ORDINANCE NO. 572

ORDINANCE APPROVING INTERGOVERNMENTAL COOPERATION AGREEMENT FOR CONSTRUCTION, OPERATION, AND MAINTENANCE OF CERTAIN STORMWATER IMPROVEMENTS AND PLAYFIELD IMPROVEMENTS AT THE SKOKIE PLAYFIELDS BETWEEN THE WINNETKA PARK DISTRICT AND THE VILLAGE OF WINNETKA

WHEREAS, the Winnetka Park District, Cook County, Illinois ("Park District"), is a duly organized and existing Park District created under the provisions of the laws of the State of Illinois, and is now operating under the provisions of the Park District Code of the State of Illinois, and all laws amendatory thereof and supplementary thereto (the "Park Code"); and

WHEREAS, the Village of Winnetka, Cook County, Illinois ("Village") is a duly organized and existing Village created under the provisions of the laws of the State of Illinois and is now operating under the provisions of the Municipal Code of the State of Illinois, and all laws amendatory thereof and supplementary thereto (the Municipal Code"); and

WHEREAS, Section 8-11 of the Park Code authorizes the Park District to grant easements to municipalities for the construction, operation, and maintenance of facilities upon, under or across any property of such district for public services such as stormwater, subject to such terms and conditions as may be acceptable to the Park District; and

WHEREAS, the Village has established a comprehensive stormwater management plan under which a variety of conveyance, storage, and water quality improvements would be constructed on 158.74 acres of Park District-owned real property known as Skokie Playfields (the "Property"), in order to address long-standing and serious flooding in western and southwestern Winnetka; and

WHEREAS, The Park District has for some time desired to undertake certain improvements to improve stormwater conditions on the Property including the golf courses located thereon; and

WHEREAS, The Village has proposed an intergovernmental agreement under which the Park District would grant the Village a permanent easement to enter the Property and to construct, operate

maintain, repair and replace at its sole cost, extensive improvements designed to alleviate flooding in Winnetka, and to construct certain improvements at its sole cost designed improve stormwater conditions on the Property for the benefit of the Park District; and

WHEREAS, The Village and the Park District are empowered and authorized to enter into an Agreement for the construction, operation and maintenance of stormwater improvements on the Property, pursuant to the provisions of Article VII, Section 10 of the Illinois Constitution of 1970 and the Illinois Intergovernmental Cooperation Act, 5 ILCS 220/1 et seq.; and

WHEREAS, the Park District and the Village have engaged in extensive negotiations pertaining to the Village's proposed intergovernmental agreement, and the Board of Park Commissioners of the Winnetka Park District has now determined, and hereby declares, that it is appropriate and in the best interests of the District and its residents to enter into an intergovernmental agreement in substantially the form attached hereto as Exhibit 1.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF PARK COMMISSIONERS OF THE WINNETKA PARK DISTRICT, COOK COUNTY ILLINOIS, AS FOLLOWS:

SECTION ONE: The recitals set forth hereinabove shall be and are hereby incorporated in this Section One as if said recitals were fully set forth herein.

SECTION TWO: The Winnetka Park District Board of Park Commissioners hereby approves the Intergovernmental Cooperation Agreement Regarding Stormwater Improvements at the Skokie Playfield between the Winnetka Park District and the Village of Winnetka, attached hereto as Exhibit No. 1 ("Intergovernmental Agreement") and hereby authorizes and directs the Board President and Board Secretary, to execute the Intergovernmental Agreement. The District's Board of Park Commissioners further authorizes and directs the District's Executive Director to deliver said Intergovernmental Agreement to the Village, and to take any and all other action necessary and proper

to effectuate the terms of, and ensure compliance with, said Intergovernmental Agreement.

SECTION THREE: The Intergovernmental Agreement is herewith and in all respects ratified and confirmed, it being found and determined that entering into said agreement and securing the stormwater benefits for the Property and for the Village, is in the best interests of the Park District and its residents, and no person holding any office of the Park District, either by election or appointment, is in any manner interested, either directly or indirectly, in his own name or in the name of any other person, association, trust or corporation, in said Intergovernmental Agreement.

SECTION FOUR: All ordinances, resolutions, orders, or parts thereof in conflict with the provisions of this Ordinance be and the same are hereby repealed to the extent of such conflict, and upon the passage and approval hereof as provided by law, this Ordinance shall become effective as provided by law.

SECTION FIVE: This Ordinance shall take effect upon its passage and approval in the manner provided by law.

PASSED THIS 20th day of February, 2020.

AYES:
NAYS:
ABSENT:

President, Winnetka Park District
Board of Park Commissioners

ATTEST:

Secretary, Board of Park Commissioners

STATE OF ILLINOIS)
) SS.
COUNTY OF COOK)

I, the undersigned, do hereby certify that I am the duly qualified and acting Secretary of the Winnetka Park District Board of Park Commissioners, Cook County, Illinois, and as such I am the keeper of the records and files of the Board of Park Commissioners of said Park District.

I further certify that the foregoing is a full, true and complete copy of Ordinance No. 572 titled,

ORDINANCE APPROVING INTERGOVERNMENTAL COOPERATION AGREEMENT FOR CONSTRUCTION, OPERATION, AND MAINTENANCE OF CERTAIN STORMWATER IMPROVEMENTS AND PLAYFIELD IMPROVEMENTS AT THE SKOKIE PLAYFIELDS BETWEEN THE WINNETKA PARK DISTRICT AND THE VILLAGE OF WINNETKA

adopted at a duly called Regular Meeting of the Board of Park Commissioners of the Winnetka Park District, held at Winnetka, Illinois at 5:30 p.m. on the 20th day of February, 2020.

I do further certify that the deliberations of the Board on the adoption of said Ordinance were conducted openly, that the vote on the adoption of said Ordinance was taken openly, that said meeting was called and held at a specified time and place convenient to the public, that notice of said meeting was duly given to all of the news media requesting such notice, that said meeting was called and held in strict compliance with the provisions of the Open Meetings Act of the State of Illinois, as amended, and with the provisions of the Park District Code of the State of Illinois, as amended, and that the Board has complied with all the provisions of said Act and said Code and with all the procedural rules of the Board.

IN WITNESS WHEREOF I hereunto affix my official signature at Winnetka, Illinois, this 20th day of February 2020.

Park District Board Secretary

EXHIBIT NO. 1

**INTERGOVERNMENTAL COOPERATION AGREEMENT
REGARDING STORMWATER IMPROVEMENTS AT THE SKOKIE PLAYFIELD
BETWEEN THE WINNETKA PARK DISTRICT AND THE VILLAGE OF WINNETKA**