

RESOLUTION NO. R2024-54

A RESOLUTION APPROVING AN AMENDMENT TO THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF WARRENVILLE AND THE COUNTY OF DUPAGE REGARDING THE JURISDICTIONAL TRANSFER OF CERTAIN RIGHTS-OF-WAY AND THE MAINTENANCE AND OWNERSHIP OF CERTAIN PROPERTY

WHEREAS, the City is a home rule municipal corporation pursuant to Article VII, Section 6(a) of the Constitution of the State of Illinois of 1970 and the County of DuPage ("**County**") is an Illinois body corporate and politic; and

WHEREAS, the City and the County are both public agencies under the Illinois Constitution of 1970 and the Intergovernmental Cooperation Act, 5 ILCS 220 and are authorized to exercise their powers and duties in a cooperative manner among themselves as public agencies; and

WHEREAS, on May 20, 2024, the City Council adopted Resolution R2024-27, approving and authorizing the City to enter into an intergovernmental agreement with the County for the transfer of jurisdiction of certain rights-of-way from the County to the City and to clarify the ownership of and maintenance responsibilities for of certain multi-use paths ("**IGA**"); and

WHEREAS, pursuant to the IGA the City accepted the transfer of jurisdiction from the County to the City of the following segments of public right-of-way: (i) River Road, from north edge of pavement of Ferry Road to the south edge of pavement of Warrenville Road; and (ii) Warrenville Road, from the west edge of pavement of Winfield Road westerly to the east edge of pavement of River Road, excluding the Warrenville Road Bridge over the West Branch of the DuPage River (SN 022-3045) (collectively, the "**Jurisdictional Transfer**"); and

WHEREAS, the County and the City desire to amend the IGA to update the lengths of each road segment within the Jurisdictional Transfer ("**Amendment**"); and

WHEREAS, the Mayor and the City Council have determined that it is in the best interest of the City and the public to approve and authorize the execution of the Amendment to the IGA with the County and approve and authorize the Jurisdictional Transfer as set forth in the IGA, as amended by the Amendment;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF WARRENVILLE, DUPAGE COUNTY, ILLINOIS, AS FOLLOWS:

SECTION 1: Recitals. The recitals listed above are incorporated in this Resolution as if fully set forth in this Resolution.

SECTION 2: Approval of Amendment to the IGA. The Amendment to the IGA with the County is hereby approved substantially in the form attached to this Resolution as **Exhibit A**, and in a final form to be approved by the Mayor.

SECTION 3: Execution of Amendment to the IGA. The Mayor and City Clerk are authorized and directed to execute the Amendment to the IGA and transmit executed and sealed copies to the County.

SECTION 4: Approval and Authorization of Jurisdictional Transfer. The City Council hereby: (a) approves and authorizes the Jurisdictional Transfer as set forth in the IGA, as amended by the Amendment; and (b) authorizes the City Administrator, Mayor, and City Clerk,

as applicable, to execute and seal, on behalf of the City, all documents approved by the City Attorney and the City Administrator necessary to complete the Jurisdictional Transfer.

SECTION 5: Transfer of Jurisdiction. Pursuant to the statutory and home rule powers of the City, the City Council hereby approves and authorizes following segments of public right-of-way, in their entirety, to be included within the municipal street system of the City, as further described in the IGA, as amended by the Amendment: (i) River Road, from north edge of pavement of Ferry Road to the south edge of pavement of Warrenville Road; and (ii) Warrenville Road, from the west edge of pavement of Winfield Road westerly to the east edge of pavement of River Road, excluding the Warrenville Road Bridge over the West Branch of the DuPage River (SN 022-3045).

SECTION 6: Effective Date. This Resolution shall be in full force and effect following its passage and approval in the manner provided by law.

PASSED THIS 3rd day of September, 2024.

AYES: Aids: Lockett, Wilkie, Davolos, Weidner, Aschauer, Kruckenberg, Barry, and Augustynowicz

NAYS: None

ABSENT: None

ABSTAIN: None

APPROVED THIS 3rd day of September 2024.


MAYOR

ATTEST:


CITY CLERK

EXHIBIT A
AMENDMENT

AMENDMENT TO THE INTERGOVERNMENTAL AGREEMENT
BETWEEN THE COUNTY OF DU PAGE AND THE CITY OF WARRENVILLE
FOR TRANSFER OF JURISDICTION OF
CH 1/RIVER ROAD FROM WARRENVILLE ROAD
TO FERRY ROAD, AND
CH 32/WARRENVILLE ROAD
FROM WINFIELD ROAD TO RIVER ROAD
EXCEPT FOR THE WARRENVILLE ROAD BRIDGE OVER THE
WEST BRANCH OF THE DU PAGE RIVER
FROM THE COUNTY OF DU PAGE TO THE CITY OF WARRENVILLE
AND
ASSUMPTION OF ROUTINE MAINTENANCE ON
WARRENVILLE ROAD BRIDGE OVER THE
WEST BRANCH OF THE DUPAGE RIVER

THIS AMENDMENT TO THE INTERGOVERNMENTAL AGREEMENT FOR TRANSFER OF JURISDICTION OF CH 1/RIVER ROAD (WARRENVILLE ROAD TO FERRY ROAD) AND CH 32/WARRENVILLE ROAD (WINFIELD ROAD TO RIVER ROAD EXCEPT FOR THE WARRENVILLE ROAD BRIDGE OVER THE WEST BRANCH OF THE DU PAGE RIVER) FROM THE COUNTY OF DU PAGE TO THE CITY OF WARRENVILLE (hereinafter referred to as the "AMENDMENT"), is entered into this _____ day of _____, 20____, between the County of DuPage (hereinafter referred to as the "COUNTY"), a body corporate and politic, with offices at 421 N. County Farm Road, Wheaton, Illinois 60187, and the City of Warrenville (hereinafter referred to as "CITY"), with offices at 3S258 Manning Avenue, Warrenville, Illinois 60555. The COUNTY and the CITY are hereinafter individually referred to as a "party" or together as the "parties."

RECITALS

WHEREAS, the COUNTY and the DISTRICT entered into an Intergovernmental Agreement between the County of DuPage and the City of Warrenville for Transfer of Jurisdiction on June 11, 2024 (hereinafter referred to as "AGREEMENT"); and

WHEREAS, the COUNTY and the CITY desire to amend said AGREEMENT to revise the lengths in miles pursuant to the Illinois Department of Transportation's (hereinafter referred to as "STATE") review of the AGREEMENT.

NOW, THEREFORE, in consideration of the premises and mutual covenants contained herein, the parties agree that:

1.0 RECITALS AMENDED

1.1. WHEREAS, CH 1/River Road from Warrenville Road to Ferry Road, in its entirety, and a segment of CH 32/Warrenville Road from Winfield Road to River Road that are collectively approximately 1.06 mi. in length (consisting of approximately 2.53 lane miles) are currently a part of the County Highway System and under the jurisdiction of the COUNTY.

2.0 AMENDMENT

2.1 The COUNTY agrees to delete from the County Highway System and transfer jurisdiction, as is, and the CITY agrees to add to the CITY's system and accept jurisdiction, as is, of CH 1/River Road from Warrenville Road to the north edge of pavement of Ferry Road, in its entirety, that is approximately 0.84 mile in length, consisting of 1.67 line miles and CH 32/Warrenville Road from River Road to the west edge of pavement of Winfield Road exclusive of the BRIDGE, that is approximately 0.22 mile in length, consisting of 0.68 lane miles, including all existing roadway surface, sidewalks, paths, lighting, and related appurtenances, upon execution of this AGREEMENT by entering into the Local Agency Agreement for Jurisdictional Transfer (including map) as attached hereto as Exhibit A which is incorporated herein by reference.

3.0 ORIGINAL AGREEMENT

3.1 Other than the Amendments enumerated in 1.1. and 2.1 above, all other terms of the AGREEMENT shall remain in effect.

IN WITNESS WHEREOF, the parties have caused this AMENDMENT to be executed in duplicate counterparts, each of which shall be considered as an original by their duly authorized officers as of the date first above written.

Deborah A. Conroy, Chair
DuPage County Board

[REDACTED]
David Brummel, Mayor
City of Warrenville

ATTEST:

ATTEST:

Jean Kaczmarek
County Clerk

[REDACTED]
Julie Clark, Clerk
City of Warrenville

