



Lake County Illinois

Legislation Details (With Text)

File #: 09-1139 **Version:** 3 **Name:** Referendum Question Resolution
Type: resolution **Status:** Regular Agenda
File created: 1/8/2009 **In control:** Public Works and Transportation Committee
On agenda: **Final action:** 1/20/2009

Title: Resolution providing for and authorizing the submission to referendum of an advisory question of public policy concerning the possible State of Illinois construction of the extension of Illinois Route 53 and operation of Illinois Route 53 as a tollway through Lake County to the voters of the County of Lake, Illinois, at the consolidated election to be held on April 7, 2009.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Approved Rt. 53 Resolution

Date	Ver.	Action By	Action	Result
1/20/2009	1	Lake County Board	adopted as amended	Pass
1/14/2009	1	Public Works and Transportation Committee	recommended for adoption to the regular agenda	Pass

Resolution providing for and authorizing the submission to referendum of an advisory question of public policy concerning the possible State of Illinois construction of the extension of Illinois Route 53 and operation of Illinois Route 53 as a tollway through Lake County to the voters of the County of Lake, Illinois, at the consolidated election to be held on April 7, 2009.

- The State of Illinois completed the “Lake County Transportation Improvement Project” in Sept 2001.
- The study report identified two alternatives for congestion relief for central Lake County.
 - IL-53 Freeway/Tollway
 - IL 83/US 45 with Route 12
- The state has not selected an alternative.
- At the December 11, 2007 board meeting, the tollway executive director stated three things are needed: 1) Political will 2) Political courage 3) Political consensus.
- The Public Works and Transportation Committee discussed this issue at their January 7, 2009 meeting and recommend the issue be placed before the voters at the April 7, 2009 Election as an advisory question.

RESOLUTION

Providing for and authorizing the Submission
to Referendum of the Advisory Question of Public Policy Concerning
the Possible State of Illinois Construction
of the Extension of Illinois Route 53 and ~~Operation of Illinois Route 53~~
as a Tollway through Lake County
to the Voters of the County of Lake, Illinois, at the Consolidated
Election to be held on April 7, 2009.

WHEREAS, The Chicago Region Year 2030 Regional Transportation Plan, adopted October 8, 2006 includes the possible extension of IL Route 53 from Lake Cook Road north to IL Route 120.

WHEREAS, Illinois Department of Transportation and the Illinois State Toll Highway Authority completed the draft report of the Lake County Transportation Improvement Project, in September 2001;

WHEREAS, two alternatives were identified as finalists in this joint study, one being the IL-53 Freeway/Tollway, and to date, the State has not selected a final alternative for the study; and,

WHEREAS, Lake County residents and other stakeholders have consistently expressed a strong interest in the future extension of IL-53 during public forums and directly to their local elected officials; and,

WHEREAS, at the Dec. 12, 2007 Lake County Board meeting, then current Illinois Toll Highway Authority Executive Director Brian McPartlin identified the following needed to occur for progress to be made on extending IL-53: political will, political courage, and political consensus; and,

WHEREAS, the Lake County Board is empowered to authorize the submission to referendum of advisory questions of public policy to the voters of Lake County pursuant to 55 ILCS 5/5-1005.5 and Article 28 of the Illinois Election Code, 10 ILCS 5/28-1 et seq.; and

WHEREAS, the Public Works and Transportation Committee recommends that the County Board authorize an advisory question of public policy to be placed on the ballot that asks Lake County voters whether the State of Illinois should construct the extension of Illinois Route 53 and operate Illinois Route 53 as a tollway through Lake County.

NOW, THEREFORE, BE IT HEREBY RESOLVED, that the County Board of Lake County, Illinois, as follows:

Section 1. Incorporation of Preambles. The County Board hereby finds that all of the recitals contained in the preambles to this Resolution are full, true and correct and does incorporate them into this Resolution by this reference.

Section 2. Submission to Voters. The advisory question of public policy hereinabove referred to shall be submitted to the voters of the County in accordance with the general election law at the consolidated election to be held on Tuesday, April 7, 2009, between the hours of 6:00 o'clock A.M. and 7:00 o'clock P.M. on said day (the "Election").

Section 3. Voting Precincts and Polling Places. The Election shall be held in the voting precincts and at the polling places established by the County Board, for voters of the County at the Election.

Section 4. Election Notice. The County Clerk of the County (the "County Clerk") shall give notice of the Election (the "Notice") in accordance with the general election law by (i) publishing the Notice once not more than 30 nor less than 10 days prior to the date of the Election in a local, community newspaper having general circulation in the County, and (ii) posting a copy of the Notice at least 10 days before the date of the Election at the principal office of the County Clerk.

Section 5. Newspaper of General Circulation. It is hereby found and determined that The News Sun is a local, community newspaper having general circulation in the County as required by Section 12-5 of the Election Code of the State of Illinois, as amended (the "Election Code").

Section 6. Form of Notice. The notice shall appear over the name and title of the County Clerk and shall be substantially in the following form:

Notice Is Hereby Given that at the election to be held on Tuesday, the 7th day of April, 2009, the following advisory question of public policy will be submitted to the voters of The County of Lake, Illinois:

Shall the State of Illinois construct the extension of Illinois Route 53 and operate Illinois Route 53 as a tollway from Lake Cook Road northerly to the existing Illinois Route 120?

This is an advisory referendum that will be used to determine the level of public support for the extension of Illinois Route 53 through Lake County. A **map** ~~more complete~~ depiction of the contemplated routing of the proposed extension of Illinois Route 53 can be found in the Illinois Department of Transportation and Illinois State Toll Highway Authority's joint "Lake County Transportation Improvement Project" report. The map depicted in the report is available for viewing online at www.lakecountyil.gov and is also available at the Lake County Division of Transportation, 600 West Winchester Road, Libertyville, Illinois.

The polls at said election will be open at 6:00 o'clock A.M. and will continue to be open until 7:00 o'clock P.M. of that day.

Dated this ____ of _____ 2009.

County Clerk, the County of Lake, Illinois

Section 7. Form of Ballot. The ballot to be used at the Election shall be in substantially the following form, with such alterations, changes, deletions and insertions as may be required by Articles 24A or 24B of the Election Code if an electronic, mechanical or electric voting system is used at the Election:

(Face of Ballot)

OFFICIAL BALLOT
Advisory Question of Public Policy Concerning
the Possible State of Illinois Construction of the Extension of Illinois Route 53
and ~~Operation of Illinois Route 53 as a Tollway~~ through Lake County

(INSTRUCTIONS TO VOTERS: Mark a cross (x) in the space opposite the word indicating the way you desire to vote.)

Shall the State of Illinois construct the extension of Illinois Route 53 and operate Illinois Route 53 as a tollway from Lake Cook Road northerly to the existing Illinois Route 120?	YES	_____
	NO	_____

This is an advisory referendum that will be used to determine the level of public support for the extension of Illinois Route 53 through Lake County. A ~~map~~ **map** ~~more complete~~ depiction of the contemplated routing of the proposed extension of Illinois Route 53 can be found ~~in the Illinois Department of Transportation and Illinois State Toll Highway Authority's joint "Lake County Transportation Improvement Project" report.~~ The map depicted in the report is available for viewing online at www.lakecountyil.gov and is also available at the Lake County Division of Transportation, 600 West Winchester Road, Libertyville, Illinois.

(Back of Paper Ballot)
Official Ballot

Official ballot for voting in the County of Lake, Illinois on the advisory question of public policy concerning the possible State of Illinois construction of the extension of Illinois Route 53 ~~and operation of Illinois Route 53 as a tollway~~ through Lake County, at the consolidated election to be held on April 7, 2009.

Precinct Number: _____

Polling Place: _____

(Facsimile Signature)
County Clerk,
County of Lake, Illinois

Section 8. Election Judges. The Election shall be conducted by the election judges appointed by the County Board to act in the precincts at which said advisory question of public policy will be submitted to the voters of the County.

Section 9. Filing of Resolution. After the adoption hereof and not less than 61 days prior to the date of the Election, the County Clerk shall certify that the advisory question of public policy set forth herein may be submitted to the voters of the County at the Election.

Section 10. Canvass of Election. The Election shall be held and conducted and the returns thereof duly canvassed, all in the manner and time as provided by the general election law.

Section 11. Severability. If any section, paragraph, clause or provision of this Resolution shall be held to be invalid or unenforceable for any reason the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this Resolution.

Section 12. Repealer and Effective Date. All ordinances, resolutions and parts thereof in conflict herewith be and the same are hereby repealed, and that this Resolution be in full force and effect forthwith upon its adoption.

ADOPTED: _____, 2009

APPROVED: _____, 2009

Chairman of the County Board
The County of Lake, Illinois

ATTEST:

County Clerk, the County of Lake, Illinois