

Agenda Item # 34

Distribution:
County Board
County Administrator OMB (2)
County Administrator Controller
Public Building Commission

STATE OF ILLINOIS)
) SS.
COUNTY OF LAKE)

COUNTY BOARD, LAKE COUNTY, ILLINOIS

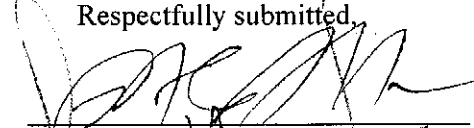
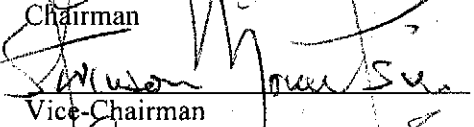

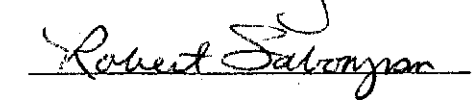

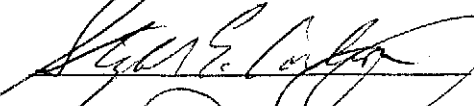
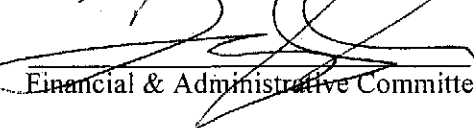
ADJOURNED REGULAR SEPTEMBER, A.D., 2005 SESSION

DECEMBER 13, A.D., 2005

MADAM CHAIRMAN AND MEMBERS OF THE COUNTY BOARD:

Your Financial and Administrative Committee presents herewith a Resolution Approving an Intergovernmental Agreement between the County of Lake and the Lake County Public Building Commission relating to the transfer of Commission assets from the Commission to the County and authorizing the Chairman of the County Board to execute said document; and requests its adoption.

Respectfully submitted,

	_____	Aye	Nay
Chairman		X	
	_____	X	
Vice-Chairman			
	_____	✓	
	_____	9	
	_____	✓	
	_____	✓	
	_____		
Financial & Administrative Committee			

**A RESOLUTION APPROVING AN INTERGOVERNMENTAL AGREEMENT
BETWEEN THE COUNTY OF LAKE AND THE PUBLIC BUILDING COMMISSION
TO REIMBURSE THE COUNTY OF LAKE FOR EXPENSES RELATING TO THE
TRANSFER OF COMMISSION ASSETS FROM THE COMMISSION TO THE
COUNTY**

WHEREAS, on December 1, 2000 the County and the Commission entered into an intergovernmental cooperation agreement, as amended, whereby the Commission transferred all employees and responsibility for operating and maintaining certain public buildings and facilities owned by the Commission to the County; and

WHEREAS, the Commission holds title to certain improved real estate ("*Real Estate*"), as legally described in the attached schedule (Exhibit 1); and

WHEREAS, the Commission has repaid all outstanding bonds issued for the construction of such public buildings and facilities situated upon said Real Estate;

WHEREAS, in order to realize certain efficiencies in the delivery of public services, the Commission desires to transfer said Real Estate, including all improvements situated thereon, and to transfer or assign all of its right, title and interest in certain personal property, fund account balances and contracts to the County; and

WHEREAS, in order to realize the same efficiencies the County desires to accept the transfer and assignment of the aforesaid Real Estate, personal property, fund account balances and contracts; and

WHEREAS, pursuant to the Government Property Transfer Act, 50 ILCS 605/0.01, *et seq.*, counties and municipal corporations, including the County and the Commission, may transfer title to public buildings and facilities from one to the other, and

WHEREAS, on August 9, 1960, the Commission and the County entered into a contract ("1960 Contract") whereby the "courthouse square" property was to be conveyed by the County to the Commission, with a reverter that would provide that at the time of payment of any and all bonds issued by the Commission and when the Commission is free of debt, the Commission by good and sufficient deed shall reconvey the courthouse square property, together with any improvements made upon them, back to the County; and

WHEREAS, the 1987 Lease, as amended, between the County and the Commission wherein the Commission leased the Commission properties to the County ("1987") provided, in pertinent part, that at such time as all of the outstanding revenue bonds (including refunding bonds) issued by the Commission with reference to the Project (being the Projects contemplated in 1987) and the bonds are paid in full, the unexpended balance in all accounts of the Revenue Fund shall be refunded to the County; and

WHEREAS, the 1987 Lease has expired, the Project is completed and the outstanding revenue bonds (including refunding bonds) have been paid in full; and

WHEREAS, pursuant to the provisions of the Governmental Property Transfer Act, 50 ILCS 605/0.01, *et seq.*, on November 8, 2005 the County of Lake passed an ordinance authorizing the Commission to transfer to the County the real estate legally described in Exhibit 1; and

WHEREAS, pursuant to the provisions of the Governmental Property Transfer Act, 50 ILCS 605/0.01, *et seq.*, on November 9, 2005 the Commission passed a resolution,

authorizing the Commission to transfer to the County the real estate legally described in Exhibit 1; and

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., units of local government, including counties and public building commissions, may contract or otherwise associate among themselves, or transfer any power or function, in any manner not prohibited by law or ordinance; and

WHEREAS, attached hereto is the Intergovernmental Agreement between the County and the Commission providing for the transfer of Commission assets from the Commission to the County.

NOW, THEREFORE, BE IT RESOLVED BY THIS COUNTY BOARD OF THE LAKE COUNTY, ILLINOIS AS FOLLOWS:

Section One: The foregoing recitals are hereby incorporated herein as findings of the County Board.

Section Two. The attached Intergovernmental Agreement between the County of Lake and the Lake County Public Building Commission providing for the transfer of Commission assets from the Commission to the County agreement is approved and the Chairman of the County Board is authorized to sign the said agreement on behalf of the County of Lake.

Passed and effective this 13th day of December, 2005