



Legislation Text

File #: SM-R-0002-24, **Version:** 2

INTERGOVERNMENTAL AGREEMENT BETWEEN COUNTY OF DUPAGE, ILLINOIS AND YORK TOWNSHIP ROAD DISTRICT FOR THE LUTHER- HIGH RIDGE FLOOD MITIGATION PROJECT

WHEREAS, the TOWNSHIP and COUNTY are public agencies within the meaning of the Illinois "Intergovernmental Cooperation Act," 5 ILCS 220/1 et seq., and as authorized by Article 7, Section 10 of the Constitution of the State of Illinois; and

WHEREAS, the purposes of the "Intergovernmental Cooperation Act" and Article 7 of the Constitution of the State of Illinois include fostering cooperation among government bodies; and

WHEREAS, the Illinois General Assembly has granted the COUNTY authority to take action to manage stormwater and control flooding and to enter into agreements for the purposes of stormwater management and flood control (Illinois Compiled Statutes, Chapter 55 paragraphs 5/5-1062.3 and 5/5-15001 et. seq.); and

WHEREAS, the COUNTY has adopted the DuPage County Stormwater Management Plan which recognizes the reduction of stormwater runoff as an integral part of the proper management of storm and flood waters; and

WHEREAS, the COUNTY has been awarded \$179,266,585 in funding through the American Rescue Plan Act (ARPA); and

WHEREAS, ARPA permits the use of ARPA funds for stormwater infrastructure projects; and

WHEREAS, the COUNTY Board has allocated a portion of its ARPA funds be dedicated towards qualifying stormwater infrastructure projects; and

WHEREAS, the Stormwater Management Planning Committee and the COUNTY Board has approved and directed a portion of the funds to be dedicated to Stormwater Infrastructure and are to be used to fund program specific shovel-ready projects that demonstrate flood protection and resilience measures; and

WHEREAS, the DuPage County Board adopted the Sugar Creek Watershed Plan on September 11, 2018; and

WHEREAS, the creation of the Luther - High Ridge Project was a recommended project in the Sugar Creek Watershed Plan; and

WHEREAS, the COUNTY will plan, design, and construct using ARPA grant funds for the "LUTHER-HIGH RIDGE FLOOD MITIGATION PROJECT" that meets the criteria for, and qualifies as, an ARPA Stormwater Infrastructure Project (herein referred to as the "PROJECT"); and

WHEREAS, the COUNTY and the TOWNSHIP have determined that the implementation of the PROJECT will benefit local citizens with flood protection, water quality and/or resilience measures; and;

WHEREAS, the TOWNSHIP has requested COUNTY participation in the PROJECT through the COUNTY'S American Rescue Plan Act grant funds in an approximate amount of one million eight hundred twenty-nine thousand six hundred fifty dollars (\$1,829,650); and

WHEREAS, the COUNTY shall pay all PROJECT expenses up front and will be reimbursed for any qualified expenses per this AGREEMENT; and

WHEREAS, the COUNTY shall share any available data collected from the PROJECT for the purposes of fostering community education and improving upon similar future projects; and

NOW, THEREFORE, BE IT RESOLVED by the DuPage County Board that the attached AGREEMENT between the COUNTY and the YORK TOWNSHIP ROAD DISTRICT is hereby accepted and approved, and that the Chairman of the DuPage County Board is hereby authorized and directed to execute the AGREEMENT on behalf of the COUNTY.

BE IT FURTHER RESOLVED that the DuPage County Clerk be directed to transmit certified copies of this Resolution and the attached AGREEMENT, by and through the Stormwater Management Department, to the York Township Road District, 19W475 Roosevelt Rd., Lombard, IL 60148; and Nick Alfonso/State's Attorney's Office.

Enacted and approved this 9th day of July, 2024 at Wheaton, Illinois.

DEBORAH A. CONROY, CHAIR
DU PAGE COUNTY BOARD

Attest: _____

JEAN KACZMAREK, COUNTY CLERK