



Lake County Illinois

Legislation Details (With Text)

File #: 13-0387 **Version:** 1 **Name:** Joint Resolution authorizing 3rd Amendment to 1st Amended Restated MOU for NLC Lake Michigan Water Planning Group

Type: resolution **Status:** Passed

File created: 3/27/2013 **In control:** Public Works and Transportation Committee

On agenda: **Final action:** 4/9/2013

Title: Joint resolution authorizing a third amendment to the First Amended and Restated Memorandum of Understanding (MOU) concerning the Northern Lake County Lake Michigan Water Planning Group efforts.

Sponsors:

Indexes:

Code sections:

Attachments: 1. 13-0387 3rd Amend to 1st Amended Water Entity MOU re Cost Sharing.pdf

Date	Ver.	Action By	Action	Result
4/9/2013	1	Lake County Board	adopted	Pass
4/3/2013	1	Financial & Administrative Committee	recommended for adoption to the consent agenda	Pass
4/3/2013	1	Public Works and Transportation Committee	approved and referred on to the Financial and Administrative Committee	Pass

Joint resolution authorizing a third amendment to the First Amended and Restated Memorandum of Understanding (MOU) concerning the Northern Lake County Lake Michigan Water Planning Group efforts.

- On July 13, 2011, the County Board approved a First Amended and Restated MOU that committed the County to cooperatively participate with various other providers of water service in Lake County for the furtherance of securing a Lake Michigan water supply.
- The first amendment to the First Amended MOU was approved by the County Board in July 2012, and had a December 31, 2012 expiration date.
- The second amendment to the First Amended MOU extended the expiration date six months from January 1, 2013 to June 30, 2013.
- The third amendment to the First Amended MOU extends the expiration date to December 31, 2013 and allows the Technical Advisory Working Group approval of expenditures.
- This resolution authorizes execution of the third amendment.

RESOLUTION

WHEREAS, the County of Lake (the "County") provides potable water service to various parcels within its jurisdiction ("Water Service") including the Grandwood Park and Fox Lake Hills service areas; and

WHEREAS, the provision of Water Service is a matter essential to the public health, safety, and welfare; and

WHEREAS, a safe, reliable, and ample supply of water is essential to providing cost-effective Water

Service; and

WHEREAS, the County's Water Service uses ground water as its supply source; and

WHEREAS, the continuing availability of a sufficient supply of ground water from reliable water sources has become an increasing concern as the County seeks to protect the public health, safety, welfare; and

WHEREAS, in order to evaluate collective concerns regarding the adequacy of supplies for Water Service, the County has worked cooperatively with various other providers of Water Service in Lake County, including without limitation the Lake County Public Water District, the Village of Antioch, the Village of Fox Lake, the Village of Lake Villa, the Village of Lindenhurst, the Village of Volo, and the Village of Wauconda (collectively, the "Planning Group"); and

WHEREAS, members of the Planning Group have met regularly since September 2006 to explore issues of mutual concern regarding the delivery of Water Services; and

WHEREAS, in 2011 the Parties, previously entered into the "First Amendment and Restated Northern Lake County Lake Michigan Water Planning Group Memorandum of Understanding" (the "First Revised Memorandum") and the "First Amendment and Restated Memorandum of Understanding, which extended the term by six months from July 31, 2012 to December 31, 2012. The Parties, now intend to enter into this Memorandum as the Second Amendment to the First Amended and Restated version of the Original Memorandum; and

WHEREAS, the Second Amendment to the First Amended and Restated Memorandum of Understanding extends the term of the First Amended and Restated Memorandum by six (6) months from January 1, 2013 to June 30, 2013; and

WHEREAS, the Third Amendment to the First Amended and Restated Memorandum of Understanding extends the term of the First Amended and Restated Memorandum from June 30, 2013 to December 31, 2013 and allows the Technical Advisory Working Group approval of expenditures; and

WHEREAS, the County Board has determined that it is in the best interest of the County and the residents and property owners in the Grandwood Park and Fox Lake Hills to approve this Resolution and to authorize the County to enter into the Third Amendment to the First Amended and Restated Memorandum of Understanding in furtherance of developing a joint system for Water Service among the Planning Group members using Lake Michigan as a water source;

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

SECTION ONE: RECITALS. The foregoing recitals are hereby incorporated and a part of this Resolution as findings of the County Board.

SECTION TWO: APPROVAL OF MEMORANDUM OF UNDERSTANDING. The Third Amendment to the First Amended and Restated Memorandum of Understanding in substantially the form attached hereto as Exhibit A is hereby approved. The County Board hereby authorizes the County Administrator or Director of Public Works of the County to execute such Memorandum of Understanding on behalf of the County and to take such other actions as may be necessary or appropriate to perform the County's obligations under the memorandum of Understanding.

SECTION FOUR: EFFECTIVE DATE. This Resolution shall be in full force and effect upon its passage and approval in the manner required by law.

DATED at WAUKEGAN, LAKE COUNTY, ILLINOIS, on this 9th day of April, A.D., 2013.