



# Lake County Illinois

## Legislation Text

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Joint resolution authorizing the dissolution of the Beach Park Drainage District.

- The Ad Hoc Drainage District Committee has met a number of times over the past year with a focus on providing data-driven recommendations regarding consolidations where practical.
- Based on research and discussions, the committee provided direction to staff to proceed with a potential consolidation of the Beach Park Drainage District.
- Staff met with Village of Beach Park and City of Waukegan representatives and determined that the dissolution of the District and consolidation into the Village and City was in the best interest of all parties and the residents.
- Following discussions with County staff, the Beach Park Drainage District is also in support of the dissolution. All assets of the District will be transferred to the Village and City, and the current assessment to residents within the District will be removed.

### RESOLUTION

**WHEREAS**, the Beach Park Drainage District (“**District**”) is a Drainage District wholly within Lake County and within the Lake Michigan Watershed, and consists of territory lying within the Village of Beach Park and the City of Waukegan. Lake County has a stormwater management planning committee operating under Section 5-1062 of the Counties Code (55 ILCS 5/5-1062); and

**WHEREAS**, the functions of the District have for many years been performed by the Village of Beach Park, the City of Waukegan, and the Lake County Stormwater Management Commission; and

**WHEREAS**, the District derives its revenue from a \$3 assessment placed upon the tax bills of properties within the District; and

**WHEREAS**, the County, Village of Beach Park, and City of Waukegan have determined that the functions of the District can be performed by these municipal bodies, either independently or in cooperation with each other, such that the continuing existence of the District is no longer necessary; and

**WHEREAS**, Section 10/7.3 of the Illinois Drainage Code (70 ILCS 605/10-7.3) provides in relevant part: “if one or more municipalities account for at least 75 percent of a drainage district’s territory, the drainage district may be dissolved if each municipality that has territory within the drainage district and the county in which the drainage district lies adopt a resolution or ordinance dissolving the drainage district that states: (1) that there are no outstanding

debts of the district that have been filed with the county clerk; and (2) that federal or State permits or grants will not be impaired by dissolution of the district; and

**WHEREAS**, more than 75 percent of the District's territory lies within the Village of Beach Park and the City of Waukegan. There are no outstanding debts of the District that have been filed with the county clerk, and no federal or state permits or grants will be impaired by dissolution of the District; and

**WHEREAS**, the Village of Beach Park and the City of Waukegan are also adopting resolutions to dissolve the District; and

**WHEREAS**, upon receipt of the resolutions from the Village of Beach Park and the City of Waukegan, the County will file a petition for dissolution of the District in the Nineteenth Judicial Circuit Court of Illinois, which is the procedure set forth in 70 ILCS 605/10-7.3.

**WHEREAS**, the current balance of funds on deposit with the Lake County Treasurer is approximately \$56,888, and the County will transfer a percentage of the amount remaining after paying all reasonable expenses to wind up the District's affairs to the Village of Beach Park and the City of Waukegan based on the percentage of former District territory in each of those municipalities (Beach Park, 75 percent; Waukegan 25 percent); and

**WHEREAS**, Waukegan and Beach Park will eliminate the annual assessment on properties within the former District by filing no certificate of levy at any time after passage of this Resolution, thus causing the assessments historically made on District properties to cease.

**NOW THEREFORE BE IT RESOLVED**, that there are no outstanding debts of the Beach Park Drainage District that have been filed with the Lake County Clerk and that federal or state permits or grants will not be impaired by dissolution of the Beach Park Drainage District.

**BE IT FURTHER RESOLVED** that, upon receipt by the County of similar resolutions by the Village of Beach Park and the City of Waukegan, the County shall file a petition for dissolution of the Beach Park Drainage District in the Nineteenth Judicial Circuit Court of Illinois and complete the steps set forth in the statute to foster an order being entered officially dissolving the District; and

**BE IT FURTHER RESOLVED** if the Circuit Court enters an order dissolving the District, then the County will notify the Illinois Environmental Protection Agency within 60 days of the District's dissolution.

**Dated** a Waukegan, Illinois, on July 8, 2020.