

**VILLAGE OF FOREST VIEW
COOK COUNTY, ILLINOIS**

RESOLUTION NO. R19-08

**A RESOLUTION AUTHORIZING THE EXECUTION OF AN INTERGOVERNMENTAL AGREEMENT BY
AND BETWEEN THE VILLAGE OF FOREST VIEW AND THE VILLAGE OF STICKNEY FOR
IMPROVEMENTS TO
45TH STREET FROM HARLEM AVENUE TO OAK PARK AVENUE**

WHEREAS, the Village of Forest View ("Forest View"), Cook County, Illinois and the Village of Stickney, Cook County, Illinois ("Stickney" or the "Village"), are public agencies authorized by Article VII, Section 10, of the Constitution of the State of Illinois of 1970 and by the Illinois Intergovernmental Cooperation Act, 5 ILCS 220/1 *et seq.*, to contract with any other public agency of Illinois or otherwise associate among themselves, and to exercise jointly, combine or transfer any power or function in any manner not prohibited by law or by ordinance; and

WHEREAS, Forest View and Stickney have shared jurisdiction over 45th Street from Harlem Avenue to Oak Park Avenue pursuant to Section 2-104 of the Illinois Highway Code (605 ILCS 5/2-104) and are thereby mutually authorized to maintain 45th Street from Harlem Avenue to Oak Park Avenue where Stickney maintains the north half of the street and Forest View maintains the south half; and

WHEREAS, the centerline of 45th Street from Harlem Avenue to Oak Park Avenue is the common corporate boundary line between Forest View and Stickney. Consequently, Forest View and Stickney share jurisdiction for the maintenance of 45th Street from Harlem Avenue to Oak Park Avenue; and

WHEREAS, Forest View and Stickney desire to improve the right-of-way of 45th Street from Harlem Avenue to Oak Park Avenue; and

WHEREAS, Forest View and Stickney desire to enter into an intergovernmental agreement (the "IGA") by and between the Village of Forest View, Illinois and the Village of Stickney, Illinois, for improvements, repair and maintenance to 45th Street to set forth their respective responsibilities regarding the improvements to 45th Street from Harlem Avenue to Oak Park Avenue; and

WHEREAS, the President (the "President") and the Board of Trustees of the Village of Forest View (the "Board") (collectively, the "Corporate Authorities") hereby find that it is in the best interests of the Village and its residents to enter into the IGA; and

WHEREAS, the President is authorized to enter into and the Village Attorney (the “Attorney”) is authorized to revise agreements to the IGA for the Village making such insertions, omissions and changes as shall be approved by the President and the Attorney;

NOW, THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF FOREST VIEW, COOK COUNTY, ILLINOIS as follows:

SECTION 1: RECITALS. The facts and statements contained in the preamble to this Resolution are found to be true and correct and are hereby adopted as part of this Resolution.

SECTION 2: PURPOSE. The purpose of this Resolution is to authorize the President or his designee to enter into the IGA with the Village of Stickney to improve, repair and maintain 45th Street from Harlem Avenue to Oak Park Avenue and to further authorize the President or his designee to take all steps necessary to carry out the terms and intent of this Resolution and to ratify any steps taken to effectuate those goals.

SECTION 3: AUTHORIZATION. The Board hereby authorizes and directs the President or his designee to authorize, enter into and approve the IGA in accordance with its terms, or any modifications thereof, and to ratify any and all previous action taken to effectuate the intent of this Resolution. The Board further authorizes and directs the President or his designee to execute the IGA with such insertions, omissions and changes as shall be approved by the President and the Attorney. The Village Clerk is hereby authorized and directed to attest to and countersign the IGA and any other documentation as may be necessary to carry out and effectuate the purpose of this Resolution. The Village Clerk is also authorized and directed to affix the Seal of the Village to such documentation as is deemed necessary. The officers, agents and/or employees of the Village shall take all action necessary or reasonably required by the Village to carry out, give effect to and consummate the purpose of this Resolution and shall take all action necessary in conformity therewith.

SECTION 4: HEADINGS. The headings of the articles, sections, paragraphs and subparagraphs of this Resolution are inserted solely for the convenience of reference and form no substantive part of this Resolution nor should they be used in any interpretation or construction of any substantive provision of this Resolution.

SECTION 5: SEVERABILITY. The provisions of this Resolution are hereby declared to be severable and should any provision of this Resolution be determined to be in conflict with any law, statute or regulation by a court of competent jurisdiction, said provision shall be excluded and deemed inoperative, unenforceable and as though not provided for herein and all other provisions shall remain unaffected, unimpaired, valid and in full force and effect.

SECTION 6: SUPERSEDER. All code provisions, ordinances, resolutions, rules and orders, or parts thereof, in conflict herewith are, to the extent of such conflict, hereby superseded.

SECTION 7: PUBLICATION. A full, true and complete copy of this Resolution shall be published in pamphlet form or in a newspaper published and of general circulation within the Village as provided by the Illinois Municipal Code, as amended.

SECTION 8: EFFECTIVE DATE. This Resolution shall be effective and in full force immediately upon passage and approval as provided by law.

PASSED BY THE FOLLOWING VOTE this 10th day of December, 2019.

AYES: Trustees Grossi, Sudkamp, Hubacek, Miller, Stimach, Kirchgatterer

NAYS: None

ABSENT: None

APPROVED this 10th day of December, 2019

Lawrence Powell
Village President

ATTEST:

Joy M. Conklin
Village Clerk

EXHIBIT "A"

**INTERGOVERNMENTAL AGREEMENT BY AND BETWEEN THE VILLAGE OF FOREST VIEW,
ILLINOIS, AND THE VILLAGE OF STICKNEY, ILLINOIS,
FOR IMPROVEMENTS TO AND REPAIRS AND MAINTENANCE OF
45TH STREET- HARLEM AVENUE TO OAK PARK AVENUE**