

LEGISTAR: 180033
DISTRICT: 1

VILLAGE OF LOMBARD
REQUEST FOR BOARD OF TRUSTEES ACTION
For Inclusion on Board Agenda

 X Resolution or Ordinance (Blue) X Waiver of First Requested
 Recommendation of Boards, Commissions & Committees (Green)
 Other Business (Park)

TO: VILLAGE PRESIDENT AND BOARD OF TRUSTEES
FROM: Scott Niehaus, Village Manager
DATE: January 9, 2018 (B of T) **DATE:** January 18, 2018
TITLE: Hill Avenue Jurisdictional Transfer
SUBMITTED BY: Carl S. Goldsmith, Director of Public Works *gy*

BACKGROUND/POLICY IMPLICATIONS:

A 2010 IGA between the Village of Lombard and the Village of Glen Ellyn provides for the transfer of the roadway to Glen Ellyn on or before January 30, 2018. The attached Ordinance effectuates the transfer.

FISCAL IMPACT/FUNDING SOURCE:

Review (as necessary):
Village Attorney _____ Date _____
Finance Director _____ Date _____
Village Manager _____ Date _____

NOTE: All materials must be submitted to and approved by the Village Manager's Office by 12:00 noon, Wednesday, prior to the Agenda Distribution.



January 9, 2018

TO: Village President and Board of Trustees

THROUGH: Scott Niehaus, Village Manager

FROM: Carl Goldsmith, Director of Public Works *g*

SUBJECT: Hill Avenue Jurisdictional Transfer

Background

In October 2010, the Village of Glen Ellyn and the Village of Lombard entered into an intergovernmental agreement that provided funding for the replacement of the Hill Avenue Bridge. The cost of the bridge replacement was estimated at \$2,200,000. The Village of Lombard received Bridge Replacement and Rehabilitation Program (BRRP) funds, which would fund 80% of the project costs. The local match was to be split 50%/50% between Glen Ellyn and Lombard, with a cap of \$300,000 on Glen Ellyn's share.

As part of the IGA, the Village's agreed to amend the existing boundary agreement to place the properties north of Hill Avenue and west of the bridge in Glen Ellyn of the boundary line. The properties have been disconnected from Lombard and are in the process of negotiating annexation agreements. While the Village boundary has been amended and the properties west of the bridge are unincorporated, the roadway and utilities remained with Lombard.

The IGA provided that Lombard would dedicate the Glen Oak Lift Station and all related sanitary sewer utilities at such time as Glen Ellyn extends sanitary sewer the properties currently served by the Glen Oak Lift at such time as the connection is made, but no later than January 30, 2018. Additionally, the IGA provides that the upon the transfer of the Glen Oak Lift Station, Glen Ellyn will accept a jurisdictional transfer of Hill Avenue and all sanitary sewer utilities owned by or under the jurisdiction of Lombard west of the Bridge.

Glen Ellyn has not effectuated the annexations and does not anticipate that the annexations will occur prior to January 30, 2018. As such, the Village is proceeding with the conveyance of the roadway in accordance with the terms of the IGA. The roadway, from the west edge of the bridge to the former corporate limit of Lombard (approximately 602') will be conveyed to Glen Ellyn via the Ordinance approving the jurisdictional transfer and the concurrence of IDOT. Once the transfer is completed, Glen Ellyn will be responsible for all maintenance of the roadway and storm sewers associated with the roadway.

Recommendation

Staff recommends that the Village Board of Trustees approve AN ORDINANCE APPROVING THE TRANSFER OF JURISDICTION OVER A PORTION OF HILL AVENUE TO THE VILLAGE OF GLEN ELLYN.

ORDINANCE NO. _____

**AN ORDINANCE APPROVING THE TRANSFER OF JURISDICTION
OVER A PORTION OF HILL AVENUE TO THE VILLAGE OF GLEN ELLYN**

WHEREAS, pursuant to Section 6.B.ii. of “An Intergovernmental Agreement Between the Village of Lombard and the Village of Glen Ellyn in Regard to the Reconstruction of the Hill Avenue Bridge,” dated October 7, 2010, and recorded with the DuPage County Recorder’s Office on October 15, 2010 as document number R2010-140097, (the “IGA”), the Village of Lombard (“Lombard”) is to transfer title to the Glen Oak Lift Station and all related sewer facilities (the “Lift Station and Sewers”) to the Village of Glen Ellyn (“Glen Ellyn”) on or before January 30, 2018; and

WHEREAS, pursuant to Section 6.B.iv. of the IGA, upon transfer of title to the Lift Station and Sewers to Glen Ellyn, Lombard is to transfer jurisdiction over that portion of Hill Avenue, from the West joint line of the Hill Avenue bridge to a point six hundred two (602) feet West of the West joint line of the Hill Avenue bridge, as depicted on Exhibit A attached hereto and made part hereof, (the “Hill Avenue ROW”) to Glen Ellyn, and transfer title to all sanitary sewer utilities located within the Hill Avenue ROW (the “Hill Avenue Sewers”) to Glen Ellyn; and

WHEREAS, the transfer of jurisdiction over the Hill Avenue ROW shall not include the transfer of title to any public water mains located within the Hill Avenue ROW; and

WHEREAS, pursuant to a Bill of Sale approved by the President and Board of Trustees of the Village of Lombard (the “Lombard Village Board”) on January 18, 2018, Lombard has transferred title to the Lift Station and Sewers and Hill Avenue Sewers to Glen Ellyn; and

WHEREAS, based on the foregoing, Lombard now desires to transfer jurisdiction over the Hill Avenue ROW to Glen Ellyn, with said transfer of jurisdiction to be accomplished pursuant to the Local Agency Agreement for Jurisdictional Transfer document attached hereto as Exhibit B and made part hereof (the “JT Agreement”); and

WHEREAS, the Lombard Village Board deems it to be in the best interests of Lombard to approve the transfer of jurisdiction over the Hill Avenue ROW to Glen Ellyn pursuant to the JT Agreement;

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LOMBARD, DU PAGE COUNTY, ILLINOIS, as follows:

SECTION 1: That the recitals set forth above are incorporated herein by reference, and made part of this Ordinance.

SECTION 2: That the transfer of jurisdiction over the Hill Avenue ROW, as more particularly described in the JT Agreement, to Glen Ellyn, pursuant to the JT Agreement, is hereby approved.

SECTION 3: That the Lombard Village President is hereby authorized and directed to execute said JT Agreement on behalf of Lombard, and to execute any additional documents in furtherance of said JT Agreement.

SECTION 4: That the Village’s Director of Public Works is hereby authorized and directed to attach a certified copy of this Ordinance to the original signature copy of the JT Agreement, and to file said fully executed original signature copy of said JT Agreement with the State of Illinois Department of Transportation.

SECTION 5: This Ordinance shall be in full force and effect from and after its passage and approval, as provided by law.

Passed on first reading this ____ day of _____, 2018.

First reading waived by action of the Board of Trustees this 18th day of January, 2018.

Passed on second reading this 18th day of January, 2018, pursuant to a roll call vote as follows:

Ayes: _____

Nays: _____

Absent: _____

Approved by me this 18th day of January, 2018.

Keith T. Giagnorio, Village President

ATTEST:

Sharon Kuderna, Village Clerk

Exhibit A

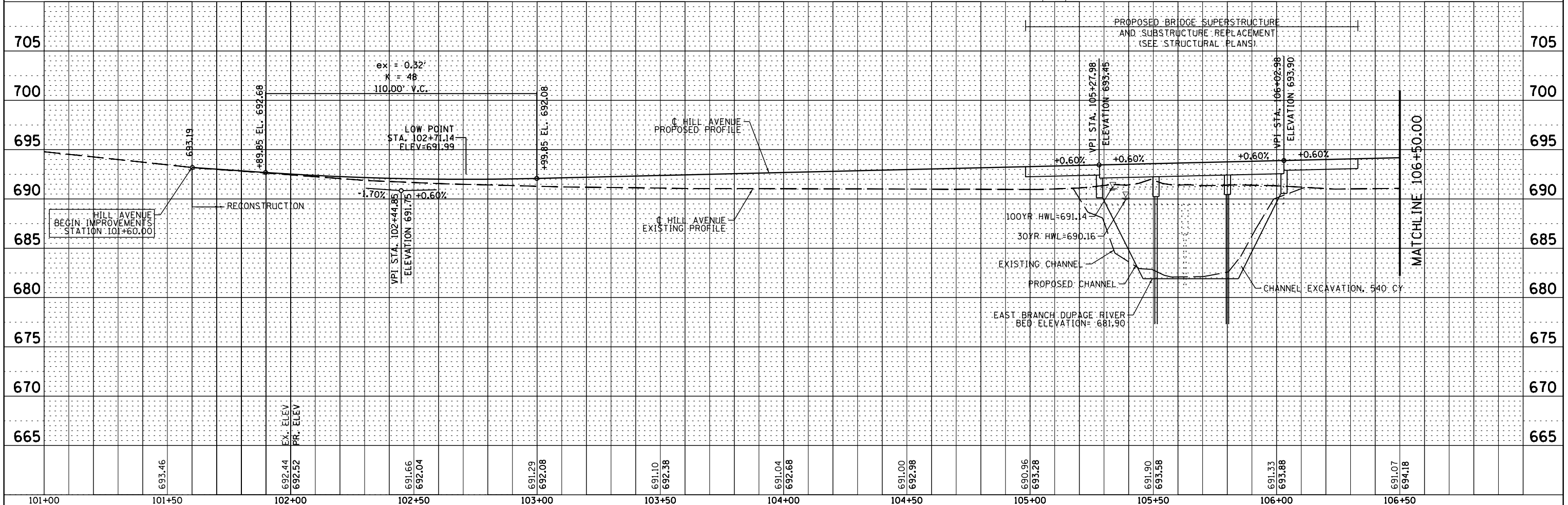
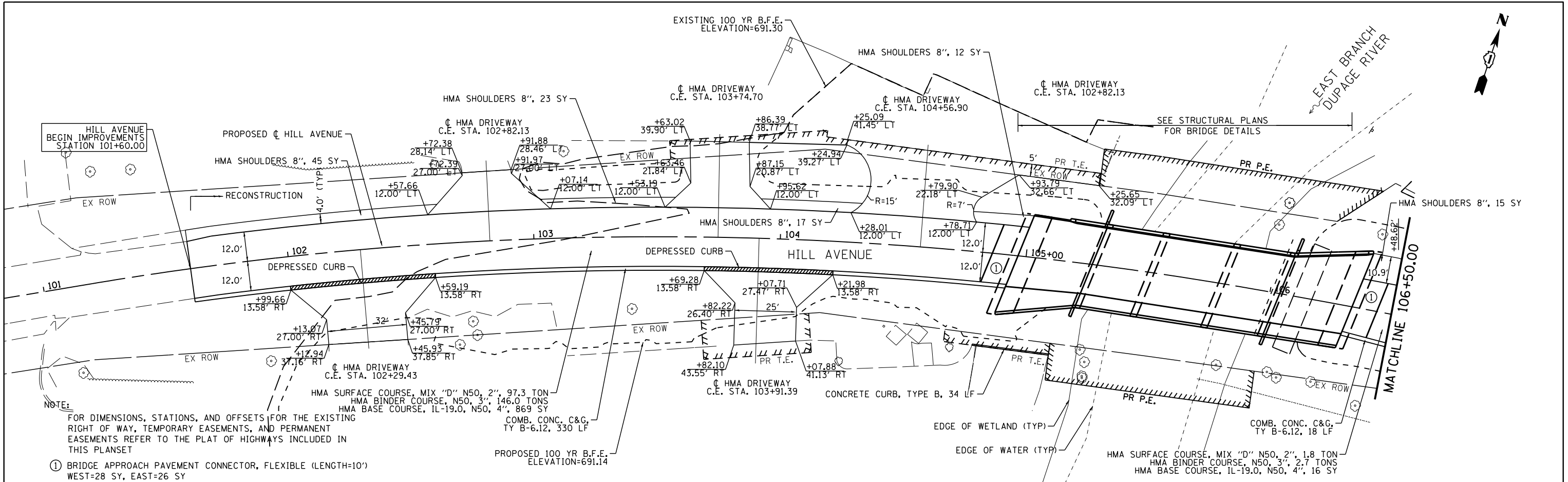
The Hill Avenue ROW

(attached)



DATE	
BY	
PLAN	
SURVEYED	
PLOTTED	
GRADES CHECKED	
STRUCTURE NOTATIONS CHECKED	
NOTE BOOK NO.	
CHECKED	
DESIGNED	
FILE NAME	

DATE	
BY	
PROFILE	
SURVEYED	
PLOTTED	
GRADES CHECKED	
STRUCTURE NOTATIONS CHECKED	
NOTE BOOK NO.	
CHECKED	
DESIGNED	



Bollinger, Lach & Associates, Inc.
ITASCA, ILLINOIS

USER NAME	= *USER*	DESIGNED	- MK	REVISED	-
		DRAWN	- MK	REVISED	-
PLOT SCALE	= *SCALE*	CHECKED	- MTC	REVISED	-
PLOT DATE	= *DATE*	DATE	- 01/25/2016	REVISED	-

**STATE OF ILLINOIS
DEPARTMENT OF TRANSPORTATION**

**HILL AVENUE
PLAN & PROFILE**

1"=5' VERT.
SCALE: 1"=20' HORIZ, SHEET 1 OF 2 SHEETS STA. 101+60.00 TO STA. 106+50.00

F.A.U. RTE.	SECTION	COUNTY	TOTAL SHEETS	SHEET NO.
1431	10-00154-00-BR	DUPAGE	82	18
CONTRACT NO. 61C22			ILLINOIS FED. AID PROJECT	

Exhibit B

JT Agreement

(attached)



**Illinois Department
of Transportation**

**Local Agency Agreement for
Jurisdictional Transfer**

Local Agency No. 1 (Conveyor)	Local Agency No. 2 (Recipient)
Municipality: Lombard	Municipality: Glen Ellyn
Township/Road District: Milton	Township/Road District: Milton
County: DuPage	County: DuPage

In accordance with authority granted in Section 4-409 of the Illinois Highway Code, this agreement is made and entered into between the above Local Agency No. 1, hereinafter referred to as "Conveyor" and the above Local Agency No. 2, hereinafter referred to as "Recipient", to transfer the jurisdiction of the designated location from the Conveyor to the Recipient.

Location Description

Name Hill Avenue Route _____ Length 602'
 Termini Hill Avenue Bridge to 602' west of the bridge
 _____ in its entirety.

This transfer does does not include Structure No. 022-7000

Include for Municipalities Only

WHEREAS, the authority to make changes to the Municipal Street System is granted to the Municipality by Section 7-101 of the Illinois Highway Code.
 NOW THEREFORE IT IS AGREED that the corporate authority of said municipality will pass an ordinance providing for the transfer of the above location and shall attach hereto and make a part thereof a copy of the ordinance, and

Include for Counties Only

WHEREAS, the authority to make changes to the County Highway System is granted to the County by Section 5-105 of the Illinois Highway Code.
 NOW THEREFORE IT IS AGREED that the County Board of said County will pass a resolution providing for the transfer of the above location and shall attach hereto and make a part thereof a copy of the resolution, and

Include for Township/Road Districts Only

WHEREAS, the authority to make changes to the Township Road District System is granted to the Highway Commissioner under Section 6-201.3 of the Illinois Highway Code.

The Conveyor Agrees to prepare a map of the above location and attach a copy of such location map hereto.

IT IS MUTUALLY AGREED, that this jurisdictional transfer will become effective:

upon IDOT approval _____ calendar days after _____

Supplements

Additional information and/or stipulations, if any, are hereby attached and identified below as being a part of this agreement.

Supplement _____
 (Insert supplement numbers or letters and page numbers, if applicable)

IT IS FURTHER AGREED, that the provisions of this agreement shall be binding upon and inure to the benefit of the parties hereto, their successors and assigns.

APPROVED BY CONVEYOR

APPROVED BY RECIPIENT

Name Keith Giaqnorio Name Diane McGinley

Title Village President Title Village President
 Chairman County Board/Mayor/Village President/etc. Chairman County Board/Mayor/Village President/etc.

Signature _____ Signature _____

APPROVED

STATE OF ILLINOIS

DEPARTMENT OF TRANSPORTATION By: _____

Director of Highways

Date