



Lake County Illinois

Legislation Text

File #: 08-0761, Version: 1

Your Financial and Administrative Committee presents herewith a Resolution authorizing the Chair of the Board to execute the Intergovernmental Agreement between the City of Waukegan and County of Lake acknowledging that Lake County will make sidewalk improvements to public sidewalk abutting the Courthouse Square owned by the City of Waukegan and indemnifying Lake County from any claims arising out of the public's use of the sidewalk as set forth in the Intergovernmental Agreement.

- Lake County desires to enter into a intergovernmental agreement with the City of Waukegan for improvement of public sidewalks that abut the Lake County Courthouse Square.
- The County and the City of Waukegan agree the City is the property owner of the sidewalk that needs to be replaced.
- The City of Waukegan agrees to the County's undertaking of the Sidewalk Improvement at the County's sole expense.
- The parties have agreed the City will remain responsible for maintenance of the sidewalk including the portion that will be improved.
- The City of Waukegan will indemnify the County for any claims that may arise from the public's utilization of the sidewalk.

WHEREAS, pursuant to Section 10 of Article VII of the Illinois Constitution of 1970, and the Illinois Intergovernmental Cooperation Act, 5 ILCS 220/1 et seq. ("IICA"), public agencies may contract or otherwise associate among themselves, or transfer any power or function, in any manner not prohibited by law or ordinance; and

WHEREAS, the County and the City are "public agencies" within the meaning the IICA; and

WHEREAS, the County is the owner of real estate as improved legally described as follows: ("Courthouse Square"); and

WHEREAS, the public sidewalk abutting the Courthouse Square is entirely the property of the City; and

WHEREAS, the County desires to improve a portion of the said sidewalk by replacing the sidewalk and curb starting at the entrance to the County parking garage, located within the Courthouse Square, and proceeding north to the end of the Courthouse Square ("Sidewalk Improvements"); and

WHEREAS, the City agrees to the County's undertaking the Sidewalk Improvements at the County's sole expense but which will be conducted under the City's direction and in compliance with the City's specifications; and

WHEREAS, the said sidewalk shall remain the property of the City and the City shall remain responsible for maintenance of the sidewalk including the portion to be improved; and

WHEREAS, the City will indemnify the County for any claims arising out of the public's use of the said sidewalk.

NOW, THEREFORE, BE IT RESOLVED, by this County Board of Lake County, Illinois, that County Board Chairman is hereby authorized to execute the Intergovernmental Agreement between the City of Waukegan and County of Lake in substantially the same form as attached hereto.

DATED at Waukegan, Illinois, on this 14th day of October, A.D., 2008.