

VILLAGE OF LONG GROVE
RESOLUTION NO. 2021-R-__

**A RESOLUTION APPROVING AN INTERGOVERNMENTAL AGREEMENT FOR
INSTALLATION OF BUFFER PLANTING AT BUFFALO CREEK FOREST PRESERVE
AND RESCINDING APPROVAL OF A PRIOR INTERGOVERNMENTAL AGREEMENT
RELATING TO BUFFALO CREEK FOREST PRESERVE**

WHEREAS, the Lake County Forest Preserve District (the "**District**"), the County of Lake through its Division of Transportation (the "**County**"), and the Village of Long Grove (the "**Village**") have investigated opportunities for enhancing landscaping within the District's Buffalo Creek Forest Preserve ("**BCFP**") to afford a better visual screen (the "**Screening**") between Lake Cook Road and residential properties in the Village (and particularly within the Country Club Estates subdivision); and

WHEREAS, the District, County, and Village have provisionally identified a plan for the Screening, a cost estimate therefor, and a plan for sharing such costs; and

WHEREAS, in furtherance thereof, the Village Board previously adopted Resolution No. 2020-R-34 (the "**Prior Resolution**") approving a proposed intergovernmental agreement between the Village, the County, and the District to provide for installation of the Screening and to address other matters relating to the Screening and BCFP; provided, however, that any material revisions to such proposed agreement would be presented to the Village Board for further consideration; and

WHEREAS, since the Village Board's adoption of the Prior Resolution, the County and the District have requested material changes to the proposed intergovernmental agreement; and

WHEREAS, the Village, County, and District currently contemplate entering into an intergovernmental agreement in substantially the form attached hereto as Exhibit A (the "**IGA**") in order to effect the Screening and address various related matters; and

WHEREAS, pursuant to the IGA, the Village would commit to contribute up to \$30,000.00 towards certain costs of installing the Screening; and

WHEREAS, the Country Club Estates property owners' association ("**CCE**") has indicated its willing to contribute \$15,000.00 to defray up to 50% of the Village's share of Screening costs under the IGA ("**CCE Contribution**"); and

WHEREAS, the President and Board of Trustees of the Village (the "**Village Board**") have determined that, subject to the conditions set forth below, it will be in the best interests of the Village and its residents, and particularly the residents of CCE, to rescind the approvals previously granted by the Prior Resolution and approve the IGA in form attached as Exhibit A hereto;

NOW, THEREFORE, BE IT RESOLVED by the President and Board of Trustees of the Village of Long Grove, Lake County, Illinois, as follows:

SECTION ONE: Recitals. The foregoing recitals are incorporated herein as if fully set forth.

SECTION TWO: Rescission of Prior Resolution; Approval; Authorizations.

A. Rescission of Prior Resolution. The Prior Resolution and the approvals granted thereby are hereby rescinded and shall be of no further force or effect.

B. Approval. Subject to the terms and conditions of Subsection C of this Section, the Village Board hereby approves the IGA in substantially the form attached hereto as Exhibit A and in a final form approved by the Village Manager in consultation with the Village Attorney. However, if the County or District seek material revisions to the IGA, then the IGA as revised shall be presented to the Village Board for further consideration.

C. Conditions of Approval; Authorizations; CCE Contribution.

1. The Village Board hereby authorizes the Village President to execute the IGA as approved by this Resolution; provided, however, that the Village President shall not execute the IGA until CCE has deposited \$15,000.00 for the CCE Contribution with the Village. Upon receipt of such deposit, the Village shall hold the CCE

Contribution in trust, separate and apart from other Village funds, and apply it only towards payment of up to 50% of the Village's share of Screening costs under the IGA. The Village Manager shall cause an accounting of all disbursements from the CCE Contribution and Village payments under the IGA to be provided to CCE upon request, and any unused balance from the CCE Contribution shall be returned to CCE within 30 days after the Village makes its final payment as required under the IGA. If CCE does not deliver its \$15,000.00 deposit to the Village within 21 days after the approval of this Resolution, then the matter of funding of the Village's share of the Screening costs shall be presented to the Village Board for further consideration before execution of the IGA.

2. Following the Village President's execution of the IGA, the Village Board hereby authorizes and directs the Village President and/or Village Manager to deliver the signed IGA to the District and the County and to do all things necessary and appropriate to perform the Village's obligations under the IGA.

SECTION THREE: Continued Cooperation. The Village President and Village Manager are hereby authorized and directed to continue discussions with the District and/or the County regarding availability of parking for BCFP and maintenance of the Screening to be installed pursuant to the IGA.

SECTION FOUR: Effective Date. This Resolution shall be in effect from and after its passage and approval in the manner provided by law.

PASSED this ____ day of _____, 2021.

AYES: ()

NAYS: ()

ABSENT: ()

APPROVED this ____ day of _____, 2021.

Village President

ATTEST:

Village Clerk

DRAFT

EXHIBIT A

IGA

DRAFT