

COUNTY OF LAKE

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION ACCEPTING ALL ASSETS AND  
RESPONSIBILITIES OF THE LAKES REGION  
SANITARY DISTRICT UPON DISSOLUTION**

**WHEREAS**, the County of Lake (the “**County**”) has previously entered into that certain 2013 “Restated and Amended Agreement for Sewage Disposal” dated May 14, 2013 (the “**Wholesale Agreement**”) with the Lakes Region Sanitary District (the “**District**”), pursuant to which the District agreed to deliver sanitary sewage from the District Sewage Collection System owned and operated by the District to the County Sewerage System owned by the County and operated through the County’s Department of Public Works (the “**PW Department**”); and

**WHEREAS**, the County and the District have also previously entered into that certain “Intergovernmental Agreement to Foster Collaboration on Sewer-Related Operations and Services” as of November 14, 2017, which agreement was amended by the “First Amendment to Intergovernmental Agreement to Foster Collaboration on Sewer-Related Operations and Services” effective as of November 28, 2018 (collectively, the “**Original Agreement**”); and

**WHEREAS**, the Original Agreement provided the opportunity for mutual assistance between the County and the District with respect to the County Sewerage System and the District Sewage Collection System; and

**WHEREAS**, as a result of the County’s successful collaborative experience with the District under the Original Agreement, the County and District explored the utility and desirability of consolidating the functions and operations of the District within the PW Department; and

**WHEREAS**, based on an extensive and detailed review of the benefits and potential detriments of such consolidation, the County determined that it would be in the best interests of the County and its residents to pursue consolidation of the District’s sanitary sewerage services with the PW Department and to have the District wind-down its affairs and dissolve, with the

County (through the PW Department) acquiring all of the assets and responsibilities of the District;  
and

**WHEREAS**, pursuant to P.A. 100-874 (codified as 70 ILCS 2805/33.1), the dissolution of the District and the assumption of its assets and responsibilities by the County are authorized pursuant to an agreement between the County and the District, which agreement was entered into as that certain “Restated and Amended Intergovernmental Agreement for Services and for Dissolution of the Lakes Region Sanitary District” dated May 1, 2019 (the “***Dissolution Agreement***”); and

**WHEREAS**, consistent with the Dissolution Agreement, the County has determined that it is in the best interests of the general public within Lake County, Illinois, to proceed with the dissolution of the District and to have the County acquire all of the assets and responsibilities of the District;

**NOW, THEREFORE, BE IT RESOLVED by this County Board of the County of Lake, Illinois, as follows:**

**SECTION 1: Recitals.** The foregoing recitals are hereby incorporated into and made a part of this Resolution as if fully set forth, and they represent the legislative findings and determinations of the County Board.

**SECTION 2: Acceptance of Assets and Assumption of Responsibilities.**

A. In accordance with the terms and requirements of 70 ILCS 2805/33.1, the County Board hereby authorizes and agrees:

1. To accept all the remaining assets of the District as provided for in the Dissolution Agreement as of the “***Final Closing Date***” described in the Dissolution Agreement, which Final Closing Date is hereby set for not more than 45 days after the Interim Director of the PW Department issues the County Pre-Closing Notice as provided in the Dissolution Agreement;
2. To assume all responsibilities of the District as of the Final Closing Date;

3. To undertake all actions necessary, appropriate, and convenient to effect the final Closing and to perform the Closing Activities in accordance with the Dissolution Agreement, including without limitation the execution of such certifications, closing agreements for the implementation of the Dissolution Agreement, and other documents necessary or appropriate in connection with such Closing. For purposes of this Section 2.A.3, the County Administrator, County Clerk, and Interim Director of the PW Department are authorized and directed to execute documents on behalf of the County; and
4. To undertake all of the Post-Closing Dissolution Activities as set forth in Section 8 of the Dissolution Agreement following the Final Closing Date.

B. In accepting the assets and assuming the responsibilities of the District, the County Board hereby acknowledges that there shall be no further levy of a general real estate tax solely on the taxpayers of the District following the Final Closing Date; provided that nothing in this Section 2.B shall interfere with the extension and collection of real estate taxes levied by the District prior to the Final Closing Date.

C. This Resolution is intended to serve as the formal legislative action of the County Board pursuant to 70 ILCS 2805/33.1 to acquire all of the assets and responsibilities of the District upon dissolution and to exercise the statutory powers of the District as of the Final Closing Date.

**SECTION 3: Effective Dates.** This Resolution shall be in full force and effect upon its passage, approval, and publication in the manner provided by law.

PASSED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_.

AYES:

NAYS:

ABSENT:

ABSTAIN:

APPROVED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_.

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Sandy Hart, Lake County Board Chair

ATTEST:

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Robin M. O'Connor, County Clerk