

RESOLUTION NO. ____-R

A RESOLUTION AUTHORIZING THE VILLAGE PRESIDENT TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE VILLAGE OF WINNEBAGO AND THE BOARD OF EDUCATION OF WINNEBAGO COMMUNITY UNIT SCHOOL DISTRICT NUMBER 323, ILLINOIS REGARDING PAYMENT OF DEVELOPMENT FEES

WHEREAS, the Village of Winnebago (the “Village”) and the Winnebago School District #323 (the “School District”) recognize the importance of fostering a strong, cooperative relationship in the best interest of both entities and the community; and

WHEREAS, the School District, as a governmental entity, has requested a waiver of the escrow requirement typically associated with site plan reviews and other development-related costs due to the recommendation of its auditors, as holding funds in escrow is not advisable for a School District; and

WHEREAS, the School District agrees to be invoiced directly by the Village for all site plan review costs and other development-related costs that would traditionally be charged to an escrow account, and agrees to pay such invoices within sixty (60) days of receipt; and

WHEREAS, the terms of this agreement are intended to apply to all future development projects undertaken by the School District within the Village limits of the Village of Winnebago, unless otherwise revised by either entity; and

WHEREAS, the Village is authorized under Illinois law to enter into intergovernmental agreements with other governmental entities for purposes of cooperation and efficiency pursuant to Article VII, Section 10 of the Illinois Constitution and the Intergovernmental Cooperation Act (5 ILCS 220/1 et seq.); and

WHEREAS, the Village desires to authorize this agreement to accommodate the School District’s desire to begin construction on the Simon Elementary School Parking Lot, a project that will benefit both the Village and the School District.

NOW, THEREFORE, BE IT RESOLVED by the President and the Board of Trustees of the Village of Winnebago, Illinois, as follows:

SECTION I: AUTHORIZATION TO ENTER AGREEMENT

The Village President is hereby authorized and directed to enter into an Intergovernmental Agreement (IGA) with the Winnebago School District #323, substantially in the form attached hereto as Exhibit A, subject to any technical revisions deemed necessary by the respective Village and School District attorneys. Any material deviation from the points outlined in this resolution shall require further approval by the Village Board.

SECTION II: WAIVER OF ESCROW REQUIREMENT

The IGA will specify that the School District is exempt from the requirement under section 8.01.02 of the Village's Unified Development Ordinance to place funds in an escrow account for site plan reviews and other development-related costs described therein. Instead, the Village will invoice the School District directly for all such costs incurred.

SECTION III: PAYMENT OF INVOICES

The School District agrees to pay all invoices issued by the Village for site plan reviews and other development-related costs within sixty (60) calendar days of receipt.

SECTION IV: APPLICABILITY TO FUTURE DEVELOPMENTS

The agreement shall apply to all future development projects undertaken by the School District within the village limits of the Village of Winnebago, unless otherwise revised by either entity per agreement.

SECTION V: COMPLIANCE WITH UNIFIED DEVELOPMENT ORDINANCE

The School District shall comply with all other applicable development requirements as outlined in the Village's Unified Development Ordinance (UDO), as amended from time to time, or as required by other village ordinance.

SECTION VI: EFFECTIVE DATE

This Resolution shall be in full force and effect from and after its passage and approval in accordance with law.

APPROVED this _____ day of _____, 2024

Franklin J. Eubank, Jr., President
of the Board of Trustees of the
Village of Winnebago, Illinois

ATTEST:

Sally Jo Huggins, Village Clerk

PASSED:

APPROVED:

**PUBLISHED IN
PAMPHLET FORM:**