

VILLAGE OF LONG GROVE

RESOLUTION NO. 2023-R-\_\_\_\_

RESOLUTION APPROVING MATCHING GRANT FUNDING  
NOT TO EXCEED \$78,000 FOR CORRECTIVE ACTION TOWNERS  
SUBDIVISION DRAINAGE/STORMWATER ISSUES

**WHEREAS**, the Fred & Russell Towner’s Subdivision (the “**Subdivision**”) was approved by the County of Lake, Illinois (the “**County**”) in three phases with plats of subdivision recorded in recorded in 1951, 1952 and 1954; and

**WHEREAS**, the Subdivision is located at southwest of the intersection of IL Route 60/83 and IL Route 83; and

**WHEREAS**, when approved, none of the stormwater drainageways and related facilities serving the Subdivision (the “**Private Drainage Facilities**”) were dedicated to or accepted by the public, such that the Private Drainage Facilities are private (not public) infrastructure for which the owners of properties served thereby have responsibility for maintenance and repair (the “**Owners**”); and

**WHEREAS**, with the passage of time, the efficacy and effectiveness of the Private Drainage Facilities have diminished, thereby making certain properties within the Subdivision more prone to periodic flooding; and

**WHEREAS**, years after the County’s approval of the Subdivision, the Village of Long Grove (the “**Village**”) annexed the Subdivision, but such annexation only involved the Village’s acceptance of the public roadway rights-of-way within the Subdivision (the “**Public Roadways**”) and did not involve any acceptance by the Village of the Private Drainage Facilities, which remain the Owners’ responsibility; and

**WHEREAS**, the Public Roadways include drainage ditches and other facilities intended and designed to handle the storm water runoff from the Public Roadways (the “**Existing Public Infrastructure**”); and

**WHEREAS**, notwithstanding the fact that the maintenance and repair of the Private Drainage Facilities are the responsibility of the Owners, the Village has undertaken various reviews and examinations of the drainage patterns within and around the Subdivision to assess whether improvements might be made to the Existing Public Infrastructure to enhance the capabilities and capacities of the Private Drainage Facilities and thereby reduce the risk and severity of flooding within the Subdivision; and

**WHEREAS**, the Village Engineer has determined that the flow of stormwater within and through the Subdivision could be enhanced if the Village installed a storm sewer within a segment of the Public Roadways (the "**Proposed Storm Sewer**") that would supplement the capacity of certain overland drainageways within the Subdivision that pass in part upon, along, and within the Public Roadways; and

**WHEREAS**, although the Proposed Storm Sewer is not required to serve the Public Roadways, installation of the Proposed Storm Sewer will improve the overall flow of stormwater within and through the Subdivision and thereby alleviate to a degree some of the flooding and related adverse impacts affecting the Subdivision; and

**WHEREAS**, the Village Engineer estimates that the cost to have the Proposed Storm Sewer installed will be \$145,555.75; and

**WHEREAS**, the Village has not allocated funds to pay the full estimated cost of the Proposed Storm Sewer; and

**WHEREAS**, the Lake County Stormwater Management Commission ("**LCSMC**") implements a Stormwater Infrastructure Repair Fund ("**SIRF**") to provide grant funding for eligible projects pertaining to stormwater management and drainage within Lake County, Illinois; and

**WHEREAS**, the Village has applied to LCSMC for a SIRF grant to help defray the cost of the Proposed Storm Sewer; and

**WHEREAS**, LCSMC has indicated that the Village would be eligible to receive a SIRF grant in the amount of \$68,000.00 for the Proposed Storm Sewer, leaving a balance of \$77,555.74 needed to pay for the installation of the Proposed Storm Sewer (the “**Matching Amount**”); and

**WHEREAS**, a condition of receiving the SIRF grant is that the Village commit to providing the Match Amount for the installation of the Proposed Storm Sewer; and

**WHEREAS**, subject to the terms and conditions of this Resolution, the Village President and Board of Trustees (the “**Village Board**”) hereby commit to providing the Matching Amount not to exceed \$78,000 for the Proposed Storm Sewer in order to secure the SIRF grant;

**NOW, THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LONG GROVE, COUNTY OF LAKE, STATE OF ILLINOIS**, as follows:

**SECTION ONE:**      **Recitals.** The foregoing recitals are hereby incorporated into and made a part of this Resolution as if fully set forth herein.

**SECTION TWO:**      **Approvals of Grant Application and Matching Amount.** The Village Board hereby approves: (a) the Village’s application for the SIRF grant in the amount of \$68,000.00, and (b) the expenditure of the Matching Amount but not to exceed \$78,000.00 for the installation of the Proposed Storm Sewer. Such approvals are subject to the terms and conditions in Section Three of this Resolution.

**SECTION THREE:**      **Conditions on Approvals.** The Village’s commitment of the Matching Amount for the Proposed Storm Sewer is hereby conditioned upon and subject to:

- a. LCSMC approving a SIRF grant for the Proposed Storm Sewer in an amount of not less than \$68,000.00 (the “**Grant**”); and
- b. Review and approval by the Village Board of any agreement between the Village and LCSMC relating to the Grant (a “**Grant Agreement**”); and

- c. Receipt, and where appropriate recordation, of any easement, license, or other authorization from affected Owners to allow the Village to effectuate the installation of the Proposed Storm Sewer in the most cost-effective manner; and
- d. Execution and delivery to the Village of appropriate waivers and releases from Owners (the "**Releases**") in a form approved by the Village Manager in consultation with the Village Attorney.

Upon satisfaction of each and all of the foregoing conditions, the Village Board will authorize the execution and delivery of the Grant Agreement on behalf of the Village. Following the execution of the Grant Agreement, the Village shall also approve any amendments to its annual budget to provide for the expenditure of the Matching Funds.

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

PASSED this \_\_\_<sup>th</sup> day of June, 2023.

AYES: ( )

NAYS: ( )

ABSENT: ( )

APPROVED this \_\_\_<sup>th</sup> day of June, 2023.

\_\_\_\_\_  
Village President

ATTEST:

\_\_\_\_\_  
Village Clerk