevelopment opportunities – while creating very little impact on transportation and other infrastructure.

4. The proposed use would be designed, located, and operated so that it will not be unreasonably injurious or detrimental to the districts in which it shall be located, or otherwise injurious to the public welfare, because road access will be maintained, little waste will be generated, vegetation and noise management will comply with City regulations, site security will be implemented, and no structures other than the solar arrays, inverters, and associated peripherals will be built.
5. The character of the district would be preserved with the proposed use because installation and operation of the proposed solar farm – similar in scope and scale to the nearby solar farm – would have minimal impact on the natural and built environments, and the project site should be able to be restored to its current condition with minimal permanent damage.
6. At the January 5, 2023, meeting, the Urbana Plan Commission held a public hearing and voted unanimously, with four ayes and zero nays, to forward the case to the City Council with a recommendation to approve the special use permit with one condition.

Options

City Council has the following options in **Plan Case No. 2465-SU-22**:

1. **Approve** the special use permit based on the findings in this memo; or
2. **Approve** the special use permit with certain terms and conditions, and if so, articulate all terms and conditions, and findings; or
3. **Deny** the special use permit, and if so, articulate findings supporting the denial.

Recommendation

At its January 5, 2023, meeting, the Urbana Plan Commission voted four ayes to zero nays to forward this case to Urbana City Council with a recommendation to APPROVE the request, with one condition. City staff likewise recommends approval with the following condition:

- The proposed construction and use must generally conform to the site plan submitted in this application as shown in Exhibit D: Application – Site Plan, including a minimum 80-foot buffer to the centerline of the Saline Branch Drainage Ditch, except where modified to meet City regulation.

Attachments: Exhibit A: Location & Land Use Map
 Exhibit B: Zoning Map
 Exhibit C: Future Land Use Map
 Exhibit D: SUP Application with Site Plan
 Exhibit E: Site Photos & Satellite Renderings
 Exhibit F: Plan Commission Meeting Minutes – DRAFT (dated January 5, 2023)

CC: Scott Tess, City of Urbana, Applicant
 Chad Tady, TotalEnergies Renewable USA, Developer

Recording Cover Sheet

**AN ORDINANCE APPROVING A SPECIAL USE
PERMIT
(Solar Farm at 1210 E. University Ave./ Plan Case 2465-
SU-22 - City of Urbana)
[Ordinance No. 2023-01-003]**

2023R01995
REC ON: 02/21/2023 09:01:01 AM
CHAMPAIGN COUNTY
AARON AMMONS
REC FEE: 51.00
RHSPS FEE:
STATE TAX:
COUNTY TAX:
PLAT ACT:
PAGES: 7

Prepared for recording by:

Phyllis D. Clark, City Clerk

400 S. Vine St., Urbana, IL 61801

Return to:

Phyllis D. Clark, City Clerk
City of Urbana
400 S. Vine Street
Urbana, IL 61801

ORDINANCE NO. 2023-01-003

AN ORDINANCE APPROVING A SPECIAL USE PERMIT

(Solar Farm at 1210 E. University Ave. / Plan Case 2465-SU-22 – City of Urbana)

WHEREAS, the City of Urbana (“City”) is a home rule unit of local government pursuant to Article VII, Section 6, of the Illinois Constitution, 1970, and may exercise any power and perform any function pertaining to its government and affairs, and the passage of this Ordinance constitutes an exercise of the City’s home rule powers and functions as granted in the Illinois Constitution, 1970; and

WHEREAS, the City of Urbana has petitioned the City for approval of a Special Use Permit to allow TotalEnergies Renewable USA to construct, operate, and maintain a Solar Energy System in the AG, Agriculture and CRE, Conservation-Recreation-Education Zoning Districts, which is permitted in said districts with a Special Use Permit; and

WHEREAS, the proposed use is conducive to the public convenience at this location because it would redevelop the closed municipal landfill while creating very little impact on transportation and other infrastructure; and

WHEREAS, the proposed use is designed, located, and proposed to be operated so that it will not be unreasonably injurious or detrimental to the district in which it shall be located, or otherwise injurious to the public welfare; and

WHEREAS, the proposed development is consistent with the development regulations for properties in the AG, Agriculture, and CRE, Conservation-Recreation-Education, Zoning Districts and preserves the essential character of the districts, in which it shall be located; and

WHEREAS, after due publication, the Urbana Plan Commission held a public hearing on January 5, 2023, and voted with four (4) ayes and zero (0) nays to forward Plan Case 2465-SU-22 to the Urbana City Council with a recommendation to approve the request for a special use permit, subject to the condition specified in Section 1 herein; and

WHEREAS, approval of the special use permit, with the condition set forth below, is consistent with the requirements of Section VII-4 of the Urbana Zoning Ordinance, Special Use Procedures, and with the general intent of that section of the ordinance; and

WHEREAS, the City Council, after due consideration, finds that approving a special use permit as herein provided is in the best interests of the residents of the City and is desirable for the welfare of the City's government and affairs.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Urbana, Illinois, as follows:

Section 1.

An Ordinance is hereby enacted and a special use permit is hereby approved to allow construction and operation of a Solar Farm in the AG, Agriculture, and CRE, Conservation-Recreation-Education, Zoning Districts with the following condition:

- Construction and use must generally conform to the attached site plan entitled "Urbana Phase 2 – RFQ #2122-11 City of Urbana Landfill PH2" dated 12/19/2022 (Attachment 1), including a minimum 80-foot buffer to the centerline of the Saline Branch Drainage Ditch, except where modified to meet City regulation.

Legal Description for the land commonly known as 1210 East University Avenue:

Part of the south half of the northeast quarter and part of the north half of the southeast quarter, Section 9, Township 19 North, Range 9 East, of the Third Principal Meridian, Champaign County, Illinois.

Part of P.I.N. 91-21-09-401-007

Commonly known as 810 East Perkins Road

Section 2.

Upon approval of this Ordinance, the City Clerk is directed to record a certified copy of this Ordinance with the Champaign County Office of Recorder of Deeds. The City Clerk is directed to publish this

Ordinance in pamphlet form by authority of the corporate authorities, and this Ordinance shall be in full force and effect from and after its passage and publication in accordance with Section 1-2-4 of the Illinois Municipal Code.

This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called, of a majority of the members of the Council of the City of Urbana, Illinois, at a meeting of said Council.

PASSED BY THE CITY COUNCIL this 23rd day of January, 2023.

AYES: Wu, Evans, Hursey, Kolisetty, Bishop, Wilken, Quisenberry

NAYS: None

ABSTENTIONS: None



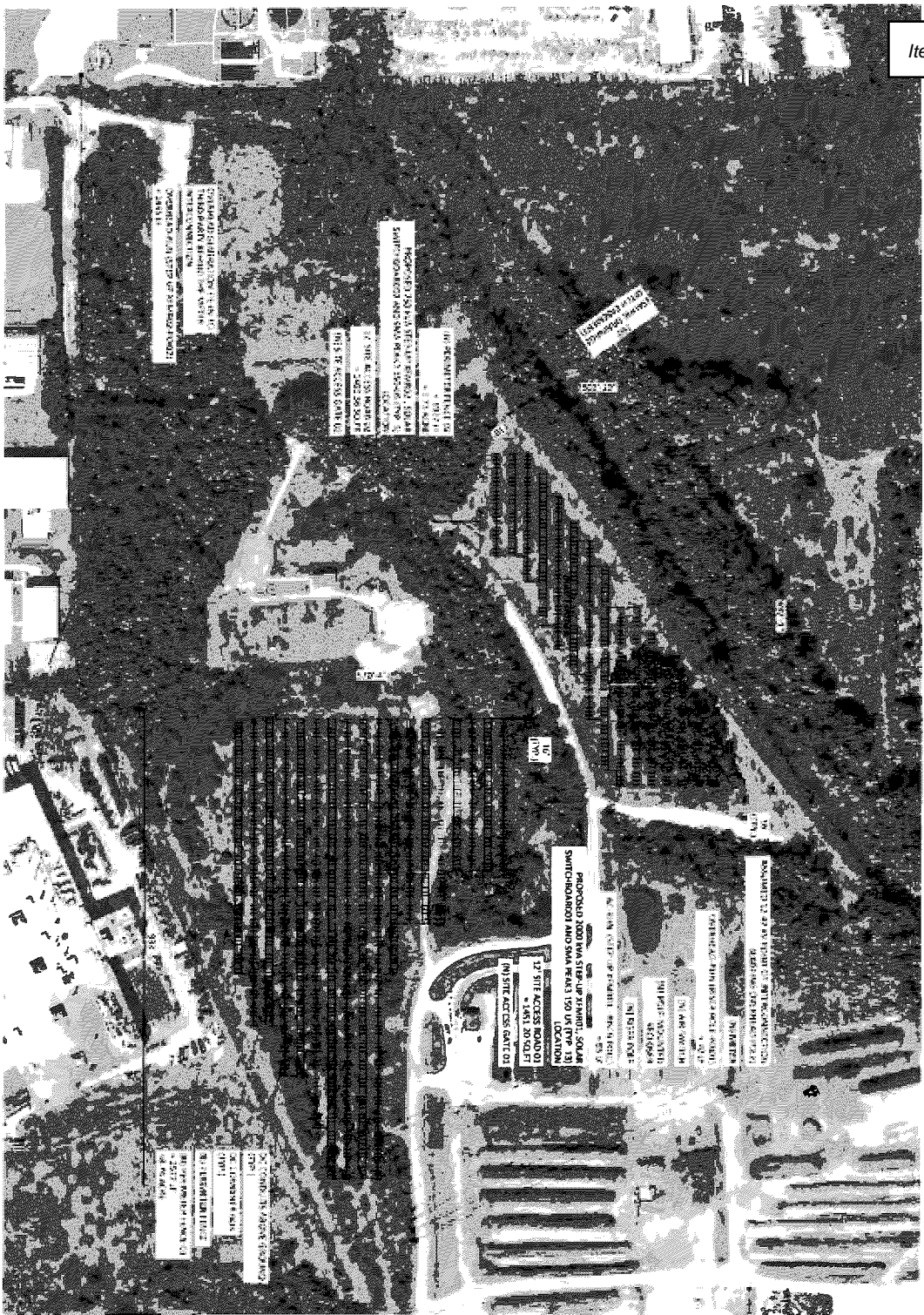
Phyllis D. Clark

Phyllis D. Clark, City Clerk

APPROVED BY THE MAYOR this 24th day of January, 2023.

Diane Wolfe Marlin

Diane Wolfe Marlin, Mayor



- NOTES:
1. 10% WINDSPEED 10M, 145% 1400' CIRCUMF. 1. LINDSOUND C
 2. SHOWN ON 20' PSE ELEVATION MAP
 3. ARRAY SHOWN ON AERIAL IMAGE
 4. BALUNTED FOUNDATIONS FOR PILING REQUIRED
 5. ALL PILING TO BE RECORDED PRIOR TO INSTALLATION
 6. MAXIMUM PANEL HEIGHT FROM GRADE: 8' 3"
 7. TOTAL W/O NEW UTILITY POLES: 4
 8. NEW UTILITY POLE-COMPLIC DISTANCE: 20 FT

NO.	SOLAR	INVERTER	SWITCHBOARD	ROW	ROW SPACING	ROW LENGTH	ROW WIDTH	ROW AREA	ROW PERIMETER	ROW VOLUME	ROW WEIGHT	ROW COST
1	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000
2	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000

ARRAY LAYOUT
SCALE: 1:2500 = 1"=25'

LEGEND:

- PROPOSED AC STATION
- PROPOSED POINT OF INTERCONNECTION
- AC CONDUITS (60' DIA)
- DC CONDUITS (60' DIA)
- POSTING OVERHEAD LINE
- NEW OVERHEAD LINE
- EXISTING UTILITY POLE
- NEW UTILITY POLE

SCHEMATIC DIAGRAM

REVISIONS

REV	DATE	DESCRIPTION
1	04/11/11	ISSUED FOR PERMIT
2	04/11/11	ISSUED FOR PERMIT
3	04/11/11	ISSUED FOR PERMIT
4	04/11/11	ISSUED FOR PERMIT

TIER 1

ALLI

CLERK'S CERTIFICATE

STATE OF ILLINOIS)
)
COUNTY OF CHAMPAIGN) SS

I, PHYLLIS D. CLARK, City Clerk of the City of Urbana, Illinois, and keeper of the records, files and seal of said City, do hereby certify that the foregoing is a true and exact copy of an ordinance entitled:

AN ORDINANCE APPROVING A SPECIAL USE PERMIT

(Solar Farm at 1210 E. University Ave./ Plan Case 2465-SU-22 - City of Urbana)

approved by the City Council of the City of Urbana, Illinois, on the 24th day of January, AD, 2023, as it appears in the records and files in my office remaining.

Given under my hand and seal of said City of Urbana, Illinois, this 17th day of February, AD, 2023.



Phyllis D. Clark
Phyllis D. Clark, City Clerk



CERTIFICATE OF PUBLICATION IN PAMPHLET FORM



I, Phyllis D. Clark, certify that I am the duly elected and acting Municipal Clerk of the City of Urbana, Champaign County, Illinois. I certify that on the 24th day of January 2023 the City Council of the City of Urbana passed and approved Ordinance No. 2023-01-003 entitled:

**AN ORDINANCE APPROVING A SPECIAL USE PERMIT
(Solar Farm at 1210 E. University Ave./ Plan Case 2465-SU-22 - City of Urbana)**

which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 2023-01-003 was prepared, and a copy of such Ordinance was posted in the Urbana City Building commencing on the 24th day of January 2023, and continuing for at least ten (10) days thereafter. Copies of such Ordinance were also available for public inspection upon request at the Office of the City Clerk.

Dated at Urbana, Illinois, this 24th day of January, 2023.



Phyllis D. Clark, City Clerk

[DRAFT] MINUTES OF A REGULAR MEETING**URBANA PLAN COMMISSION****DATE:** November 6, 2025**TIME:** 7:00 P.M.**PLACE:** Council Chambers, City Hall, 400 South Vine Street, Urbana, Illinois**MEMBERS ATTENDING:** Dustin Allred, Will Andresen, Andrew Fell, Bill Rose, Chenxi Yu**MEMBERS ABSENT:** Karen Simms**STAFF PRESENT:** Olivia Jovine, Director of Community Development Services; Teri Andel, Planning Administrative Assistant II**OTHERS PRESENT:** Chad Tady (via telephone)**A. CALL TO ORDER and ROLL CALL**

Chair Allred called the meeting to order at 7:00 p.m. Roll call was taken, and there was a quorum of the members present.

B. CHANGES TO THE AGENDA

There were none.

C. APPROVAL OF MINUTES OF PREVIOUS MEETING

The minutes of the October 16, 2025 regular meeting were presented to the Plan Commission. Mr. Rose moved that the Plan Commission approve the minutes as written. Mr. Fell seconded the motion. The motion was approved by unanimous voice vote.

D. COMMUNICATIONS

There were none.

E. CONTINUED PUBLIC HEARINGS

There were none.

F. OLD BUSINESS

There was none.

G. NEW PUBLIC HEARING

Plan Case No. 2513-SU-25 - A request by Scott Tess, on behalf of the City of Urbana, to allow a solar farm in the AG (Agriculture) and CRE (Conservation-Recreation-Education) Zoning Districts.

Chair Allred opened Plan Case No. 2513-SU-25. He reviewed the procedure for a public hearing. Olivia Jovine, Director of Community Development Services and Zoning Administrator, presented the case to the Plan Commission. She began by stating the reason for the proposed special use permit request. She noted the location and zoning of the proposed site. She briefly talked about the special use permit that was approved in 2018 allowing the construction and operation of a 20-acre solar farm approximately 500 feet away. She stated that the special use permit expired after one year since construction had not begun. She presented City staff's recommendation for approval with the following condition: *The proposed construction and use must generally conform to the site plan submitted in the application as shown in Exhibit D: Application – Site Plan, including a minimum of 80-foot buffer to the centerline of the Saline Branch Drainage Ditch, except where modified to meet City regulation.*

Chair Allred asked the Plan Commission members if they had any questions for City staff.

Mr. Rose asked for someone to point out the Saline Branch Drainage Ditch on one of the maps in the staff report. Chair Allred stated that it is just below the yellow line to the northwest of the proposed solar array on the Site Plan.

Mr. Fell asked if the Site Plan showed other infrastructure, existing solar arrays or buildings, access road, etc. or will there be additional impact. Chad Tady, of Total Energies, stated that the scope of the new solar project would be entirely within the yellow area. The only new addition would be the Ameren line along the service road that is just to the north of the yellow southern area. So, there would be no new impacts or new additions outside of the existing footprint. He noted that there will be some improvement where they will be resurfacing the service road as a part of the post installation work for the City.

With there being no further questions for City staff, Chair Allred opened the hearing for public input. There was none. So, Chair Allred closed the public input portion of the hearing. He opened the hearing for Plan Commission discussion and/or motion(s).

Mr. Rose complimented the quality and completeness of the material provided to the Plan Commission for their review.

Mr. Fell said that his understanding is that they are not doing anything new from what was approved before. They just did not install the solar arrays in time, and are here to get approval again.

Mr. Rose moved that the Plan Commission forward Plan Case No. 2513-SU-25 to the City Council with a recommendation for approval with the following condition: *The proposed construction and use must generally conform to the site plan submitted in the application as shown in Exhibit D: Application – Site Plan, including a minimum of 80-foot buffer to the centerline of the Saline Branch Drainage Ditch, except where modified to meet City regulation.* Mr. Andresen seconded the motion.

Chair Allred reiterated that they are not approving anything new. It is the same application that was previously approved.

Roll call on the motion was as follows:

Mr. Andresen	-	Yes	Mr. Fell	-	Yes
Mr. Rose	-	Yes	Ms. Yu	-	Yes
Mr. Allred	-	Yes			

The motion passed by unanimous vote.

Ms. Jovine noted that Plan Case No. 2513-SU-25 would be forwarded to Committee of the Whole on Monday, November 17, 2025.

H. NEW BUSINESS

There was none.

I. AUDIENCE PARTICIPATION

There was none.

J. STAFF REPORT

Ms. Jovine reported on the following:

- Staffing – She stated that they have a conditional offer out for the Planner II position. The candidate would be coming from out-of-state so there may be some time between accepting the offer and when that candidate would start.
- Consultant Planner, Dr. Adebayo “Bayo” Adanri, has been contracted to work on site for about 12 days starting last week through early January 2026.
- Planner I position is still open, and staff will be doing more interviews hopefully next week.
- Previous three cases were forwarded by the Committee of the Whole to the regular agenda for the upcoming City Council meeting. Regarding the Preliminary Planned Unit Development on Windsor Road, the Committee of the Whole has requested additional information on the dry basin and has recommended that the roads be private.

K. STUDY SESSION

There was none.

L. ADJOURNMENT

The meeting was adjourned at 7:18 pm.

Respectfully submitted,

Olivia M. Jovine

Olivia Jovine, Interim Secretary
Urbana Plan Commission



City of Urbana
400 S. Vine Street, Urbana, IL 61801
www.urbanaininois.us

MEMORANDUM TO THE MAYOR AND CITY COUNCIL

Meeting: November 17, 2025, Committee of the Whole

Subject: An Ordinance Revising the Annual Budget Ordinance (Budget Amendment #3 – Omnibus)

Summary

Action Requested

Forward the budget amendment authorizing these adjustments for approval at the November 24, 2025, City Council meeting. This budget amendment requires six affirmative votes, including the Mayor, in order to pass.

Brief Background

This ordinance seeks City Council approval to amend the FY2026 Annual Budget. The proposed adjustments include grant-related items, a rebudget of prior-year funds, office remodeling expenses, updates to several Capital Improvement Plan (CIP) projects, and an adjustment to the Vehicle and Equipment Replacement Fund (VERF).

Relationship to City Services and Priorities

Impact on Core Services

The requested items are intended to enable City staff to better serve Urbana residents.

Strategic Goals & Plans

The proposed changes align with the Mayor and Council 2024-2025 Goals, specifically **Strategic Area #3: Infrastructure**.

Previous Council Actions

The City Council approved [FY2026 Annual Budget](#) on June 25, 2025, [Budget Amendment #1](#) on August 25, 2025 and [Budget Amendment #2](#) on October 27, 2025.

Discussion

Additional Background Information

General Fund (100): Each item is described below.

- **Financial Literacy Grant:** On October 27, 2025, City Council accepted \$5,000 from the African American Mayors Association to fund an online financial literacy program ([Resolution 2025-10-087R](#)). This amendment recognizes the grant in the budget.

- **Police Grant:** On September 29, 2025, City Council accepted a reimbursement grant from the Illinois Law Enforcement Training and Standards Board ([Resolution 2025-09-075R](#)). Because the grant reimburses prior purchases, this amendment adds \$165,818 in revenue with no new expenditures, increasing the General Fund balance.
- **Fire Grant:** On October 20, 2025, City Council accepted the 2024 Assistance to Firefighters Grant ([Resolution 2025-10-079R](#)) to support public and firefighter safety. This amendment budgets \$67,815 in the Fire Department along with the associated expenditures.
- **Sister City Program:** \$13,123 from FY2025 is rebudgeted to FY2026 to align funding with program expenses occurring this fiscal year.
- **Financial Services Office Remodel:** Following basement flooding, facilities staff recommended replacing dated furniture in this office, since the old furniture had already been removed to allow installation of new flooring. The estimated cost is \$30,000. Funding will come from salary savings due to current vacancies and be transferred to the Capital Improvement & Replacement Fund (200) to complete the work.

Local Motor and Fuel Tax Fund (202): This amendment increases the budget by \$31,150 to cover FY2026 spending to date and higher costs under the on-call electrical repairs contract. Funding comes from unspent balances in completed projects. There is no net increase to the budget for this fund.

Vehicle & Equipment Replacement Fund (300): Historically, vehicle purchases and upfitting (i.e., customizing the vehicle with lightbars, sirens, communications equipment, etc.) were budgeted separately, causing timing mismatches across fiscal years. This amendment reallocates dollars from the general upfitting account to specific vehicles so each new squad has adequate funding for installation. \$16,285 will be added to each squad car.

Community Development Grants Fund (331): Future CDBG allocations for infrastructure are expected to decline from \$275,000 to \$100,000 annually, below current CIP assumptions. This amendment moves CDBG funds from streetlights to sidewalks and shifts a smaller amount of Local MFT funds from sidewalks to streetlights to partially offset the change. In the FY2027 CIP update, staff will propose dedicating all CDBG infrastructure funds to sidewalks and removing CDBG for streetlights.

Fiscal and Budget Impact

The City has completed the FY2025 audit and all necessary year-end entries. Fund balances for each fund have been updated to reflect actual expenditures rather than estimates. The estimated unassigned ending fund balance in the General Operating Fund is \$15,578,984, representing 32.61% of recurring expenditures, which is above the City's policy minimum by \$3,634,782. This amount excludes \$5,473,000 reserved for at-risk federal grant programs and the second and third years of the Community Engagement Team pilot program.

Recommendation

Forward the budget amendment authorizing these adjustments to the FY2026 budget with a recommendation for approval at the November 24, 2025, City Council meeting.

Next Steps

If the proposed adjustments mentioned above are approved, the revisions detailed in the exhibit will be incorporated into the FY2026 Annual Budget.

Attachments

1. An Ordinance Revising the Annual Budget Ordinance

Originated: Don Ho, Senior Financial Analyst / Budget Coordinator

Reviewed: Elizabeth Hannan, HR & Finance Director / CFO

Approved: Darius White, City Administrator

ORDINANCE NO. _____

AN ORDINANCE REVISING THE ANNUAL BUDGET ORDINANCE

(Budget Amendment #3 – Omnibus)

WHEREAS, the City of Urbana (“City”) is a home rule unit of local government pursuant to Article VII, Section 6, of the Illinois Constitution of 1970, and may exercise any power and perform any function pertaining to its governmental business and affairs, and the passage of this Ordinance constitutes an exercise of the City’s home rule powers and functions as granted by the Illinois Constitution of 1970; and

WHEREAS, the corporate authorities of the City heretofore did approve the annual budget ordinance of and for the City of Urbana for the fiscal year beginning July 1, 2025 and ending June 30, 2026; and

WHEREAS, the said corporate authorities find that revising the annual budget ordinance by deleting, adding to, changing, or creating sub-classes within object classes and object classes themselves is in the best interests of the residents of the City and is desirable for the welfare of the City’s government and affairs; and

WHEREAS, funds are available to effectuate the purpose of such revision; and

WHEREAS, the Budget Director may not make such revision under the authority so delegated to the Budget Director pursuant to 65 ILCS 5/8-2-9.6 or Urbana City Code Section 2-133.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL AND THE MAYOR, BEING THE CORPORATE AUTHORITIES OF THE CITY OF URBANA, ILLINOIS, as follows:

Section 1.

The annual budget ordinance shall be and the same is hereby revised as set forth in the exhibit appended hereto and made a part hereof as if fully set forth herein.

Section 2.

This Ordinance shall be in full force and effect from and after its passage and publication in accordance with Section 1-2-4 of the Illinois Municipal Code (65 ILCS 5/1-2-4).

This Ordinance is hereby passed by the affirmative vote, the “ayes” and “nays” being called, of two-thirds of the corporate authorities then holding office (6 of 8 votes) of the City of Urbana, Illinois, at a duly noticed and convened meeting of the said corporate authorities.

PASSED BY THE CORPORATE AUTHORITIES this __ Day of _____, 20__.

AYES: _____

NAYS: _____

ABSTENTIONS: _____

Darcy E. Sandefur, City Clerk

APPROVED BY THE MAYOR this __ Day of _____, 20__.

DeShawn B. Williams, Mayor

Budget Amendment 2025/26 - 03 - Exhibit A

General Ledger Code	Project String	Description	Current Budget	Revised Budget	Difference	Reason
GENERAL OPERATING FUND (100)						
<u>Revenues</u>						
100-41320		GENERAL FUND: FEDERAL GRANTS - PUBLIC SAFETY	16,030	83,844	67,814	FEMA ASSISTANCE TO FIREFIGHTERS GRANT
100-41360		GENERAL FUND: OTHER FEDERAL GRANTS	-	5,000	5,000	AAMA GRANT
100-46210		GENERAL FUND: DEPARTMENT REIMBURSEMENTS	157,708	323,526	165,818	ILETSB GRANT - REIMBURSEMENT
Total Revenues			49,983,292	50,221,924	238,632	
<u>Expenditures</u>						
10010101-51100		MAYOR'S OFFICE/CITY ADMINSTRTR: OFFICE SUPPLIES	5,600	10,600	5,000	AAMA GRANT
10015152-50110		FINANCIAL SERVICES: SALARY - REGULAR EMPLOYEES	430,847	400,847	(30,000)	FIN SERVICES OFFICE REMODEL
10030300-51900		FIRE OPERATIONS: OTHER SUPPLIES	64,858	132,672	67,814	FEMA ASSISTANCE TO FIREFIGHTERS GRANT
10060109-52999		SISTER CITY: OTHER CONTRACTUAL SERVICES	-	13,123	13,123	REBUDGET - SISTER CITY
10060610-59200		GF NON: TFR TO CA REPL & IMPR FUND	5,442,981	5,472,981	30,000	FIN SERVICES OFFICE REMODEL
Total Expenditures			57,010,447	57,096,384	85,937	
Ending Fund Balance (estimated)			20,886,165	21,051,984	165,818	
CAPITAL IMPROVEMENT & REPLACEMENT FUND (200)						
<u>Revenues</u>						
200-49100		CAPITAL REPLACMT & IMPROV FUND: TFR FROM GENERAL FUND	5,442,981	5,472,981	30,000	FIN SERVICES OFFICE REMODEL
Total Revenues			6,295,181	6,325,181	30,000	
<u>Expenditures</u>						
20040470-52204-40800	40800-CONST-REHAB-ACCFURN	CIP FUND CAPITAL PROJECTS: BUILDING - CITY FACILITY IMPROVEMENT	1,004,439	1,034,439	30,000	FIN SERVICES OFFICE REMODEL
Total Expenditures			16,485,294	16,515,294	30,000	
Ending Fund Balance (estimated)			5,190,614	5,190,614	-	
LOCAL MOTOR FUEL TAX FUND (202)						
<u>Expenditures</u>						
20240470-52204-40608	40608-MISC-LMFT	LMFT CAPITAL PROJECTS: ELECTRICAL MISC REPAIRS	65,000	96,150	31,150	TRANSFER BETWEEN CIP PROJECTS
20240470-52102-40132	40132-PLANNING-LMFT	LMFT CAPITAL PROJECTS: WRIGHT ST: CHURCH TO COLUMBIA	150,000	135,500	(14,500)	TRANSFER BETWEEN CIP PROJECTS
20240470-53301-40113	40113-CONST-LMFT	LMFT CAPITAL PROJECTS: BIKE LANES & SIDEPATHS	22,423	20,823	(1,600)	TRANSFER BETWEEN CIP PROJECTS
20240470-53301-40160	40160-CONST-LMFT	LMFT CAPITAL PROJECTS: ANNUAL PAVEMENT MARKING PROGRAM	30,000	29,000	(1,000)	TRANSFER BETWEEN CIP PROJECTS
20240470-53301-40114	40114-CONST-LMFT	LMFT CAPITAL PROJECTS: OIL & CHIP, SEAL, PRESERVATION	925,000	910,950	(14,050)	TRANSFER BETWEEN CIP PROJECTS
20240470-52204-40101	40101-CONST-LMFT	LMFT CAPITAL PROJECTS: SIDEWALKS	150,000	125,000	(25,000)	TRANSFER BETWEEN CIP PROJECTS
20240470-52105-40606	40606-PLANNING-LMFT	LMFT CAPITAL PROJECTS: STREET LIGHTING	150,000	175,000	25,000	TRANSFER BETWEEN CIP PROJECTS
Total Expenditures			3,076,034	3,076,034	-	
Ending Fund Balance (estimated)			2,217,979	2,217,979	-	
VEHICLE & EQUIPM REPLCMNT FUND (300)						
<u>Expenditures</u>						
30060600-53420	VERF-PD-132	PD 60 - SQUADS	1,154,405	1,170,690	16,285	ADDED UPFITTING COSTS
30060600-53420	VERF-PD-133	PD 61 - SQUADS	1,170,690	1,186,975	16,285	ADDED UPFITTING COSTS
30060600-53420	VERF-PD-134	PD 62 - SQUADS	1,186,975	1,203,260	16,285	ADDED UPFITTING COSTS
30060600-53420	VERF-PD-135	PD 63 - SQUADS	1,203,260	1,219,545	16,285	ADDED UPFITTING COSTS
30060600-53420	VERF-PD-136	PD 64 - SQUADS	1,219,545	1,235,830	16,285	ADDED UPFITTING COSTS
30060600-53420	VERF-PD-137	PD 65 - SQUADS	1,235,830	1,252,115	16,285	ADDED UPFITTING COSTS
30060600-53420	VERF-PD-138	PD 66 - SQUADS	1,252,115	1,268,400	16,285	ADDED UPFITTING COSTS
30060600-53420	VERF-PD-139	PD 67 - SQUADS	1,268,400	1,284,685	16,285	ADDED UPFITTING COSTS
30060600-53420	VERF-PD-140	PD 68 - SQUADS	1,284,685	1,300,970	16,285	ADDED UPFITTING COSTS
30060600-53420	VERF-PD-141	PD 70 - SQUADS	1,300,970	1,317,255	16,285	ADDED UPFITTING COSTS
30060600-53420	VERF-PD-142	PD 71 - SQUADS	1,317,255	1,333,540	16,285	ADDED UPFITTING COSTS
30060600-53420	VERF-PD-143	PD 72 - SQUADS	1,333,540	1,349,825	16,285	ADDED UPFITTING COSTS
Total Expenditures			1,664,233	1,859,653	195,420	
Ending Fund Balance (estimated)			11,256,420	11,061,000	(195,420)	
COMMUNITY DEVELOPMENT GRANTS FUND (331)						
<u>Expenditures</u>						
33150531-53305-40174		CDBG STREET LIGHTING	125,000	-	(125,000)	TRANSFER BETWEEN CIP PROJECTS
33150531-53303-40170		CDBG SIDEWALKS	249,784	374,784	125,000	TRANSFER BETWEEN CIP PROJECTS
Total Expenditures			8,847,645	8,847,645	-	
Ending Fund Balance (estimated)			150,665	150,665	-	



City of Urbana
400 S. Vine Street, Urbana, IL 61801
www.urbanaininois.us

MEMORANDUM TO THE MAYOR AND CITY COUNCIL

Meeting: November 17, 2025, Committee of the Whole

Subject: An Ordinance Revising the Annual Budget Ordinance (Budget Amendment #4 – TIF 4 Ending)

Summary

Action Requested

Forward the budget amendment authorizing these adjustments for approval at the November 17, 2025, City Council meeting. This budget amendment requires six affirmative votes, including the Mayor, in order to pass.

Brief Background

This ordinance requests Council approval to amend the FY2026 Annual Budget to make the necessary adjustments in preparation for the closure of TIF 4. In summary the requested adjustments, are for the following: encumbering funds for infrastructure investments along Cunningham Avenue; encumbering funds for the purchase of property along Cunningham Avenue; and transferring the remaining funds from Tax Increment Finance District Four (“TIF 4”) to the Central Tax Increment Finance District (“Central TIF”).

Relationship to City Services and Priorities

Impact on Core Services

The requested items are intended to enable City staff to better serve Urbana residents. Despite the closing of TIF 4, by encumbering funds for infrastructure improvements along Cunningham Avenue, the city is investing in core services within the geography the TIF is intended to serve. Also, reallocating remaining funds to Central TIF is expected to strengthen core services in the City’s downtown, enhance infrastructure, and support redevelopment efforts—which will have uplifting economic effects across the City of Urbana.

Strategic Goals & Plans

This proposed budget amendment is aligned with several strategic goals and plans for the City. The Imagine Urbana Comprehensive Plan, which was adopted in July of 2025, describes a vision for enhanced economic vibrancy (Big Move 9). For Urbana to thrive in the future, its revenue must substantially surpass its current level of expenditures, to not only maintain existing essential services, but to allow new development. Leveraging the underutilized land along Cunningham Avenue, north of the interchange, presents a strategic opportunity to unlock new development potential for the City of Urbana. Redevelopment of this area could generate additional revenue through sources such as motor fuel tax and hotel tax. Currently, the property tax revenue from these parcels is based on a

farmland assessment, which does not reflect their highest and best use. Acquiring and repositioning these properties will enable the City to pursue more intensive and economically productive uses, thereby increasing property tax revenue and supporting long-term fiscal sustainability.

This proposed budget amendment is also aligned with the Mayor/Council Strategic Goals for 2024-2025, specifically Strategic Area #4: Economic Health. By porting remaining funds into Central TIF, the City has the opportunity to implement selected recommendations of Downtown Public Realm study and enhance the vibrancy of Downtown Urbana by working with private entities to increase murals, sculptures, and other physical art; as well as unlocking development potential.

Previous Council Actions

The City Council approved [FY2026 Annual Budget](#) on June 25, 2025, [Budget Amendment #1](#) on August 25, 2025 and [Budget Amendment #2](#) on October 27, 2025.

Discussion

Additional Background Information

Without an extension, TIF 4 is slated to expire on December 31, 2025. This is because the TIF has come to the end of its regularly legislated 23-year life span. In TIF 4 increases in revenues generated within the district boundaries above the frozen baseline (\$7.3M EAV) are used to pay for development costs, such as land acquisition, site development, public works improvements and debt service on bonds to fund improvements within the district. When TIF districts are allowed to expire, the district dissolves and the surplus of tax revenues collected on the district's increment growth above the base level of EAV is added to the EAV used to calculate future tax extensions for all overlapping tax districts.

When a TIF district expires, the City has a few options for handling its remaining funds. If there are existing contracts, those funds can be encumbered for use within the original TIF boundary. Any leftover funds not tied to obligations may be returned to the overlapping taxing bodies as surplus. And if the expiring TIF shares a boundary with another district—like the Central TIF—funds can be ported to that adjoining TIF.

When a city acquires land, it gains a powerful tool to shape its own future. Public ownership of strategic parcels allows the city to guide development. With land in hand, the city can issue a Request for Proposals (RFP) to attract developers who share its vision. This opens the door to competitive bidding, tailored incentives, and gives the City control to speed-up the development timeline for a property which has been languishing for decades. A great deal of work has been done by the City, RPC, and private consultants to analyze the value of the properties along Cunningham Avenue, north of the interchange—including the Champaign-Urbana Region Freight Plan (October 2019); and the Market Demand Study for a Proposed Hotel to be Located in Urbana, Illinois prepared by Patek Hospitality Consultant, Inc. (March 2022).

This budget amendment initiates the TIF 4 closeout. A subsequent amendment will be presented to the City Council in late December 2025 or early January 2026 to finalize the process.

Operations Impact

The amendment ensures funding for essential equipment and technology to support operations.

Fiscal and Budget Impact

This amendment has no impact on fund balance in the General Operating Fund. The estimated unassigned ending fund balance in the General Operating Fund is \$15,578,984, representing 32.61% of recurring expenditures, which is above the City's policy minimum by \$3,634,782. This amount excludes \$5,473,000 reserved for at-risk federal grant programs and for the second and third years of the Community Engagement Team pilot program.

Recommendation

Forward the budget amendment authorizing these adjustments to the FY2026 budget with a recommendation for approval at the November 24, 2025, City Council meeting.

Next Steps

If the proposed adjustments mentioned above are approved, the revisions detailed in the exhibit will be incorporated into the FY2026 Annual Budget.

On December 1, 2025, the City Council will consider an ordinance to formally close TIF4, in accordance with procedural requirements outlined in the Illinois Tax Increment Allocation Redevelopment Act. The Illinois TIF Act requires municipalities to adopt a closing ordinance, finalize financial reporting, and ensure that any remaining funds are properly encumbered or reallocated.

Attachments

1. An Ordinance Revising the Annual Budget Ordinance

Originated: Olivia Jovine, Community Development Services Director
Don Ho, Senior Financial Analyst / Budget Coordinator

Reviewed: Elizabeth Hannan, HR & Finance Director / CFO

Approved: Darius White, City Administrator

ORDINANCE NO. _____

AN ORDINANCE REVISING THE ANNUAL BUDGET ORDINANCE

(Budget Amendment #4 – TIF 4 Ending)

WHEREAS, the City of Urbana (“City”) is a home rule unit of local government pursuant to Article VII, Section 6, of the Illinois Constitution of 1970, and may exercise any power and perform any function pertaining to its governmental business and affairs, and the passage of this Ordinance constitutes an exercise of the City’s home rule powers and functions as granted by the Illinois Constitution of 1970; and

WHEREAS, the corporate authorities of the City heretofore did approve the annual budget ordinance of and for the City of Urbana for the fiscal year beginning July 1, 2025 and ending June 30, 2026; and

WHEREAS, the said corporate authorities find that revising the annual budget ordinance by deleting, adding to, changing, or creating sub-classes within object classes and object classes themselves is in the best interests of the residents of the City and is desirable for the welfare of the City’s government and affairs; and

WHEREAS, funds are available to effectuate the purpose of such revision; and

WHEREAS, the Budget Director may not make such revision under the authority so delegated to the Budget Director pursuant to 65 ILCS 5/8-2-9.6 or Urbana City Code Section 2-133.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL AND THE MAYOR, BEING THE CORPORATE AUTHORITIES OF THE CITY OF URBANA, ILLINOIS, as follows:

Section 1.

The annual budget ordinance shall be and the same is hereby revised as set forth in the exhibit appended hereto and made a part hereof as if fully set forth herein.

Section 2.

This Ordinance shall be in full force and effect from and after its passage and publication in accordance with Section 1-2-4 of the Illinois Municipal Code (65 ILCS 5/1-2-4).

This Ordinance is hereby passed by the affirmative vote, the “ayes” and “nays” being called, of two-thirds of the corporate authorities then holding office (6 of 8 votes) of the City of Urbana, Illinois, at a duly noticed and convened meeting of the said corporate authorities.

PASSED BY THE CORPORATE AUTHORITIES this __ Day of _____, 20__.

AYES: _____

NAYS: _____

ABSTENTIONS: _____

Darcy E. Sandefur, City Clerk

APPROVED BY THE MAYOR this __ Day of _____, 20__.

DeShawn B. Williams, Mayor

Budget Amendment 2025/26 - 04 - Exhibit A

General Ledger Code	Project String	Description	Current Budget	Revised Budget	Difference	Reason
TIF 4 FUND (343)						
<u>Revenues</u>						
343-40100		TIF 4: PROPERTY TAXES	1,000,000	1,161,501	161,501	TIF 4 CLOSEOUT
Total Revenues			1,100,000	1,261,501	161,501	
<u>Expenditures</u>						
34350501-52101		ECONOMIC DEVELOPMENT: LEGAL SERVICES	20,000	-	(20,000)	TIF 4 CLOSEOUT
34350501-52102		ECONOMIC DEVELOPMENT: TECHNOLOGY SERVICES	21,000	-	(21,000)	TIF 4 CLOSEOUT
34350501-52105-40172	40172-PLANNING-TIF4	ECONOMIC DEVELOPMENT: PLANNING SERVICES - COUNTRY CLUB & PERKINS	1,331,320	1,181,320	(150,000)	TIF 4 CLOSEOUT
34350501-52105-40177	40177-PLANNING	ECONOMIC DEVELOPMENT: PLANNING SERVICES - TIF 4 SIDEWALKS	585,456	549,173	(36,283)	TIF 4 CLOSEOUT
34350501-52105-40178	40178-PLANNING	ECONOMIC DEVELOPMENT: PLANNING SERVICES - TIF 4 STREET LIGHTING	814,916	713,471	(101,445)	TIF 4 CLOSEOUT
34350501-52310		ECONOMIC DEVELOPMENT: DUES AND MEMBERSHIPS	700	-	(700)	TIF 4 CLOSEOUT
34350501-52320		ECONOMIC DEVELOPMENT: TRAVEL, EDUCATION AND TRAINING	1,400	-	(1,400)	TIF 4 CLOSEOUT
34350501-52410		ECONOMIC DEVELOPMENT: DEVELOPMENT INCENTIVES	349,000	-	(349,000)	TIF 4 CLOSEOUT
34350501-52420		ECONOMIC DEVELOPMENT: ED CONTRIBUTION	25,000	25,000	-	TIF 4 CLOSEOUT
34350501-52500		ECONOMIC DEVELOPMENT: INTERGOVERNMENTAL AND AGENCY	445,000	-	(445,000)	TIF 4 CLOSEOUT
34350501-52909		ECONOMIC DEVELOPMENT: ADV/MKTING/PUBLIC EDUCATION	42,000	-	(42,000)	TIF 4 CLOSEOUT
34350501-52999		ECONOMIC DEVELOPMENT: OTHER CONTRACTUAL SERVICES	68,858	-	(68,858)	TIF 4 CLOSEOUT
34350501-53100		ECONOMIC DEVELOPMENT: LAND - PICKERILL ACQUISITON	-	965,000	965,000	TIF 4 CLOSEOUT
34350501-53305-40516	40516-PLANNING	ECONOMIC DEVELOPMENT: OTHER CONSTRUCTION - TIF 4 SEWER CLEAN	271,000	-	(271,000)	TIF 4 CLOSEOUT
34350501-59344		ECONOMIC DEVELOPMENT: TFR TO CENTRAL TIF	5,117,630	7,301,066	2,183,436	TIF 4 CLOSEOUT
Total Expenditures			9,093,280	10,735,030	1,641,750	
Ending Fund Balance (estimated)			1,480,249	-	(1,480,249)	
CENTRAL TIF FUND (344)						
<u>Revenues</u>						
344-49343		CENTRAL TIF: TFR FROM TIF 4	5,117,630	7,301,066	2,183,436	TIF 4 CLOSEOUT
Total Revenues			11,557,403	13,740,839	2,183,436	
<u>Expenditures</u>						
34450501-52101		ECONOMIC DEVELOPMENT: LEGAL SERVICES	20,000	40,000	20,000	TIF 4 CLOSEOUT
34450501-52102		ECONOMIC DEVELOPMENT: TECHNOLOGY SERVICES	-	21,000	21,000	TIF 4 CLOSEOUT
34450501-52310		ECONOMIC DEVELOPMENT: DUES AND MEMBERSHIPS	700	1,400	700	TIF 4 CLOSEOUT
34450501-52320		ECONOMIC DEVELOPMENT: TRAVEL, EDUCATION AND TRAINING	1,400	2,800	1,400	TIF 4 CLOSEOUT
34450501-52410		ECONOMIC DEVELOPMENT: DEVELOPMENT INCENTIVES	550,000	899,000	349,000	TIF 4 CLOSEOUT
34450501-52500		ECONOMIC DEVELOPMENT: INTERGOVERNMENTAL AND AGENCY	-	445,000	445,000	TIF 4 CLOSEOUT
34450501-52909		ECONOMIC DEVELOPMENT: ADV/MKTING/PUBLIC EDUCATION	85,000	127,000	42,000	TIF 4 CLOSEOUT
34450501-52999		ECONOMIC DEVELOPMENT: OTHER CONTRACTUAL SERVICES	465,446	534,304	68,858	TIF 4 CLOSEOUT
Total Expenditures			3,875,066	4,823,024	947,958	
Ending Fund Balance (estimated)			12,388,738	13,624,216	1,235,478	

MEMORANDUM TO THE URBANA, IL COMMITTEE OF THE WHOLE & CITY COUNCIL

Meeting: November 17, 2025 Committee of the Whole

Subject: Ordinance No. 2024-12-042: An Ordinance Establishing Approval, Policy, and Reporting Requirements for Surveillance Technology and databases

Sponsors: Council Members Grace Wilken & Jaya Kolisetty

Summary

Action requested

City Council is asked to approve the attached Ordinance, which requires and clarifies the process for procurement and use of policing technology and databases that can be used to monitor, track, and identify specific individuals or groups. This Ordinance codifies the public approval process for specific surveillance technologies or databases; it does not dictate the use of any given technology (that would be voted on by Council).

Overall, the Ordinance establishes the Council approval and public input process for new and existing policing technologies and databases. The attached definitions clarify the relevant types of technology and databases, the Use Report, Use Policy, and Policing Technology Annual Report.

Brief Background & Previous Action

City of Urbana adopted the Ten Shared Principles on June 22, 2020 in Resolution No. 2020-06-031R which states “We reject discrimination toward any person that is based on race, ethnicity, religion, color, nationality, immigrant status, sexual orientation, gender, disability, or familial status;” provides support to “build and rebuild trust through procedural justice, transparency, accountability, and honest recognition of past and present obstacles” and advocates for “the four pillars of procedural justice, which are fairness, voice (i.e., an opportunity for citizens and police to believe they are heard), transparency, and impartiality”

City of Urbana reaffirmed its commitment as a sanctuary city in Resolution No. 2016-12-070R, stating that “the City Council and the Mayor will join with councils and mayors from other communities around the country to stand with our immigrant residents and defend policies that welcome and protect immigrants...” and that “no city employee or official or department or agency of the City of Urbana shall request information about or otherwise investigate or assist in the investigation of the citizenship or immigration status of any person unless such inquiry or the investigation is required by a court order...”

The City of Urbana commissioned the completion of a review of UPD and UFD policies and staffing requirements by Berry Dunn consultants. The report on the first phase of the study included community stakeholder meetings, professional stakeholder meetings, community interest group and individual meetings, and an online survey, all of which included responses from community members showing “a desire for more active transparency” (page 58). The report noted transparency as one of the four pillars of procedural justice and is included in the six pillars of 21st Century Policing, and that not providing transparency through community input “can foster mistrust and damage relationships” (page 159).

In, September of 2021, the Urbana City Council was asked to approve a budget amendment, allowing the City to move funds in order to purchase automatic license plate readers. After much discussion and public input, including Town Hall Meetings, the budget amendment failed, with a 4 to 3 vote, in November of 2021. This instance highlighted the fact that there was no procurement policy for police surveillance technology.

During the budget discussions in June of 2023, Council Members Wilken and Evans proposed additional language to the budget ordinance that clarified the intended use of approved funds and required Council approval and due public process for the purchase of certain surveillance technologies. That proposed language failed, with a 5 to 2 vote. There was feedback from Council members on how to improve the language, and comments that they would entertain a discussion about surveillance policy in the future.

In response to the proposed budget language, on the June 26, 2023 City Council meeting, Mayor Marlin stated that, “The city of Urbana will not authorize or purchase Automated License Plate Reader (ALPR) technology, without explicit majority approval from the Urbana City Council. While the prior debate and vote on ALPRs centered on a budget amendment to purchase ALPRs, rather than a general policy statement, the council discussion and 4-3 vote defeating the amendment, made the position of the majority of council very clear.”

The attached Ordinance is a product inspired from years of discussion and thought in the Urbana community. The Ordinance is intended to simply codify the understanding by which the City has been operating for years, and define mechanisms public reporting. It has undergone some preliminary reviews, and continued feedback and collaboration is welcomed. It has been under review from the Committee of the Whole since December of 2024.

Financial Impact

There is no expected direct financial impact of this Ordinance.

Additional Information & Resources

Model Legislation from the Policing Project, New York University School of Law (this is similar to the originally proposed Ordinance):

<https://static1.squarespace.com/static/58a33e881b631bc60d4f8b31/t/5df2acb192c2512f27a73c12/1576185009882/ADAPT+Act.pdf>

General resources on legislation for policing technology from the Policing Project:

<https://www.policingproject.org/policing-technology-model-statutes-and-legislative-resources>

Ordinance on surveillance technology from Boston, MA (these definitions were used for the updated Ordinance):

<https://www.boston.gov/sites/default/files/file/2021/09/Docket%20%230397%20%282%29.pdf>

Boston Police Department 2023 Annual Surveillance Technology Report:

https://www.boston.gov/sites/default/files/file/2024/07/2023%20City%20of%20Boston%20Annual%20Surveillance%20Reports_0.pdf

Oakland, CA Ordinance to amend the City Code regarding police surveillance:

<https://cao-94612.s3.us-west-2.amazonaws.com/documents/OMC-9.64-January-2021-005.pdf>

Oakland, CA Privacy Commission – other resources and ordinances:

<https://www.oaklandca.gov/documents/privacy-advisory-board-ordinances-and-resolution>

ACLU Community Control Over Police Surveillance (this is the same group that created the guiding principles that were attached in the packet for the December 16, 2024 Committee of the Whole meeting):

<https://www.aclu.org/community-control-over-police-surveillance#:~:text=The%20proliferation%20in%20local%20police,color%20and%20low%20income%20communities.>

Research on data privacy and communities of color, from the Brookings Institution:

<https://www.brookings.edu/articles/police-surveillance-and-facial-recognition-why-data-privacy-is-an-imperative-for-communities-of-color/>

ACLU article on the use of ALPR data by ICE (US Immigration and Customs Enforcement) to target people who have immigrated to the US, including in Illinois and in “sanctuary cities”:

<https://www.aclu.org/news/immigrants-rights/documents-reveal-ice-using-driver-location-data>

Forbes article on lawsuits over license plate readers:

<https://www.forbes.com/sites/larsdaniel/2024/10/22/warrantless-surveillance-federal-lawsuit-challenges-flock-safety-cameras/>

ACLU model legislation: <https://www.aclu.org/documents/community-control-over-police-surveillance-model-bill>

Attachments

1. Ordinance No. 2024-12-042: An Ordinance Establishing Approval, Policy, and Reporting Requirements for Surveillance Technology and Databases (version 7)
2. Attachment A, Definitions (Ordinance No. 2024-12-042)

Examples of Covered/ included Surveillance Technology (not an exhaustive list)					
	Urbana, IL	Oak Park, IL	Boston, MA	Oakland, CA	Dayton, OH
Automatic license plate readers;		✓	✓	✓	✓
International mobile subscriber identity (IMSI) catchers and other cell-site simulators		✓ (Cell site simulators, stingrays)	✓	✓	✓
Biometric Surveillance Technology, including facial, voice, iris, and gait-recognition software and databases;		✓ (face & gait only)	✓	✓	✓ (face & gait only)
Social media monitoring software		✓	✓	✓	✓
Video and audio monitoring and/or recording technology, such as surveillance cameras		✓ (all cameras with remote access)	✓	✓ (all cameras with remote access)	✓ (all cameras with remote access)
Closed-circuit television cameras except as otherwise provided herein		✓ (all cameras with remote access)	✓	✓ (all cameras with remote access)	✓ (all cameras with remote access)
Gunshot detection and location hardware and services		✓	✓	✓	✓
Software designed to integrate or analyze data from surveillance technology, including surveillance target tracking and predictive policing software		✓	✓	✓ (similar)	✓
Thermal imaging or “forward-looking infrared” devices or cameras		✓ (thermal info in general definition)	✓	✓	✓ (thermal info in general definition)
Surveillance enabled or capable light bulbs or light fixtures		✓	✓		✓
Electronic database systems containing Surveillance Data about Identifiable Individuals			✓		
Tools, including software and hardware, used to gain unauthorized access to a mobile device, computer, computer service, or computer network			✓		
Electronic toll readers;			✓		
Mobile DNA capture technology			✓		
Through-the-wall radar or similar imaging technology			✓		
X-ray vans			✓		
Radio-frequency identification (RFID) scanners			✓		
Passive scanners of radio networks			✓		
Long-range Bluetooth and other wireless-scanning devices			✓		
				Body-worn cameras	
Drones? Il Freedom from Drone Surveillance Act					
Freedom from Location Surveillance Act					
Protecting Household Privacy Act					

General Definition of Surveillance Technology						Applies to:
Urbana	Any device, hardware, or software that is capable of collecting, capturing, recording, retaining, processing, intercepting, analyzing, monitoring, or sharing audio, visual, digital, location, thermal, biometric, associational, or similar information specifically associated with, or capable of being associated with, any identifiable individual or group; or any system, device, or vehicle that is equipped with an electronic surveillance device, hardware, or software.					
Oak Park	Any device or system designed, used, or intended to be used to collect, retain, process, or share audio, electronic, visual, location, thermal, olfactory, or similar information associated with, or capable of being associated with, any specific individual or group of specific individuals by the Police Department for law enforcement purposes.					Police Department
Boston	Any device, hardware, or software that is capable of collecting, capturing, recording, retaining, processing, intercepting, analyzing, monitoring, or sharing audio, visual, digital, location, thermal, biometric, associational, or similar information specifically associated with, or capable of being associated with, any identifiable individual or group; or any system, device, or vehicle that is equipped with an electronic surveillance device, hardware, or software.					All city departments, mayor submits to council
Oakland	Any software, electronic device, system utilizing an electronic device, or similar technological tool used, designed, or primarily intended to collect, retain, analyze, process, or share audio, electronic, visual, location, thermal, olfactory, biometric, or similar information specifically associated with, or capable of being associated with, any individual or group.					All city staff
NOT covered by the ordinance/ code as surveillance tech						
	Urbana, IL	Oak Park, IL	Boston, MA	Oakland, CA	Dayton, OH	
	Routine office hardware, such as televisions, computers, and printers, that are in widespread public use and will not be used for any surveillance or surveillance- related functions	✓	✓	✓	✓	
	Manually-operated, non-wearable, handheld digital cameras, audio recorders, and video recorders that are not designed to be used surreptitiously and whose functionality is used for manually capturing and manually downloading video and/or audio recordings	✓	✓	✓	✓	
	Surveillance devices that cannot record or transmit audio or video or be remotely accessed, such as image stabilizing binoculars or night vision goggles	✓	✓	✓	✓	
	City databases that do not and will not contain any Surveillance Data or other information collected, captured, recorded, retained, processed, intercepted, or analyzed by Surveillance Technology	✓ (similar)	✓	✓ (including payroll, accounting, fiscal data)	✓ (including payroll, accounting, fiscal data)	

	Manually-operated technological devices that are used primarily for internal City communications and are not designed to surreptitiously collect Surveillance Data, such as radios and email systems	✓	✓	✓	✓
	Cameras installed on City property solely for security purposes, including closed-circuit television cameras installed by the City to monitor entryways and outdoor areas of City-owned or controlled buildings and property for the purpose of controlling access, maintaining the safety of City employees and visitors to City buildings, and protecting City property	✓ (similar)	✓		✓ (similar)
	Technology that monitors only City employees in response to complaints of wrongdoing or in order to prevent waste, fraud, or abuse of City resources	✓ (similar)	✓		✓ (similar)
	Parking ticket devices (PTDs) and related databases	✓	✓		✓
	Card readers and key fobs used by City employees and other authorized persons for access to City-owned or controlled buildings and property	✓ (similar)	✓		
	Cameras installed in or on a police vehicle	✓	✓		
	Security cameras including closed-circuit television cameras installed by the City to monitor cashiers' windows and other cash-handling operations and to maintain the safety of City employees and visitors to such areas	✓ (similar)	✓		
	Parking access and revenue control systems, including proximity card readers and transponder readers at City-owned or controlled parking garages	✓ (similar)	✓		
	Body-worn cameras as required by the Illinois Law Enforcement-Worn Body Camera Act, 50 ILCS 706/10-1 <i>et seq.</i> , as amended	✓			
	Cameras installed pursuant to state law authorization in or on any vehicle or along a public right-of-way solely to record traffic violations or traffic patterns, provided that the Surveillance Data gathered is used only for that purpose;		✓		✓ (similar)

	Cameras installed solely to protect the physical integrity of City infrastructure		✓		
		Police Department computer aided dispatch (CAD), records/case management, live scan, booking, and related dispatch and operation or emergency services systems and state and federal law enforcement databases;		✓ Police department case management and records management systems, including computer aided dispatch systems, and field-based reporting systems.	✓
		Police department interview room, holding cell, and Police Department internal security audio/video recording systems;		✓ (interview room cameras only)	✓
		Smart meter technology employed for water and sewer utility purposes			

				Personal communication devices that have not been modified beyond stock manufacturer capabilities in a manner described above, provided that any bundled Face Recognition Technology is only used for the sole purpose of user authentication in the regular course of conducting City business.	
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Ordinance No. 2024-12-042

AN ORDINANCE ESTABLISHING APPROVAL, POLICY, AND REPORTING REQUIREMENTS FOR SURVEILLANCE TECHNOLOGY AND DATABASES

WHEREAS, the City of Urbana (“City”) is a home rule unit of local government pursuant to Article VII, Section 6, of the Illinois Constitution, 1970, and may exercise any power and perform any function pertaining to its government and affairs, and the passage of this Resolution constitutes an exercise of the City’s home rule powers and functions as granted in the Illinois Constitution, 1970; and

WHEREAS, the City of Urbana reaffirmed its commitment as a sanctuary city in Resolution No. 2016-12-070R, stating that “the City Council and the Mayor will join with councils and mayors from other communities around the country to stand with our immigrant residents and defend policies that welcome and protect immigrants...” and that “no city employee or official or department or agency of the City of Urbana shall request information about or otherwise investigate or assist in the investigation of the citizenship or immigration status of any person unless such inquiry or the investigation is required by a court order...”; and

WHEREAS, the City of Urbana adopted the Ten Shared Principles on June 22, 2020 in Resolution No. 2020-06-031R which states “We reject discrimination toward any person that is based on race, ethnicity, religion, color, nationality, immigrant status, sexual orientation, gender, disability, or familial status;” provides support to “build and rebuild trust through procedural justice, transparency, accountability, and honest recognition of past and present obstacles” and advocates for “the four pillars of procedural justice, which are fairness, voice (i.e., an opportunity for citizens and police to believe they are heard), transparency, and impartiality”; and

WHEREAS, it is the Urbana City Council (“Council” or “City Council”) and City’s responsibility to legislate matters of public safety and accountability to the public, and any use or expense of surveillance technology or major systems regarding public safety require due public process and approval from City Council; and

WHEREAS, the Urbana City Council finds that no decision relating to surveillance technology should be made without collaborative community input and consideration of the impact such technologies may have on civil rights and civil liberties, including those rights guaranteed by Article I of the Illinois Constitution and the First, Fourth, and Fourteenth Amendments to the United States Constitution; and

WHEREAS, the use of surveillance technologies are known to have had a significant, detrimental impact on civil rights and civil liberties, namely the invasion of an individual’s privacy and infringing on their right to be left alone, including those guaranteed by the First, Fourth and Fourteenth Amendments to the United States Constitution, and thus it is incumbent on the police or other agency seeking to fund, acquire, or use a surveillance technology to expressly identify the potential adverse impacts the technology may have on civil rights and civil liberties and what specific measures it will undertake to prevent such adverse impacts; and

WHEREAS, surveillance technologies can create oppressive, stigmatizing environments when used indiscriminately, continuously, or pervasively, especially for communities that have historically been disproportionately targeted by their use, such as communities of color, low income communities, and politically active communities; and

WHEREAS, the urgency to publicly process the acquisition of surveillance technologies is necessitated by new concerns whether surveillance technologies will be used to apprehend people from out-of-state seeking abortions and other reproductive healthcare in Illinois; people without legal immigration status who seek asylum and would be sought for deportation; peaceful individuals or organizations exercising their rights, including expressing grievances against the government; and people whose race, national origin, ethnic identity, gender identity, sexual orientation, or other protected demographics place them under potential for additional surveillance; and

WHEREAS, the need for a public process to acquire surveillance technologies is further required because of the likelihood that federal law enforcement agencies will access any data stored by surveillance technologies; and

WHEREAS, as of the passing of this ordinance, there is no current city policy on the use and acquisition of police surveillance technology, and it is therefore necessary to clarify the Council’s position on the required processes of public accountability;

NOW THEREFORE BE IT ORDAINED by the City Council, of the City of Urbana, Illinois, as follows:

Section 1. Purpose:

The purpose of this ordinance is to provide transparency, oversight, and accountability regarding the acquisition and use of surveillance technology and surveillance data by the City of Urbana and all departments and officials (hereinafter “City” or “City Department”), and to protect privacy, civil rights, and racial and immigrant justice.

Section 2. Approval Process for Surveillance Technology and Database Acquisition or Use

(a) Any City Department seeking to acquire or use new surveillance technology or surveillance data, shall, prior to such acquisition or use obtain approval by majority vote of the Urbana City Council prior to purchasing, acquiring, or using any new surveillance technology or database (as defined in Attachment A of this Ordinance), which includes linking or cross-referencing existing databases, adding new categories of data to a database, or using new analytic tools on an existing database in a manner which changes the database to surveillance data, and changes to existing Use Policy.

(b) At least sixty (60) days prior to seeking approval of a surveillance technology or database, the City shall submit to the City Council and make publicly available a written and unredacted surveillance technology or database “Use Report,” along with a draft of the proposed surveillance technology or database “Use Policy” *(as defined in Attachment A of this Ordinance).*

(c) The public shall have forty-five (45) days subsequent to filing of the surveillance technology or database “Use Report” and “Use Policy” to submit formal comments to the City Council.

Section 3. Standard for Approval of Surveillance Technology or Surveillance Database

a) When evaluating a request for the use of surveillance technology or a **surveillance** database, the City Council may consider a range of factors, including but not limited to:

- i) The potential public safety benefits and effectiveness of the technology.
- ii) The economic, social, and community costs associated with its implementation and use.
- iii) Any potential impacts on civil liberties and civil rights, including privacy concerns.
- iv) The possibility of disparate impacts on specific communities or groups.
- v) Safeguards or oversight mechanisms that could mitigate risks or unintended consequences.
- vi) Alternative methods or technologies that could achieve similar outcomes with fewer negative effects.

Section 4. Reporting and Approval of Existing Surveillance Technologies and Databases

(a) For all existing or hereinafter approved surveillance technology and databases in use, a “Surveillance Technology Annual Report” will be publicly available and presented to City

Council each year, which includes a current copy of the “Use Policy” for each technology and other information included in the definitions in Attachment A.

(b) For all surveillance technology and databases referenced here that are already in use at the time this Ordinance is approved:

(i) The City shall present to City Council a “Use Report” and “Use Policy” for each technology or database in use, within one hundred twenty (120) days of the passing of this Ordinance, unless otherwise extended with approval by majority vote from City Council. No more than two (2) extensions shall be granted for any individual technology or database in use.

(ii) The existing surveillance technologies and databases shall require a formal approval process (as outlined in Section 1 and 2 of this Ordinance) as soon as the information on each technology is made available.

(iii) If the Council has not approved the continuing use of the surveillance technology, including the Use Report and the Use Policy, within one hundred eighty (180) days of its submission to the Council, unless otherwise extended, the City Department shall cease its use of the surveillance technology and the sharing of surveillance data therefrom until such time as Council approval by majority vote is obtained in accordance with this Ordinance.

(iv) During the period that continued use is not yet approved, the technology or database contract shall not be renewed or extended even if the result would be the termination of availability of the use before one hundred eighty (180) days.

Section 5. Contractual Agreements Involving Surveillance Technology & Databases

(a) Except where otherwise allowed under this Ordinance all contracts or agreements for the acquisition or use of surveillance technology, regardless of duration or cost, shall require formal approval by a majority vote of the City Council prior to execution.

(b) Prior to approval, the City Department shall provide all members of City Council with a complete copy of any and all contract(s) or other agreement(s) for the purchase, acquisition, or use of any new surveillance technology or database, including proposed non-disclosure agreements (NDAs) that are required to be executed in tandem with a purchase or acquisition agreement

(c) The Mayor's Office and all City Departments are hereby prohibited from entering into any contract or other agreement that facilitates the receipt of privately generated and owned surveillance data, or government generated and owned surveillance data, to any non-governmental entity in exchange for any monetary or any other form of consideration from any source, including the assessment of any additional fees, interest, or surcharges on unpaid fines or debts. Any contracts or agreements signed prior to the enactment of this ordinance that violate this section shall be terminated as soon as is legally permissible.

Section 6. Exigent Circumstances

(a) Notwithstanding the provisions of this ordinance, the Urbana Police Department or other City Department may temporarily acquire or temporarily use surveillance technology in exigent circumstances for a period not to exceed 30 days, with approval from the Mayor or their designee, without following the provisions of approval stated in this ordinance before that acquisition or use. No more than two (2) consecutive periods of exigent circumstantial use shall be granted for any individual technology or database.

(b) If the Urbana Police Department or other City Department acquires or uses surveillance technology in exigent circumstances under this section, the Department must:

(i) Report that acquisition or use to the City Council in writing within 30 days following the end of those exigent circumstances and the use of the surveillance technology.

(ii) Submit a Use Report and, if necessary, a technology-specific Use Policy to the City Council regarding that Surveillance Technology within 30 days following the end of those Exigent Circumstances.

(iii) Include that surveillance technology in the next Surveillance Technology Annual Report to the City Council following the end of those Exigent Circumstances.

(iv) If the Urbana Police Department or other City Department is unable to meet the 30-day timeline to submit a surveillance technology Use Report and, if necessary, a technology-specific Use Policy to the City Council, the Urbana Police Department or other City Department must notify the City Council in writing requesting to extend this period. The City Council may grant extensions in 30-day increments beyond the original 30-day timeline to submit a surveillance technology Use Report, and, if necessary, a technology-specific Use Policy.

(v) Any surveillance technology Use Report, and, if necessary, any technology-specific Use Policy submitted to the City Council under this subsection shall be made publicly available on the City's website upon submission to the City Council.

(vi) Any Surveillance Technology Use Report and, if necessary, technology-specific Use Policy submitted to the City Council under this section may be redacted to the extent required to comply with an order by a court of competent jurisdiction, or to exclude information that, in the reasonable discretion of the Urbana Police Department or other City Department, would, if disclosed, materially jeopardize an ongoing investigation or otherwise represent a significant risk to public safety and security; provided, however, that any information redacted pursuant to this paragraph will be released in the next Surveillance Technology Annual Report following the point at which the reason for such redaction no longer exists.

(c) Departments using approved surveillance technologies or other technologies with unutilized and unapproved surveillance capabilities may apply a technical patch or upgrade that is necessary to mitigate cyber security threats to the City's environment. The department shall not use any unapproved new surveillance capabilities of the technology until the requirements of this ordinance are met or unless the Mayor or the Mayor's designee determines that the use is unavoidable; in that case, the Mayor shall request City Council approval as soon as possible. The request shall include a report to the City Council of how the altered surveillance capabilities were used since the time of the upgrade.

Section 7. Exclusionary Rule; Deletion/Destruction Requirement

(a) Any data or other information created or collected in contravention of this ordinance, and any data or information derived therefrom, shall be deleted and destroyed as soon as possible, in accordance with state and federal laws, and may not:

(i) Be offered as evidence by any City government entity, agency, department, prosecutorial office, or any other subdivision thereof, in any criminal or civil action or proceeding against any member of the public, except as evidence of the violation of this Act; or

(ii) Be voluntarily provided to another person or entity for use as evidence or for any other purpose.

(b) Notwithstanding the above, if, upon the discovery of data or other information that was created or collected in contravention of this ordinance, it appears such data or information may be material to the defense in a criminal prosecution, a copy of the

relevant, potentially material data or other information shall be turned over to the defendant before it is deleted and destroyed.

Section 8. Annual Surveillance Technology Report Oversight

- (a) The Civilian Police Review Board (CPRB) shall review each Surveillance Technology Annual Report, Use Report, and Use Policy of surveillance technology or database subject to this ordinance, with a final vote on the recommendation by CBRP before moving to the Urbana City Council Committee of the Whole. If the CPRB is not able to review the reports and policies in a reasonable time-frame due to logistical factors, the City Department will present the reason for lack of CPRB review to council.
- (b) The Civilian Police Review Board and the Human Rights Commission shall hear complaints made to their Board or Commission regarding surveillance technology or databases subject to this ordinance in accordance with Chapter 19 Article 3 and Chapter 12 of the Urbana City Code of Ordinances.
- (c) Upon request, representatives of City Council, the Civilian Police Review Board, and the Human Rights Commission shall be given full and open access to information relevant to the enforcement of this ordinance or complaints made to their Board or Commission regarding surveillance technology or databases subject to this ordinance, in compliance with the Open Meetings Act, City confidentiality policies, and other relevant state and federal laws.

Section 9. Definitions

The list of relevant definitions is included in Attachment A as part of this Ordinance.

PASSED BY THE CITY COUNCIL this ____ day of _____, 2024.

AYES:

NAYS:

ABSTENTIONS:

Darcy E. Sanderfur, City Clerk

APPROVED BY THE MAYOR this ____ day of _____, 2024.

Diane Wolfe Marlin, Mayor

ATTACHMENT A

(Ordinance No. 2024-12-042)

Definitions:

- 1) *Exigent Circumstances* mean occurrences that are declared by the Mayor to meet the definition of a “disaster” under the Illinois Emergency Management Agency Act (220 ILCS 3305/1 et seq), meaning “an occurrence or threat of widespread or severe damage, injury or loss of life or property resulting from any natural, technological, or human cause, including but not limited to fire, flood, earthquake, wind, storm, hazardous materials spill or other water contamination requiring emergency action to avert danger or damage, epidemic, air contamination, blight, extended periods of severe and inclement weather, drought, infestation, critical shortages of essential fuels and energy, explosion, riot, hostile military or paramilitary action, public health emergencies, cyber incidents, or acts of domestic terrorism.” The use of surveillance technology in exigent circumstances shall not infringe upon an individual’s right to peacefully protest or exercise other lawful and protected constitutional rights.

- 2) *Surveillance* means the act of observing or analyzing the movements, behavior, or actions of identifiable individuals.

- 3) *Surveillance Data* means any electronic data collected, captured, detected, recorded, retained, processed, intercepted, or analyzed by Surveillance Technology which is used or acquired by the City or operated at the direction of the City.

- 4) *Surveillance Technology* means any device, hardware, or software that is capable of collecting, capturing, recording, retaining, processing, intercepting, analyzing, monitoring, or sharing audio, visual, digital, location, thermal, biometric, associational, or similar information specifically associated with, or capable of being associated with, any identifiable individual or group; or any system, device, or vehicle that is equipped with an electronic surveillance monitoring device, hardware, or software.
 - a) Examples of Surveillance Technology include, but are not limited to:
 1. International mobile subscriber identity (IMSI) catchers and other cell-site simulators;
 2. Automatic license plate readers;
 3. Electronic toll readers;
 4. Closed-circuit television cameras except as otherwise provided herein;
 5. Biometric Surveillance Technology, including facial, voice, iris, and gait-recognition software and databases;
 6. Mobile DNA capture technology;
 7. Gunshot detection and location hardware and services;

8. GPS tracking systems that monitor an individual's location without authorization;
9. X-ray vans;
10. Video and audio monitoring and/or recording technology, such as surveillance cameras;
11. Surveillance enabled or capable light bulbs or light fixtures;
12. Tools, including software and hardware, used to gain unauthorized access to a mobile device, computer, computer service, or computer network;
13. Social media monitoring software;
14. Through-the-wall radar or similar imaging technology;
15. Passive scanners of radio networks;
16. Long-range Bluetooth and other wireless-scanning devices;
17. Thermal imaging or "forward-looking infrared" devices or cameras;
18. Electronic database systems containing Surveillance Data about Identifiable Individuals;
19. Radio-frequency identification (RFID) scanners; and
- #. Drone usage in City limits, in addition to compliance with the Illinois Freedom from Drone Surveillance Act
20. Software designed to integrate or analyze data from surveillance technology, including surveillance target tracking and predictive policing software.

b) Surveillance Technology does not include the following devices, software, or hardware, which are exempt from the requirements of this ordinance, unless the devices, hardware, or software are modified to include additional surveillance capabilities:

1. Routine office hardware, such as televisions, computers, and printers, that are in widespread public use and will not be used for any surveillance or surveillance-related functions;
2. Parking ticket devices (PTDs) and related databases;
3. Manually-operated, non-wearable, handheld digital cameras, audio recorders, and video recorders that are not designed to be used surreptitiously and whose functionality is used for manually capturing and manually downloading video and/or audio recordings;
4. Cameras installed in or on a police vehicle;
- #. Body-worn cameras as required by the Illinois Law Enforcement-Worn Body Camera Act, 50 ILCS 706/10-1 *et seq.*, as amended;
5. Cameras installed pursuant to state law authorization in or on any vehicle or along a public right-of-way solely to record traffic violations or traffic patterns, provided that the Surveillance Data gathered is used only for that purpose;

6. Surveillance devices that cannot record or transmit audio or video or be remotely accessed, such as image stabilizing binoculars or night vision goggles;
7. City databases that do not and will not contain any Surveillance Data or other information collected, captured, recorded, retained, processed, intercepted, or analyzed by Surveillance Technology;
8. Manually-operated technological devices that are used primarily for internal City communications and are not designed to surreptitiously collect Surveillance Data, such as radios and email systems;
9. Parking access and revenue control systems, including proximity card readers and transponder readers at City-owned or controlled parking garages;
10. Card readers and key fobs used by City employees and other authorized persons for access to City-owned or controlled buildings and property;
11. Cameras installed on City property solely for security purposes, including closed-circuit television cameras installed by the City to monitor entryways and outdoor areas of City-owned or controlled buildings and property for the purpose of controlling access, maintaining the safety of City employees and visitors to City buildings, and protecting City property;
12. Security cameras including closed-circuit television cameras installed by the City to monitor cashiers' windows and other cash-handling operations and to maintain the safety of City employees and visitors to such areas;
13. Cameras installed solely to protect the physical integrity of City infrastructure; and
14. Technology that monitors only City employees in response to complaints of wrongdoing or in order to prevent waste, fraud, or abuse of City resources.

(c) "Use Report" shall mean a publicly released, legally enforceable written report that includes, at a minimum, the following:

- (i) Information describing the surveillance technology and how it works.
- (ii) Information on the proposed purpose(s) of the surveillance technology, along with any existing independent evaluations demonstrating that the surveillance technology can help achieve that purpose
- (iii) If the surveillance technology will not be uniformly deployed throughout the city, what factors will be used to determine where the technology will be deployed or targeted, and the location(s) where it may be deployed and crime statistics for such location(s).
- (iv) The fiscal impact of the surveillance technology, including initial purchase, personnel, and other known ongoing costs, along with any current or potential sources of funding.

(v) An assessment of whether use of the surveillance technology will have an unwarranted disparate impact on protected classes and demographics, as defined in the Illinois Civil Rights Act of 2003, the Urbana Human Rights Ordinance, and other relevant laws and policies.

(vi) An assessment identifying any potential adverse impacts the surveillance technology, if deployed, might have on civil liberties and civil rights, and what specific, affirmative measures will be implemented to safeguard the public from the potential adverse impacts.

(vii) Whether use or maintenance of the surveillance technology will require data gathered by the technology to be handled or stored by a third-party vendor on an ongoing basis.

(d) “Use Policy” shall mean a publicly released, legally enforceable written policy governing the use of the surveillance technology that, at a minimum, includes and addresses the following:

(i) Purpose: What specific purpose(s) the surveillance technology is intended to advance.

(ii) Description of the authorization for use of the surveillance technology: specifically, what legal and procedural rules will govern each authorized use; what potential uses of the surveillance technology will be expressly prohibited such as the warrantless surveillance of public events and gatherings; and how and under what circumstances will surveillance data that was collected, captured, recorded, or intercepted by the police technology be analyzed and reviewed.

(iii) Description of data collection, protection, and retention: specifically, what types of surveillance data will be collected, captured, recorded, intercepted, or retained by the police technology; what safeguards will be used to protect surveillance data from unauthorized access; for what maximum limited time period the surveillance data will be retained; and by what process the surveillance data will be regularly deleted after the retention period.

(iv) Description of data sharing: specifically, which governmental agencies, departments, bureaus, divisions, or units will be approved for data sharing; how such sharing is necessary for the stated purpose and use of the surveillance technology; and what mechanisms will ensure any entity sharing access to the surveillance technology or surveillance data complies with the applicable surveillance use requirements within the Urbana “Use Policy” and does not further disclose the surveillance data to unauthorized persons and entities.

(v) Training: The training required for any individual authorized to use the surveillance technology or to access information collected by the surveillance technology.

(vi) Auditing and Oversight: The mechanisms to ensure that the surveillance use policy is followed, including internal personnel assigned to ensure compliance with the surveillance use policy, internal record keeping of the use of the technology or access to information collected by the technology, technical measures to monitor for misuse, any independent person or entity with oversight authority.

(e) “Surveillance Technology Annual Report” shall mean a written report covering each surveillance technology in use over the past year that is publicly released at least once per year and shall, at a minimum, include the following:

- (i) A summary of how each surveillance technology and database was used, including locations and neighborhoods where technology or equipment was deployed, and information that may assist the City Council to assess whether the surveillance technology has been effective at achieving its identified purposes.
- (iii) Total annual costs for each surveillance technology and database, including personnel and other ongoing costs, and what source of funding will fund the technology in the coming year.
- (iii) How often and what type of collected surveillance data was shared with and received from any external persons or entities; under what legal standard(s) the information was disclosed; and the justification for the disclosure(s).
- (iv) A summary of complaints or concerns that were received about each surveillance technology and database.
- (v) The results of any internal audits, any information about violations of the Use Policy, and any actions taken in response to complaints or concerns.
- (vi) Justification for the continued use of each surveillance technology and database and safeguards to protect civil liberties, privacy, and against discrimination.